

Senate Economics Legislation Committee
ANSWERS TO QUESTIONS ON NOTICE

Treasury Portfolio

Additional Estimates

2016 - 2017

Division/Agency: Small Business and Consumer Policy Division

Question No: 298

Topic: Review of the Australian Small Business and Family Enterprise Ombudsman

Reference: Written

Senator: Ketter, Chris

Question:

1. When was the decision made to conduct the review?
2. Who decided that Su McCluskey would lead the review?
3. How many candidates were there to lead the review? Who were they?
4. Who decided that a private company would provide the secretariat to the review?
5. Was Treasury considered for the provision of a secretariat to the review? If they were, why were they not chosen?
6. How much is Nous Group being paid to conduct this review? How long is their contract?
7. How much is Su McCluskey being paid to lead the review? How long is her contract?

Answer:

1. Under sub-section 95(1) of the *Australian Small Business and Family Enterprise Ombudsman Act 2015* (the Act), the Australian Small Business and Family Enterprise Ombudsman (the Ombudsman) is required to have their assistance function independently reviewed. The review will consider the assistance and advocacy functions of the Ombudsman. Under sub-section 95(4) a report of the first review must be provided to the Minister for Small Business by 30 June 2017.
2. Ms Su McCluskey was appointed by the Minister for Small Business. Sub-section 95(3) of the Act enables to Minister for Small Business to select a person to conduct the review.
3. Under section 95(3) of the Act, the Minister for Small Business must not appoint a person to conduct the review unless the Minister is reasonably satisfied that the person:
 - is suitably qualified to conduct the review; and
 - has sufficient independence from the Ombudsman, the Minister and the Treasury to conduct the review impartially.Ms Su McCluskey was appointed by the Minister for Small Business given her extensive experience in small business policy issues, including being a member of the Harper Competition Review.
4. Nous Group is the company chosen to be the secretariat for the review and was selected through a procurement process. Details of the appointment are available on the AusTender website.
5. No, the Treasury was not considered for the secretariat role given the Act requires that review of the Ombudsman be sufficiently independent from the Department.
6. This information is publicly available on the AusTender website.
(<https://www.tenders.gov.au/>)

7. This information is publicly available on the AusTender website.
(<https://www.tenders.gov.au/>)