



Inquiry into the Fiscal Sustainability of the ACT

Answer to question on notice

Asked by: Ms Jo Clay

Addressed to: Treasurer

Redirected to: Minister for the Public Service

In relation to: Contracting arrangements for public sector staff

Hearing: 05 March 2026

Transcript provided: 12 March 2026

Answer Due: 25 March 2026

During hearings, Maddie Northam, Regional Secretary of the CPSU gave evidence about contracting practices for ongoing roles in ACT Government agencies.

She said, "And so the directorate is saying, "Well we have only got funding for another six months, or another 12 months, so we will just extend your contract by that much, and by that much, and by that much". Then you get up to five or six contracts. You have been working for the government for four or five years and they have not given you a permanent job... A few weeks ago, one of our members, and I will not give the directorate to identify them, but one of our member's contracts was ending and he got in touch and said, "Please can you help me? I have been here so long. I have got twin babies coming in a few weeks". And the directorate was, "No, we cannot do it. No, no, no". Up until 6.00 pm, so he knocked off at 5.00 pm that night, on the Friday, his last day at work. I get a call from the directorate after 6.00 pm, saying, "Okay, we have just converted him to permanency"."

- a) Across the public sector, how many staff are working in ongoing roles under a third, fourth, fifth, sixth or subsequent contract?
- b) What proportion of those staff were born overseas?
- c) In the last three years, how many public sector staff have been working in ongoing roles under a third, fourth, fifth, sixth or subsequent contract?
- d) What proportion of those staff were born overseas?
- e) Do you think the evidence given above indicates any breaches of legislation?

MS STEPHEN-SMITH MLA: The answer to the Member's question is as follows:

- a) This contractual arrangement data is not collated on a whole-of-service basis. Directorates manage staffing contracts and contemporaneous information on how many staff are working in ongoing roles in third, fourth, fifth, sixth or subsequent contracts is not collated. However, the ACTPS has a policy mechanism, the Secure Workforce Conversion process, to assist decision-makers to decide if a casual or fixed term contract employee should be offered conversion to permanent employment. Eligibility requirements provide employees with a right to be assessed for conversion but do not convey a right or entitlement to permanent employment. To be eligible for assessment an employee must meet a minimum continuous service period with the ACTPS: 12 months for fixed term contract (FTC) employees and 6 months for casual employees. Some exceptions to the [fixed term contract limitations](#) exist, which provide lawful grounds for the use of consecutive contracts or contracts which last for more than 2 years (in total).
- b) As this cohort is not collated, it is not possible to ascertain what proportion of the cohort was born overseas.
- c) As outlined above, these contractual arrangements are not collated on a whole-of-service basis. The ACTPS Secure Workforce Conversion process has been in operation since 2021 and directorates have considered staff engaged on a fixed term contract, including those with three or more contracts, under that process.
- d) As this cohort is not collated, it is not possible to ascertain what proportion of the cohort was born overseas.
- e) The evidence given above does not necessarily indicate a breach of legislation. An employee *may* be entitled to permanent employment in certain circumstances where their employment contract(s) are determined to have been prohibited by the [relevant section\(s\) of Fair Work Act 2009](#). The witness did not provide sufficient evidence to consider this on a hypothetical basis.

Approved for circulation to the Select Committee on the Fiscal Sustainability of the ACT.

Signature:



Date:

30 / 3 / 26

By the Minister for the Public Service, Rachel Stephen-Smith MLA