LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

QTON No. 1

STANDING COMMITTEE ON PUBLIC ACCOUNTS
VICKI DUNNE MLA (CHAIR), TARA CHEYNE MLA (DEPUTY CHAIR), BEC CODY MLA,
NICOLE LAWDER MLA

**Inquiry into referred 2018–19 Annual and Financial Reports**
**ANSWER TO QUESTION TAKEN ON NOTICE**
**4 November 2019**



Asked by Vicki Dunne MLA:

In relation to the differences between 2017-18 and last financial year:

**THE CHAIR**: What explains the difference between the 2017-18 actual of $895 million and this year—and the last financial year's actual of 1.7, which is really close to a doubling?

**Mr Nicol**: That is because interest rates have come down—

**Mr Barr**: Interest rates have come down even more.

**Mr Nicol**: —over the last 12 months, so the lower the interest rate, the higher that valuation will be of that liability. So last year—I can take it on notice. I

YVETTE BERRY MLA: The answer to the Member's question is as follows:–

The superannuation actuarial loss of $1.758 billion in 2018-19 is higher than the actuarial loss of $895.977 million in 2017-18 because of changes in the financial and demographic assumptions.

The financial assumptions applying to each of the last three financial years actuarial reviews are set out in Table 1 as follows:

**Table 1 – Financial Assumptions**

| | 30 June 2017 | 30 June 2018 | 30 June 2019 |
|---|---|---|---|
| **Discount Rate**[1,2] | 3.51% | 3.11% | 1.92% |
| **Salary Inflation**[2] | 2.75% | 2.75% | 2.25% |
| **Consumer Price Index**[2] | 2.00% | 2.00% | 1.75% |

1 AASB 119 requires that the discount rate used to value defined benefit obligations for public sector funds be based on the prevailing market yield on a Commonwealth government bond with matching (similar) duration

2 AASB 119 requires that the actuarial assumptions must be unbiased, being neither imprudent nor excessively conservative, and mutually compatible if they reflect the economic relationships between factors.

The actuarial (gain) or loss is the difference between the previous year closing 30 June liability and the reporting year 30 June liability, adjusted for the projected interest and service cost and actual emerging cost (benefit) payments.

A reconciliation of the defined benefit superannuation valuation for each of the 2017-18 and 2018-19 financial years is set out in Table 2 below:

**Table 2 – Defined Benefit Superannuation Valuation Reconciliation**

| | 2017-18 $'000 | | 2018-19 $'000 | |
|---|---|---|---|---|
| **Defined benefit obligation at 1 July** | **8,571,724** | | **9,733,981** | |
| Service Cost Expense | 204,606 | | 229,074 | |
| Interest Cost Expense | 303,750 | | 305,767 | |
| Benefit Payment (cash) | (242,076) | | (255,732) | |
| Actuarial (Gain)/Loss – Financial Assumptions | | | | |
| Change in Discount Rate | 665,385 | | 2,544,270 | |
| Change in CPI | - | 895,977[1] | (454,437) | 1,758,234[2] |
| Change in Salary Inflation | - | | (280,396) | |
| Actuarial (Gain)/Loss – Demographic Assumptions | 197,954 | | - | |
| Actuarial (Gain)/Loss – Membership Experience | 32,638 | | (51,204) | |
| **Defined benefit obligation at 30 June** | **9,733,981** | | **11,771,324** | |

1 The sum of the components of actuarial (gain)/loss item for 2017-18 is **$895,977**

- The increase in the valuation from the change in the discount rate ($665,385) is the reduction in the rate from 3.51% at 30 June 2017 to 3.11% at 30 June 2018.
- Reasons for the increase in the valuation from the changes in the demographic assumptions ($197,954) include, for example, increase in the pension versus lump sum election rate, improved mortality rates, and changes to the PSS benefit retention and pension election rate assumptions.

2 The sum of the components of actuarial (gain)/loss item for 2018-19 is **$1,758,234**

- The increase in the valuation from the change in the discount rate ($2,544,270) is the reduction in the rate from 3.11% at 30 June 2018 to 1.92% at 30 June 2019.
- The reason for the decrease in the valuation from the changes in the CPI and salary inflation assumptions (-$734,833) is the requirement to maintain appropriate economic relationships between the key financial assumptions. The assumptions need to be mutually consistent.

The defined benefit superannuation liabilities for past and current employees with either a Commonwealth Superannuation Scheme or Public Sector Superannuation Scheme entitlement are required to be measured in accordance with Australian Accounting Standard AASB 119: 'Employee Benefits' (AASB 119).

The value of accrued defined benefit employer superannuation liabilities is calculated as the present value of the future payment of retirement benefits that have actually accrued in respect of service as at the calculation (reporting) date.

The estimated liability for these superannuation benefits requires consideration of both financial assumptions including salary inflation, CPI and discount rate as well as demographic assumptions including the number of active contributors, deferred beneficiaries and pensioners, experience of employee resignations, retrenchment and retirement, experience of employee death and invalidity, longevity, and final retirement benefit stream election (lump sum, pension or both).

Approved for circulation to the Standing Committee on Public Accounts

Signature: Date: 15/11/19

By the A/g Treasurer, Yvette Berry MLA

LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

QTON No. 2

STANDING COMMITTEE ON PUBLIC ACCOUNTS
VICKI DUNNE MLA (CHAIR), TARA CHEYNE MLA (DEPUTY CHAIR), BEC CODY MLA, NICOLE LAWDER MLA

**Inquiry into referred 2018–19 Annual and Financial Reports**
**ANSWER TO QUESTION TAKEN ON NOTICE**
**4 November 2019**



Asked by Vicki Dunne MLA:

In relation to superannuation liability:

**THE CHAIR**: —is what is our—what was our superannuation liability—that is, the actual outgoings—last year? And how do they—how will they grow?

**Mr Barr**: Well, that is there in superannuation expenses.

**Mr Nicol**: It was 200 and something. That is it. Well, sorry. Perhaps I can—

**THE CHAIR**: Yes. Okay, yes.

**Mr Nicol**: Perhaps I can just—we need to be careful here, because there is a hundred ways to measure this.

**THE CHAIR**: Yes. I understand that.

**Mr Nicol**: Yes. We have a payment to the commonwealth each year, because the commonwealth meet our pension liabilities of ACT former employees and we reimburse the commonwealth for that cost and we pay quarterly and Mr McAuliffe will pull out that figure, but it is in the order of $300 million of cash that goes out every year. But then we have an expense of how much our past

**THE CHAIR**: So they are the people—they are former ACT employees who are currently—

**Mr Nicol**: Getting a pension.

**THE CHAIR**: —retired under a CSS/PSS/PSS2 type pension?

**Mr Nicol**: Yes. They are getting a pension and we pay the commonwealth the cash and the commonwealth—ComSuper pays them the cash.

**THE CHAIR**: Yes. Yes, yes.

**Mr Nicol**: Then there is another group of employee—there is a group of employees and former employees who are not yet drawing a pension who are in the defined benefit schemes who are accruing a liability so they—you know, if you are an employee you are contributing—

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**Mr Barr**: There are examples of that, Mrs Dunne.

**THE CHAIR**: Yes, yes, yes. Yes.

**MS LAWDER**: Lucky for some.

**Mr Nicol**: And we measure that expense. It might be better if I can—we will give you this on notice, because it gets very—but we measure that expense and that expense adds to our liability each year.

YVETTE BERRY MLA: The answer to the Member's question is as follows:–

The reported defined benefit superannuation liabilities are for past and current employees with either a Commonwealth Superannuation Scheme (CSS) or Public Sector Superannuation Scheme (PSS) entitlement. The CSS and PSS are administered by the Commonwealth Superannuation Corporation (CSC) in accordance with section 8 of the *Governance of Australian Government Superannuation Schemes Act 2011* (Cth).

The Territory reimburses the Commonwealth on a quarterly basis for the Territory's share of the employer financed portion of superannuation benefits paid in respect of Territory employees who are or were members of the CSS or PSS.

The actual amount of benefits paid (reimbursed) to the Commonwealth in 2018-19 was $255.732 million.

The estimated payments over the 2019-20 Budget and forward years are set out in Table 1 below:

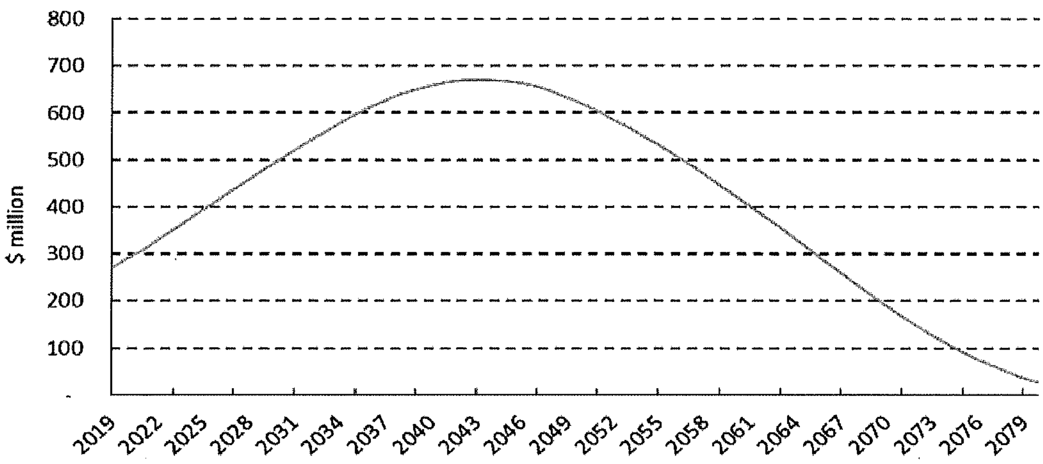
**Table 1 – Estimated Benefit Payments[1]**

| | 2019-20 $'000 | 2020-21 $'000 | 2021-22 $'000 | 2022-23 $'000 |
|---|---|---|---|---|
| **Benefit Payments to CSC** | 289,811 | 308,740 | 330,624 | 350,770 |

1 Source: 2019-20 Budget Paper No. 3, Table 8.3.2

The long-term projected payments to 2079 are shown in Figure 1 below:

**Figure 1 – Estimated Benefit Payments[1]**




1 Source: 2019-20 Budget Paper No. 3, Figure 8.3.2

Approved for circulation to the Standing Committee on Public Accounts

Signature: Date: 13/11/19.

By the A/g Treasurer, Yvette Berry MLA

**LEGISLATIVE ASSEMBLY**
FOR THE AUSTRALIAN CAPITAL TERRITORY

QTON No. 4

STANDING COMMITTEE ON PUBLIC ACCOUNTS
VICKI DUNNE MLA (CHAIR), TARA CHEYNE MLA (DEPUTY CHAIR), BEC CODY MLA, NICOLE LAWDER MLA

**Inquiry into referred 2018–19 Annual and Financial Reports**
**ANSWER TO QUESTION TAKEN ON NOTICE**
**4 November 2019**

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COMMITTEE SUPPORT

Asked by Alistair Coe MLA:

In relation to commercial rates and properties:

**MR COE**: Sure, okay. I can look that up. And just finally, where are things at with the LDA, or now I guess, SLA, or perhaps ACT government, dispute with the tax office regarding GST?

**Mr Nicol**: I will have to take that on notice because I do not have any updated information on that. And I would not like to speak out of turn.

**MR COE**: But treasury is not providing advice?

**Mr Nicol**: I have not had that discussion with the SLA in recent times. No, I have to take it on notice.

YVETTE BERRY MLA: The answer to the Member's question is as follows:–

The Suburban Land Agency has advised that it has concluded the Alternative Dispute Resolution process with the Australian Taxation Office. The parties have agreed to work together to address any unresolved matters rather than continue a formal dispute resolution process.

Approved for circulation to the Standing Committee on Public Accounts

Signature: Date: 13/11/19

By the A/g Treasurer, Yvette Berry MLA

# LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

STANDING COMMITTEE ON PUBLIC ACCOUNTS
VICKI DUNNE MLA (CHAIR), TARA CHEYNE MLA (DEPUTY CHAIR), BEC CODY MLA, NICOLE LAWDER MLA

**Inquiry into referred 2018–19 Annual and Financial Reports**
**ANSWER TO QUESTION TAKEN ON NOTICE**
**4 November 2019**

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COMMITTEE SUPPORT

Asked by Vicky Dunne MLA:

In relation to the Modern Slavery Act:

**THE CHAIR**: Do you want to, on notice, perhaps point back to the Committee where we could do some research on that. And also, on notice, could you, Minister or Mr McAuliffe, whom ever is appropriate, to sort of have a look at those indices to see whether they do work in the modern slavery, child labour area and whether there is any extra obligations imposed upon us because of the passage of the Modern Slavery Act?

**Mr Barr**: That we can do.

YVETTE BERRY MLA: The answer to the Member's question is as follows:–

The Government's comprehensive Responsible Investment Policy not only seeks to reduce share portfolio exposures to fossil fuel reserves, carbon emissions and carbon intensity, but also integrates an environmental, social and governance and international norms-based risk assessment.

This includes identifying company involvement in major environmental, social and governance (ESG) controversies and non-adherence to international norms and principles including the UN Global Compact, International Labour Organisation Core Conventions and supply chain labour standards (incorporating child labour and modern slavery matters). Consideration of these matters is a fundamental element of the construction of investment indexes by the Territory's benchmark provider, MSCI, the outcomes of which are integrated into the Territory's index construction and the Territory's financial investment exposures.

The Responsible Investment Policy is available at
https://apps.treasury.act.gov.au/__data/assets/pdf_file/0008/1295045/ResponsibleInvestmentPolicy.pdf

A key element of the implementation of the responsible investment policy is the 'screening out' or 'exclusion' of listed companies in the share portfolios that do not comply with the established investment criteria. The share investment exposures result from a 'customised' index or benchmark constructed by MSCI.

In line with the Responsible Investment Policy, companies are excluded:

- based on reasonable grounds that all, or a material, or in specific circumstances, any part of the company's revenue or core business is attributable to the manufacture of tobacco and related products; and the manufacture of cluster munitions and landmines;
- if assessed as having high (CCC rating) environmental, social and governance (ESG) risks and significant ESG controversies (red flag) through involvement in major ESG controversies, non-adherence to international norms and principles (for example supply chain labour standards, corruption and instability etc);
- if included in the global industry classification standard for the coal and consumable fuels sub industry of the energy sector where their material business activity is the mining of coal; or
- if having large fossil fuel reserves (this is to reduce valuation risk of stranded assets through regulated carbon restraints); or having high carbon emissions (this is to reduce exposure to large carbon emitters); or having high carbon intensity of business operations (this is to reduce exposure to large users of fossil fuels).

MSCI (https://www.msci.com/esg-ratings) is a leading provider of ESG ratings and research and analytics and the construction of market indexes. MSCI has a range of products and services including ESG Ratings; Business Involvement Screening Research; ESG Climate Change Metrics and ESG Controversies.

MSCI ESG research and analysis addresses a comprehensive range of key themes and issues as shown in Exhibit 1 below. The Territory's share investment exposures and exclusions are a direct result of the outcomes of the research and assessment across these areas:

**Exhibit 1: MSCI ESG Key Issue Hierarchy**

| 3 Pillars | 10 Themes | 37 ESG Key Issues | |
|---|---|---|---|
| **Environment** | **Climate Change** | Carbon Emissions<br>Product Carbon Footprint | Financing Environmental Impact<br>Climate Change Vulnerability |
| | **Natural Resources** | Water Stress<br>Biodiversity & Land Use | Raw Material Sourcing |
| | **Pollution & Waste** | Toxic Emissions & Waste<br>Packaging Material & Waste | Electronic Waste |
| | **Environmental Opportunities** | Opportunities in Clean Tech<br>Opportunities in Green Building | Opp's in Renewable Energy |
| **Social** | **Human Capital** | Labor Management<br>Health & Safety | Human Capital Development<br>Supply Chain Labor Standards |
| | **Product Liability** | Product Safety & Quality<br>Chemical Safety<br>Financial Product Safety | Privacy & Data Security<br>Responsible Investment<br>Health & Demographic Risk |
| | **Stakeholder Opposition** | Controversial Sourcing | |
| | **Social Opportunities** | Access to Communications<br>Access to Finance | Access to Health Care<br>Opp's in Nutrition & Health |
| **Governance** | **Corporate Governance*** | Board*<br>Pay* | Ownership*<br>Accounting* |
| | **Corporate Behavior** | Business Ethics<br>Anti-Competitive Practices<br>Tax Transparency | Corruption & Instability<br>Financial System Instability |

Source: https://www.msci.com/esg-ratings *link* ESG Ratings Methodology

A summary of the key pillars and indicators considered under MSCI's ESG controversies coverage is shown in Exhibit 2 below:

**Exhibit 2: MSCI ESG Controversies Coverage**

| ENVIRONMENT | CUSTOMERS | HUMAN RIGHTS & COMMUNITY | LABOR RIGHTS & SUPPLY CHAIN | GOVERNANCE |
|---|---|---|---|---|
| • Biodiversity & Land Use<br>• Toxic Emissions & Waste<br>• Energy & Climate Change<br>• Water Stress<br>• Operational Waste (Non-Hazardous)<br>• Supply Chain Management<br>• Other | • Anticompetitive Practices<br>• Customer Relations<br>• Privacy & Data Security<br>• Marketing & Advertising<br>• Product Safety & Quality<br>• Other | • Impact on Local Communities<br>• Human Rights Concerns<br>• Civil Liberties<br>• Other | • Labor Management Relations<br>• Health & Safety<br>• Collective Bargaining & Union<br>• Discrimination & Workforce Diversity<br>• Child Labor<br>• Supply Chain Labor Standards<br>• Other | • Bribery & Fraud<br>• Governance Structures<br>• Controversial Investments<br>• Other |

Source: https://www.msci.com/esg-investing *link* ESG Controversies

Further details about MSCI's methodologies; data collection, validation and analysis; thematic research; rating and assessment processes; resources; and company and country coverage is available at https://www.msci.com/esg-ratings.

The Commonwealth legislated *Modern Slavery Act 2018* (the "Act") applies to certain entities and the Territory is not a listed entity as prescribed by the Act.

Approved for circulation to the Standing Committee on Public Accounts

Signature: Date: 20/11/19

By the Acting Treasurer, Yvette Berry MLA

**LEGISLATIVE ASSEMBLY**
FOR THE AUSTRALIAN CAPITAL TERRITORY

QTON No. 6

STANDING COMMITTEE ON PUBLIC ACCOUNTS
VICKI DUNNE MLA (CHAIR), TARA CHEYNE MLA (DEPUTY CHAIR), BEC CODY MLA, NICOLE LAWDER MLA

**Inquiry into referred 2018–19 Annual and Financial Reports**
**ANSWER TO QUESTION TAKEN ON NOTICE**
**4 November 2019**



Asked by Vicki Dunne MLA:

In relation to apprentice & trainee attraction and retention:

**Ms Whitten**: Okay. So looking at the separation rate on page 161, we can see that the separation rate does vary quite considerably, and that is by classification group. So—and we have already mentioned dentists, who would be a particular group. And we have also got prosecutors as well, who are a particular technical group. And then trainees and apprentices.

**THE CHAIR**: Yes. So why is there such a big number for trainees and apprentices? And is that broken—can that be broken down by trainees who come for, in a sense, a finite period of time, and apprentices who might normally, in the normal course of things, events, move on to a skilled occupation after they have done their apprenticeship?

**Ms Whitten**: In terms of that level of detail, I do not have that with me.

**THE CHAIR**: Could you take that on notice?

**Ms Whitten**: I can take that on notice.

Yvette Berry MLA: The answer to the Member's question is as follows:–

The separation rate percentage of 80.6 per cent for the 'Trainees and Apprentices' employment category appears high due to the lower numbers within this classification group at 30 June 2019 with 8 trainees (average headcount over 12 months-both permanent & temporary); and 27 apprentices.

During 2018-19 reporting period, four trainees separated from the ACT Public Service. The four trainee positions included three cadets and one trainee. Due to the small numbers, the reasons for the separations are not provided in this answer.

No apprentices separated during the 2018-19 reporting period.

Approved for circulation to the Standing Committee on Public Accounts

Signature: Date: 15/11/19

By the A/g Chief Minister, Yvette Berry MLA

LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

QTON No. 7

STANDING COMMITTEE ON PUBLIC ACCOUNTS
VICKI DUNNE MLA (CHAIR), TARA CHEYNE MLA (DEPUTY CHAIR), BEC CODY MLA, NICOLE LAWDER MLA

**Inquiry into referred 2018–19 Annual and Financial Reports**
**ANSWER TO QUESTION TAKEN ON NOTICE**
**4 November 2019**

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Asked by Vicki Dunne MLA:

In relation to the last financial year, how many Attraction and Retention Incentives (ARIns) have been provided, at what levels, and in what areas:

**THE CHAIR**: But where—but that is pretty taken as read, Mr Noud, but where are you currently seeing the need to provide ARINs, and what—and how do you—are they successful? How do you measure the success of ARINs? You know, if you offer one and someone stays, is that a success of the ARIN or is there—what other measures do you have in place? And if someone leaves in spite of one, is that a failure of the system? And how do you measure that?

**Mr Noud**: We will look at—when we offer an ARIN, of course the key success measure is whether the person stays once they receive the ARIN, whether the ARIN is enough to keep them in employment. Where we will look at where people leave, people leave for many, many reasons. Sometimes we cannot match rates offered elsewhere around Australia. Other times we can.

So we will look at each individual circumstance as to what we need to do to maintain the workforce as is needed. We are also looking at a more holistic level, though, Mrs Dunne, and that is across the service we are about to commence a classification review, and that is starting to look at, as—at different professions and different groupings of employees across the service, and how our wage rates compare to other sectors, be it private or public sector.

So that work is just starting, and that will identify a whole range of classifications, I would expect, that may or may not need attention, and we will do that once the next bargaining round starts.

**THE CHAIR**: And so what is the expected timeframe on that work?

**Mr Noud**: Around 12 months. And it is only just starting now. So we would expect some preliminary results by the end of next year. As a matter of course in the lead-up to each enterprise bargaining round, we will look at where across the service, over the course of the agreement term, where we have started paying ARINs. So we will look at the incidence of ARINs, we will look at how many, what type of value, the reason under which they are paid, and that we will make an assessment as to whether we need to bring those ARINs into the rates contained in the agreements.

They are different issues. That makes them non—you know, once they are in the agreements in rates they cannot be removed, but again, if they are a perpetual payment and the market has moved and our assessment is it is unlikely to go backwards, they should be in rates, not in, you know, additional incentive payments.

**THE CHAIR**: So could you, on notice, say for the last—I do not mind if it is calendar year or financial year, probably financial year is probably more appropriate—tell us how many ARINs you have provided in—at what levels and in what areas? So it would have been by this classification group, these classification groups that are in these tables on page 160 and 161.

And some assessment of whether or not they have been successful. I mean—and I take your point that, you know, somebody might negotiate an ARIN and then their family circumstances change and they leave anyhow. But there also may be occasions when they leave because we are still not being competitive enough.

And the other question, which you can probably just answer now, is how does it work? Do you approach people and offer them to them? Or do people sort of say, "I am thinking of going because, you know, I can—the grass looks greener on the other side?"

**Mr Noud**: It can happen either of those ways.

**THE CHAIR**: Yes.

**Mr Noud**: So it might be that we recognise a circumstance where we have run ads for shortages in positions, we do not attract good fields or minimal fields, so we will see the need then to put ARINs into that market. But it can also happen the other way.

**THE CHAIR**: So that you would actually put it in as, you know, we are advertising for this sort of classification, and even though the salary range for that is X to Y, you might have—

**Mr Noud**: We can do X plus a bit, yes.

**THE CHAIR**: You might be 110 per cent or 115 per cent or at par or—

**Mr Noud**: That is correct. And it is not expressed in that way, but—

**THE CHAIR**: Yes.

**Mr Noud**: —the gist of what you are saying is correct. And that—the reason we would do that is that the ARIN framework allows that, because if we are advertising for a higher amount, it potentially will attract a better field. And so rather than deal with—advertise what experience has shown us to be a less attractive rate, we will advertise higher, hopefully get a better field.

The alternative still exists under the policy, though, that we can advertise at the agreement rate, but then if a particular individual has a skillset that we want to attract and retain and bring into the service, we can offer an ARIN in that context as well. So we can do it—either bring the ARIN into the discussion at the beginning, or after, once we have attracted someone.

# LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

## STANDING COMMITTEE ON PUBLIC ACCOUNTS
VICKI DUNNE MLA (CHAIR), TARA CHEYNE MLA (DEPUTY CHAIR), BEC CODY MLA, NICOLE LAWDER MLA

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**THE CHAIR**: Okay.

Yvette Berry MLA: The answer to the Member's question is as follows: –

As at 30 June 2019, the ACTPS has the following ARIns:

| Class Group | Total |
|---|---|
| Administrative Officers | 13 |
| Ambulance Officers | 1 |
| Dentists | 13 |
| General Service Officers & Equivalent | 4 |
| Health Professional Officers | 49 |
| Legal Officers | 2 |
| Medical Officers | 191 |
| Professional Officers | 4 |
| Prosecutors | 1 |
| Senior Officers | 44 |
| VET Teachers | 1 |
| **Grand Total** | **323** |

There is no standardised success measure for ARIn usage. The factors leading to a decision by an employee to leave ACTPS employment are multifaceted and are often not directly related to ACTPS terms and conditions of employment. The ACTPS employment framework provides a range of tools to attract and retain key employees or to meet emerging market shortfalls.

Approved for circulation to the Standing Committee on Public Accounts

Signature: Date: 15/11/19

By the Acting Chief Minister, Yvette Berry MLA

**LEGISLATIVE ASSEMBLY**
FOR THE AUSTRALIAN CAPITAL TERRITORY

QTON No. 9

STANDING COMMITTEE ON PUBLIC ACCOUNTS
VICKI DUNNE MLA (CHAIR), TARA CHEYNE MLA (DEPUTY CHAIR), BEC CODY MLA, NICOLE LAWDER MLA

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COMMITTEE SUPPORT

**Inquiry into referred 2018–19 Annual and Financial Reports**
**ANSWER TO QUESTION TAKEN ON NOTICE**
**4 November 2019**

Asked by Alistair Coe MLA:

In relation to the number of people (over the course of a year) on leave due to bullying and the cost to Government:

**MR COE**: Thank you. With regard to bullying and harassment and people on leave, how many people at any point in time would be on personal leave due to bullying?

**Ms Whitten**: Thank you, Mr Coe, for your question. I actually do not have that level of detail with me, but we could—I could take it on notice.

**MR COE**: Do you collate that sort of information?

**Ms Whitten**: Well, personal leave we do. Whether we go down to that level of detail, I will need to seek advice from Shared Services.

**MR COE**: Yes, okay. If you could. So I am looking for the number of people at any point in time, perhaps the number of people that are impacted over the course of the year and the total cost of that leave. And if it not collected or collated, there is potentially a quite interesting body of work even if it is just a sample, I think.

**Ms Whitten**: Thank you.

Yvette Berry MLA: The answer to the Member's question is as follows: –

There is no field to report personal leave due to bullying and harassment in the current human resource system. The Human Resource Information Management System (HRIMS) currently under development may have the ability to capture this information in the future.

Approved for circulation to the Standing Committee on Public Accounts

Signature: Date: 13/11/19

By the A/g Chief Minister, Yvette Berry MLA

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**LEGISLATIVE ASSEMBLY**
FOR THE AUSTRALIAN CAPITAL TERRITORY

STANDING COMMITTEE ON PUBLIC ACCOUNTS
VICKI DUNNE MLA (CHAIR), TARA CHEYNE MLA (DEPUTY CHAIR), BEC CODY MLA, NICOLE LAWDER MLA

**Inquiry into referred 2018–19 Annual and Financial Reports**
**ANSWER TO QUESTION TAKEN ON NOTICE**
**4 November 2019**



Asked by Vicki Dunne MLA:

In relation to the differences between 2017-18 and last financial year:

**THE CHAIR**: What explains the difference between the 2017-18 actual of $895 million and this year—and the last financial year's actual of 1.7, which is really close to a doubling?

**Mr Nicol**: That is because interest rates have come down—

**Mr Barr**: Interest rates have come down even more.

**Mr Nicol**: —over the last 12 months, so the lower the interest rate, the higher that valuation will be of that liability. So last year—I can take it on notice. I

YVETTE BERRY MLA: The answer to the Member's question is as follows:–

The superannuation actuarial loss of $1.758 billion in 2018-19 is higher than the actuarial loss of $895.977 million in 2017-18 because of changes in the financial and demographic assumptions.

The financial assumptions applying to each of the last three financial years actuarial reviews are set out in Table 1 as follows:

**Table 1 – Financial Assumptions**

| | 30 June 2017 | 30 June 2018 | 30 June 2019 |
|---|---|---|---|
| **Discount Rate**[1,2] | 3.51% | 3.11% | 1.92% |
| **Salary Inflation**[2] | 2.75% | 2.75% | 2.25% |
| **Consumer Price Index**[2] | 2.00% | 2.00% | 1.75% |

1 AASB 119 requires that the discount rate used to value defined benefit obligations for public sector funds be based on the prevailing market yield on a Commonwealth government bond with matching (similar) duration

2 AASB 119 requires that the actuarial assumptions must be unbiased, being neither imprudent nor excessively conservative, and mutually compatible if they reflect the economic relationships between factors.

The actuarial (gain) or loss is the difference between the previous year closing 30 June liability and the reporting year 30 June liability, adjusted for the projected interest and service cost and actual emerging cost (benefit) payments.

LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

QTON No. 10

STANDING COMMITTEE ON PUBLIC ACCOUNTS
VICKI DUNNE MLA (CHAIR), TARA CHEYNE MLA (DEPUTY CHAIR), BEC CODY MLA, NICOLE LAWDER MLA

**Inquiry into referred 2018–19 Annual and Financial Reports**
**ANSWER TO QUESTION TAKEN ON NOTICE**
**4 November 2019**

RECEIVED 15 NOV 2019 ACT LA COMMITTEE SUPPORT

Asked by Vicki Dunne MLA:

In relation to the further documents regarding "resolving workplace issues" being uploaded on the employment portal:

**THE CHAIR**: Are you sure? Okay. I know it is just—we are just about out of time. Can I just ask, the Resolving Workplace Issues resource page, this issue was raised during Question Time on I think the last sitting day, but my advice is that as of now the—or as of earlier today, the resources were not available online and I am just wondering, if that is the case, why it is the case?

**Ms Whitten**: Thank you. Actually, there is a new guide that is available on the employment portal. Sorry, I thought I had it on my screen, but I do not. And so—and that is in relation to misconduct procedures, so that is available online. Some of the other resources are still—and those guidelines have been developed by the Public Sector Standards Commissioner, so some of those—that information is there. Some of the other documents are still being looked at, I think.

**THE CHAIR**: So could you, on notice, perhaps indicate to the committee when those are likely to come online on the webpage?

**Ms Whitten**: Yes, yes, we can.

Yvette Berry MLA: The answer to the Member's question is as follows: –

The ACT Government refreshed its approach to misconduct related matters in the ACT Public Sector and with amendments to the *Public Sector Management Act 1994* introduced the role of the Public Sector Standards Commissioner ('PSSC') in 2016. This Professional Standards Unit supports the PSSC to ensure that allegations of misconduct concerning public servants are independently investigated.

The processes governing how investigations are conducted are contained in the ACTPS enterprise agreements.

As a result of new enterprise agreements, these documents have been reviewed and refined progressively, commencing with a new comprehensive guide to cover misconduct which was uploaded to the PSSC website in October 2019. The original suite of documents has also been updated and is now uploaded to the website.

**QTON No. 10**

# LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

STANDING COMMITTEE ON PUBLIC ACCOUNTS
VICKI DUNNE MLA (CHAIR), TARA CHEYNE MLA (DEPUTY CHAIR), BEC CODY MLA, NICOLE LAWDER MLA

This document suite is not the only source of information and support on bullying and harassment in the ACTPS. There are other ways managers and employees can receive assistance where required, including Employee Assistance Program (EAP), manager and staff training, directorate HR teams and the RED Framework which has resources available through a Service-Wide support network.

Approved for circulation to the Standing Committee on Public Accounts

Signature: Date: 15/11/19

By the Acting Chief Minister, Yvette Berry MLA

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QTON No. 11

# LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

STANDING COMMITTEE ON PUBLIC ACCOUNTS
VICKI DUNNE MLA (CHAIR), TARA CHEYNE MLA (DEPUTY CHAIR), BEC CODY MLA, NICOLE LAWDER MLA

**Inquiry into referred 2018–19 Annual and Financial Reports**
**ANSWER TO QUESTION TAKEN ON NOTICE**
**5 November 2019**

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Asked by VICKI DUNNE MLA:

In relation to the Murrumbidgee to Googong pipeline:

**THE CHAIR**: Yes, yes. It is, yes.

And so for the last year, what was the cost of the operation and maintenance of the Murrumbidgee to Googong pipeline?

**Ms Breaden**: I do not have that information on hand.

**THE CHAIR**: Could you take it on notice, thank you?

**Mr Barr**: We will take that on notice, yes.

**Ms Breaden**: Can do.

TREASURER: Icon Water has provided the following answer to the Member's question:–

For the year ended 30 June 2019, the cost of the operation and maintenance of the Murrumbidgee to Googong pipeline was $707,046. The volume of water transferred to Googong Dam was 516.72 megalitres.

Approved for circulation to the Standing Committee on Public Accounts

Signature:

Date: 13/11/19.

By the A/g Treasurer, Yvette Berry MLA

**LEGISLATIVE ASSEMBLY** | **QTON No. 12**

FOR THE AUSTRALIAN CAPITAL TERRITORY

STANDING COMMITTEE ON PUBLIC ACCOUNTS

VICKI DUNNE MLA (CHAIR), TARA CHEYNE MLA (DEPUTY CHAIR), BEC CODY MLA, NICOLE LAWDER MLA

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**Inquiry into referred 2018–19 Annual and Financial Reports**
**ANSWER TO QUESTION TAKEN ON NOTICE**
**5 November 2019**

Asked by TARA CHEYNE MLA:

In relation to Icon Water's decision to stop providing the infrastructure for community groups to have drinking fountains:

**MS CHEYNE**: Yes, I am aware. Drinking fountains, I understand that Icon Water has previously had a very good program partnering with the community to provide drinking fountains. I know that there is a formal program with Refill Canberra, but I have heard from community groups recently that Icon Water has decided to stop providing the infrastructure for community groups to have drinking fountains. Are you able to shed some light on that?

VYETTE BERRY MLA: Icon Water has provided the following answer to the Member's question:–

Icon Water does not have an established program or practice of providing permanent drinking fountain infrastructure. The cost-effectiveness of any program, including the maintenance required and potential for fault, breakdown or leakage, creates concerns for utilities. Research conducted this year on tap water perceptions found there were strong barriers to Australians willingness to drink from public fountains including concerns about cleanliness, hygiene, location convenience and temperature preferences.

The research also found that when out of the home, bottled water is most often purchased when travelling, doing social or recreational activities, or at events. Icon Water has a long-standing program of offering, at no cost, the temporary use of portable water stations during community or social events. This is a popular program that is regularly accessed by many community groups and organisations across Canberra and the Region.

Icon Water and ACT Health have partnered to deliver Refill Canberra, which provides a sustainable way of providing the community access to fresh, clean drinking water while also reducing single-use plastics. Refill Canberra celebrates participating local cafes, shops and venues across the Territory that are happy to provide tap water to fill water bottles when Canberrans are out and about in the community.

Approved for circulation to the Standing Committee on Public Accounts

Signature: Date: 13/11/19

By the A/gTreasurer, Yvette Berry MLA

# LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

**QTON No. 13**

STANDING COMMITTEE ON PUBLIC ACCOUNTS
VICKI DUNNE MLA (CHAIR), TARA CHEYNE MLA (DEPUTY CHAIR), BEC CODY MLA, NICOLE LAWDER MLA

**Inquiry into referred 2018–19 Annual and Financial Reports**
**ANSWER TO QUESTION TAKEN ON NOTICE**
**5 November 2019**

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ACT LA

Asked by VICKI DUNNE MLA:

In relation to Customers with blocked or broken water and sewer mains:

**THE CHAIR**: ... if you are advising people that they need to do this work, and if it is your fault you will pay for them, why are you not advising them that we have a standard bill of fare and this is what we should expect to pay so that those people go to the plumber that you do not recommend, at least forearmed with the knowledge of what ACTEW was going to pay—is going to pay for them, and how many outstanding where there is a discrepancy between what ACTEW has paid and what the punter has paid. How many of those are there?

YVETTE BERRY MLA: Icon Water has provided the following answer to the Member's question:–

Icon Water offers a 24/7 emergency assistance phone line which is accessible to every customer, however, if the customer goes directly to a plumber in the first instance, our reimbursement program also includes provision for the customer to be reimbursed for reasonable costs if the fault is found to be in the Icon Water network.

Icon Water ensures that information, eligibility guidelines and the schedule of rates for reimbursement are available and published as a brochure and online. Our standard process is to explain the program whenever we speak with a customer who is experiencing a blockage. However, some customers engage a licensed plumber directly, without contacting Icon Water.

There is a link to the rates for reimbursement from 1 July 2019 to 30 June 2020 which can be accessed from www.iconwater.com.au/My-Home/Claim or www.iconwater.com.au/My-Home/Emergencies-Faults-and-Outages/Blocked-pipes.

In the 2018-19 financial year Icon Water received 1,004 applications for reimbursement, with 917 of these receiving full reimbursement equal to the total plumbing invoice. The remaining 87 applications received the maximum reimbursement for their circumstances which was less than their total plumbing invoice.

Typically these cases are complex with issues such as tree root intrusion, pipework damage or modifications to the internal plumbing, which are independent of the sewer network blockage, and result in costs that would have been incurred by the customer regardless of whether a blockage had occurred in the Icon Water network.

Approved for circulation to the Standing Committee on Public Accounts

Signature: Date: 13/11/19

By the A/g Treasurer, Yvette Berry MLA

# LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

**QTON No. 14**

STANDING COMMITTEE ON PUBLIC ACCOUNTS
VICKI DUNNE MLA (CHAIR), TARA CHEYNE MLA (DEPUTY CHAIR), BEC CODY MLA, NICOLE LAWDER MLA

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**Inquiry into referred 2018–19 Annual and Financial Reports**
**ANSWER TO QUESTION TAKEN ON NOTICE**
**5 November 2019**

Asked by ALISTAIR COE MLA:

In relation to the pressure issues in Casey and Taylor:

> **MR COE**: And with regard to houses at higher elevation, I am thinking about Casey and Taylor in particular ... the top of Taylor where houses are being constructed at the moment, what pressure issues are there and how can they be addressed?

YVETTE BERRY MLA: Icon Water has provided the following answer to the Member's question:–

Current development within Casey and Taylor is serviced by existing Icon Water infrastructure and complies with design standards and maintains appropriate water pressures.

Icon Water is currently finalising design on two new reservoirs (known as the One Tree Reservoir Project) to service the "Super High Zone" of the Taylor development. To Icon's knowledge, no houses have been constructed yet within the Super High Zone of Taylor.

Construction of the reservoirs will commence early in the new year, with potentially some preliminary mobilisation and mark out prior to the end of 2019. Works are forecast to be completed by the end of 2020.

Approved for circulation to the Standing Committee on Public Accounts

Signature: Date: 13/11/19

By the A/g Treasurer, Yvette Berry MLA

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QTON No. 15

# LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

STANDING COMMITTEE ON PUBLIC ACCOUNTS
VICKI DUNNE MLA (CHAIR), TARA CHEYNE MLA (DEPUTY CHAIR), BEC CODY MLA, NICOLE LAWDER MLA

**Inquiry into referred 2018–19 Annual and Financial Reports**
**ANSWER TO QUESTION TAKEN ON NOTICE**
**5 November 2019**

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COMMITTEE SUPPORT

Asked by ALISTAIR COE MLA:

In relation to the Crace Odour Management Project:

**MR COE**: If you are able to take—perhaps on those—any plans you have for the reinstatement, I think you said, of some of those paths or the tracks. That would be good.

YVETTE BERRY MLA: Icon Water has provided the following answer to the Member's question:–

The pipeline alignment to the south of the new vent stack will be remediated following construction with topsoil and planting of native grasses and plantings. Vehicle access to the newly-constructed vent stack will be provided via a short section of new access road extending back to the existing track from the trig station. All existing vehicle and walking tracks will remain unaffected.

Icon Water has developed a detailed revegetation plan and will be engaging a specialist landscape rehabilitation contractor to carry out these works. There will be a 13 week consolidation period for native grass and seedling planting works followed by a two year maintenance period.

Details of this plan were provided with the Development Application and subsequently included in the Construction Environmental Management Plan that was authorised by the Environment Protection Authority and the Conservator prior to construction. The standard of reinstatement for the Crace project is higher than many construction sites and is an integral component of the overall project given the environmental significance of the site.

Approved for circulation to the Standing Committee on Public Accounts

Signature: Date: 13/11/19

By the A/g Treasurer, Yvette Berry MLA

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**QTON No. 16**

# LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

STANDING COMMITTEE ON PUBLIC ACCOUNTS
VICKI DUNNE MLA (CHAIR), TARA CHEYNE MLA (DEPUTY CHAIR), BEC CODY MLA, NICOLE LAWDER MLA

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**Inquiry into referred 2018–19 Annual and Financial Reports**
**ANSWER TO QUESTION TAKEN ON NOTICE**
**5 November 2019**

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Asked by VICKI DUNNE MLA:

In relation to the Reduced network losses:

**THE CHAIR**: Could you point the committee to either the information or where we would find the information, on notice?

Mr Dimasi: Yes, we will do that.

YVETTE BERRY MLA: The answer to the Member's question is as follows:

The Independent Competition and Regulatory Commission's June 2019 report on the *Retail electricity price recalibration 2019-20: Standing offer prices for the supply of electricity to small customers* (Report 6 of 2019 - available at www.icrc.act.gov.au/__data/assets/pdf_file/0003/1372773/Report-6-of-2019-Electricity-Price-Reset-2019-20.pdf) sets out the nominal dollar amounts for the cost components used to calculate the maximum allowed change in average regulated retail electricity prices for 2019–20 in Table 2.1 (page 3). Energy losses are shown on the third line of the table.

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LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

QTON No. 16

STANDING COMMITTEE ON PUBLIC ACCOUNTS
VICKI DUNNE MLA (CHAIR), TARA CHEYNE MLA (DEPUTY CHAIR), BEC CODY MLA, NICOLE LAWDER MLA

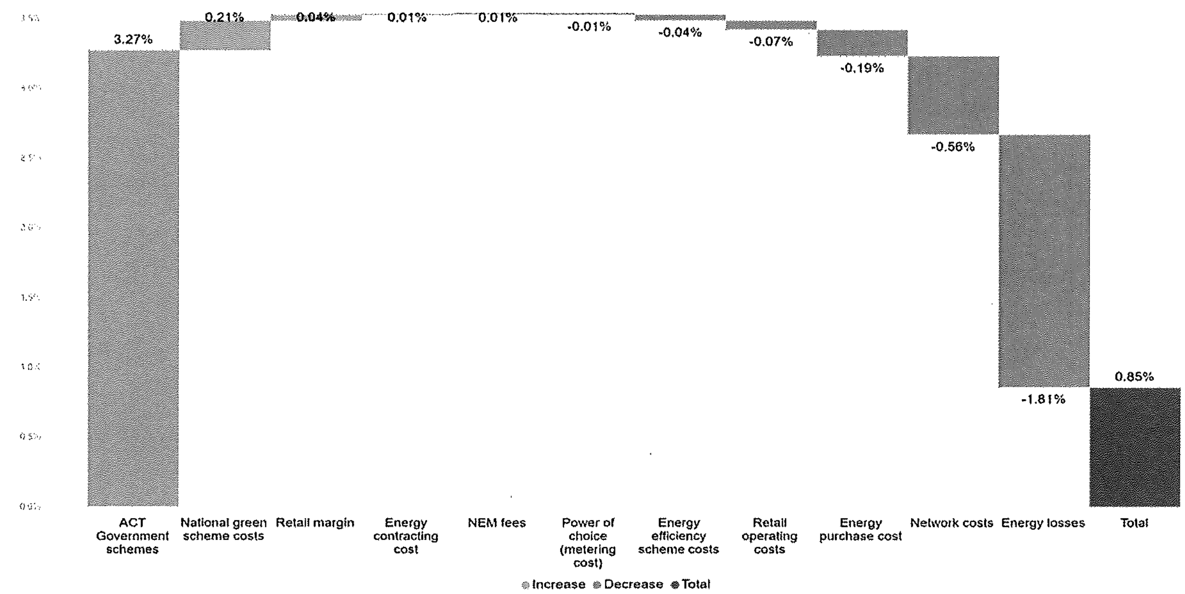
**Table** Error! No text of specified style in document..**1** **Commission's decision on cost elements, 2019–20**

| | 2018–19 ($/MWh) | 2019–20 ($/MWh) | Per cent change |
|---|---|---|---|
| Energy purchase cost | 92.49 | 92.01 | -0.52% |
| National green scheme costs | 25.19 | 25.73 | 2.14% |
| Energy losses | 8.44 | 3.81 | -54.91% |
| Energy contracting cost | 0.90 | 0.92 | 1.77% |
| NEM fees | 0.90 | 0.92 | 1.77% |
| **Total energy purchase cost** | **127.93** | **123.39** | **-3.55%** |
| Network costs (excluding ACT Government scheme costs) | 75.40 | 73.96 | -1.91% |
| ACT Government scheme costs | 19.91 | 28.28 | 42.0% |
| **Total network costs** | **95.32** | **102.24** | **7.26%** |
| Retail operating costs | 14.58 | 14.41 | -1.14% |
| Energy Efficiency Scheme costs | 4.11 | 4.00 | -2.72% |
| AEMC's Power of Choice (metering) costs | 1.04 | 1.02 | -2.50% |
| **Total retail costs** | **19.73** | **19.43** | **-1.54%** |
| **Total energy + retail + network costs** | **242.98** | **245.06** | **0.85%** |
| Retail margin | 12.88 | 12.99 | 0.85% |
| **Total cost and maximum average price change** | **255.86** | **258.05** | **0.85%** |

Source: Commission's calculations.

Figure 2.1 (on page 4 of the report) shows the contribution of the various cost components to the total percentage change in prices from 2018–19 to 2019–20. Energy losses contributed -1.81 per cent to the maximum allowed change in average regulated retail electricity prices for 2019–20.

**Figure** Error! No text of specified style in document..**1** **Components of the change in regulated retail electricity prices 2018–19 to 2019–20**




Source: Commission's calculations.

# LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

QTON No. 16

STANDING COMMITTEE ON PUBLIC ACCOUNTS
VICKI DUNNE MLA (CHAIR), TARA CHEYNE MLA (DEPUTY CHAIR), BEC CODY MLA, NICOLE LAWDER MLA

The explanation of how energy losses are calculated (Pages 26-27 of the report) is:

### 5.2.3 Energy losses

Some electricity is lost in transporting it from generators to customers via transmission and distribution networks. The energy loss factors are calculated by AEMO. They are used by all regulators to determine the energy loss allowances where regulated tariffs apply. The marginal loss factor and distribution loss factor, as reported by AEMO for the ACT in 2019-20, are 0.9815 and 1.0471 respectively. The marginal loss factor for 2019–20 has fallen materially compared to the marginal loss factor for 2018–19, resulting in a reduction in the cost of energy losses. The AEMO notes that the loss factor has declined because of new renewable generation connections combined with a reduction in projected interconnector flow from Queensland as well as from New South Wales to Victoria. The Commission's methodology generates an energy loss cost component of $3.81 per MWh for 2019–20.

The report also provides a reference to the Australian Energy Market Operator (AEMO)'s 2019 report *Regions and marginal loss factors FY 2019–20*.

Approved for circulation to the Standing Committee on Public Accounts

Signature: Date: 13/11/19

By the A/g Treasurer, Yvette Berry MLA

LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

QTON No. 17

STANDING COMMITTEE ON PUBLIC ACCOUNTS
VICKI DUNNE MLA (CHAIR), TARA CHEYNE MLA (DEPUTY CHAIR), BEC CODY MLA,
NICOLE LAWDER MLA

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**Inquiry into referred 2018–19 Annual and Financial Reports**
**ANSWER TO QUESTION TAKEN ON NOTICE**
**5 November 2019**

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Asked by VICKI DUNNE MLA:

In relation to competitive to neutrality investigations:

> **THE CHAIR:** Great. Just a very quick question, I am pretty sure this will be a quick question before we close.
> Is the ICRC looking at undertaking further investigations into competition issues? I notice that it is a while since you did competition compared to neutrality studies. I think Capital Linen a decade ago, or thereabouts. Are you looking at those sorts of issues?
> ...
> **THE CHAIR:** Chief Minister, are there any on the horizon, competitive to neutrality investigations?
>
> Mr Barr: I do not believe so. But I will check, and I will take that on notice.

YVETTE BERRY MLA: The answer to the Member's question is as follows:

The Independent Competition and Regulatory Commission is not currently considering any competitive neutrality complaints.

However, as announced by the Minister for City Services on 4 October 2019, the Commission will be engaged by the ACT Government to support the process associated with the establishment of a public crematorium in the Territory.

As part of this work, the Commission will assist the Government to ensure that prices to be charged by the facility are consistent with the requirements of the ACT Competitive Neutrality Policy.

Approved for circulation to the Standing Committee on Public Accounts

Signature: Date: 13/11/19.

By the Acting Treasurer, Yvette Berry MLA

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LEGISLATIVE ASSEMBLY

FOR THE AUSTRALIAN CAPITAL TERRITORY

QTON No. 18

STANDING COMMITTEE ON PUBLIC ACCOUNTS

VICKI DUNNE MLA (CHAIR), TARA CHEYNE MLA (DEPUTY CHAIR), BEC CODY MLA, NICOLE LAWDER MLA

**Inquiry into referred 2018–19 Annual and Financial Reports**
**ANSWER TO QUESTION TAKEN ON NOTICE**
**5 November 2019**

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Asked by VICKI DUNNE MLA:

In relation to the Lifetime Care and Support Fund:

**THE CHAIR:** Okay, great, thank you for that, Ms Holmes. In relation to the Lifetime Care and Support Fund, in dollar figures and percentages for 2018-19, what proportion of the revenue from the support levy came from motor vehicle registrations; vintage, veteran and historical registrations; worker's compensation; and self-insurers?

...

**Ms Holmes:** Yes. I do not have the split out for what the vintage vehicles are from that amount. And the—

**THE CHAIR:** Is that obtainable, or you just do not—

**Ms Holmes:** It is certainly obtainable.

**THE CHAIR:** Okay. On notice, could we get the split, please?

YVETTE BERRY MLA: The answer to the Member's question is as follows:–

The Lifetime Care and Support (LTCS) Scheme is funded by two levies:

**Motor Accident Injury Levy**

The LTCS Motor Accident Injury Levy relates to motor accident injuries and applies to all Compulsory Third Party Insurance (CTP) Policies. The total revenue from the Motor Accident Injury Levy for 2018-19 was $10.962 million.

21/11/21

For 2018-19 the levy for a 12-month CTP policy (charged proportionately based on the number of months a vehicle is registered) was:

- $7.30 for vehicles registered under the ACT's Veteran, Vintage and Historic (VVH) Registration Scheme; and
- $36.50 for all other vehicles.

During 2018-19, there were on average 1,204 VVH vehicles registered in the ACT. This was 0.4 per cent of the 299,708 total number of vehicles registered in that period. Road User Services ACT does not provide a breakdown of the levy collected by vehicle class. If all the vehicles registered under the ACT's

VVH Registration Scheme had been registered for a 12-month CTP policy then the amount of LTCS Levy revenue would be approximately $8,800. However, these vehicles might have been registered for only part of the year and hence the amount of levy collected from VVH could be less.

**Worker Injury Levy**
The LTCS Worker Injury Levy relates to work injuries and applies to each private sector workers' compensation insurer and self-insurer who writes workers compensation policies for the purposes of the *Workers Compensation Act.* The total revenue from the Worker Injury Levy for 2018-19 was $3.8 million. The amount of contribution by each insurer and self-insurer is publicly available on the *ACT Legislation Register* as the levy determination by the LTCS Commissioner is a Notifiable Instrument (NI2018-236).

The following table provides the breakdown of the amount of levy revenue for the two injury streams:

| | Actual 2018-19 LTCS Levy $'000 | Actual 2018-19 % (of Total LTCS Levy) |
|---|---|---|
| **Motor Accident Injury Levy** | 10,962 | 74.3% |
| **Worker Injury Levy** | | |
| - Insurers | 3,730 | 25.2% |
| - Self-insurers | 70 | 0.5% |
| Total Worker Injury Levy | 3,800 | 25.7% |
| **Total Lifetime Care and Support Levy** | 14,762 | 100.0% |

Approved for circulation to the Standing Committee on Public Accounts

Signature:

Date: 15/11/19.

By the A/g Treasurer, Yvette Berry MLA

LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

QTON No. 19

STANDING COMMITTEE ON PUBLIC ACCOUNTS
VICKI DUNNE MLA (CHAIR), TARA CHEYNE MLA (DEPUTY CHAIR), BEC CODY MLA,
NICOLE LAWDER MLA

**Inquiry into referred 2018–19 Annual and Financial Reports**
**ANSWER TO QUESTION TAKEN ON NOTICE**
**5 November 2019**

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COMMITTEE SUPPORT

Asked by VICKI DUNNE MLA:

In relation to International travel:

**THE CHAIR**: And is it—how often would a member of your staff also—ministerial staff also attend?

**Mr Barr**: On occasion. Not frequently, but it would again depend on the circumstances and, in this instance, obviously language skills.

**THE CHAIR:** So on notice, could you, perhaps for your tenure as Chief Minister, indicate to the committee how often that has happened, and the reasons why that would have happened?

**Mr Barr:** Yes. For domestic and international travel?

**THE CHAIR:** International.

**Mr Barr:** International only?

**THE CHAIR:** Yes.

**Mr Barr:** I mean, it does also happen on domestic occasions when, for example, there are multiple ministerial meetings on the same day and I cannot physically be in three places at once, that either officials or staff or a combination thereof would attend—

**THE CHAIR:** No, no, no, I am really thinking about advance. Advance.

**Mr Barr:** In the international? Yes, sure.

Yvette Berry MLA: The answer to the Member's question is as follows:–

On one occasion to conduct a scoping exercise for the Jakarta delegation.

| |
|---|
| Approved for circulation to the Standing Committee on Public Accounts |
| Signature: Date: 13/11/19 |
| By the Acting Chief Minister, Yvette Berry MLA |

QTON No. 21

# LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

STANDING COMMITTEE ON PUBLIC ACCOUNTS
VICKI DUNNE MLA (CHAIR), TARA CHEYNE MLA (DEPUTY CHAIR), BEC CODY MLA, NICOLE LAWDER MLA

**Inquiry into referred 2018–19 Annual and Financial Reports**
**ANSWER TO QUESTION TAKEN ON NOTICE**
**5 November 2019**

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Asked By Nicole Lawder MLA:

In relation to non-executive members accompanying travel overseas:

**MS LAWDER:** On how many other occasions, at least this term, have non-executive members accompanied travel overseas?

...

**MS LAWDER:** Going back to my previous question about how many times had this occurred, are you able to perhaps take on notice how many times that has occurred in the history of the Assembly?

Yvette Berry MLA: The answer to the Member's question is as follows:–

Records collating this information have not been consistently kept during the history of the Assembly, however, listed below are two examples discovered with the assistance of staff memory and Hansard of when non-executive members have accompanied executive members on overseas travel.

- In 1999, Mr Humphries in his role as Treasurer was accompanied by Mr Quinlan in his role as Shadow Treasurer on a business delegation to the Republic of Ireland.
- In November 2004, Mr Quinlan in his role of Treasurer was accompanied by Mrs Burke in her role as Shadow Minister for Housing and Community Services on a Ministerial visit to the USA.

Approved for circulation to the Standing Committee on Public Accounts

Signature: Date: 22/11/19

By the Acting Chief Minister, Yvette Berry MLA

LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

QTON No. 22

STANDING COMMITTEE ON PUBLIC ACCOUNTS
VICKI DUNNE MLA (CHAIR), TARA CHEYNE MLA (DEPUTY CHAIR), BEC CODY MLA, NICOLE LAWDER MLA

**Inquiry into referred 2018–19 Annual and Financial Reports**
**ANSWER TO QUESTION TAKEN ON NOTICE**
**5 November 2019**

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COMMITTEE SUPPORT

Asked by VICKI DUNNE MLA:

In relation to International travel:

**THE CHAIR:** So does everyone travel at the same class and stay at the same accommodation?

**Mr Barr:** Yes, I believe so. I will check on the travel class. In relation to the Indian trip or on all trips?

**THE CHAIR:** On the Indian trip, please.

YVETTE BERRY: The answer to the Member's question is as follows:–

In relation to the India trip, all members of the delegation travelled at the same class and at stayed at the same accommodation.

Approved for circulation to the Standing Committee on Public Accounts

Signature:

Date: 15/11/19.

By the Acting Chief Minister, Yvette Berry MLA

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# LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

QTON No. 23

STANDING COMMITTEE ON PUBLIC ACCOUNTS
VICKI DUNNE MLA (CHAIR), TARA CHEYNE MLA (DEPUTY CHAIR), BEC CODY MLA, NICOLE LAWDER MLA

**Inquiry into referred 2018–19 Annual and Financial Reports**
**ANSWER TO QUESTION TAKEN ON NOTICE**
**5 November 2019**

RECEIVED
15 NOV 2019
ACT LA
COMMITTEE SUPPORT

Asked by VICKI DUNNE MLA:

In relation to Indian trip officials not qualified for business class:

**THE CHAIR:** So there was no one who travelled on the Indian trip who was an official who would not have qualified for business class travel?

**Mr Barr:** I will double-check that. There may have been one who did not, but let me check.

YVETTE BERRY MLA: The answer to the Member's question is as follows:–

One member of the delegation, an official engaged at the Senior Officer Grade A classification who would not otherwise have qualified for business class, was granted permission to travel business class by the Head of Service on the following grounds:

- The length of the flight (approximately 14 hours airtime, plus Singapore transfers);
- The need to arrive prepared to commence work in New Delhi immediately;
- Having the official available in flight for discussions relating to their areas of expertise, with that area being the focus of the delegation; and
- A preference to keep the group together throughout immigration, customs, and security screening, for which the ACT Government has sought VIP facilitation from the relevant Indian authorities.

Approved for circulation to the Standing Committee on Public Accounts

Signature: Date: 15/11/19

By A/g Chief Minister, Yvette Berry MLA

# LEGISLATIVE ASSEMBLY

FOR THE AUSTRALIAN CAPITAL TERRITORY

QTON No. 24

STANDING COMMITTEE ON PUBLIC ACCOUNTS

VICKI DUNNE MLA (CHAIR), TARA CHEYNE MLA (DEPUTY CHAIR), BEC CODY MLA, NICOLE LAWDER MLA

**Inquiry into referred 2018–19 Annual and Financial Reports**
**ANSWER TO QUESTION TAKEN ON NOTICE**
**5 November 2019**

RECEIVED 22 NOV 2019 ACT LA COMMITTEE SUPPORT

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Asked by Nicole Lawder MLA:

In relation to:

**MS LAWDER**: Could you provide a break-down to the committee of the cost of the trip by airfares and class, accommodation and rating, hospitality expenses, other travel such as a car, and any other costs?

**Mr Barr**: That is part of the usual reporting process, so yes, we will do that. I think we foreshadowed in advance of the trip in a media release, so very publicly, the costs associated with that and that will be reported in due course.

Yvette Berry MLA: The answer to the Member's question is as follows:–

This information will be released as part of the usual reporting process by 30 November 2019.

Approved for circulation to the Standing Committee on Public Accounts

Signature: Date: 22/11/19

By the Acting Chief Minister, Yvette Berry MLA

QTON No. 25

# LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

STANDING COMMITTEE ON PUBLIC ACCOUNTS
VICKI DUNNE MLA (CHAIR), TARA CHEYNE MLA (DEPUTY CHAIR), BEC CODY MLA, NICOLE LAWDER MLA

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13 NOV 2019
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**Inquiry into referred 2018–19 Annual and Financial Reports**
**ANSWER TO QUESTION TAKEN ON NOTICE**
**5 November 2019**

Asked by NICOLE LAWDER MLA:

In relation to Indian trip airline upgrades:

**MS LAWDER:** Did anyone request an airline upgrade or receive an airline upgrade?

**Mr Barr:** I do not believe so but I will check that

YVETTE BERRY MLA: The answer to the Member's question is as follows:–

No one on the delegation requested or received an airline upgrade.

Approved for circulation to the Standing Committee on Public Accounts

Signature: Date: 13/11/19

By the A/g Chief Minister, Yvette Berry MLA

QTON No. 26

# LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

STANDING COMMITTEE ON PUBLIC ACCOUNTS
VICKI DUNNE MLA (CHAIR), TARA CHEYNE MLA (DEPUTY CHAIR), BEC CODY MLA, NICOLE LAWDER MLA

**Inquiry into referred 2018–19 Annual and Financial Reports**
**ANSWER TO QUESTION TAKEN ON NOTICE**
**5 November 2019**

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13 NOV 2019
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COMMITTEE SUPPORT

Asked by VICKI DUNNE MLA:

In relation to the criteria for taking on contractors rather than permanent employees:

**THE CHAIR:** So what are the criteria for taking on contractors rather than permanent employees?

**Mr Tanton:** So contractors is generally—we look at—we have areas of permanent skills that we need only on a short-time basis. So some cases, they are for a set time. So if it is maybe for a project that runs from 12 months, two years, three years, we would bring on a contractor because there is not an ongoing body of work after that. Or if there is specific information or expertise that we actually require to bring into the service because we do not currently have it available to us.

**THE CHAIR:** So what would be the average length of the contract and what would the average salary on a contract be?

**Mr Tanton:** I do not actually have that on hand. I can take that on notice.

MINISTER ORR: The answer to the Member's question is as follows:–

In Shared Services ICT the average length of tenure for contractors is 38.6 months and the average salary is $792.02 (daily rate based on an eight-hour day).

Approved for circulation to the Standing Committee on Public Accounts

Signature: Date: 12/11/19

By the Minister for Government Services and Procurement, Suzanne Orr MLA

**LEGISLATIVE ASSEMBLY**
FOR THE AUSTRALIAN CAPITAL TERRITORY

**QTON No. 27**

STANDING COMMITTEE ON PUBLIC ACCOUNTS
VICKI DUNNE MLA (CHAIR), TARA CHEYNE MLA (DEPUTY CHAIR), BEC CODY MLA, NICOLE LAWDER MLA

**Inquiry into referred 2018–19 Annual and Financial Reports**
**ANSWER TO QUESTION TAKEN ON NOTICE**
**5 November 2019**



Asked by TARA CHEYNE MLA:

In relation to multi-factual authentication on the Outlook Web client:

**Mr Davis**: I acknowledge the privilege statement. The loophole that we were looking for was around multi-factor authentication on the Outlook web client. That may have inconvenienced some people but it was there. That was a recommendation from the Australian Cyber Security Centre, to close that loophole off.

**MS CHEYNE**: So the loophole was that multi-factor authentication did not exist?

**Mr Davis**: Correct.

**MS CHEYNE**: Were we planning to roll out multi-factor authentication regardless of whether there was a breach, or did we only do it because a breach occurred?

**Mr Davis**: We did it there post the breach occurring. We do have multi-factor authentication for many of our systems. We did not have it for the Outlook web access, so that was a recommendation.

**MS CHEYNE**: Had that previously been identified as a risk?

**Mr Davis**: I could not answer that question. I would have to take on notice whether we had that as part of our risk plan or our security risk plan.

**MS CHEYNE**: Do you do regular risk assessments in Shared Services?

**Mr Davis**: I can answer this. We do risk assessments against nearly all of the systems that we have. We are very heavily scrutinised by the CMT risk and audit committee. We are also scrutinised by the Auditor-General around data. We have an ongoing investigation—not investigation; I apologise. We have ongoing engagement with them around security. Every time we have a cloud system, for example, or a new system comes on board, we do a security assessment against it, yes. It just happened that in this particular case it was not there. I do not know the history of it myself, but I will find out on notice why that particular one was not closed.

**QTON No. 27**

# LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

## STANDING COMMITTEE ON PUBLIC ACCOUNTS

VICKI DUNNE MLA (CHAIR), TARA CHEYNE MLA (DEPUTY CHAIR), BEC CODY MLA, NICOLE LAWDER MLA

MINISTER ORR: The answer to the Member's question is as follows:–

The risk of a user's account being accessed through password compromise is a constant and present threat that had been identified through risk assessment prior to the ACT Government data breach in November 2018.

Prior to November 2018 this risk was managed through strengthened password protocols and Multi-Factor Authentication (MFA) had been deployed to mitigate specific high-risk scenarios, such as administrative user access.

Providing MFA on all remote email access was considered a significant change in process for users and consequently the deployment of MFA was scheduled to follow the migration to Microsoft Exchange Online in 2019.

Following the data breach this approach was re-assessed and MFA was immediately implemented to protect all remote email access in December 2018.

Approved for circulation to the Standing Committee on Public Accounts

Signature: Date: 11/11/19

By the Minister for Government Services and Procurement, Suzanne Orr MLA

Civic Square, London Circuit (GPO Box 1020) Canberra ACT 2601
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LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

QTON No. 28

STANDING COMMITTEE ON PUBLIC ACCOUNTS
VICKI DUNNE MLA (CHAIR), TARA CHEYNE MLA (DEPUTY CHAIR), BEC CODY MLA, NICOLE LAWDER MLA

**Inquiry into referred 2018–19 Annual and Financial Reports**
**ANSWER TO QUESTION TAKEN ON NOTICE**
**5 November 2019**



Asked by NICOLE LAWDER MLA:

In relation to the Collexus system:

**MS LAWDER**: What exactly are you looking for? What performance indicators did you have, or scope, that made you select Collexus as opposed to another system.

**Mr Tanton**: I do not have the procurement criteria in front of me but I am happy to take that on notice.

MINISTER ORR: The answer to the Member's question is as follows:–

Shared Services went to market in December 2018 to procure a Commercial-Off-The-Shelf (COTS) debt management system to centralise, streamline and create automated efficiencies in ACT Government debt management practices. A comprehensive statement of requirements and request for quote was circulated to three vendors, with vendors subsequently assessed under criteria including, but not limited to:

- Ability to seamlessly synchronise and integrate data with ACT Government systems, including Oracle e-Business Suite (Oracle EBS);
- Compliance and adherence to ACT Government guidelines, policies and legislation, as well as Commonwealth provisions for dealing with debt and debtors; and
- Ensuring the selected vendor met all mandatory and highly desirable functional and business requirements of Shared Services; including but not limited to:
    - consolidating debtor information on a person-centric basis, rather than the current highly manual transactional based arrangement within Oracle EBS;
    - reduce the amount of manual processing;
    - improve the capability of information workflows to support better quality customer service outcomes; and
    - improved analytics, reporting, and records management.

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**LEGISLATIVE ASSEMBLY**
FOR THE AUSTRALIAN CAPITAL TERRITORY

**QTON No. 28**

STANDING COMMITTEE ON PUBLIC ACCOUNTS
VICKI DUNNE MLA (CHAIR), TARA CHEYNE MLA (DEPUTY CHAIR), BEC CODY MLA, NICOLE LAWDER MLA

Each vendor response was assessed to ensure the selected vendor indicated the best possible value for money for the Territory. Additionally, vendor responses were subject to Shared Services ICT (SSICT) assessments to ensure the selected vendor adhered to all SSICT and ACT Government technical requirements. Collexus was selected as the successful COTS debt management system vendor meeting all necessary business and technical requirements.

Approved for circulation to the Standing Committee on Public Accounts

Signature: Date: 11/11/19

By the Minister for Government Services and Procurement, Suzanne Orr MLA

LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

QTON No. 29

STANDING COMMITTEE ON PUBLIC ACCOUNTS
VICKI DUNNE MLA (CHAIR), TARA CHEYNE MLA (DEPUTY CHAIR), BEC CODY MLA,
NICOLE LAWDER MLA

**Inquiry into referred 2018–19 Annual and Financial Reports**
**ANSWER TO QUESTION TAKEN ON NOTICE**
**5 November 2019**

RECEIVED
13 NOV 2019
ACT LA
COMMITTEE SUPPORT

Asked by NICOLE LAWDER MLA:

In relation to contractors who were formally ACT public service employees:

**MS LAWDER:** Yes. And just finally, of the contractors that you do have, who have been employed for perhaps more than two years continuously, are you able to take on notice, how many of them were formally ACT public service employees who have moved to being contractors?

**Mr Nicol:** Yes, we could do that.

**Mr Tanton:** We can do that.

MINISTER ORR: The answer to the Member's question is as follows:–

Shared Services has identified three contractors who have been employed for more than two years who have previously been employed by the ACT Public Service.

Approved for circulation to the Standing Committee on Public Accounts

Signature: Date: 12/11/19

By the Minister for Government Services and Procurement, Suzanne Orr MLA

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QTON No. 30

# LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

STANDING COMMITTEE ON PUBLIC ACCOUNTS
VICKI DUNNE MLA (CHAIR), TARA CHEYNE MLA (DEPUTY CHAIR), BEC CODY MLA, NICOLE LAWDER MLA

**Inquiry into referred 2018–19 Annual and Financial Reports**
**ANSWER TO QUESTION TAKEN ON NOTICE**
**5 November 2019**

RECEIVED
13 NOV 2019
ACT LA
COMMITTEE SUPPORT

Asked by VICKI DUNNE MLA:

In relation to Shared Services invoicing to ACT Health:

**THE CHAIR**: I want to ask about Shared Services invoicing, in particular to ACT Health. Have Shared Services experienced an increase or a decrease in invoicing to Health compared to the previous financial year?

**Mr Tanton**: I would need to take that on notice. Are you talking about businesses invoicing Health?

**THE CHAIR**: No, Shared Services invoicing.

**Mr Tanton**: We bill on a quarterly basis. We send out for our services. We are a cost-recovered agency. Our cost base has not really been adjusted for a period now, the amount of invoicing. I can ask more generally and take it on notice.

**Mr Nicol**: Can I just clarify. Are you talking about the dollar quantum or the number of invoices?

**THE CHAIR**: I mean the dollar quantum. The number of invoices is immaterial. It came up in estimates that ACT Health employs ICT specialists. I am just trying to get a feel for whether ACT Health is going it alone on ICT issues as well as engaging Shared Services?

MINISTER ORR: The answer to the Member's question is as follows:–

In 2017-18 Shared Services invoiced the ACT Health Directorate $53,430,633 for Shared Services user charges. This figure has been adjusted with a 2.43% composite rate to reflect an objective comparison with the 2018-19 invoiced amount (the composite rate is derived from the consumer price index and wage growth).

In 2018-19 Shared Services invoiced the ACT Health Directorate and Canberra Health Services $54,546,758 for Shared Services user charges.

Key factors contributing to the variation of $1,116,125 between 2017-18 to 2018-19 are as follows:

- $1.153 million increase in asset rentals;
- $605,000 reduction on project labour and $329,000 reduction on project third party costs;
- $717,000 increase in billbacks for hardware purchases; and
- $246,000 increase in finance charges attributed to; the University of Canberra Hospital, and additional services provided as a result of the separation of the Health Directorate with Canberra Health Services.

Approved for circulation to the Standing Committee on Public Accounts

Signature: Date: 11/11/19

By the Minister for Government Services and Procurement, Suzanne Orr MLA

LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

**QTON No. 31**

STANDING COMMITTEE ON PUBLIC ACCOUNTS
VICKI DUNNE MLA (CHAIR), TARA CHEYNE MLA (DEPUTY CHAIR), BEC CODY MLA, NICOLE LAWDER MLA

**Inquiry into referred 2018–19 Annual and Financial Reports**
**ANSWER TO QUESTION TAKEN ON NOTICE**
**5 November 2019**

RECEIVED
13 NOV 2019
ACT LA
COMMITTEE SUPPORT

Asked by NICOLE LAWDER MLA:

In relation to invoice processing times:

**MS LAWDER**: I am just wondering. There may come a point where you decide to go back to weekly; that is all.

**Mr Nicol**: I take your point.

**Ms Pritchard**: Yes, we would have to readjust

**MS LAWDER**: Because it is no longer as efficient.

**Ms Pritchard**: Yes. If our volume became extreme—

**MS LAWDER**: What is that tipping point? Do you know?

**Ms Pritchard**: No, I would not know that off the top of my head. I would have to take that on notice.

MINISTER ORR: The answer to the Member's question is as follows:–

ACTIA changed its payment processing from weekly to fortnightly after the KPI was set in the 2018-19 Budget, this was based on a number of factors relating to efficiencies and resourcing. Excluding the data entry element, the time taken to process payments is generally unaffected by the volume. The remainder of process is the same regardless. In line with the new process the KPI target in future budgets has now been amended to 14 days. Currently the process of a payment cycle can take between one to one and half days to complete. Should the payment cycle exceed 2 full days of processing, we would consider reverting back to a weekly cycle.

Approved for circulation to the Standing Committee on Public Accounts

Signature: Date: 11/11/19

By the Minister for Government Services and Procurement, Suzanne Orr MLA

**LEGISLATIVE ASSEMBLY**
FOR THE AUSTRALIAN CAPITAL TERRITORY

QTON No. 32

STANDING COMMITTEE ON PUBLIC ACCOUNTS
VICKI DUNNE MLA (CHAIR), TARA CHEYNE MLA (DEPUTY CHAIR), BEC CODY MLA, NICOLE LAWDER MLA

**Inquiry into referred 2018–19 Annual and Financial Reports**
**ANSWER TO QUESTION TAKEN ON NOTICE**
**5 November 2019**

RECEIVED
13 NOV 2019
ACT LA
COMMITTEE SUPPORT

Asked by VICKI DUNNE MLA:

In relation to the ACTIA annual report:

**THE CHAIR**: I have a question about the capital funding ratio, but before I go to that, can I ask whether the ACTIA annual report complies with the Chief Minister's guidelines on annual reports? I am struck by what must be 150 gsm paper. It stands out as being quite rigid and possibly expensive.

**Ms Pritchard**: ACT publishing services produce our annual report. We go on their guidelines for production.

**Mr Nicol**: We will check.

MINISTER ORR: The answer to the Member's question is as follows:–

ACTIA uses the services of ACT Publishing Services to design and produce the ACTIA Annual Report. ACT Publishing Services requested the paper specification from a number of suppliers, as part of the simple procurement process, for this report to be produced using 300GSM Monza Satin for the cover and 115GSM for internal papers. The paper is environmentally certified by the Forest Stewardship Council (FSC) and comprises 99% recycled material. The requested specification of the ACTIA Annual Report matches that of other reports produced by ACT Publishing Services for the 18-19 reporting period.

Approved for circulation to the Standing Committee on Public Accounts

Signature: Date: 11/11/19

By the Minister for Government Services and Procurement, Suzanne Orr MLA

ACT Ombudsman

GPO Box 442 Canberra ACT
Phone 02 6276 3773 ▪ ombudsman.act.gov.au

fA98744

12 November 2019

Dr Brian Lloyd
Committee Secretary
ACT Legislative Assembly
London Circuit
CANBERRA act 2601

Dear Dr Lloyd

**Standing Committee on Public Accounts – Inquiry into 2018-19 Annual Reports**

**Answers to Questions Taken on Notice**

Please find enclosed the Ombudsman's answers to QToNs 33 and 34, which have also been emailed to you.

Yours sincerely

Jennifer Furze

Jennifer Furze
A/g Assistant Director
Act Strategy and FOI

# LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

QTON No. 33

STANDING COMMITTEE ON PUBLIC ACCOUNTS
VICKI DUNNE MLA (CHAIR), TARA CHEYNE MLA (DEPUTY CHAIR), BEC CODY MLA, NICOLE LAWDER MLA

RECEIVED
12 NOV 2019
ACT LA
COMMITTEE SUPPORT

**Inquiry into referred 2018–19 Annual and Financial Reports**
**ANSWER TO QUESTION TAKEN ON NOTICE**
**5 November 2019**

Asked by: Vicki Dunne MLA

In relation to:

Applications to the ACT Ombudsman for extensions of time to deal with freedom of information access applications.

... could you, on notice, provide us with the agency or agencies that have requested extensions of time and how big they are?

Michael Manthorpe PSM, ACT Ombudsman: The answer to the Member's question is as follows:–

My Office received six applications for extensions of time to deal with access applications in 2018-19. Canberra Health Services and the Education Directorate each made one application, and the Community Services Directorate and the Environment Planning and Sustainable Development Directorate made two each.

The table below sets out the applications with the extension of time requested by the directorate and the extension of time granted by my Office.

| Directorate | Time requested | Time granted |
|---|---|---|
| Canberra Health Services | 15 days | 15 days |
| Community Services Directorate | 15 days | 15 days |
| Community Services Directorate | 15 days | 15 days |
| Education Directorate | 11 days | 11 days |
| Environment, Planning and Sustainable Development Directorate | 15 days | 15 days |
| Environment, Planning and Sustainable Development Directorate | 15 days | 15 days |

**LEGISLATIVE ASSEMBLY**
FOR THE AUSTRALIAN CAPITAL TERRITORY

**QTON No. 33**

STANDING COMMITTEE ON PUBLIC ACCOUNTS
VICKI DUNNE MLA (CHAIR), TARA CHEYNE MLA (DEPUTY CHAIR), BEC CODY MLA, NICOLE LAWDER MLA

Approved for circulation to the Standing Committee on Public Accounts

Signature: Date: 11 · 11 · 19

By the ACT Ombudsman, Michael Manthorpe PSM

# LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

QTON No. 34


STANDING COMMITTEE ON PUBLIC ACCOUNTS
VICKI DUNNE MLA (CHAIR), TARA CHEYNE MLA (DEPUTY CHAIR), BEC CODY MLA, NICOLE LAWDER MLA

**Inquiry into referred 2018–19 Annual and Financial Reports**
**ANSWER TO QUESTION TAKEN ON NOTICE**
**5 November 2019**

RECEIVED
12 NOV 2019
ACT LA
COMMITTEE SUPPORT

Asked by: Ms Bec Cody MLA

In relation to:

The inclusion of OneLink in complaints made to the ACT Ombudsman about Housing ACT.

... I would like to know if OneLink is a service that you include in your complaints handling side of the role.

Michael Manthorpe PSM, ACT Ombudsman: The answer to the Member's question is as follows:–

Under the *Ombudsman Act 1989*, I am authorised to investigate action taken by ACT government agencies that relates to matters of administration. As OneLink is a service provided by Woden Community Service and is not an ACT government agency, my Office does not investigate complaints about OneLink.

Complaints about OneLink can be made directly to a OneLink manager or to a Director of Service Access and Support or Executive Director of Woden Community Service. Further information on how to complain is available at the Feedback and Complaints section of the OneLink website.

The ACT Ombudsman website also gives advice on organisations who can help with complaints that fall outside our jurisdiction and tips on how to make a complaint.

Approved for circulation to the Standing Committee on Public Accounts

Signature:

Date: 11.11.19

By the ACT Ombudsman, Michael Manthorpe PSM

LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

QTON Nos. 35, 36 &37

STANDING COMMITTEE ON PUBLIC ACCOUNTS
VICKI DUNNE MLA (CHAIR), TARA CHEYNE MLA (DEPUTY CHAIR), BEC CODY MLA, NICOLE LAWDER MLA

RECEIVED 25 NOV 2019 COMMITTEE SUPPORT ACT LA

**Inquiry into referred 2018–19 Annual and Financial Reports**
**ANSWER TO QUESTION TAKEN ON NOTICE**
**5 November 2019**

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Asked by MS TARA CHEYNE MLA:

In relation to:

1. I have just one other question on number 5, under scrutiny in the 2018 report card. The percentage of questions on notice answered was 98 per cent, which is healthy. But another measure on legislation to a percentage of bills considered by the scrutiny of bills committee is 98 per cent and that is very healthy. Why do two measures with the same score have different descriptors regarding their health?

Asked by MRS VICKI DUNNE MLA:

In relation to:

2. I would be interested to know what the 2 per cent of legislation that did not go to the Scrutiny of Bills committee.

Asked by MS NICOLE LAWDER MLA:

In relation to:

3. What is the reason for the change in percentage of recycled paper purchased?

MS JOY BURCH MLA, SPEAKER: The answers to the Member's questions are as follows:–

1. It should be noted that the descriptors for the 10 measures of a healthy parliament (i.e. very healthy, healthy, somewhat healthy etc.) were only introduced in the last two year's report cards i.e. 2018 and 2017. The reason for the change was that the document did not meet accessibility requirements and so words were added, whereas previously there were just graphics.

   In the years 2012 to 2016 the rating consisted of a series of graphics ranging from a full chamber (i.e. 5 dots around a table depicting a full chamber) descending to

4 dots, 3 dots, 2 dots, one dot and lastly, no dots indicating an empty chamber. The ratings which were depicted at the bottom of the page for all those years were only two – for a full chamber (5 dots) it was described as "very healthy and highly democratic and balanced", and for an empty chamber the description was "very unhealthy and completely dominated by government".

When the fully accessible scorecard was created the ratings where there were 5 dots received the rating very healthy, 4 dots received the rating healthy, 3 dots somewhat healthy, and so on, with no dots receiving the rating very un-healthy (see graphics


Very healthy


Healthy

The rating for the percentage of bills considered by the Standing Committee on Justice and Community Safety (Legislative Scrutiny Role) (Scrutiny Committee) was very healthy based on a score of 98%. The reason why a score of 98% was given was because one bill - namely the Integrity Commission Bill 2018 – was introduced in the last sitting Tuesday of 2018 and was subsequently passed 2 days later with a significant amount of amendments. Although the Bill was not considered by the Scrutiny Committee, on 23 October 2018 the Assembly resolved that the draft Integrity Commission Bill 2018 – as soon as it was available – be referred to the Scrutiny Committee for consideration and report. The Scrutiny Committee subsequently examined the draft Integrity Commission Bill and reported to the Assembly. So whilst technically the Scrutiny Committee did not scrutinise the final version of the Integrity Commission Bill it had examined the next to final draft, and so it was for this reason that a score of very healthy was given notwithstanding that a score of 98% had been achieved.

This compares to the percentage of questions on notice answered where 1238 questions were lodged during 2018, and 24 questions were not answered, so notwithstanding that a 98% score was achieved, given that there were not all questions answered only a rating of healthy was given.

2. As indicated in the answer above, the Integrity Commission Bill 2018 was not examined by the Scrutiny Committee in 2018. However, an early draft of the Bill was examined by the Scrutiny Committee after the Assembly resolved, on 23 October 2018, that the Scrutiny Committee should look at a draft of the Bill.

3. The 'percentage of recycled paper' figures in the Office's annual report represent the portion of recycled content for all paper purchased by the Office and non-executive members during the reporting period.

   In 2018-2019, the total number of paper reams purchased was 531. Seventy-six percent, or 405 reams, of this was recycled paper. In the previous financial year, ninety percent of the reams purchased were recycled paper.

   A large portion of the non-recycled paper was purchased following a change in stationery provider. It appears different paper stock was ordered on the basis of labelling that indicated other potential environmental benefits such as 'certified carbon neutral' and sourced from PEFC certified (sustainable) forests but which was nonetheless not recycled paper.

The Office will issue additional internal guidance to ensure that appropriate paper products are purchased.

| | |
|---|---|
| Approved for circulation to the Standing Committee on Public Accounts | |
| Signature: | Date: |
| By the Speaker, Joy Burch MLA | 25 · 11 · 19 |