

LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

WRITTEN QUESTION

Mrs Finocchiaro to the Chief Minister, Treasurer, Minister for Major projects and Territory Economic Reconstruction, Minister for Strategic Defence Relations – for all agencies falling under the Chief Minister's, Treasurer's and Minister's portfolios.

AGENCY ADMINISTRATION

Notes:

The following questions can be answered from existing Agency data as at 31 March 2021. Please include a note if a response is affected by Machinery of Government changes following the General Election in August 2020.

You have previously referred questions requiring a Whole of Government response to the Minister responsible at a time that enables a response within the same timeframe as the remainder of the questions.

Further, you have previously inserted the question at the beginning of each answer.

My Office would be very grateful if these practices are continued.

STAFFING

1. (a) Please advise the number of staff employed in the following categories as at 31 March 2021:

Category	Number
Total Full Time Equivalent	30.8
<i>Break-up:</i>	
1. Ongoing Full Time	27.8
2. Ongoing Part Time	
3. Fixed Term Full Time	1
4. Fixed Term Part Time	
5. Casual Contract	
6. Executive Contract	2

(b) Please provide, **for each of the six categories above:**
the relevant position classifications and the number of staff employed
against each classification.

Classification	Number
AO4	1
AO5	3
AO6	5
AO7	11.97
SAO1	2
SAO2	4.83
SP2	1
EO3	1
ICAC	1
Total	30.8

2. Please advise the number of staff held against the following categories
as at 31 March 2021.

Category	Number
Resigned	3
Made Redundant	-
Terminated	-
Unattached	-
Classified Redeployee	-
Supernumerary	3*

*includes one temporary position employed based on a project relating to
migration of information to the new case management system.

3. Please advise the number of staff who identify as Aboriginal and Torres
Strait Islander as at 31 March 2021.

Category	Number
Aboriginal and Torres Strait Islander	2

4. (a) Please advise the number of Frontline staff as FTE as at 31 March 2021
and as a percentage of the Agency total employment.

Category	Number	Percentage of Total Staff
Frontline	25.83	84%

(b) Please advise how the Agency determines which staff fall under the category of Frontline.

The Office of the Independent Commissioner Against Corruption considers staff employed within the below business units as frontline staff as they are involved in frontline functions such as delivering information sessions, handling the acceptance and assessments of reports, interviewing witnesses and participation in the conduct of examinations.

Business Unit	Number
Executive (including the ICAC)	5
Prevention and Engagement	2.83
Assessments	8
Investigations	10
Total	25.83

5. Please advise how many staff have been engaged through employment agency arrangements, for what purpose, for what duration and at what cost as at 31 March 2021. Please use the table format presented below for your response.

For the period 1 July 2020 to 31 March 2021, the Office of the Independent Commissioner Against Corruption (OICAC) had no staff members engaged through employment agency arrangements.

6. Please advise how many **locums** have been employed, for what purpose, for what duration and at what cost as at 31 March 2021. Please use the table format presented below for your response.

Not applicable to the Office of the Independent Commissioner Against Corruption.

7. (a) How many positions were advertised during the period 1 July 2020 to 31 March 2021?

The Office of the Independent Commissioner Against Corruption advertised 12 positions during the period 1 July 2020 to 31 March 2021.

(b) Of the total number advertised above, how many positions had Special Measures applied?

Special Measures were not applicable to any of the 12 positions advertised by the Office of the Independent Commissioner Against Corruption during the period 1 July 2020 to 31 March 2021. A special measures plan specific for the office was implemented on 1 March 2021, giving priority consideration for Aboriginal Applicants for designated positions advertised in the future. The plan is valid until 1 March 2023.

(c) Please break down the levels of positions that had Special Measures applied.

Not applicable per response to Question 7(b).

OUTSOURCING

8. For the period 1 July 2020 to 31 March 2021, detail any decision(s) to outsource, contract out or privatise functions that have traditionally been carried out by the Agency.

Is consideration being given to outsource, contract-out or privatise in financial year 2021/22? If so, provide details.

In accordance with section 5(2) of the Procurement Act 1995 (the Act), the Office of the Independent Commissioner Against Corruption has an exemption from the need to comply with the Act in relation to the acquisition of investigative, legal and audit services. Details of outsourced services relating to these categories will not be disclosed to ensure the office maintains confidentiality and security, and protects the office's operational methodology.

Outsourcing of legal services which includes counsel assisting the Commissioner during examinations is considered best practice as external legal opinion provides evidence of objectivity. The outsourcing of investigative services to external contractors procured by the office, assists in managing conflict of interests that may arise, whilst also providing support to the capacity of existing employee resources.

It is anticipated that investigative, legal and audit services will continue to be outsourced in 2021/22 if necessary or as required.

LEGAL EXPENSES

9. What has been the expenditure on legal advice or related expenses for the period 1 July 2020 to 31 March 2021? Provide details on:
- a) The matter(s) (designate which ones are finalised and which ones are ongoing)
 - b) The amount paid by matter
 - c) The amount paid to each outside legal firm or barrister engaged

In accordance with section 5(2) of the Procurement Act 1995 (the Act), the Office of the Independent Commissioner Against Corruption has an exemption from the need to comply with the Act in relation to the acquisition of investigative, legal and audit services. As legal services are included in these categories, details of such expenditure will not be disclosed to ensure the office maintains confidentiality and security, and protects the office's operational methodology.

Total expenditure for legal advice or related expenses for the period beginning 1 July 2020 and ending 31 March 2021 totaled \$299,784, primarily for the purpose of assisting the Commissioner during examinations. \$161,500 or 54% of total legal expenses are from contractors located within the NT. \$138,284 or 46% of legal expenses were from contractors interstate but sourced through existing across government contract for legal services or through procurement exemption mentioned above.

PROCUREMENT / CONSULTANCIES

10. For the period 1 July 2020 to 31 March 2021, please detail expenditure on each report and consultancy (excluding annual reports) that have been obtained from outside the NTPS. For each report/consultancy detail:
- a) Purpose
 - b) Cost
 - c) Person or entity engaged
 - d) Whether the person or entity has their principal place of business in the Northern Territory or elsewhere (if elsewhere, please provide the address of the principal place of business of the person or entity)
 - e) Whether a report has been tabled in the Legislative Assembly as a result of the report or consultancy
 - f) Outcomes or key performance indicators for the report or consultancy
 - g) Whether tenders or expressions of interest were invited prior to work on the report or consultancy being undertaken

In accordance with section 5(2) of the Procurement Act 1995 (the Act), the Office of the Independent Commissioner Against Corruption has an exemption from the need to comply with the Act in relation to the acquisition of investigative, legal and audit services. Details of such expenditure will not be disclosed to ensure the office maintains confidentiality and security, and protects the office's operational methodology.

The Office's total consultancy expenditure for the period beginning 1 July 2020 to 31 March 2021 was \$692,494. Majority of consultancies obtained by the Office are for investigative and legal services, which represents 95% or \$657,214 of total consultancies. Details of these services will not be disclosed.

Other consultancy incurred is outlined below, totalling \$35,280. None of the outcomes related to these services were required to be tabled to the Legislative Assembly. Some of the expenses incurred relate to contract awarded in the previous financial year.

Purpose	Cost	Business Entity	Entity address	Contract No.
Review ICAC Website	\$13,840	Captovate Pty Ltd	NT enterprise	20-0859
Strategic Risk Management	\$10,350	KPMG Australia	NT enterprise	Tier 1
Strategic Planning	\$7,677	L H & P Gouldson Partnership	The Angle, NSW	Across Government Contract
Technical assessment for ASIC database	\$3,413	Radical Systems Pty Ltd	NT enterprise	Tier 1
Total	\$35,280			

11. Please advise the number of contracts awarded to business entities with a principal place of business in the NT and outside the NT for the period 1 July 2020 to 31 March 2021 as follows:

Number in the NT	Number outside of the NT
8	1

The number of contracts above includes those that are exempt from the *Procurement Act 1995*, but excludes Tier 1 procurement and those where Across Government Contracts were utilised.

12. For each of the contracts awarded to business entities with a principal place of business outside the Northern Territory, please advise the selection criteria on the applicable contract or tender.

The one contract awarded outside the Northern Territory during the period 1 July 2020 to 31 March 2021 is exempt from the *Procurement Act 1995* and relates to legal services.

13. For Tier 3, Tier 4 and Tier 5 procurement activities, how many public tenders were advertised during the period 1 July 2020 to 31 March 2021?

There were no Tier 3, Tier 4 and Tier 5 procurement activities undertaken during the 1 July 2020 to 31 March 2021 period.

14. For Tier 3, Tier 4 and Tier 5 procurement activities, how many contracts or tenders were awarded without undertaking a public tender process during the period 1 July 2020 to 31 March 2021?

Not applicable as per response to question 12.

15. For each instance identified in the question above, where a public quotation process was not undertaken, including for those with a Certificate of Exemption:
- a) What is the description of the goods and services contracted?
 - b) What is the value of the goods and services contracted?
 - c) What was the reason for not using the public tender process or for requiring a Certificate of Exemption?
 - d) Who recommended the course of action in c) above?
 - e) Who approved the course of action in c) above?

Not applicable as per response to question 12.

FOCUS GROUPS / POLLING / SURVEYS

For the period 1 July 2020 to 31 March 2021:

16. Please detail expenditure on opinion polls and focus groups, including costs and entities that conducted the work.

The office had no expenditure on opinion polls and focus groups during the period.

17. Detail all surveys undertaken in relation to the focus groups and opinion polls above, including their, form, the cost and what inducements were provided to incentivize participation.

Not applicable per response to question 16.

18. Please provide copies of each survey and the results of each survey.

Not applicable per response to question 16.

COMMUNICATIONS AND MARKETING

19. Please detail expenditure on advertising and communications during the period 1 July 2020 to 31 March 2021.

For each advertisement for which an expense was incurred:

- a) What was the purpose / description of the advertisement?
- b) Who was the advertisement placed with, i.e. media outlet, newspaper, and television station or similar?
- c) What was the total production cost, including, but not limited to, design, commissions, and placement costs?
- d) Were tenders or expressions of interest called? If not, why not?

The Office of the Independent Commissioner Against Corruption incurred a total of \$729 in marketing expenditure, associated to the office's White Pages listing. No advertising expenses were incurred during the 1 July 2020 to 31 March 2021 period.

TRAVEL

20. Please provide the total expenditure and itemised details of travel, including, but not limited to travel-related costs such as accommodation, travel allowance, entertainment, car rental, meals and incidentals, in each Agency and authority during the period 1 July 2020 to 31 March 2021 broken down to:

- a) International Travel
- b) Interstate Travel
- c) Intrastate Travel

For the period beginning 1 July 2020 and ending 31 March 2021, the office undertook no international travel.

For the period beginning 1 July 2020 and ending 31 March 2021, the office incurred \$29,641 expenditure on interstate travel. This expenditure is broken down as follows:

Interstate travel expenses	Official travel (\$)	Client travel (\$)	31 March 2021 (\$)
Accommodation	4,458	8,533	12,991
Travel Fares *	11,800	927	12,727
Travel Allowance	2,732	-	2,732
Car Hire	-	768	768
Taxi Fares	366	57	423
Total	19,356	10,285	29,641

**Excludes travel booking fees*

For the period beginning 1 July 2020 and ending 31 March 2021, the office incurred \$2,871 expenditure on intrastate travel. This expenditure is broken down as follows:

Intrastate travel expenses	Official travel (\$)	Client travel (\$)	31 March 2021 (\$)
Accommodation	654	320	974
Travel Fares *	877	733	1,610
Travel Allowance	287	-	287
Car Hire	-	-	
Taxi Fares	-	-	
Total	1,818	1,053	2,871

**Excludes QBT booking fees*

21. In the case of international travel identified in response to the question above, please provide the purpose, itinerary, persons and costs involved in each trip.

Not applicable as no international travel was undertaken for the Office of the Independent Commissioner Against Corruption.

22. Please provide itemised details and costs of all travel undertaken by the Minister that was paid for by the Agency or authority, including travel on charters during the period 1 July 2020 to 31 March 2021.

Not applicable for the Office of the Independent Commissioner Against Corruption. Department of the Chief Minister will provide a response.

HOSPITALITY / FUNCTIONS AND EVENTS

23. Please provide full details of all official hospitality provided for the period 1 July 2020 to 31 March 2021.

In relation to each occasion where official hospitality was provided:

- a) What was the purpose of the hospitality?
- b) How many guests attended?
- c) How many Ministers attended?
- d) How many Ministerial staff attended?
- e) How many MLAs attended?
- f) How many Public Sector employees attended?
- g) What was the total cost incurred?

A total of \$3,029 was spent on hospitality expenses between the period beginning 1 July 2020 and ending 31 March 2021, primarily on light refreshments to sustain staff and legal counsel through examinations. Due to the hourly charges incurred for external counsel support during examinations, staff and contractors work through lunch to maximise time, and a light lunch is provided to sustain them through the work day.

The Office of the Independent Commissioner Against Corruption had no public service hospitality provided for the period 1 July 2020 to 31 March 2021.

GRANTS, DONATIONS AND INCENTIVES

24. Please detail expenditure on grants, donations and incentives paid by your Agency (including the recipient of each payment) during the period 1 July 2020 to 31 March 2021.

The Office of the Independent Commissioner Against Corruption had no expenditure relating to grants and donations during the period of 1 July 2020 to 31 March 2021.

25. Please detail the funds utilised to distribute awards and sponsorships in the period 1 July 2020 to 31 March 2021.

Not applicable as per response to question 25.

26. Indicate which awards and sponsorships were managed by Regional Offices. What is anticipated for the 2021/22 financial year?

Not applicable as per response to questions 25 and 44.

27. Please detail the amounts paid on grants, donations and incentives to non-Government organisations for the period 1 July 2020 to 31 March 2021, including to which organisation and the services to be provided?

Not applicable as per response to question 25.

MEDIA MONITORING SERVICES

28. Provide expenditure details on media monitoring services for the period 1 July 2020 to 31 March 2021 (including entities engaged and who utilises the service).

The Office of the Independent Commissioner Against Corruption transferred \$5,000 from its budget during the financial year ending 30 June 2020 and ongoing to Department of the Chief Minister and Cabinet to provide and manage media monitoring services on behalf of NT Government agencies.

INFRASTRUCTURE PROJECTS

29. How many projects have been submitted or are in the process of being submitted to Infrastructure Australia to be considered for the Infrastructure Priority List?

A whole-of-government response to Question 29 will be provided by the Minister for Infrastructure, Planning and Logistics.

30. Please provide details of newly committed projects for the period 1 July 2020 to 31 March 2021.

A whole-of-government response to Question 30 will be provided by the Minister for Infrastructure, Planning and Logistics.

31. Please provide details of contracts awarded to interstate firms, for what purpose, the cost and why a Territory firm was not chosen.

A whole-of-government response to Question 31 will be provided by the Minister for Infrastructure, Planning and Logistics.

GOVERNMENT LEASED BUILDINGS

32. What is the total annual power bill of each Government building owned/leased/used by each Department for the period 1 July 2020 to 31 March 2021?

The Office of the Independent Commissioner Against Corruption incurred \$10,222 in power bill for the period 1 July 2020 to 31 March 2021.

33. What is the total annual leased space of each Government building used by each Agency/authority and at what cost for the period 1 July 2020 to 31 March 2021?

A whole-of-government response to Question 33 will be provided by the Minister for Corporate and Digital Development.

34. How much Government owned or leased premises or office space is currently under-utilised (at less than 100 per cent occupied) or vacant?

A whole-of-government response to Question 34 will be provided by the Minister for Corporate and Digital Development.

FEES AND CHARGES

35. Please detail the statutory or legislative fees and charges levied by your Agency/authority, the revenue raised in the 2020/21 financial year and whether any of these fees and charges was increased following the passage of the 2020/21 financial year budget.

The Office of the Independent Commissioner Against Corruption had no statutory or legislative fees and charges levied.

INTERNAL AUDITS

36. How many internal audits and financial investigations were conducted in the period 1 July 2020 to 31 March 2021?

During the period 1 July 2020 to 31 March 2021, the Office of the Independent Commissioner Against Corruption undertook one internal audit in accordance with its internal audit plan.

- The Value for Territory (VFT) audit was finalised on 31 March 2021 for the sample period 1 January 2020 to 31 December 2020. The audit was conducted by a local audit firm.

Two internal audits are being conducted at the time of preparation for these responses. These are:

- The management of vetting and separation for staff and contractors audit commenced in April 2021, and is expected to be finalised in May 2021.
- The internal audit of migrated information and records from the then Office of the Public Interest Disclosures into the office's case management system commenced in January 2021, and is expected to be completed in the next financial year ending 30 June 2022.

37. What were the terms of reference or focus for each investigation?

The objective of the VFT audit was to evaluate agency compliance with the procurement framework to meet the requirements of the VFT Assurance Program for the sample period 1 January 2020 to 31 December 2020.

38. Please provide detail of any fraud, anomalies, breaches of financial legislation or Northern Territory Government policy and procedures exposed by the audits and financial investigations.

The VFT audit finalised in March 2021, had one finding of non-compliance with Procurement Rule 4.1 which states that "*The Accountable Officer must have a procurement complaints management procedure for their agency*". This finding has since been addressed, with a procurement complaints management procedure implemented for the office in May 2021.

BOARDS / ADVISORY BODIES

39. Please detail all boards and advisory bodies in your Agency in 2020/21, also providing the following information:
- a) The Terms of Reference, if changed from last year
 - b) The current members and when they were appointed
 - c) The total remuneration paid to each Board member during the 2020/21 financial year
 - d) The itemized total cost incurred by the Board during the 2020/21 financial year

The Office of the Independent Commissioner Against Corruption does not have boards or advisory bodies.

40. The number of times the Board met during the period 1 July 2020 to 31 March 2021.

Not applicable as per response to question 39.

REVIEWS AND INQUIRIES

41. Details of all reviews and inquiries completed or commenced during the 2020/21 financial year, also providing the following information:
- a) The Terms of Reference
 - b) The criteria for selection of all panel members
 - c) The composition, qualifications and state or territory of residence of the persons undertaking the review/inquiry
 - d) The cost of the review/inquiry
 - e) How the information was/is accumulated to contribute to the review/inquiry
 - f) If completed, when, the outcome and whether the report has been tabled in the Legislative Assembly
 - g) If not completed when this is expected

The Office of the Independent Commissioner Against Corruption had no reviews and inquiries completed or commenced during the 2019/20 financial year.

WORKPLACE HEALTH AND SAFETY

42. Please provide the number, nature and cost of reportable safety issues for the period 1 July 2020 to 31 March 2021.

The Office of the Independent Commissioner Against Corruption had three Work Health and Safety incidents reported for the period 1 July 2020 to 31 March 2021, however were not reportable to NT Worksafe. Two incident reports relate to potential safety risks with workplace equipment and furnishings, and both were addressed in a timely manner. One incident relates to workplace stress and included in the response to question 43.

43. Please detail the number of stress related matters and claims for the period 1 July 2020 to 31 March 2021.

The Office of the Independent Commissioner Against Corruption had one stress related matter and claim for the period 1 July 2020 to 31 March 2021.

REGIONAL OFFICES

44. Please detail expenditure on staff located in regional offices across the Territory. Include the number of staff, their functions and outcomes achieved in the 2020/21 financial year. What are the locations for which they are responsible?

The Office of the Independent Commissioner Against Corruption has no regional offices.