

ENVIRONMENT PORTFOLIO — EMPLOYEE RIGHTS AND PETITION SIGNING

8833. Mr C.J. Tallentire to the Minister for Environment

In relation to the rights of officers in the environment portfolio employed under the Public Sector Management Act to express personal views, I ask:

- (a) are Department of Environment and Conservation (DEC) staff allowed to sign petitions to Parliament regarding proposals that are being considered by the DEC; and
 - (i) if not, why not;
- (b) are officers employed in the Office of the Environmental Protection Authority (EPA) allowed to sign petitions to Parliament regarding proposals that are being considered by the EPA; and
 - (i) if not, why not;
- (c) are DEC officers permitted to sign petitions to Parliament regarding proposals that are being considered by the EPA; and
 - (i) if not, why not; and
- (d) has DEC received advice on the legal right of employees to express views on proposals going through environmental assessment; and
 - (i) if yes, is this advice publicly available; and
 - (ii) if not, why not?

Mr W.R. MARMION replied:

- (a) Advice to Department of Environment and Conservation (DEC) staff on signing of petitions is provided in the DEC Code of Conduct, which requires staff to identify any conflicts of interest, or perceived or potential conflicts of interest, and to disclose the conflict of interest to DEC. This disclosure is then assessed and written advice is provided to the employee on how the conflict of interest is to be managed.
- (b) The Office of the Environmental Protection Authority's Code of Conduct establishes the basis for the expression of private views and the separation from official position(s) of the OEPA. Officers of the OEPA are entitled to express their private views providing it is clear that the view expressed is a private view and not an organisational view.
- (c) Refer (a).
- (d) Yes, DEC sought and received advice on its Code of Conduct from the State Solicitor's Office. The Code of Conduct is published on DEC's website. The legal advice is not available as it is subject to legal professional privilege.