

## LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

### WRITTEN QUESTION

#### Agency Administration

Mrs Finocchiaro to the Chief Minister for all agencies falling under the previous Ministry's portfolio responsibilities, listed in Administrative Arrangements Order (No. 2) 2020, as follows:

##### *Part 1*

*Agencies for Financial Management Act 1995 and Public Sector Employment and Management Act 1993*

- Auditor-General's Office
- Department of Corporate and Information Services
- Department of Education
- Department of Environment and Natural Resources
- Department of Health
- Department of Infrastructure, Planning and Logistics
- Department of Local Government, Housing and Community Development
- Department of Primary Industry and Resources
- Department of the Attorney-General and Justice
- Department of the Chief Minister
- Department of the Legislative Assembly
- Department of Tourism, Sport and Culture
- Department of Trade, Business and Innovation
- Department of Treasury and Finance
- Land Development Corporation
- Northern Territory Electoral Commission
- Northern Territory Emergency Service
- Northern Territory Fire and Rescue Service
- Office of the Commissioner for Public Employment
- Office of the Independent Commissioner Against Corruption
- Ombudsman's Office
- Police Civil Employment Unit
- Territory Families

##### *Part 2*

*Agencies for Financial Management Act 1995 only*

- Aboriginal Areas Protection Authority
- Department of Local Government, Housing and Community Development – NT Home Ownership
- Northern Territory Police, Fire and Emergency Services
- Northern Territory Treasury Corporation

## **AGENCY ADMINISTRATION**

### **Notes:**

We submitted these questions and received responses as at 31 March 2020. Now that there have been significant machinery of government changes, in the interests of accountability and completeness, we are asking the same questions for a full year record of actuals.

We understand it will be easier for Agencies to provide a full year response rather than just the final quarter.

If there is to be a Whole of Government response to any of the questions, it would be appreciated if these are referred early to the Minister responsible to enable a response within the same timeframe as the remainder of the questions.

My Office would be very grateful if the question could be inserted at the beginning of each answer. Thank you for doing this last time.

## STAFFING

1. Please provide details for the following staffing questions as at 30 June 2020:
  - a) How many staff were employed in the following categories:
    - i. Full time equivalent
    - ii. Permanent part time contract
    - iii. Contract
  - b) Please advise the number of staff who identify as Aboriginal and Torres Strait Islander as at 30 June 2020, and as a percentage of the Agency total employment as at 30 June 2020 (all classifications);
  - c) Please advise the number of frontline staff as FTE as at 30 June 2020 and as a percentage of the Agency total employment (all classifications).

- Question 1(a) - The following number of staff were employed in the following categories as at 30 June 2020
  - i. 20 Full time equivalent
  - ii. 0 Permanent part time contract
  - iii. 2 Contract.
- Question 1(b) – There were no staff who identified as Aboriginal and Torres Strait Islander as at 30 June 2020.
- Question 1(c) - The Office had 17 frontline staff and represents 77% of the total employment within the agency. Front line staff consists of the Commissioner, and all staff members of the Prevention and Engagement, Assessments, and Investigations units. This percentage is higher from the previous financial year which was 67% of the total number of FTE.

2. Please advise, in each category:
  - a) The total number of staff on contracts (by executive and temporary employment contracts) as at 30 June 2020
  - b) By position, the levels at which staff are employed on executive or temporary employment contracts as at 30 June 2020

- Question 2(a) – At 30 June 2020, the office employed 2 staff on executive contracts.
- Question 2(b) – At 30 June 2020, the executive contracts employed by the office included the ICAC, and Deputy Chief Executive Officer (previously known as General Manager) at the Executive Officer 2 level.

3. For the full financial year ending 30 June 2020 how many staff:
- a) Resigned
  - b) Were made redundant
  - c) Were terminated

- Question 3(a) – For the full financial year ending 30 June 2020, the office had 4 staff resign from the office.
- Question 3(b and c) – For the full financial year ending 30 June 2020, the office had no staff made redundant or were terminated.

4. How many staff were unattached or categorized as redeployees for the full financial year ending 30 June 2020?

- Question 4 – For the full financial year ending 30 June 2020, the office had no staff who were unattached or categorized as a redeployee.

5. How many staff were categorized as supernumerary for the full financial year ending 30 June 2020?

- Question 5 – In May 2020, the office had 29 FTE approved staffing cap by Cabinet (compared to 22 actual FTE for the year ending 30 June 2020), therefore no employee was categorised as supernumerary (additional to approved budget) as at 30 June 2020.

6. How many staff have been engaged through employment agency arrangements, for what purpose, for what duration and at what cost for the full financial year ending 30 June 2020?

- Question 6 – For the full financial year ending 30 June 2019, and for the period 1 July 2019 to 30 June 2020, the Office of the Independent Commissioner Against Corruption (OICAC) had no staff members engaged through employment arrangements.

7. How many locums have been employed, for what purpose, what duration and at what cost for the full financial year ending 30 June 2020?

- Question 7 – Not applicable to the Office of the Independent Commissioner Against Corruption.

8. How many positions had Special Measures applied when advertised for the full financial year ending 30 June 2020?

- Question 8 – The Office of the Independent Commissioner Against Corruption had no positions which had Special Measures applied for the full financial year ending 30 June 2019 and for the period from 1 July 2019 to 30 June 2020.

The office values inclusion and diversity and is committed to adopt the NTPS Special Measures policy on all its future recruitment processes. The office will liaise with the Office of the Commissioner for Public Employment to finalise a plan to implement special measures within the agency.

9. How many positions that had Special Measures applied, as referred to in the question above, had to be re-advertised due to the initial process not securing suitable candidates?

- Question 9 – Not applicable as per the response to question 8.

10. How many grievances have arisen as a direct result of the Special Measures program since 1 July 2019. Of these, how many remain unresolved?

- Question 10 – Not applicable as per the response to question 8.

## **OUTSOURCING**

11. For the period beginning 1 July 2019 and ending 30 June 2020, 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 2020/21? If so, provide details.

- Question 11 – 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 2020/21 if necessary or as required.

## LEGAL EXPENSES

12. What has been the expenditure on legal advice or related expenses for the financial year 2019/20? Provide details on:
- The matter(s) (designate which ones are finalised and which ones are ongoing)
  - The amount paid by matter
  - The amount paid to each outside legal firm or barrister engaged

- Question 12 – 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 2019 and ending 30 June 2020 totaled \$79,022, primarily for the purpose of assisting the Commissioner during examinations. \$61,036 or 77% of total legal expenses are from contractors located within the NT. \$17,986 or 23% of legal expenses were from contractors interstate but sourced through existing across government contract for legal services.

## PROCUREMENT / CONSULTANCIES

13. For the period beginning 1 July 2019 and ending 30 June 2020, please detail expenditure on each report and consultancy (excluding annual reports) that has 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

- Question 13 – 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.

The Office's total consultancy expenditure for the period beginning 1 July 2019 to 30 June 2020 was \$892,424. Majority of consultancies obtained by the Office are for investigative and legal services, which represents 73% or \$651,000 of total consultancies. Details for these services will not be disclosed.

One other significant consultancy incurred relates to procurement related services and costs to obtain the office's case management system. Costs of procuring this totaled \$186,872 which related to project management support, and completing the procurement process by ICT specialists from the Department of Corporate and Information Services.

14. Please detail expenditure paid, or expected to be paid, to Hawker Britton and/or associated entities for the period beginning 1 July 2019 and ending 30 June 2020. Outline the tasks performed.

- Question 14 – The Office of the Independent Commissioner Against Corruption does not have any expenditure paid or expected to be paid to Hawker Britton and/or associated entities for the period beginning 1 July 2019 and ending 30 June 2020.

15. How many contracts and tenders have been awarded to business entities with their principal place of business in the Northern Territory so far, and what works have been undertaken?

- Question 15 – 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.

The total number of contracts or tenders awarded to business entities with their principle place of business in the Northern Territory within the period beginning 1 July 2019 and ending 30 July 2020 was nine out of 12.

Majority of consultancies obtained by the Office are for investigative and legal services, and details for these services will not be disclosed.

16. How many contracts have been awarded to business entities with a principal place of business outside the Northern Territory for the period beginning 1 July 2019 and ending 30 June 2020? Detail the work being undertaken by each business entity and the selection criteria for the successful business entity on the applicable contract or tender.

- Question 16 – 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.

The total number of contracts or tenders awarded (not otherwise exempt from the Procurement Act) to business entities with a principal place of business outside the NT for the period beginning 1 July 2019 and ending 30 June 2020 was three.



One of the suppliers was obtained from an existing across government contract for training whilst the other relates to a Tier 3 procurement for the case management system which was managed by Department of Corporate and Information Services on behalf of the agency due to the specialised ICT nature of the contract.

One other supplier relates to outsourced investigative services and is exempt from the Procurement Act.

17. For Tier 3, Tier 4 and Tier 5 procurement activities, how many public quotations were undertaken during the period beginning 1 July 2019 and ending 30 June 2020?

- Question 17 – 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.

Only one Tier 3 procurement activity was undertaken during the period beginning 1 July 2019 to 30 June 2020, and it was for the Office's case management system which was awarded in January 2020. The procurement and project was managed by Department of Corporate and Information Services on behalf of the agency due to the specialised ICT nature of the contract.

18. For Tier 3, Tier 4 and Tier 5 procurement activities, how many contracts or tenders were awarded without undertaking a public quotation process during the period beginning 1 July 2019 and ending 30 June 2020?

- Question 18 – The Office of the Independent Commissioner Against Corruption had no Tier 3, Tier 4 and Tier 5 procurement activity that was awarded without undertaking a public quotation process.

19. For each instance identified in the question above, where a public quotation process was not undertaken, including for Certificates 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 quotation 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?

- Question 19 – Not applicable per response to Question 18.

20. 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 30 June 2020.

- Question 20 – The Office of the Independent Commissioner Against Corruption had thirteen (13) NTG Corporate Credit Cards as at 30 June 2020.

The NT Auditor-General conducted a review of credit card usage for the office during the 30 June 2020 financial year, with recommendations included and accepted by the office. Following that review, the office has since cancelled the ICAC's credit card due to low usage and to minimise the risk of a verifier's limitation to challenge transactions incurred by the Accountable Officer. Other corporate credit cards have since been cancelled due to low usage or upon a staff member's resignation. Controls and processes exist within the office to ensure compliance with existing credit card policies.

<b>Position title</b>	<b>Level</b>
Independent Commissioner Against Corruption	ICAC
Deputy Chief Executive Officer	ECO2
Director Assessments	SAO2
Director Investigations	SAO2
Director Preventions and Engagement	SAO2
Team Leader Investigations	SAO1
Senior Investigator	AO7
Senior Investigator	AO7
Senior Investigator	AO7
Senior Investigator	AO7
Senior Investigator	AO7
Executive Assistant	AO4
Corporate Services Assistant	AO3

## FOCUS GROUPS / POLLING / SURVEYS

21. Please detail expenditure during the period beginning 1 July 2019 and ending 30 June 2020 on opinion polls and focus groups, including costs and entities that conducted the work.

- Question 21 – The Office of the Independent Commissioner Against Corruption had no expenditure relating to opinion polls and focus groups.

22. Please provide copies of the surveys identified in the question above and detail all surveys undertaken, their form, the cost and what inducements were provided to incentivise participation during the period beginning 1 July 2019 and ending 30 June 2020.

- Question 22 – Not applicable per the response to Question 21.

## COMMUNICATIONS AND MARKETING

23. Please detail expenditure on advertising and communications during the period beginning 1 July 2019 and ending 30 June 2020.

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?

- Question 23 – The Office of the Independent Commissioner Against Corruption incurred a total of \$1,124 in advertisement expenditure primarily for newspaper placements to provide details of information sessions held by the Office. The placements were in line with an existing across government contract for advertising in the NT.

## TRAVEL

24. 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 for the period beginning 1 July 2019 and ending 30 June 2020 broken down to:

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

- Question 24(a) – For the period beginning 1 July 2019 and ending 30 June 2020, the office undertook no international travel.
- Question 24(b) – For the period beginning 1 July 2019 and ending 30 June 2020, the office incurred \$20,552 expenditure on interstate travel. The majority of interstate travel incurred was due to members of the leadership team attending the Australian Public Sector Anti-Corruption Conference in Brisbane to which the Commissioner was a key note speaker.
- Questions 24(c) - For the period beginning 1 July 2019 and ending 30 June 2020, the office incurred \$14,378 expenditure on intrastate travel, primarily for investigation purposes.

25. 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.

- Question 25 – Not applicable as no international travel was undertaken for the Office of the Independent Commissioner Against Corruption.

26. Please provide itemised details and itemisation of costs of all travel undertaken by the Minister that was paid for by the Agency or authority, including travel on charters during the period beginning 1 July 2019 and ending 30 June 2020.

- Question 26 – Not applicable for the Office of the Independent Commissioner Against Corruption. Department of the Chief Minister will provide a response.

## **HOSPITALITY / FUNCTIONS AND EVENTS**

27. Please provide full details of all public service hospitality provided for the period beginning 1 July 2019 and ending 30 June 2020.

In relation to each occasion on which official hospitality was undertaken:

- 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?

- Question 27 – A total of \$2,229 was spent on hospitality expenses between the period beginning 1 July 2019 and ending 30 June, 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 only one instance of public service hospitality provided for the period 1 July 2019 to 30 June 2020, and it was for the Office's public sector forum held in November 2019. The forum was intended to be a consultative, information-sharing opportunity to capture issues the agencies may be facing, and to come up with solutions that ensure compliance and consistency across the NT Public Sector. No Ministers, ministerial staff or MLAs attended. A total of 45 Public Sector employees attended.

The total cost of the public sector forum was \$1,613.64 (GST exclusive) which includes venue hire and catering for the full day (morning tea, lunch and afternoon tea for the participants).

## GRANTS AND DONATIONS

28. Please detail expenditure on grants and donations paid by your Agency (including the recipient of each grant) during the period beginning 1 July 2019 and ending 30 June 2020.

- Question 28 – The Office of the Independent Commissioner Against Corruption had no expenditure relating to grants and donations during the period beginning 1 July 2019 and ending 30 June 2020.

29. Please detail the funds utilised to distribute awards and sponsorships in the period beginning 1 July 2019 and ending 30 June 2020. Indicate which awards and sponsorships were managed by Regional Offices. What is anticipated for the 2020/21 financial year?

- Question 29 – Not applicable for the Office of the Independent Commissioner Against Corruption.

30. Please detail the amounts paid on grants to non-Government organisations for the period beginning 1 July 2019 and ending 30 June 2020, including to which organisation and the services to be provided?

- Question 30 – Not applicable for the Office of the Independent Commissioner Against Corruption.

### **MEDIA MONITORING SERVICES**

31. Provide expenditure details on media monitoring services for the period beginning 1 July 2019 and ending 30 June 2020 (including entities engaged and who utilises the service).

- Question 31 – 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 to provide and manage media monitoring services on behalf of NT Government agencies.

### **INFRASTRUCTURE PROJECTS**

32. 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?

- Question 32 – Not applicable for the Office of the Independent Commissioner Against Corruption.

33. Please provide details of newly committed projects for the period beginning 1 July 2019 and ending 30 June 2020.

- Question 33 – Not applicable for the Office of the Independent Commissioner Against Corruption.

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

- Question 34 – Not applicable for the Office of the Independent Commissioner Against Corruption.

## **GOVERNMENT LEASED BUILDINGS**

35. What is the total annual power bill of each Government building owned/leased/used by each Department for the period beginning 1 July 2019 and ending 30 June 2020?

- Question 35 – The Office of the Independent Commissioner Against Corruption incurred \$14,456 in power bill for the period 1 July 2019 to 30 June 2020.

36. What is the total annual leased space of each Government building used by each Agency/authority and at what cost for the period beginning 1 July 2019 and ending 30 June 2020?

- Question 36 – A whole-of-government response to Question 36 will be provided by the Minister for Corporate and Digital Development.

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

- Question 37 – A whole-of-government response to Question 36 will be provided by the Minister for Corporate and Digital Development.

## **FEES AND CHARGES**

38. Please detail the statutory or legislative fees and charges levied by your Agency/authority, the revenue raised in the 2019/20 financial year and whether any of these fees and charges was increased following the passage of the 2019/20 financial year budget.

- Question 38 – The Office of the Independent Commissioner Against Corruption had no statutory or legislative fees and charges levied.

## INTERNAL AUDITS

39. How many internal audits and financial investigations were conducted in the period beginning 1 July 2019 and ending 30 June 2020?

- Question 39 – The Office of the Independent Commissioner Against Corruption commenced their first Value For Territory audit for the office in the period 1 July 2019 to 30 June 2020. The final report was provided to the Buy Local Industry Advocate in July 2020.

The office was subject to an Agency Compliance Audit in March 2020, conducted by the NT Auditor-General. One of the recommendations from this audit, included the establishment of the office's internal audit function which involves the development of an internal audit charter and establishing an annual internal audit program to conduct internal audits. The office acknowledged and accepted the audit recommendations and has since improved the membership of its Audit, Risk and Compliance Committee which now has an external member as Chairperson, established an internal audit charter and developed an internal audit program for the next three years. The internal audit program was approved by the Accountable Officer and will see more internal audits undertaken within the office.

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

- Question 40 – The objective of the VFT audit was to evaluate agency compliance with the procurement framework to meet the requirement of the VFT Assurance Program for the period 1 January 2019 to 31 December 2019.

41. 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.

- Question 41 – Not applicable per response to Question 39.



## **BOARDS / ADVISORY BODIES**

42. Please detail all boards and advisory bodies in your Agency in 2019/20, 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 2019/20 financial year
  - d) The itemised total cost incurred by the Board during the 2019/20 financial year
  - e) The number of times the Board met during the period beginning 1 July 2019 and ending 30 June 2020

- Question 42 – The Office of the Independent Commissioner Against Corruption does not have boards or advisory bodies.

## **REVIEWS AND INQUIRIES**

43. Details of all reviews and inquiries completed or commenced during the 2019/20 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

- Question 43 – 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**

44. Please provide the number, nature and cost of reportable safety issues for the period beginning 1 July 2019 and ending 30 June 2020.

- Question 44 – The Office of the Independent Commissioner Against Corruption had one reportable safety issue for the period 1 July 2019 to 30 June 2020. This was for a minor physical injury which was addressed in a timely manner.

45. Please detail the number of stress related matters and claims for the period beginning 1 July 2019 and ending 30 June 2020.

- Question 45 – The Office of the Independent Commissioner Against Corruption had no stress related matters and claims for the period 1 July 2019 to 30 June 2020.

## **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 2019/20 financial year. What are the locations for which they are responsible?

- Question 46 – The Office of the Independent Commissioner Against Corruption has no regional offices.