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Senate Finance and Public Administration Legislation Committee

Answer to Questions on Notice (PM 68)

Prime Minister and Cabinet Portfolio

Commonwealth Ombudsman

Budget Estimates 2005-06 – May 2005

Question on Notice from Senator Ludwig:

1. Regarding the employees that your Department or Agency has identified as having:
 - a) Fluency
 - b) Accredited translator
 - c) Accredited interpreter
2. Of these employees, 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 for by the department and those whose were not?

Answer:

1. This Office does not pay for accreditation of staff. One employee is paid a community allowance for utilising language skills in Chinese.
2. The employee is utilised in outreach activities with the Chinese community and in dealing with enquiries and straightforward complaints about Australian Government agencies received from Chinese speaking people who do not have good English language skills.

We are currently developing a register of staff who are fluent in a language other than English to assist, where feasible, in particular community outreach events or to help out in particular language situations.

Senate Finance and Public Administration Legislation Committee

Answer to Question on Notice (PM 76)

Prime Minister and Cabinet Portfolio

Commonwealth Ombudsman

Budget Estimates 2005-06 – May 2005

Question on Notice from Senator Ludwig:

Legal services expenditure

1. What amount did the Agency spend during the financial year 2004/05 on outsourced legal practitioners (including private firms, individuals, the Australian Government Solicitor, and any others)?
2. What was the budgeted amount for outsourced legal practitioners in 2004/05?
3. What amount did the Agency spend on internal legal services? (Provide an estimate if exact amount is unavailable.)
4. Does the Agency have an in-house legal section? If so, what was the 2004/05 actual cost of this section? What was the budgeted amount for this section in 2004/05? What is the budget amount for this section in 2005/06?
5. What is the total projected expenditure on legal services for 2005/06 for the Agency?
6. Which organisations or individuals were contracted to provide legal services to the Agency in 2004/05?
7. In each instance, how much was each organisation or individual paid for these services?
8. Does the Agency use an open tendering or select tendering process (as described in the Commonwealth Procurement Guidelines, p42) when procuring legal services?
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?
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?
11. In 2004/05, did the Agency 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?
12. In 2004/05 did the Agency 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.
13. In 2004/05 did the Agency 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:

1. Expenditure in 2004/05 on outsourced legal practitioners was \$41,200.
2. The budgeted amount for outsourced legal practitioners in 2004/05 was \$44,000.
3. Expenditure on internal legal services in 2004/05 was \$136,600.
4. The Office has an in-house legal section. The actual cost of the legal section in 2004/05 was \$136,600. The budgeted amount for the legal section in 2004/05 was \$207,200. The budgeted amount for the legal section in 2005/06 is \$248,200.
5. The total projected expenditure on legal services for 2005/06 for the Office is \$296,200.
6. The Australian Government Solicitor provided legal services to the Office in 2004/05.
7. The Australian Government Solicitor was paid the following:

Federal Court/Administrative Appeals (3 discrete cases)	\$9,400
Development of contracts/tendering (5 discrete tasks)	\$31,800
8. The Office has not used a tendering process. Legal services were engaged in 2004 and fall under the July 2004 Commonwealth Procurement Guidelines. As transactions were generally discrete and low value, direct sourcing has been the most efficient and reasonable method of procurement under these circumstances.
9. Not applicable.
10. Not applicable.
11. See answers to questions 6 and 7.
12. All external legal services were procured under the 'covered procurement' threshold (within the meaning of 8.6 of the Commonwealth Procurement Guidelines).
13. Not applicable.

Senate Finance and Public Administration Legislation Committee

Answer to Question on Notice (PM 84)

Prime Minister and Cabinet Portfolio

Commonwealth Ombudsman

Budget Estimates 2005-06 – May 2005

Question on Notice from Senator Ludwig:

Performance pay

1. Is performance pay available under your department/agencies certified agreement?
2. If so, how many staff in your Department/Agency are eligible for performance based pay?
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:

1. Performance pay is not available under our Office's certified agreement.

Senate Finance and Public Administration Legislation Committee

Answer to Question on Notice (PM 92)

Prime Minister and Cabinet Portfolio

Commonwealth Ombudsman

Budget Estimates 2005-06 – May 2005

Question on Notice from Senator Carr:

Efficiency dividend

1. What financial impact will the increased efficiency dividend have on your Department/Agency this financial year and in the out years?
2. The increase in the efficiency dividend was announced in last year's elections, what plans have you made to meet it?
3. What will this mean for staff numbers?
4. Will any specific programs be cut? Please specify which ones and the size of the estimated savings?
5. Will any core functions be affected by these savings measures?
6. How will meeting the efficiency dividend affect your graduate recruitment plans?
7. How will meeting the efficiency dividend affect your ability to retain experienced staff?

Answer:

1. The financial impact of the increased efficiency dividend in the financial year and outyears is as follows:

2005/06	-\$27,000
2006/07	-\$54,000
2007/08	-\$82,000
2008/09	-\$82,000
2. The efficiency dividend will be met by reductions in staffing.
3. Two to three staff positions will be lost over this financial year and the outyears.
4. No specific programs will be cut over the next four years.
5. There will be some impact on core functions over the next four years.
6. The Office has no graduate recruitment plans.
7. The efficiency dividend is expected to have minimal impact on retention of experienced staff over the next four years.

Senate Finance and Public Administration Legislation Committee

Answer to Question on Notice (PM 100)

Prime Minister and Cabinet Portfolio

Commonwealth Ombudsman

Budget Estimates 2005-06 – May 2005

Question on Notice from Senator Carr:

AWAs

1. How many staff are covered by AWAs in your Agency/Department?
2. Can you provide a breakdown of AWAs by gender and by classification?
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?
4. Why were these staff not simply promoted to a higher classification?

Answer:

1. Five (5) staff are covered by AWAs in our Office.
2. There are 3 x SES Band 1 (2 x Female, 1 x Male), 2 x EL2 (2 x Female).
3. Two staff.
4. Promotion was not appropriate in each case.