SENATE SUBMISSION – PETER JOHNSTONE

Provide details such as your occupation, length of service in the public service and the department/s in which you worked.	I was a public sector employee in the Queensland Government from 1986 until September 2012. From 1986 until 2007 I was employed by the Department of Justice. Commencing my public sector career as an administrative assistant, I studied part time for over ten years (while working) to achieve a Bachelor of Commerce Degree and a Masters Degree in Business Administration. I worked within a number of units during my time with the Department of Justice and gained considerable experience in public administration. I was also fortunate enough to be awarded an Australia Day Medal for my contribution to the Department. At the time I left the Department of Justice I was the Executive Manager of the Dispute Resolution Branch. This Branch provided community and court based mediation. I was trained and accredited as a civil and criminal mediator. In my role as Executive Manager I had successfully formed partnerships with a variety of external organisations including a revenue raising partnership with Griffith University which remains in place today. In 2007 I was approached by the Health Quality and Complaint Commission's (HQCC) Director of Complaints to take up a temporary role at the HQCC as the Assistant Director of Complaints. This role was subsequently made permanent and I was employed in this role until 2012.
Was there any opportunity to have input into restructuring or changes to your job and if there was, was it genuine?	In 2012 the HQCC experienced considerable uncertainty in regard to its future funding. Concern was expressed that funding would be reduced and that positions at some point may have been rationalised. The HQCC sought to achieve operational efficiencies and, in some areas, identified savings. During this period I advised the HQCC's Chief Executive Officer that I believed the agency needed to carefully consider its structure and its management of human resources including Senior Officers (SO). The HQCC maintained a permanent staff of approximately 70 with five SO level staff and multiple AO8 level operational managers. My role oversaw in excess of 30 staff. At that time one of my SO colleagues managed approximately 3 staff while another approximately 5. I was advised by the CEO that the HQCC's management level structure may have required discussion at some point however discussion of this issue was not required at that time. Shortly after this meeting I was advised by the CEO that my role was no longer required and that the operational managers below me in the organisational structure would report directly to her. This was the first time I had heard of this plan and it was made clear to me that it was not a matter for discussion or negotiation. No other SO positions in the organisation were made redundant at this time.
How was information about the restructure / redundancy conveyed to you?	I do not believe there was a planned, well considered and inclusive restructuring process. There was no co-ordinated discussion among senior management regarding future organisational needs which lead to the decision to remove my former role. I was not involved in any discussion of options for restructuring at the executive or senior management level. The decision regarding my role appeared to be a unilateral decision on the part of the CEO. The decision regarding my redundancy therefore came as a shock. The HQCC's Chief Executive Officer came to my office unannounced, closed the door, advised that my position was being written out of the organisation and that I was being offered a redundancy payout. I had no warning that this was being considered. As the longest serving executive member of staff at the HQCC (and the Executive Manager with the greatest breadth of responsibility) it seemed illogical for my position to be removed from the structure. When questioned, the CEO explained that operational roles which had reported to me were to report directly to her. It was clear that this was not an open and transparent restructuring process as I had not been involved in any discussion or planning around these changes despite my very senior role in the organisation. At the time of redundancy I was part of a three person Executive Management team which oversaw the strategic management of the organisation. Less than twelve months before these events I had been asked to formally confirm my willingness to temporarily take on the position of Chief Executive Officer when there was uncertainty around the reappointment of the incumbent. Again this confidence in my capacity added to my surprise around the decision to remove my role from the organisation's structure.

Was the process in your agency aimed at keeping people employed or at getting them to leave?	Having been advised that my role as Executive Manager of Complaints had ceased to exist, I offered to remain on at the HQCC in another capacity. I went so far as to make an offer to accept a lower level position as I was aware that some positions within the organisation were in a state of flux. None of these suggestions were accepted. Given my extensive experience in the management of complaints (including high level expertise in the resolution of health complaints) and the extensive networks I had created nationally in the health complaints sphere I found it astonishing that the agency was not able to work with me to maintain my employment in some capacity.
Were you encouraged to seek redeployment? If yes, in what way? If no, in what way?	I would not say I was encouraged to seek redeployment. I would describe the process of supporting me through the redundancy as 'clinical'. I was provided with a considerable amount of written information. It was made clear to me however that the decision regarding redundancy / redeployment was mine and I was advised to have a decision to the HQCC's HR Unit by a certain date. Most communication following this point was to ensure that I had made a decision by the due date. While I actively sought re-deployment within the agency (even at a lower level) there appeared to be little interest in exploring this option. My personal fear was that, at a time when thousands of public service positions were becoming redundant, opportunities for redeployment would be limited. These fears were acknowledged by HQCC management however it was made clear that the decision to either accept redundancy or choose redeployment was my own. I was fortunate enough to swiftly obtain a position with the Commonwealth Government (working in the same field) so accepted the redundancy payout as offered and left the state public sector.
Did you feel you had a choice to **not** take a redundancy? Why/why not?	As noted above I was certainly advised that no further role existed at the HQCC despite my eager willingness to accept another position (including my offer to accept a position at a lower pay level). Given the avalanche of positions that were being removed from the public sector at the time it did not appear likely to me that other roles at level would be available for redeployment. I felt that the best option for me was to seek alternative employment outside the Queensland Public Sector.
Were you given enough information to help you make an informed decision? If no, what information were you not able to get?	Yes. There appeared to be pre-prepared written information which was provided to me regarding my rights and obligations. This was provided shortly after I received verbal advice regarding redundancy. By their own admission however the HQCC's HR Branch did not appear to have immediate answers to all the questions I had. This appeared to be as a result of their inexperience in managing such events. This was somewhat understandable given the size of the agency. In some instances my questions were answered, in others I sought answers through other sources.
What will be the impact on you and on other people who who stayed?	The personal, professional and financial impact of this redundancy has been significant. As a dedicated and hard working public servant I was of the view that my employment with the Queensland Government would be ongoing. Other employment opportunities have been offered to me during my public sector career however I chose to remain a Queensland Public Servant due to my interest in serving the community, job security and favourable working conditions. Significantly, I also held defined benefit superannuation which was financial incentive to remain. This defined benefit has now been removed and my future superannuation is likely to be significantly less than previous. My redundancy has placed financial pressure on my family and I have chosen to sell our house and relocate to a smaller property. My wife also works for the state government and is fearful of what the future may hold in her department. A redundancy for my wife would leave us under further financial stress. I have been fortunate enough to secure another position with the Commonwealth Government, albeit at a lower level of pay. As noted above, I believe the impact for remaining staff will be significant. Managers at lower levels have been required to assume responsibility for tasks previously undertaken by myself. It is my understanding that these staff now report directly to the CEO and are required to attend executive management meetings along with a range of other duties. This continues a process over recent years which has seen the removal of senior levels of management at the HQCC. On my arrival the organisation employed an SES (contract) Director of Complaints position. This position was removed and my SO role assumed many of the responsibilities of this higher level position. I understand that this cascading devolution of responsibilities has now been pushed further down from my SO role to the remaining AO8 level Complaints Managers.

In what way were you supported by your agency in going through the restructure?	As noted above I would describe the process of managing this redundancy as clinical rather than supportive. From the moment I was told that my position had ceased to exist I was effectively without a role in the organisation. I was no longer invited to Executive Management meetings or other higher level discussions within the organisation despite my long standing executive role at the HQCC. This was an extremely uncomfortable position to be in given my previously influential and well regarded position in the organisation. This was exacerbated by the fact that no formal announcement could be made to staff as to my fate. I also sought a written reference from the CEO to support my urgent efforts to find alternative employment however was told this was not 'standard practice' in such circumstances. Given my lengthy service to the Queensland Government (and the HQCC more specifically) I found this unwillingness to provide a written reference offensive. It was made very clear to me that my redundancy was not performance related. I asked this question directly on more than one occasion. I was offered a reference (should one be required by a potential employer) however was not provided with a generic written reference for my use in trying to obtain other employment.
Do you think the state government acted fairly or in good faith when it changed your conditions of employment by issuing a directive and passing new legislation, while a new collective agreement was being negotiated?	I do not believe that the abolition of my role at the HQCC was part of a well-considered and consultative restructuring process. Clearly I, as a very senior member of staff, was not involved in any discussion regarding my position or other senior positions within the organisation or the future design of organisation's structure. I believe that recent changes to directives and legislation pertaining to public sector employment in Queensland have taken away a 'safety net' which ensures good planning and management around human resources. Following my redundancy I was advised that, given the nature of changes made to legislation and directives, I had no capacity to appeal the decision which was made and the apparent lack of process which accompanied this decision. I suspect that in many instances decision making around redundancies have been made with limited forethought and planning. In some instances the new 'powers' available, through diminished protections for workers, may have also been misused and enabled the targeted removal of staff for reasons other than genuine redundancy.