

Estimates 2004-05 — Supplementary written questions November 2004

Questions on Notice Index—Finance and Administration Portfolio

QON No.	Department / agency	Senator	Hansard reference	Question (use the bookmarks to go directly to the question text)	Comments
F1	All*	Murray	Written 30-11-04	Order for departmental and agency contracts	Answers received: Finance 1/2/05 CSS 1/2/05 PSS 1/2/05 AEC 1/2/05 ComSuper 1/2/05 CGC 14/2/05
F2	Finance	Murray	Written 30-11-04	Order for departmental and agency contracts	Answered 1/2/05
F3	All*	Ludwig	Written 02-12-04	Multicultural / diversity issues	Answers received DOFA 14/2/05 CSS/PSS 14/2/05 ComSuper 14/2/05 CGC 14/2/05 AEC 6/4/05

* All refers to each department and agency within the portfolio

Please note that answers are due on 31 January 2005

F1 – All departments and agencies within the portfolio

30 November 2004

Order for departmental and agency contracts

Estimates Questions on Notice – Senator Murray

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 contracting?
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 it 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*?

F2 – Finance

30 November 2004

**Senate F&PA Committee: Estimates Questions on Notice – Senator Murray
Department of Finance and Administration**

1. I refer the Department to ANAO Audit Report No.10 2004-2005, *The Senate Order for Departmental and Agency Contracts (Calendar Year 2003 Compliance)*. The report reflects ongoing deficiencies in agency accountability in relation to Government contracting. For example, the ANAO has concluded that:

Although the percentage of contracts appropriately listed is higher in this audit than in the previous five, the result continues to highlight the need, in contract negotiations, for rigorous application of the principle that, in order to provide transparency in Government contracting, contractors' information should not be protected unless there is a good reason to do so. (p.63)

What action is DOFA taking to embed understanding and application of this principle within agencies' contract negotiation procedures?

2. What mechanisms can be put in place to accelerate the changes required within agencies to ensure a culture of accountability in relation to Government contracting?

3. The agencies reviewed in ANAO Report No.10 2004-2005 were generally not in the practice of discussing confidentiality with potential contractors prior to contracts being entered into. This result echoes the findings of previous audits.

Would it be appropriate for DOFA to issue a Finance circular emphasising the confidentiality criteria to be considered by agencies during contract negotiations?

4. What other mechanisms can be put in place to ensure agencies consider confidentiality during contract negotiations?

5. ANAO Report No.10 2004-2005 indicates that prior to the audit, none of the selected agencies had implemented changes to their policy guidance documentation and tender and contract documentation to adequately reflect the new accountability environment.

What mechanisms can be put in place to ensure that all FMA Act agencies have appropriate, up-to-date procurement policy documentation and contract and tender documentation, incorporating the elements listed at pages 50-51 of the above ANAO report?

6. ANAO Report No.10 2004-2005 summarises the outcomes of a recent DOFA forum held with agency procurement staff. Which agencies were represented at the forum?

7. The ANAO report states one of the outcomes of the forum as follows:

The incorporation of policy guidance in APS Commission courses has been discussed with the APS Commission, with the result that mechanisms have now been agreed for ensuring that developments in procurement policy are reflected in APS Commission training materials.(p.52)

Please provide details of the mechanisms agreed.

F3 – All departments and agencies within the portfolio

2 December 2004

Senator Ludwig

FINANCE AND ADMINISTRATION PORTFOLIO

General

For all of the following questions, please answer with respect to both the Department and all agencies constituted under it.

- (1) For the each of the i) 1999-00, ii) 2000-01, iii) 2001-02, iv) 2002-03, v) 2003-04 financial years, did the Department include in its annual report a report on outcomes achieved for clients from diverse linguistic and cultural backgrounds?
- (2) If not, for the each of the i) 1999-00, ii) 2000-01, iii) 2001-02, iv) 2002-03, v) 2003-04 financial years, did the Department otherwise publish a report on outcomes achieved for clients from diverse linguistic and cultural backgrounds? (If yes, please supply report)
- (3) For the each of the i) 1999-00, ii) 2000-01, iii) 2001-02, iv) 2002-03, v) 2003-04 financial years, did the department budget for costs associated with developing culturally responsive and accessible services?
- (4) For the 2003-2004 financial year, how much did the department budget for this purpose?
- (5) For the each of the i) 1999-00, ii) 2000-01, iii) 2001-02, iv) 2002-03, v) 2003-04 financial years, how many Departmental programs or services were delivered via an intermediary service provider, such as another level of government or a non-government organisation?
- (6) Of these, in each financial year how many did the funding conditions in contracts specify relevant access and equity accountabilities (for example, collection and reporting of information on client characteristics)?
- (7) For each of these, is the provision a standard clause? If so, can the Department please supply the clause?
- (8) If there is no standard provision, is a copy of the provision available for each of these? Are the provisions subsequently audited? If yes, what were the results? (Please supply).
- (9) Can the Department provide a current list of each community information publication it publishes in English as at a) the current date (2, December 2004) or if this is unavailable b) 30 June, 2004 (and take from then to 2 December 2004 On Notice) or if this is unavailable c) 1 January 2004 (and take from then to 2 December 2004 On Notice) or if this is unavailable d) the last date for which they were available (specify date and take from then to 2 December 2004 On Notice)?
- (10) For the above list, what publications are translated into languages other than English and for each, what languages are they translated into?
- (11) For the above list, how many copies were printed?

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- (12) For the above list, what was the total cost of each document in translation, publication, printing and distribution?
- (13) What efforts has the Department made to identify employees from a non-English Speaking background and what languages they are fluent in?
- (14) What proportion of the Department's personnel have a non-English speaking background?
- (15) For each language other than English that the Department has identified employees with fluency, can the Department provide how employees were fluent? For each language other than English, how many were identified as being fluent?
- (16) Of these employees, what efforts has the department made to identify the language proficiency of these employees? For each language other than English, how many were identified as having proficiency?
- (17) Of these employees, how many has the Department identified as possessing accredited language skills to either translator or interpreter standard? For each language other than English, how many were identified as having accreditation at the a) translator and b) interpreter level?
- (18) Of these employees, how many has the Department funded in whole or in part accreditation of language skills to either a) translator and b) interpreter level?
- (19) How much did the department spend engaging language a) translator and b) interpreter level in each of the financial years i) 2001-02, ii) 2002-03, iii) 2003-04?
- (20) How many times did the department engage an a) translator and b) interpreter in each of the following years i) 2001-02, ii) 2002-03, iii) 2003-04?
- (21) For each language in which a) a translator and b) an interpreter was engaged, how many engagements occurred in each of the following years i) 2001-02, ii) 2002-03, iii) 2003-04?
- (22) What was the total cost of those engagements by language for a) translators and b) interpreters in each of the following years i) 2001-02, ii) 2002-03, iii) 2003-04?
- (23) For each of the financial years i) 1995-96, ii) 1996-97, iii) 1997-98, iv) 1998-99, v) 1999-00, vi) 2000-01, vii) 2001-02, viii) 2002-03, ix) 2003-04 how much was spent in advertising or advertorial in the ethnic press?
- (24) For each of the above years, could the Department please specify each title, in which advertising was bought, the language of that title and the total annual spend on advertising and advertorial in each title.
- (25) For each of the financial years i) 1995-96, ii) 1996-97, iii) 1997-98, iv) 1998-99, v) 1999-00, vi) 2000-01, vii) 2001-02, viii) 2002-03, ix) 2003-04 how much was spent in advertising and or advertorials on ethnic radio? For each financial year, could the Department please specify which station, broadcast language and how much was spent on each language at each station?
- (26) How many break-ins were there on Departmental property in 2000-01, 2001-02, 2002-03, 2003-04? For each incident:
a) what was the location and the cost of damage associated with each break in?

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- b) What was the cost of damage conducted during each break in?
 - c) What was the subject of theft in each break in?
 - d) What was the cost of any theft associated with each break in?
 - e) Was anyone charged with the break in (specify if they were employed by the Department)?
 - f) Was anyone convicted of the break in (specify if they were employed by the Department)?
- (28) How many thefts of departmental property occurred in 2000-01, 2001-02, 2002-03, 2003-04? For each incident:
- a) What was stolen in each instance?
 - b) What was the value of the stolen item/s?
 - c) Where was it stolen from?
 - d) Was anyone charged with the theft (specify if they were employed by the Department)?
 - e) Was anyone convicted of the theft (specify if they were employed by the Department)?
 - f) Were any of the items recovered?
- (29) How many incidents of fraud were detected against the department in 2000-01, 2001-02, 2002-03, 2003-04? For each incident:
- a) What was the subject of the fraud in each instance?
 - b) What was the value of the fraud?
 - c) Which administrative unit was the subject of the fraud?
 - d) Was anyone charged with the fraud (specify if they were employed by the Department)?
 - e) Was anyone convicted of the fraud (specify if they were employed by the Department)?
 - f) Were any of the defrauded items or was any of the defrauded money recovered?
- (30) How many incidents of loss (excluding theft, accident, breakage and vandalism) of departmental property were reported to the department in 2000-01, 2001-02, 2002-03, 2003-04? For each incident:
- a) What was the loss in each instance?
 - b) What was the value of the loss?
 - c) Which administrative unit lost the property?
 - d) Were any of the lost item/s recovered?
 - e) Was anyone disciplined over the loss?
- (31) How many vehicular accidents in which departmental vehicles (including vehicles leased by the department) were involved were reported to the department in 2000-01, 2001-02, 2002-03, 2003-04? For each incident:
- a) What was the value of the damage?
 - b) Which administrative unit was the vehicle attached to?
 - c) Was anyone charged over the accident (specify charges)?
- (32) How many Ministerial staff does the department provide?
- (33) To what Minister or Parliamentary Secretary are they assigned?

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- (34) What is the total cost of these staff?
- (35) Can the Department provide data on how many staff are in each salary band?