



22 December 2023

COVID-19 Response Inquiry Panel
c/o Department of the Prime Minister and Cabinet
PO Box 6500
Canberra ACT 2600

By email: COVID-19Inquiry@pmc.gov.au

Dear Panel,

Commonwealth Government COVID-19 Response Inquiry

The Community and Public Sector Union - PSU Group (CPSU) welcomes the opportunity to make this submission to the Independent Panel's inquiry into the Commonwealth Government's COVID-19 Response. The CPSU represents Australian Public Service employees and is committed to providing a strong voice for our members in key public policy and political debates.

In responding to the Inquiry's Terms of Reference, this submission includes the experience and expertise of CPSU members who were in direct service of the Commonwealth Government's COVID-19 Response. The CPSU's submission focusses on the role of the Commonwealth Government and national governance mechanisms. We acknowledge and commend the focus of ACTU's submission on the issues relating to work, work health and safety and necessary income supports.

CPSU key message to the Inquiry - to more "effectively anticipate, adapt and respond to pandemics in areas of Commonwealth Government responsibility"¹, the Commonwealth Government must facilitate a demonstrably credible level of pandemic preparedness across the Australian Public Service (the APS).

¹ Scope of the Review, <https://www.pmc.gov.au/resources/commonwealth-government-covid-19-response-inquiry-terms-reference>

1. Commonwealth Government and national governance mechanisms - at the border

Biosecurity is administered by Department of Health and the Department of Agriculture, Fisheries and Forestry², with differing responsibilities outlined therein. The Australian Health Management Plan for Pandemic Influenza (Pandemic Influenza Plan)³ outlines Australia's strategy to manage an influenza pandemic and minimise its impact on the health of Australians and our health system.

Preparedness means being prepared

The CPSU understands the last cross agency pandemic training for the Department of Health and Aged Care, Department of Agriculture, Fisheries and Forestry⁴, and the then Australian Customs and Border Protection Service (now the Department of Home Affairs) was in 2010 or 2011. This training was before 2014 changes to the Australian Health Management Plan for Pandemic Influenza (Pandemic Influenza Plan).

By January 2020, the Pandemic Influenza Plan had been through at least two significant updates but there had been no cross agency pandemic training in the ten years prior to the COVID-19 outbreak.

As the Commonwealth Department of Health and Aged Care does not have a physical presence at Australia's borders, those responsibilities are delegated to state and territory governments. Memoranda of Understanding on different biosecurity protocols at seaports and airports exist between the state health authorities, the Department of Home Affairs, and the Department of Agriculture, Fisheries and Forestry; there are also numerous work instructions that overlap and apply. So that, in the early months of the pandemic, seaports were a confusion of abdicated responsibility.

For these reasons, *the CPSU supports the recommendation from the NSW Government's 2020 Special Commission of Inquiry into the Ruby Princess:*

"That Human Biosecurity Officers, DAWE, the Commonwealth Department of Health and NSW Health develop:

- a) better awareness of their own and each other's roles and responsibilities for human biosecurity; and
- b) more formal protocols for their interaction and communication. This includes, but is not limited to, the grant of pratique."⁵

² Biosecurity Act 2015, <https://www.legislation.gov.au/Details/C2017C00303>

³ The Australian Health Management Plan for Pandemic Influenza, Australian Government Department of Health and Aged Care, August 2019, <https://www.health.gov.au/resources/publications/australian-health-management-plan-for-pandemic-influenza-ahmppi?language=en>

⁴ At the COVID outbreak, the **Department of Agriculture** (May 2019 to February 2020) was subject to a Machinery of Government change and the **Department of Agriculture, Water and the Environment (DAWE)** was formed. The **Department of Agriculture, Fisheries and Forestry (DAFF)** was reformed in July 2022.

⁵ Special Commission of Inquiry into the Ruby Princess. NSW Government, August 2020, para 11.80, page 222. <https://www.nsw.gov.au/departments-and-agencies/the-cabinet-office/resources/special-commissions-of-inquiry/ruby-princess>

CPSU recommends

Pandemic training, including drills, every three years for workers from the relevant commonwealth, state and territory jurisdictions at seaports and airports.

In January and February 2020, CPSU members working at seaports and airports could see the pandemic spread into and through Australia. After considerable agitation, Commonwealth employers began engaging with their workers on identifying and mitigating the risks of COVID-19 in the workplace.

Staffing and budgetary issues in the then Department of Agriculture Water and the Environment (DAWE, now DAFF), meant there was no senior officer on site at Sydney Airport, Australia's busiest airport. This made it difficult for the Department to understand and respond to time sensitive critical work healthy and safety issues.

Commonwealth, State and Territory Work Health and Safety regulators were generally responsive in supporting PCBU⁶ and workers. Regulators worked with multiple PCBUs at airports and seaports in their jurisdiction. However, the gap was across the jurisdictions; there was no apparent process to check if an issue identified and resolved in one airport had also been identified and resolved in another interstate airport.

CPSU recommends

A pandemic-specific process for Safe Work Australia to report on how risks and hazards have been mitigated in like workplaces.

2. Commonwealth Government and national governance mechanisms – the home front

In mid-March 2020, the relief was palpable among front line Australian Public Servants when border restrictions were initiated. Workers had been watching the disaster escalate for 10 long and stressful weeks before closures. For casual employees in Home Affairs and DAWE working ports and cargo, concerns shifted from, "Am I putting my community at risk, by bringing COVID home?" to "How am I going to eat now my hours have been cut?".

APS employees were not eligible for JobKeeper and a significant portion of these workers at airports and seaports were casual workers reliant on week-to-week rostering arrangements. For most, redeployment wasn't an option. For example, when meat factories and abattoirs closed as a consequence of COVID-19 outbreaks, Commonwealth Government meat inspectors and veterinarians could not be redeployed.

CPSU recommends

Recognition of and continued financial support for all casual employees, including APS employees, as part of a pandemic response plan or national incident.

⁶ The Person Conducting a Business or Undertaking (PCBU) "has a primary duty to ensure the health and safety of workers while they are at work in the business or undertaking and others who may be affected by the carrying out of work, such as visitors." Safe Work Australia, <https://www.safeworkaustralia.gov.au/law-and-regulation/duties-under-whs-laws/duties-pcbu>

Anticipating and adapting needs communication

In large part, departments and agencies were able to pivot to provide the necessary supports required of the Australian community. However, agencies lacked adequate resources, including workers, to administer Government demands and implement strategies and continue business as usual. For example, the requirement for the ATO to enable early release of Superannuation resulted in a substantial backlog of debts that had to be addressed.

Commonwealth Government workers watched live media conferences from the Prime Minister to identify parameters for Government support payments and variations to support payments. In the example of Services Australia, those same workers then designed and built systems, IT protocols, operating parameters, training and operational blueprints to enable COVID-19 related payments; from the base up.

This caused significant issues in the implementation of Government intentions, and it occurred multiple times. CPSU members identified that it would be useful to have service-wide standardised proof of identify procedures, IT modules or components that could apply population and demographic scoping, and series of general qualifying provisions that could be scaled up or down based. Current APS employees in the Digital Transformation Agency, Australian Bureau of Statistics, Services Australia and the Australian Tax Office have the experience and expertise to deliver this.

CPSU recommends

Using service-wide in-house expertise build IT infrastructure or modules that standardise proof of identify procedures, population and demographic scoping, and general qualifying provisions.

Redeploying APS workers within and between Commonwealth Government departments and agencies during the COVID 19 pandemic was slowed and complicated by myriad wages and conditions. For receiving agencies, like the Department of Health and Aged Care and Services Australia; this meant managing new teams of workers, sometimes in a 24/7 operating environment, with different workplace cultures, ordinary hours of work, leave provisions, allowances and pay.

COVID19 mobilisation was not the first Commonwealth Government emergency response; however, the scale highlighted fissures in inter-departmental protocols and the industrial gap in the government's pandemic response plan. Where redeployment was voluntary, these disparities slowed uptake; and where compulsory, it led to resentment.

The establishment of the National Emergency Management Agency and the interim Australian Centre for Disease Control are opportunities for the Commonwealth Government to strategically rebuild APS capability, and emergency response and surge workforce capacity.

CPSU recommends

Adoption of common, consistent and best practice working arrangements and conditions for public servants engaged as part of a pandemic response plan or national incident.

Safe Work Australia and expert health advice to Governments Departments and Agencies on incorporating public health and workplace health and safety measures into workplace design and layout.

Health response measures

Very early in 2020, it was apparent to workers that the Commonwealth Government's inadequate access to medical supplies was affecting directions on PPE; that is, the direction not to wear a mask was not medically sound. By mid-March 2020, Government Departments and agencies had let go of this pretence and were consistently advising local Procurement Officers to do what they could to source supplies locally.

A lack of supply meant workplaces could not triage that supply. For example, the Parks section of DAWE were advised to use soap and water; however, many of Australia's National Parks are in remote areas with little or no access to potable water.

Existing workplace layouts limited modifications that could be made for public health and workplace health and safety measures. For example, Services Australia shopfront and service centres were open plan and there was limited options or utility in using screens or barriers. CPSU notes Services Australia now has a program to update the layout in shopfront and service centres that includes screens and other barriers.

CPSU recommends:

Commonwealth medical stockpiles stored regionally with consideration for geography and the local environment.

Safe Work Australia and expert health advice to Governments Departments and Agencies on incorporating public health and workplace health and safety measures into workplace design and layout.

CPSU refers this Inquiry to CPSU submissions to earlier related inquiries

- August 2022, Submission 76. *Adequacy of Australia's biosecurity measures and response preparedness*, Rural and Regional Affairs and Transport References Committee⁷
- October 2021, Submission 4. *Implementation of COVID-19 Measures*, Joint Committee on Public Accounts and Audit⁸
- June 2020, Submission 142. *Australian Government's response to the COVID-19 pandemic*, Australian Senate Select Committee⁹

⁷ CPSU submission 76, https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Rural_and_Regional_Affairs_and_Transport/FMDBio_security

⁸ CPSU submission 4, https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Public_Accounts_and_Audit/COVID19measures

⁹ CPSU submission 142, https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/COVID-19/COVID19

Summary

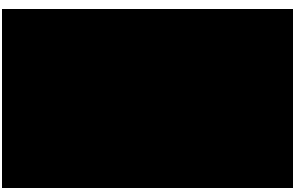
A demonstrably credible level of pandemic preparedness from the Commonwealth Government requires prior consideration of the necessary APS human and financial resources, appropriate and consistent industrial arrangements, and involving APS workers in the plan and the solution.

In summary, CPSU recommends:

1. The NSW Government's 2020 Special Commission of Inquiry into the Ruby Princess recommendation
"That Human Biosecurity Officers, DAWE, the Commonwealth Department of Health and NSW Health develop:
a) better awareness of their own and each other's roles and responsibilities for human biosecurity; and
b) more formal protocols for their interaction and communication. This includes, but is not limited to, the grant of pratique."
2. Pandemic training, including drills, every three years for workers from the relevant commonwealth, state and territory jurisdictions at seaports and airports.
3. A pandemic-specific process for Safe Work Australia to report on how risks and hazards have been mitigated in like workplaces.
4. Using service-wide in-house expertise build IT infrastructure or modules that standardise proof of identify procedures, population and demographic scoping, and general qualifying provisions.
5. Recognition of and continued financial support for all casual employees, including APS employees, as part of a pandemic response plan or national incident.
6. Adoption of common, consistent and best practice working arrangements and conditions for public servants engaged as part of a pandemic response plan or national incident.
7. Safe Work Australia and expert health advice to Governments Departments and Agencies on incorporating public health and workplace health and safety measures into workplace design and layout.
8. Commonwealth medical stockpiles stored regionally with consideration for geography and the local environment.
9. Safe Work Australia and expert health advice to Governments Departments and Agencies on incorporating public health and workplace health and safety measures into workplace design and layout.

If you require further information, please contact Katie Higgins, Policy and Research Officer, by email at [REDACTED] or on [REDACTED]

Sincerely,



Melissa Payne
Deputy National President