

Politicisation of the Employment Relationship of Senior Public Servants: An Assessment of the Recommendations of the Coombs Commission Report

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Introduction

Provision of government services in response to the needs and demands of the public requires that a healthy balance is maintained between ministerial control over governmental processes and support for Ministers by a public service independent of the control of politicians, thus ensuring provision of fearless advice. For more than 150 years, one part of this equation – the independence of public servants- was maintained by keeping most aspects of the employment of senior public servants outside the control of politicians. However, the other part of the equation was not doing well: politicians by and large lost control over the governmental process. The reforms introduced to the Australian public sector, in the last three decades saw a gradual but steady increase in the politicisation of the employment relationship of senior public servants. It is understood that in order for Ministers to accept responsibility, they need to be able to exercise control over what happens in their Departments, yet independence and tenure have been traditionally seen as vital to senior public servants providing brave, fearless and truthful advice.

During the past thirty years or so, the Australian federal public service has experienced fundamental changes (Colley 2001; Spry 2001; ABC 2002; Pullin and Haidar 2003). Many claim that these reforms have led to the politicisation of public service (Weller 1989: 369; Mulgan 1998: 3; Hawkes 1999: 80; Nethercote 2003). The Royal Commission on Australian Government Administration (RCAGA) chaired by H. C. (Nugget) Coombs and known colloquially as the Coombs Commission has been seen to significantly influence public sector reform in Australia for the past three decades (Colebatch 2002; Podger 2004:2; Briggs 2005). The purpose of this paper is to ascertain the position taken by the RCAGA Report concerning politicisation of the employment relationship of senior public servants.

The paper begins by establishing a framework for analysing the politicisation of the employment relationship. The actual Recommendations of the RCAGA, the discussion of relevant issues contained in the report, other statements made by Commissioners appointed to the RCAGA and scholarly reviews of the Commission findings are viewed to assess the position of the Coombs Commission regarding greater political control, or the politicisation, of the employment relationship of senior public servants.

Politicisation of the Employment Relationship: A Framework for Analysis

The focus of this paper is upon the politicisation of the employment relationship. Indeed, Weller argues that partisan appointments are at the core of charges of politicisation (1989:374). The Northcote-Trevelyan Report also placed the employment relationship of public servants at the core of their model, known as the Westminster system. Indeed, what public servants do, whether they act for party purposes, can be seen within the Northcote-Trevelyan model to be secondary to the nature of their employment relationship. If the employment relationship is politicised and party faithfuls are appointed, or incumbents rewarded for acting for the party, then what they do can be easily seen to flow from their employment relationship. Whilst it can be argued that what public servants do can influence their employment relationship, it is much more difficult to see how their actions can easily influence the structure and nature of their employment relationship, at least in the short term.

Although the issue of an independent rather than politicised public service has been the subject of serious concern and scrutiny at least since the Northcote-Trevelyan Report of 1853, claims that the Australian public service has been politicised have increased since the 1970s (Henderson 1986:33; Emy and Hughes 1988:339; Parker and Nethercote 1996; Mulgan 1998:3; Podger 2004:9-10). To facilitate our analysis, we need to develop and clarify our definitions of two important forms of public service management: politicised public service and politically independent public service.

Politicised public service

Politicisation in the context of the public service tends to have a variety of meanings and there is a tendency to regard all political activities of public servants as part of a politicisation process (Curnow 1989: 17-21; Parker 1989:384-5; Weller 1989:369-70; Mulgan 1998:3; Haidar and Pullin 2004: 1-3). Weller argues that politicisation of the public service does not occur when public servants express their opinion or even when they take political action as part of their trade union activity nor is politicisation simply the reverse of neutrality (1989:370-1). He argues that public servants have the right to be politically active as long as their personal preferences do not overrule government policy or jeopardise the impartiality of the public service (1989:371). Politicisation, he argues, becomes possible when the public service is used for party purposes and where there is party political influence in the appointment and promotion of public servants (Weller 1989:371). Thus, the two major forms of politicisation are seen to be, first, what public servants do and, secondly, the nature of their employment relationship.

Politically independent public service

The employment relationship of public servants lies at the heart of whether a public service is politicised or independent. Northcote and Trevelyan understood this. Ministerial responsibility forms a critical part of the principles underpinning the Westminster style of government adopted in the United Kingdom, Australia and elsewhere (Lord Morley 1889; Marshall 1989). Critical elements of the Westminster principles are that public servants should be politically neutral (Audit Office Of NSW 1998:s.6). A vital element of the Westminster style of representative democracy is that ministers are responsible because they are conferred with executive power. The power that public servants exercise emanates from this power conferred on ministers. Under the Westminster principles, public servants are expected to provide brave and fearless advice but to be politically neutral servants of their ministers and to implement

the policies laid down. Security of tenure and a career service are complementary principles seen to support the neutrality of public servants under successive governments. A major recommendation of the Northcote-Trevelyan Report 1853 was to create an arrangement whereby politicians will gain frank and fearless advice from public servants whose employment relationship is not controlled by them but rather by an independent public service agency (Haidar and Pullin 2004:12).

The chief issue then in assessing the impact of particular values or proposals upon the politicisation of the public service employment relationship is in determining whether these promoted the direct involvement and control by politicians over key aspects of public servants' employment relationship or rather whether they upheld the Westminster tradition wherein politicians are distanced from the employment relationship and direct control is exercised by an independent public service agency. Flowing from the recommendations of the Northcote-Trevelyan Report and the critical elements of what has been seen as the Westminster style of government, other important factors determining the presence of a politicisation of the employment relationship are the elements of appointment on merit, tenure, a career public service and most important of all is the management of the employment aspects of public servants by an agency that is independent of the control of politicians.

The framework for analysis of the implications of Coombs Commission Report (RCAGA 1976) for the politicisation of the employment relationship of public servants to be utilized in this paper consists of two elements derived from the Northcote-Trevelyan Report. First, whether the recommendations espoused in the RCAGA Report promoted an independent public service agency or rather direct control of the employment relationship by politicians and, secondly, whether the principles of appointment on merit, tenure and a career public service were challenged.³⁷

Background to the Coombs Report

In December 1972, the Australian Labour Party (ALP) gained office for the first time in twenty-three years. The new government was committed to a broad reform agenda and it was in a hurry (Weller and Smith 1977: 7). In June 1974, the Prime Minister Gough Whitlam an-

³⁷ It is recognized that these elements do not fully capture the ways in which the employment relationship of public servants can be politicised. The proposed model only recognizes a small number of the elements of the employment relationship which were those identified by Northcote and Trevelyan over 150 years ago. Sadly, it is apparent from a comprehensive review and understanding of the literature that the key elements of the employment relationship have not been adequately defined in the literature.

Whilst definitions of the relationship have been developed from various disciplinary perspectives, a comprehensive definition which might be applied in our current research is not available. The reason for this absence may well lie in the separation of disciplines. While some have sought to define industrial relations and others have provided definitions of employment relations, their focus has been upon the study of the subject and what should be included in such a study rather than upon the core elements of the relationship. (Gardner and Palmer 1992; Deery, Plowman et al. 2001; De Cieri and Kramar 2003) Only in the discipline of law, driven by the necessity to provide definition to the 'new' non-slave class of workers, does a concise explanation of what constitutes an employment relationship exist. Yet even this definition, based upon the notion of 'control' is seriously bereft even in the purely legal sense. (Mills 1982) A comprehensive definition of the employment relationship, built upon the theoretical insights from various disciplines, would greatly assist our endeavours to understand phenomena such as the politicisation of the employment relationship.

nounced the establishment of the Royal Commission on Australian Government Administration (the Coombs Commission) (RCAGA 1976). It was the first independent and wide-ranging inquiry since the review undertaken by Commissioner Duncan McLachlan in 1918-19 and its terms of reference required it to examine most aspects of the public service and other agencies of administration (Weller and Smith 1977:5).

Although proposals for an inquiry into the public service had emerged in the 1950's and the last years of the Liberal-Country Party Government 1970-72, they had not received adequate support to proceed (Weller and Smith 1977: 9). A number of factors can be seen to have contributed to a growing dissatisfaction with the public service which culminated in the establishment of the RCAGA in 1974 including the expansion of the public service during and since the war years, the long period of conservative government rule, the inexperience of the Whitlam government Ministers and the policies as well as attitudes of government departments and senior public servants (Weller and Smith 1977: 7-10).

Whilst the Australian public service expanded and upgraded its services during the War years, the expansion of the State and the changes in the nature of its activities reached their fastest pace in the period after World War II when "the universal franchise was for the first time combined with almost universal secondary education, higher incomes and adequate non-work time to organize" (Wilenski 1986: 16). The expansion of government functions was, in part, the expression of the slowly changing balance of power as newly organized groups in society, including women, gays and migrants, learnt to use democratic processes to fight for their rights (Wilenski 1986: 17). As government operations became more complex and technical, very few ministers had the time, knowledge and requisite skills to comment with confidence on this expanded range of administrative and policy matters (Wilenski 1986: 212-3). In June 1974, at the time the Coombs Commission was established, there were 146,300 people employed in the Australian public service spread over twenty-seven departments and a number of specialist bureaux and statutory commissions (Weller and Smith 1977: 6).

Issues of Ministerial control and political neutrality of public servants did not appear to be of much concern during the long period of conservative Liberal-Country Party rule when change was slow and measured, although there had been periodic but unsuccessful proposals for an inquiry into the public service during the 1950's and in the last years of the Liberal-Country Party Government (Weller and Smith 1977: 8-9).

However, the perceived political neutrality of the public service became more difficult to sustain in the context of a shift of power in society to newly organized interests groups and many Labour Ministers in the Whitlam government did question the political neutrality of senior public servants who had served one government for a long time (Weller and Smith 1977: 8; Pullin and Haidar 2003: 2). By the 1970's, the policy advice and interpretation of the public interest by senior public servants was arguably "limited by their background and experience... it was in its senior reaches, male, white, Anglo-Saxon, predominantly Protestant and middle-class in its origins - a highly political group with strong views on major policy issues..... with a tendency towards the status quo and moving forward with caution" (Wilenski 1986: 120).

The public service was not accustomed to the pace and pressure of the Whitlam government's demands and even those public servants who were open and welcoming to the new government were fearful that proper procedures were being ignored, changes being introduced with-

out adequate analysis of their implications and that many proposals were expensive and wasteful (Weller and Smith 1977: 7-9). Major changes in the structure of government departments and in policy areas, particularly related to the Treasury, were needed to accommodate the Whitlam government change proposals and Ministers were frustrated by what they saw as lack of public service co-operation (Weller and Smith 1977: 8-9).

Against this background of significant ministerial frustration and concern with the Australian public service, the Whitlam government established the RCAGA with very broad terms of reference and appointed five Commissioners of whom, Dr H. C. Coombs, one of Australia's most distinguished public servants was appointed Chairman of the Commission (RCAGA 1976:19; Weller and Smith 1977: 10-12). The terms of reference specified in the Letters Patent were very broad and required the Commission to examine all structures and procedures of government administration. It was to pay attention to a list of twelve subjects that included many with possible employment relations implications, such as (d) responsibility and accountability of public servants, as well as a number topics specifically related to employment relations including (i) personnel policies and practices (RCAGA 1976: Letters Patent). In their analysis of the conduct of the RCAGA, Weller and Smith (1977: 13) argue that the government's concern with industrial relations issues was also evident in their appointment as Commissioners of Dr Isaac, a former industrial relations university professor, and Paul Munro, Secretary of the combined council of the public service white collar unions.

In November 1975, the Whitlam government was dismissed by the Governor General and a month later a Liberal National-Country Party government, led by Malcolm Fraser, was elected which was dedicated to reducing public expenditure, stopping the expansion of the public service and accepting the traditional role of the public service. The RCAGA was instructed to report by 30 June 1976 (Weller and Smith 1977: 24-5). Its final Report was released on 1 August 1976, although it was undated! (RCAGA 1976; MacDonald 1977:65).

The Recommendations of the RCAGA

The RCAGA conducted a very broad ranging inquiry. It received over 750 written submissions from members of the public on matters related to the terms of reference. More than 150 government agencies and 500 community and business organisations were invited by letter to make submissions. The Australian Council of Social Service was also invited to encourage members of the community to express their views. The Commission conducted meetings with parliamentarians, public servants, members of the business community and academics. The inquiry included a program of visits to work places and an extensive research program. The Report was presented in three parts. Part A of the report sets out the approach of the Commission and outlines the way in which Australian government administration relates to Australian society and government. It identifies and assesses the major criticisms of public administration. In Part B of the Report the major issues of particular concern to the Commission are explored in greater detail. Part C concerns achieving change and includes a summary of the Recommendations and suggestions regarding implementation. The Report was accompanied by four supplementary volumes containing supporting material.

The RCAGA concluded from its inquiry that Australian government administration was in need of 'significant adaptation to deal responsibly, effectively and efficiently with the tasks

which confront it (1976:S1.3.3, 7). The Report recommended far-reaching changes to public administration structures and processes (Briggs 2005:2). However, it does not propose a 'wholly different system of administration nor a wholly different set of relationships within it' (RCAGA 1976:S1.3.4, 8; RCAGA 1977: 176). Rather, the Report sought to focus on changes which were thought to be justifiable, practicable and compatible with continued effective operation and, in particular, those changes which would promote responsiveness and adaptation (RCAGA 1976:S1.3.4, 8; RCAGA 1977:176). Hawker argues that the Commission was concerned with how to translate political desires into intelligible administrative commands and how to put those commands efficiently into practice but the 'gravest deficiency of the report was its inability to carry through the principles of accountability to the public into specific proposals for institutional change' (1981:157).

The major areas of concern to the Commission are outlined in Part A of the Report and concern the inefficient use of resources, insufficient responsiveness to the needs of Ministers, a lack of responsiveness to community desires and employment practices which led to inefficiency, inequity and low morale (Hamilton and Hamilton 1976:304; RCAGA 1976; RCAGA 1977:176). A persistent theme of the Report which underpins many of its recommendations is the need for adaptability and for the administration 'to be aware of and responsive to the facts of social change' (RCAGA 1977:176). The Report's three key and enduring themes concern increased responsiveness, improved efficiency and effectiveness and greater community participation (Colebatch 2002; Briggs 2005:2).

To identify whether the RCAGA either actively promoted a politicisation of Australian public service employment relations, or perhaps more discretely laid the germ for such politicisation to occur at a latter date, the actual Recommendations of the Commission will be examined as well as associated discussion and commentary. The key issues to be evaluated are whether, first, the RCAGA sought to diminish or replace the role of the independent public service agency and increase direct control by politicians in the employment relationship of public servants and, secondly, whether the RCAGA sought to alter or abolish the principles of appointment on merit, tenure and a career public service. Therefore, the implications of the RCAGA for the politicisation of the employment relationship of public servants will be accessed by examining their recommendations and expressed values concerning the role of an independent public service agency and those employment conditions seen to underpin an independent public service concerning appointment on merit, tenure and a career public service. The Commission's views and recommendations concerning the employment relationship of departmental heads will then be examined in a separate section of this paper, mirroring the Commission's consideration of the employment conditions of departmental heads somewhat independently of their consideration of public service employment generally. Finally, the RCAGA's views concerning ministerial offices and statutory authorities will be briefly examined because those areas of public administration have been subject to concerns regarding politicisation in recent years.

The role of the independent public service agency

Within the Westminster model of responsible government, the exercise of direct control over the employment relationship of public servants by an independent public service agency lies at the heart of an independent public service. In Australia, certainly at the time of the Coombs

Commission, the independent public service agency which controlled the employment relationship of public servants was the Public Service Board. No-where in the Report is it recommended or even canvassed that the Board should be abolished or have its powers transferred to elected members of parliament. Nor did the Commission support ideas 'ideas earlier mooted on such matters' as 'splitting the Public Service Board' or 'avoiding any form of central establishment and classification control' (MacDonald 1977:68). However, the Report does include discussion and several recommendations concerning changes to the functions of the Board which be seen to have laid the germs for a future politicisation of the employment relationship of public servants.

The Commission was concerned with the location of responsibility and accountability. It argued that ministers are frequently less skilled in administration than heads of departments leading sometimes to the domination by department heads of both administrative and policy processes and less effective political authority (RCAGA 1976:S3.4.4, 43). The Commission received a number of complaints about the administration as an employer: procedures were seen as cumbersome and outmoded; organisational structures as excessively rigid; control by the Public Service Board as over-detailed and stifling of initiative; recruitment and selection procedures as biased; opportunities for career development as unnecessarily limited (RCAGA 1976:S2.3.16, 18). The RCAGA also received a number of submissions proposing the transfer of the recruitment function from the Public Service Board to departments and agencies based upon criticisms of the Board's responsiveness to departmental needs (1976:S8.2.39, 179).

In its Report, the Commission expressed the view that whilst they believed that there was some validity in the criticisms, they did not believe that these outweighed the need for the Board to bear responsibility for the maintenance of quality generally in the staffing of the Service nor did they regard the centralization of this responsibility with the Board as incompatible with greater delegation to departments and agencies (1976:S8.2.40, 179). It recommended that the Public Service Board should delegate more extensively to departments the power of recruitment, including lateral recruitment but that the Board should set the standards and monitor the procedures (1976:R127-128, S8.2.40-44). The then Secretary of the Public Service Board, Bruce MacDonald, argued that these recommendations were consistent with the Board's efforts to develop processes which would give departments 'greater flexibility to manage establishments within a system of controls' (MacDonald 1977:72).

The Commission sought to increase ministerial control of departmental activity and improve efficiency by giving managers greater control over resources and making them accountable for the results (RCAGA 1976:S3.4.6, 43; Nethercote 1977:106). It was recommended that greater departmental autonomy be accompanied by the introduction of 'a regular program of efficiency audits in which departmental performance be assessed. These assessments should be so designed that they would bring before ministers, cabinet and Parliament both the assessment itself and the data on which it is based' (1976:S3.6.1, 46). The Commission noted that the Public Service Board was empowered under Section 17 of the Public Service Act to conduct periodic examinations of departments but asserted that the auditing and assessing of performance had not adequately taken place (1976:S3.6.4-3.6.7, 46-7). It recommended that the role of Auditor-General be extended to undertake the assessment of departmental performance (1976:R7, S3.6.17, 49).

It is argued in this paper that whether the RCAGA promoted a politicisation of Australian public service employment relations can be assessed in terms of whether it sought to diminish

or replace the role of the independent public service agency and increase direct control by politicians in the employment relationship of public servants. Although the Commission did not challenge the central role of the Public Service Board in its control of the employment relationship of public servants, it did shift some control and accountability from the Board to departmental managers including the power of recruitment, albeit within the constraints of standards and monitoring procedures established by the Board. The Commission also recommended that the responsibility for auditing and assessing departmental performance be removed from the Board and given to the Auditor-General. These changes were designed to ensure that 'departmental heads are to be accountable to ministers and Cabinet for the efficiency with which they manage their departments' (1976S3.4.8, 44).

Although the recommendations of the RCAGA concerning the role of the independent public service agency, the Public Service Board, were clearly not aimed at increasing direct political control over the employment relationship of public servants, by shifting some areas of control from the Board to Parliament, departmental managers and to the Auditor-General, they may have laid a germ for the future politicisation of public service employment relations. Nethercote may have foreseen such a possibility when he concluded that 'Mr Harold Macmillan once quipped that 'when one piece is moved in the delicate design of an administration, corresponding reactions follow, down to the humblest pawn'. The Commission's report recognized the interlocking nature of its own recommendations. It remains to be seen whether this will be reflected in their implementation' (Nethercote 1977:116).

Employment Conditions of an Independent Public Service

Three aspects of the employment conditions of public servants have defined the traditional Westminster system of government: appointment on merit, tenure and a career public service. The RCAGA did not seriously challenge these aspects of public sector employment but it did recommend changes aimed at ensuring greater community representation within the ranks of the public service and at encouraging a public service more attuned to community needs.

The Commission was of the view that the 'quality of administration is a function of the quality of the people who undertake it. No system of administrative structures and procedures can perform at its best unless it recruits and retains appropriately skilled and motivated men and women (RCAGA 1976:S8.1, 165; Bailey 1977:41). The Commission expressed throughout its Report strong values and recommendations concerning the need to ensure the representation of disadvantaged groups within the public service. Coombs clarified the values of the Commission in stating that 'The composition of the bureaucracy ... reflects not the structure of Australian Society as a whole but that of the already privileged sections within it..... It is not easy to achieve a more representative balance while preserving the measures of 'merit' which underlie the system' (Coombs 1977:50).

The Commission stated clearly that it upheld the concept of recruitment by merit and did not question or challenge the role of the Public Service Board with respect to 'appointment and recruitment' (RCAGA 1976:S8.2.5 -S 8.2.6, 171). However, it was concerned that there were problems with the application of the merit principle and was not satisfied that the tests used provided the soundest or fairest basis for recruitment (RCAGA 1976: S8.2, 170-2; Bailey 1977: 41). The Commission proposed a charter for the Public Service Board, placing it under

a duty to ensure that in the recruitment, appointment, promotion, and transfer of staff there is no discrimination on grounds unrelated to the needs of the work to which the appointment, promotions or transfer is made and that special measures are taken to secure adequate advancement of members of disadvantaged groups (RCAGA 1976:R334, S11.6.46, 401).

The Commission supported the retention of a career public service but concluded that 'certain characteristics of the 'career service' enabled the administration to function to some extent as a self-contained elite group' without being sufficiently accountable and argued that efforts were required to ensure that the administration reflect the social composition of the community and to facilitate the free movement into and out of the administration in order to promote responsiveness to social change (RCAGA 1976:S2.5.1.7, 27; Bailey 1977:45). The Commission concluded that the 'career service' sometimes resulted in people staying in their jobs although they were dissatisfied and in there being too little mobility of staff into and out of the service (Bailey 1977:42). The Commission recommended that a system of staff exchanges or secondments be developed to facilitate greater mobility within the service and between government and other spheres of activity (RCAGA 1976:R94, S6.3, 145; Bailey 1977:43). The Commission also expressed concern regarding excessive attachment to formal educational qualifications and a rigid system of classification of position and work (RCAGA 1976:S8.2.46-54 & S9.2.3, 181-4 & 255). It recommended devolution of responsibility to department heads and a greater flexibility in the administration of the classification system (RCAGA 1976:R202, S9.2.3 & S9.2.15, 245-7).

It must be concluded that although the RCAGA did recommend changes to certain aspects of the employment conditions of public servants, it did not recommend against appointment on merit, tenure and a career public service. With respect to these three aspects of the employment conditions of public servants that have defined the traditional Westminster system of government, the RCAGA did not promote direct political control in the employment relationship of public servants generally. The Commission did, however, make specific recommendations concerning the employment relationship of departmental heads and these will now be reviewed to ascertain their implications, if any, for the politicisation of the employment relationship.

The employment relationship of departmental heads

Peter Bailey, who had been a Commissioner for RCAGA and at the time of writing, was Secretary in the Department of Minister and Cabinet, asserted that 'Few aspects of our inquiry attracted as much attention as the role and responsibilities of departmental heads (Bailey 1977:31). The Commission was required to consider 'how power over and responsibility for departments should be divided between ministers and department heads' (RCAGA 1976: S4.5.1, 95). Issues in debate included the focus of the permanent head's responsibility, ministerial access to the department except to the extent and in the form agreed by the permanent head, the nature of the permanent head's obligations to other sources of authority within the administration including the cabinet and the duties imposed upon him by the Audit Act and the Public Service Act (RCAGA 1976:S4.5, 95-8; Bailey 1977:31-3). Of central relevance to the issue of political control over the employment relationship, the RCAGA Report discussed and made recommendations concerning the appointment of departmental heads and the issue of their tenure (1976:R49-55, S4.5.8-23, 98-103).

The potential for direct political control over the employment relationship of departmental heads was affirmed in legislation before the Coombs Inquiry. As noted in the RCAGA Report, Section 54 of the Public Service Act 'while envisaging that appointments might be made on the recommendation of the Public Service Board, provides alternatively that they may be made by the 'Governor-General without reference to the Board'. In practice the minister and the Prime Minister in most cases consult the Board, and recommendations receive Cabinet approval before being submitted to the Governor-General' (RCAGA 1976:S4.5.8, 98).

Although the values and recommendations expressed by the Commission erred on the side of upholding the traditional characteristics of an independent public service and did not recommend greater direct political control of the employment relationship of departmental heads, it also did not propose a winding back of the then already existent provisions for direct cabinet appointment via the Governor General. The RCAGA did, however, advocate a process of consultation with the chairman of the Public Service Board which would culminate in the collective approval of Cabinet (1976: R49, S4.5.9, 98). A reading of this section of the RCAGA Report leaves the reader with a feeling that the Commission was itself somewhat uncomfortable with its own recommendation; that it was perhaps reluctantly submitting to the political reality of direct political appointments. 'It is most probable that, as in the past, the majority of appointments to positions of head of a department will be made from within the Service. However the position of departmental head should not be 'closed', although we would be disappointed if the career service did not produce the best candidates in the majority of instances' (1976:S4.5.10, 99).

A similar disquiet is observable in the RCAGA discussion and recommendations concerning the tenure of departmental heads. The Commission noted that following changes of government in 1972 and 1975, a large number of departmental heads were displaced or relocated but that they did not lose their positions in the public service but rather became an 'unattached officer(s)' (1976:S4.5.12, 99). It was argued that there were deficiencies in the extremes of the views submitted to the inquiry – that the departmental head should be assured 'permanence' or that he should be removed 'at pleasure' (1976:S4.5.15, 100). The Commission argued against fixed term appointments for departmental heads but recommended that they not remain in one department for longer than seven years but be relocated (1976:R51, S4.5.17, 101). It was recommended that a process be followed by a minister wishing to change his departmental head and that a departmental head's tenure of office should not be coterminous with the life of the government under which he was appointed (1976:S4.5.19, 101).

The RCAGA also recommended that 'the office of departmental head be made statutory, governed by terms and conditions of appointment specific to it which would provide that a departmental head be appointed by the Governor-General' and that a person appointed from outside the Service would have no statutory right to be employed in the Public Service (1976:R53, S4.5.20-21, 102). Although the RCAGA was not promoting direct political control over the appointment of departmental heads, its views and recommendation certainly accepted the existence of such political control and may be viewed as having laid the germ for further politicisation by recommending the transfer of employment control from the Public Service Board to the Governor-General who might be seen to be more directly subject to Cabinet submissions than the Board.

Ministerial offices and statutory authorities

The RCAGA's views and recommendations regarding ministerial offices and statutory authorities are of interest because these aspects of public administration have been subject to criticisms of politicisation in recent years. The argument, put simply, is that the appointment of ministerial staff and heads of statutory authorities is made by ministers and Cabinet and therefore subject to direct political control.

The Commission noted the expansion in ministerial offices following the election of the Whitlam government in 1972 and the appointment of individuals from both within and outside the public service 'at a more senior level than had previously been the norm' (1976:S4.6.1, 103). A view submitted to the Commission was that 'the advisor role was a temporary phenomenon, associated with the advent of a Labour government after a long period in opposition, and that over time ministerial offices would tend to revert to the purely facilitative role' (1976:S4.6.1, 104). The Commission asserted that it was 'not insensitive to the need of ministers for better staff resources' and argued 'that it can best be met by raising the level and status of the private secretary' (1976:S4.6.5, 105). The Commission also argued that it should 'be possible to staff minister's offices so as to meet the minister's requirements', that 'the grading of ministerial private secretaries be made sufficiently wide...' and 'that such advisors, even if appointed for a limited term should be integrated with the staff of the department' (1976:S4.6.6, 105). Once again in its Report, the Commission appears torn between its desire to uphold the values of an independent public service and the political reality that government has already grown its directly controlled ministerial offices. The Commission's response to the vexing issues of ministerial offices was to avoid the potential implications for independent advice and ministerial responsibility. With respect to the staffing of statutory authorities, the Coombs Commission was more decisively in favour of staffing under the Public Service Act. The Commission identified in its inquiries thirty-four statutory authorities which were not governed by the Public Service Act but under the terms of their establishment had some kind of statutory relationship with the Board and a further forty-six authorities staffed independently of the Board (1976: S8.1.5, 166). The Commission found that 'statutory provisions concerning the staffing of statutory authorities appear to be untidy and reveal no consistent principle as to when it is appropriate for staff to be employed under the Public Service Act' (1976:S9.4.10, 257). It was recommended 'that there should be a presumption in favour of staffing statutory bodies under a Public Service Act' (1976:R214, S9.4.14, 258).

Therefore, on the issues of ministerial offices and the staffing of statutory authorities, the RCAGA may be seen to have expressed some concern over the issue of political control and the by-passing of the independent agency but it stopped short of opposing these. Colbatch has also noted that the RCAGA did not address the use of contracting-out or outsourcing (2002:96).

Conclusions

The focus of this paper has been upon the issue of politicisation of the employment relationship of Australian public servants and, in particular, upon ascertaining the values and recommendations expressed within the RCAGA Report concerning direct political control in the employment relationship of senior public servants. Claims that the Australian public service has been politicised have increased since the 1970s with important implications for ministerial

responsibility and the health of Australian democratic processes. Many commentators have argued that the RCAGA Report (1976) has significantly influenced public sector reform in Australia for the past three decades (Colebatch 2002; Podger 2004:2; Briggs 2005). It is therefore important to identify the nature of the RCAGA values and recommendations concerning direct political control over the employment relationship of public servants.

In assessing the nature and potential impact of the RCAGA Report upon the politicisation of the public service employment relationship, attention was directed to whether these promoted the direct involvement and control by politicians over key aspects of public servants' employment relationship or rather whether they upheld the Westminster tradition wherein politicians are distanced from the employment relationship and direct control is exercised by an independent public service agency. Attention was also directed to the nature of the RCAGA's views concerning appointment on merit, tenure and a career public service, which constitute important features of a Westminster style public service employment relationship.

The values expressed in the RCAGA Report and the nature of its recommendations was found to support the key elements of an independent public service and not to promote direct political control over public service employment relationships. The RCAGA was found to support the control by the independent agency, the Public Service Board, over the employment relationship and the maintenance of appointment on merit, a career service and tenure. Although these key elements of an independent public service were supported, the Commission argued for modifications to these elements in line with its commitment to improved efficiency, accountability and responsiveness both to ministers and to the community. Whilst the proposed changes did not amount to direct support for political control over public service employment relationships, they may have laid a germ for future politicisation. In particular, by recommending some shift in control from the Public Service Board to departments and to the Auditor-General as well as the statutory appointment of departmental heads, the RCAGA may have opened the way for some diminution in the role of the independent agency in the employment relationship and an increased direct political control.

The RCAGA, despite its strong support for those elements of an independent public service employment relationship, also accepted those aspects of government administration already evidencing signs of politicisation. The RCAGA's discussion and arguments suggest that they were not entirely comfortable with their treatment of these issues. They appear to have accepted somewhat reluctantly, with a sense of inevitability, direct ministerial appointments under Section 54 of the Public Service Act, in ministerial offices and in statutory authorities.

In conclusion, the RCAGA overtly supported an independent public service agency exercising control over the employment relationship of public servants but it accepted those elements of direct political control already present in some areas of employment within the public administration and it may have laid a few germs for future politicisation in public sector employment relations.

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