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Senate Finance and Public Administration Legislation Committee

Answers to Questions on Notice (PM 1 and PM4)

Prime Minister and Cabinet Portfolio

Commonwealth Ombudsman

In lieu of Supplementary Estimates 2004-05 – November 2004

Question on Notice from Senator Murray:

Question PM1–1:

When did the Department last update its procurement policy documentation?

Answer: Documentation is currently being reviewed to incorporate the revised procurement policy based on the revised Department's chief executive instructions.

Question PM1–2:

What mechanisms does the Department have in place to ensure its procurement guidelines reflect current policy in relation to government contracting?

Answer: In December 2004, the Australian Government Solicitor amended the office's tendering guidelines, the Request For Tender (RFT) template and contract template to reflect current policy in relation to government contracting.

Question PM1–3:

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*;
- The Commonwealth Procurement Guidelines?

Answer: Yes

Question PM1–4:

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 is 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 the Commonwealth contracts; and
- The model contract clauses, given in DoFA's February 2003 *Guidance on Confidentiality of Contractor's Commercial Information*?

Answer: Yes

Question PM1-5:

At page 51 of the ANAO Audit Report No. 10 2004-05, *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?

Answer: Procurement staff attend the Australian Public Service Commission (APSC) courses on tendering and contract management . An in-house seminar on tendering cases was provided to regional managers in September 2004.

Question PM1-6:

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: The APSC procurement courses cover the requirements of the Senate order for departmental and agency contracts and DoFA's February 2003 *Guidance on Confidentiality of Contractor's Commercial Information*.

Question on Notice from Senator Ludwig:

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

Question PM4-1:

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?

Answer: No

Question PM4-2:

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)

Answer: No

Question PM4-3:

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?

Answer: Not specifically, but see answer to Questions PM4-9 to PM4-26, relating to multilingual information.

Question PM4-4:

For the 2003-2004 financial year, how much did the department budget for this purpose?

Answer: \$2,400 for translations and interpreting.

Question PM4-5:

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?

Answer: None

Question PM4-6:

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)?

Answer: Not applicable—see answer to Question PM4-5.

Question PM4-7:

For each of these, is the provision a standard clause? If so, can the Department please supply the clause?

Answer: Not applicable—see answer to Question PM4-6.

Question PM4-8:

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).

Answer: Not applicable—see answer to Question PM4-6.

Question PM4-9:

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)?

Answer: Current community information publications on the office's services published in English are:

- Making a complaint to the Ombudsman
- Making a complaint about a Commonwealth Government agency [English text for multilingual brochures]
- Commonwealth Ombudsman Client Service Charter

Question PM4–10:

For the above list, what publications are translated into languages other than English and for each, what languages are they translated into?

Answer: The 'Making a complaint about a Commonwealth Government agency' brochure is published in accessible formats from the Ombudsman's website and translated into 27 community languages. Available languages are Albanian, Amharic, Arabic, Bosnian, Cambodian, Chinese (simplified and traditional), Croatian, Dari, Farsi/Persian, Filipino, Greek, Hindi, Bahasa Indonesian, Italian, Korean, Lao, Macedonian, Pashtu, Polish, Russian, Serbian, Sinhalese, Somali, Spanish, Turkish and Vietnamese.

Question PM4–11:

For the above list, how many copies were printed?

Answer: On average 3,000 copies of each brochure were printed.

Question PM4–12:

For the above list, what was the total cost of each document in translation, publication, printing and distribution?

Answer: The average cost to translate and print was \$928.84 per language. Distribution costs are not readily available as mailing was included in general postage costs.

Question PM4–13:

What efforts has the Department made to identify employees from a non-English Speaking background and what languages they are fluent in?

Answer: On commencement of employment with the Office, staff are asked to complete information on their country of birth, first language and other language(s), and the country of birth of their mother and father. Provision of this information is not mandatory.

Question PM4–14:

What proportion of the Department's personnel have a non-English speaking background?

Answer: Based on information provided by employees on their country of birth, an estimated 9% of employees have a non-English speaking background.

Question PM4–15:

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?

Answer: Cantonese: 1 employee; German: 3; Spanish: 1; Croatian: 2; Vietnamese: 1; Polish: 2; Italian 2; Not specified: 5.

Question PM4–16:

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?

Answer: See answer to Question PM4–13.

Question PM4–17:

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?

Answer: One employee is paid a community allowance for utilising language skills.

Question PM4–18:

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?

Answer: None.

Question PM4–19:

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?

Answer: Costs per year for translator and interpreter services were:

- 2001–02: \$10,049.34
- 2002–03: \$21,671.13
- 2003–04: \$14,112.39

Question PM4–20:

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?

Answer: The office uses the Translating and Interpreting Service (TIS) on a regular basis to for interviews, and correspondence, with complainants who need assistance with English, but does record the number of uses.

Question PM4–21:

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?

Answer: The Translating and Interpreting Service was used for a number of languages, for example Albanian, Arabic, Bosnian, Chinese, Dari, Finnish, Greek, Hungarian, Italian, Pashtu, Persian, Tamil, Turkish and Vietnamese. The Office does not record the number of uses.

Question PM4–22:

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?

Answer: See answer to Question PM4–19.

Question PM4–24:

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?

Answer: Advertising and advertorial costs for years prior to 2000–01 cannot be obtained due to changes in recording and accounting procedures. The following applies for 2001–02 onwards:

2001–02: Nil
2002–03: Nil
2003–04: \$3,639.03

Question PM4–25:

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.

Answer:

- 2003–04: Philippine Times (Filipino) \$ 242.25
Neos Kosmos (Greek) \$ 421.74
Sing Tao (Chinese) \$ 494.21
Il Globo (Italian) \$ 767.03
Al Naher (Arabic) \$ 547.80
El Telegraph (Arabic) \$1166.00

Question PM4–26:

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?

Answer: The office did not pay for advertising or advertorials on ethnic radio for any of the specified financial years.

Question PM4–27:

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?
- 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)?

Answer: None

Question PM4–28:

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?

Answer: Two. See Answer to Question PM4-30.

Question PM4–29:

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?

Answer: None

Question PM4–30:

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?

Answer: Two incidents of loss were reported during the specified years:

2001–02:

- (a) One laptop computer was stolen when a break-in occurred at an employees home.
- (b) \$3,000 (which was claimed under the lease agreement insurance clause)
- (c) Sydney Regional Office
- (d) No
- (e) No

2003–04:

- (a) One laptop computer was stolen when a break-in occurred at an employees home.
- (b) \$3,000 (which was claimed under the lease agreement insurance clause)
- (c) Information Technology
- (d) No
- (e) No

Question PM4–31:

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)?

Answer: All vehicles are leased through LeasePlan. Data provided by LeasePlan.

2000–01

Three accidents.

- (a) \$1,505.68; \$633.9; \$2,664.02 (Total \$4,803.64)
- (b) National Office, Canberra; Sydney Office; Melbourne Office
- (c) Information not available.

2001–02

One accident.

- (a) \$835.94
- (b) National Office, Canberra
- (c) Information not available.

2002–03

Two accidents.

- (a) \$100.00; \$520.55 (Total \$620.55)
- (b) National Office, Canberra
- (c) Information not available.

2003–043

One accident.

- (a) \$6,666.76, of which all but \$90.00 was recovered from 3rd party.
- (b) National Office, Canberra
- (c) Information not available.

Question PM4–32:

How many Ministerial staff does the department provide?

Answer: The Commonwealth Ombudsman's office does not provide any Ministerial staff.

Question PM4–33:

To what Minister or Parliamentary Secretary are they assigned?

Answer: Not applicable – see answer to Question PM4–32.

Question PM4–34:

What is the total cost of these staff?

Answer: Not applicable — see answer to Question PM4–32.

Question PM4–35

Can the Department provide data on how many staff are in each salary band?

Answer: Not applicable — see answer to Question PM4–32.