



Legislative Assembly for the
Australian Capital Territory

Standing Committee on Public
Accounts and Administration

Exhibit 1

Inquiry into the CIT CEO recruitment process

Independent Review of the Recruitment Process for the Chief Executive Officer, Canberra Institute of Technology

Date published: 1 May 2026

Independent Review of the Recruitment Process for the Chief Executive Officer, Canberra Institute of Technology

Introduction

The Minister for Skills, Training and Industrial Relations (Minister) requested that the Head of Service commission an independent review of the recruitment and selection process undertaken in early 2025 for the position of Chief Executive Officer of the Canberra Institute of Technology (CEO CIT).

The review was required, at a minimum, to:

- Set out the timing and factual sequence of the recruitment process.
- Identify any probity issues relating to the recruitment process.
- Investigate what due diligence was undertaken by the Recruitment Selection Panel and the CIT Board.
- Form a view as to the adequacy of the probity and due diligence actions taken.

Process

The Head of Service engaged Ms Carmel McGregor PSM to undertake the review.

Ms McGregor consulted individuals involved in the recruitment process as well as policy experts involved in executive recruitment in the public sector. A list of those consulted is provided at Attachment A.

She also reviewed background documentation relating to the recruitment and selection process, as well as relevant recruitment policies and procedures.

Findings

Timing and Factual Overview of the Recruitment Process

A request for quotation (RFQ) for recruitment services and executive search for CIT CEO was issued with a closing date and time 31 October 2024, 12 pm.

Executive Intelligence Group (EIG) submitted proposal via Vendor Panel 30 October 2024 and were advised by CIT on 22 November 2024 that they were the successful supplier. A draft contract was issued the same day.

The recruitment process for the CEO CIT involved a national advertising campaign supported by an executive search conducted by a professional recruitment firm. Thirty applications were received, representing a diverse and high-quality field.

The Chair of the CIT Board wrote to the Minister on 11 April 2025 to initiate consultation on the appointment of a CEO for CIT, consistent with the requirements of section 80 of the *Financial Management Act 1996*.

The Minister acknowledged the commencement of the recruitment process outlining his expectations for the appointment, but also noting that the appointment of the CEO is a matter for the CIT Board. He asked to be kept informed of the outcomes and welcomed the opportunity to discuss the appointment. Discussions took place between the Minister and the Chair of the Board on 15 April 2025 and 16 May 2025.

A Selection Panel was established, comprising:

- The Chair of the CIT Board
- A representative of Chief Minister Treasury and Economic Development Directorate (CMTEDD)
- An external vocational education expert from another jurisdiction

After considering written claims, the Selection Panel selected five candidates for further consideration. EIG conducted screening interviews for these candidates on 27 and 28 February 2025.

The Selection Panel then interviewed four shortlisted candidates on 11 March 2025. Referee checks were undertaken for three suitable candidates by EIG, and a second round of interviews was conducted with the final three candidates on 16 April and 29 April 2025. One candidate withdrew from the process at that point and only two were interviewed.

The Governance and Nominations Committee of the Board also participated in the second round of interviews.

A second round of additional referee checks was undertaken on the preferred candidate on 12 and 13 May 2025. The preferred candidate subsequently met with the full CIT Board on 16 May 2025 prior to the decision to appoint.

On 22 May 2025 the Board Chair wrote to the Minister to advise that an offer had been made to the successful candidate.

Dr Margot McNeill commenced on 18 June 2025.

Due Diligence Undertaken by the Recruitment Selection Panel and CIT Board

All applicants were required to complete an online application through the recruitment agency's website, providing personal information and employment history and supporting documentation. The application pro forma required disclosure of any prior breaches of the APS Code of Conduct, reflecting the recruitment agency's primary engagement with Australian Public Service clients.

During panel interviews, candidates were asked whether there was any aspect of their employment history that the Panel or Board should be aware of, including anything that could adversely affect their suitability for appointment. For the final candidates, similar questions were asked on multiple occasions, including during second-round interviews and subsequent meetings.

The preferred candidate also met with the full Board on 16 May 2025. Prior to this meeting the recruitment agency was asked by the Board Secretary to ensure that the preferred candidate be prepared to respond to questions about work history or her past.

"Can you please let Margot know that the Board is likely to ask on Friday if there is anything that may result in negative attention or media in her past or work history. You should prep Margot for this and knowing that the Board may ask questions on Friday and they expect her to be candid in her answers" ¹

This line of questioning did occur and the Board Chair specifically sought disclosure of any matters that might require consideration in relation to appointment to such a critical leadership position. Board members also asked similar questions. Discussion was noted in the Cabinet and Board-in-Confidence record of the meeting which was seen by the review.

For the successful candidate:

- Two referee reports were obtained.
- Further advice was sought from TAFE NSW, including a referee report from the Managing Director TAFE NSW on 13 May 2025; and a phone discussion with Chief People Officer TAFE NSW on 12 May 2025.
- The Board Chair held discussions with a national TAFE expert.

The referee reports were positive and did not highlight any concerns. The steps undertaken throughout the recruitment process were comprehensive and reflect a thorough and considered approach to due diligence. EIG, experienced in senior executive appointments,

¹ Email Tania Manuel to EIG 14 May 2025

advised the review that extensive efforts were undertaken by the Selection Panel and the Board Chair to understand and uncover any issues which may play out negatively for any appointment. EIG provided thorough documentation and record keeping of the various exchanges with candidates, selection panel and referees.

Probity Issues Relating to the Recruitment Process

No probity issues were identified in the conduct of the recruitment process itself.

The public announcement of Dr Margot McNeill's appointment as CEO CIT was made on 4 June 2025.

On 5 June 2025, the ACT Integrity Commission received an anonymous complaint raising concerns about Dr McNeill's appointment. On 13 June 2025, the Commission advised the CIT Board Chair that it had not validated the claims and expressed no view as to their veracity. The allegations were also assessed as being outside the Commission's jurisdiction.

On 8 June 2025, CIT received a separate anonymous complaint via email alleging that Dr McNeill was under investigation in relation to her previous employment.

In response to these complaints, on 13 June 2025 the Board Chair wrote to:

- The Managing Director, TAFE NSW
- The NSW Independent Commission Against Corruption (NSW ICAC).

The correspondence sought any information that could be provided regarding the allegations, noting that no issues had been raised during the referee checks with TAFE NSW in May 2025.

The Board Chair also advised the Minister's Office on 17 June 2025. The Minister subsequently sought advice regarding the due diligence undertaken by the Board and how the existence of an investigation emerged following the appointment. On 21 July 2025, the Minister reiterated these concerns and sought assurance that the Board had a strategy in place to maintain community trust in CIT's leadership.

On 17 June the Board Chair wrote to the ACT Public Sector Standards Commissioner. On 3 July the Commissioner advised that no specific complaint had been received and that the matter related to NSW jurisdiction.

On 16 June 2025, the Managing Director of TAFE NSW advised that she was unable to comment on any confidential investigations. However, she indicated that Dr McNeill had been informed that she could disclose any relevant facts or circumstances connected with her employment on a confidential basis.

Dr McNeill was formally advised of this in writing on 16 June 2025.

Prior to that written advice, Dr McNeill had been advised verbally by the Managing Director of TAFE NSW on January 31 2025, and again on 7 May 2025 (in response to her requests), that confidentiality constraints associated with any investigation restricted her ability to disclose information. Hence Dr McNeill's inability to advise the CIT Board of relevant issues prior to 16 June 2025.

It had been anticipated that the investigation processes would be concluded before Christmas 2024.

Dr McNeill advised the review that, following the verbal discussion of 31 January 2025 with the Managing Director of TAFE NSW, she received an email dated 4 February 2025 indicating that the investigations were continuing, but that if she chose to resign, the investigation would conclude. Dr McNeill formed the view that, in those circumstances, the matters under consideration were likely to be minor in nature, and she proceeded with her application for the CEO CIT role.

On 16 June Dr McNeill advised the CIT Board Chair that she had been the subject of allegations of misconduct by employees in NSW TAFE dating back to 2021. Investigations were ongoing and she was participating in the process.

Dr McNeill further advised that investigations into these allegations commenced in October 2024. At this time Dr McNeill was assigned to a project on NSW VET Review tertiary harmonisation and continued to be part of qualifications reform at ministerial invitation. This continued until her resignation in May 2025 to take up the CEO CIT position, noting periods of personal leave.

On 28 July 2025, NSW ICAC advised the CIT Board Chair that it was not investigating the matters raised, as they were "being dealt with in another matter," and suggested that further enquiries be directed to TAFE NSW.

On 16 September 2025 TAFE NSW advised Dr McNeill that the investigation had been completed and that findings had been made that her conduct was contrary to the TAFE NSW Code of Conduct.

The review was advised by Dr McNeill that confidentiality obligations were ongoing and she was obliged to restrain from divulging the details of the decision, notwithstanding her earlier clearance to share with the board that she was under investigation. The review did not have access to the documents outlining the legal or confidentiality restraints so could not verify this further.

A further anonymous complaint was received by CIT on 2 October 2025 noting that the NSW investigation had concluded.

On 2 October 2025 the Board Chair wrote to the Managing Director NSW TAFE about this complaint and sought further advice on whether the investigations were complete and if there were any findings against Dr McNeill. On 13 October 2025 the Managing Director NSW TAFE advised that she could not disclose any information regarding the investigation and referred to her earlier correspondence of 16 June 2025.

On 27 October 2025 the Board Chair wrote to the ACT Public Sector Standards Commissioner to advise of this complaint. He responded on 29 October 2025 confirming that no similar correspondence had been received.

On 11 December 2025, TAFE NSW advised Dr McNeill that, notwithstanding her resignation in May 2025, her separation would be recorded as a termination of employment due to substantiated findings of misconduct. At this point Dr McNeill was able to discuss the findings with the Board Chair which she did. (To this point Dr McNeill had been restrained from disclosing due to the confidentiality requirements imposed by NSW TAFE)

Dr McNeill commenced proceedings on 14 January 2026 to challenge this decision. On 13 March 2026, the NSW Industrial Relations Commission dismissed her application “for want of jurisdiction.” (Matter No. 2026/18838)

In the same determination Commissioner Howell states “*The 11 December 2025 termination letter may well have been clumsily framed, but in substance it did no more than express the action taken under s 69(4)(a) in reliance upon s 69(5) as “a termination”. The Applicant’s employment came to an end by way of resignation on 26 May 2025, **not a termination for substantiated findings of misconduct** in December 2025. I have no power to make an Order to this effect, but I would strongly urge the Respondent to reconsider how it refers to the cessation of the Applicant’s employment in its internal records, including the Applicant’s personnel file.*”²

Dr McNeill has advised the review that she is pursuing further legal action through the NSW Supreme Court on the process and the findings of misconduct.

At the time of this report these matters remain ongoing. These circumstances have limited the reviewer’s access to full details of the matters due to ongoing legal and confidentiality constraints.

Consistent with the terms of reference, this review does not examine the underlying allegations.

As outlined in the “Due diligence” section of this report, the CIT Board Chair and Selection Panel made several attempts through the process to satisfy themselves that there were no matters of concern which could adversely affect the appointment.

The Minister has continued to be apprised of developments and he has reiterated his expectation that CIT’s leadership fulfil the responsibilities of the role, while seeking assurance as to the probity of the appointment process.

² McNeill v TAFE Commission Matter 2026/18838

Adequacy of the Probity and Due Diligence Actions Taken

The review included discussions with the Board Chair on 16 February 2026 and several follow up phone calls to understand the checks undertaken to ascertain the efficacy of the process and candidate verification.

Discussions were also undertaken with another member of the selection panel.

The review interviewed the recruitment agency on 19 February 2026 and discussed their verification and diligence in checking candidates. Further discussions and exchange of documents occurred.

The review interviewed Dr McNeill on 20 February 2026 and had several follow up exchanges to clarify details.

Dr McNeill had originally been identified to the recruitment agency as a person to speak to by senior officials in a couple of jurisdictions as an expert on TAFE matters. The recruitment agency then asked would she consider being a candidate herself.

The review finds that the due diligence undertaken during the recruitment process was appropriate, proportionate, and consistent with accepted governance standards in the circumstances. At each step of the process the Selection Panel and Board Chair provided clear opportunities for candidates to disclose relevant matters.

The referee checking – in this case going to four sources and a fifth expert in national TAFE matters was comprehensive and more than is usual practice. No adverse information was identified. The review considers it regrettable that TAFE NSW did not disclose the existence of ongoing investigative processes underway at the time of reference checking and did not provide any negative commentary as to Dr McNeill's suitability.

Given the importance of this role and the known history of CIT's issues with previous CEO performance, it would have been of critical value if NSW TAFE disclosed relevant information in response to requests made by the CIT Board Chair 13 June 2025, 18 August 2025 and 2 October 2025.

The review finds that legal and confidentiality constraints outlined above limited the candidate's ability to disclose relevant matters to the CIT Board and Selection Panel during the process. This limitation was outside the control of the Board and Selection Panel.

The matters that arose following the public announcement of the appointment highlight the complexities of interjurisdictional processes, particularly where investigations or legal proceedings are ongoing and subject to confidentiality and legal constraints.

The review notes that:

- Legal and procedural restrictions can significantly limit what individuals are permitted to disclose, even in senior recruitment processes.
- Complaints or allegations about an individual's performance and behaviour can range from serious and substantiated too vexatious or minor.

- Requiring disclosure of allegations at the commencement of a recruitment process may risk excluding otherwise suitable candidates, particularly where matters are unresolved or subject to legal constraint.
- Natural justice principles and established legal protections must be carefully balanced with probity considerations.
- Given that the investigation and legal proceedings concerning Dr McNeill's prior employment were ongoing during the recruitment process and remains so, it is difficult to identify additional lawful or reasonable steps that could have been taken at that time to establish misconduct of a kind that would preclude appointment.
- The review also notes that both the Board Chair and the Minister took steps within their respective roles to ensure that the matters raised were appropriately considered within the constraints described above.
- The inability of NSW TAFE to provide relevant information to the Selection Panel about Dr McNeill's candidature during the recruitment process placed the Board in an invidious situation when trying to finalise the appointment.
- Equally the constraints imposed by NSW TAFE on Dr McNeill restricted her ability to advise the Board and selection panel of important detail which they sought on several occasions.
- It is also clear that Dr McNeill is entitled to challenge negative findings in order to clear her name and that matter is also ongoing.
- It is a matter of public record that the CIT Board is satisfied with Dr McNeill's performance in the CEO CIT role.

Conclusion

In my capacity as senior reviewer of the CEO CIT recruitment process, and noting the confidentiality constraints that limited the scope of disclosure, I am satisfied that the due diligence undertaken by the CIT Board and the Selection Panel constituted an appropriate and thorough approach to managing probity risks associated with a senior executive appointment. In comparison with other selection processes with which I have had involvement, the referee checks and follow up discussions with former employer and experts were as thorough as possible.

Accordingly, the review finds no evidence of procedural deficiency or probity failure in the actions of the CIT Board or the Selection Panel.

Future Considerations

While the process was appropriate in the circumstances, this matter highlights opportunities to further strengthen policy settings for future senior executive appointments.

Policy discussions are currently underway across several jurisdictions regarding best practice approaches for declaration and consent processes for Executive recruitment.

In November 2025, the ACT Public Service revised its recruitment and disclosure arrangements to strengthen probity settings for senior appointments. As CIT typically adopts or mirrors ACT Public Service policies, alignment with these revised arrangements should be considered and, where appropriate, formally adopted.

It is suggested that these materials be reviewed to determine whether a tailored declaration mechanism—appropriate to the ACT context—could provide greater clarity regarding disclosure obligations without undermining natural justice principles. This should include treatment of provision or omission of misleading information. Clearly legal advice on these matters would need to be sought.

Consideration should be given to whether staged or conditional declaration requirements may better balance probity and fairness.

Ms Carmel McGregor PSM

Independent Reviewer

9 April 2026

Attachment A

Consultation *(alphabetical order)*

Karina Arthy - Director General Health and Community Services Directorate

Kylie Barber - Assistant Commissioner Integrity, Performance and Employment Policy
APSC

Helen Innes - Senior Consultant Executive Intelligence Group

Kathy Leigh - Head of Service ACT Public Service

Kate Lundy - Chair CIT Board

Tania Manuel - Executive Branch Manager, Policy and Governance CIT

Dr Margot McNeill - CEO CIT

Tricia Searson - Director Executive Intelligence Group

Kate Starick - a/g Deputy Director General Economic Development CMETDD

Robert Wright - a/g Deputy Director General Office of Industrial Relations and Workforce
Strategy, CMTEDD

Michael Pettersson MLA
ACT Legislative Assembly

Dear Minister

In response to your questions regarding my recent review into the Recruitment Process for the Chief Executive Officer, Canberra Institute of Technology I provide the additional detail which can be included as an addendum to the report.

Question 1. Page 3 of the Report notes "the application pro forma required disclosure of any prior breaches of the APS Code of Conduct, reflecting the recruitment agency's primary engagement with Australian Public Service clients". The pro-forma also asks whether applicants "are currently under investigation for breaching the APS code of conduct", to which Dr McNeil had answered no.

If the question had been framed in such a way that was not limited to the APS - for example if it had asked if applicants "are currently under investigation for breaching their previous employer/s code of conduct" - would answering "no" still have been a truthful answer?

Response -This is a weakness in the process which I raised with the recruitment company. They are amending their pro-forma so that it applies to the jurisdiction rather than APS. If it had been more specifically worded to require disclosure of any action as per their previous employer - answering no would not have been a truthful answer. It is a point of debate (which is mentioned at the end of the report) as to the best stage of a recruitment process to ask for this disclosure, because matters can be minor and dismissed or serious therefore validly precluding the candidate from further consideration

Question 2. Page 3 of the Report also notes that records of Board discussions with Dr McNeil during the recruitment process were marked as "Cabinet and Board-in Confidence". The appointment did not go to Cabinet so it is unclear why these documents would have been marked as such.

Response – I can confirm that the appointment did not go to Cabinet. I am advised that all CIT board minutes are labelled this way and this is a legacy classification system. The Board Secretary has advised that she will amend the template with new wording to distinguish more clearly the appropriate labelling/classification standards.

Question 3. Are there any reasons that tabling this report in the Legislative Assembly, or otherwise making it public, would be inappropriate?

Response -As I finalised the draft of the report, I shared with the Board Chair and Dr McNeil. No concerns were raised with me, so presumably there are no barriers for tabling. It may be worth checking with GSO as to whether there are any legal exposures for doing so. I was advised that the report could be the subject of an FOI request, so it is likely that it will make its way into the public domain at some point.

Question 4. There are a number of instances in which it appears that Dr McNeil's may have acted dishonestly. For example, on 16 June 2025 she was given permission by TAFE NSW to "disclose any relevant facts or circumstances with her employment on a confidential basis". On 17 June 2025, Dr McNeil advised the Board Chair that "her understanding is that her part [in the investigation] is complete and that there are no findings against her". It is difficult to see how this could have been a genuinely held understanding given the other facts now known. I appreciate this particular exchange occurred after the offer of employment had been made, but before Dr McNeil commenced in the role. Are there any avenues to further investigate Dr McNeil's conduct?

Response- As per my Terms of Reference I was not asked to make a judgment on the matters of Dr McNeil's misconduct. As the report states, the Board sought advice from the ACT Integrity Commission and the ACT Public Sector Standards Commissioner who were unable to assist due to jurisdictional limitations. The Board Chair also wrote to NSW ICAC who referred the Chair to NSW TAFE.

I was advised by Dr McNeil that confidentiality obligations were on going through till 16 September 2025 when TAFE NSW formally advised of the Code of Conduct findings. I have seen mention in the press of the Statutory Declarations Dr McNeil has made but I never saw them - and cannot comment whether they go to this issue.

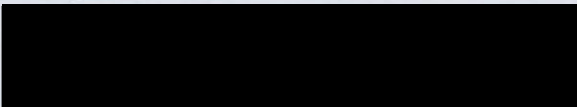
As mentioned in the report Dr McNeil tried to secure a release to disclose information on 31 January 2025 and 7 May 2025. In conversations with her former employer NSW TAFE, Dr McNeil had been advised that if she resigned the investigation would not proceed. She was of the belief that the matters must be of a minor nature if an investigation would be suspended on these grounds.

NSW TAFE is the only entity that would have the detail of Dr McNeil's conduct and they have been reluctant to provide detail to the Board - despite being asked on several occasions. Given that Dr McNeil is still pursuing the matters through the NSW Supreme Court, this matter could be determined in her favour which clears her of any wrongdoing.

If the court makes a finding against her, then this would be a serious and negative outcome and would bring into further question whether the Board could/would continue to support her in the CIT CEO role. This is not a question for me as a reviewer.

A further avenue for review could be for the ACT Public Sector Standards Commissioner to determine whether her actions since appointment as CEO CIT warrant further scrutiny in terms of what she disclosed to the CIT Board. This is not a matter for me as a reviewer of the recruitment process to determine.

Regards


Carmel McGregor PSM

22/4/26