



**Victorian  
Public Sector  
Commission**



# **Officer and executive guide for informing and advising ministers**

How to work with ministers if you're a VPS executive or officer

# Contents

<b>Officer and executive guide for informing and advising ministers</b>	1
<b>Roles and responsibilities</b>	3
Responsibility for briefing the minister	3
Role of officers	3
Role of departmental liaison officers (DLOs)	4
Role of executives	5
<b>When to brief your minister</b>	7
Matters of significance	7
Managing major projects	8
Raising a matter of significance	9
<b>How to brief your minister</b>	10
Starting with a brief	10
Alternatives to briefs for executives	10
What to consider in your brief	11
<b>How to meaningfully engage your minister</b>	14
Connect the right people	14
Giving clear information and advice	15
Documenting decision-making	17
Build a relationship of trust	18
<b>Officers: what to consider when briefing</b>	19
If you're contacted by the minister's office	19
Gaining experience	19
Identifying matters of significance	20
If you're unsure what to do	20
<b>Executives: what to consider when briefing</b>	22
Using your judgement	22
Oral briefs	22
Decisions by your minister	23
Making it safe to speak up	23
<b>Dos and don'ts when informing and advising ministers</b>	24



# Roles and responsibilities

The differences between officers and executives when informing and advising ministers

## Responsibility for briefing the minister

Ministers are responsible for government policy, projects and public services.

They're accountable to the Parliament and the Victorian community for delivering these well.

It's the VPS's responsibility to brief ministers on any matter that affects their minister's policies, projects and public services.

Executives decide when to brief their minister – officers shouldn't do so without authorisation. Executives also handle interactions between the minister's office and the VPS, except in limited circumstances and with the executive's knowledge. Officers shouldn't give the minister or their office information without an executive's knowledge or oversight.

Both officers and executives must give frank, impartial and timely advice to the government of the day. Frank, impartial and timely advice is a foundation of Victoria's Westminster style of government and forms part of:

- the public sector values in section 7 of the [Public Administration Act 2004](#)
- [the Code of Conduct for Victorian public sector employees](#).

All VPS employees are bound by the values and code.

## Role of officers

VPS officers work on a range of matters including:

- policy
- projects
- grants
- budget and resource management
- frontline service delivery
- analysis
- records management
- other corporate and administrative responsibilities.

Compared to executives:

- their accountability is limited to specific areas of responsibility
- they don't have the same degree of autonomy or freedom to exercise judgement.

VPS officers are employed under part 3 of the [Public Administration Act 2004](#) and their employment conditions are set out in the [VPS Enterprise Agreement](#).

## Role of departmental liaison officers (DLOs)

DLOs are VPS employees. They're employed by departments and allocated to ministers – often for a reasonably short period of time (e.g. 12 months).

DLOs work with their department and minister's office to:

- provide a central point of contact
- facilitate strong communication and an efficient flow of information and advice
- help build a cooperative working relationship.

Departments employ DLOs under part 3 of the [Public Administration Act 2004](#). DLOs must adhere to the [Code of Conduct](#) and must not function as quasi-ministerial staff or act in ways that are, or could be perceived to be, politically partisan. They're not subject to direction by ministerial staff.

A DLO shouldn't:

- conduct policy development or research work
- provide policy advice
- draft or edit briefs or correspondence
- prepare speeches, media releases, ministerial statements, parliamentary questions and answers or other similar documents
- organise meetings or events on behalf of the minister or their office
- initiate communication with external parties, including Members of Parliament or other ministers' offices (excluding liaising with DLOs in other offices to facilitate liaison with other departments)
- be involved in electorate office matters or any other party-political activities.

## Role of executives

Executives are responsible for the leadership and stewardship of the public sector.

In order of least to most authority, responsibility and accountability, executive levels include director, executive director, deputy secretary and secretary (or CEO for public entities).

Executives work with a large degree of judgement and autonomy. They're generally accountable to organisational leaders like secretaries, or in the case of secretaries, the minister for the success of:

- complex policy outcomes
- major project development and delivery
- strategic decisions
- budget and resource management
- high-level stakeholder management
- upholding the public sector values to avoid serious damage to the public's trust in the culture and integrity of the VPS and government.

In most cases, executives are responsible for engaging with ministerial offices.

The minister or a more senior executive may also delegate statutory responsibilities to

another executive that legally requires them to perform a role.

Executives are employed on fixed-term contracts under part 3 of the [Public Administration Act 2004](#) and classified under the [VPS Executive Classification Framework](#).



# When to brief your minister

An overview of the types of matters you need to brief your minister on

## Matters of significance

You need to brief your minister on matters of significance. A matter of significance is anything important your minister needs to know.

Matters of significance can include:

- new policy proposals and projects
- spending large amounts of public money
- serious incidents within portfolios regarding health, safety or security; death or injury to citizens or staff
- serious problems for the Victorian public such as public transport delays or hospital waiting times
- risks to public health or breaches of the law – including actual or imminent events that could lead to a major emergency
- issues arising in the news and other media
- anything being or required to be considered by the government at Cabinet or its committees
- appointing people to senior roles – such as appointments to public entity boards or appointing a public entity's CEO
- new or changed risks to policies, public services
- important events or meetings
- managing major projects and contracts.

This list doesn't cover all matters. Instead, it's designed to help inform your thinking, judgement and discretion. You're encouraged to discuss this with your colleagues, managers and executives.

Executives handle interactions between the minister's office and the VPS, supported by DLOs.

Officers generally won't interact with a minister's office except in limited circumstances and with approval from their executive.

If you're a VPS officer, you should still proactively tell your manager about anything you think may be important. Ultimately, executives decide when to brief their minister – not officers.

## Managing major projects

We've provided more advice on managing major projects, as they can be complex, expensive and have greater risks.

Major projects often require a high degree of technical knowledge, experience, detailed planning and project management. For example, large IT projects and capital works like new rail or road infrastructure.

Projects don't have to be expensive to be considered major or complex. For example, projects that have high community impacts like the development of a treaty with Victoria's First Peoples or the making of voluntary assisted dying laws.

This guide can be applied equally to each category of major project, whether it be a capital project, service delivery or reform project. You should apply the same judgement you would to determine a matter of significance.

Major projects often require frequent briefings to manage significant developments well. This includes matters at key project milestones like entering into contracts and approving expenditures.

Project and risk management frameworks may help you identify when to brief your minister on a project. For example, when the project:

- won't meet the timelines in the project plan
- has cost overruns
- has frequent changes or an unclear scope



- has unclear lines of responsibility and accountability
- doesn't follow good project management processes
- raises legal, health and safety risks or stakeholder concerns
- delivers outputs that don't meet the project's objectives or specifications
- has been affected significantly by an unforeseen event.

If any of these risks occur, you'll likely have to brief your minister. Bring it to your minister's attention if you have:

- any or a combination of these risks
- any with a high-risk rating
- the potential for serious consequences with any of these risks.

Some major capital projects will also need to go through the [High Value High Risk Framework](#) (HVHR). This involves a higher level of oversight by the Department of Treasury and Finance. When a project is classified as HVHR, it means there's an increased need to ensure matters are brought to the minister's attention.

## Raising a matter of significance

Matters of significance can arise for different reasons but often occur from an unforeseen event or a failure in process.

If you identify a matter of significance, you may feel like there isn't enough time to get the right information or that you don't want to point out when something has gone wrong. You may feel like you'll be held responsible or suffer repercussions for speaking up.

Many VPS officers and executives have had this experience at some point in their career. You should always speak to your manager or someone you trust if you are in this situation.

Providing frank, impartial and timely advice is part of how we all serve the Victorian community and live the public sector values.

# How to brief your minister

What to consider when writing a brief or communicating with your minister

## Starting with a brief

Your organisation should have a process for developing and providing ministerial advice for matters of significance.

In most cases, you'll write a formal brief for a senior VPS executive to approve and present to your minister. A written brief ensures there's a record of advice provided to government and about any decisions made.

If you're an executive or an officer and you feel unsure about raising a matter, ask your manager. A senior executive with the right level of authority and judgement will decide if you need to brief your minister.

## Alternatives to briefs for executives

Executives can use other options to communicate with the minister and their office. For example, speaking in person or using emails, SMS or digital messaging platforms.

Where possible, only use these options when:

- more information is needed to prepare a formal brief
- you're responding to a request for technical or factual information
- you're providing supplementary information after you've provided advice or a brief.

These exchanges don't replace the thinking that goes into providing formal advice. For example, when you write an email be mindful that it likely doesn't convey all the expert advice available that may be included in a formal brief. If you're in doubt about whether formal advice is being sought or offered, try to limit your exchanges in favour of

developing a formal brief.

The use of these other methods should be agreed to in protocols between the office and your organisation first.

## What to consider in your brief

In addition to this advice, check what guides and templates your organisation has to inform the style and content of your briefs.

### Significance

If you identify a [matter of significance](#) or one is brought to you, decide if you need to brief your minister. If you're an officer, discuss this with your executive first. If a minister or their office advises that a brief isn't required, that alone shouldn't determine if you brief them on a matter that has been judged to be significant.

Think about the impact of not briefing on a matter and what the risks of that are.

If you're an executive, brief the minister if you think it's necessary as part of your duties in the [code of conduct](#) to provide frank, impartial and timely advice.

In almost all cases if a minister or their office requests a brief you'll provide the advice as requested. An exception would be if the request is for political advice. If you feel you've been asked to provide political advice or are unsure, speak with your executive.

### Brevity

Briefs should be concise and only include the most important information to support the minister to make a decision.

Ministers have limited time to consider your brief. In addition to their ministerial responsibilities, they have parliamentary duties and must represent their electorate.

## Clarity

Be clear and succinct. Think about what your minister needs to know to make a decision.

Write in [plain English](#) and include your recommendations, key issues and background information.

## Timeliness

Give your minister and their office enough time to consider your advice and make a decision. Your organisation's briefing protocols should detail these timelines, as agreed with the minister's office.

If your minister needs advice before you have all the relevant information, a senior executive can decide whether to brief at that time and send more information later.

## Consultation

Ensure you've got input from the relevant people across your organisation as well as other parts of government. This can include asking for clarification on the intent of any request for a brief while it's being drafted.

Always collaborate with others if an issue or decision may affect their team's work or if your brief involves a matter where another area is the lead.

In some cases, you may need external expertise and stakeholder feedback to give the minister accurate advice.

## Content

Ensure all your briefs include:

- analysis
- evidence
- consultation with relevant experts

- any legal requirements for the minister to validly exercise a power under legislation
- understanding of risks and how they will be managed
- options to proceed
- a clear recommendation and decision for your minister to make.



# How to meaningfully engage your minister

What meaningful engagement looks like with your minister and their office

Meaningful engagement with a minister's office helps you:

- exchange information efficiently
- ensure clarity and understanding
- document decisions
- build a trusting relationship.

The guidance will apply more or less directly if you're an officer who rarely engages the minister's office compared to an executive who does. Speak with your manager if you have any doubts about your role in this process.

## Connect the right people

Meaningfully engaging a minister and their office will connect decision-makers (the minister) with those who have the information necessary to support a fully-informed decision being made (generally department officials with relevant subject matter expertise).

The right public servant to advise a minister will be:

- someone with the appropriate authority to engage your minister and their office
- someone with sufficient content knowledge and expertise to inform the engagement.

Communicating with all the relevant people ensures you provide advice in a timely way. Depending on your level of authority, you or your executive may need to liaise with:

- the office of the secretary or deputy secretary
- the department liaison officer
- the ministerial adviser or administrative employees in your minister's office
- your minister's chief of staff.

Public entities advise their minister in relation to their functions and should consider engaging the department when it's appropriate. Departments may need to engage with their portfolio public entities to inform a brief.

## Communicating with ministerial advisers

At times it may be adequate to only advise a member of a minister's office on a developing situation or a task that is in progress.

This can happen when you:

- have already advised your minister on the matter
- intend to advise the minister on a matter and are seeking guidance on any relevant details or approaches.

Don't assume your minister will be aware of any information you communicate to their adviser. Remember, advisers support their minister, but they don't make decisions on the minister's behalf. Briefs aren't prepared for advisers; they're prepared for the minister.

If you need someone to make a decision, take the steps available within your authority to ensure you make your minister aware of all the necessary information. For both executives and officers, this can involve seeking advice from a senior executive.

Your secretary or equivalent is your minister's primary policy adviser and must also be aware of and have access to all the advice you give to your minister's office.

## Giving clear information and advice

You'll often play a role in advising a minister on a matter regarding a policy or program

they're responsible for.

If you're an officer, you might have to raise the initial matter or write the first draft of a brief.

If you're an executive, you might be responsible for approving a brief. You may also speak directly with your minister and their office during the briefing process if supplementary information is needed or to clarify points.

Ensure your minister and their office have a good understanding of a matter. Your minister will make the best decisions when you state your recommendations and back them up with relevant evidence.

When you bring a problem to the attention of your manager or an executive, you should also present a set of options and solutions. These will inform the recommendations and decision points that are presented to your minister.

## **When you don't have all the information**

There may be times you need to advise your minister's office of a rapidly developing matter, for which you haven't had time to develop a response proposal. For example, frequent changes in emergencies such as fires, floods and pandemics.

As an officer or an executive, remember to:

- always consult with the responsible executive
- be clear about what you do and don't know
- outline what actions are underway to address the issue.

As an executive, ensure the secretary and anyone else with relevant responsibility and authority is aware of the situation and the proposed approach.

When information becomes available, you may need to brief your minister again. Bring any proposals to the attention of the decision-maker as soon as possible through the appropriate channels. Note where information was previously provided.



## Documenting decision-making

Ensure you document decisions so you have a record of:

- what decision was made
- who made it
- the information the decision was based on.

This is fundamental to responsible government and supports others to understand the rationale for the decision.

When you have a rapidly developing matter, well-documented decisions ensure everyone understands what needs to be done. For example, during a crisis. Well-documented decisions also help others look back at a matter and learn from any experiences, benefits or mistakes.

From its start through to its completion, always document any advice you develop so you can refer to it later. This can range from simple file notes or emails saved on your organisation's information management system to formally endorsed briefings that are saved in dedicated brief and correspondence systems.

Your organisation will have advice on how to meet any information storage requirements for these systems.

Documenting decision-making also supports your organisation's freedom of information (FOI) responsibilities. Your organisation will have a person or team responsible for FOI matters who can provide you with more information.

## Oral advice or difficult formats

There may be times when you receive oral advice or advice in a format that's harder to document, such as with digital messaging platforms. This can often happen in times of urgency.

You still need to document the advice as per your [records-keeping obligations](#) if your interactions are directly involved in decision-making. This is so you can refer to it later. Talk with your organisation for advice on what to do. For example, writing a brief

summarising the discussion and confirming the agreed next steps.

## Build a relationship of trust

Build trust with your minister and their office using:

- a common understanding of roles and an open sharing of risks, information and ideas
- consistent practices that reflect the Victorian public sector values.

Your organisation will have processes and protocols developed between your secretary, your senior executive team and your minister. They support consistency when engaging with your minister's office. Also refer to [Informing and advising Ministers – Guidance for Secretaries and senior executives](#).

Everyone should clearly understand these processes and protocols.

Your organisation may also have templates and other materials to support a professional working relationship.

If you're unsure of your agency's processes and protocols, and how you can feed into them, ask your manager.

# Officers: what to consider when briefing

What to consider as an employee when supporting your executive to brief your minister

## If you're contacted by the minister's office

Unless you're a [department liaison officer](#), you normally won't engage with your minister's office. But if you do, your agency should have rules about how to do so, with the support of executives.

You shouldn't engage with your minister's office without a clear understanding and authorisation from your executive. And you should never take direction from a ministerial adviser.

Familiarise yourself with any guidance provided by your organisation, manager and executive on engaging with the minister's office. If you're contacted by someone from your minister's office without the knowledge of your executive:

- take care in responding to any questions. Your organisation may allow you to provide basic factual information, but never give advice without authorisation.
- let your manager know what the enquiry is about.

## Gaining experience

The more senior you get, the more likely it is that you'll work with ministers and their offices. Gaining experience in this area can be great for an officer's professional development.

Some officers, such as strategic advisers, work directly with executives to support them in their role. These officers may have been given authority to work more closely with the

minister's office. This should only occur with the approval of the relevant executive.

Department Liaison Officers (DLOs) also have a specific role in working with the minister's office.

You can also gain experience working with the minister's office if your executive asks you to attend meetings with ministerial advisers. These can be valuable learning opportunities.

## Identifying matters of significance

Your proximity to the day-to-day activity and management of projects may make you the first person to identify a matter of significance.

This doesn't make it your responsibility to ensure your organisation informs your minister. But it does make it your responsibility to raise the matter with the relevant executives — which you may need to do more than once.

It's also your duty to always give frank, impartial and timely advice to your colleagues, managers and executives.

## If you're unsure what to do

If you identify a matter of significance that you believe your organisation should brief your minister on, talk with your manager and raise it in writing with them first. Your manager will assess how to proceed.

If you think that a brief doesn't present frank and fearless advice and it's already progressing through the approval process, you should talk to your manager. You should also put it in writing in the form of an email explaining what you think the advice should say.

You shouldn't circumvent your line of management unless you have serious concerns about their integrity. If this is the case, consider formal processes for reporting this. For example through the [Public Interest Disclosure](#) process.

If you're in doubt about the seriousness of your concerns or want to know if they qualify as a [Public Interest Disclosure](#), you may be able to speak with your organisation's integrity unit for advice.



# Executives: what to consider when briefing

What to consider as an executive when you're briefing your minister

## Using your judgement

When you engage with your minister or anyone in their office, use any protocols your department has agreed to with the minister's office.

You may find it difficult to identify the right course of action. This requires your judgement and that of your colleagues and secretary if required. You may be considering matters beyond the immediate content of the brief including:

- the minister's expectations
- the political context
- any media implications
- any impacts your actions or inactions may have on your career and your professional reputation.

It's natural to be mindful of these matters and some can be useful context to inform the advice you provide. However, they must not interfere with your duty under the [code of conduct](#) to give frank, impartial and timely advice.

## Oral briefs

It's common for VPS executives to provide oral briefs on sensitive issues, rather than written ones. However, the sensitivity of the issue shouldn't determine whether your brief your Minister in writing or not. For issues that require immediate discussion, you may only have time to speak to or email your minister's office about the details of your advice. This is better than having no record at all, but at the earliest opportunity should

be followed up with a formal brief of what has been discussed or decided.

Giving oral briefs on significant matters can be important. Ideally, you should do this to:

- prepare your minister for the formal written advice
- discuss any questions or issues your minister may have identified after you have provided them with detailed written advice.

## Decisions by your minister

Ministers are the decision-makers on government policy and implementation and will decide what action to take. The VPS provides advice on issues and assists ministers to implement their decisions.

If your minister doesn't follow your advice or chooses their own action contrary to what you recommend, the department will implement that decision professionally and responsively and not repeatedly advise on other options it may have recommended.

That doesn't mean you can't continue to raise risks with your minister under certain circumstances. For example, if you identify new significant risks or that a previous risk is now likely to result in the failure of a policy, project or service.

## Making it safe to speak up

You should always encourage employees to provide you with advice – even if they think it may be unwelcome to you or the minister – in order to create and protect a culture where people feel safe to speak up.

When employees know you're open to receiving advice, you're more likely to receive the information you need to do your job well.

# Dos and don'ts when informing and advising ministers

A list of dos and don'ts for executives and officers to consider when informing and advising ministers

## Do:

- demonstrate the [public sector values](#) in how you work
- adhere to the [Code of Conduct](#)
- be prepared to speak up and support others to speak up too
- if you're in doubt, speak with your manager or peers
- plan projects and tasks early and document your plan
- refer to your plan often and build in opportunities to report and advise on progress
- if something doesn't feel right ask questions
- consult as appropriate with your relevant legal team to ensure your brief and attachments comply with any legal requirements for the relevant decision
- engage with the minister's office in line with your organisation's protocols and as appropriate for your level of responsibility
- seek opportunities where possible to work with the minister's office and to understand how it operates
- provide opportunities for the people you lead to learn about and be exposed to how the minister's office operates. These opportunities should match their position level
- consider the example you set as a leader about what constitutes meaningful engagement and what's acceptable when you engage the minister's office
- consider the departmental liaison officer (DLO) as a valuable first point of contact in the minister's office.



## Don't:

- hesitate to raise concerns with your manager
- allow personal concerns or biases to influence your duty to provide full and frank advice
- circumvent your line of management unless you have serious concerns about their integrity. If you have integrity concerns, consider formal processes for reporting them.
- withhold information that is required for the minister to make a fully informed decision
- provide advice to the minister's office without authorisation or without following pre-established communication protocols.
- rely solely on oral briefs for any matter of significance.

