

Senate Finance and Public Administration Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Prime Minister and Cabinet Portfolio

Department of the Prime Minister and Cabinet

Estimates Hearings 2004-2005, Supplementary written questions November 2004

Question: PM 1.

Topic: Departmental Procurement Policy

Hansard Page: Written 30 November 2004:

Senator Murray asked:

(1) When did the department last update its procurement policy documentation?

Answer: The departmental Chief Executive Instructions (CEI's) that relate to procurement have been reviewed and updated in December 2004 to reflect the new Commonwealth Procurement Framework and the Commonwealth Procurement Guidelines that were issued in December 2004 and came into effect on 1 January 2005.

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

Answer: Departmental staff attend the Commonwealth Procurement Forum facilitated by the Department of Finance and Administration to ensure changes to procurement policy are incorporated in a timely fashion. The department updates the CEI's and operational guidelines whenever changes in government procurement policy are advised by the Department of Finance and Administration.

(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 DOFA February 2003 Guidance on Confidentiality of Contractors' Commercial Information; and**
- **The Commonwealth Procurement Guidelines (CPGs)**

Answer: Yes.

(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 tender 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?**

Answer: Yes.

(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?

Answer: The Department has initiated a number of procurement training strategies. These have included Executive briefings, procurement staff information sessions and facilitation of distribution of procurement related information via email and hardcopy to staff with procurement responsibilities. Briefing sessions for staff on the implications of the new Commonwealth Procurement Guidelines have been scheduled for early February 2005. Costs for gaining formal qualifications in government procurement are corporately funded and staff with procurement responsibilities are encouraged to gain a formal qualification or have their existing skills and experience formally recognised.

(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: Yes.