

Finance and Public Administration Legislative Committee

ANSWERS TO QUESTIONS ON NOTICE

Prime Minister and Cabinet Portfolio

Australian Public Service Commission

Estimates 2004-05 – Supplementary Written Questions November 2004

Question: PM 1 – All - Australian Public Service Commission

Topic: *Order for departmental and agency contracts*

Hansard Page:

Senator Murray asked:

Question 1. When did the Department last update its procurement policy documentation?

Answer:

The APS Commission (Commission) maintains procurement and contracting policy and procedural advice in its Chief Executive Instructions (CEIs) and reference material on its intranet. The last major revision of the Commission's Chief Executive Instructions was in December 2002 and reference material is updated regularly. The Commission is presently undertaking a thorough review of its CEIs in anticipation of the commencement of the revised Commonwealth Procurement Guidelines.

Question 2. What mechanism does the Department have in place to ensure its procurement guidelines reflect current policy in relation to government contracting?

Answer:

The Commission is represented at the Chief Finance Officer Forum and the Commonwealth Procurement Discussion Forum both hosted by Finance and corporate staff canvass material provided by the Department of Finance and Administration and the Australian National Audit Office.

Question 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) ?**

Answer:

The Commission's procurement guidelines and contracting resources refer to all of the accountability mechanisms listed in the Question.

Question 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*?**

Answer:

The Commission's tender documentation and contract templates include the elements listed in the question.

Question 5. What training does the Department currently have in place for procurement staff?

The Commission offered two in-house training programmes in 2004 for its staff involved in procurement. These were a half day course conducted by the Australian Government Solicitor's Office and attended by 26 staff and a one and a half day course conducted by Major Training Services attended by 13 staff.

The Major Training Services programme was accredited, with participants able to undertake formal assessment and receive a Statement of Attainment for the unit "Procure Goods or Services" which can be used for credit towards a Certificate IV in Government (Procurement and Contracting). Nine staff sought accreditation.

Similar training is planned for 2005. For those staff involved in complex procurement this training may be supplemented by attendance at public training opportunities on government contracting and tendering.

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

Answer:

Yes