# **Senate Select Committee on Administration of Sports Grants**

Answers to Questions on Notice

Department/Agency: Australian National Audit Office

**Topic:** Administration of Sports Grants **Date of Hearing:** 2 September 2020

Type of question: Hansard

Date set by the committee for the return of answer: 16 September 2020 – extended until 25

September 2020

Number of pages: 16

Question 1

Hansard page reference: 6

**Mr Boyd:** The question we had, which is what we put to the senior adviser, was why she was emailing, and it wasn't just the talking points document; there were also various versions of the spreadsheet. We wanted to understand why she was emailing them back and forth to her various email accounts and to another officer's email account. The explanation, which I think I set out earlier, was the reason we gave for that, and we have no reason to question that.

**Senator RICE:** In terms of where that document could have been emailed to, either to the minister or to the Prime Minister—presumably to the minister if there were talking points for the minister—it could have been emailed to the minister from her APH account and you wouldn't have seen that?

**Mr Boyd:** I don't recall that this document was actually emailed to her APH account. I'd have to check that and take it on notice. I believe it was going back and forth, mainly between her Health email account — that's my recollection

Mr Hehir: 'Her' being the adviser.

Senator RICE: Yes.

### **Answer**

The 'TP's for meeting with PM' document that had been created at 6:00 PM on Monday 19 November 2018 on the Department of Infrastructure, Regional Development and Cities' system was emailed from the Senior Adviser's Infrastructure email account to a colleague's aph.gov.au email account at 9.03AM on 20 November 2018. The colleague also worked in the Office of the Minister for Sport. During the audit, the Senior Adviser testified to the ANAO under oath that because she was working out of the Commonwealth Parliamentary Offices (CPO) in Sydney on this day, she was using her colleague's APH logon to use a computer at the CPO. This was because the Senior Adviser no longer had an APH logon of her own and did not have a laptop.

An amended version of the talking points document (retitled to: 'Community Sport Infrastructure Grants.docx', created at 1:49 PM), along with an Excel spreadsheet listing of projects that could be

successful under a \$100 million CSIG program, was emailed from the collection	ague's APH account to the
Senior Adviser's Health email account at 1:50PM on 20 November 2018.	

The ANAO has identified no other records of the document being emailed to or from an APH email account.

### Question 2

Hansard page reference: 15

**Senator GREEN:** I have just one other question on this. There were changes to the final list of the round 3 grant recipients several times between 3 April and 11 April. There were quite a few changes. These are the ones we're talking about.

Mr Boyd: There were changes; yes.

**Senator GREEN:** Do you know what the total combined effect in terms of the deviation Sport Australia had recommended and the changing monetary value of the grants eventually awarded? What we're trying to understand is: what was the actual effect of the changes that were made to the list of 245 recommended grants provided on 3 April and the 228 grants that the minister ended up awarding? It's a short period of time, but it's a very crucial period of time. The committee is trying to understand exactly the impact the changes had.

**Mr Boyd:** You're wanting between two points in time—between 3 April and the final version on 11 April?

Senator GREEN: Yes.

**Mr Boyd:** What we tracked was changes across each version. There were various iterations between them. To ignore all the changes in between is something we can do—

**Senator GREEN:** Why don't we put those on notice for you, Mr Boyd. That might be an easier way to go about it. I've got some further questions on a different topic. I think you've answered a few of these questions already, and I apologise if I was out of the room when this occurred.

#### **Answer**

The total combined difference between the 245 applications recommended for approval on 3 April 2019 by Sport Australia in relation to Round 3 to the 228 applications that were identified as being approved in the final version of the spreadsheet as at 12:43pm on 11 April 2019 was:

- 61 recommended applications seeking \$7.0 million were approved for funding;
- 184 recommended applications seeking \$32.63 million were not approved for funding; and
- 167 applications that had not been recommended for funding were approved for a total of \$32.91 million in grant funding.

Figure A4.1 in the Audit Report illustrated the differences between Sport Australia's recommendations and the projects approved in Round 3

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### **Question 3**

Hansard page reference: 16

**Senator GREEN:** 'Electorate divisions of applications.' It's a document that clearly identifies the applications in relation to the electorate they're from.

Mr Boyd: Yes, it does.

**Senator GREEN:** That electorate information was specifically requested by the minister's office, wasn't it?

Mr Boyd: Electorate information was specifically requested. We set that out in the audit report.

**Senator GREEN:** Do you know how many times the minister's office asked for electorate information on the applications?

**Mr Boyd:** We'd have to take that on notice. They started asking for information on the applications soon after applications closed, as we set out in the audit report.

#### **Answer**

A chronology is provided below setting out the provision of application information by Sport Australia in response to requests from the Minister's Office for electorate data for applications.

Date	Time	Description
19 September 2018	4:19 PM	The Minister for Sport's Chief of Staff forwards an Excel spreadsheet to Sport Australia which contained individual application details, including project electorate information, from the 25th Anniversary Landcare Grants program (successful projects for this were announced in December 2014). The spreadsheet was provided as an example of the format and information the Chief of Staff was seeking in relation to CSIG.
26 September 2018	2:52 PM	Sport Australia provides the Chief of Staff with a list of all CSIG projects. This list did not include electorate details for the applications.
2 October 2018	3:53 PM	An Advisor in the Minister's Office requests that Sport Australia resend the 19 September 2018 spreadsheet, 'but also include the electorates for each' project.
	4:54 PM	Sport Australia responds by advising that the spreadsheet was 'being built and will send ASAP'.
	6:56 PM	Sport Australia provides the updated spreadsheet to the acting Adviser, advising that 'a small number of them could not be automatically assigned to a Federal Electoral Division by the system, so they should appear as blanks'.
		The spreadsheet was called 'Electoral Division of Applications.xlsx'. There were 131 projects without electorate information from the 2,005 projects on the list at that point in time.
3 October 2018	4:42 PM	Adviser responds to Sport Australia's email of 2 October 2018 (6:56 PM) with thanks and asks 'is it possible to have the blank electorates filled in before our meeting tomorrow?'
	11:04 PM	Sport Australia responds to Adviser's 4:42 PM request, advising 'probably not' and that 'the blank fields could be filled manually by cross

		referencing postcodes but exist because were not completed by the applicant.'
4 October 2018	3:30 PM	Meeting held between the Chief of Staff, the Adviser and Sport Australia's Executive Director of Sports Partnerships.
15 October 2018	1:11 PM	The Chief of Staff emailed the Adviser for Sport (from 23 October 2018, the Senior Adviser) when she returned from leave with a range of CSIG documents. These included the 2 October 2018 spreadsheet titled 'Electoral Division of Applications.xlsx and a document titled 'Pendulum with electorates.pdf'. Handwritten on the pdf were the total number of projects against: each marginal and fairly safe Coalition electorate; Safe Nationals electorates; Marginal Labor electorates and for Indi.
8 November 2018	10:30 AM - 12:30 PM	Meeting between the Minister's Office (Chief of Staff and Senior Adviser) and Sport Australia (Executive Director - Sports Partnerships and Director - Community Sports Infrastructure) titled 'Update of community sport infrastructure grant assessments'.
		During the meeting, the Minister's Office requested a copy of the CSIG project spreadsheet used by Sport Australia to present to it 'any project, its location or rating from assessment'. The spreadsheet also contained funding recommendations that had been prepared for the CSIG assessment panel's meeting in two days' time.
	3:24 PM	After initially providing a link to a read-only copy of the list, offering a pdf version and taking a further phone call from the Minister's Office, Sport Australia provided the CSIG project spreadsheet titled 'Read only copy of CSI internal panel', in Excel format. Electorate details were included for the projects, but 129 projects still remained unmapped to an electorate. Although titled 'Read only' the spreadsheet was able to be edited.
11 December 2018	2:19 PM	Sport Australia provided to the Minister's Office a 'clean' version of the project spreadsheet (with simplified formula and removal of all macros) following advice from the Minister's Office that there were 'errors' in the spreadsheet it was using. Electorate details were included for the projects, but 129 projects still remained unmapped to an electorate. The Adviser's spreadsheet was an adapted version of the spreadsheet provided by Sport Australia on 8 November 2018 titled 'Read only copy of CSI internal panel'.
		The clean spreadsheet was provided by Sport Australia to correct the erroneous population of a column titled 'Assessor Comments' within the spreadsheet being used by the Minister's Office. Due to system incompatibility, the spreadsheet provided on 8 November 2018 that was being used by the Minister's office incorrectly recorded the same assessor's comment against every application.

### **Question 4**

Hansard page reference: 16

**Senator GREEN:** The information provided in that same question on notice—I think it was question on notice 70; there have been quite a few—says that '3 February advice from the Prime Minister's office to the minister's office was that the Prime Minister had not had a chance to look at the list'.

Mr Boyd: I recall that, yes.

Senator GREEN: Do you know what list that was?

**Mr Boyd:** That was the list of projects being proposed by the minister's office for approval in that round.

Senator GREEN: And that was round 2?

Mr Boyd: That was round 2, yes.

**Senator GREEN:** And 3 February was the email. Are you able to provide that email to the committee, with the names and emails addresses of the sender and the recipient redacted?

Mr Hehir: We'll take that on notice.

#### **Answer**

The contents of the email was not included in the Audit Report and has not otherwise been released by the Government in response to Order for the Production of Documents 379 (which had sought 'Any communications, advice or reports from the Prime Minister's Office or the Department of the Prime Minister and Cabinet to the office of the former Minister for Sport in relation to the Community Sport Infrastructure Grant Program'). As advised in correspondence to the Committee Chair dated 25 February 2020 and 26 June 2020, the Auditor-General considers that the public interest benefit in providing information subject to public interest immunity claims made by the Government, is outweighed by the public interest harm to the operation of the ANAO.

### **Question 5**

Hansard page reference: 17

**Senator GREEN:** You didn't see the request, but you saw an email that referenced 'At the request of the Prime Minister's office.' It had those words in it.

Mr Boyd: That's my recollection, yes.

**Senator GREEN:** Are you able to provide that email to the committee, with the sender and recipients de-identified?

**Mr Hehir:** As we've talked to the committee in response to other questions, I'm very hesitant to provide information where the government has applied for public interest immunity on it. I don't think that's appropriate. I'd need to go back and look at the information to see how it fits into what all of the evidence that's been done over the course, before looking at it—

**Senator GREEN:** That would be very helpful, especially if there is a public interest immunity claim, because that should be considered as well—

**Mr Hehir:** I just want to assure myself that we're not handing over something which has a public interest immunity claim associated with it or whether we think it should have one.

Mr Boyd: Sorry, could I correct my evidence—

**Senator GREEN:** Of course you can.

**Mr Boyd:** My colleague has just pointed out to me—my records let me down—that, on 4 March, the PMO did ask the minister's office for a list of unfunded CSI projects, including an indication as to what another round of \$30 million would look like and 'any additional projects you've been contacted about by MPs and senators.'

## **Answer**

Correction: The date of the email referred to by the ANAO in the hearing was 3 March 2019 not 4 March 2019. The reply from the Minister's Office occurred on 4 March 2019.

The contents of the email was not included in the Audit Report and has not otherwise been released by the Government in response to Order for the Production of Documents 379 (which had sought 'Any communications, advice or reports from the Prime Minister's Office or the Department of the Prime Minister and Cabinet to the office of the former Minister for Sport in relation to the Community Sport Infrastructure Grant Program'). As advised in correspondence to the Committee Chair dated 25 February 2020 and 26 June 2020, the Auditor-General considers that the public interest benefit in providing information subject to public interest immunity claims made by the Government, is outweighed by the public interest harm to the operation of the ANAO.

### **Question 6**

Hansard page reference: 19

**Senator ABETZ:** I'm dealing with the evidence that we were given, in effect under oath, by Sport Australia. I suspect that that might be somewhat more robust. Are you able to remind us how many projects would have been funded if the arbitrary 74 figure had been adopted?

**Mr Boyd:** If you go to paragraph 3.12 of our audit report, it would have been 130 applications in the first round, 148 applications in the second round and 164 applications in the third round.

**Senator ABETZ:** How many fewer projects would that have been compared to what was then actually funded?

Mr Boyd: I'd have to add that up. I haven't done that.

**Senator ABETZ:** If you could and give it to us on notice, I'd be most appreciative, because I've been given the suggestion that it was quite a substantial number. One assumes that those extra clubs that received this funding would have been pleased to have received that support from the taxpayer.

Mr Boyd: Can I just correct one number I gave you? I should have said 137 in the first round, not 138.

Senator ABETZ: So it was 137?

Mr Boyd: Yes, 137 in the first round—

Senator ABETZ: And 148—

Mr Boyd: and 151 in the second round and 165 in the third round. My apologies.

**Senator ABETZ:** Right. They are different figures. So 137, 151 and 165.

Mr Boyd: That's correct

## Answer

Consistent with normal audit practice the ANAO assessed the sports grants program against the applicable grant framework and rules.

The Commonwealth Grants Rules and Guidelines (CGRGs) made by the Finance Minister under subsection 105C(1) of the *Public Governance, Performance and Accountability Act 2013* state that assessment criteria are the 'specified principles or standards, against which applications will be judged' and that these criteria are to be 'used to assess the merits of proposals and, in the case of a competitive grant opportunity, to determine application rankings'.

Sport Australia's Grants Administration Framework, which is based on the CGRGs, highlights the importance of the assessment criteria and says that departing from those criteria, including the application of unpublished criteria, is 'detrimental to the conduct of a transparent and equitable program, and can also be detrimental to the achievement of the program objectives from which the selection criteria has been derived.' Consistent with its Grants Administration Framework and the guidelines published for the CSIG program, the scores against each sub-criterion and criterion were aggregated and the published weightings applied by Sport Australia to calculate a total merit score for each application. The maximum score that could be achieved was 100.

July 2018 advice from the Department of Health to Sport Australia on how to allocate grant funding was 'We would also suggest that the easiest way for the ASC to provide a helpful document to the

Senate Select Committee on Administration of Sports Grants – Hansard QoNs 2 September 2020

Assessment Review Panel would be to rank all eligible applicants in order of merit assessment and value for money – a running total on the side, and you draw a line where the money runs out.'

As set out at paragraph 3.12 in the Audit Report, based on the merit assessment scores derived by Sport Australia assessment process, all program funding could have been allocated to applications that scored 74 or more, comprising:

- 137 applications in the first round, scoring between 83 and 98;
- 151 applications in the second round, scoring between 78 and 83; and
- 165 applications in the third round, scoring between 74 and 78.

As outlined in the Audit Report, instead of awarding funding on the basis of merit as assessed against the published program guidelines, a parallel assessment process was undertaken by the Minister's Office using other unpublished considerations. As identified at paragraph 4.36 of the Audit Report, the ANAO's analysis was that the funding decisions favoured lower value applications that had been assessed as less meritorious, which allowed a greater number of applications to be approved. Consistent with this analysis, 231 fewer applications would have been approved for funding had the scores against the published assessment criteria been used to select the successful applicants. This is calculated as the difference between:

- the 684 applications approved for funding (see Table 1.1 in the Audit Report); and
- the 453 eligible applications that scored at least 74 against the three published assessment criteria (see paragraph 3.12 in the Audit Report).

### **Question 7**

Hansard page reference: 19

**Senator ABETZ:** Are you aware of any applicants that scored more than this magical figure of 74 but were not recommended or put forward by Sport Australia?

Mr Boyd: Yes, I am.

**Senator ABETZ:** And are you aware of the number?

Mr Boyd: Not off the top of my head, no.

**Senator ABETZ:** If you could take that on notice for us, that would be good.

#### **Answer**

Sport Australia did not recommend applications to the full amount of program funding that was available. Rather, in aggregate across the three rounds the Sport Australia Board or Sport Australia staff¹ identified for recommendation a total 506 applications worth \$60.2 million. The difference between the \$100 million that was available and the \$60.2 million reflects that Sport Australia identified for recommendation some higher scoring applications more than once as a result of the Minister not approving the highest scoring applications. For example, there were 97 applications that were proposed to be recommended or were recommended by Sport Australia Board or staff in each of Round 1, Round 2 and Round 3. In addition, there were 64 applications that Sport Australia Board or staff identified for recommendation in both Round 1 and Round 2 (but not Round 3) and another 32 applications that Sport Australia staff identified for recommendation in both Round 2 and Round 3 (but not by the Sport Australia Board for Round 1).

As set out at paragraphs 4.14 to 4.23 and in Appendix 4 to the Audit Report:

- clear funding recommendations that were consistent with the program guidelines were not
  provided for the first two funding rounds. While clear funding recommendations were not
  provided for the first two rounds, Sport Australia Board or staff had identified in those two
  rounds the applications that it wished to recommend for funding; and
- a different approach was evident for the third round, where Sport Australia staff submitted a
  written briefing that clearly identified the applications they were recommending be
  approved for funding, based on the results of the merit assessment work that had been
  undertaken.

Across the three rounds, the majority of applications Sport Australia identified for recommendation (61 per cent being 309 of the 506 applications identified for recommendation) and the significant majority of funding Sport Australia identified for recommendation (90 per cent being \$54.2 million of the \$60.2 million) had scored 74 or higher. There were 155 applications seeking 49.8 million that had scored 74 or higher and had not been identified for recommendation by Sport Australia in any round.

<sup>&</sup>lt;sup>1</sup> As set out in the Audit Report:

apart from three grant programs implemented in 2018–19 that involved ministerial approval of grants, grants decision-making is undertaken by delegates of the Sport Australia board; and

<sup>•</sup> for the second and third rounds of the Community Sport Infrastructure Grants Program, the Sport Australia board did not play a role in deciding which applications should be recommended.

Further details follow in relation to each round drawn from the Audit Report is provided below.

#### Round 1

Applications were assessed by a team within Sport Australia using the published criteria. The assessment panel agreed to the assessment results and proposed 426 applications be recommended. Those recommendations were endorsed by the Sport Australia Board. The approach taken by Sport Australia in developing its Round 1 recommendations involved some departures from the merit ranking process established by the published program guidelines (see paragraphs 3.14 to 3.17 in the Audit Report).

Sport Australia's written briefing did not recommend the 426 applications endorsed by the Board. Recommended applications were those the Minister's Office had identified to Sport Australia as those that would be approved by the Minister. The brief did not inform the Minister that the recommendations were not those endorsed by the Board.

Of those 426 applications that had been endorsed by the Sport Australia Board to be recommended for funding totalling \$28.72 million, 229 (54 per cent) involving requested grant amounts totalling \$22.69 million (79 per cent) had scored 74 or higher.

#### Round 2

The assessment panel and the Sport Australia Board did not play a role in deciding which applications should be recommended. Sport Australia used its scores against the published criteria to identify 204 applications for recommendation.

Sport Australia did not provide its own recommendations. It identified in the written briefing that the list of 232 projects being put forward for approval reflected amendments made to Sport Australia's recommendations.

Of those 204 applications that Sport Australia had identified should be recommended totalling \$29.27 million, 164 (80 per cent) involving requested grant amounts totalling \$27.94 million (95 per cent) had scored 74 or higher.

## Round 3

The assessment panel and the Sport Australia Board did not play a role in deciding which applications should be recommended. Sport Australia used its scores against the published criteria to identify 245 applications for recommendation.

Sport Australia provided a written briefing that identified the 245 applications it was recommending for approval.

Of those 245 applications that Sport Australia had recommended totalling \$39.63 million, 146 (60 per cent) involving requested grant amounts of \$36.67 million (93 per cent) had scored 74 or higher.

### **Question 8**

Hansard page reference: 19

**Senator ABETZ:** ... Do you agree that more electorates have been covered as a result of the ministerial decision-making in comparison to what may have occurred if another methodology that was preferred by the ANAO had been adopted?

**Mr Boyd:** I'm not quite sure what you're asking. Are you talking about the analysis in the PM&C submission about the difference in 25 electorates?

**Senator ABETZ:** No, I'm asking: if the methodology favoured by the ANAO had been adopted, how many would have benefited in comparison to the number that the minister ultimately determined?

**Mr Boyd:** We'd have to take that analysis on notice.

**Senator ABETZ:** If you could, that would be very helpful, because I think an extra 27 electorates actually got funding, so it was spread around more evenly. I think we've had evidence in the past that more Labor electorates in fact received funding than otherwise would have done.

#### **Answer**

The published program guidelines included three assessment criteria, none of which supported an approach that involved awarding funding on the basis of Federal electorates. Sport Australia's Grants Administration Framework, which is based on the CGRGs, highlights the importance of the assessment criteria and says that departing from those criteria, including the application of unpublished criteria, is 'detrimental to the conduct of a transparent and equitable program, and can also be detrimental to the achievement of the program objectives from which the selection criteria has been derived.'

There were no eligible applications received for projects located in three of the 151 Federal electorates.

The 453 applications identified at paragraph 3.12 of the Audit Report as being the highest scoring against the published assessment criteria related to projects in 123 Federal electorates. The 684 applications approved for funding by the Minister related to projects in 144 Federal electorates.

ANAO analysis of these populations was that:

- applications from one electorate, Gorton (Australian Labor Party Safe<sup>2</sup>), did not receive
  any grant funding but would have been awarded funding had decisions been based on the
  results of the merit assessment process;
- applications from 25 electorates would not have been awarded funding based on the results of the merit assessment process. Of those 25 electorates:
  - o three had no projects approved for grant funding (each was a Safe or Fairly Safe Labor held electorate); and
  - o 22 had a total of 55 projects approved for \$8.90 million in grant funding, comprising:
    - six of those electorates were a Fairly Safe or Safe Coalition held electorate, with 22 grants totalling \$3.49 million;

<sup>&</sup>lt;sup>2</sup> The ANAO's analysis is based on seat statuses as defined and classified by the Australian Electoral Commission, along with the Minister's Office classification of certain electorates as 'marginal' or 'targeted' for its purposes.

- four of those electorates were a Marginal Coalition held electorate, with 11 grants totalling \$2.32 million;
- three of those electorates were a Marginal or Targeted Labor held electorate, with five grants totalling \$1.01 million; and
- nine of those electorates were a Fairly Safe or Safe Labor held electorate, with 17 grants totalling \$2.10 million.

### **Question 9**

Hansard page reference: 21-22

**Senator CANAVAN:** Right. I might try to take this up, because I'm really concerned by this approach. And, as I've said, just to be absolutely clear for the record: this is not about the conclusions you made around the ministerial decision-making process; it is about this very pedantic application of guidelines which inhibits common sense and judgement. This is actually a common complaint that is made. Have you ever done any reports looking into that? I know, being involved in some government tendering processes before, there's a level of compliance with probity in these sorts of things which does sometimes restrict just good decision-making. This is a general question, not about this specific program. Is that a question that you've turned your mind to before?

**Mr Hehir:** I can't recall us auditing that. When we audit guidelines and programs, whatever they are, which provide discretion for decision-makers to take into account factors in making decisions, you'll find that our audits aren't critical of decision-makers making decisions and using discretion.

**Senator CANAVAN:** Well, if you could take that on notice that would be great, to provide some examples

#### **Answer**

As auditors it is not appropriate for the ANAO to decide whether some breaches of the rules and requirements which the Parliament, the Government or an entity impose are "common sense" and need not be reported to Parliament. A key role of the ANAO is to identify such breaches, assess their impact on program objectives and report this to Parliament to assist Parliament in its role of holding entities to account for their performance.

The ANAO's approach to auditing grant programs reflects the requirements of the Australian Government's grants administration framework. In particular, the Commonwealth Grants Rules and Guidelines (CGRGs) made by the Finance Minister under subsection 105C(1) of the *Public Governance, Performance and Accountability Act 2013*. Since they were introduced, the CGRGs have set out 'seven key principles for better practice grants administration'. 'Probity and transparency' is one of the seven key principles and the CGRGs outline that:

- establishing and maintaining probity involves applying and complying with public sector values and duties such as honesty, integrity, impartiality and accountability;
- decisions relating to grant opportunities should be impartial, appropriately documented and reported, publicly defensible and lawful;
- a key consideration is whether decision-makers have equitably and transparently selected grant activities that best represent value with relevant money in the context of the outcomes of the grant opportunity, as set out in the grant opportunity guidelines; and
- it is important that appraisal and selection processes be transparent and free from the risk of political or other bias.

The development of the CGRGs was informed by a strategic review that concluded:

Decision-making in grant programs has been a matter of strong public interest, widespread parliamentary and audit scrutiny, and significant political contention in recent times. The reasons for this lie largely in the 'discretionary' nature of many grant programs, the high levels of flexibility built into many application assessment procedures, and the consequent lack of transparency in Ministerial decision-making processes. In such circumstances, it is

often difficult to demonstrate that decisions have been taken on the basis of merit, consistent with transparency and accountability principles, rather than for other reasons, including reasons of political self-interest.

The CGRGs state that assessment criteria are the 'specified principles or standards, against which applications will be judged' and that these criteria are to be 'used to assess the merits of proposals and, in the case of a competitive grant opportunity, to determine application rankings'. Similarly, Sport Australia's Grants Administration Framework, which is based on the CGRGs, highlights the importance of the assessment criteria and says that departing from those criteria, including the application of unpublished criteria, is 'detrimental to the conduct of a transparent and equitable program, and can also be detrimental to the achievement of the program objectives from which the selection criteria has been derived.'

When auditing the design of grant programs, the ANAO examines whether the eligibility requirements and assessment criteria are aligned with and fully address the objectives of the program. When auditing the award of funding, the ANAO examines whether the assessment and decision-making processes set out in the program guidelines were applied. This examination can include how any flexibility provisions within guidelines are applied and documented. Where there are departures or other shortcomings these are identified in the Audit Report tabled in the Parliament.

**Question 10** 

Hansard page reference: 21-22

**Mr Boyd:** I recall that there was a letter from the minister, which referred to the agreement that was reached on 28 November that program funding would be increased.

**Senator RICE:** Can you tell me when that occurred?

**Mr Boyd:** We'll have a look now. If we can't do it now, we can do it on notice.

**Senator RICE:** Okay. Did that letter give a basis or reason for the approval?

**Mr Boyd:** My recollection is, no, it didn't. If it did, we will answer that as well, but I'm reasonably confident that it did not. It simply referred to the fact that agreement had been secured at the meeting.

#### Answer

A final signed letter dated 7 December 2018 from the Minister to the Prime Minister was emailed on 10 December 2018.

The letter: thanked the Prime Minister for meeting with the Minister on Wednesday 28 November 2018 to discuss the program; recorded the Minister's understanding that an additional \$30.3 million in program funding was being provided to award further grants; and that the Minister intended to make announcements of the grants made possible with the additional funding in late January — early February 2019 prior to the first sitting week for 2019.