



Legislative Assembly for the Australian Capital Territory

Standing Committee on Public Accounts
and Administration

Inquiry into the CIT CEO recruitment process

Legislative Assembly for the Australian Capital Territory
Standing Committee on Public Accounts and Administration

Approved for publication

Report 6
11th Assembly
May 2026

About the committee

Establishing resolution

The Assembly established the Standing Committee on Public Accounts and Administration on 3 December 2024.

The Committee is responsible for the following areas:

- Accounts of the receipts and expenditure of the ACT and its authorities
- All reports of the Auditor-General which have been presented to the Assembly
- ACT Public Service
- Procurement Policy
- Insurance Policy
- Chief Digital Officer
- Digital and Data Strategy
- Finance
- Treasury (including taxation and revenue)

You can read the full establishing resolution [on our website](#).

Committee members

Mr James Milligan MLA, Chair

Ms Fiona Carrick MLA, Deputy Chair

Ms Caitlin Tough MLA

Ms Jo Clay MLA

Secretariat

Ms Sophie Milne, Committee Secretary

Ms Chereilyn Brearley, Assistant Secretary

Ms Mae Zhu, Administrative Officer

Contact us

Mail Standing Committee on Public Accounts and Administration
Legislative Assembly for the Australian Capital Territory
GPO Box 1020
CANBERRA ACT 2601

Phone (02) 6205 0435

Email LACommitteePAA@parliament.act.gov.au

Website parliament.act.gov.au/parliamentary-business/in-committees

About this inquiry

On Thursday 19 March 2026, the Assembly passed a motion which requested the Committee to inquire into the recruitment process of the current CIT CEO and report by 4 May 2026.

The Committee decided to hold the inquiry on 24 March 2026. The reporting date is 4 May 2026.

Terms of Reference

Pursuant to the resolution of the Assembly of the 19 March 2026,¹ the Committee will inquire into the recruitment process for CIT CEO Dr Margot McNeill, in particular:

- a) the effectiveness of the due diligence processes of the Board of CIT in the recruitment of Dr McNeil;
- b) whether Dr McNeill has breached the *Financial Management Act 1996* in failing to disclose she was under investigation for 'serious misconduct' at the time she applied for the role;
- c) whether the Board has breached its duties under the Financial Management Act 1996 in relation to the recruitment of Dr McNeill;
- d) whether the Minister for Skills, Training and Industrial Relations has discharged his obligation in his duty of oversight of the Board; and
- e) any other related matters.

¹ ACT Legislative Assembly, *Minutes of Proceedings No 52*, 19 March 2026, pp 905-908.

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Acronyms & Abbreviations

Acronym or Abbreviation	Long form
ACT	Australian Capital Territory
APS	Australian Public Service
CEO	Chief Executive Officer
CIT	Canberra Institute of Technology
MLA	Member of the Legislative Assembly
NSW	New South Wales
TAFE	Technical and Further Education

Findings and Recommendations

Finding 1

The Committee finds it extraordinary that a public sector employee required a summons to attend a hearing of a Committee of the Legislative Assembly.

Recommendation 1

The Committee recommends that the CIT Board take all steps possible to obtain and consider the findings of misconduct made against Dr McNeill by TAFE NSW with a view to considering whether Dr McNeill remains suitable to perform her role as CEO.

Finding 2

The Committee finds that the application form used in the recruitment of the CIT CEO was not fit-for-purpose.

Recommendation 2

The Committee recommends that recruitment for the ACT Public Service and other Government entities, including those conducted through external recruitment agencies, include questions around potential breaches of codes of conduct that are broad and relevant to the role and candidates.

Recommendation 3

The Committee recommends that the CIT Board adopt a formal protocol requiring Chair led, independent verification of referees, including direct engagement with the relevant employing authority where practicable.

Recommendation 4

The Committee recommends that the ACT Government pursue improved inter-jurisdictional communication to allow for better information sharing.

Recommendation 5

The Committee recommends that the CIT Board strengthen their recruitment processes to require a formal, documented probity and risk assessment for senior executive appointments, including:

- unresolved or ongoing employment investigations in other jurisdictions; and
- any material matters that could reasonably impact public confidence in the appointment.

Finding 3

The Committee finds that the due diligence in CIT's recruitment of Dr McNeill was ineffective.

Finding 4

The Committee finds that the *Financial Management Act 1996* did not apply to Dr McNeill until the start of her appointment as CIT CEO.

Finding 5

The Committee finds that Dr McNeill did not disclose the information about the TAFE NSW investigation before accepting the appointment at CIT.

Finding 6

The Committee finds that Dr McNeill should have disclosed the information about the misconduct investigation or findings to the CIT Board in a timely manner and that she did not, and that she actively misled the CIT Board by denying that there was a finding of misconduct that had been made against her.

Finding 7

The Committee finds that the CIT Board did not breach its duties under the *Financial Management Act 1996* during the recruitment of the CEO.

Finding 8

The Committee finds that the governance arrangements of the CIT Board are not fit for purpose.

Recommendation 6

The Committee recommends that the ACT Government review the governance arrangements of boards as set out by the Financial Management Act 1996, including whether formal information sharing obligations between boards and the responsible ministers for events which raise material or reputational risk is appropriate.

Recommendation 7

The Committee recommends that the Minister hold the CIT Board accountable for not fulfilling their duties appropriately.

Finding 9

The Committee finds that the Minister raised concerns about the allegations made against Dr McNeill and the impact to CIT's reputation.

Finding 10

The Committee finds that the CIT Board's due diligence did not alleviate the Minister's concerns.

Finding 11

The Committee finds that the Minister acted within the current legislative framework in his duty of oversight of the CIT Board.

1. Introduction

Conduct of the Inquiry

- 1.1. This inquiry was referred to the Committee by motion of the Legislative Assembly on 19 March 2026.
- 1.2. On 24 March 2026, the Committee opened the inquiry into the recruitment of the CIT CEO and called for submissions.
- 1.3. The Committee received one submission, from the ACT Government, which was published on the Inquiry Webpage. The Committee also published one exhibit. Details of these are available at [Appendix A](#).
- 1.4. The Committee held a public hearing on 30 March 2026. The Committee heard evidence from witnesses listed in [Appendix B](#). The transcript and video recording are available on the [Legislative Assembly website](#).
- 1.5. The Committee alerted the CEO of CIT, Dr Margot McNeill, of the inquiry and invited her to make a submission and attend a public hearing on 23 March 2026. After some correspondence between the Secretariat and Dr McNeill's legal representatives, she declined the invitation on 31 March 2026.
- 1.6. The Committee directed the Secretary to issue a summons to Dr McNeill and she attended a hearing on 1 April 2026. This hearing was held in-camera, at Dr McNeill's request.
- 1.7. On 14 April 2026, following consultation with Dr McNeill, the Committee resolved to publish the transcript from the in-camera hearing.
- 1.8. The Committee had 22 Questions Taken On Notice (QTONs) from the hearings. The details of the QTONs are listed in [Appendix C](#).
- 1.9. After the hearing, Members lodged eight Questions on Notice (QONs). The details of the QONs are listed in [Appendix C](#).
- 1.10. The answers to both QONs and QTONs were published on the [Committee's webpage](#).
- 1.11. The Committee also considered the following documents as evidence in the inquiry:
 - Documents from the Minister for Skills, Training and Industrial Relations, received by the Legislative Assembly on 24 April 2026 pursuant to an order to produce under Standing Order 213A:
 - advice provided to the Minister on the appointment of Dr Margot McNeill as Chief Executive Officer of the Canberra Institute of Technology (CIT);
 - all communication, including correspondence and briefing notes, between the Minister and the CIT Board regarding complaints made against Dr McNeill during her employment at TAFE NSW;
 - any explanation sought by the Minister from the CIT Board as to why these matters only emerged after Dr McNeill's appointment as CEO; and

- advice received by the Minister on the due diligence undertaken by the CIT Board during the recruitment process.
 - Documents received from CIT on 27 April 2026, following a request from the Committee for:
 - all documents relating to Dr McNeill’s employment contract as CEO of CIT; and
 - all documents relating to application materials submitted by Dr McNeill for the CEO role, including references from NSW TAFE.
- 1.12. These documents were published or linked to on the [Committee’s webpage](#).
- 1.13. The Committee also received documents in confidence which assisted in their considerations but were not in the public interest to publish.

Procedural issues

- 1.14. The Committee provides the following reflections in the hope that they may enhance the understanding of parliamentary processes for witnesses and other parties in this and future matters.

Sub judice

- 1.15. During the course of the inquiry, Dr McNeill repeatedly refrained from answering questions on the basis that it would prejudice her concurrent legal matter before the NSW Supreme Court:

I am conscious that there are legal proceedings currently before the court, and I will be careful not to comment on matters which are subject to challenge in those proceedings.²

- 1.16. Continuing resolution 10 of the Assembly states that ‘cases in which proceedings are active in the courts shall not be referred to in any motion, debate or question.’ This rule extends to committee proceedings, and is subject to the discretion of the Chair, as well as ‘the right of the Assembly to legislate on any matter or to discuss any matter.’ In regards to civil matters, they are considered active when set down for hearing until such time as they are ended by judgement or discontinuance.³
- 1.17. The Committee was informed that Dr McNeill’s legal matter (2026/99564), an application against TAFE NSW, was listed for a directions hearing on 15 April 2026. No hearing date was published during the course of the inquiry. Therefore, the Committee did not deem the matter to be active in the courts.
- 1.18. In the case that a hearing date would be set, the Committee was guided by the Companion to the Standing Orders, which details questions which arise during an application of sub

² Dr Margot McNeill, Chief Executive Officer, Canberra Institute of Technology, *Proof Committee Hansard*, 1 April 2026, p 28.

³ *The standing orders and continuing resolutions of the Assembly*, 2 September 2025, Continuing resolution 10. Para 11.183 of the Companion states that the Chair’s discretion is exercised only in exceptional circumstances [rephrase etc]

justice.⁴ The Committee considered how susceptible the NSW Supreme Court would be to influence from a parliamentary proceeding in another jurisdiction, and whether the public interest in the matter outweighed concern for the court's process.

- 1.19. Dr McNeill is seeking judicial review of decisions made by TAFE NSW. The actions which TAFE NSW took against her were to find her guilty of misconduct and to terminate her employment. The later was subject to an earlier decision by the NSW Industrial Commission (her application was dismissed).⁵
- 1.20. This inquiry seeks to understand the actions of Dr McNeill, the CIT Board, and the relevant Minister. Although the actions of TAFE NSW have relevance to the inquiry, as the process, findings, and disclosure of the misconduct investigation directly impact the responsibilities of all three parties, this Committee does not seek to investigate the validity of the decisions of TAFE NSW.
- 1.21. For all the above reasons, the Committee was not satisfied that this inquiry, including the seeking and publication of evidence relating to the TAFE NSW investigation, could unduly influence Dr McNeill's matter in the NSW Supreme Court.

Use of legal representation by witnesses

- 1.22. The Committee also wishes to comment on the use of legal representation by witnesses. Witnesses have a right to legal counsel during a hearing, for assistance when answering questions.⁶ At all other times, legal representatives have no official standing with the Committee, as procedures of parliament are not judicial processes. One consequence of this is that client legal privilege does not apply (except during a hearing, as above).
- 1.23. The Companion to the Standing Orders notes that representation by paid advisors could make committee processes unnecessarily legalistic and bias access to committees to those with the resources to retain such advice. Furthermore, Committees generally prefer to hear from witnesses in their own words.⁷
- 1.24. In all cases, legal representatives are expected to advise their clients to cooperate fully with parliamentary committees and answer questions honestly and openly. Such advice is consistent with the standards of behaviour expected of highly qualified professionals with probity obligations.

Appearance of Dr McNeill

- 1.25. The Committee notes the unusual situation which necessitated the summoning of Dr McNeill. As the Chief Executive Officer of a territory authority, the CIT CEO is expected to make themselves available for scrutiny by the legislative branch of government. The Committee followed the prescribed procedures in respect to its dealings with Dr McNeill,

⁴ Legislative Assembly for the Australian Capital Territory, *Companion to the Standing Orders of the Legislative Assembly for the Australian Capital Territory*, Second Edition, pp 347-348.

⁵ *McNeill v TAFE Commission (Senior Executives) Staff Agency o/b Government NSW (2026) NSWIRComm 1019.*

⁶ *The standing orders and continuing resolutions of the Assembly*, 2 September 2025, Standing orders 346 and 264A(k)

⁷ Legislative Assembly for the Australian Capital Territory, *Companion to the Standing Orders of the Legislative Assembly for the Australian Capital Territory*, Second Edition, p 531.

including advising her of immunity under parliamentary privilege in respect to her evidence. Committees routinely request the presence of Territory employees at hearings by way of invitation, and it is expected that such invitations are accepted promptly.

- 1.26. The Committee notes that from the establishment of the Legislative Assembly in 1989, until the publication of the *Companion to the Standing Orders of the Legislative Assembly for the Australian Capital Territory* in 2022, only twice were summonses necessary to compel witnesses to attend committee hearings, and neither were for a current employee in the public sector.⁸

Finding 1

The Committee finds it extraordinary that a public sector employee required a summons to attend a hearing of a Committee of the Legislative Assembly.

Chronology of events

TAFE NSW

- 1.27. Dr Margot McNeill was employed by TAFE NSW as the Chief Product and Quality Officer in late 2020.⁹
- 1.28. TAFE NSW had received allegations of misconduct towards Dr McNeill and wrote to her on 15 October 2024 advising her that an independent confidential workplace investigation would be held. She was placed on alternative duties and advised that she should resign while her career was 'still at a high point', and that if she did the investigation would close.¹⁰
- 1.29. She was then placed on special leave from 13 November 2024 and 'did not perform any duties at all' from that time until her resignation on 26 May 2025.¹¹
- 1.30. Dr McNeill advised the Committee that she had received legal advice that she could not disclose information about the TAFE NSW investigation.¹²

Recruitment by CIT

- 1.31. On 19 June 2024, the Chief Executive Officer (CEO) of Canberra Institute of Technology (CIT), Ms Leanne Cover, resigned during an ACT Integrity Commission investigation into CIT procurement activities. Ms Cover had been on paid leave for two years leading up to her resignation.¹³

⁸ Legislative Assembly for the Australian Capital Territory, *Companion to the Standing Orders of the Legislative Assembly for the Australian Capital Territory*, Second Edition, p 66.

⁹ McNeill v TAFE Commission (Senior Executives) Staff Agency o/b Government NSW (2026) NSWIRComm 1019 [6].

¹⁰ McNeill v TAFE Commission (Senior Executives) Staff Agency o/b Government NSW (2026) NSWIRComm 1019 [4-8].

¹¹ McNeill v TAFE Commission (Senior Executives) Staff Agency o/b Government NSW (2026) NSWIRComm 1019 [6].

¹² Dr Margot McNeill, CIT CEO *answer to QTON 13*, 9 April 2026.

¹³ Isaac Nowroozi and Lottie Twyford, 'Canberra Institute of Technology CEO Leanne Cover resigns after two years on paid leave', *ABC News*, 19 June 2024, <https://www.abc.net.au/news/2024-06-19/cit-ceo-leanne-cover-resigns-integrity-commission-investigation/103997552> (accessed 23 April 2026).

- 1.32. Ms Cover, as well as the executive director of education and training services Mr Andrew Whale, were reported to have been dishonest and misleading in their communications with the CIT Board and the Minister. The Integrity Commissioner found them to have engaged in serious corrupt conduct in 2025.¹⁴
- 1.33. A CIT CEO position recruitment was undertaken by the CIT Board in early 2025, headed by Ms Kate Lundy as Chair.
- 1.34. Dr McNeill applied for the CIT CEO role on 5 February 2025¹⁵ through a recruitment agency. The agency required candidates to declare if they had been found to have or been under investigation for breaching the Australian Public Service (APS) Code of Conduct.¹⁶
- 1.35. Pursuant to the legal advice that she had received, Dr McNeill did not disclose the misconduct allegations, or the ongoing TAFE NSW investigation, during the recruitment process. She stated in her CV that she was currently the Chief Product and Quality Officer at TAFE NSW, and she was presented as such in the documents from the recruitment agency.¹⁷ One of the references provided by the recruitment agency, however, did state that she was under temporary engagement on a special project, and that her permanent position was being backfilled.¹⁸
- 1.36. On 20 May 2025, the CIT Board advised the Minister for Skills, Training and Industrial Relations that Dr McNeill was their preferred candidate for the CEO position.¹⁹
- 1.37. On 26 May 2025, Dr McNeill formally accepted the CEO position from CIT and resigned from TAFE NSW. In her resignation letter, she requested that the misconduct investigation be ended. She was advised that the investigation would continue and that she was still expected to participate.²⁰
- 1.38. Dr McNeill continued to engage with the misconduct investigation over the period May to December 2025.²¹
- 1.39. On 4 June 2025, CIT announced that Dr McNeill would be starting as CEO on 18 June 2025.²²

Concerns raised about the appointment

- 1.40. An anonymous person wrote to the ACT Integrity Commission to raise concerns about Dr McNeill's appointment on 5 June 2025. The complaint alleged that 'there were over 40 categories of wrongdoing that required investigation' in the case, including maladministration of staff and procurement, conflicts of interest, lying to the NSW government and parliament, and bullying and harassment. The Integrity Commission did

¹⁴ ACT Integrity Commission, *Special Report (Part 2)—Canberra Institute of Technology*, July 2025.

¹⁵ Dr McNeill, CIT, *answer to QTON 12*, 9 April 2026.

¹⁶ Documents received pursuant to the Committee's request, CIT Board, 27 March 2026, p 20.

¹⁷ Documents received pursuant to the Committee's request, CIT Board, 27 March 2026, pp 27-41.

¹⁸ Documents received pursuant to the Committee's request, CIT Board, 27 March 2026, pp 21-42.

¹⁹ CIT CEO Recruitment, Assembly resolution of 24 March 2026, *Order to table*, A.001.

²⁰ CIT CEO Recruitment, Assembly resolution of 24 March 2026, *Order to table*, A.001.

²¹ *McNeill v TAFE Commission (Senior Executives) Staff Agency o/b Government NSW (2026) NSWIRComm 1019* [8-9].

²² CIT, 'Dr Margot McNeill appointed New CIT Chief Executive Officer', *Media Release*, 4 June 2025.

not have the remit to look into the allegations and forwarded the complaint to CIT on 13 June 2025 for their information.²³

- 1.41. CIT also received an anonymous email complaint about Dr McNeill on 8 June 2025, and a further anonymous complaint, by letter, on 17 June 2025.²⁴
- 1.42. On 16 June 2025, TAFE NSW advised Dr McNeill in writing that she was 'permitted to disclose limited information regarding the investigation to CIT on a confidential basis.'²⁵
- 1.43. CIT had contacted both TAFE NSW and NSW ICAC about the allegations, who responded that they were unable to make any comment. However, TAFE NSW said that while they were not able to release any information directly to CIT, Dr McNeill could. Dr McNeill told CIT that she had previously been prevented by TAFE NSW from any disclosures. She said that from her understanding, her involvement in the ongoing investigation had ended and there were no findings against her. She categorised the allegations as interference in a staff change program by employees who were unhappy that it would result in redundancies.²⁶
- 1.44. The Committee notes that, although Dr McNeill had been led to believe that the investigation would end if she resigned in October 2024, when she did resign in May 2025, she was advised that this was not correct. She was expected to and did attend an interview held by the investigators in the days that followed.²⁷
- 1.45. The information from the Integrity Commission and Dr McNeill's response to it were sent by CIT to the office of the Minister for Skills, Training and Industrial Relations on 17 June 2025.²⁸
- 1.46. The next day, Dr McNeill started as CEO of CIT.²⁹ Her contract was for 5 years and included a yearly remuneration package of \$441,581.³⁰
- 1.47. On 19 June 2025 the Minister's office asked that a referral to Public Sector Standards Commissioner about the matter include Dr McNeill's conduct during the recruitment process. They also said that advice should be sought from the Government Solicitor's Office, and that CIT should seek a copy of the report or findings when the investigation was finalised.³¹
- 1.48. The Public Sector Standards Commissioner noted the matter on 3 July 2025.³² The Committee is not aware of any pending investigation by the Commissioner.

²³ CIT CEO Recruitment, Assembly resolution of 24 March 2026, *Order to table*, B.001 and B.001A.

²⁴ Ms Kate Lundy, CIT Board Chair, *answer to QTON 1*, 8 April 2026.

²⁵ Dr Margot McNeill, CIT CEO, *answer to QTON 12*, 9 April 2026.

²⁶ CIT CEO Recruitment, Assembly resolution of 24 March 2026, *Order to table*, B.001, p 3.

²⁷ *McNeill v TAFE Commission (Senior Executives) Staff Agency o/b Government NSW (2026) NSWIRComm 1019 [8-9]*.

²⁸ CIT CEO Recruitment, Assembly resolution of 24 March 2026, *Order to table*, B.001, p 3.

²⁹ CIT, 'Dr Margot McNeill appointed New CIT Chief Executive Officer', *Media Release*, 4 June 2025.

³⁰ Dr McNeill, CIT, *answer to QTON 15*, 9 April 2026. Mr Michael Pettersson, Minister for Skills, Training and Industrial Relations, *answer to QTON 9*, 9 April 2026.

³¹ CIT CEO Recruitment, Assembly resolution of 24 March 2026, *Order to table*, B.001, p 2.

³² Ms Lundy, CIT, *answer to QTON 2*, 9 April 2026.

- 1.49. The Minister wrote to Ms Lundy on 21 July 2025 raising concerns about effects to CIT’s reputation, and seeking advice on the due diligence carried out by the Board in Dr McNeill’s recruitment.³³
- 1.50. Ms Lundy responded to the Minister on 18 August 2025 detailing the due diligence undertaken by the Board in the recruitment process, and that she had requested TAFE NSW and Dr McNeill to advise her when the investigation was complete.³⁴
- 1.51. On 16 September 2025, TAFE NSW notified Dr McNeill that the investigation was complete and that it had found that she had acted contrary to the TAFE NSW Code of Conduct. They also notified her that they intended to update her employment record to reflect termination as opposed to resignation.³⁵
- 1.52. On 23 September 2025, the CIT Board received another anonymous complaint, again through the Integrity Commission, saying that the misconduct investigation was complete and ‘allegations made regarding serious wrongdoing and/or misconduct were substantiated.’³⁶
- 1.53. Ms Lundy wrote to TAFE NSW on 2 October 2025 seeking confirmation, however was again directed to approach Dr McNeill for information.³⁷
- 1.54. Ms Lundy wrote to the Minister on 27 October 2025 about the second anonymous complaint. According to this letter, Dr McNeill told Ms Lundy that ‘the information provided in the anonymous complaint was false.’³⁸
- 1.55. Dr McNeill responded to TAFE NSW regarding the misconduct findings in November 2025.³⁹
- 1.56. On 11 December 2025, TAFE NSW told Dr McNeill that they had decided to terminate her employment without the opportunity to resign under section 59(5) of the Government Sector Employment (General) Rules 2014 (NSW).⁴⁰
- 1.57. Dr McNeill advised Ms Lundy verbally of the NSW findings on 12 December 2025 and provided written confirmation on 18 December 2025.⁴¹
- 1.58. On 19 December, Ms Lundy wrote to the Minister to tell him that she had been advised that the TAFE NSW investigation was finalised, that one finding of misconduct had been upheld, and that Dr McNeill intended to challenge the decision. Ms Lundy said that she was ‘seeking further information about the nature of the findings.’⁴²
- 1.59. The Minister requested that the Head of Service begin an independent investigation into the recruitment of Dr McNeill the same day.⁴³

³³ CIT CEO Recruitment, Assembly resolution of 24 March 2026, *Order to table*, E.001.

³⁴ CIT CEO Recruitment, Assembly resolution of 24 March 2026, *Order to table*, E.002.

³⁵ *McNeill v TAFE Commission (Senior Executives) Staff Agency o/b Government NSW (2026) NSWIRComm 1019* [11].

³⁶ Ms Lundy, CIT, *answer to QTON 4*, 8 April 2026.

³⁷ Ms Lundy, CIT, *answer to QTON 6*, 8 April 2026.

³⁸ CIT CEO Recruitment, Assembly resolution of 24 March 2026, *Order to table*, B.002.

³⁹ *McNeill v TAFE Commission (Senior Executives) Staff Agency o/b Government NSW (2026) NSWIRComm 1019* [12].

⁴⁰ *McNeill v TAFE Commission (Senior Executives) Staff Agency o/b Government NSW (2026) NSWIRComm 1019* [13].

⁴¹ Ms Lundy, CIT, *answer to QON 4*, 14 April 2026.

⁴² CIT CEO Recruitment, Assembly resolution of 24 March 2026, *Order to table*, B.003.

⁴³ CIT CEO Recruitment, Assembly resolution of 24 March 2026, *Order to table*, E.004.

- 1.60. On 14 January 2026, Dr McNeill challenged the decision to terminate her in the NSW Industrial Commission. On 13 March, the Industrial Commission found in favour of TAFE NSW.⁴⁴
- 1.61. Shortly after the judgement was published, the matter was publicised in the media.⁴⁵
- 1.62. Dr McNeill also made an application with the Supreme Court of NSW in which TAFE NSW is the respondent.⁴⁶ At the time of this report, the Committee does not believe that this case is active.

Committee comment

- 1.63. The TAFE NSW misconduct investigation, if it had been known, could reasonably have called into question Dr McNeill's suitability as a candidate during the recruitment, as it would raise issues of conduct, performance, integrity, and relationships with key stakeholders in the sector. This would have been the case even though no findings had yet been made. This is because, in NSW, allegations must pass legislative requirements for significance before an investigation can take place.
- 1.64. Pursuant to the NSW *Government Sector Employment Act 2013*, TAFE employees are required to act in accordance with the TAFE Code of Conduct, which provides a framework for addressing ethical and legal issues. The *Government Sector Employment Act 2013* outlines the procedure for dealing with allegations of misconduct:

- (2) After making an initial assessment of the allegation, the employer may decide not to proceed with the matter if the employer is satisfied that—
- (a) the allegation is vexatious or trivial, or
 - (b) the incident or conduct concerned does not amount to misconduct, or
 - (c) there is likely to be difficulty in establishing the facts of the matter.

- 1.65. Thus, there was a reasonable probability that the allegations against Dr McNeill did constitute serious and verifiable misconduct.
- 1.66. The June anonymous complaint characterised the allegations against Dr McNeill as such:

Initial findings were that out of the multiple complaints and PIDs submitted, there were over 40 categories of wrongdoing that warranted investigation and these included reports of maladministration of salaries budgets, maladministration of temporary and contract staff, chronic and substantial waste of public money (over \$100M), conflicts of interest in recruitment, conflicts of interest in procurement, improper engagement of private contractors, GIPA avoidance, misleading parliament, lying in Budget Estimate hearings, intentionally providing misleading information to Treasury, suppressing information from government agencies and

⁴⁴ *McNeill v TAFE Commission (Senior Executives) Staff Agency o/b Government NSW (2026) NSWIRComm 1019*.

⁴⁵ Harry Frost, 'Board unaware of misconduct investigation into new Canberra Institute of Technology CEO at time of hiring, chair says, 19 March 2026, <https://www.abc.net.au/news/2026-03-19/cit-unaware-of-misconduct-investigation-into-ceo-chair-says/106472468> (accessed 8 April 2026).

⁴⁶ NSW Supreme Court proceeding 2026/90564.

committees, unethical behaviour, mismanagement of educational and institutional risks, and bullying and harassment.⁴⁷

- 1.67. When Ms Lundy communicated to the Minister about the allegations in June, she used the following description from Dr McNeill:

Dr McNeill indicated that the allegations related to a staff change program that some staff were unhappy with as it would result in job losses and that the investigation has been a tool to delay implementation of the changes.⁴⁸

- 1.68. In December, when Ms Lundy advised the Minister that TAFE NSW had made findings of misconduct, she noted that ‘misconduct can be minor and it may have little bearing on [Dr McNeill’s] work at CIT.’⁴⁹

- 1.69. Ms Lundy told the Committee at the public hearing that:

With the general nature of the findings [...] my general understanding is that the matters relate largely to the perceptions of conflict of interest, and perceptions of conflict of interest in relation to employment and contracts.⁵⁰

- 1.70. The Committee remains concerned that there are findings of misconduct against Dr McNeill but that this Committee was unable to verify them. The Committee was unable to obtain a copy of the findings from either TAFE NSW or Dr McNeill. Two MLAs explicitly asked Dr McNeill to table the findings, but they have not been. Dr McNeill advised:

The document which contains the findings is a confidential TAFE NSW document.

I have ongoing obligations not to disclose any confidential information belonging to TAFE NSW without their consent. TAFE NSW has given me express permission to share certain documents regarding the investigation with the CIT Board only on a confidential basis.⁵¹

- 1.71. TAFE NSW would not provide the findings to CIT but authorised Dr McNeill to do so. The Committee is uncertain as to whether the CIT Board has seen a copy of findings of misconduct against Dr McNeill, or whether they have only received Dr McNeill’s account of what those findings are.

- 1.72. As discussed above, the previous CEO of CIT Ms Cover, along with several other executives, were found guilty of serious misconduct after a lengthy investigation by the ACT Integrity Commission. The case brought the integrity of CIT and the governance of the board into disrepute. The reputation of CIT was damaged, especially in regard to the conduct of its senior executives.

⁴⁷ CIT CEO Recruitment, Assembly resolution of 24 March 2026, *Order to table*, B.001A.

⁴⁸ CIT CEO Recruitment, Assembly resolution of 24 March 2026, *Order to table*, B.001.

⁴⁹ CIT CEO Recruitment, Assembly resolution of 24 March 2026, *Order to table*, B.003.

⁵⁰ Ms Kate Lundy, Chair, CIT Board, *Proof Committee Hansard*, 30 March 2026, p 7.

⁵¹ Dr McNeill, CIT, *answer to QTON 14*, 9 April 2026.

- 1.73. The Minister repeatedly communicated to the Board the importance that the appointment of the new CEO had in repairing the reputation of the institution. He has said to this committee ‘The appointment of the CEO is a matter of significant public interest’⁵² and:

I believe all members of the Assembly want the CIT to be at the heart of our vocational education system. Central to that is community confidence, and I believe the CEO had an important role to play in that.⁵³

- 1.74. The expectations of the Minister, the Assembly, and the ACT community at large were high for this appointment. The Committee believes that it is reasonable to consider whether the TAFE NSW investigation should have been disclosed during the recruitment process, as it would have formed part of the consideration of the Board during their selection.
- 1.75. Similarly, it is reasonable to consider whether the findings of misconduct, and Dr McNeill’s subsequent legal challenges, reflect on her ability to conduct her duties as CEO.
- 1.76. This inquiry has exposed weaknesses of governance and process at the intersection of ACT public sector probity, inter-jurisdictional confidentiality laws, and board independence. It is these issues which the findings and recommendations in this report seek to address.

Recommendation 1

The Committee recommends that the CIT Board take all steps possible to obtain and consider the findings of misconduct made against Dr McNeill by TAFE NSW with a view to considering whether Dr McNeill remains suitable to perform her role as CEO.

⁵² ACT Government, *Submission 1*, p 1.

⁵³ Mr Michael Pettersson MLA, Minister for Skills, Training and Industrial Relations, *Proof Committee Hansard*, 30 March 2026, p 24.

2. The recruitment process

- 2.1. The 2025 recruitment for the next CIT CEO was of significant public interest. The previous CEO, Ms Leanne Cover, had been found guilty of serious corrupt conduct by the ACT Integrity Commissioner following an investigation into procurement activities.⁵⁴ As stated by the Commissioner in his report:

Ms Cover's conduct has badly affected the reputation of the CIT and led to substantial adverse financial consequences.⁵⁵

- 2.2. The Minister for Skills, Training and Industrial Relations had written to the CIT Board on 13 May that the incoming CEO 'be capable of restoring community confidence in CIT.'
- 2.3. In light of these circumstances, the expectations of probity and due diligence in the recruitment process were high. The following recommendations are directed at strengthening systems of governance and information sharing.

Application documents

- 2.4. Following a procurement process, CIT engaged an external firm to undertake national advertising and recruitment for the CEO role.⁵⁶ The recruitment firm used a standard application form which contained the following questions:

Are you currently under investigation for breaching the APS code of conduct?

Have you been found to be in breach of the code of conduct?

- 2.5. Dr McNeill answered 'no' to these questions. The application form did not ask about any other potential breaches from other non-Commonwealth agencies.⁵⁷
- 2.6. When questioned about the narrow focus of the question, Ms Lundy replied that 'it did not stand out at the time.'⁵⁸
- 2.7. The current Chair of the CIT Board, when questioned in relation to the lack of relevance of the APS questions, said:

I am advised that the misconduct question was not the only opportunity for people interviewed to provide this specific information.⁵⁹

Committee Comment

- 2.8. The standard application form used in the recruitment of the CIT CEO was not fit for purpose. By only addressing the APS code of conduct, it did not account for possible breaches in other public sector frameworks.

⁵⁴ ACT Integrity Commission, *Special Report—Operation Luna (Part One)*, June 2024, p 273.

⁵⁵ ACT Integrity Commission, *Special Report—Operation Luna (Part One)*, June 2024, p 269.

⁵⁶ Ms Kate Lundy, Board Chair, CIT, *Proof Committee Hansard*, 30 March 2026, p 4.

⁵⁷ Documents received pursuant to the Committee's request, CIT Board, 27 March 2026, p 20.

⁵⁸ Ms Lundy, CIT, *Proof Committee Hansard*, 30 March 2026, p 5.

⁵⁹ Mr Tom Rogers, CIT Board Chair, *answer to QON 4*, 10 April 2026.

- 2.9. Dr McNeill answered the questions on the application, however the APS-specific wording materially limited the scope of disclosure while giving rise to ambiguity around expectations.

Finding 2

The Committee finds that the application form used in the recruitment of the CIT CEO was not fit-for-purpose.

Recommendation 2

The Committee recommends that recruitment for the ACT Public Service and other Government entities, including those conducted through external recruitment agencies, include questions around potential breaches of codes of conduct that are broad and relevant to the role and candidates.

Referee reports

- 2.10. Dr McNeill was presented as the current Chief Product and Quality Officer in her application documents.⁶⁰
- 2.11. When Dr McNeill was initially advised of the investigation by TAFE NSW, she was placed on 'alternative duties' and told that she was not to work in her substantive position as Chief Product and Quality Officer. She was then placed on special leave from 13 November 2024. According to evidence from the Industrial Commission, from this time on she 'did not perform any duties at all.'⁶¹
- 2.12. Dr McNeill gave a differing account of her time between November and her resignation, as she told the Committee:
- I had a mix of annual leave and carer's leave booked from between 20 December and 28 January 2025.
- Before and after these dates of leave I participated in the tertiary harmonisation work until my resignation.⁶²
- 2.13. The fact that she was not working in her substantive role at the time of the recruitment was noted in two of four written referee reports. One referee, who had worked with Dr McNeill in a previous role, said that she was undertaking special projects in relation to tertiary harmonisation. The other referee expanded on this, saying that working on special projects role was a common thing at TAFE, and that it was temporary and that Dr McNeill was expected to return to her substantive role.⁶³

⁶⁰ Documents received pursuant to the Committee's request, CIT Board, 27 March 2026, pp 21-42.

⁶¹ *McNeill v TAFE Commission (Senior Executives) Staff Agency o/b Government NSW (2026) NSWIRComm 1019 [4-5]*.

⁶² Dr McNeill, CIT, *answer to QTON 14*, 9 April 2026.

⁶³ Documents received pursuant to the Committee's request, CIT Board, 27 March 2026, pp 39-41

- 2.14. Ms Lundy detailed the calls with referees she had been on, including one with the current CEO of TAFE NSW, and said that no concerns about Dr McNeill’s conduct were raised.⁶⁴
- 2.15. She told the Committee that the board had been curious about the mention of special projects and sought further information (it is unclear from whom). She said ‘we were not advised at the time it was because it was related to anything [...] that would cause concern.’⁶⁵ As they were not alerted to any issues or concerns, they did not seek out further details such as when Dr McNeill was expected to return to her substantive role.⁶⁶
- 2.16. When Dr McNeill was questioned as to whether she was asked about ‘any other kinds of matters’ which would relate to her ability and impact in the CEO role, she said that she did not have any records of questions of that nature during the interview process.⁶⁷ The Committee was not provided any evidence of further questioning or scrutiny from CIT.
- 2.17. According to documents obtained by Ms Carmel McGregor PSM in her independent review of the recruitment process, the Board Secretary emailed the recruitment agency ahead of an interview on 16 May to advise Dr McNeill to be prepared to answer questions about ‘anything that may result in negative attention or media in her past or work history.’⁶⁸

Committee comment

- 2.18. The Committee heard different accounts throughout the evidence of Dr McNeill’s work and leave arrangements up to and during the recruitment period.
- 2.19. The Committee is not satisfied that the circumstances of Dr McNeill’s role at the time of the recruitment were appropriately investigated by the Board.
- 2.20. Two of the four referee reports noted that they were not able to comment on Dr McNeill’s current performance or management style.⁶⁹
- 2.21. A move to ‘special projects’ is ambiguous and worthy of further investigation. The Board should have made further attempts to verify the circumstances of Dr McNeill’s employment conditions.
- 2.22. The Committee believes that these two factors warranted further investigation by the Board to fact check the referee reports, in light of the significance of the recruitment.

Recommendation 3

The Committee recommends that the CIT Board adopt a formal protocol requiring Chair led, independent verification of referees, including direct engagement with the relevant employing authority where practicable.

⁶⁴ Ms Lundy, CIT, *Proof Committee Hansard*, 30 March 2026, p 5.

⁶⁵ Ms Lundy, CIT, *Proof Committee Hansard*, 30 March 2026, p 5.

⁶⁶ Ms Lundy, CIT, *Proof Committee Hansard*, 30 March 2026, p 6.

⁶⁷ Dr McNeill, CIT, *answer to QTON 12*, 9 April 2026.

⁶⁸ Ms Carmel McGregor PSM, *Independent Review of the Recruitment Process for the Chief Executive Officer, Canberra Institute of Technology*, 9 April 2025, p 3.

⁶⁹ Documents received pursuant to the Committee’s request, CIT Board, 27 March 2026, pp 36-42.

Confidentiality requirements

- 2.23. This inquiry has repeatedly exposed structural friction arising from NSW obligations intersecting with ACT probity responsibilities.
- 2.24. Dr McNeill has continually maintained that she was under strict obligation not to share the existence of the investigation with CIT during the recruitment process. She advised the Committee that written directions of confidentiality were given to her on 15 October 2024, when she was first informed of the investigation, and again on 6 February 2025 by the investigator.⁷⁰ She stated at the hearing on 1 April 2026 that she had been advised multiple times, both verbally and in writing, that she was not permitted to ‘disclose the existence or details of an internal process which was underway’ until 16 June 2025 which was after her appointment.⁷¹
- 2.25. From June, when the Board received the first anonymous complaint, they contacted TAFE NSW for information several of times, however were told that TAFE NSW couldn’t provide any information directly to CIT.⁷²
- 2.26. The Committee was advised by TAFE NSW during the course of this inquiry that the confidentiality constraints relate to legal and other obligations that TAFE NSW have to parties under the *Public Interest Disclosures Act 2022* (NSW), work health and safety legislation, and as a NSW government employer and agency.⁷³

Committee Comment

- 2.27. It is unfortunate that the confidentiality requirements from TAFE NSW restricted the provision of information to CIT about the existence of the misconduct investigation. While the Committee understands that confidentiality can be required around sensitive matters such as this, especially when the investigation was not yet complete, the engagement of a senior public executive is a high-risk activity and the withholding of that information has resulted in probity concerns.

Recommendation 4

The Committee recommends that the ACT Government pursue improved inter-jurisdictional communication to allow for better information sharing.

Risk management

- 2.28. When questioned about the CIT Board’s risk management for the recruitment process, Ms Lundy replied:

⁷⁰ Dr McNeill, CIT, *answer to QTON 13*, 9 April 2026.

⁷¹ Dr McNeill, CIT, *Proof Committee Hansard*, 1 April 2026, p 2.

⁷² Ms Lundy, CIT, *Proof Committee Hansard*, 30 March 2026, p 12

⁷³ Confidential documents received by the Committee.

We were absolutely managing a risk of potential concern or issues around the quality of our candidate, and we were reassured at every stage that there were no issues.⁷⁴

- 2.29. She further said that on several occasions, it was Dr McNeill herself who reassured them about their concerns, noting again that Dr McNeill was under confidentiality obligations.⁷⁵
- 2.30. The answer to question on notice 3 lists some of the risk management activities undertaken by CIT, including Board oversight, the CIT Audit and Risk Committee, and a conflict-of-interest policy.⁷⁶

Committee Comment

- 2.31. Evidence before the Committee shows that the CIT Board relied on standard recruitment forms, referee reports, and verbal assurances from the candidate during the recruitment process. There does not appear to have been a documented, formal risk analysis for the process.
- 2.32. Risk management should form part of the recruitment of senior public executives, in a way which is commensurate with the importance, impact and level of responsibility of their roles. A more proactive risk management process may have mitigated the risk which was realised through the recruitment of Dr McNeill, namely that information has come to light which materially impacts the public confidence in her appointment.

Recommendation 5

The Committee recommends that the CIT Board strengthen their recruitment processes to require a formal, documented probity and risk assessment for senior executive appointments, including:

- unresolved or ongoing employment investigations in other jurisdictions; and
- any material matters that could reasonably impact public confidence in the appointment.

Finding 3

The Committee finds that the due diligence in CIT's recruitment of Dr McNeill was ineffective.

⁷⁴ Ms Lundy, CIT, *Proof Committee Hansard*, 30 March 2026, p 6

⁷⁵ Ms Lundy, CIT, *Proof Committee Hansard*, 30 March 2026, p 6.

⁷⁶ Ms Lundy, CIT, *answer to QTON 3*, 8 April 2026.

3. Conduct of Dr McNeill

- 3.1. The CEO of CIT is appointed pursuant to the *Financial Management Act 1996* (the FMA), which directs that the CEO be appointed by the CIT Board after consultation with the relevant Minister. The CEO becomes a member of the CIT Board.⁷⁷
- 3.2. Under the terms of reference for this inquiry, the Committee seeks to understand whether Dr McNeill breached the *Financial Management ACT 1996* in failing to disclose she was under investigation for ‘serious misconduct’ at the time she applied for the role.
- 3.3. There are two sections of the FMA which the Committee believes most relevant in considering this question.
- 3.4. Under the FMA, the functions of the CEO include ‘immediately advising the board about significant events’. A ‘significant event’, an event which requires notification to the responsible Minister, as set out in section 101:

101 Obligation of authorities to tell Minister about significant events

(1) A relevant territory authority must, as soon as practicable, tell the responsible Minister of any significant event that affects, or seems likely to affect—

- (a) the value of the authority; or
- (b) a significant part of the authority’s assets; or
- (c) the performance of the authority as a whole; or
- (d) the carrying out of a significant activity of the authority.

(2) For this section, an event, part of assets or activity is **significant** for a relevant territory authority if—

- (a) it is significant when interpreted in accordance with accounting standards relating to materiality ordinarily used in Australia when the decision about whether it is significant is made; or
- (b) a document published by the authority identifies it as significant (however described); or
- (c) a memorandum of understanding or other agreement between the responsible Minister or Treasurer and the authority identifies it as significant (however described); or
- (d) it is prescribed under the financial management guidelines.

- 3.5. Section 85 of the FMA sets the standard for board members in relation to professional standards:

⁷⁷ *Financial Management Act 1996* s 78 and s 80.

85 Honesty, care and diligence of governing board members

In exercising the functions of a governing board member, a member must exercise the degree of honesty, care and diligence required to be exercised by a director of a corporation in relation to the affairs of the corporation.

- 3.6. Dr McNeill did not proactively disclose the existence of the investigation to CIT, as she had been previously told that she had to keep the matter confidential. It was only after CIT had the anonymous complaint that TAFE gave written directions to Dr McNeill that she could disclose 'relevant facts of circumstances connected with her employment with TAFE NSW to the Chair [of the CIT Board] on a confidential basis.'
- 3.7. Dr McNeill spoke with Ms Lundy about the misconduct investigation on 17 June 2025. Her tenure at CIT did not officially begin until 18 June 2025.

Committee comment

- 3.8. The terms of reference of this inquiry specifically refer to possible breach of the *Financial Management Act 1996* during the time of the recruitment. Ultimately, the Act cannot be applied to Dr McNeill's actions before the beginning of her term as CEO. The Committee also accepts that Dr McNeill was under legal advice that she was not to disclose the investigation during recruitment, up until 16 June when TAFE NSW told her she could make a disclosure to CIT.
- 3.9. The Committee does note the evidence from the Independent Review of the Recruitment Process for the Chief Executive Officer, Canberra Institute of Technology that Dr McNeill was asked to disclose any matters in her past which might bring negative attention to CIT:

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"

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.⁷⁸

⁷⁸ Ms Carmel McGregor PSM, *Independent Review of the Recruitment Process for the Chief Executive Officer, Canberra Institute of Technology*, 9 April 2025, p 3.

Finding 4

The Committee finds that the *Financial Management Act 1996* did not apply to Dr McNeill until the start of her appointment as CIT CEO.

Finding 5

The Committee finds that Dr McNeill did not disclose the information about the TAFE NSW investigation before accepting the appointment at CIT.

- 3.10. The CIT Board communicated with TAFE NSW several times in 2025, however at every point they directed back to Dr McNeill as the sole authorised person who could provide advice. For this reason, apart from anonymous complaints, Dr McNeill became the only source of information on the misconduct investigation and findings by CIT.
- 3.11. The Committee notes some conflicting evidence and communications surrounding Dr McNeill's disclosure of the misconduct investigation and findings to the CIT Board.
- 3.12. The first is the characterisation of the nature of the allegations. Dr McNeill told Ms Lundy that the allegations were a 'tool' being used to interfere with a staff change program, implying that they were based on personal grievances.⁷⁹ However, the anonymous complaints alleged serious misconduct which led to her being physically removed from the workplace.⁸⁰
- 3.13. Most troubling is the fact that when the anonymous complaint from 23 September 2025 alerted CIT to the misconduct findings, Dr McNeill denied it. This is despite her having been advised of the end of the investigation and the findings on 16 September 2025 and being clearly authorised to disclose in confidence information about the investigation and findings to the CIT Board from 16 June. Dr McNeill did not disclose the findings to CIT until she had received legal advice and decided to challenge the findings in court, some four months later.

Finding 6

The Committee finds that Dr McNeill should have disclosed the information about the misconduct investigation or findings to the CIT Board in a timely manner and that she did not, and that she actively misled the CIT Board by denying that there was a finding of misconduct that had been made against her.

⁷⁹ CIT CEO Recruitment, Assembly resolution of 24 March 2026, *Order to table*, B.001, p 3.

⁸⁰ CIT CEO Recruitment, Assembly resolution of 24 March 2026, *Order to table*, B.001 A, p 3; and *McNeill v TAFE Commission (Senior Executives) Staff Agency o/b Government NSW (2026) NSWIRComm 1019*.

4. Conduct of the CIT Board

Compliance with the Financial Management Act

4.1. Under the *Financial Management Act 1996*, the governing board of a territory authority has the following roles:

- (a) setting the authority's policies and strategies;
- (b) governing the authority consistently with the authority's establishing Act and other relevant legislation;
- (c) ensuring, as far as practicable, that the authority operates in a proper, effective and efficient way;
- (d) ensuring, as far as practicable, that the authority complies with applicable governmental policies (if any).

Examples of policies for par (a)

- 1 risk management
- 2 communication with government
- 3 corporate planning

(2) This section does not limit the functions of a governing board.

4.2. The CIT Board is established under the *Canberra Institute of Technology Act 1987* and must have 7 to 11 members with expertise and knowledge in vocational education and training, governance, and business and financial, amongst other skills. Members of the Board are appointed by the relevant Minister, apart from the CEO who is appointed to the Board by Board itself.⁸¹

4.3. The statutory functions of CIT which its Board is required to carry out include performing the role of public provider of vocational education and training and making suitable financial arrangements with industry and business for the purpose of the CIT's functions.⁸²

4.4. In 2022, after the referral of the previous CEO to the Integrity Commission, the Minister for Skills directed CIT to improve its financial management and procurement governance, including imposing additional requirements on reporting to the Board.⁸³

4.5. Ms Lundy told the Committee that governance and financial management processes had been considerably improved since this time, and that these processes 'remained strong.'⁸⁴

⁸¹ *Canberra Institute of Technology Act 1987* div 2.2.

⁸² *Canberra Institute of Technology Act 1987* s 6.

⁸³ Canberra Institute of Technology Ministerial Direction 2022 (No 1) NI2022-403.

⁸⁴ Ms Lundy, CIT, *Proof Committee Hansard*, 30 March 2026, p 9.

Committee comment

- 4.6. As discussed previously in this report, the CIT Board was hampered in performing its due diligence by the confidentiality provisions which prevented Dr McNeill and other parties from revealing the existence of the misconduct investigation.

Finding 7

The Committee finds that the CIT Board did not breach its duties under the *Financial Management Act 1996* during the recruitment of the CEO.

Managing the complaints

- 4.7. The Committee does hold some concerns over the processes and judgement of the CIT Board since the receipt of the anonymous complaint on 13 June 2025.
- 4.8. The information the Board received about the TAFE investigation was largely received verbally from Dr McNeill, much in conversations with Ms Lundy. This includes the initial disclosure in June 2025, the claim that the October complaint was false, and the first confirmation that the TAFE investigation had been finalised.⁸⁵
- 4.9. The June complaint detailed allegations of possible corrupt activity, an in-depth investigation by TAFE NSW, and significant repercussions including a briefing to the NSW Minister who subsequently terminated the employment of the Managing Director under whom the wrongdoing allegedly took place.⁸⁶
- 4.10. An email to the Minister's Chief of Staff on 17 June says that Dr McNeill told Ms Lundy that:
- the allegations related to a staff change program that some staff were unhappy with as it would result in job losses and that the investigation has been a tool to delay implementation of the changes.⁸⁷
- 4.11. Ms Lundy had written to TAFE NSW and NSW ICAC about the complaint, and neither were able to provide any information. From this point on, apart from further anonymous complaints, Dr McNeill seemingly became the sole point of information regarding the TAFE NSW investigation.
- 4.12. Ms Lundy told the Committee at the public hearing that her understanding of the misconduct matter largely relates to 'perceptions of conflict of interest, and perceptions of conflict of interest in relation to employment and contracts.'⁸⁸
- 4.13. She also noted in correspondence to the Minister in December, once Dr McNeill confirmed that the misconduct allegations had been upheld, noting that 'misconduct can be minor and it may have little bearing on [Dr McNeill's] work at CIT.'⁸⁹

⁸⁵ Mr Tom Rogers, Board Chair, CIT, *answer to QON 3*, 14 April 2026; and Dr McNeill, CIT, *answer to QTON 19*, 9 April 2026.

⁸⁶ CIT CEO Recruitment, Assembly resolution of 24 March 2026, *Order to table*, B.001 A, p 3.

⁸⁷ CIT CEO Recruitment, Assembly resolution of 24 March 2026, *Order to table*, B.001, p 3.

⁸⁸ Ms Lundy, CIT, *Proof Committee Hansard*, 30 March 2026, p 7.

⁸⁹ CIT CEO Recruitment, Assembly resolution of 24 March 2026, *Order to table*, B.003.

- 4.14. The evidence before the Committee suggests that CIT still does not know what the findings against Dr McNeill are. When asked at the public hearing on 30 March whether she knew what the misconduct findings were, Ms Lundy said she had received in March 2026 ‘some information which had been provided in confidence [...] that related to an action by Dr McNeill that did not stand up.’ She said that this information led to the Board having ‘some more idea’ about issues involved.⁹⁰
- 4.15. When the second complaint forwarded by the Integrity Commission to CIT in September said that the TAFE investigation was complete and findings of misconduct had been upheld, Ms Lundy again was unable to confirm this with TAFE NSW, and relied on Dr McNeill, who told her that the complaint was false.⁹¹
- 4.16. Dr McNeill’s understanding of this was repeated in her evidence to this inquiry:
- Ms Lundy asked me if I had received an outcome from TAFE NSW or words to that effect. I replied no which was the truth as the investigation was not completed and there was no final outcome.⁹²
- 4.17. However, Dr McNeill had received a notification from TAFE on 16 September 2025 that their investigation was complete and that ‘it had accepted findings in the investigation report to the effect that [Dr McNeill’s] conduct was contrary to the TAFE NSW Code of Conduct.’⁹³
- 4.18. The information about the Dr McNeill’s assertion was relayed to the Minister by Ms Lundy on 27 October 2025, along with the note that ‘there is no recourse available due to the anonymity.’⁹⁴ This delay of over a month was due to the time taken by Ms Lundy to seek further information.⁹⁵

Committee Comment

- 4.19. The Committee did not receive any evidence that CIT checked any of the relevant details in the June or September complaints with third parties to test their authenticity. Instead, they relied on the verbal disclosures of Dr McNeill. There were also some delays in passing information to the Minister which appear outside the usual administrative timelines, especially for such a highly sensitive matter.
- 4.20. The Committee understands that anonymous complaints are not simple to handle. They can be egregious and personally motivated, and are difficult to verify. The inability of TAFE NSW to confirm or deny the anonymous allegations also created a difficult position for CIT. However the onus on Dr McNeill to fully disclose all the relevant information to CIT when she was operating under legal advice of confidentiality and had a clear conflict of interest in the matter, in the opinion of this Committee amounted to lack of due diligence.

⁹⁰ Ms Lundy, CIT, *Proof Committee Hansard*, 30 March 2026, p 7.

⁹¹ CIT CEO Recruitment, Assembly resolution of 24 March 2026, *Order to table*, B.002.

⁹² Dr McNeill, CIT, *answer to QTON 18*, 9 April 2026.

⁹³ *McNeill v TAFE Commission (Senior Executives) Staff Agency o/b Government NSW (2026) NSWIRComm 1019* [11].

⁹⁴ CIT CEO Recruitment, Assembly resolution of 24 March 2026, *Order to table*, B.002.

⁹⁵ Mr Tom Rogers, Board Chair, CIT, *answer to QON 4*, 14 April 2026.

- 4.21. The staggered flow of information contributed to delay, uncertainty, and public controversy. The reliance on verbal advice contributed to lack of documentation and accountability, and increased the possibility of miscommunication.
- 4.22. The Committee believes that the governance arrangements of CIT should be reviewed to increase Ministerial and Assembly scrutiny.

Finding 8

The Committee finds that the governance arrangements of the CIT Board are not fit for purpose.

Recommendation 6

The Committee recommends that the ACT Government review the governance arrangements of boards as set out by the Financial Management Act 1996, including whether formal information sharing obligations between boards and the responsible ministers for events which raise material or reputational risk is appropriate.

Recommendation 7

The Committee recommends that the Minister hold the CIT Board accountable for not fulfilling their duties appropriately.

5. Conduct of the Minister for Skills, Training and Industrial Relations

- 5.1. The Minister for Skills, Training and Industrial Relations has limited powers to direct the CIT Board. Section 103 of the *Financial Management Act 1996* says:

103 Application of government policies to authorities

(1) The responsible Minister for a relevant territory authority may, after consulting the authority, tell the authority the general government policies (***applicable governmental policies***) that are to apply to the authority.

(2) A relevant territory authority must ensure that the authority complies, as far as practicable, with the applicable governmental policies.⁹⁶

- 5.2. The Minister noted in his submission that he cannot direct the Board in relation to individual employment matters or interfere with the Board's independent governance responsibilities.⁹⁷
- 5.3. He can direct the Board in relation to the exercise of its functions by way of Notifiable Instrument according to the *Canberra Institute of Technology Act 1987*.⁹⁸
- 5.4. The Minister was kept informed by the CIT Board of the situation and expressed his concern in his communications with them.⁹⁹
- 5.5. He said in his letter to Ms Lundy of 28 August 2025:

The leadership of CIT plays a critical role in shaping the future of vocational education and training in the ACT. The appointment of a CEO is a matter of significant public interest, particularly in light of recent challenges that have impacted community confidence in the institution. It is therefore essential that the individual appointed to this role demonstrates not only the requisite professional capabilities, but also the integrity and leadership necessary to rebuild community trust.¹⁰⁰

- 5.6. However, he does not have a direct employment relationship with Dr McNeill, and his responsibilities do not include recruiting or managing her.¹⁰¹ He was unable to answer questions about details of the matter during the public hearing (and previously, in the Legislative Assembly Chamber) as his office did not hold the relevant information.¹⁰²

⁹⁶ *Financial Management Act 1996* s 103.

⁹⁷ *Submission 1*, p 2.

⁹⁸ *Canberra Institute of Technology Act 1987* s 7.

⁹⁹ CIT CEO Recruitment, Assembly resolution of 24 March 2026, *Order to table*, B.001, B.002, B.003, B.004, B.005, E.002.

¹⁰⁰ CIT CEO Recruitment, Assembly resolution of 24 March 2026, *Order to table*, E.003.

¹⁰¹ Minister for Skills, Training and Industrial Relations, *Proof Committee Hansard*, 30 March 2026, p 20.

¹⁰² Minister for Skills, Training and Industrial Relations, *Proof Committee Hansard*, 30 March 2026, p 15 and 18; and *Daily Hansard*, 26 March 2026, p 1295.

Committee comment

- 5.7. It was not the Minister for Skills, Training and Industrial Relations' responsibility to directly oversee the recruitment or employment of the CIT CEO. He engaged with the CIT Board, directed them to apply due diligence in the matter, and outlined his expectations for the appointment of the CEO.
- 5.8. The Minister also directed the Board to refer the matter to the Public Sector Standards Commissioner as early as June 2025.¹⁰³

Finding 9

The Committee finds that the Minister raised concerns about the allegations made against Dr McNeill and the impact to CIT's reputation.

Finding 10

The Committee finds that the CIT Board's due diligence did not alleviate the Minister's concerns.

Finding 11

The Committee finds that the Minister acted within the current legislative framework in his duty of oversight of the CIT Board.

- 5.9. In December, after he was informed of the outcome of the misconduct investigation, the Minister arranged for an independent review of the matter:

I asked the head of service to arrange for an independent review of the recruitment process that led to the appointment of the CIT CEO and consider the conduct of both the CIT Board and the appointee and, in particular, if any issues of probity arise. At a minimum, the review will set out the timing and facts of the recruitment process, investigate what due diligence was undertaken by the recruitment selection panel and the CIT Board during the recruitment process, and form a view as to the adequacy of the probity and/or due diligence actions taken.¹⁰⁴

- 5.10. He also noted at the public hearing that the independent reviewers had been 'able to engage constructively with the parties' and that the report was due 'imminently.'¹⁰⁵
- 5.11. The Committee thanks the Minister for providing a copy of the report to the Committee to assist with this inquiry.

¹⁰³ B.001

¹⁰⁴ Minister for Skills, Training and Industrial Relations, *Proof Committee Hansard*, 30 March 2026, p 21.

¹⁰⁵ Minister for Skills, Training and Industrial Relations, *Proof Committee Hansard*, 30 March 2026, pp 21 and 25.

Committee comment

- 5.12. In light of the seriousness of the matters surrounding the appointment of the CIT CEO, as well as the strong public interest, the Committee considers the Minister should consider the matters raised in this inquiry, alongside those from the review, in reviewing any governance improvements which could be made.

6. Conclusion

- 6.1. The Committee thanks all the parties who contributed to this inquiry.
- 6.2. The Committee makes 11 findings and 7 recommendations.

Mr James Milligan
Chair
4 May 2026

Appendix A: Submission and Exhibit

No.	Submission by	Received	Published
1	ACT Government	09/04/26	13/04/26

No.	Exhibit	Received	Published
1	Independent Review of the Recruitment Process for the Chief Executive Officer, Canberra Institute of Technology	24/04/26	1/05/26

Appendix B: Witnesses

Monday, 30 March 2026

Minister

Mr Michael Petterson MLA, Minister for Skills, Training and Industrial Relations

Canberra Institute of Technology

- **Ms Kate Alexandra Lundy**, Chair of the Canberra Institute of Technology Board

Wednesday, 1 April 2026

Canberra Institute of Technology

- **Dr Margot McNeill**, Chief Executive Officer

Appendix C: Questions on Notice and Questions Taken on Notice

Questions on Notice

No.	Date	Asked of	Subject	Response received
1	03/04/26	Pettersson, Michael	Governance Reform	13/04/26
2	03/04/26	CIT Board Chair	CIT CEO recruitment	15/04/26
3	03/04/26	CIT Board Chair	Board Support of Dr McNeill	10/04/26
4	08/04/26	CIT Board Chair	Dates about misconduct findings	10/04/26
5	08/04/26	CIT CEO	Was information provided during recruitment process accurate	14/04/26
6	08/04/26	CIT CEO	Confidentiality and disclosure requirements in Financial Management Act	14/04/26
7	08/04/26	CIT Board Chair	CIT CEO recruitment	14/04/26
8	08/04/26	Pettersson, Michael	CIT CEO recruitment questions	22/04/26

Questions Taken on Notice

No.	Date	Asked of	Subject	Response received
1	30/03/26	CIT Board Chair	Additional complaints	02/04/26
2	30/03/26	CIT Board Chair	Referral to Public Standards Commissioner	02/04/26
3	30/03/26	CIT Board Chair	Specific policies in relation to allegations	02/04/26
4	30/03/26	CIT Board Chair	Information provided to the CIT Board	02/04/26
5	30/03/26	CIT Board Chair	Sources of information	02/04/26
6	30/03/26	CIT Board Chair	Communications with TAFE NSW	02/04/26
7	30/03/26	CIT Board Chair	Notification of CIT Board of findings	02/04/26
8	30/03/26	Pettersson, Michael	CEO leave during court proceedings	15/04/26
9	30/03/26	Pettersson, Michael	CEO term length	09/04/26
10	30/03/26	Pettersson, Michael	Governance reforms	15/04/26

No.	Date	Asked of	Subject	Response received
11	30/03/26	Pettersson, Michael	Documents provided by the Board to the Minister	10/04/26
12	01/04/26	CIT CEO	Application date	10/04/26
13	01/04/26	CIT CEO	Written legal advice	10/04/26
14	01/04/26	CIT CEO	Findings from TAFE NSW	10/04/26
15	01/04/26	CIT CEO	CIT remuneration package	10/04/26
16	01/04/26	CIT CEO	Leave taken during Jan-March	10/04/26
17	01/04/26	CIT CEO	Leave or projects at time of resignation	10/04/26
18	01/04/26	CIT CEO	October 25 conversation with Ms Lundy	10/04/26
19	01/04/26	CIT CEO	Disclosure of findings to Ms Lundy in December 25	10/04/26
20	01/04/26	CIT CEO	Date of misconduct finding	10/04/26
21	01/04/26	CIT CEO	ASQA forms	10/04/26
22	01/04/26	CIT CEO	Recruitment process questions	10/04/26

Appendix D: Gender distribution of witnesses

Beginning in April 2023, in response to an audit by the Commonwealth Parliamentary Association, Committees are collecting information on the gender of witnesses. The aim is to determine whether committee inquiries are meeting the needs, and allowing the participation of, a range of genders in the community. Participation is voluntary and there are no set responses.

Gender indication	Total
Female	1
Male	1
Non-binary	0
Gender neutral	0
No data	1