

**SENATE FINANCE AND PUBLIC ADMINISTRATION LEGISLATION COMMITTEE  
BUDGET ESTIMATES 2005-06 (OCTOBER 2005)  
DEPARTMENT OF THE SENATE**

**ANSWERS TO QUESTIONS ON NOTICE**

**QUESTION: P11**

SENATOR MURRAY:

1. What guidance is provided to staff with responsibilities for contract negotiations specifically about the requirements of the Senate Order? If relevant guidance is not provided, please explain why this is the case.

**Answer:** The department's Clerk's Instructions and Financial Management Guidelines provide guidance on the various relevant procurement thresholds and the consequential accountability requirements, including the requirements of the Senate Order.

2. What training and awareness sessions are provided, either in-house or through other training providers (e.g. DOFA, APS Commission or private firms) in respect of the Order? Please provide a list of the dates, the identity of the training providers and the content of the training that staff attended in 2005. If training and awareness sessions are not provided, please explain why this is the case.

**Answer:** No training and awareness sessions were provided in respect of the Order. The area within the department that is responsible for maintaining the Clerk's Instructions and Financial Management Guidelines is also responsible for preparing the response to the Senate Order and for advising all other areas within the department on procurement more generally.

3. Has the department/agency revised its procurement guidelines to incorporate the new Commonwealth Procurement Guidelines that took effect from 1 January 2005, particularly with respect to the confidentiality elements contained in those guidelines? If so, when did this occur and can a copy be provided? If not, what is the cause of the delay and when will the revision occur?

**Answer:** The Clerk's Instructions and Financial Management Guidelines were revised and issued in December 2004 to take account of the new Commonwealth Procurement Guidelines.

4. ANAO audits for the last three years have revealed a consistently low level of compliance across most agencies with DOFA confidentiality criteria (February 2003) for determining whether commercial information should be protected as confidential. The ANAO's latest report on the Order (No. 11 2005-2006, September 2005) states that departments and agencies need to give higher priority with this important requirements of the Senate Order.

- What specific measures have been or will be taken to address this problem, give it higher priority and raise compliance levels?

- What guidance and training are provided to staff about the confidentiality criteria and the four tests employed to determine whether information should be protected?
- What internal auditing or checking is performed to test compliance in this area? If none is performed, why not and is the agency considering the adoption of internal controls and checks?

**Answer:** The department does not have a problem in this area. As a general rule, the department does not include confidentiality clauses in its contracts. The department is about to enter a contract for the provision of travel services with the other two parliamentary departments where a confidentiality clause will apply specifically to the unit cost of the services provided only.

5. What problems, if any, has the agency and/or relevant staff experienced in complying with the Senate Order? What is the nature and cause of any problems? What measures have been, or could be, adopted to address these concerns?

**Answer:** The department has not experienced any problems in complying with the Senate Order.