



Agency performance

This section reports on the department's performance and includes a report against our Resource Agreement, a report on divisional activities and information about the people who make up the department's workforce.

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Resource Agreement

The Resource Agreement 2012-13 between the department's Director General, responsible Ministers and State Treasurer, drafted in accordance with section 41 of the *Financial Management Act 2006*, articulates the services to be delivered by the department, its financial and non-financial performance targets and the government's desired outcomes in the delivery of those services. The 2012-13 Resource Agreement was prepared using the outcome based management framework as set out in the 2012-13 Budget Papers. A summary of the department's financial and non-financial performance is provided below. Further detailed information regarding the department's non-financial performance for the 2012-13 financial year is provided in the Disclosures and Legal Compliance section of this report. A summary of the department's performance against whole of government and cross-agency initiatives, as contained in the 2012-13 Resource Agreements is presented in Table 2 of the Overview (Shared responsibilities with other agencies) section of this report.

Financial performance

The department's performance against the financial targets set for the 2012-13 financial year is outlined in the below table. The targets were derived from the 2012-13 Budget Papers (No. 2, Volume 2, Part 8).

Table 3: Summary of financial performance for 2012-13

Indicator	Target	Actual (1)	Variation	Explanation of variance
Total cost of services (expense limit) (details from Statement of Comprehensive Income)	\$216,354	\$209,750	(\$6,604)	
Net cost of services (details from Statement of Comprehensive Income)	\$135,067	\$123,139	(\$11,928)	
Total equity (details from Statement of Financial Position)	\$219,898	\$234,216	\$1,318	
Net increase/(decrease) in cash held (details from Statement of Cash Flows)	\$7,759	\$17,217	\$9,458	The main reason for the increase was due to the recoup of significant outstanding debtors.
Approved full time equivalent (FTE) staff level	1,015	933	82	

Note:

(1) As specified in the Financial Statements section of this report.

Non-financial performance

The department's non-financial performance against the key effectiveness and efficiency indicators as detailed in the 2012-13 Resource Agreement is summarised below. The targets were delivered from the 2012-13 Budget Papers (No.2, Volume 2, Part 8).

Key effectiveness indicators

Table 4: Results for the 2012-13 key effectiveness indicators

Indicator	Target	Actual	Variation	Explanation of variance
Outcome 1: A fair trading environment that protects consumers and traders in Western Australia.				
The extent to which traders comply with regulatory requirements	93%	97%	4%	
The extent of consumer confidence in Western Australia's trading environment	75%	75.5%	0.5%	
Outcome 2: A community with workplaces operated in a safe and fair manner and where buildings are safe and efficient.				
The extent of compliance with safety and employment protection regulatory requirements and construction standards	95%	94%	(1%)	
Outcome 3: Enhancement of the State's economic sustainability and prosperity.				
Index of funding leverage obtained for Western Australia from science and innovation research grants	6.7:1	10.5:1	3.4(a)	The variance is due to the success of a number of Centres of Excellence in attracting a higher ratio of leverage funds than originally anticipated.

Key efficiency indicators

Table 5: Results for the key efficiency indicators 2012-13

Indicator	Target	Actual	Variation	Explanation of variance
Service 1: Consumer Protection				
Average cost per client contact to provide information and advice	\$2.36	\$2.74	\$0.37	The variance is mainly due a lower than expected number of on-line visitors to the FuelWatch internet site. However a new application to determine the number of on-line visitors to the FuelWatch internet site was used so as to be compatible to the department's roll-in to Windows 7.
Average cost per policy project	\$179,884	\$229,108	\$49,224	The variance is due to a lower number of policy projects being completed. With the delays in nationally lead projects, including national occupational licensing and conduct harmonisation, work was required to be defer on the implementation of these projects in Western Australia. Two other projects were also delayed with the need for re-submission for Ministerial approval following the State election.
Average cost per inspection or investigation	\$419.98	\$487.29	\$67.31	The variance is in part due to unforeseen professional services fees relating to the winding up of real estate agents in administration.
Average cost per registration or licence	\$21.15	\$18.80	(\$2.35)	The variance is in part due to an increase in the number of fuel price changes from retailers and in tenancy bond transactions compare to the anticipated.
Service 2: Safety and Employment Protection and Construction Standards				
Average cost per client contact to provide information and advice	\$7.88	\$6.44	(\$1.43)	The variance is due to both the significantly greater amount of information and advice provided, mainly due to an increase in online visitors and a decrease in expenditure.
Average cost per hour of policy advice	\$167.17	\$195.70	\$28.54	The variance is mainly due to a correction of allocation of expenditure to direct costs within the Labour Relations Division which had been incorrectly allocated to indirect costs in the target.
Average cost per inspection or investigation	\$1,296.29	\$1,202.29	(\$94.00)	
Average cost per registration or licence	\$114.94	\$115.95	\$1.01	
Service 3: Industry, Science and Innovation				
Average cost per industry, science and innovation project managed	\$213,675	\$238,924	\$25,249	The variance is due to the revaluation of the Australian Marine Complex during 2012-13 which was not taken into consideration when setting the target.

Operational highlights

This section details the department's major operational activities for 2012-13.

Consumer Protection Service

Desired agency level outcome: A fair trading environment that protects consumers and traders in Western Australia.

Consumer Protection Division

About the division

The Consumer Protection Division provides consumers and traders with access to a fair and competitive marketplace by providing advice and assistance to the community.

Highlights

Retail trading hours laws

The Retail Trading Hours Amendment Act 2012 commenced on 26 August 2012. This significant reform to the legislation abolished special trading precincts and permitted all general retail shops located in the Perth metropolitan area to trade on Sundays and public holidays (except Christmas Day, Good Friday and ANZAC Day) from 11am-5pm. The trading hours for general retail shops in the holiday resorts of Rockingham and Wanneroo (the localities of Yanchep and Two Rocks) were also aligned with metropolitan hours. The changes provide greater clarity for consumers and the capacity to shop for a wider range of goods on Sundays.

Promoting efficiency and integrity in licensed charities

During 2012-13, the Commissioner revoked the licence of two charities in response to investigations that found issues relating to mismanaged funds, failure to effectively carry out the charitable purpose, an insufficient level of accuracy, transparency and detail in the financial reporting and poor governance practices. These investigations highlighted the role of the Consumer Protection Division in ensuring the appropriate use of public collections.

Remote communities visit

The Automotive, Marine and Trading Hours branch, together with the Institute of Automotive Mechanical Engineers (IAME), visited some of the most remote communities in Western Australia to encourage them to licence or establish motor vehicle repair businesses and to enable repairers to be registered through recognition of prior learning standards. Skills assessments performed by the IAME representative confirmed that the communities were in safe hands, and provided the individuals with evidence of their qualifications and skills, necessary for licence applications. The visits, funded by the 'Motor Vehicle Repair Industry Education and Research Fund' proved successful as an educational tool, and provided a valuable insight into the workings of remote regional communities.

Retirement villages laws

The Retirement Villages Amendment Act 2012 was passed in October 2012. Included were some key recommendations, including provisions which limit a former non-owner resident's liability to pay recurrent charges after leaving a retirement village, and the capacity for residents to collectively appeal to the State Administrative Tribunal if a dispute arises between the residents and the administering body regarding an increase in recurrent charges or the imposition of a levy. The amendments are intended to commence in early 2014. In addition, a review of the provisions of the current Retirement Villages Code is being conducted in accordance with the requirements of the *Fair Trading Act 2010*. A discussion paper was released by the department on 13 June 2013 for public comment.



Case Study

Redress for retirement village residents

During the year the Consumer Protection Division achieved redress for residents at two retirement villages. The first related to alleged bullying of residents by the village manager, the failure of the operators to address the matter properly, the cost of \$52,000 from residents to pay for an independent investigation into the residents' allegations, and the failure of the operators to provide the residents with the report of the subsequent investigation. The department sought voluntary compliance and an enforceable undertaking for the village to rectify the residents' concerns. The retirement village acknowledged and addressed all breaches and the costs were refunded to residents.

The department also examined concerns at a retirement village after residents were charged an amount as depreciation on a community centre over four years, which was put into a fund for general maintenance. The retirement village acknowledged this should not have occurred and an internal audit found the village had incorrectly collected \$131,578. The village has refunded the monies with interest to current and former residents accordingly.

Retirement Village Supreme Court ruling

In June 2013, the Supreme Court held that the owner of land upon which a retirement village was situated could not have the 'retirement village scheme' and memorial lifted from a portion of the land. The decision provides clarity about the nature of a retirement village scheme, when and how a scheme might be terminated, and affirms the strong protection which the charge over the land and the memorial provides in safeguarding residents' ongoing interests and rights.

Implementation of the *Co-operatives Act 2009*

On 31 August 2012 the *Companies (Co-operative) Act 1943* was repealed following the successful transfer of all active co-operatives in Western Australia to registration under the *Co-operatives Act 2009*. A phased transition process over a two year period demonstrated the effectiveness of the planning processes between Government, industry participants and the sector's peak body, Co-operatives WA. The new legislation provides a modern, effective and user friendly regulatory regime for business enterprises.

Statutory review of the *Residential Parks (Long-stay Tenants) Act 2006*

Following meetings with key stakeholders a discussion paper was released for public comment in August 2012 canvassing key issues in relation to residential parks living such as: security of tenure; compensation provisions for termination of agreements; sale of homes on-site; dispute resolution; and park owner insolvency. Approximately 800 responses were received. The feedback is being analysed and will be used to formulate options for reform that will be released for public consultation as part of the next phase of the review.

Secret shopper program campaign

The Automotive, Marine and Trading Hours branch instigated a secret shopper campaign to test the skills and fairness of car servicing and repairs due to concerns about over-servicing in the industry. During 2012-13 a total of 21 inspections were completed. The Consumer Protection Division is working with the Motor Trade Association WA to make vehicle repair businesses aware of the program. The results will be used to develop compliance strategies for the motor vehicle repair industry.

Commercial Tenancy Laws

Changes to Western Australia's retail shop laws contained in the *Commercial Tenancy (Retail Shops) Amendment Act 2011* commenced on 1 January 2013. The amendments create a fairer, more equitable and transparent retail tenancy market for Western Australian small businesses. Commercial landlords dealing with their lease negotiations and agreements for retail shops are required to provide additional

information and comprehensive disclosure statements to allow tenants to make informed decisions about leasing arrangements. These changes compliment other reforms aimed at assisting small business which included the commencement of a Small Business Commissioner during 2012.



Case Study

'Rent-to-buy' scheme

In 2012-13 the Consumer Protection Division commenced Supreme Court proceedings against Patricia and Bryan Susilo for promoting a 'rent-to-buy' scheme. It is alleged the Susilos are carrying on business as real estate agents without the required licence and that, in promoting their scheme, they have breached the *Australian Consumer Law (WA)* by misrepresenting the nature of the services they offer, the nature of their interests in the properties advertised, the need for buyers to ultimately obtain finance and the price of advertised properties. In May 2013, Consumer Protection Division successfully obtained interim injunctions requiring greater disclosure of the true nature of the scheme, while the case is being heard in the Supreme Court.



Safety and Employment Protection and Construction Standards Service

Desired agency level outcome: A community with workplaces operated in a safe and fair manner and where buildings are safe and efficient.

Building Commission Division

About the division

The Building Commission Division works to ensure fair and efficient building and plumbing industries by consolidating policy, standards and registration of practitioners and contractors.

Highlights

Regulation reform

The implementation of new building legislation since 2011 is the greatest reform in building regulation in fifty years. The new legislation is very flexible to allow for future issues, and has been implemented where possible to continue existing regulatory frameworks to minimise disruption from change. There is still considerable work to be done to complete reform of building regulation and to review and reform the scope of plumbing regulation. In 2012-13 the Building Commission Division continued to contribute to national reforms including the National Construction Code and national occupational licensing schemes for builders and plumbers. The Building Commission Division continued policy work with stakeholders on registration of engineers and other occupations, tiered registration of builders and extension of uniform registration requirements across the whole state. The Building Commission Division also undertook substantial work in support of the Economic Regulation Authority review of home indemnity insurance and worked closely with insurers to ensure continued coverage in Western Australia while alternative schemes are developed.

Complaint resolution

A new complaints process under the *Building Services (Complaint Resolution and Administration) Act 2011* was implemented during the 2012-13 financial year. There were 809 complaints received by the Building Commissioner, with 501 being handled directly in the Building Commission Division and 308 more complex or intractable disputes being passed on to the State Administrative Tribunal. The growing use of conciliation by the Building Commission Division with a success rate of 78 per cent and the strict case management processes applied by the State Administrative Tribunal have reduced the average time to resolve a dispute from 61 weeks under the former Building Disputes Tribunal to 25 weeks under the new system.

The Building Commission Division is working with industry bodies and complainants to continue to improve the complaints process and the effectiveness of Building Commission Division inspections with an emphasis on helping the parties resolve their own disputes quickly and fairly.

Education and information

The Building Commission Division continued to provide a varied and extensive education program to industry, local governments and the community in 2012-13 on topics such as changes to building and plumbing regulation and how to achieve the best efficiency out of the new processes. There were 25 metropolitan and 11 regional seminars held covering topics such as the *Building Act 2011*, changes to building and plumbing standards, proposals for national licensing and improved compliance and registration processes. These sessions were complemented by a range of new and updated publications, interactive broadcasts to regional areas, mail-outs, improved website content and the Commission's presence at a metropolitan home show and a regional expo. The departments contact centre supported the relaying of information to industry and consumers, receiving an average of 262 contacts a day on topics such as dividing fences and building applications.

Compliance

The Building Commission Division Compliance Directorate has refocused its resources to promote compliance with building and plumbing laws and to complement the changes in building legislation over the past two years.

There is a stronger focus on auditing the work of registered or licensed service providers rather than simply dealing with complaints and better use of resources to target serious non-compliance. In 2012-13 the Building Commission Division issued 78 warning letters or disciplinary notices, took 12 allegations to the State Administrative Tribunal in respect to licensed or registered providers, and prosecuted 11 breaches of building and plumbing laws.

Building Commission Division seminars spread the word

The Building Commission Division continued its commitment to getting information out to all areas of the State last financial year, through seminars on topics ranging from the new Building Act to changes to the Building Code of Australia.

Metropolitan Building Act information sessions in November and December 2012 provided dedicated information for industry members, permit authorities and the general public on how to get the most out of the new building laws.

About 450 people attended the five industry sessions, which were supported by separate presentations to all permit authorities across the Perth metropolitan and surrounding areas. A webcast for people in regional Western Australia and two public information sessions were also trailed.

April and May 2013 saw the Building Commission Division take information on annual changes to the Building Code of Australia and other policy and legislation related matters on the road, visiting eight regional towns; Bunbury, Busselton, Karratha, Geraldton, Albany, Kalgoorlie, Merredin and Broome. A total of around 200 people attended the Building Code session, while 115 attended the policy and legislation sessions.

The Broome seminars coincided with the annual North West Expo, where the Building Commission Division was part of the Department of Commerce stand, and the Master Builders Association Sundowner. The Commission also participated in the Fresh Start Home Show at the Perth Convention and Exhibition Centre with the EnergySafety Division in October 2012.

EnergySafety Division

About the division

The EnergySafety Division carries out the technical and safety regulation of electricity transmission, electricity distribution, electricity and gas utilisation (consumers' installations and appliances) and gas distribution. The division is industry funded.

Highlights

Gas Appliance Rectification Programme

The objective of this Programme is to facilitate the rectification and/or removal of pre-1980 domestic natural gas appliances in order to allow the supply of a broader gas specification into the market, allowing for more competition in the supply of natural gas. Ramifications for some pre-1980 domestic natural gas appliances still operational in homes around the State were identified and, as stage one, EnergySafety Division responded to enquiries and provided investigative services for those who had concerns and/or were in the target group for the replacement programme.

A tender for stage two, being the supply of, and/or the installation, disposal and servicing of domestic gas appliances was awarded to Alinta Assist in 2011. Almost ten thousand appliances were identified for replacement and, at 30 June 2013, approximately 85 per cent of these have been replaced. In addition, almost eight thousand appliances were identified as requiring servicing. At 30 June 2013, approximately 24 per cent of these have been serviced.

Bushfire investigations

Under EnergySafety Division's leadership, a new protocol governing how investigations are to be managed for bushfires suspected to have been caused by electricity was agreed, completed and implemented. Protocol signatories include the Department of Fire and Emergency Services, the Department of Environment Regulation, Western Australia Police, Western Power Corporation and EnergySafety Division. This protocol will help



ensure that all electrically-caused bushfires are properly investigated while allowing all parties to perform their statutory functions.

Inspection system plan – guidelines

Under regulation 253 of the Electricity Regulations 1947, network operators are required to establish and maintain an effective system of inspection for consumer electrical installations connected to their network. The legislation provides for the Director of EnergySafety Division to issue guidelines setting out the technical, investigative, reporting, administrative and other requirements for network operators' inspection system plans. After extensive consultation with all network operators, revised Inspection System Guidelines were completed in June 2013 and will be issued to network operators early in July 2013.

Labour Relations Division

About the division

The Labour Relations Division promotes and encourages flexible, fair and productive employment practices in Western Australian workplaces that recognise the rights and obligations of both employees and employers.

Highlights

Labour Relations Legislation Amendment and Repeal Bill 2012

The Government tabled in Parliament the draft Labour Relations Legislation Amendment and Repeal Bill 2012 (the bill) in November 2012 as a Green Bill. The department managed the extensive consultation process on the bill with stakeholders and supplied feedback to the Minister on submissions made and potential amendments to the draft bill.

Wages recovered

The department has recovered \$587,792 in unpaid employee entitlements including \$84,604 through its First Step, Conciliation, Investigation and Prosecution functions, after investigating complaints from individual employees alleging their employer had failed to pay appropriate entitlements under State industrial laws, awards or agreements.



Flexible workplaces

The department developed and launched a revised flexible workplaces website. Resources have been customised for small business, larger organisations, managers and employees. The website integrates information about teleworking, carer friendly workplaces and mature age employment.

Children in employment

The Labour Relations Division successfully prosecuted a large national fast food industry participant for 16 breaches of the children in employment laws, resulting in a \$30,000 fine. The prosecution received broad mainstream media coverage, which raised the profile and understanding of the laws within the community. During the year, 59 targeted proactive compliance inspections were carried out to enhance compliance with State employment laws.



Regional employment

The Public Sector Directorate within the Labour Relations Division continued to monitor and review agency attraction and retention issues, working with agencies in responding to regional attraction and retention matters. The attraction and retention strategies implemented have resulted in recruitment of essential staff to maintain government priority services.

Employment law centre

The department put in place a three year funding agreement with the Employment Law Centre of WA (Inc.) that provides free, confidential employment law advice, education, advocacy and representation to vulnerable employees.

Case Study

In late 2012 Labour Relations Division held a division-wide lateral thinking workshop to explore new ways of working smarter in delivering services and business functions. A major outcome from the workshop was the development and subsequent introduction of the Labour Relations Innovation Forum. This program, first initiated in July 2012, has since become a pilot program for possible introduction to the whole department and is focussed on exploring new ways of enhancing business services, practices and the capabilities of its people. The program committee members at the time were (left to right) Emma Anthony, Damien Spivey, Emma Csaba, Stel Podias, Clare Moxey, Charlie Domville-Lewis, Sarah Haynes.





WorkSafe Division



About the division

The WorkSafe Division promotes safe and healthy workplaces in Western Australia by enforcing occupational safety and health laws, provides education and information about occupational safety and health matters to workers and employers and aims to improve workplace safety culture through industry and community awareness programs.

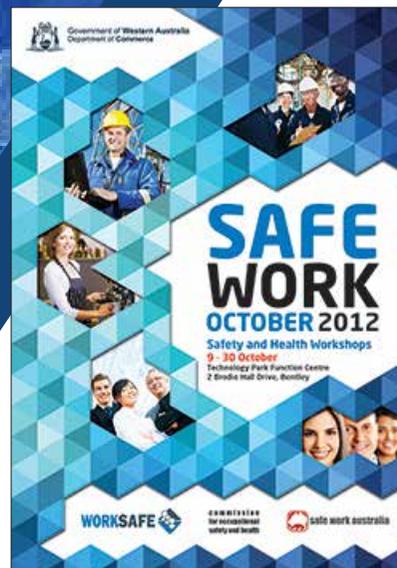
Highlights

Safe Work October

During Safe Work October 2012, 79 businesses registered with WorkSafe Division to take part in undertaking safety focussed activities. In addition, 709 participants attended workshops held at Technology Park, Bentley to learn more about practical occupational safety and health solutions, tools and strategies that they can apply in their workplace. These workshops provided an excellent opportunity for networking, sharing ideas and updating safety and health knowledge.

Education and information sessions

As part of a continuing educational program approach, the WorkSafe Division presented 29 free lunchtime information sessions to over 2,685 participants. These '4thought lunchtime sessions', were held at various locations and covered a range of occupational safety and health topics, giving participants information on workplace safety issues and providing an opportunity to discuss solutions. The division also conducted more than 51 information sessions at individual workplaces, attended by over 1400 participants, to support workplace risk management processes; and provided over 144 information sessions, attended by 2,723 participants, to safety and health representative training courses, industry associations, schools, TAFEs and other customers. In addition, there were 11 industry presentations concerning the proposed harmonised work health and safety laws.



Customer help centre

During the year, the WorkSafe Division responded to 114,521 requests for occupational safety and health information, received 2,081 notifications of injuries and disease, answered 9,304 emails to the Customer Help Centre, and efficiently issued over 68,000 classes of high risk work licences.

Proactive campaigns

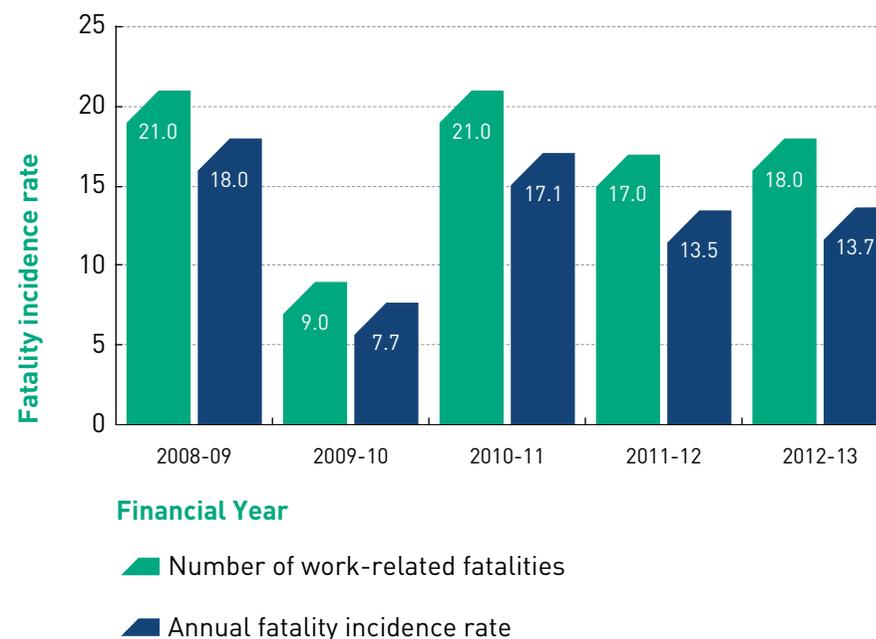
During the year, the WorkSafe Division completed a number of key proactive team projects including those concerning the freight forwarding industry, independent supermarkets, building supplies retailing, hazardous substances, stress and bullying risk management systems, chemicals and plastics manufacturers, and laundry services (dry cleaners). There was also a key regional intervention campaign concerning agriculture and fishing in the mid-west of the State involving 48 inspections which resulted in 51 improvement notices and 2 prohibition notices. Risk management materials were distributed to workplaces to support these team projects.

Work-related injury and disease rates

According to the most recent preliminary workers' compensation claims data, work-related lost time injuries and diseases (LTI/Ds) in Western Australia recorded a 1.7 per cent reduction in frequency rate, from 9.39 LTI/Ds per one million hours worked in 2010-11 to 9.23 in 2011-12 (preliminary). The five-year trend (2007-08 to 2011-12) shows a 10.6 per cent reduction. The total rate of improvement for all work-related injuries and diseases since the *Occupational Safety and Health Act 1984* came into effect 24 years ago in 1988-89 is 73.8 per cent.

Due to the volatility of work-related fatalities, averages over five years are used to provide clear trend data. The most recent data shows the average traumatic work-related fatality incidence rate for the five year period from 2008-09 to 2012-13 is 14.0 traumatic work-related fatalities per one million workers. This is a 12.9 per cent reduction from a fatality incidence rate of 16.0 for the five year period of 2007-08 to 2011-12.

Table 6: Work-related fatalities between 2008-09 and 2012-13



Awards

The WorkSafe Plan is an assessment process that rates safety management systems and directs attention to areas that can be improved. The WorkSafe Plan is promoted by the WorkSafe Division to help workplaces introduce occupational safety and health management systems that support the practices required to establish and maintain safe systems of work. In 2012-13, five platinum, four gold and three silver certificates were awarded.

The Work Safety Awards Western Australia recognises outstanding occupational safety and health management, solutions and innovation in Western Australian workplaces that reduce the risk of work-related injury and disease. The 2012 winners were Veolia Transport Perth Pty Ltd, Fremantle Ports, Sinclair Knight Merz and Balfour Beatty UGL, Daniel Smith and Mike Hayward.



ThinkSafe regional educational activities

The WorkSafe Division's educational activities included delivering free and independent occupational safety and health advice to small businesses in high risk industries in all regions of Western Australia. During the year 196 small businesses in regional areas received assistance.

New internet education products

During 2012-13 the WorkSafe Division revised the SafetyLine Institute and SmartMove online programs. The SafetyLine Institute was revised to provide updated material to help learners achieve competencies in the new national work health and safety qualifications, and a more user friendly online quiz system was introduced. SmartMove was revised to incorporate a Safety Passport program to assist young workers entering the workplace, and associated lesson plans and worksheets were published to assist educators.

Case Study

National Safe Work Australia Awards

Two of Western Australia's entries were highly commended at the annual national Safe Work Australia Awards ceremony. Veolia Transport Perth (Veolia) was highly commended for the company's safety and health system and Sinclair Knight Merz and Balfour Beatty UGL were highly commended for their solution which allows for the erection and assembly of towers without manhandling sections into position. The awards encourage best practice in occupational safety and health.



Industry, Science and Innovation Service

Desired agency level outcome: Enhancement of the State's economic sustainability and prosperity.

Industry, Science and Innovation Division

About the division

In 2012-13 the Industry, Science and Innovation Division enhanced the State's prosperity by promoting industry, science and innovation.

Highlights

Western Australia Integrated Marine Observing System

The Western Australia Integrated Marine Observing System (WAIMOS) is part of a national system of data gathering infrastructure and in 2012 it received \$10 million from the Commonwealth Government and \$6 million from the State Government to establish data gathering systems in the Kimberley and Pilbara regions. WAIMOS is providing the data streams needed to understand and model the role of the oceans in climate change, and predict seasonal climate variations to better understand and manage marine natural resources, coastal and offshore industries, safety at sea and marine tourism. The data provided through WAIMOS is used by the Western Australian Marine Science Institution (WAMSI) in delivering initiatives under the Kimberley Science and Conservation Strategy.

Case Study

Making our beaches safer

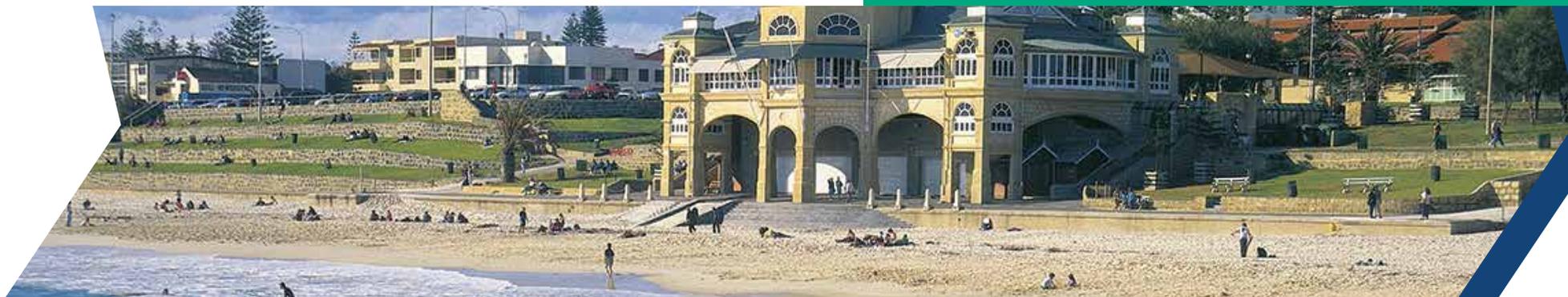
Western Australia's beaches are acknowledged as among the finest in the world. They are a key component of our relaxed lifestyle and a major attraction for locals, visitors and international tourists.

To ensure that they are kept safe for everyone to enjoy, the State Government has established the Shark Hazard Advisory Research Committee, chaired by the Chief Scientist of Western Australia. The Committee evaluates proposals under the Applied Research Program for research into means of mitigating the risk of shark attacks.

The Oceans Institute at the University of Western Australia will independently test and improve existing shark deterrents, as well as developing and testing potential deterrents such as bubble curtains, underwater sounds and strobe lights.

Curtin University's Centre for Marine Science and Technology will research the use of sonar imaging in shark detection.

Winthrop Professor Mohammed Bennamoun, a world expert in computer vision, image processing and artificial intelligence at the University of Western Australia, will develop computer algorithms for real-time analysis.





The Western Australian Marine Science Institution

The State Government committed \$12 million to the Western Australian Marine Science Institution (WAMSI) to support marine initiatives for the Kimberley Science and Conservation Strategy. This has leveraged an additional \$18 million, bringing the total investment to \$30 million and involving over 130 scientists from 12 institutions, including a number of industry partners. The focus areas will be the new marine park areas from the northern Dampier Peninsula to Cape Londonderry. WAMSI contributes significantly to an increased understanding of Western Australian marine ecosystems by providing baseline data against which cumulative changes can be mapped. This data has been made public to support development and conservation decision making in coastal waters. WAMSI is also conducting a Dredging Science program to improve the protection of the Pilbara and Kimberley marine environments and reduce the regulatory compliance costs to industry.

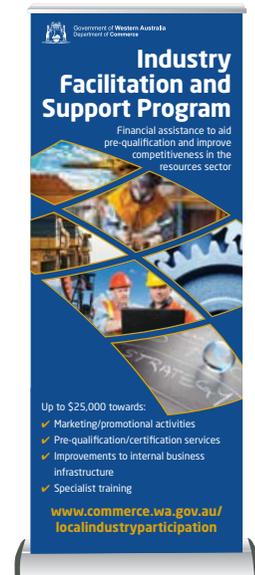
Industry Facilitation and Support Program

Round one of the Industry Facilitation and Support Program (IFSP) assisted 120 Western Australia companies to upgrade their competitive capacity to supply to the resource sector in areas including capital equipment upgrade, business system improvements, training, accreditation and health and safety improvements. This represents a State funding commitment of \$2.5 million.

Of these 120 applicants, 46 projects have now been finalised with reported outcomes such as increased employment (126 full time equivalent staff and 10 apprentices), greater productivity and contracts valued at over \$88 million.

The division is also currently running a regional round of the IFSP utilising Royalties for Regions funding, with 18 successful applications from regional Western Australia. The division is also in advanced negotiation with Chevron regarding a jointly funded IFSP round to target Pilbara business.

STATE
FUNDING OF
\$2.5
MILLION



Common use infrastructure to support industry in the Pilbara

Previously Cabinet approved \$5 million from the Royalties for Regions Program for the department to undertake detailed planning and feasibility studies for the establishment of a proposed Pilbara Fabrication and Services common use facility in the North West.

Four studies are now nearing completion, these are the: Market Demand Study; Feasibility Engineering and Design Study; Financial Viability Plan; and Economic Benefit Analysis. These studies will form the basis for a business case on the feasibility of the proposed facility which is due to be completed by the end of 2013.

Digital developments

During 2012-13 the Digital Economy branch promoted increased participation in the online world, across all regions of the State. This included the development of a draft Digital Economy Framework which has been tested with some 30 different organisations and Councils, to assist them in developing their own digital activity plans.

A series of high level digital round tables have also been organised to bring thought leaders from Government, Industry, Community and Academia together to explore ways that digital technology and the online world can be harnessed to improve the social and economic amenity across Western Australia. Recommendations and ideas that have emerged from these meetings are being fed into the overall digital economy framework to enhance the collective digital activity being considered by various councils and regional bodies across the State.

Measuring the benefits of the Government's science investments

The Industry, Science and Innovation Division has continued the online deployment of the new Investment Management Tool. The system provides a methodology aligned to internationally accepted norms, assisting applicants to clearly define the expected benefits of their project and a consistent way to measure actual benefits as the project proceeds by linking inputs to users to impacts. It also provides an objective and transparent basis for investment recommendations to government and delivers efficiency gains to the department.

Case Study

Clean Energy for the Future

Western Australian Company, Bombora Wavepower recently won the Clean Energy Generation Category at the first GE Australia and New Zealand Ecomagination Challenge Awards held in Sydney. Bombora was acknowledged for their Wave Energy Conversion Device (WECD), a cost effective technology that converts ocean swell into capital efficient, zero emissions energy. It is estimated that each device will be able to supply electricity to 500 homes, reducing carbon dioxide emissions by 3300 tonnes annually – the equivalent of taking 825 cars off the road.

The Industry, Science and Innovation Division recognised Bombora's early potential, sponsoring a representative from the company to attend the Curtin Growth Ignition Program. The program equips entrepreneurs and innovators with the tools, resources and motivation required to prepare their ideas for commercialisation. Ignition is funded by the State Government and delivered by the Curtin University Business School. Bombora Co-Director Mr Shawn Ryan noted the role of the State Government in fostering and nurturing the entrepreneurial spirit of Western Australians, in particular through the Innovation Centre of Western Australia (ICWA), at Technology Park Bentley.

"ICWA is certainly one place where we had our fair share of eureka moments," he said. "Once the spark of innovation has evolved and developed into an implementation phase, we see the ideal relationship with government change from that of fostering to facilitating the application of new technologies."

The Industry, Science and Innovation Division supports the growth of the burgeoning renewable energy sector in Western Australia, recognising that strong linkages between the State Government and innovators like Bombora are crucial for Western Australia's long term prosperity.



Corporate highlights

Corporate Services Division

About the division

The Corporate Services Division supports the department's outcomes by providing effective governance and policies and procedures for a range of activities.

Highlights

Windows operating system upgrade

The Department of Commerce used Windows XP as its' main operating system for end user computing. This version of the Windows operating system has been available to general industry since 2001 with a product "end of life" scheduled for 2014. As the XP product was nearing its end of life, a project was commissioned to replace Windows XP with Windows 7.

Following the completion of the project, the following outcomes were achieved:

- All divisions were successfully migrated to Windows 7.
- A total of over 1,200 machines were upgraded.
- All machines were upgraded to 4G ram.
- At least 350 machines were replaced.
- Over 100 applications were tested.
- Thousands of packages were delivered to the new environment using automated delivery tools.
- The deployment process was all completed within approximately 45 business days.

This work was successfully completed in October 2012 with all users transitioned to the new operating environment.

Office of Shared Services rollout program

The Office of Shared Services (OSS) rollout program was established early 2012 to decommission the Department of Commerce from the OSS. The program objective comprised the following:

- Migrating Finance/Procurement functions from OSS to Department of Commerce by implementing Oracle E- Business Suite (EBS) Applications Release 12.1.3.
- Migrating Payroll functions from OSS to Department of Commerce by implementing Hosting Services (SaaS) with Talent2.
- Migrating Human Resources functions from OSS to Department of Commerce by implementing Alesco HRIS Applications V13.

The program was completed successfully on time and under budget and both systems Oracle e-Business Suite R12.1.3 and Alesco HR/Payroll V13 were implemented in the respective production environments on the 3 and 6 December 2012 respectively. The program delivered the intended benefits and business outcomes outlined in the Benefits Realisation Management Plan including:

1. simple, easy to use business and system processes;
2. improved decision making due to easier access to quality data, information and processes;
3. increased self sufficiency of managers and staff to manage their own administrative responsibilities;
4. easy access to both on-line and personal support for dealing with queries and issues; and
5. compliance with all audit, legal and government requirements and obligations.

In early 2013, Phase Two of the program was initiated to implement a number of key business improvement deliverables to support ongoing strategies for Finance and HR functions.

WorkSafe compliance system upgrade

The second phase of WorkSafe Division's system upgrade program allowed for the introduction of new functionality to its' major investigative application. The system was enhanced with additional features designed to improve the quality of the data, streamline existing processes and reduce data duplication. The major improvements included:

- improved searching capabilities;
- reduced data duplication;
- the development of timely quarterly business plan reports;
- enhancing the entity checking functionality by integrating with the Australian Securities and Investments Commission, (ASIC) system/s;
- streamlining existing processes by introducing new forms;
- implementing the new harmonisation legislation requirements; and
- implementing changes to the ANZSIC structure.

This work was completed and successfully deployed in mid May 2013.

Labour Relations system developments

A new underpayment calculator was developed to provide Labour Relations Division inspectors with an accurate calculation method in accordance with the law to enable them to identify and rectify underpayments made by employers or to provide evidence for prosecution. The system reduces the hours spent on underpayment calculations and increases accuracy of underpayment calculations.

A new system was developed to provide improved complaint and investigation workflow functionality that is integral to Compliance Service's and Wageline's daily operations. It improves information capture, analysis and reporting and streamlines the operation.



Complaints and Licensing System

The Complaints and Licensing System (CALs) has undergone a technical upgrade to extend its lifespan and reduce risk to performance and availability. A project was undertaken to digitise CALs licence applications and thus reduce the need for physical paper and storage and improve efficiencies for retrieving this information. This functionality was first rolled out in June 2013.

Residential bonds system

A project was undertaken to replace the residential bonds administration system and technology platform prior to a legislative change that requires all bonds to be lodged with the department.

The project delivered the core bonds system, a scanning solution, workflow management functionality, an external portal for the property agents in Western Australia, integration to the Commonwealth Bank and the department's document management system, cash receipting system and the financial system.

Process improvements

Defect management is now controlled through a release management process that ensures each business unit is provided a window to address system issues. The new release schedule has been negotiated and agreed with key application stakeholders. The process was piloted with the Consumer Protection Division's Bond Administration area which has proven to be successful with the stabilisation of the system and resolution of most issues raised by the area. The release process also introduces a stricter testing framework which is now a standard requirement for all major applications and has assisted in making significant quality improvements.

Disaster Recovery Annual Report

In 2012, the department implemented and commissioned an off-site 'warm' Disaster Recovery (DR) data centre in response to the department's concern for risk associated with catastrophic disaster.

The implementation team have developed, documented and implemented the recovery of IT business services listed in the Corporate Executive endorsed Vital Business Functions document. In addition, recoverable IT

business services include Objective EDRMS, corporate email, Internet services and a means to handle incoming call-centre telephony.

The off-site DR facility represents a modest investment to mitigate the risk of statutory and reputation loss in the event of catastrophic disaster.

Office of the Director General

About the division

The Office of the Director General provides strategic and executive support to the Director General and the Corporate Executive.

Highlights

Corporate plan

The department finalised the development of a new Corporate Plan for 2013-2016. The plan provides a framework to guide the department's diverse operations and future directions. The plan, which will be released in early 2013-14, will assist the department identify and maintain a clear vision of its role, direction and values and position it to best meet new and continuing challenges over the next three years.

Connecting with customers

The Office of the Director General works with the department's divisions to deliver a range of educational and promotional products and services. During the year, the Online Services and Publications and Campaigns branches of the division assisted in many enterprising Commerce projects, with highlights listed below.

The department's online information services were revised and expanded to provide seamless integration with Commerce campaigns, events, surveys and newsletter services.

Key projects were undertaken during the year to enhance the access of the community to the department's online services, including the creation of the Clean Technology Renewable Energy Directory, the Safe Work October Register, the WA Innovator of the Year and WA Industry and Export Awards websites and the Work Safety Awards Online Registration system.

As part of the Customer Focused Service Delivery program, significant contributions were made to the identification and selection of a new corporate website content management solution, the review of the current corporate website, and development of new site guiding principles, design and architecture.

A fully refreshed, accessible, standards-compliant corporate website that will provide the community with access to expanded services and improved communications will be launched during the 2013-14 financial year.

The division also assisted in the department's delivery of a range of events including the Safety and Health Workshops 2012, Work Safety Awards breakfast 2012 and the Western Australian Consumer Protection Awards 2013 as well as its participation in a number of industry exhibitions including the Pregnancy, Babies & Children's Expo and the Fresh Start Home Show 2012.

During the year the division facilitated the distribution of over 330,000 hard copy publications to the public and industry explaining relevant legislation, offering opportunities fostering business, promoting safe practice at the home and workplace and providing information to both consumers and traders on their rights and obligations.

Public Sector Safety, Health and Injury Management Network

During 2012-13 the department facilitated two Public Sector Safety, Health and Injury Management Network sessions which were both well attended. The network sessions provide an important forum at which public sector occupational safety and health and injury management professionals can come together to exchange ideas and information on how to improve health and safety within their own workplaces. The Network is an initiative of the Public Sector Safety, Health and Injury Management Steering Committee, an across government body established to promote improved health, safety and injury management across the Western Australian public sector and coordinated by the department.



Our people

The department employs a diverse range of talented people who work together to deliver its broad range of services to the Western Australian public. As at 30 June 2013 the department employed 1,006 people which equated to 933 full time equivalent positions.

Table 7: Department's comparative employment profile (FTEs) for 2011-12 and 2012-13

Year	2011-12			2012-13		
	Female	Male	Total	Female	Male	Total
Permanent full time	353	370	723	380	383	763
Permanent part time	77	8	85	69	7	76
Fixed term full time	82	41	123	61	24	85
Fixed term part time	18	3	21	8	1	9
Total FTEs	530	422	952	518	415	933



Workforce planning

The focus of workforce planning activities during the year included the development of a Chief Executive Officer Dashboard Report, a review of leave usage and ongoing data improvement.

Chief Executive Officer Dashboard Report

A Chief Executive Officer Dashboard Report was developed and is being produced on a monthly basis. The report provides an overview of the department's performance over a range of key areas and provides information on performance that can be easily evaluated to identify risks, trends and areas for improvement. The report comprises the following three parts: benchmarks and targets, workload indicators and workforce demographics.

Review of leave usage

With the increased focus on the management of leave liability in the public sector, an extensive review of leave usage by staff during 2010-11 and 2011-12 was completed. The Leave Management Policy was updated and a Leave Management Guide was developed. The purpose of the guide is to clarify the responsibilities of all staff and assist supervisors and managers to manage the leave liability of their staff.

Data improvement

Data cleansing and efforts to improve workforce data continued during 2012-13, particularly with the return of payroll processing from Shared Services to the department in December 2012. A campaign to encourage all staff to update their equal employment opportunity (EEO) data was undertaken in May 2013.

Attraction and retention

The department aims to recruit, develop and retain high calibre, skilled and motivated people. Improved employment options have been developed to ensure that the needs of our talented employees are met while fulfilling our business needs. To attract and retain the best possible people the department offers a range of employee benefits including flexible working arrangements; work-life balance initiatives; a comprehensive health and wellness program; learning and development opportunities; and study assistance.

Valuing equity and diversity

The department acknowledges that there are differences in the workforce and adapts work practices to create an inclusive environment in which

diverse skills, perspectives and backgrounds are valued. The department aims to achieve an equitable and diverse workforce that is representative of the community at all levels of employment, and which enables employees to combine work and other responsibilities. Key equity and diversity activities undertaken during the year included the Springboard Women's Development Program, work placements for people from a culturally diverse background and the implementation of a career development program for women using parental leave.

Springboard Women's Development Program

The first Springboard Women's Development Program run by the department was conducted in house during 2011-12. Due to the success and high level of interest resulting from this first program, two additional programs were conducted during 2012-13. In total 38 women have participated in the Springboard Programs; 24 from the department and 14 from other departments. To provide ongoing development for participants, an Alumni of the program graduates has been established. The inaugural Springboard Alumni event was held in May 2013 and was opened by the Director General and included a guest speaker from Western Australia Police.

Work placements

The department partnered with the Central Institute of Technology and provided three work placements to highly skilled recently arrived migrants who were participating in the Settlement Language Pathways to Employment and Training (SLPET) program. SLPET is an employment focused course designed to assist students with their transition to work in Australia by providing the opportunity to undertake a work placement. Due to the high calibre of the students and the success of the placements, additional work placements will be offered in 2013-14.

Career development program for female staff using parental leave

The My Mentor Parental Leave Program was launched in 2012-13. Available to all female staff using parental leave, the program comprises a DVD, 2 CDs and a workbook. The program has been designed to support women to combine their career and motherhood and to assist in their return to work. The program



has been developed by Emberin, a Queensland company which has been working in the area of women's mentoring and gender diversity since 2005.

Skills West Expo

The department once again participated in the Skills West Expo which was held this year at the Perth Convention Exhibition Centre in August 2012. Participation at the careers expo is used as an opportunity to encourage employment of youth and people from culturally diverse backgrounds.

Aboriginal employment strategy

In 2008 the Council of Australian Government (COAG) committed to the Indigenous reform agenda, known as 'Closing the Gap', to improve the lives of Indigenous Australians. COAG agreed to six targets to address the disadvantages faced by Indigenous Australians in life expectancy, child mortality, education and employment. These targets are set out in the National Indigenous Reform Agreement (NIRA) which commits the Commonwealth, States and Territories to unprecedented levels of investment to Close the Gap in Indigenous disadvantage.

In 2009 the Indigenous Economic Participation National Partnership Agreement (IEP NP) was agreed upon at a COAG meeting. The IEP NP is designed to contribute to the COAG NIRA target of halving the gap in employment outcomes between Indigenous and non-Indigenous people within a decade.

There are four key elements of the IEP NP:

1. Creating real sustainable employment in areas of government services delivery that have previously relied on subsidisation.
2. Strengthening current government procurement policies to maximise Indigenous employment.
3. Incorporating Indigenous workforce strategies into all new major COAG reforms contributing to Closing the Gap.
4. Reviewing all public sector Indigenous employment and career development strategies to increase employment to reflect population share by 2015.

The Department of Aboriginal Affairs has responsibility for ensuring the Western Australian Government meets these commitments under the IEP NP Agreement. The Public Sector Commission is leading the development and implementation of the strategy to support element four of the Agreement and working in consultation with public sector agencies.

The Department of Commerce is committed to the employment and development of our Aboriginal employees. The department is currently developing and refining the *Aboriginal Employment Strategy 2012 – 2015* for implementation by August 2013. The *Aboriginal Employment Strategy* is important to Commerce and it will guide our actions over the next three years. It is the starting point to bring about organisational change required to provide meaningful steps to improve Aboriginal employment and make a real difference to the Aboriginal community. It will focus on long term sustainable employment opportunities and career pathways for Aboriginal people within the department. The department aim is to achieve an Aboriginal employment target of 3.2 per cent of our workforce by 2015 to increase and retain Aboriginal employees within the department.

Learning and development

A variety of workshops were conducted through the internal learning and development calendar. Workshop topics included written and interpersonal communications skills, indigenous cross cultural awareness and career development. A total of 38 workshops were conducted with 510 participants attending.

Three employees from Human Resources successfully completed the Public Sector Commission's Foundations of Government Human Resources Program and graduated with a Certificate IV in Human Resources.

My Money Matters site

To assist staff to improve their financial literacy a My Money Matters intranet site was developed. The site contains a wide variety of tools and resources. To support this initiative, the department partnered with the federal Department of Human Services Financial Information Service to conduct six information sessions on a range of topics which were attended by 91 staff.

Accountable and ethical decision making

Following the successful completion of the online Accountable and Ethical Decision Making (AEDM) training during 2011-2012 by 98 per cent of staff, this training now forms a key part of the induction process for all new staff. As of 30 June 2013, 95 per cent of all departmental staff had now completed the AEDM training and assessment, while an additional one per cent have commenced their training.

As the public sector workplace continues to grow in complexity and the roles and tasks being carried out within it become increasingly more diverse and challenging, the AEDM training supports staff in fulfilling their responsibilities as public sector employees.

Communicating with our employees

Employee committees

Effective workplace consultation relies on information sharing, access to facilities and training for all participants, and a commitment from both management and employee representatives to achieve workable and acceptable solutions to workplace issues. A joint consultative forum exists between workplace union delegates and the Director General which meets every six weeks. The department also has an Occupational Safety and Health Committee - details of its activities are provided in the *Disclosures and Legal Compliance* (Government policy requirements) section of this report.

Support for charities and community groups

The department continued to provide ongoing support to local charities and community groups through a range of fundraising activities including casual dress days. During the past year, \$9,378.40 was raised and donated to nine charities: the Cancer Council, the Ride to Conquer Cancer, Breast Cancer Care WA, the Black Dog Institute, the St Vincent de Paul Christmas appeal, Red Cross Tasmanian Bushfires Appeal, a children's orphanage in India through Orphan Aid Australia, Multiple Sclerosis Society of WA, and SIDS and Kids Red Nose Day. In addition, individual employees also supported various community groups, animal welfare groups and charities such as



St Vincent De Paul by donating goods, food and their time for their Annual Christmas Appeal and helping in the phone room at Telethon 2012.

Workplace wellbeing

The department encourages healthy lifestyles and supports work life balance to assist employees in dealing effectively with the stresses of everyday work and life problems. The department has a comprehensive health and wellness program 'Work Safe, Work Well'. Healthy lifestyle choices are promoted through Comm.News and the department's monthly Wellbeing at Commerce magazine.

Key activities conducted through the wellbeing program included:

- exercise classes;
- healthy lifestyle programs;
- lunchtime educational talks;
- preventative health assessments (skin cancer checks and flu vaccinations); and
- participation in community fun runs and events.



Employee assistance program

The department's employee assistance program provides a range of personal and professional support services for all employees their immediate families. These include programs for the whole organisation as well as for specific situations such as traumatic workplace incidents and for individual short term counselling.

In addition to providing, at a personal level, solution-focused professional services, the employee assistance providers are also a resource for managers and team leaders to assist them effectively address challenging workplace issues.

