

**SENATE FINANCE AND PUBLIC ADMINISTRATION LEGISLATION COMMITTEE  
BUDGET ESTIMATES 2005-06 (MAY 2005)  
DEPARTMENT OF THE SENATE**

**ANSWERS TO QUESTIONS ON NOTICE**

**QUESTION: P13**

SENATOR CARR:

1. Is performance pay available under your department's certified agreement?

**Answer:** The department's current certified agreement does not contain provisions for employees to receive performance-based pay.

2. If so how many staff in your Department/Agency are eligible for performance based pay?

**Answer:** N/A

3. Please provide a breakdown of performance pay awarded for this financial year to date including the following details:

(a) How many staff have received performance pay?

(b) What levels are those staff at?

(c) What gender, a breakdown please?

(d) How much has each staff member received?

(e) When did they receive it?

(f) What was the rationale for the awarding of performance pay in each instance?

(g) Did the Department/Agency head receive performance pay?

(h) How much?

(i) When?

(j) On what grounds?

**Answer:** N/A

**QUESTION: P15**

SENATOR CARR:

1. What financial impact will the increased efficiency dividend have on your Department/agency this financial year and in the out years?

**Answer:** The estimated efficiency dividend for 2005-06 increased from \$179,000 to \$224,000. The out years have increased by: \$45,000, \$46,000 and \$46,000.

2. The increase in the efficiency dividend was announced in last year's elections, what plans have you made to meet it?

**Answer:** No plans have been made.

3. What will this mean for staff numbers?

**Answer:** It is too early to assess whether this will ultimately impact staff numbers.

4. Will any specific programs be cut? Please specify which ones and the size of the estimated savings?

**Answer:** No programs are to be cut at this stage.

5. Will any core functions be affected by these savings measures?

**Answer:** No core functions are to be affected at this stage.

6. How will meeting the efficiency dividend affect your graduate recruitment plans?

**Answer:** The department does not anticipate any effects on graduate recruitment plans.

7. How will meeting the efficiency dividend affect your ability to retain experienced staff?

**Answer:** The ability to retain experienced staff is affected by a range of factors, of which the increased efficiency dividend is one. At this stage it is too early to assess how significant this element will be to staff retention.

**QUESTION: P17**

SENATOR CARR:

1. How many staff are covered by AWAs in your department?

**Answer:** Six employees are covered by an AWA.

2. Can you provide a breakdown of AWAs by gender and by classification?

**Answer:**

Females – 3 (1xSES Band 2, 2xSES Band 1)

Males – 3 (2xSES Band 1, 1xSenior Adviser in the President's Office)

3. Can you tell me how many of the staff on AWAs are paid more than the band for their classification under the certified agreement?

**Answer:** The classification of Senior Executive Service (SES) officers is not included in the certified agreement. No SES staff are paid more than the band for their classification.

4. Why were these staff not simply promoted to a higher classification?

**Answer:** N/A

**QUESTION: P20**

SENATOR CARR:

1. In respect of the Department of the Senate and the Department of Parliamentary Services and its predecessor departments, can details along the lines of the notice 1577 (23 June 2003) concerning overseas travel by the secretary and each senior executive from the period 1 June to date, and where a spouse or partner accompanied the officer, the costs paid out of Departmental funds for the spouse or partner?
2. Can details be provided on the same basis and over the same period for officers below SES level, including departmental costs of any accompanying spouse or partner?

**Answer:** A question which seeks similar information has been lodged by Senator Carr as a question on notice (No. 966) in the Senate. A copy of the answer to that question is attached. (See Attachment A).

**QUESTION: P22**

SENATOR LUDWIG:

1. What amount did the Department spend during the financial year 2004/2005 on outsourced legal practitioners (including private firms, individuals, the Australian Government Solicitor, and any others)?

**Answer:** \$109,287 (to 16 June 2005). (This includes the honoraria for the advisers to the two legislative scrutiny committees).

2. What was the budgeted amount for outsourced legal practitioners in 2004/2005?

**Answer:** There was no specific budget for legal expenses. It is a small component of the department's budget.

3. What amount did the Department spend on internal legal services? (Provide an estimate if exact amount is unavailable.)

**Answer:** Nil

4. Does the Department have an in-house legal section? If so, what was the 2004/2005 actual cost of this section? What was the budgeted amount for this section in 2004/2005? What is the budget amount for this section in 2005/2006?

**Answer:** No

5. What is the total projected expenditure on legal services for 2005/2006 for the Department?

**Answer:** No projection is available. Services are procured on an 'as required' basis. In relation to the legal advice provided to the legislative scrutiny committees, this is expected to come to about \$100,000.

6. Which organisations or individuals were contracted to provide legal services to the Department in 2004/2005?

**Answer:** Australian Government Solicitor (the department), Professor J Davis and Professor S Bottomley (the legislative scrutiny committees).

7. In each instance, how much was each organisation or individual paid for these services?

**Answer:**

Australian Government Solicitor - \$11,113.50 (Ex GST) –\$2335.00 and \$8778.50

Professor J Davis - \$30,479

Professor S Bottomley - \$67,694

8. Does the Department use an open tendering or select tendering process (as described in the Commonwealth Procurement Guidelines, p 42) when procuring legal services?

**Answer:** If expected expenditure were to be greater than \$80,000 an open tender process would be conducted.

9. If a select tendering process is used: (a) which method of select tendering is used and (b) which firms or individuals are currently eligible to tender for legal services?

**Answer:** N/A

10. If a multi-use list is used: (a) which firms or individuals are currently on that list and (b) when was the list last opened for applications?

**Answer:** N/A

11. In 2004/2005 did the Department obtain any legal services using a direct sourcing procurement process? If so, provide details including the name of the provider, the work involved and the cost?

**Answer:**

Australian Government Solicitor - Personnel legal advice - \$11,113.50 (Ex GST)

Professor J Davis – legal advice to scrutiny committees - \$30,479

Professor S Bottomley – legal advice to scrutiny committees - \$67,694

12. In 2004/2005 did the Department procure any legal services under the thresholds required for 'covered procurements' (within the meaning of 8.6 of the Commonwealth Procurement Guidelines)? If so, provide details including the name of the provider, the work involved and the cost.

**Answer:** Yes, see answer 11 above.

13. In 2004/05 did the Department contract any legal firms to provide services other than legal services (such as consulting, conduct of policy reviews etc)? If so, provide details including the name of the firm, the project involved and the cost of the contract.

**Answer:** No

**QUESTION: P24**

SENATOR LUDWIG:

Regarding the employees that your department has identified as having:

- (a) fluency
- (b) accredited translator
- (c) accredited interpreter

please indicate what the department is doing in order to make full use of its employees skills in this regard, and please provide a breakdown of this between employees whose accreditation was paid by the department and those whose were not.

**Answer:** Not applicable. The department has not identified employees fluent in languages, or with accredited translator or interpreter skills.

**SENATE QUESTION 966**

**Senator Carr asked the President of the Senate:**

**ATTACHMENT A**

Can details be provided on the same basis as asked for in question on notice no.1577 of 24 June 2003 concerning overseas travel by: (a) the secretary and each senior executive service (SES) officer or SES-equivalent officer for the period 1 June 2003 to 31 May 2005, and in each case, where a spouse or partner accompanied the officer, the costs paid out of departmental funds for the spouse or partner; and (b) officers below the SES level, including departmental costs of any accompanying spouse or partner.

**Answer:**

(a) The Clerk of the Senate (secretary of the Department of the Senate) did not undertake any official overseas travel between 1 June 2003 and 31 May 2005.

Official overseas travel undertaken by SES officers of the Department of the Senate - 1 June 2003 to 31 May 2005:

<b>Dates</b>	<b>Name</b>	<b>Purpose</b>	<b>Total Cost</b>
27 Jun - 5 Jul 2003	Miss A Lynch Deputy Clerk	34 Presiding Officers and Clerks' Conference - Tonga	\$4,735.32
9 - 19 Dec 2003	Ms A Griffiths Secretary of Delegation	Parliamentary Delegation to Japan and the Republic of Korea	\$9,325.05
17 Jul - 1 Aug 2004	Ms A Griffiths Usher of the Black Rod	Meetings with Congressional staff in Washington / attend Commonwealth Serjeant-at-Arms Professional Development Conference, House of Commons, Westminster	\$11,881.20
23 - 27 Jan 2005	Miss A Lynch Deputy Clerk	2005 Biennial Clerks' Meeting - New Zealand	\$2,970.03
16 Apr - 3 May 2005	Mr J Vander Wyk Secretary of Delegation	Parliamentary Delegation to Russia and Italy	\$13,086.76
		<b>TOTAL</b>	<b>\$41,998.35</b>

There was no expenditure on spouse accompanied travel.

## SENATE QUESTION 966

(b) Official overseas travel undertaken by non-SES officers of the Department of the Senate - 1 June 2003 to May 2005:

Dates	Name	Purpose	Total Cost
24 Sep - 3 Oct 2003	Mr N Bessell Secretary of Delegation	Parliamentary bilateral visit - Latvia IPU Assembly - Geneva	\$15,720.65
8 - 23 Nov 2003	Ms R Ferranda Secretary of Delegation	Parliamentary delegation to Thailand, Vietnam and Cambodia	\$13,791.78
6 - 19 Dec 2003	Ms S Patience Secretary of Delegation	Parliamentary delegation to Indonesia and Papua New Guinea	\$9,170.53
18 April - 9 May 2004	Ms H Donaldson Secretary of Delegation	Parliamentary delegation to the European Institutions and France	\$17,945.36
15 -26 Apr 2004	Mr N Bessell	IPU Assembly - Mexico City	\$14,779.93
2 - 14 May 2004	Secretary of Delegation "	Canadian Parliamentary Study Program	
27 Jun - 11 Jul 2004	Mr N Bessell Secretary of Delegation	Parliamentary bilateral visit to Ukraine and Bulgaria	\$12,989.98
11 Jul - 24 Jul 2004	Mr A Sands Secretary of Delegation	Parliamentary delegation to Mozambique and Kenya	\$14,914.75
31 Mar - 15 Apr 2005	Mr N Bessell Secretary of Delegation	IPU Assembly - Manila / Parliamentary bilateral visit - Solomon Islands	\$12,153.12
1 - 6 May 2005	Mr O Walsh Secretary of Delegation	Australian-New Zealand Committee Exchange	\$2,398.22
10 May - 3 June 2005	Ms A Garnett A/g Ass. Director, PEO	Environmental Education Association of Southern Africa Conference in Zambia	\$6,500.00
		<b>TOTAL</b>	<b>\$120,364.32</b>
		<b>TOTAL of (a) and (b)</b>	<b>\$162,362.67</b>

^ Combined costs Mexico City and Canada

\* Estimates only - all invoices have not been received at the time of answering question

There was no expenditure on spouse accompanied travel.

The above tables do not include the Senior Adviser to the President, a MOPS Act employee (SES equivalent) lent. That officer's travel costs, together with all departmental travel costs, are tabled by program/output group each financial year.