



REPORT OF THE PUBLIC ACCOUNTABILITY AND WORKS COMMITTEE
INQUIRY INTO THE APPOINTMENTS OF JOSH MURRAY AS SECRETARY OF TRANSPORT FOR NSW
AND EMMA WATTS AS NSW CROSS-BORDER ASSISTANT COMMISSIONER, AND SENIOR
EXECUTIVES AND DEPARTMENT LIAISON OFFICERS IN 2023
(REPORT 2, 16 MAY 2024)
GOVERNMENT RESPONSE

On 23 August 2023, the Legislative Council referred terms of reference to the Public Accountability and Works Committee (the **Committee**) to inquire into and report on the appointments of Josh Murray to the position of Secretary of Transport for NSW and Emma Watts as NSW Cross-Border Assistant Commissioner, and Senior Executives and Department Liaison Officers in 2023.

In particular, the inquiry considered the process undertaken to make the appointments, the appointments, actions, duties and responsibilities of Department Liaison Officers, the creation of transition offices in the Government and other matters related to senior executive appointments at Transport for NSW.

The Committee tabled its report (the **Report**) on 16 May 2024. The Report contains two recommendations, both of which are directed to the Government.

The Government supports both of the Committee's recommendations. Enclosed is a table which details the Government's response to each of the Committee's recommendations.

Public Accountability and Works Committee’s Report 2, May 2024 ‘Appointments of Josh Murray to the position of Secretary of Transport for NSW and Emma Watts as NSW Cross-Border Assistant Commissioner, and Senior Executives and Department Liaison Officers in 2023

	COMMITTEE RECOMMENDATION	GOVERNMENT RESPONSE
1.	<p>That the NSW Government update circular C2021-07 <i>Department Liaison Officers</i> to:</p> <ul style="list-style-type: none"> • provide further clarity on the roles, and specificity on the tasks, that should and should not be performed by Department Liaison Officers • clarify that Department Liaison Officers cannot be chosen by a Minister’s office but should instead be nominated by the relevant department • suggest that home agencies nominate a managerial contact to meet regularly with Department Liaison Officers. 	<p>Supported</p> <p>The Government has updated circular <i>C2021-07 Department Liaison Officers</i> in line with the Committee’s recommendation by:</p> <ul style="list-style-type: none"> • including additional detail on the role and tasks of Department Liaison Officers (DLOs) • providing additional guidance in relation to the requirement that DLOs must remain politically neutral and impartial in the performance of their duties • clarifying that DLOs are assigned by the agency head of their home agency • requiring home agencies to nominate a managerial contact to meet regularly with their DLOs. <p>The revised Circular, <i>C2024-04 Department Liaison Officers</i>, is available at this link: https://arp.nsw.gov.au/c2024-04-department-liaison-officers.</p>
2.	<p>That the NSW Government consider merit-based recruitment processes when candidates have strong political connections.</p>	<p>Supported</p> <p>The Government notes that Part 3 of the <i>Government Sector Employment (General) Rules 2014 (GSE Rules)</i> relating to merit-based employment provides for suitability assessments (where an individual is assessed against the pre-established standards for a role), comparative assessments (where an individual is assessed against the pre-established standards for a role <i>and</i> against other</p>

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		<p>claimants for the role), and recruitment through a ‘talent pool’ (where individuals are selected from an existing talent pool after having undergone comparative assessment).</p> <p>The Government acknowledges that where a candidate has strong political connections, selection of a candidate from a talent pool rather than from a further comparative assessment could lead to a perception that the candidate’s appointment was not fair or merit-based. However, talent pools are an important efficiency mechanism, saving time, cost and duplication of effort in government recruitment processes. The most appropriate recruitment process to ensure the integrity, professionalism and impartiality of the public service in a given case will depend on individual circumstances.</p> <p>The Public Service Commissioner provides guidance in relation to recruitment processes, including the requirements of the <i>Government Sector Employment Act 2013</i>, <i>Government Sector Employment Regulation 2014</i> and GSE Rules, and through the <i>Recruitment and selection guide</i>. The guide contains a section on planning a recruitment and selection approach as well as an e-learning module titled ‘Navigating Recruitment’ to help decision-makers understand how to make ethical, merit-based recruitment decisions.</p> <p>The Government will ask the Commissioner to consider this recommendation and to assess whether any further or amended guidance on this issue is required.</p>