

## **Independent Review of the employment arrangements of electorate officers | Terms of Reference**

### **Background**

On 11 November 2024, the Corruption and Crime Commission (CCC) tabled its report on 'Significant misconduct risks to good government'. One of the allegations of possible serious misconduct considered in the report related to the use of electorate officers (EOs) for party political purposes.

Sections 4(1)(b) and section 4(2)(b) of the *Parliamentary and Electorate Staff (Employment) Act 1992* describes the employment arrangements for EOs, who are appointed to assist Members of Parliament in dealing with constituency matters. The term EOs includes all people appointed under these provisions, including those with the job title 'research officer'.

The CCC report identifies that the existing employment arrangements for EOs are complex and present unique challenges for oversight and accountability mechanisms. This includes:

- EOs are employed by the Speaker of the Legislative Assembly or President of the Legislative Council, as 'Presiding Officers'.
- The Presiding Officers have issued a delegation to the Director General of the Department of the Premier and Cabinet (DPC) of all their functions and duties in relation to those officers.
- Members of Parliament are responsible for the day-to-day management of the EOs in their office, however the administration of EOs' leave entitlements and salaries is undertaken by DPC.

The WA Government therefore intends to undertake an independent review to explore the role, responsibilities and employment arrangements for EOs in WA. In the interim, and in accordance with existing employment arrangements, DPC will consider and respond to the CCC report's recommendations.

### **Purpose**

The purpose of the review is to explore the employment frameworks for EOs in WA, including the legislative underpinnings. This may include identifying possible options to reform underlying legislative and policy frameworks to provide better clarity around the authorising and oversight of these officers.

### **Scope**

- Consider options and identify a preferred model for the employment arrangements of EOs, drawing on insights from a scan of models in other jurisdictions and targeted consultation with relevant stakeholders.
- Consider amendments that would need to be made to relevant legislation, policies, and guidelines to implement the options identified through the review.
- Identify the critical enablers required to implement the recommendations of the review, such as stakeholder buy-in, communication and change management, and any funding implications.
- In considering a preferred employment model, the Review may also give consideration to the role and responsibilities of EOs.
- Provide advice regarding the appropriate level of EO resourcing provided to MPs.

## Process

The review will be led by an independent reviewer and supported by a Secretariat based in the Department of the Premier and Cabinet.

The review will undertake targeted consultations with relevant stakeholders as appropriate, including but not limited to Presiding Officers, Members of Parliament and their staff, the Department of the Premier and Cabinet, the Public Sector Commissioner, the CCC, the Department of Parliamentary Services and the Department of Energy, Mines, Industry Regulation and Safety (Government Sector Labour Relations), and relevant stakeholders in other jurisdictions.

There will not be a public engagement or submission process undertaken for the review.

## Reporting

The reviewer is to prepare a report to Government on the outcomes of the review for its consideration.

A final report with the findings and recommendations of the review will be provided to the WA Government within 6 months of the commencement of the review