

Senate Finance and Public Administration Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Finance and Administration Portfolio

Department of Finance and Administration

Estimates 2004-05 – Supplementary written questions November 2004

Question: F1(1-6)

Outcome: Australian Electoral Commission

Topic: Procurement

Written Question on Notice: 30 November 2004

Senator Murray asked:

1. When did the Department last update its procurement policy documentation?
2. What mechanisms does the Department have in place to ensure its procurement guidelines reflect current policy in relation to government procurement?
3. Do the Department's current procurement guidelines refer to all of the following accountability mechanisms?
 - The Senate order for departmental and agency contracts;
 - The Department of Finance and Administration's February 2003 *Guidance on Confidentiality of Contractors' Commercial Information*; and
 - The Commonwealth Procurement Guidelines (CPGs)?
4. Do the Department's tender documentation and contract templates include the following elements:
 - a statement outlining the various Commonwealth accountability requirements;
 - a consistent definition of confidential information across all templates;
 - a provision for the inclusion of specific reasons justifying why a tenderer may wish to protect certain information in the contract if awarded;
 - a section that outlines the obligations of confidentiality after the contract has been awarded;
 - a more detailed outline, with the general non-disclosure clauses, of the exceptions to confidentiality obligations for Commonwealth contracts; and
 - the model contract clauses, given in DOFA's February 2003 *Guidance on Confidentiality of Contractor's Commercial Information*?

5. At page 51 of ANAO Audit Report No. 10 2004-2005, *The Senate Order for Departmental and Agency Contracts (Calendar Year 2003 Compliance)*, the ANAO has concluded that all FMA agencies would benefit from implementation of contract training courses, or a review of current courses, to ensure that the Senate order requirements are adequately covered and that procurement staff receive relevant DOFA guidance.

What training does the Department currently have in place for procurement staff?

6. Does this training cover the requirements of the Senate order for departmental and agency contracts and refer to DOFA's February 2003 *Guidance on Confidentiality of Contractor's Commercial Information*?

Answer:

I am advised as follows:

1. The last update to procurement policy documentation was in February 2004.
2. The AEC has an established Contracts and Procurement Advisory Unit to ensure its procurement guidelines reflect current policy in relation to government procurement.
3. Yes
4. Yes
5. The AEC's Contracts and Procurement Advisory Unit develops and delivers a national training program for its procurement officers annually. In addition, on-going training is provided when considered necessary.
6. Yes