

## LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

## WRITTEN QUESTION

Mrs Finocchiaro to the Chief Minister, Treasurer, Minister for Territory Development, Minister for Defence Industries, Minister for Industry and Trade, Minister for Major Projects – for all agencies falling under the Chief Minister’s, Treasurer’s and Ministers’ portfolios.

## AGENCY ADMINISTRATION

## Notes:

- The following questions can be answered from existing Agency data as at 31 March 2024.
- 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 appreciate these practices being continued.

## STAFFING

1. (a) Please advise the number of staff employed in the following categories as at 31 March 2024:

Category	FTE	Head Count (Actual)	NT-based	Located outside NT
1. Ongoing Full Time	18.5	19	19	0
2. Ongoing Part Time	0.76	1	1	0
3. Fixed Term Full Time	2	2	2	0
4. Fixed Term Part Time	0	0	0	0
5. Casual Contract	0	0	0	0
6. Executive Contract	2	2	2	0
<b>Total</b>	<b>23.26</b>	<b>24</b>	<b>24</b>	<b>0</b>

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

<b>Category</b>	<b>Classification</b>	<b>FTE</b>
1. Ongoing Full Time	AO4	1
1. Ongoing Full Time	AO5	0
1. Ongoing Full Time	AO6	4
1. Ongoing Full Time	AO7	6
1. Ongoing Full Time	SAO1	3
1. Ongoing Full Time	SAO2	3.5
1. Ongoing Full Time	SP2	1
2. Ongoing Part Time	AO6	0.76
3. Fixed Term Full Time	AO7	1
3. Fixed Term Full Time	SAO2	1
4. Fixed Term Part Time	N/A	0
5. Casual Contract	N/A	0
6. Executive Contract	EO2C	1
6. Executive Contract	ICAC	1
<b>Total</b>		<b>23.26</b>

- (c) Where there is a difference between FTE and Headcount (Actual), please provide an explanation for the difference, including any reasons for use of part-time and casual positions within the overall workforce profile.**

Full Time Equivalent (FTE) = the proportion of an employee's salary payment to that of an equivalent full-time employee in any given fortnight.

Paid Headcount = Headcount is the count of physical people, so a part-time person would count as one.

The Northern Territory Government provides opportunities for employees to balance the demands of work with the needs of family and general health and wellbeing. Flexible work practices are used in the Northern Territory Public Services to attract and retain employees. Flexible work arrangements can include flexibility in relation to an employees' hours of work, or mode of employment such as part-time, and leave.

2. Please advise the number of staff held against the following categories as at 31 March 2024:

Category	Number
Resigned	1
Made Redundant	0
Terminated	0
Unattached	0
Classified Redeployee	0
Supernumerary	2

3. Please advise the number of staff who identify as Aboriginal and Torres Strait Islander as at 31 March 2024.

Category	Number
Aboriginal and Torres Strait Islander	1

4. (a) Please advise the number of Frontline staff as FTE as at 31 March 2024 and as a percentage of the Agency total employment.

Category	Number	%age of Total Staff
Frontline	0	0

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

The OICAC has been classified for reporting purposes as a support/central agency. Although many of our roles interface directly with clients/public, we do not categorise these roles as 'frontline service' delivery.

5. Please advise how many staff have been engaged through labour hire, employment agency arrangements and/or consultancy contracts, for what purpose, for what duration and at what cost as at 31 March 2024. Please use the table format presented below for your response.

Number Engaged	Labour Hire / Employment Agency / Consultancy	Purpose	Duration	Cost
0		Not applicable		

6. Please advise how many locums have been employed, for what purpose, for what duration and at what cost as at 31 March 2024. Please use the table format presented below for your response.

Number Employed	Purpose	Duration	Cost
0	Not applicable		

7. (a) How many positions were advertised during the period 1 July 2023 to 31 March 2024?

The OICAC advertised 5 positions for the period 1 July 2023 to 31 March 2024.

(b) Of the total number advertised in 7(a), how many positions had Special Measures applied?

All of the positions had special measures applied.

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

Classification Level	Total Positions Advertised
Administrative Officer 6	1
Administrative Officer 7	2
Professional 1	1
Senior Professional Officer 1	1
<b>Total</b>	<b>5</b>

(d) How many positions that had Special Measures applied were not able to be filled against these requirements during this period and required contract or backfilling arrangements?

The OICAC’s Special Measures Plan was approved in December 2021 and applies to all advertised positions. The process for positions that are advertised with special measures is to consider special measures applicants first. If no special measures applicants apply, or no special measures applicants are considered suitable, recruitment panels may assess all other applicants’ suitability for the role.

**OUTSOURCING**

8. (a) For the period 1 July 2023 to 31 March 2024, detail any decision(s) to outsource, contract out or privatise functions that have traditionally been carried out by the Agency.

- (b) **Is consideration being given to outsource, contract-out or privatise in financial year 2024/25? If so, provide details.**

In accordance with section 5(2) of the *Procurement Act 1995*, the OICAC has an exemption from the need to comply with the Act in relation to the acquisition of investigative, legal and audit services. The exemption is to guarantee that the ICAC has complete independence as to whom the ICAC chooses to contract to conduct investigative, legal and audit work.

All investigations conducted by the OICAC are now conducted internally by staff. It is anticipated that legal and audit services will continue to be outsourced as required in the 2024/25 financial year and within available budget.

## LEGAL EXPENSES

9. **What has been the expenditure on legal advice or related expenses for the period 1 July 2023 to 31 March 2024? Provide details on:**
- The matter(s) (designate which are finalised and which ongoing)**
  - The amount paid by matter**
  - The amount paid to each outside legal firm or barrister engaged**

a) & b)

In accordance with section 5(2) of the *Procurement Act 1995*, the OICAC has an exemption from the need to comply with the Act in relation to the acquisition of investigative, legal and audit services. The exemption is to guarantee that the ICAC has complete independence as to whom the ICAC chooses to contract to conduct investigative, legal and audit work. Details of the matters will not be disclosed to ensure the office maintains confidentiality and security, protects the office's operational methodology, and avoids the potential to prejudice the interests of the OICAC and other parties.

- c) For the reasons mentioned above, the following information are disclosed in response to the amount paid to each outside legal firm or barrister engaged for the period 1 July 2023 to 31 March 2024.

<b>Supplier</b>	<b>Location</b>	<b>Amount \$ (GST exclusive)</b>
Assurex Escrow Pty Ltd	Interstate	1 140
Charles Samuel Lempriere Abbott KC	Interstate	1 875
Hutton McCarthy	NT	9 500
Mary Chalmers	NT	12 250
Sally Flynn KC	Interstate	16 477

Stephen Free	Interstate	20 840
Stephen McDonald	Interstate	7 288
Tom Anderson	NT	750
Travis Charles Schmitt	Interstate	15 000
<b>Total</b>		<b>85 120</b>

## PROCUREMENT / CONSULTANCIES

10. For the period 1 July 2023 to 31 March 2024, 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 OICAC has an exemption from the need to comply with the Act in relation to the acquisition of investigative, legal and audit services. The exemption is to guarantee that the ICAC has complete independence as to whom the ICAC chooses to contract to conduct investigative, legal and audit work. Details of this type of consultancies in this nature will not be disclosed to ensure the office maintains confidentiality and security, protects the office's operational methodology, and avoids the potential to prejudice the interests of the OICAC and other parties.

The office's total consultancy expenditure for the period 1 July 2023 to 31 March 2024 was \$46,555.

None of the reports directly from the consultancy were required to be tabled to the Legislative Assembly and no tenders or expressions of interest were invited prior to work on the consultancy being undertaken.

<b>Purpose</b>	<b>Cost \$ (GST exclusive)</b>	<b>Person or entity engaged</b>	<b>Principal Place of Business</b>
Consultant services as an independent chair for OICAC's Audit Risk and Compliance Committee	2 877	Summers, Mr Iain Macgregor	NT
Digital Forensic Services	21 975	Emerge IT Solutions Pty Ltd	NT
HR Consulting Services	2 992	Mercer Consulting (Australia) Pty Ltd	VIC
Speaker for Integrity Advocate Program	1 500	Ethics Advisory Services	QLD
Transcribing Services	1 553	Type Transcripts Pty Ltd	QLD
Whistleblower Review Project	15 658	KPMG Australia	VIC
<b>Grand Total</b>	<b>46 555</b>		

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 2023 to 31 March 2024 as follows:

<b>Number in the NT</b>	<b>Number outside of the NT</b>
1	1

The number of contracts above excludes those exempt from the *Procurement Act 1995*, Tier 1 procurement activities, and those where across government contracts or other existing contracts were utilised.

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

<b>Contract</b>	<b>Business Entity</b>	<b>Address</b>	<b>Selection Criteria</b>
NS23-0127	Fulcrum Management Pty. Limited	Manly, NSW	The direct contracting method was used for this procurement as the market has limited suppliers due to technical requirements.

13. For Tier 3, Tier 4 and Tier 5 procurement activities, how many public tenders were advertised during the period 1 July 2023 to 31 March 2024?

Nil to report

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 2023 to 31 March 2024?

Tier	Number of Procurement Activities
Tier 3	2
Tier 4	0
Tier 5	0
<b>Total</b>	<b>2</b>

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:

- What is the description of the goods and services contracted?
- What is the value of the goods and services contracted?
- What was the reason for not using the public tender process or for requiring a Certificate of Exemption?
- Who recommended the course of action in c) above?
- Who approved the course of action in c) above?

Description of Goods and Services (a)	Awarded value (GST inclusive) (b)	Reason for Exemption (c)	Recommended by (d)*	Approved by (e)
Provision of Vound Intella Connect Software for Forensic Analysis for a Period of 36 Months	\$119 350	Direct Contracting - Limited suppliers due to technical requirements	Procurement Panel	Independent Commissioner Against Corruption
Provision of Venue Hire, Catering and Audio Visual Services for the Australian Public Sector Anti-Corruption Conference (APSACC) 2024.	\$214 586	Direct Contracting - Limited suppliers due to technical requirements	Procurement Panel	Independent Commissioner Against Corruption



- 16. Please advise the total number of NTG Corporate Credit Cards within the Agency, including the position titles and levels of the staff holding the corporate credit cards for the purchase of goods and/or services as at 31 March 2024.**

As at 31 March 2024, there were 3 NTG Corporate Credit Cards within the OICAC.

<b>Credit Card Holder's Position Title</b>	<b>Position Classification</b>	<b>Number of Cards</b>
Senior Finance and Governance Officer	AO7	1
Executive Officer	AO6	1
Corporate Services Assistant	AO3	1
<b>Total</b>		<b>3</b>

### **FOCUS GROUPS / POLLING / SURVEYS**

**For the period 1 July 2023 to 31 March 2024:**

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

The OICAC did not conduct opinion polls and focus groups during the period 1 July 2023 to 31 March 2024.

- 18. Detail all surveys undertaken in relation to the focus groups and opinion polls above, including their form, the cost and the inducements that were provided to incentivise participation.**

Not applicable as per response provided to Question 17.

- 19. Please provide copies of each survey and the results of each survey.**

Not applicable as per response provided to Question 17.

## COMMUNICATIONS AND MARKETING

20. Please detail expenditure on advertising and communications during the period 1 July 2023 to 31 March 2024.

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, television station, digital platform; or other?
- 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?
- e) Did the agency enter into any separate arrangements for advertising placements or advertorials? If so, please provide details of expenditure and media outlet.

a) to c)

Purpose/Description	Provider	Cost (GST exclusive)
Email newsletter service for media release	Campaign Monitor Pty Ltd	351
Promotion of Australian Public Sector Anti-Corruption Conference (APSACC) 2024	Charles Darwin University	261
Promotion of Australian Public Sector Anti-Corruption Conference (APSACC) 2024	Monkey Media Enterprises	2 990
Promotion of Australian Public Sector Anti-Corruption Conference (APSACC) 2024	Squarespace Ireland Limited	108
Promotion of Australian Public Sector Anti-Corruption Conference (APSACC) 2024	Colemans Printing	335
Promotion of Skills Migration Attraction Expo in New Zealand to attract lawyers and investigators	Facebook	199
Promotion of Skills Migration Attraction Expo in New Zealand to attract lawyers and investigators	The Print Company Limited	375

Promotion of Skills Migration Attraction Expo in New Zealand to attract lawyers and investigators	Wholesale Promotions Warehouse Pty. Ltd.	2 717
Promotion of Skills Migration Attraction Expo in New Zealand to attract lawyers and investigators	Colemans Printing	680
Promotion of understanding of conflict of interest and improper conduct	Charles Darwin University	202
<b>Total</b>		<b>8 218</b>

- d) There were no tenders or expression of interest called for the communications and marketing expenses as all expenses were within a Tier 1 threshold which only required quotations or they were procured under the whole of government advertising contracts.
- e) The OICAC did not enter into any separate arrangements for advertising placement or advertorials.

## TRAVEL

21. 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 2023 to 31 March 2024 broken down to:

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

Location	Total (\$) (GST Exclusive)
International Travel	20 800
Interstate Travel	35 409
Intrastate Travel	13 079
<b>Total</b>	<b>69 288</b>

The expenditure provided includes client travel expenses but excludes the travel expenses incurred by or reimbursed to consultants or legal services providers as part of their agreements; such expenses were categorised as part of consultancy expenses or legal services.

**22. 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.**

<b>Travel from date</b>	<b>Travel to date</b>	<b>Traveller</b>	<b>Destination</b>	<b>Reason for Travel</b>	<b>Total Travel Cost to 31/03/2023</b>
20/09/2023	27/09/2023	Commissioner	Auckland, NZ	Attending and presenting at the 2-day Skills Migration Attraction Expo in Auckland as part of NTG delegation and also meeting with the officers in the Serious Fraud Office NZ	6 330
20/09/2023	27/09/2023	Deputy Commissioner	Auckland, NZ	Attending and presenting at the 2-day Skills Migration Attraction Expo in Auckland as part of NTG delegation and also meeting with the officers in the Serious Fraud Office NZ	4 470
28/07/2024	15/08/2024	Client	London, UK to Darwin	As a world renowned expert in anti-corruption and integrity matters, Professor Heywood will be one of the keynote speakers for the Australian Public Sector Anti-Corruption Conference hosted by the Office of the ICAC and charge no fees to the office.	10 000

**23. 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 2023 to 31 March 2024.**

The Department of the Chief Minister and Cabinet will provide a response for this question.

## HOSPITALITY / FUNCTIONS AND EVENTS

24. Please provide full details of all official hospitality provided for the period 1 July 2023 to 31 March 2024.

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?

Occasion	Purpose (a)	No. guests (b)	No. of Public Sector employees attended (f)	Total (\$) (GST Exclusive) (g)
Nominated Recipient Forum November 2023	The light refreshments were provided as sustenance to the attendees of the Nominated Recipient Forum, which aims to assist nominated recipients nominated in accordance with section 97 of the ICAC act in understanding their role and obligations	35	35	440
Nominated Recipient Forum March 2024	The light refreshments were provided as sustenance to the attendees of the Nominated Recipient Forum, which aims to assist nominated recipients nominated in accordance with section 97 of the ICAC act in understanding their role and obligations	30	30	680
Remote Engagement March 2024	The light refreshments were provided as sustenance to the attendees of the remote engagement delivered by the office, which assists the remote communities to understand the role of the ICAC.	8	8	91
			<b>Total</b>	<b>1 211</b>

(c), (d) and (e)

There were no Ministers, Ministerial staff or MLAs attended in those occasions.

## **GRANTS, SPONSORSHIPS, DONATIONS AND INCENTIVES**

- 25. Please detail expenditure on grants, sponsorships, donations and incentives paid by your Agency (including the recipient of each payment) during the period 1 July 2023 to 31 March 2024, including agency budget totals to administer such programs.**

The OICAC did not have any expenditure relating to grants, donations and incentives for the period 1 July 2023 to 31 March 2024.

- 26. Please detail the funds utilised to distribute awards and sponsorships in the period 1 July 2023 to 31 March 2024, and to what activities. Please list details of any contract periods as part of any arrangement.**

Not applicable as per response provided to Question 25

- 27. Indicate which awards and sponsorships were managed by Regional Offices. What is anticipated for the 2024/25 financial year?**

Not applicable as per response provided to Question 25

- 28. Please detail the amounts paid on grants, donations and incentives to non-Government organisations for the period 1 July 2023 to 31 March 2024, including to which organisation and the services to be provided?**

Not applicable as per response provided to Question 25

## **MEDIA MONITORING SERVICES**

- 29. Provide expenditure details on media monitoring services for the period 1 July 2023 to 31 March 2024 (including entities engaged and who utilises the service).**

A whole-of-government response to Question 29 will be provided by the Department of the Chief Minister and Cabinet.

## **INFRASTRUCTURE PROJECTS**

- 30. How many projects have been submitted or are in the process of being submitted to Infrastructure Australia or Northern Australia Infrastructure Facility (NAIF) to be considered for the Infrastructure Priority List?**

A whole-of-government response to Questions 30 will be provided by the Department of Infrastructure, Planning and Logistics.

- 31. Please provide details of newly committed projects for the period 1 July 2023 to 31 March 2024.**

A whole-of-government response to Questions 31 will be provided by the Department of Infrastructure, Planning and Logistics.

- 32. 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 Questions 32 will be provided by the Department of Infrastructure, Planning and Logistics.

### **GOVERNMENT LEASED BUILDINGS**

- 33. What is the total annual power bill of each Government building owned/leased/used by each Department for the period 1 July 2023 to 31 March 2024?**

The OICAC incurred a total of \$12,669 in power bill for the period 1 July 2023 to 31 March 2024.

- 34. 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 2023 to 31 March 2024?**

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

- 35. 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 35 will be provided by the Department of Corporate and Digital Development.

### **FEES AND CHARGES**

- 36. Please detail the statutory or legislative fees and charges levied by your Agency/authority, the revenue raised in the 2023/24 financial year and whether any of these fees and charges were increased following the passage of the 2023/24 financial year budget.**

The OICAC had no statutory or legislative fees and charges levied.

**INTERNAL AUDITS**

**37. How many internal audits and financial investigations were conducted in the period 1 July 2023 to 31 March 2024?**

Two internal audits were conducted for the period 1 July 2023 to 31 March 2024.

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

<b>Internal audit/investigation</b>	<b>Terms of reference or focus</b>
Value for Territory Audit	Evaluation of agency compliance with the procurement framework for the transactions incurred in the period 1 January 2023 to 31 December 2023.
Recruitment, commencement and cessation	Evaluation of the OICAC compliance against the OICAC Recruitment and Commencement Policy and Cessation Policy for the activities in the period 1 January 2023 to 31 December 2023.

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

There were no identified breaches of the Procurement Rules in respect of individual procurement transactions selected for review during the Value for Territory audit conducted on the office.

The audit relating to recruitment, commencement and cessation has not been concluded as at 31 March 2024.

**40. How many agencies have been referred to existing bodies e.g. Auditor-General/Independent Commission Against Corruption (ICAC) and how many have been resolved? Please detail the agency referred to, the date of referral and the date resolved, including those with multiple referrals.**

The Commissioner will address this question (in so far as it relates to his office) when he gives evidence during Estimates hearings.



## **BOARDS / ADVISORY BODIES**

**41. Please detail all boards and advisory bodies in your Agency in 2023/24, 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 2023/24 financial year**
- d) The itemised total cost incurred by the Board during the 2023/24 financial year**

The OICAC did not have any Boards/ Advisory Boards for the period 1 July 2023 to 31 March 2024.

**42. The number of times the Board met during the period 1 July 2023 to 31 March 2024.**

Not applicable as per response provided to Question 41.

## **REVIEWS AND INQUIRIES**

**43. Details of all reviews and inquiries completed or commenced during the 2023/24 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 OICAC had no reviews and inquiries completed or commenced during the 2023/24 financial year, beyond those the Commissioner is empowered to conduct under the *ICAC Act*.

## **WORKPLACE HEALTH AND SAFETY**

**44. Please provide the number, nature and cost of reportable safety issues for the period 1 July 2023 to 31 March 2024.**

There was no reportable safety issue for the period 1 July 2023 to 31 March 2024.

- 45. Please detail the number of stress related matters and claims for the period 1 July 2023 to 31 March 2024.**

There were no stress related matters and claims for the OICAC for the period 1 July 2023 to 31 March 2024.

## **REGIONAL OFFICES**

- 46. Please detail expenditure on staff located in regional offices across the Territory. Include the number of staff, their functions and outcomes achieved in the 2023/24 financial year. What are the locations for which they are responsible?**

The OICAC has no regional offices.