

Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Budget Estimates May 2015

Agriculture

Question: 114

Division/Agency: Governance Branch

Topic: Media monitoring of Agforce survey results

Proof Hansard page: 16-17 (25.5.2015)

Senator CAMERON asked:

Senator CAMERON: Do you have a media monitoring group within the department?

Mr Padovan: We do.

Senator CAMERON: Would you have expected them to pick up an issue like the AgForce group indicating concerns about the payments?

Mr Padovan: They have picked up several AgForce articles. I would have to look at the specific article that you are referencing. But certainly the media monitoring is quite comprehensive.

Senator CAMERON: If it is comprehensive, have you any idea why you would not have been advised about this survey?

Mr Padovan: I would have to go back.

Senator CAMERON: Is there anyone from media monitoring here?

Mr Glyde: We will have to take that on notice. We do not have anyone from our media area here with us at the moment.

Answer:

Media coverage of the AgForce drought survey results was included in the department's internal media summaries of 21 May 2015 and 22 May 2015.

Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Budget Estimates May 2015

Agriculture

Question: 115

Division/Agency: Governance Branch

Topic: Cost of agencies not appearing

Proof Hansard page: 45 (25.5.2015)

Senator EDWARDS asked:

Senator EDWARDS: Acting Secretary, I thank you for the answer to question on notice 78, which was to do with the costs of bringing witnesses to estimates and not appearing due to time overruns, which goes to what the chair was talking about when he opened this morning. I have a question on notice for you. At the conclusion of this estimates, should there be any agencies that have been called and do not attend, can you answer the same questions for me as a question on notice as to the cost to each individual agency for accommodation, food and travel expenses and the cost of the lost productivity if that does actually come to bear. I hope it does not.

Answer:

The estimated costs of the Australian Livestock Export Corporation Limited (LiveCorp) witnesses that were called but did not appear at the May Budget Estimates hearing was \$3180.

A breakdown of costs is outlined in the table below:

Agency	LiveCorp
Number of witnesses	Two
Wages for attendance at Senate Estimates	\$1270
Accommodation	\$310
Travel (flights/taxi's/incidentals)	\$1600

The estimated salary cost of the departmental witness from the Post Entry Quarantine Build who was called but did not appear at the May Budget Estimates hearing was \$507.33.

Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Budget Estimates May 2015

Agriculture

Question: 116

Division/Agency: Governance Branch

Topic: FOI Review

Proof Hansard page: 54 (25.05.2015)

Senator CAMERON asked:

Senator CAMERON: Why Ernst & Young? How does Ernst & Young know these things better than some of your deputy secretaries or assistant secretaries who may have dealt with these things in other departments over the years?

Mr Glyde: They may have, and we have access to that information, of course, in terms of looking at what the consultant suggests. But what we were after, as quickly as we could, was a group that was experienced in this matter. Ernst & Young is on a panel that Customs runs. In its business consultancy services, it has demonstrated experience and understanding of FOI matters as a result of the principals and the people that are involved there. So we felt that it was best placed to provide this information to us.

Senator CAMERON: Who made this decision?

Mr Glyde: I did. Just to give a better background, after the February estimates hearing, Secretary Grimes asked for a review to be done, and that was in train when Dr Grimes departed, so we kept going with that. I still felt it was important for us to examine what we could do better. Could we do better? Was there anything that we needed to learn from the particular incident? I wanted it to be systems wide. So it was my decision. That was initially triggered by Dr Grimes, but I was the one that agreed to engagement of Ernst & Young.

Senator CAMERON: Was that a 10-week period? It is 8 April to 30 June.

Mr Glyde: Yes. I think I can probably take on notice what our expectation was when we signed the document, but we are certainly expecting a final report by 12 June, I think.

Answer:

The contract is for a ten week period from 8 April to 30 June 2015.

Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Budget Estimates May 2015

Agriculture

Question: 117

Division/Agency: Governance Branch

Topic: FOI Review

Proof Hansard page: 55 (25.05.2015)

Senator CAMERON asked:

Senator CAMERON: It is not quite three months, is it? The contract period is 8 April to 30 June. For \$80,000, how many people are going to be engaged in this from Ernst & Young?

Mr Padovan: There are a number of staff from Ernst & Young that are employed, starting at a partner level. A number of principals are also engaged on this task.

Senator CAMERON: What does that mean? What is the number of partners and principals?

Mr Padovan: Three to five as I understand, depending on where we are in the process.

Senator CAMERON: As you understand. Do you have the figures for who is going to be here and when?

Mr Padovan: We can certainly provide that.

CHAIR: Would that be \$1,000 an hour?

Senator CAMERON: Crazy—\$1,000 an hour.

Mr Padovan: I cannot speculate on that. It is a capped-price contract for a certain output.

Answer:

Please refer to the answer to Question on Notice 119 from the Budget Estimates hearing in May 2015.

Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Budget Estimates May 2015

Agriculture

Question: 118

Division/Agency: Governance Branch

Topic: FOI Review

Proof Hansard page: 55 (25.05.2015)

Senator CAMERON asked:

Senator CAMERON: What I cannot understand is that the experts in freedom of information reside in the Public Service—they are the ones that do it all the time—and we have made a decision to pay \$1,000 an hour to Ernst & Young to bring someone in to do a review on what I think, given my knowledge of the issue, is easily fixed. Talk about waste of public money—\$1,000 an hour.

Mr Padovan: The figure of \$1,000 an hour is not a valid running figure.

Senator CAMERON: That would be what it is.

Mr Glyde: We can provide to you on notice the number of people that are involved in the contract and the average hourly rates that they are employed at. The point is that I think you would possibly have been coming from the other direction if we had just examined ourselves—if we had been the people that gave the tick to our process or otherwise. We are also mindful that we are looking at a system which is operated by a number of officers in our department, and they are quite expert in FOI matters, as Dr Grimes said at the time. They are experienced officers. So we want to make sure that, when we do this, we have good authority.

We have conceded that we are a department that does not actually handle that many FOIs. There are departments around that have had much more experience. The people that are the experts in FOI matters are the people that we are reviewing, if you like. Rather than pay someone else, who is possibly inexpert in that, the most efficient and effective way that I saw was to go and ask someone who is used to doing these sorts of things for other departments, who has a breadth of knowledge of FOI practices across the Commonwealth and understanding of the legislation, and who can more quickly go out, as Mr Padovan has said, and speak to the relevant departments that we would like to compare ourselves to and that are seen outside their own department as having best practice. We are not necessarily in a position to judge that in terms of the individuals here. So the independence element is a pretty important aspect to me in terms of being able to get this right—and it is important that we do get this right. It is important, when mistakes are made, that we continue to strive for best practice. I know it is a lot of money, but I think it is a worthwhile investment given the sensitivity and the importance of getting FOI request handling right.

Question: 118 (continued)

Answer:

Please refer to the answer to Question on Notice 119 from the Budget Estimates hearing in May 2015.

Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Budget Estimates May 2015

Agriculture

Question: 119

Division/Agency: Governance Branch

Topic: FOI Review

Proof Hansard page: 55-56 (25.05.2015)

Senator CAMERON asked:

Senator CAMERON: I just cannot understand, for the life of me, why there was no-one in the Public Service Commission or somewhere who could say, 'This is where you got it wrong; this is what to do.' They could sit down with you for a day and then you fix it. You are spending \$80,000 to fix what I thought was a fairly dumb approach. This could be easily fixed.

Mr Glyde: I reject the assertion that it was a dumb decision. The officers involved made a decision with all the right intent. We have to look at the system-wide issues.

Senator CAMERON: I will retract. I do not want to cast aspersions on any of the officers.

Mr Glyde: Thank you.

Senator CAMERON: They were in a difficult position.

Mr Glyde: Yes, and that is the point I wanted to make: understanding the systems that we have in place, are those systems actually conspiring against officers of goodwill with deep knowledge of FOI? Are they conspiring against them delivering the right result? If I went to the APSC or the Information Commissioner, I would also have to, in essence, pay for their time to do it. I have to pay for one or more of my staff members to be part of this. I can understand where you are coming from, but what we are trying to say is that this is still the most cost-effective way of getting an independent look at our systems.

Senator CAMERON: Can you provide details, then, of who is doing it, the rates that they are being paid, what the business plan is to deal with it and—I am not asking this on notice, but the others can go on notice—whether the minister's office is covered by this review.

CHAIR: Thank you. You can do that.

Senator CAMERON: I am just asking. He can say either yes or no.

Mr Glyde: The review is looking at our processes, and one part of that process is the referral of FOI requests to the minister. So, to that extent, it is looking at the minister and also the fact that the minister also gets FOI requests that are handled by the minister's office. We provide some legal advice in that regard. That is within the scope, if that is what you mean. Was that the intent of your question?

Question: 119 (continued)

Senator CAMERON: I am just wondering what will happen. Will Ernst & Young go into the minister's office, sit down with the people responsible for FOI in the minister's office and say: 'How did this happen? This is how we think it should be fixed.' Is that the process?

Mr Glyde: As the minister's office is a client, if you like, of that service, it is appropriate for Ernst & Young to go and ask, without us being in the room, 'What is the quality of the service you have experienced from the department over the course of your time in government?' So that would certainly be one of the consultations that the consultancy would have undertaken.

Answer:

Three Ernst & Young staff have been engaged to conduct the review during the period of 8 April – 30 June 2015:

- Senior Consultant, Advisory
- Senior Manager, Advisory
- Partner, Advisory.

The hourly rates of employment cannot be disclosed on the basis that this is commercial-in-confidence material. As per Attachment B of the Senate Guidelines for Official Witnesses, the disclosure of such information could disadvantage Ernst & Young and place Ernst & Young's competitors at an advantage in future tender processes.

The agreed business plan/scope of the review includes:

- an assessment of how the department processes and makes decisions on requests for information under the FOI Act
- an assessment of how the department assists the Minister's office in processing ministerial FOI requests
- advice on best practice government models and their suitability to the department, and
- any other matters the reviewer considers appropriate.

Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Budget Estimates May 2015

Agriculture

Question: 120

Division/Agency: Governance Branch

Topic: Risks associated with online purchases

Proof Hansard page: 96 (25.5.2015)

Senator BACK asked:

Senator BACK: You mentioned risks associated with online purchases. Very briefly, for the committee, did you identify any specific risks that this committee should be aware of and action that needs to be taken?

Dr Bond: Well, there was some publicity earlier regarding the importation of seeds. That is an area that I am considering revisiting. So that is one particular issue. I do not have the report in front of me. I made a number of recommendations. I can take that question on notice, if you would like me to

Answer:

The Interim Inspector-General of Biosecurity (IIGB)'s report -- *Managing biosecurity risks associated with international online purchases* – was published on the IIGB website on 24 March 2015 (see www.igb.gov.au). The report contains the findings identified during the audit and six recommendations that the department has agreed to implement.

Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Budget Estimates May 2015

Agriculture

Question: 121

Division/Agency: Governance Branch

Topic: Imported bait for the rock lobster industry

Proof Hansard page: 96 (25.5.2015)

Senator BACK asked

Senator BACK: My final question relates to imported bait for the rock lobster industry. Obviously I have a particular interest in Western Australia. Is there any cause for concern, from a biosecurity point of view, about bait imported from overseas that is used in the commercial rock lobster industry that you are aware of?

Dr Bond: Not that I am aware of, Senator. I would have to take that question on notice. I was in Adelaide recently and talking to them about, amongst other things, the imports of bait for the tuna industry. I am happy to come back to you with a response to that.

Answer:

Following consultation with the department regarding its management of biosecurity risks associated with imported bait, at this point I have no concerns about the effectiveness of those controls. The department imposes the following biosecurity controls on imports of baitfish:

1. An import permit is required to import non-viable finfish (baitfish) into Australia from all countries. An import permit is not required for import from New Zealand.
2. Import permits can be issued for all species of fish other than those from Family *Salmonidae*.
3. The import permit conditions stipulate that each consignment must be accompanied by certification issued by the government competent authority in the country of export, confirming that the consignment complies with Australia's biosecurity requirements; these requirements are listed on the department's Import Conditions Database (ICON).
4. The department requires that imported bait for the rock lobster industry is moved to a Quarantine Approved Premises (QAP), and only released from the QAP during the period 15 October to 30 June each year.
5. In addition, the department has imposed geographical, post-arrival quarantine boundaries, based on water temperatures to manage Viral Haemorrhagic Septicaemia Virus (VHSV). For Western Australia and New South Wales, latitude 30 degrees south is the geographic limit for the use of specified bait fish species.