



Government
of South Australia

19IS/00460
73273926

Hon Clare Scriven MLC
Parliament House
ADELAIDE SA 5000

Dear Ms Scriven

APPLICATION UNDER THE *FREEDOM OF INFORMATION ACT 1991*

I refer to your application to the Office of the Minister for Innovation and Skills made under the *Freedom of Information Act 1991* (the FOI Act) on 30 April 2019. Your application sought access to:

"Please provide all documents relating to the selection process Minister Pisoni and the Department of Innovation/Industry and Skills undertook to hire the new South Australian Training Advocate."

A search of documents held by the Minister for Innovation and Skills was undertaken for the period 14 October 2018 to 30 April 2019. Three documents were identified within scope of your application.

I have reviewed the documents and determined to grant partial access to:

- Documents 1 and 2 pursuant to Schedule 1 clause 6(1) of the FOI Act with personal information redacted.
- Document 3 pursuant to Schedule 1 clause 1(1)(a) and (1)(f) of the FOI Act as the information within relates to Cabinet, clause 6(1) as the information relates to personal affairs and clause 10(1) as the information relates to legal professional privilege.

No fees and charges are payable for this application.

If you are not satisfied with this determination you have a legal right of review and appeal in accordance with Section 29 of the FOI Act. Details on your review rights can be found by visiting www.archives.sa.gov.au/content/foi-forms.

Yours sincerely

Franca Bergamaschi
Accredited FOI Officer
Office of the Minister for Innovation and Skills

21 / 5 / 2019

Office of the
Minister for Innovation and Skills

Level 10, 1 King William Street Adelaide SA 5000 | GPO Box 11071 Adelaide SA 5001
Tel +61 8 8303 2304 | Email officeofministerpisoni@sa.gov.au | ABN 83 524 915 929



FREEDOM OF INFORMATION

DOCUMENT SCHEDULE

Agency/ Business Unit: *Office of the Hon David Pisoni MP
Minister for Innovation and Skills*

Title/ Date: *Please provide all documents relating to the selection process Minister Pisoni and the Department of Innovation/Industry and Skills undertook to hire the new South Australian Training Advocate.*

From 14/10/2018 to 30/04/2019

Doc No	Brief Description	Date of Doc	Full Access	Part Access or Refused Access
1	Email	16/10/2018		Part Access – schedule 1 clause 6(1)
2	Email	16/10/2018		Part Access – schedule 1 clause 6(1)
3	Calendar Appointment	23/10/2018		Part Access – schedule 1 clause 1(1)(a), clause 1(1)(f), clause 6(1) and clause 10(1)

Tan, Jenny (DIS)

From: King, John (DIS)
Sent: Tuesday, 16 October 2018 9:26 AM
To: Tan, Jenny (DIS)
Subject: Training Advocate [DLM=For-Official-Use-Only]
Attachments: Job and Person Specification - Training Advocate.DOCX; ATT00001.htm

Hi Jenny

The Minister asked this morning for a copy of the Role Description for the Training Advocate.

It's for his conversation with the preferred candidate.

There's a brief that's come up on it.

I've attached the PD.

JK

John King


Sent from my iPad



EXECUTIVE ROLE STATEMENT

JOB TITLE: Training Advocate
Non SAES
CONTRACT TERM: 5 years

DEPARTMENT: Department for Industry and Skills
DIVISION: Office of the Training Advocate
DATE CREATED: January 2007
REVIEW DATE: August 2018

CONTEXT AND PURPOSE OF POSITION

The South Australian Training Advocate is an independent statutory officer appointed by the Governor pursuant to Division 4 section 19 of the Training and Skills Development Act 2008 (the Act). This Act relates to higher education, vocational education and training, adult community education and education services for overseas students.

The South Australian Training Advocate is responsible to the Minister for Industry and Skills for managing and leading the Office of the Training Advocate to carry out its functions in accordance with the Act.

The functions are designed to assist clients navigate their way through the complex education and training systems, provide an advocacy service, promote skill formation, provide independent complaints handling, investigate complaints and monitor the performance of the system.

The South Australian Training Advocate exercises powers conferred by the Act pursuant to Part 5 and carries out functions prescribed by other legislation.

The South Australian Training Advocate is required to produce an Annual Report on its activities to Parliament through the Minister.

KEY RELATIONSHIPS

The South Australian Training Advocate reports to the Minister for Industry and Skills in relation to the Training Advocate's responsibilities under the *Training and Skills Development Act 2008*. The South Australian Training Advocate reports to the Chief Executive, Department for Industry and Skills (DIS) with respect to financial, human resource and administrative responsibilities.

The South Australian Training Advocate:

- leads and manages assigned staff and resources in the Office of the Training Advocate (5 FTE)
- works collaboratively and liaises closely with a wide range of Commonwealth and State Government and industry stakeholders to ensure achievement of broad Government objectives in vocational education and training services
- works closely with the senior management of DIS and the Minister's Office
- works in collaboration with the State's Training and Skills Commission in raising the quality of, and increasing the community satisfaction with the vocational education and training system
- The South Australian Training Advocate works closely with the senior Executives of DIS and those of other Public Sector Agencies that are associated with education and training, including apprenticeships and traineeships, higher education, adult community education and international education.

Additional Customers and Clients

	<ul style="list-style-type: none"> • Partnerships with industry, enterprises and community bodies (including the Training and Skills Commission and other bodies established under the <i>Training and Skills Development Act 2008</i>) • Universities, Schools, Commonwealth Education agencies, other training providers, Registered Training Organisations, Adult Community Education Providers, employers and local government authorities • Key external stakeholders across the education and training system • Industry Advisory Boards • Group Training Organisations • Employer and Employee Associations • Peak Agencies such as Australian Council for Private Education and Training (ACPET), International Education Association (ISANA) • Other State and Commonwealth Government agencies including Consumer and Business Services, SafeWorkSA and the Department of Immigration and Border Protection • TAFE SA • Other statutory bodies such as the Equal Opportunity Commission, Employee Ombudsman and OmbudsmanSA • Other services such as Disability Advocates, Young Workers' Legal Service, Working Women's Centre South Australia • Domestic and international students, apprentices, trainees and prospective clients of education and training
KEY OUTCOMES OF POSITION <ul style="list-style-type: none"> • Leads the delivery and development of a state-wide service to provide the domestic and international clients with a policy and procedural framework that assists them to navigate and utilise the educational and training system. • Manages multi-jurisdictional issues on behalf of clients engaged in the education or training system. 	KEY CHALLENGES <p>The South Australian Training Advocate has a diverse role in that the functions relate to higher education, vocational education and training, adult community education and education services for overseas students.</p> <p>The South Australian Training Advocate is required to carry out functions prescribed in a Charter (pursuant to s21 (1) of the Act). The Charter is prepared by the Minister in</p>

<ul style="list-style-type: none"> • Develops and strengthens management of relationships with key stakeholders in order to identify and develop strategic direction for vocational education and training services as they relate to the Training and Skills Development Act 2008. • Influences and leads the development of new business and customised services which meet the requirements of industry, enterprises and communities. • Creates an environment that values cultural diversity, supports and utilises performance management, enhances employee wellbeing, safety and productivity and builds a culture of respect and trust. • Models ethical behaviour consistent with Commissioner for Public Sector Employment expectations of senior executives and DIS's stated values. • Gives direction and leadership toward achievement of the Office of the Training Advocate's philosophy, mission, strategic goals, objectives and annual work plan. • Empowers employees to represent the organisation fully in their relationships with other organisations, stakeholders and people in the community. • Employs staff pursuant to s24 (3) in response to the functions outlined in the Charter, and with the consent of the Minister and under conditions determined by the Governor. • Formulates, develops and implements policy and plans relating to complaints handling in the training system that impact on the whole of agency operations and exist within the board framework of corporate objective. • Provides high level policy and strategic advice to the Chief Executive, Minister and the Training Skills Commission on a range of politically sensitive issues or risks that may impact on the quality of the training systems and formulates recommendations to assist in their management and/or resolution. • Provides advice to senior management and key stakeholders on matters where systematic changes are required to improve outcomes for clients within the training system. • Influences policy development by identifying trends and patterns arising from complaints and making recommendations to the State Government which works towards improving the quality of and responsiveness of the training and education system. • Leads, develops and reviews strategic, business and resource plans to support 	<p>consultation with the Training Advocate and the Training and Skills Commission.</p> <p>The South Australian Training Advocate is subject to the Minister's direction and is responsible to the Chief Executive DIS for the effective and efficient management of the Office of the Training Advocate.</p> <p>The position requires a significant level of independence and authority to operate effectively and permit the ability to monitor the training system without jeopardising detailed and close working relationships with key stakeholders within the higher education and vocational education and training systems.</p> <p>Managing complex, politically sensitive, multi-jurisdictional complaints and enquires requires a high level understanding of the range of state, interstate and federal legislative frameworks and their political environments.</p> <p>The extensive scope of the position necessitates the management of potential conflict between clients and stakeholders in conjunction with the ability to influence outcomes which comply with legislative and/or policy frameworks and that are satisfactory to the parties involved.</p> <p>A capacity, willingness and demonstrated effectiveness to work collaboratively, to develop a shared vision and bring others (including staff) with them are other challenges of the position.</p> <p>The successful applicant will work with the Department and Government on possible extensions to the Training Advocates responsibilities.</p> <p>RESOURCE MANAGEMENT</p> <table> <tr> <td>Human</td><td>5 FTE</td></tr> <tr> <td>Financial</td><td>To be advised</td></tr> </table>	Human	5 FTE	Financial	To be advised
Human	5 FTE				
Financial	To be advised				

<p>achievement of organisational objectives.</p> <ul style="list-style-type: none"> • Strategically engages stakeholders in service reforms /initiatives to deliver improved business systems and processes to implement best practice and cost effective services for the State Government. • Delivers sound governance and risk management accountability across the Office of the Training Advocate. • Manages internal resources according to organisational priorities identified through the strategic planning processes and whole of government priorities. 	
<p>CONDITIONS</p> <ol style="list-style-type: none"> 1. Out of hours business work 2. Intra state and interstate travel 3. Participate in recovery activities relating to emergency management. 4. The incumbent will be expected to uphold the ethical behaviour and professional integrity standards as contained in the <i>Public Sector Act, 2009</i>. 5. Engagement in this role is subject to a satisfactory Department of Human Services Child-related employment screening. A renewal will be required every 3 years. 	<p>SELECTION CRITERIA (Each applicant will be assessed against the following criteria)</p> <ul style="list-style-type: none"> • shapes strategic thinking and change • achieves results • drives business excellence • forges relationships and engages others • exemplifies personal drive and professionalism. <p>Other selection criteria:</p> <ul style="list-style-type: none"> • Apply Work Health and Safety (WHS) and worker's compensation legislative requirements in business activities for which the position is responsible, whilst ensuring compliance to Agency WHS policies, procedures and processes. • Relevant experience or tertiary qualification in management, commerce or public administration.
<p>ROLE STATEMENT APPROVAL</p> <p>..... / /2018</p> <p>Chief Executive</p> <p>..... / /2018</p> <p>Occupant</p>	

References:

Code of Ethics for SA Public Sector Employees
Public Sector Act 2009

Refer - <http://www.publicsector.sa.gov.au/>
Refer - <http://www.legislation.sa.gov.au>

Tan, Jenny (DIS)

From: Tan, Jenny (DIS)
Sent: Tuesday, 16 October 2018 9:41 AM
To: King, John (DIS)
Subject: RE: Training Advocate [DLM=For-Official-Use-Only]

Security Classification:

For Official Use Only

For Official Use Only

Thanks – I've included a copy with the brief and left one for the Minister

From: King, John (DIS)
Sent: Tuesday, 16 October 2018 9:26 AM
To: Tan, Jenny (DIS) [REDACTED]
Subject: Training Advocate [DLM=For-Official-Use-Only]

Hi Jenny

The Minister asked this morning for a copy of the Role Description for the Training Advocate.

It's for his conversation with the preferred candidate.

There's a brief that's come up on it.

I've attached the PD.

JK

John King
[REDACTED]

Sent from my iPad

Adams, Tania (DIS)

Subject: 1:00PM - Introductory Meeting - Training Advocate Nominee

Location: level 10, 1 King William Street, Adelaide

Start: Tue 23/10/2018 1:00 PM

End: Tue 23/10/2018 1:30 PM

Recurrence: (none)

Meeting Status: Meeting organizer

Organizer: Pisoni, David (DIS)

Required Attendees: Goddard, Garry (DIS); Ker, Grant (DIS); Meier, Kim (DIS); Myers, Tony (DIS); Duffy, Mark (DIS)

Categories: Department Meetings

Please note the recruitment timeframe below for the Training Advocate:

Timeframe	Actions
12/13 September	Shortlisting of candidates for interview by panel completed
17 to 21 September	<ul style="list-style-type: none"> - Interviews - Reference checks
24 to 28 September	<ul style="list-style-type: none"> - Selection report finalised - Recommendation on preferred candidate is made by panel - Preferred candidate notified of recommendation as preferred (subject to 7 day appeal period and cabinet approval of recommendation) - Terms and conditions of appointment negotiated with preferred candidate (preparation of instrument of appointment and cabinet submission may commence as soon as preferred candidate is notified, in readiness for submission following completion of appeal period)
1 to 5 October	Appeal period (7 days) will be completed
2 to 11 October	<ul style="list-style-type: none"> - Cabinet submission approved by ED and CE - Lodge cabinet submission and proposed instrument of appointment recommending the appointment for approval by Cabinet and the Governor in Executive Council
29 October	Cabinet considers and endorses appointment (needs to include proposed commencement date)
1 November	Approved by the Governor in Executive Council and published in Gazette
From 2 November	<p>Preferred candidate to be notified of approval of appointment to commence.</p> <p>If preferred candidate is not the current Training Advocate, commencement date will be effective 1 December 2018, unless the current Training Advocate decides to resign before 1 November (the appropriate commencement date will need to be confirmed in the Gazette notice)</p>
30 November	Therese O'Leary's interim contract expires

Note:

- There is a buffer period of about 3 weeks to accommodate delays - Cabinet and Executive Council meet 5, 12, 19, 26 November, respectively.
- If an appeal is lodged and the timeframes are expected to blow out beyond 3 weeks, there may be a requirement to negotiate with Therese O'Leary a further extension to her current contract which requires Cabinet approval
- Should the current Training Advocate not be the preferred/successful candidate, a new candidate would not be able to be appointed before the current Training Advocates appointment expiration (30 November). The Training Advocate is a Statutory appointment and two individuals can not be appointed at the same time. The only way that the Governor could appoint a new Training Advocate before the expiration of the current appointment on 30 November would be if the current Training Advocate decided to resign before the current expiration of her term.