



PARLIAMENT OF AUSTRALIA

DEPARTMENT OF PARLIAMENTARY SERVICES



**Attachments to DPS submission to the Senate
Standing Committee of Privileges**

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Senate Finance and Public Administration Legislation Committee
ANSWERS TO QUESTIONS ON NOTICE
Supplementary Budget Estimates 2025-2026

Parliamentary Departments

Department/Agency: Department of Parliamentary Services
Topic: Requests for Data Searches

Senator: Jane Hume

Question reference number: 79

Type of question: Hansard, p. 19-20, 31 October 2025

Date set by the committee for the return of answer: 28 November 2025

Number of pages: 2

Question:

Senator HUME: Secretary, how many data searches have been undertaken and on what dates?

Ms Hinchcliffe: I will take that on notice for you.

Senator HUME: You must have a pretty good idea.

Ms Hinchcliffe: No, I will take that on notice. I can tell you that there were three requests for data searches, but how those were broken up into various searches, I'll need to take on notice for you.

Senator HUME: Requests for data searches from whom?

Ms Hinchcliffe: From me.

Senator HUME: You requested three data searches?

Ms Hinchcliffe: There was an initial request that was made by an assistant secretary—that was authorised by me. When it became clear that the information that has been provided by DPS ICT did not provide the information that was expected for Dr Roughley, I requested a second search to occur. The third search is the one that I've spoken about in relation to TransPerfect.

Senator HUME: On what dates where the three that you requested?

Ms Hinchcliffe: I might have to take that on notice; I don't think I have that with me.

Ms Hinder: We'll take the precise dates on notice, but I believe one was conducted in June, one was conducted in October, and one was conducted in either late December or early January.

Senator HUME: Was June 2024 the first search?

Ms Hinder: I believe so.

Ms Hinchcliffe: That's when the first request was, yes.

Senator HUME: Your first request?

Ms Hinchcliffe: Yes.

Senator HUME: Who prompted that request? Was that self-initiated?

Ms Hinchcliffe: Yes, it was. That was in relation to the decision to conduct an investigation in relation to the ITR payment.

Senator HUME: Dr Roughley was commissioned to undertake a detailed review of the incentive-to-retire payment in July.

Ms Hinchcliffe: That's right; we were in discussions about the investigation, and in order to prepare for the investigation, so that Dr Roughley could start working on it immediately when we engaged her, we started work on putting the material together.

Senator HUME: What date did you start with the department, Ms Hinchcliffe?

Ms Hinchcliffe: In February.

Senator HUME: As a deputy secretary, you initiated an inquiry or a data search; did you do that with the authorisation of Mr Stefanic?

Ms Hinchcliffe: No, it was my decision that we would conduct the investigation after a staff member came to me to explain that they had concerns about the way that the payment had been made, and about whether all information had been provided in order to calculate the correct amount.

Senator HUME: I would like, on notice, a list of the number of investigations—data searches—the dates that they were initiated, who authorised them and what the parameters of those searches were, please.

Ms Hinchcliffe: Of course.

Answer:

The Opening Statement and other associated documents provided to the Senate Finance and Public Administration Committee on and subsequent to the Committee's Estimates Hearing of 31 October and 4 November 2025 provide a detailed history of the data searches undertaken or authorised by the Department of Parliamentary Services (DPS) in support of the fact-finding investigation conducted by Dr Fiona Roughley SC.

DPS advises that twenty-two individual variations of data searches were performed the DPS Information Services Division between June and September 2024, in response to the 2 requests made on 21 June 2024 and 22 August 2024. DPS also notes that four duplicated searches were undertaken.

DPS has acknowledged that these data searches were inappropriate and not in accordance with authorisations provided. Refer also to DPS' responses to Supplementary Budget Estimates 2025-2026 Questions on Notice 91 and 98.



PARLIAMENT OF AUSTRALIA
DEPARTMENT OF PARLIAMENTARY SERVICES

Opening statement – Secretary, Department of Parliamentary Services

Good morning Chair and Members of the Finance and Public Administration Committee

I welcome the opportunity to appear before you today to discuss matters relevant to the Department of Parliamentary Services (DPS). Before I, and the Senior Executive members of DPS respond to your questions, I would like to take the opportunity to respond to media reporting relevant to the department regarding data search activities.

There are factual inaccuracies in reporting published yesterday about data searches undertaken by DPS, responded to by DPS or requested of DPS. It is disappointing that this has occurred.

For the absolute confirmation and certainty of the Committee:

- Media reporting has centered on whether Parliamentarian data has been incorrectly accessed and used.
- I can categorically confirm that no Parliamentarian or Parliamentary data has been provided to Dr Fiona Roughley SC or the National Anti-Corruption Commission (NACC) in support of any investigation that has been, or is being undertaken about an Incentive to Retire (ITR) payment made to a former Deputy Secretary of the Department.
- Despite what has been reported in the media, I have not been "*investigating the propriety*" of the payment made to the then Deputy Secretary of the Department.
- I have been clear to the Committee that Dr Fiona Roughley SC was engaged by DPS to establish findings of fact in relation to the ITR payment made to the former DPS Deputy Secretary on 1 October 2023.
- I have also been clear to the Committee and in public reporting that there is an investigation into a related issue being undertaken by the National Anti-Corruption Commission (NACC).
- I have committed to keeping the Committee informed about the findings and recommendations contained in Dr Roughley's report, within the bounds of the related NACC investigation. There will be matters that I cannot respond to due to the ongoing NACC investigation. Any questions about the NACC investigation should be referred to the NACC.
- My commitment to the Committee has been met. On 16 October 2025, I provided the Committee with a summary of Dr Roughley's report, and the subsequent actions DPS has taken in response.
- Media reporting has referred to concerns held about the cybersecurity status of one of the department's legal providers, HWLE Lawyers. HWLE Lawyers has provided outstanding support to DPS during Dr Roughley's investigation and in the department's engagement with other agencies. I can confirm that HWLE Lawyers provided suitable cybersecurity and other assurances to facilitate the provision of information, with mechanisms and protocols established to manage data and any related sensitivities. These assurances remain.
- In terms of data required to support Dr Roughley's investigation, there was, rightfully, an expectation that her investigation would be conducted with integrity. Not meeting this expectation would not align with Parliamentary Service Values, the expectations of this Committee and those of the general public. Failure to ensure the investigation's integrity would have posed a substantive reputational risk to the department.
- To facilitate a thorough investigation, which was to examine the role of DPS in the ITR payment and calculation process, Dr Roughley required access to DPS information and data about departmental employees.

- Internal data searches were initially conducted by staff of the DPS ICT Division. These data searches were undertaken across the APH network and not limited to DPS staff.
- DPS confirms again that no Parliamentarian or Parliamentary data was provided to HWLE Lawyers and Dr Roughley from the internally conducted DPS search.
- However, there were concerns that relevant data from the internally conducted searches had been filtered out, excluded or not provided. Dr. Roughley, HWLE Lawyers, the NACC, and DPS senior officers expressed significant concerns that the internal handling of the data request did not successfully identify expected and relevant material. Any risk that this had happened was unacceptable and would have affected Dr Roughley's ability to carry out her investigation robustly and with integrity.
- It is not acceptable that the internal data search, across the APH network, was conducted in this manner. The internal handling, by DPS staff, of the initial data retrieval process has been subject to investigation.
- In light of concerns about the internal data search conducted by DPS, a third-party IT forensic specialist, 'TransPerfect' was engaged by HWLE Lawyers, on instructions from, and with the agreement of DPS, to support the data retrieval process for material relevant to DPS employees and to support Dr Roughley's fact-finding investigation.
- Again, Dr Roughley's investigation was in relation to DPS actions and the involvement of DPS staff. There was, and there remains, no focus on Parliamentarians. DPS has seen no evidence, and Dr Roughley's full report contains no reference to, any engagement of any Parliamentarian in the ITR calculation and payment process.
- TransPerfect undertook a data collection process on DPS senior staff mailboxes. This process was limited to DPS employees and, unlike the initial search conducted by DPS ICT, did not occur across the APH network.
- In the data collection process undertaken by TransPerfect, a bulk extract occurred on DPS senior staff mailboxes. This means that all information held in the mailbox or Microsoft environment for that DPS staff member against a specified date range was provided to HWLE Lawyers. It was subsequently forensically searched to identify DPS staff material and staff engagement of relevance to the ITR calculation and payment. The remaining data was not reviewed for the Roughley Report but has been retained. This may include information about DPS functions performed on behalf of Parliamentarians. This information has been quarantined and has not been provided to Dr Roughley or the NACC.
- Finally, the inference in the media reporting that any investigation was undertaken in order to step into the role of Secretary of the Department of Parliamentary Services is both incorrect and deeply offensive.

I appreciate that the Committee may have further questions in relation to this matter, which the department will answer within the bounds of the related NACC investigation.

Finally, before taking questions from the Committee, I would like to acknowledge the staff of DPS, who every day, in often challenging circumstances, serve the Parliament, Parliamentarians and Australian Parliament House to the best of their abilities. I am grateful for their commitment and their support.

I, and the Senior Executives of the Department of Parliamentary Services, are available to answer questions.

Jaala Hinchcliffe
Secretary

31 October 2025



PARLIAMENT OF AUSTRALIA
DEPARTMENT OF PARLIAMENTARY SERVICES

Attachment B - Letter from DPS Secretary to Chair - Finance and Public Administration Committee 04 November 2025

DPS ref: D25/259669

Senator Karen Grogan
Chair
Finance and Public Administration Committee

By email: fpa.sen@aph.gov.au

Dear Chair

In advance of the Department of Parliamentary Services' (the department's) forthcoming attendance at the continued Senate Estimates Hearing of the Finance and Public Administration Committee (the Committee) meeting later today, I would like to provide the Committee with additional information about data searches authorised or undertaken by the department associated with the fact finding investigation undertaken in relation to the Incentive to Retire Payment (ITR) made to a former Deputy Secretary.

In previous evidence given to the Committee, and referenced in my letter dated 03 November 2025, I have confirmed that in addition to the investigation conducted by Dr Fiona Roughley SC into the ITR payment (the Roughley investigation), that there is a related investigation being conducted by the National Anti-Corruption Commission (NACC).

The department has consulted further with the NACC in advance of our attendance and notes that, consistent with advice from the NACC and previously confirmed to the Committee, that there will be matters that the department cannot respond to due to the ongoing NACC investigation. If this occurs, the department will advise the Committee that the question will be taken on notice to consider whether a Public Interest Immunity claim is required on the basis of the ongoing NACC investigation. Any questions from the Committee about the NACC investigation should be referred to the NACC.

I confirm that no Parliamentarian or Parliamentary data has been provided from the data searches to either Dr Fiona Roughley SC or the NACC in support of any investigation that has been, or is being, undertaken about the ITR payment.

Further, I confirm, that Dr Roughley's investigation was in relation to DPS actions and the involvement of DPS staff. There was no focus on Parliamentarians. DPS has seen no evidence, and Dr Roughley's full report contains no reference to, any engagement of any Parliamentarian in the ITR calculation and payment process.

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I have noted concerns raised by the Committee about the cybersecurity status of one of the department's legal providers, HWLE Lawyers to hold DPS data.

Firstly, it is important to note that data obtained as a result of the data searches has not been held or stored on the IT network of HWLE Lawyers. The data was held by the forensic IT specialist under engagement with HWLE Lawyers, TransPerfect.

Secondly, I can confirm that HWLE Lawyers nevertheless had provided suitable cybersecurity and other assurances to facilitate the provision of information, with mechanisms and protocols established to manage data and any related sensitivities.

To provide additional confidence to the Committee, I am providing details of HWLE Lawyers cyber security and other data protective mechanisms (**Attachment A**).

I also note that department sourced the services of HWLE Lawyers from Legal Services Panel managed by the Attorney-General's Department. I understand that the Attorney-General's Department engaged with HWLE about data protection and cyber security matters at the time of the last panel review process and were satisfied that HWLE met the security requirements necessary to secure reappointment to the panel.

The Legal Services Panel is a long-standing whole of government arrangement and is mandated for use by all non-corporate Commonwealth entities, including the department. A range of legal services are covered by the Panel arrangement, including Area of Law 1 – Workplace, Industrial Relations and Compensation.

The Attorney-General's Department's most recent approach to market to re-establish the Panel resulted in the current standing offer arrangement from 1 July 2024 to 30 June 2027. HWLE has a deed of standing offer under the current Panel arrangement for all areas of law covered by the arrangement and also had a deed of standing offer for all areas of law under the previous version of the Panel. A requirement of appointment to the Legal Service Panel is execution of the panel Head Agreement, including compliance with the Security clauses (clause 23 and its subclauses).

Of note, this includes:

- Compliance with security requirements specified in the PSPF (clause 23.1.1)
- Implementation of security procedures to ensure it meets obligations under clause 23 (clause 23.1.2)
- Restriction of access to and protection of Commonwealth Entity Material, Contract Material, Confidential Information or Personal Information (clause 23.2.1)
- reasonable efforts to detect, prevent and appropriately respond to the introduction of any Harmful Code into its systems (clause 23.3.1)
- reasonable efforts to detect, prevent and respond to any Cyber Security Incident or Cyber Security Event (clause 23.4)

HWLE has provided the required Data Security and Cyber Security plans to AGD that are compliant with the Head Agreement requirements. Further, HWLE's subcontractors are

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bound by, and HWLE is required to ensure they comply with, a number of provisions to the Head Agreement, including clause 23 (Security).

I also note that HWLE Lawyers has provided outstanding support to DPS during Dr Roughley's investigation and in the department's engagement with other agencies, including the NACC.

To assist the Committee in their considerations, I provide the following technical overview about how data search activities, conducted by TransPerfect, are undertaken:

1. Logging into the M365 eDiscovery tool to prepare and export the specified evidence items. This includes search criteria of identified usernames against a specified date range. The data is then extracted in a bulk file or files.
2. The bulk files exported are copied to an encrypted USB hard drive and taken by safe hand to the forensic lab for processing.
3. Data is then transferred onto two encrypted drives and stored securely in the TP Sydney Forensic Lab safe, which is separately locked within the forensic lab.
4. Identified evidence items are transferred into the forensic eDiscovery tool where granular search filters only information directly relevant to the investigation.
5. Authorised HWLE lawyers are then granted access to the filtered information.

Only data that meets specific search criteria in the forensic eDiscovery tool is ever viewed. All other data is never used, viewed, or interacted with.

I can assure the Committee that the data forensic interrogation has only been undertaken in order to identify only that material relevant to the ITR calculation and payment and / or the involvement of identified public officials in the same. There was, and there remains, no focus on Parliamentarians.

Finally, I wish to assure the Committee that the department takes seriously the integrity of this process, against the background of the completion of Dr Roughley's fact-finding investigation, the related NACC investigation and separate considerations relevant to the DPS officers.

As I indicated in my opening statement of 31 October 2025, to facilitate a thorough investigation, which was to examine the role of DPS in the ITR payment and calculation process, Dr Roughley required access to DPS information and data about departmental employees.

Internal data searches were initially conducted by staff of the DPS ICT Division. These data searches were undertaken across the APH network, not limited to DPS staff and conducted in a timeframe that impacted the finalisation and delivery of Dr Roughley's report.

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DPS confirms again that no Parliamentarian or Parliamentary data was provided to HWLE Lawyers and Dr Roughley from the internally conducted DPS searches. However, there were concerns that relevant data from the internally conducted searches had been intentionally filtered out, excluded or not provided.

On 28 October 2024, Dr Roughley wrote to me to express her concern that the data provided to her was not complete and that there were, in her words, “*surprising gaps in the documentary material that has been made available*”. Dr Roughley recommended that DPS consider engaging an independent external expert to undertake further data extraction to ensure that all potentially relevant material is provided and that the forensic integrity of such material is maintained.

As a result of concerns raised by Dr Roughley, the NACC and senior DPS staff, I authorised on 30 October 2024, a TransPerfect representative to extract the employee data of identified DPS employees for searches to be conducted for relevant material for Dr Roughley’s investigation.

To summarise the data collection process undertaken for the completion of the Roughley fact-finding investigation:

- On 21 June 2024, a request for a search to be conducted was made by a DPS Assistant Secretary. The then DPS Chief Information Officer asked me to authorise an internal DPS search to be conducted on the department’s internal record keeping facility (Content Manager), to which I provided authorisation. Despite this authorisation, an APH systems wide search was undertaken by DPS ICT. Data returned totalled 299.70 MB of data, comprising emails and Microsoft Teams messages. No Parliamentarian or Parliamentary data was provided to HWLE Lawyers as part of this search. The data search took twenty-four days to complete.
- On 22 August, I authorised a data extraction to be undertaken on a small number of DPS employees for the date range between 1 February 2023 and 30 November 2023. After discussion with the then DPS Chief Information Officer, including in relation to a draft risk assessment he provided me, I subsequently authorised the data search to be separated into two parts with a full data extraction authorised for some DPS employees, and for DPS ICT to conduct the proposed searches on the remaining DPS employees. This resulted in a data return of 32.63 GB of data comprising emails and Microsoft Teams messages. No Parliamentarian or Parliamentary data was provided to HWLE Lawyers as part of this search.
- Finally, on 30 October, I authorised TransPerfect to attend the departmental premises to undertake a bulk extract process of material held by a number of DPS employees for the date range 1 February 2023 to 30 November 2023 and for searches against nominated search terms required by Dr Roughley. This resulted in

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a data return of 136.95 GB comprising emails and Microsoft Teams messages and took two days to complete.

It is not acceptable that the first two internal data searches included searches across the APH network. The internal handling, by DPS staff, of the initial data retrieval process has been subject to independent investigation and are now resolved. In the context of an Estimates hearing, it would be inappropriate for the department to comment on the details of these investigations. However, I would be comfortable to outline the outcome of the investigations with the Committee.

I note the Committee's interest in the search terms used in the completion of the data searches. I am seeking advice from the NACC on whether the provision of these search terms would unreasonably prejudice their ongoing investigation. If the NACC indicates that it would, I will consider the need to make a public interest immunity claim in relation to those search terms.

Finally, following consultation with the NACC, I can confirm that similar data searches were undertaken by TransPerfect in accordance with a NACC notice to produce, and can also confirm that the searches were limited to DPS staff (not Parliamentarians or Parliamentary data). I also confirm that the NACC did not want DPS ICT staff to undertake the required searches. We will be unable to respond to any further questions about data searches undertaken for the NACC. Questions on this matter should be referred to the NACC.

I trust that this information is of assistance to the Committee and confirm that I, and members of the department's Executive, will continue to openly and transparently respond to questions asked at the forthcoming Estimates hearing, within the bounds of the current NACC investigation.

I look forward to discussing these issues with the Committee.

Yours sincerely

Jaala Hinchliffe

Secretary

04 November 2025

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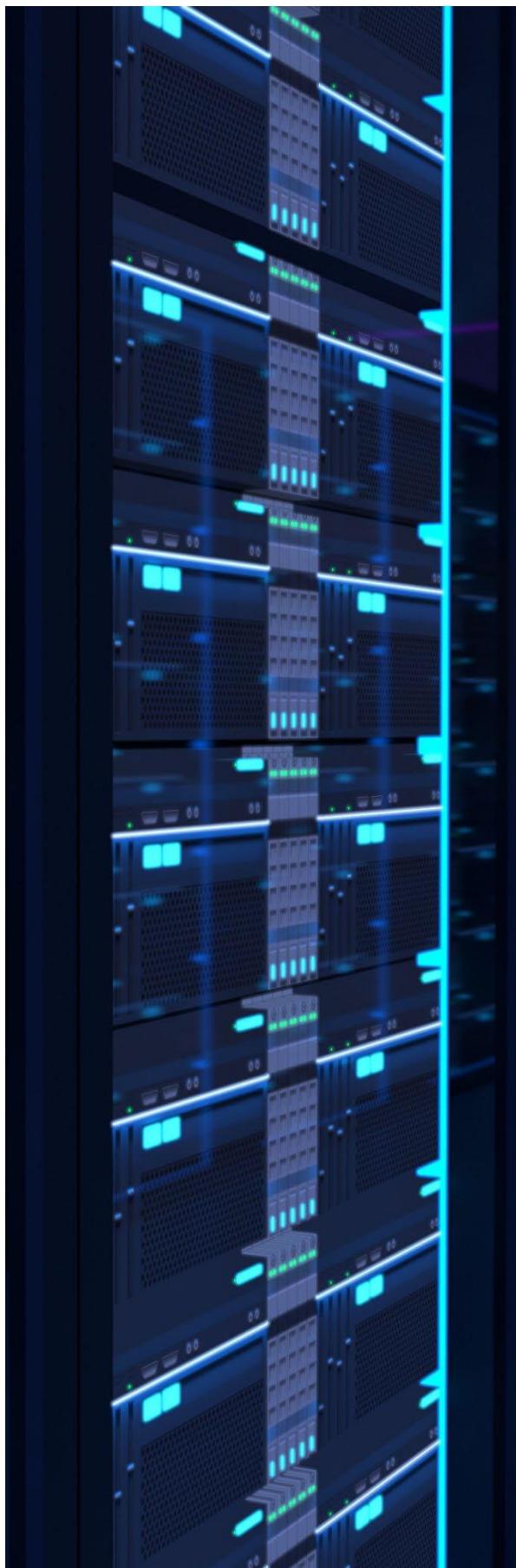
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HWLE
LAWYERS

HWL EBSWORTH
DATA SECURITY MEASURES
STATEMENT

NOVEMBER 2025

Commercial-in-confidence



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HWL EBSWORTH INFORMATION SECURITY SUMMARY

Information Security Practices

HWLE has a detailed Information Security Management System (ISMS) which operates as the firm's framework for managing information security. The ISMS covers information classification, appropriate data handling and usage, roles and responsibilities, acceptable use of IT, access control, business continuity, disaster recovery, people security, logging, monitoring, security incident response, cryptography and key management, malware prevention, risk assessments, network security, records management, system development lifecycle physical security, third-party security, controls testing, vulnerability management, policy enforcement, and handling of exceptions.

Information Security Governance Structure

HWLE has a dedicated information security team that manages the Firm's information assets and systems, as well as those of clients. The National Information Security Manager, who reports to the Chief Information Officer (CIO), is responsible for risk management, governance, compliance, and cyber operations.

The Information Security Team is supported by external service providers to deliver continuous 24*7*365 managed detection and response (EDR and SIEM/SOC), Privileged Access Management and third-party patching.

An information security committee chaired by the Chief Executive Officer oversees these efforts and submits reports on information security matters to the Board.

Information Security Assurance

The Firm holds a current ISO 27001:2022 certification. This is an international standard to manage information security that is published jointly by the International Organization for Standardization and the International Electrotechnical Commission (IEC). This certification standard requires 114 prescribed controls and measures which support our information security management system.

These controls are divided across 14 security fields which are:

- a) Information security policies;
- b) Organisation of information security;
- c) Human resource security;
- d) Asset management;
- e) Access control;
- f) Cryptography;
- g) Physical and environment security;
- h) Operations security;
- i) Communications security;
- j) System acquisition, development and maintenance;

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LAWYERS

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- k) Supplier relationships;
- l) Information security incident management;
- m) Information security aspects of business continuity management; and
- n) Compliance.

To obtain ISO 27001 certification, HWL Ebsworth was required to establish that it had appropriate procedures and controls in each of the above fields.

External ISO 27001 audits are conducted annually by independent certification auditors, alternating between certification and surveillance audits each year. Internal audits are performed biannually by BluePrint (Cyber security professional services firm). The firm has implemented a first line assurance control testing to assess the adequacy and effectiveness of security controls which are reported to the Information Security Committee.

The firm engages an independent firm to undertake internal and external penetration testing on an annual basis. The most recent penetration test occurred in October 2025 with the outcome that privilege escalation attempts were not successful.

HWLE has been externally assessed as having an overall Essential Eight maturity level of Maturity Level Two. HWLE complies with at least Maturity Level Two on all Essential Eight mitigation strategies, and on most mitigation strategies complies with Maturity Level Three. Maturity Level Two is consistent with the maturity level mandated for Commonwealth Government entities.

HWLE is also accredited under the Defence Industry Security Program at the following levels - Level 2 Governance, Level 2 Personnel, Entry Level Physical and Entry Level Information and Cyber, meaning all offices can access, handle and store documentation/information at the OFFICIAL: SENSITIVE level.

Cyber Operations

Technical cyber operations controls include: 24x7x365 security operations monitoring, security information and event management, endpoint detection & response, vulnerability scanning, annual penetration testing, privileged access management, access control, multifactor authentication, threat intelligence, patch management, encryption, email security, application control, network segmentation, data loss prevention, and dark web monitoring.

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Attachment C - Authorisation of searches of Content Manager

From: Hinchcliffe, Jaala (DPS)
Sent: Monday, June 24, 2024 2:37 PM
To: Lawson, James (DPS)
Subject: RE: [SEC=OFFICIAL:Sensitive] DPS Investigation - System Search access approval

Thanks James,

I approved [REDACTED] having "Bypass all access controls" access to Content manager to enable him to conduct searches in relation to the independent investigation being overseen by Amanda.

I note that the following controls will be in place:

- [REDACTED] will be instructed to only access documents that are likely to be desired search results under the criteria Amanda has provided to us separately with regards to the investigation.
- The access request will be time limited and cease at the conclusion of the system search component of the investigation.
- A report will be produced when access ceases of documents that [REDACTED] has access for me to verify that he has only access documents in accordance with the points above.

Jaala

Jaala Hinchcliffe

Deputy Secretary

[REDACTED]
E: jaala.hinchcliffe@aph.gov.au

Parliament House | PO Box 6000 | Canberra ACT 2600

Department of Parliamentary Services



I acknowledge the Ngunnawal and Ngambri people, who are the traditional custodians of the land on which Australian Parliament House is situated – an area where people have met for thousands of years.

From: Lawson, James (DPS) <james.Lawson@aph.gov.au>
Sent: Friday, June 21, 2024 4:00 PM
To: Hinchcliffe, Jaala (DPS) <jaala.Hinchcliffe@aph.gov.au>
Subject: [SEC=OFFICIAL:Sensitive] DPS Investigation - System Search access approval

OFFICIAL: Sensitive

Hi Jaala,

Amanda has written to me this afternoon requesting ISD assistance with a system search relating to an independent DPS Investigation. Data ownership and access policies are quite strict regarding approvals. For the purpose of this search, and working within the confidentiality requirements of the investigation, I've proposed to Amanda that your authority as Deputy Secretary is deemed sufficient in place of the Secretary's for access requests related to this search. She has advised that this arrangement is appropriate.

With that context, [REDACTED] will be assisting with the Content Manager aspects of the search given his recent work in this space for other BAU purposes.

[REDACTED] existing high levels of Content Manager access are very carefully scoped. To support the new request, I'm seeking your approval for the following:

- [REDACTED] search activities will cease on the internal BAU activity and the post-search report will be produced as per the original approval (attached). This will be a clear demarcation point between the searches.
- Approval for [REDACTED] to continue to have "Bypass all access controls" access to Content Manager.
 - **Please note:** This permission level will continue to allow Nathan to access **every** Content Manager document without limit.
 - To manage the risks, [REDACTED] will be instructed to only access documents that are likely to be desired search results under the criteria Amanda has provided to us separately with regards to the investigation.
 - The access request will be time limited and cease at the conclusion of the system search component of the investigation.
 - A report will be produced when access ceases of documents that [REDACTED] has access for me to verify that he has only access documents in accordance with the points above.

Please let me know if you wish to discuss further.

Regards,

James Lawson

Chief Information Officer

Information Services Division

[REDACTED] | E: James.Lawson@aph.gov.au

Parliament House | PO Box 6000 | Canberra ACT 2600



OFFICIAL: Sensitive

Attachment D - Email to Chief Information Officer in relation to
Authorisation 2– 21 August 2024

From: [Hinchcliffe, Jaala \(DPS\)](#)
To: [Lawson, James \(DPS\)](#)
Cc: [REDACTED]
Subject: RE: [SEC=OFFICIAL:Sensitive] DPS Investigation - System Search access approval
Date: Thursday, 22 August 2024 8:06:00 AM
Attachments: [Data Export Procedure.docx](#)
[image001.png](#)

Hi James,

Our counsel for this investigation has now reviewed the data that has been provided by DPS as a result of these searches and it has become apparent that potentially relevant material has been inadvertently excluded during the data extraction process, particularly through the removal of duplicate emails. Further, the extraction process also appears to have impacted the metadata of tranches of the DPS Data, which limits the effectiveness of various forensic tools that could potentially be deployed across the data.

There is a potential issue with documentation in this matter, which is one of the reasons that I have had to commence this investigation. Accordingly, I need to ensure that counsel have a full data set to enable them to determine the facts in this matter and provide me with appropriate recommendations.

In order to do so, based on the following user list, could you provide the full data extraction referred to at point 1 in the attached document:

1. Rob Stefanic

2. Cate Saunders

3. [REDACTED]

4. [REDACTED]

5. [REDACTED]

6. [REDACTED]

7. [REDACTED]

8. [REDACTED]

Our lawyers will then utilise their software to apply a keyword search based on the above-mentioned date range as follows:

- Apply the following search terms by searching "Recipient", "Subject", "Attachment" and "Content" fields:
 - Australian Public Service Commission
 - APSC
 - Brouwer
 - Commissioner
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
 - Secretary
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
 - Incentive
 - Retire
 - ITR
 - [REDACTED]
 - [REDACTED]
 - Secondment
 - Services Australia
 - Saunders

This will reduce the records to those in scope based on the terms of reference for the investigation and any records not relevant will be immediately deleted.

I'm happy to discuss this further or discuss a different way forward to ensure that our counsel receive the full data set that they need.

Regards

Jaala

[Jaala Hinchcliffe](#)

Deputy Secretary
[REDACTED]

Attachment D- Email to Chief Information Officer in relation to
Authorisation 2– 21 August 2024

E: jaala.hinchcliffe@aph.gov.au
Parliament House | PO Box 6000 | Canberra ACT 2600
Department of Parliamentary Services



I acknowledge the Ngunnawal and Ngambri people, who are the traditional custodians of the land on which Australian Parliament House is situated – an area where people have met for thousands of years.

Risk of Data Transfer from Department of Parliamentary Services to HWL Ebsworth and TransPerfect

Risk Minute

<p>Recommendation – that you:</p> <p>Rec1: Note the “Executive Summary” and “Risk” below.</p> <p>Rec2: Approve the treatments to be implemented</p> <p>Rec3: Accept the risks identified (CISO / CIO to note)</p> <p><i>Please sign below and select your chosen response.</i></p>		
Rohan Whitmore Accreditation Authority Chief Information Security Officer Cyber Security Branch Signature: Date: ___ / ___ / ___	Rec1: <input type="checkbox"/> Noted <input type="checkbox"/> Discuss Further Rec2: <input type="checkbox"/> Noted <input type="checkbox"/> Discuss Further	Comments
James Lawson System Owner Chief Information Officer Information Services Division Signature: Date: ___ / ___ / ___	Rec1: <input type="checkbox"/> Noted <input type="checkbox"/> Discuss Further Rec2: <input type="checkbox"/> Approved <input type="checkbox"/> Discuss Further	Comments
Jaala Hinchcliffe Information Owner (Delegate) Deputy Secretary Australian Parliament House Signature: Date: ___ / ___ / ___	Rec1: <input type="checkbox"/> Noted <input type="checkbox"/> Discuss Further Rec2: <input type="checkbox"/> Approved <input type="checkbox"/> Discuss Further	Comments

EXECUTIVE SUMMARY

The Department of Parliamentary Services (DPS) Cyber Security Branch (CSB) has assessed the information security risks of transferring sensitive data to external legal firm HWL Ebsworth (HWLE) and/or their subcontractor TransPerfect. The data has been requested in support of an investigation associated with the incentive to retire payment for Ms Catherine (Cate) Saunders.

The request from investigators required emails, M365 files, and Microsoft Teams chats from the accounts of specified DPS staff, including several Senior Executive Service officers, between February and November 2023.

The initial proposal to meet this request, by the Chief Information Officer, involved refining the extraction process to the agreed scope and reflecting the refinement parameters through a documented methodology. This approach was intended to treat the risks highlighted in this risk assessment. Refinement of the methodology with TransPerfect, if required, was then agreed as the next step.

The scope of extracted data provided to investigators was limited to agreed keywords, and included 167 emails and 33 M365 files and Microsoft Teams chats. Following provision of this data, the investigators requested that full, unrefined data across the time period and data sources be provided to meet the needs of the investigation.

In support of this changed request, DPS CSB has undertaken a risk assessment on the broader dataset requested by investigators.

For the purpose of this assessment, it has been assumed that it is appropriate for data relevant to the investigation to be provided to the investigators. This risk assessment solely focuses on the risks associated with information not directly associated with the purpose of the investigation being released from the Australian Parliament House (APH) network.

The individuals, whose data has been requested, perform roles that closely interact with parliamentarians and their staff and other senior stakeholders across Government. Therefore, their data is considered of high likelihood to contain information that is subject to parliamentary privilege claims and other sensitive matters including, but not limited to, national security, HR issues, industrial issues, other sensitive topics.

Additionally, in 2023 HWLE suffered a notifiable data breach, resulting in publication and sale of more than 1 terabyte of client data, including 65 Australian Government agencies. After the preliminary enquiries into the breach, the Australian Information Commissioner launched a formal investigation into the information handling practices of HWLE.

A key risk identified through this assessment relates to transfer of data beyond the APH network, resulting in DPS' loss of visibility and control of the information management and handling of this data.

It is important to note that the outcome of several treatments identified in this risk assessment may provide additional information to enable a more informed assessment of residual risk. This risk assessment should be re-considered following implementation of these treatments to determine if the residual risk rating can be further reduced.

CSB's assessment has identified recommended treatments to reduce the likelihood of risks eventuating, however the residual risk rating associated with releasing this data beyond the APH network remains unchanged from the initial risk rating of **EXTREME**.

Key Findings: DPS CSB identified two (2) risks of transferring this data to HWLE and TransPerfect.

ID	Risk	Current Risk	Treatment Strategy	Residual Risk
Issue Specific Risks				
R01	Information is compromised after it leaves DPS ICT environment leading to a breach of confidentiality of sensitive information, including information related to matters of national security, and unrelated HR matters, causing reputational damage to DPS and the individual officers associated with the data.	EXTREME (Likely x Severe)	T01, T02, T03	EXTREME (Possible x Severe)
R02	Unrefined or unfiltered data sent externally may also potentially include information covered by parliamentary privilege. Information being sent externally may lead to parliamentary privilege being breached.	EXTREME (Possible x Severe)	T04	EXTREME (Possible x Severe)

Treatments:

- T01 – Seek written assurances from HWLE and TransPerfect Accountable Authorities that the external environment the data is being transferred to is secure and appropriately accredited, including an independent assessment of that environment.
- T02 – Include data deletion clauses within any agreements to transfer data. This must include verified certificates of destruction, signed by HWLE and TransPerfect Accountable Authorities.
- T03 – Specifically exclude communications between identified Senior Executive Service officers and parliamentarians and their staff.
- T04 – Consult with Department of the Senate and the Department of the House of Representatives Clerks to obtain further advice with respect to parliamentary privilege considerations. This advice will inform the treatments for issues pertaining to parliamentary privilege. Note that such treatments may reduce the Residual Risk for R02.

Recommendations:

If the instruction is to proceed with data transfer, it is recommended that you:

Rec1: **Note** the security assessment.

Rec2: **Approve** the Treatments,
understanding the limited impact on
the residual risk.

Rec3: **Accept** the Risks (CISO and CIO to **Note**).

(Name Removed)

IT Security Advisor, Assistant Director,
Governance, Risk and Assurance

Cyber Security Branch

28 August 2024

R01: Information is compromised after it leaves DPS' IT environment leading to a breach of confidentiality of sensitive information, including information related to matters of national security and unrelated HR matters, causing reputational damage to DPS

Risk Owner	DPS Deputy Secretary	
Risk Category	<input checked="" type="checkbox"/> Business Systems, Information Services & Cyber Security <input type="checkbox"/> Parliamentary Services & Experience <input type="checkbox"/> Infrastructure Works, Services & Capital Program <input type="checkbox"/> Safety & Security <input checked="" type="checkbox"/> Relationships & Coordination <input type="checkbox"/> People, Corporate & Governance	
Risk Description (Incl. Causes)	<p>HWLE and TransPerfect have requested DPS transfer a significant amount of data beyond the APH network in support of their investigation associated with the incentive to retire payment for Ms Catherine (Cate) Saunders.</p> <p>DPS only have visibility of, and control over, DPS managed ICT environments. As a result, once data is transferred beyond the APH network perimeter, DPS has no or little oversight over appropriate information and cyber security management of the data.</p> <p>HWLE notified the Office of the Australian Information Commissioner (OAIC) on 8 May 2023 of a breach of their IT environment resulting in more than a terabyte of data being leaked onto the dark web. This breach was the result of a user account being compromised and then used to extract the data. The OAIC are currently investigating HWLE in relation to this breach and their information handling practices.</p>	
Current Risk Level (after existing controls)	Rationale	
Likelihood	Likely	
Consequence	Severe	
Risk Rating	EXTREME	
Within Risk Appetite?	No	
Treatment Strategy	<input type="checkbox"/> Accept <input checked="" type="checkbox"/> Reduce <input type="checkbox"/> Transfer <input type="checkbox"/> Avoid	
Additional Treatments	<ul style="list-style-type: none"> • T01, T02, T03 	
Residual Risk Level	Rationale	
Likelihood	Possible	
Consequence	Severe	
Risk Rating	EXTREME	
Comments	HWLE's recent breach and their information handling process are being investigated by the OAIC. Noting that the data is primarily intended to reside within the TransPerfect ICT environment, this factor still contributes to an increase in the likelihood of this risk.	

R01: Information is compromised after it leaves DPS' IT environment leading to a breach of confidentiality of sensitive information, including information related to matters of national security and unrelated HR matters, causing reputational damage to DPS

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R02: Loss of control of information by being sent externally may lead to parliamentary privilege being breached

Risk Owner	DPS Deputy Secretary
Risk Category	<input checked="" type="checkbox"/> Business Systems, Information Services & Cyber Security <input type="checkbox"/> Parliamentary Services & Experience <input type="checkbox"/> Infrastructure Works, Services & Capital Program <input type="checkbox"/> Safety & Security <input checked="" type="checkbox"/> Relationships & Coordination <input type="checkbox"/> People, Corporate & Governance
Risk Description (Incl. Causes)	<p>Given the volume of the information, and the specific individuals' seniority and responsibilities of their roles, there is the potential that data included in an unrefined dataset would contain information subject to parliamentary privilege.</p> <p>Due to the loss of control of data beyond the APH network perimeter, the ability for parliamentary privilege claims to be made and considered is substantially diminished. This is further exacerbated if HWLE or TransPerfect were subject to a data breach.</p> <p>With respect to matters of parliamentary privilege, advice is typically sought from the Clerks of the relevant Chamber departments. This advice could involve additional recommendations about how to safely consider parliamentary privilege in the context of this activity.</p> <p>In the absence of this advice, for the purpose of the risk assessment, CSB have made a conservative estimation of risk level. Further to this, without the detail of the treatments being provided from the Clerks, this risk cannot be reduced under the current option.</p>

Current Risk Level (after existing controls)		Rationale
Likelihood	Possible	
Consequence	Severe	Calculated as per DPS Risk Matrix.
Risk Rating	EXTREME	
Within Risk Appetite?	No	
Treatment Strategy	<input type="checkbox"/> Accept <input checked="" type="checkbox"/> Reduce <input type="checkbox"/> Transfer <input type="checkbox"/> Avoid	

R02: Loss of control of information by being sent externally may lead to parliamentary privilege being breached

Additional Treatments	• T04
Residual Risk Level	Rationale
Likelihood	Possible
Consequence	Major
Risk Rating	EXTREME*
Comments	*Residual risk is dependent on advice from the Clerks. DPS CSB does not have sufficient subject matter expertise to determine appropriate treatments. Without the detail of the treatments being provided from the Clerks, this risk cannot be reduced.

DPS Risk Management Framework

DPS' Risk Management Framework defines relevant risk ratings using the following matrix:

Likelihood	Consequence				
	Insignificant	Minor	Moderate	Major	Severe
Almost Certain	Medium	High	High	Extreme	Extreme
Likely	Medium	Medium	High	High	Extreme
Possible	Low	Medium	Medium	High	Extreme
Unlikely	Low	Medium	Medium	Medium	High
Rare	Low	Low	Medium	Medium	High

Table - DPS Risk Matrix

Risk Appetite & Tolerance Statements

For risks in the "Business Systems, Information Services and Cyber Security" category, DPS' Risk Appetite is defined as follows:

Category	Consequence	Likelihood	Within Risk Appetite?
Business Systems, Information Services and Cyber Security	Severe	Almost Certain	No
		Likely	No
		Possible	No
		Unlikely	No
		Rare	No
	Major	Almost Certain	No
		Likely	No

	Low	Possible	No
		Unlikely	No
		Rare	No
		Almost Certain	No
	Moderate	Likely	No
		Possible	No
		Unlikely	Yes
		Rare	Yes
		Almost Certain	No
	Medium	Likely	Yes
		Possible	Yes
		Unlikely	Yes
		Rare	Yes
		Almost Certain	Yes
	Insignificant	Likely	Yes
		Possible	Yes
		Unlikely	Yes
		Rare	Yes
		Almost Certain	Yes

In certain circumstances, stakeholders may be willing to tolerate risks that exceed DPS' risk appetite. However, it is important to note that DPS has a Low-Medium tolerance regarding risks in the "Business Systems, Information Services and Cyber Security" category. For example, DPS has:

- Medium tolerance for –
 - Developing and trying new ways of delivering our services.
 - Adopting new solutions and development models.
- The lowest tolerance for –
 - Unplanned systems outages, particularly during critical periods.
 - Compromise, loss or corruption of information or business systems.

Senate Finance and Public Administration Legislation Committee
ANSWERS TO QUESTIONS ON NOTICE
Supplementary Budget Estimates 2025-2026

Parliamentary Departments

Department/Agency: Department of Parliamentary Services
Topic: Risk Assessment for Data Extraction

Senator: James McGrath

Question reference number: 84

Type of question: Hansard, p. 3, 04 November 2025

Date set by the committee for the return of answer: 28 November 2025

Number of pages: 3

Question:

Senator McGrath: There has been some media reporting that the ICT team within DPS had concerns about the provision of emails to the lawyers and their IT contractor, because they were outside the APH system. You sort of touched on this in your letter. Is that correct?

Ms Hinchcliffe: I was provided with a draft risk assessment by the ICT team on, I think, 4 September. Then I had a conversation with the former chief information officer on 5 September about the contents of that draft risk assessment. The draft risk assessment went to both the removal of data from the APH system and also went to the security of HWLE, given their previous data breach. I had discussions with the former chief information officer about the proposed data extraction—the data extraction that I had authorised on 22 August—which was a bulk data extraction from several DPS employee's mailboxes to then be taken off-site to be searched. We agreed that we would split that into two parts: that there were some DPS employee's data that could be extracted in bulk for it to be then searched outside of the system, and that DPS ICT would then conduct searches on the other DPS employees.

Senator McGrath: You say it is a draft risk assessment?

Ms Hinchcliffe: The risk assessment was in draft that's right.

Senator McGrath: Was it called a draft risk assessment?

Ms Hinchcliffe: Yes, it was called draft.

Senator McGrath: Was it emailed to you?

Ms Hinchcliffe: It was emailed to me, yes.

Senator McGrath: What is the process for the risk assessments? Is normally a draft prepared and then sent to the senior officer for discussion? So it's a working document? Could you take me through that process.

Ms Hinchcliffe: In this case, a draft was sent to me for discussion, and we had that discussion the next day. I left that meeting with the understanding that the then chief information officer and I were both in agreement that the discussion that we had had and the changes that we had made—in terms of DPS ICT undertaking searches in relation to some of the DPS employees—met the concerns that were raised. I was not

Attachment F - Question on Notice 84 - Risk Assessment for Data Extraction

provided, at any stage, with a final risk assessment, either in relation to those concerns or that had been changed to reflect the changes in approach that we had taken.

Senator McGRATH: Do you have a copy of the draft risk assessment that could be tabled?

Ms Hinchcliffe: Can I take it on notice to provide that for you?

Answer:

Note: References to the Secretary in this response refer to the current Secretary of the Department of Parliamentary Services (DPS) whilst in previous roles including DPS Deputy Secretary and Acting Secretary.

DPS notes that between 21 June and 21 August 2024, information relevant to Dr Roughley's fact-finding investigation was being provided by the DPS Information Services Division (ISD) via secure link to TransPerfect Legal (TPL) (facilitating access to HWLE Lawyers).

As referenced in Supplementary Budget Estimates 2025-2026 Questions on Notice 89 and 99 collaboration occurred between the then DPS Chief Information Officer (CIO), HWLE Lawyers, TPL and other DPS representatives. This included a meeting on 5 July 2024, where assurances were provided about the treatment and holding of DPS data on TPL's secure Australia-based servers. There is no record of further concerns being raised about HWLE Lawyers' cyber security standards, or those of TPL, with HWLE Lawyers or TPL by the then CIO.

On 22 August 2024 the Secretary raised concerns, with the then CIO, about the completeness of the data provided to TPL by ISD. A draft risk assessment was subsequently prepared by ISD and provided to the Secretary.

A copy of the draft risk assessment is provided at **Attachment A**.

As noted during the Secretary's evidence to the Senate Finance and Public Administration's Estimates hearing of 4 November 2025, the Secretary discussed the draft risk assessment with the then CIO on 5 September 2024.

In that discussion, the Secretary and the then CIO agreed to amend the requested data searches, to be split in two parts:

1. The data in relation to two DPS employees to be extracted in bulk (by ISD) for it to then be searched outside of the system using TPLs forensic tools.
2. ISD staff conduct searches on the other six identified DPS employees and review for parliamentary privilege material.

When reviewing the draft risk assessment, the Secretary observed that there was insufficient consideration of established control measures and the reduced risk resulting from the implementation of supplementary treatments and assurances.

The Secretary's view was based on the following:

- The data extraction occurring on the Australian Parliament House unclassified network only. Therefore, as national security and/or other classified information

(as noted in the assessment) is not permitted on the APH network, it would not be included in the searches.

- That too much emphasis was placed on information being held or hosted on or by networks operated by HWLE Lawyers, when it had been made clear to the then CIO and other representatives of ISD that data would be held/managed on Australian-based secure servers operated by TPL.
 - That the consequence rating of the “total loss/corruption of critical information” was an impossible consequence as only copies of relevant DPS staff data was being extracted.
 - That the likelihood ratings were not ‘LIKELY’, but ‘POSSIBLE’ (before the application of treatments); and that
 - The risk assessment did not reflect the processes which had been put in place to protect any material that might contain parliamentary privilege from being provided to the investigator, Dr Fiona Roughley SC which could amount to a breach of parliamentary privilege.
- These processes included:
- that the initial search would be undertaken by TPL using digital search software using bespoke key word-based search strings designed to only identify information relevant to the investigation.
 - That the material would then be provided, via a secure link hosted by TPL on its Australian-based servers, for HWLE Lawyers to review to ensure that only DPS staff data relevant to the investigation was provided to Dr Roughley. This ensured no Parliamentarian or Parliamentary data was provided.

On 28 October 2024, Dr Roughley raised further concerns with the Secretary about the integrity of the data provided by ISD. The Secretary authorised TPL to attend onsite to extract the DPS employee data. The then CIO indicated that the following additional treatments and assurances had been put in place to deal with any potential risks of the TPL employee access the information:

- *“the department’s Chief Enterprise Architect will personally support the extraction of data”.*
- *“The Director, Cyber Security Operations Centre, will also observe the extraction of data as an independent witness to provide assurance that data extraction is within the scope of the investigation and doesn’t otherwise compromise the effective operation of parliament”.*
- *“appropriate action will be taken in the very unlikely event that actions pose a significant Cyber Security or operational risk to the effective operation of Parliament. I expect this will be unnecessary, but I think it’s prudent to have a clear plan of action in place”.*

The Chief Enterprise Architect and A/g Director, Cyber Security Operations Centre who supervised the extraction at that time were ongoing employees of the Department of Parliamentary Services and held Negative Vetting Level 2 clearances.

Finally, DPS again notes that the risk assessment presented was presented in draft, and that following engagement between the Secretary and the then CIO, that the draft risk assessment was not provided in final form or raised again with the Secretary.

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Attachment G- Letter from DPS Secretary - Direction regarding forensic data extraction -
30 October 2024



PARLIAMENT OF AUSTRALIA

DEPARTMENT OF PARLIAMENTARY SERVICES

DPS ref: F24/1418

Mr James Lawson
Chief Information Officer
Department of Parliamentary Services

Delivered by hand and by email: James.Lawson@aph.gov.au

Direction regarding forensic data extraction

Dear Mr Lawson

James

After consideration of advice from Counsel conducting an ongoing independent investigation, I wish to advise that I have engaged TransPerfect Legal Solutions (TransPerfect) to undertake independent data extraction work on Department of Parliamentary Services (DPS) IT systems and servers in support of this investigation.

Dr Fiona Roughley SC, engaged to conduct the investigation, has expressed to me her concerns that relevant material may not have been provided in response to previous requests. Dr Roughley has also noted concerns about the production of some relevant material in a way that does not provide metadata and may obscure relevant information such as recipient details and the broader context in which an email was sent or received.

On Thursday 31 October 2024, [REDACTED] from TransPerfect will attend the DPS offices at Australian Parliament House. To support [REDACTED] require that [REDACTED] be provided 'system administrator' or equivalent access to DPS Information and Communication Technology (ICT) systems and servers, as well as access to an employee, or employees, with knowledge of the relevant ICT systems and servers.

[REDACTED] holds a current Negative Vetting Level 1 security clearance and will work closely with the relevant DPS Senior Executive overseeing the independent investigation, and myself, to ensure there are no unintentional breaches of privacy or parliamentary privilege in relation to any data extracted.

To ensure the forensic integrity of the evidence gathered in this process, I issue you the following directions in relation to this matter:

- You are to provide [REDACTED] with full system administrator access to DPS systems, servers, and data
- You are to instruct the relevant DPS staff member with working knowledge of the DPS systems, servers and data to assist [REDACTED] in the extraction
- You are not to impede the work of [REDACTED] and

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Attachment G- Letter from DPS Secretary - Direction regarding forensic data extraction - 30 October 2024

- You are to follow all lawful and reasonable directions given to you by [REDACTED] as it relates to his access to DPS systems, servers, and data, or as it relates to his work in analysing DPS-specific data.

I appreciate your cooperation in this matter.

Yours sincerely,


Jaala Hinchcliffe
Acting Secretary

30 October 2024

Procedure for the return of Department of Parliamentary Services employee data stored by TransPerfect to Australian Parliament House – November 2025

The following is the procedure for the return of Department of Parliamentary Services (DPS) employee data stored by TransPerfect Legal (TPL) to Australian Parliament House (APH).

Background – Conducted searches

DPS engaged HWLE Lawyers (HWLE) to assist it with investigations.

Aligned to these investigations, on **21 June 2024**, a request for a search to be conducted was made by a DPS Assistant Secretary to the (then) DPS Chief Information Officer (CIO). The (then) DPS CIO requested the (now) DPS Secretary to authorise an internal DPS search to be conducted on the department's internal record keeping facility (Content Manager), to which authorisation was provided. Despite this authorisation, an APH systems wide search was undertaken by the DPS Information Services Division.

Data returned totalled 299.70 MB of data, comprising emails and Microsoft Teams messages. **No Parliamentarian or Parliamentary data was provided to HWLE or TPL as part of this search.** The data search took twenty-four days to complete.

On **22 August 2024**, the (now) DPS Secretary authorised a data extraction to be undertaken on a small number of identified DPS employees for the date range of 1 February 2023 to 30 November 2023. After discussion with the (then) DPS CIO, including in relation to a draft cyber security risk assessment, the (now) DPS Secretary authorised the data search to be separated into two parts.

- A full data extraction of emails and office365 logs was authorised for a small number of DPS employees, with
- DPS Information Services Division authorised to conduct searches on the remaining DPS employees.

This resulted in a data return of 32.63 GB of date comprising emails and Microsoft Teams messages received or sent by those DPS employees. **No Parliamentarian or Parliamentary data was provided to HWLE or TPL as part of this search.** The data search took twenty-two days to complete.

Finally, on **30 October 2024**, the (now) Secretary authorised TPL to attend departmental premises to undertake a data extraction process of material held by a small number of identified DPS employees. This resulted in a data return of 136.95 GB comprising emails and Microsoft Teams messages from the identified DPS employees and took two days to complete.

All data searches and extractions were conducted on the unclassified APH network.

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Attachment H - Procedure for the return of DPS employee data stored by TPL to APH

Data transfer

DPS employee data obtained through the two searches conducted by the DPS Information Services Division (searches authorised on 21 June 2024 and 22 August 2024) were provided, by the DPS Information Services Division, to TPL using a secure document exchange link/s provided by DPS. That data was imported into TPL's secure Australian servers.

The further DPS employee data obtained by a TPL forensic specialist (search authorised 30 October 2024) by attending APH was extracted onto encrypted USBs.

The encrypted USBs were safe hand transported by the TPL forensic specialist to the TPL IT forensic lab before being imported into TPL's secure Australian servers. All encrypted USB/s from APH in the possession of TPL are securely stored in the TPL forensic lab safe, within the separately locked TPL forensics lab located in Sydney New South Wales (NSW).

Data assessment process

To identify DPS employee data held by TPL that was relevant to investigators, a two-phase assessment occurred.

The *first phase* involved electronic forensic searches of the DPS employee data using specialised digital search software programmed with bespoke key word based "search-strings" designed to only identify information relevant to investigations.

The searches were undertaken by TPL using digital search software. TPL did not review the contents of the returned data. The data returned via the forensic searches was transferred by TPL into a secure digital review program which the limited team of lawyers from HWLE was provided access to via a secure link hosted by TPL (search result 1).

HWLE have confirmed that no Parliamentarian or Parliamentary data was identified in the first stage forensic search, provided to HWLE or assessed by HWLE.

The *second phase* involved lawyers from HWLE reviewing the data returned from the forensic search to create a subset of material to be provided to the investigators. This material was reviewed by HWLE to ensure that only DPS staff data relevant to the investigation/s was identified and to provide a further assurance mechanism that no Parliamentarian or Parliamentary data was provided to investigators (search results 2).

Investigators were then granted access to the HWLE assessed material identified through search results 2. This material was provided via secure link hosted by TPL on Australian servers.

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Dr Roughley SC's access to DPS data was removed at the completion of her fact-finding investigation.

Return of DPS employee data

DPS will make a written request to TPL to:

- securely return via safe hand delivery all encrypted USB/s containing DPS employee data in the possession of TPL within 7 days of receiving the written request;
- securely download all DPS employee data held by it on its servers and provide it to the DPS Secretary via encrypted USB/s within 7 days of receiving the written request;
- remove and securely destroy any DPS employee data contained on TPL servers, including any material on the TPL secure link, in consultation with DPS ICT to ensure an agreed methodology for the destruction of DPS employee data is undertaken;
- provide written confirmation that HWLE's access to DPS employee data held by TPL has been removed;
- provide written destruction certificates to confirm that the actions requested have been undertaken including confirmation that no DPS data has retained by TPL; and
- DPS will provide copies of the written destruction certifications and written confirmation to the Presiding Officers.

DPS will make a written request to HWLE requesting that HWLE provide written confirmation that all data used by HWLE was accessed in accordance with instructions from DPS and that HWLEs access to DPS data, hosted by TPL, obtained to support Dr Roughley's fact-finding investigation has been disabled.

Retention and use of data by DPS

DPS will retain all encrypted USBs from TPL in a Class C safe, under the control of the Secretary and Deputy Secretary of DPS.

Data collected for the Roughley fact-finding investigation is relevant to other investigations. These investigations remain ongoing. Should further data, other than DPS employee information already provided to support these investigations, be required the Secretary and/or Deputy Secretary of DPS will consult with the Clerks prior to its provision to provide additional assurance that no Parliamentarian or Parliamentary data is provided.

DPS will consult with the Clerks on the appropriate timing for the destruction of the encrypted USB/s containing DPS material previously held by TPL and seek the agreement of the Presiding Officers prior to destruction of any data occurring.

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Attachment H - Procedure for the return of DPS employee data
stored by TPL to APH

DPS is reviewing its current Information and Communication Technology policies and procedures and is also considering the development of a new policy or procedural document that outlines how future requests for DPS employee data will be undertaken. DPS will consult with the Clerks on the development of the new policy or procedural document prior to its finalisation.

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PARLIAMENT OF AUSTRALIA

DEPARTMENT OF PARLIAMENTARY SERVICES



Report by Dr Fiona Roughley SC – Recommendations to DPS

Background

On 11 July 2024, the Department of Parliamentary Services (DPS) engaged Dr Fiona Roughley SC as an independent external investigator. Dr Roughley's mandate was to establish findings of fact regarding the Incentive to Retire (ITR) payment made to a former DPS Deputy Secretary on 1 October 2023.

Terms of Reference

The investigation was tasked with examining the processes undertaken resulting in an ITR payment being made, including:

- i. The role of DPS in the ITR payment process
- ii. If the processes followed by DPS were appropriate
- iii. If the amount of the ITR payment was calculated correctly and was appropriate in the circumstances
- iv. Any conduct by DPS officials that might be the subject of a referral for further investigation or other action, and
- v. Recommendations to DPS on its processes and, if the investigation concludes that processes followed were not appropriate, any recommended actions as a result of that finding.

Report Submission

Dr Roughley submitted her report to the DPS Secretary on 12 March 2025. The report is an extensive examination of the department's actions and engagement, with Dr Roughley's findings and recommendations supported by evidence.

On 27 March 2025, the DPS Secretary informed the Finance and Public Administration Committee that DPS accepts all seven recommendations and is actively implementing them.

Key Findings

- There were conflicts of interest, and conflicted persons, within DPS, involved in the decision-making process.
- There were multiple procedural failures by DPS, or informed by DPS, in relation to the calculation of the ITR payment. The payment deviated from the Australian Public Service Commission (APSC) guidance material in its calculation, which resulted in an increase in the quantum of the payment made.
- Additional concerns expressed by Dr Roughley relating to aspects of the process include:
 - Errors identified in the calculation of the payment

- Exclusion and/or lack of involvement and/or disregard for the advice of specialist DPS Payroll staff,
- Excessive pressure applied on the timing of the payment.

Recommendations

Seven (7) recommendations have been made by Dr Roughley in relation to the findings of the investigation. They relate only to DPS.

Dr Roughley's recommendations to DPS are that:

1. Guidelines should be promulgated about how a decision to make an ITR payment offer will generally be made, including indicative factors that may be relevant to that decision and to the quantification of the amount to be paid.
2. Offers of ITR payments should usually only be made in a specified amount or where any variables still to be calculated could only reasonably reduce rather than increase the amount to be paid.
3. The reasons for making an offer of an ITR payment in a particular amount should be documented.
4. The Payroll Team should be involved in giving advice to the decision-maker on calculating the possible ITR payment.
5. Conflicts of interest should be clearly disclosed to those involved in the ITR process and documented.
6. A conflicted decision-maker should be quarantined from the decision-making process.
7. Significant ITR payments should not be calculated, decided and/or processed at a time when key individuals involved in the process are on leave with others acting in the relevant roles.

DPS response to Dr Roughley's recommendations

DPS has accepted all of Dr Roughley's recommendations. No ITR payments have been made by the Department since 1 October 2023. Further, DPS has finalised and implemented a **Retirement and Redundancy Incentives Policy** which incorporates Dr Roughley's recommendations.

The policy establishes the principles and requirements for the appropriate calculation and approval of financial incentives related to Incentives to Retire (ITR), Voluntary Redundancies (VR), and Involuntary Redundancies (IR) applicable to DPS employees.

The policy establishes an integrity and assurance mechanism to provide confidence to the Delegate that appropriate internal steps have been taken in the calculation of any proposed ITR, VR or IV payments, that potential and real conflicts are considered and addressed, that substantive members of the DPS Executive Remuneration Committee have endorsed any proposed payments and that all decision making and subsequent approval steps are fully documented.



DPS ref: D25/214650

Senator Karen Grogan
Chair
Senate Finance and Public Administration Legislation Committee
Parliament House
CANBERRA ACT 2600

Senator Dave Sharma
Deputy Chair
Senate Finance and Public Administration Legislation Committee
Parliament House
CANBERRA ACT 2600

Via email: fpa.sen@aph.gov.au

Dear Chair and Deputy Chair

Congratulations on your recent appointments as Chair and Deputy Chair of the Senate Finance and Public Administration Legislation Committee (the Committee).

During the 48th Parliament, the Department of Parliamentary Services (DPS) will continue to provide a wide range of services and facilities to ensure that the Parliament, Parliamentarians and Australian Parliament House, function in an effective and efficient manner. DPS' services include research and library services through the Parliamentary Library, Hansard and Broadcasting; Information and Communication Technology (ICT) services; health and wellbeing services, functions and events and the maintenance and security of the building and the Parliamentary precinct. Information about DPS' full range of services and how to access them are available in the [DPS Services portal](#).

To provide the Committee with insight into the forward strategic direction of DPS, I am enclosing a copy of our [Corporate Plan 2025-2026](#). The 2025-2026 Corporate Plan is DPS' primary planning document, setting out our key areas of focus and establishing a clear link between our purpose and activities. The Plan outlines our key deliverables and our key performance measures, which we report against in our Annual Performance Statement.

I note that in the February 2024 Estimates hearing, I advised the Committee that the department was updating its Conflict of Interest policy taking into account recent interest in how conflicts of interest are managed. I am pleased to advise that a revised policy has been issued to all departmental staff. I have enclosed a copy of the policy for the information of the Committee.

Finally, while I recognise that the department has more to do, I am proud of both what the department has committed to in the 2025-26 Corporate Plan and delivered in service of the Parliament, Parliamentarians and Australian Parliament House, and commit to leading the department to the best of my ability.

Yours sincerely

Jaala Hinchcliffe
Secretary

15 September 2025

Link: [2025/26 Department of Parliamentary Services Corporate Plan](#)
Attachments: Department of Parliamentary Services Conflict of Interest Policy



PARLIAMENT OF AUSTRALIA
DEPARTMENT OF PARLIAMENTARY SERVICES



Conflicts of Interest Policy

Date: 1 September 2025

Contact: Workplace Relations,
Performance and Conduct

Approved: Secretary

File: F20/2690

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Date of effect

1. This Department of Parliamentary Services (DPS) Conflicts of Interest Policy (the policy) is maintained by the First Assistant Secretary, Corporate Services and was approved by the Secretary on 1 September 2025.
2. This policy replaces all previous DPS policies and any other related strategies, local guidance or directions on this subject, unless otherwise specified in this policy.

Policy review mechanisms

3. This document will be reviewed every three years or earlier if required.

Document consultation

4. This document was circulated to employees and the DPS Consultative Committee for consultation on 18 July 2025.

Intent of policy

5. This policy sets out mandatory requirements for all DPS employees in meeting their obligations to disclose, and take reasonable steps to avoid, any conflicts of interest in connection with their DPS employment as required under the *Parliamentary Service Act 1999* (PS Act) and the *Public Governance, Performance and Accountability Act 2013* (PGPA Act).

Application

6. This policy applies to all DPS employees including the Senior Executive Service (SES) and statutory office holders.

Definitions

7. A conflict of interest is a circumstance which places an employee in a position where their personal interests, including those of their family (to the extent known) could compromise their independence in their DPS role. Apparent conflicts of interest may be as important as real conflicts of interest.
8. A **real** conflict of interest occurs where there is a conflict between the public duty and personal interests of an employee that improperly influences the employee in the performance of his or her duties.
9. An **apparent** (or perceived) conflict of interest occurs where it appears that an employee's personal interests could improperly influence the performance of his or her duties.
10. To be 'material' a personal interest needs to be of a type that can give rise to a real or apparent conflict of interest in relation to an individual's work. Personal interests do not give rise to a

conflict of interest unless there is a real or reasonable possibility of conflict and not simply a remote or theoretical possibility of conflict. If no reasonable person could draw a connection between the employee's personal interest and their duties, then the personal interest is not 'material'.

Legislative framework

11. DPS employees may, in the course of their employment, have access to information which could pose a real conflict, or create an apparent conflict with their personal interests.

Section 13 of the *Parliamentary Services Act 1999* requires that DPS employees:

- a) take reasonable steps to avoid any conflict of interest (real or apparent) in connection with their employment
- b) disclose details of any material personal interest of the employee in connection with their employment, and
- c) behave in a way that upholds the Parliamentary Service Values, Parliamentary Service Employment Principles, and the integrity and good reputation of the Parliamentary Service.

12. In addition, section 29 of the PGPA Act contains a similar requirement:

'An official of a Commonwealth entity who has a material personal interest that relates to the affairs of the entity must disclose details of the interest.'

13. Employees are also obliged, under the *Parliamentary Service Determination 2024*, not to disclose any information obtained or generated in connection with their employment, except in the course of their duties or as otherwise authorised by law. Under the *Crimes Act 1914*, it is an offence for an employee to publish or communicate such information.

14. Section 38B of the *Parliamentary Service Act 1999* requires that the functions of the Parliamentary Librarian are performed in an impartial and confidential manner while maintaining the highest standards of scholarship and integrity. Staff with responsibility for these functions must consider how any real or apparent conflict may reflect on these requirements when preparing a management plan.

Guiding principles

15. The public is entitled to have confidence in the integrity of their public officials, and to know that a DPS employee's personal interests do not conflict with his or her public duties. Disclosures of real or apparent conflicts of interests support ethical decision-making, transparency and accountability. Such disclosures also help protect employees from allegations of impropriety, bias, unethical or otherwise inappropriate decision-making or actions.

16. Employees must consider whether any of their private interests, such as personal relationships and financial interests, including those of their immediate family, could affect decisions over which they have influence at DPS.
17. An employee who is unclear whether particular circumstances constitute or may constitute, either now or in the future, a conflict of interest must discuss the matter with their Assistant Secretary in a timely manner to clarify matters and ensure appropriate procedures are followed. Similarly, SES employees must discuss the matter with their direct SES supervisor or the Secretary in a timely manner to clarify matters and ensure appropriate procedures are followed. Early and transparent discussions help ensure the integrity of DPS, its decision-making, and its employees is preserved.
18. Conflicts of interest, real or apparent, cannot always be avoided. Where this is the case, the Parliamentary Service Code of Conduct requires employees to disclose details of any material personal interest of the employee in connection with their employment.
19. Updated declarations must be submitted whenever there is a change in personal circumstances and/or a change in work responsibilities that could involve a new real or apparent conflict of interest.
20. Employees must report to the Australian Government Security Vetting Agency (AGSVA), via [myClearance](#), any conflicts of interest or changes in circumstances that may be relevant to their ongoing suitability to hold a security clearance. The purpose of this notification is to determine the employee's suitability to access Australian Government resources. Employees are responsible for making these notifications promptly and ensuring they follow the correct reporting process. Guidance on notification requirements can be found in the Australian Government's *Personnel Security Guidelines* published by the Attorney-General's Department, as well as the [Security Vetting intranet page](#).
21. Employees who fail to declare real or apparent conflicts of interest or provide false or misleading information may be subject to a Code of Conduct investigation, in accordance with the [DPS Procedures for Investigating and Determining Suspected Breaches of the Parliamentary Service Code of Conduct](#).

Situations where a conflict of interest may occur

22. The following are some situations where a conflict of interest situation may arise, and some guidance on how to identify the potential for conflict of interest.

Gifts and benefits

23. Employees are expected to apply high standards of probity and ethical behaviour when accepting gifts or benefits and this should only be done in accordance with [Finance Procedure 10.3 – Receiving Gifts and Benefits](#).

24. An employee must not accept a gift or benefit if acceptance could in any way be construed as an attempt to influence an administrative, regulatory or contractual decision, or create the appearance of a conflict of interest.
25. If an employee has any doubts about the propriety of accepting a gift or benefit then the gift or benefit must not be accepted or must be raised with their Assistant Secretary (or above), or in the case of SES employees, their direct supervisor or the Secretary as soon as practicable.

Outside employment and volunteering

26. Employees must not engage in outside work, either paid or unpaid, if that work would place them, or lead to a reasonable perception, that they have placed themselves in conflict with their official duties. It is the responsibility of employees who intend to engage in outside work (including running their own business and voluntary work), to seek prior approval for that work. Further information is available in the [DPS Outside Employment Policy](#).

Participation in political activities

27. DPS employees may participate in political activities as part of normal community affairs. However, they must separate their personal views on policy issues from the performance of their official duties. This is an important part of the professionalism, impartiality and perceived impartiality of all Parliamentary Service employees.
28. Some roles in DPS may give rise to greater levels of conflict associated with significant political activity such as political campaigning. An employee must discuss any intent to engage in political campaigning with their Assistant Secretary (or in the case of SES employees, their direct supervisor or the Secretary) and have an approved Conflict of Interest management plan before engaging in that activity. In some cases, a conflict of interest may not be able to be managed.
29. If a DPS employee is involved in political activity they must consider conflict and reputational risk mitigation as part of their management plan. This includes, but may not be limited to, making it clear that they are not undertaking these activities as part of their official duties. For example, they must not wear an official uniform or any other embellishment that identifies them as a DPS employee at party political meetings. Employees must not use Parliamentary Service resources including email, telephones, social media, photocopiers, and facsimile machines for any political activity, or use their Australian Parliament House (APH) access to facilitate unauthorised access to APH. For further information see the [Public Comment and Presentations by DPS Staff Policy](#).

Personal relationships

30. Personal relationships may be family, sexual or other relationships, friendships or relationships based in common interests such as sporting, social, or cultural activities.

31. DPS employees must not allow themselves to be improperly influenced, nor exert improper influence, by or on family, or other close personal relationships, in carrying out their duties or exercising powers. They must not allow patronage, favouritism or nepotism to influence their work (e.g. in recruitment or procurement and contract management), particularly in relation to personnel and administrative actions affecting other employees and must avoid as far as possible the appearance of being so influenced (see also activities unsuitable for employees in close personal relationships).
32. Employees may also have relationships with people engaged in activities that could have an interest in issues that the employee is dealing with. Examples could include media, lobbyists or people who have business dealings with DPS. DPS employees are entitled to have such relationships but need to be open about them. Employees must therefore disclose the names and activities of family and other personal relationships that could, or could be seen to, impact upon the employee's responsibilities.

Activities unsuitable for employees in close personal relationships

33. Employees and/or managers who are currently, or have been, in a close personal relationship with each other, whether or not they work in the same team, must not take any part in any supervisory or administrative decision-making processes (including under the Human Resources, Long Service Leave or Financial Delegations) in respect of each other, including (but not limited to) the following:
 - evaluation of an employee's performance
 - selection for training or development
 - recruitment, selection and appointment activities
 - continuing engagement, transfer
 - reclassification
 - termination of employment
 - conditions of service (e.g. rostering, approving higher duties, overtime, timesheets, leave)
 - assessment and/or selection of employees for awards, recognition
 - direct or indirect supervision (e.g. in line management)
 - accessing the personnel files or personal information of the other employee
 - witness a statutory declaration in relation to their employment at DPS

- oversee security incident reporting outcomes or referee on security clearance processes without advising of the personal relationship.
34. At any time where circumstances transpire that a manager is required to directly, or indirectly supervise a person with whom they have a close personal relationship, or other circumstances give rise to a conflict of interest (real or apparent), the Assistant Secretary of the relevant branch must be advised. The Assistant Secretary will consider options to mitigate potential risks, which may include moving either party to another work area. In the case of SES employees, their direct supervisor or the Secretary must be advised.

Interests of family members

35. As part of their disclosure responsibilities employees are required to declare immediate family members' private interests or relationships to the extent known, where circumstances arise which could or could be seen to influence the decisions they are taking or the advice that they are giving.
36. In these circumstances it is necessary to obtain the family member's direct consent to the disclosure, and details of the disclosure as per Attachment C.

Pecuniary Interests

37. A pecuniary interest refers to a financial interest someone has in a matter related to the work of DPS. Types of pecuniary interests that could present a real or apparent conflict with official duties include:
- interest in real estate
 - share holdings
 - trust/nominee companies
 - directorships in companies (whether remunerated or not)
 - partnerships
 - investments
 - other assets
 - other substantial sources of income
 - any gifts, and
 - substantially sponsored travel or hospitality or liabilities.

38. Conflicts with pecuniary interests may arise where ownership of that interest could influence an employee's decision-making. Where an employee's official duties involve ICT

procurement, for example, it would be an apparent or real conflict of interest if that employee had a pecuniary interest in an ICT company.

Outsourcing, procurement and contract management

39. DPS employees undertaking procurement, managing contracts and outsourcing are at risk of real or apparent conflicts of interest. Employees must be aware at all times of the potential for a conflict of interest to arise. Conflicts of interest, real or apparent, must be documented immediately through a [procurement conflict of interest declaration](#) as part of any tender process, procurement process, outsourcing arrangement or contract management. This must be done in accordance with [DPS procurement processes](#).
40. Employees with management responsibilities over contractors must ensure that work done by contractors does not conflict, or have the appearance to conflict, with the interests of the contractor or the contracting company. This includes, but would not be limited to, not allowing a contractor to influence a procurement or tendering process for which the contracting company could be reasonably expected to apply.
41. Contractors must additionally raise and manage conflicts of interest, real or apparent, with their contract manager. Failure to do this may result in a contractor's services no longer being required.

Recruitment

42. Generally, an employee should not take any part in the selection process for an appointment where they have a close personal relationship with a candidate. Where such a relationship exists, or where there is a current or former working relationship, this relationship must be declared in accordance with the *DPS Recruitment and Merit Selection Policy* and the declaration provided to the panel chair before applications are considered by the panel. Where the employee is the panel chair, the interest must be declared to the delegate. The panel chair, in consultation with the delegate may decide that participation on the panel is appropriate or necessary, for example, due to the employee's particular expertise and job knowledge. A copy of the written disclosure and the delegate's decision must be placed on the relevant recruitment file.

Boards and committees

43. DPS employees may serve on boards and committees, for example, management boards for companies and organisations, or external committees. Employees serving on boards or committees must be aware of the potential for conflicts of interest, and declare them as part of the Col process.

After leaving DPS

44. On leaving DPS all employees have an obligation to not disclose or act upon information gained as a result of their employment with DPS. The only exemption is when such information is publicly available.
45. Mobility between the public and private sectors is important. However, employees must be cautious if they are leaving DPS to undertake work that aligns closely with their official duties. The Code of Conduct prohibits the misuse of information gained while employed in the Parliamentary Service and this applies to employees who have been offered and accepted outside employment. There are also clear provisions under the *Crimes Act 1914* that protect the disclosure and use of official information after an employee has left DPS.
46. If an employee intends to take up a business appointment after leaving DPS, all reasonable steps must be taken to avoid conflicts of interest. The Australian Public Service Commission (APSC) recommends that an average gap period of six months be followed before a person in a sensitive situation can work in business areas that have direct contact with the department they have just left. DPS may also include provisions in contracts restricting successful tenderers from employing departmental employees who have managed the tender process, or had access to other sensitive and/or limited distribution information.
47. There are three key risks involved when an employee accepts non-public sector employment in a field that is closely aligned with their former DPS responsibilities:
 - that the employee, while still employed at DPS, would use their position to influence decisions and advice in favour of the prospective new employer
 - that the employee would reveal confidential or sensitive parliamentary information to their new employer, or provide other information, which would give the new employer an advantage in dealing with DPS and /or competitive advantage in the market generally, and/or
 - that the former employee would use their knowledge of and contacts within DPS, in other areas of the Commonwealth public sector and with the Government to lobby or otherwise seek advantage for their new employer in dealing with the Commonwealth.
48. DPS employees must inform their manager as soon as they are offered employment where a conflict of interest could arise, outlining any relationship between the job offered and their official duties and describe any possible conflict of interest the offer raises.

Procedures for declaring material personal interests

49. Declaring material personal interests, whether real or apparent, is used to promote transparency and avoid conflicts of interest occurring. All employees must follow the procedures for identifying and declaring material personal interests. A self-assessment test to assist employees to determine relevant private interests is at **Attachment A**. This test can be used at any time, for example, when personal circumstances or work responsibilities change.
50. All employees must declare in writing their financial interests and other personal interests or relationships that could, or could be seen to, influence the decisions they make or the advice they give. In addition, they must declare in writing any private interests or relationships of their immediate family, to the extent known, where they consider these interests could, or could be seen to, influence the decisions they take or the advice they give.

Making declarations – all employees excluding SES employees and statutory office holders

51. In May every year, all employees must:

- complete the *Self-assessment Test* at Attachment A, and if a material personal interest is identified,
- complete the *Declaration of Interest Form* at Attachment B. This requirement applies even if the interest has been declared previously and there has been no change in circumstances. The only exception is gifts, which do not need to be re-declared once they have already been declared, unless circumstances change.

Making declarations – SES employees and statutory office holders

52. All SES employees and statutory office holders, including those in acting arrangements, must make a declaration on engagement and in May each year and at any other time that material changes occur. While the checklist at Attachment A may assist in identifying real or apparent conflicts, a completed Declaration of Interest Form (**Attachment B**) is required in all cases, **regardless of whether a conflict is identified**.
53. Employees commencing in an acting SES role or being promoted to an SES role must submit a Declaration of Interest Form (Attachment B) as soon as practicable, and no later than 14 days after commencing in the position.

Making declarations – new employees and employees who transfer between divisions

54. All new employees and all employees who transfer between divisions must follow the process for annual declarations, outlined above, within 30 days of commencing or moving. This includes SES employees and statutory office holders.

Obligation for continuous disclosure throughout the year

55. At any time during the year, all employees are required to ensure any material changes in their private interests, or those of their immediate family, are disclosed within a reasonable timeframe. For example, if, during the year, an employee's partner begins working for a business with which DPS has a contract, the employee is required to obtain their declaration of interest using the form at **Attachment C**.

Managing declarations of interest

Assessment of declarations of interests

SES and office holders

56. The Secretary and the Parliamentary Librarian must submit their written declarations to the Presiding Officers for assessment.

57. All SES employees must submit their written declarations to the Workplace Relations, Performance and Conduct team via workplacerelationsDPS@aph.gov.au.

58. The Workplace Relations, Performance and Conduct team will coordinate SES declarations and submit them to the Secretary for assessment and endorsement of individual management plans. Once signed by the Secretary, Workplace Relations, Performance and Conduct will provide the signed COI declaration and any associated management plans to the SES officer and their line manager.

Non-SES employees

59. Assistant Secretaries are responsible for assessing declarations of interests and determining whether a real or apparent conflict of interest exists for the staff within their branch.

60. If, after assessment, no conflict is identified, the Assistant Secretary will record this on the employee's declaration of interest and forward to workplacerelationsDPS@aph.gov.au for registration and placement on the employee's personnel file.

Management plans

61. Where a real or apparent conflict of interest is identified, employees should, where possible, propose their own management plan when completing the declaration of interest.

62. Assistant Secretaries are responsible for assessing and endorsing or amending the proposed management plan in consultation with the employee. Management plans for SES employees are assessed by the Secretary. Workplace Relations, Performance and Conduct is available to assist if required.
63. Avoiding all conflicts of interest, real or apparent, is not always feasible. Where conflicts of interest are identified, they must be handled in an open and transparent way that can be understood and defended. In some instances, it will be necessary to institute arrangements to protect both the employee and DPS. Practical measures that may form part of a management plan include, but are not limited to:
- restricting the involvement of the employee in work-related matters in which they have (or are perceived to have) a conflict of interest
 - recruiting independent third parties who do not have an interest to advise on or participate in the matter
 - discussing with the employee the possibility of relinquishing assets or limiting their involvement in material interests, or
 - in rare circumstances, employees may need to consider changing roles within DPS or DPS may need to reassign the employee to other duties.
64. The employee will be provided with a copy of the final approved individual management plan and advised of any actions required to manage the conflict. For example, if the employee has any material interest relevant to their responsibilities and information is needed to be disclosed to the employee's manager so as to address the conflict, then the employee would be advised of this action.
65. If a management plan is in place, Assistant Secretaries (or in the case of SES officers, their line manager) are responsible for the periodic (at least six monthly) evaluation of the effectiveness of management plans. These evaluations should be forwarded to workplacerelationsDPS@aph.gov.au for inclusion in the register and placement on the employee's personnel file.
66. Once assessed, the Assistant Secretary will forward the *Declaration of Interest Form*, including the management plan to workplacerelationsDPS@aph.gov.au for registration and placement on the employee's personnel file.
67. Assistant Secretaries should keep Division Heads informed of conflict of interest declarations and associated management plans within their branch to ensure appropriate visibility.
68. Where an Assistant Secretary determines that a conflict is not manageable, an employee may be required to relinquish their personal interest which gives rise to the conflict. This should be done in consultation with the Workplace Relations, Performance and Conduct team.

Storage and security of declarations

69. Declaration of interest forms and management plans will be registered and securely stored on the employee's personnel file. These records will be treated in accordance with the principles of the *Privacy Act 1988* and retained as required by the *Archives Act 1983*.

Further information and assistance

70. Further information in relation to conflicts of interest can be found in the publication *APS Values and Code in Practice* on the APSC website.

71. Please contact workplacerelationsDPS@aph.gov.au for further assistance in relation to these procedures.

Attachment A: Self-assessment test

Question	Yes	No
Do you work for an employer other than DPS? This includes any kind of paid permanent, temporary or casual work. ¹		
Do you undertake any unpaid or voluntary work? This may include unpaid work for charities, roles on community boards, or musical/artistic performances? ²		
Do you have any personal relationships or friendships with individuals, including lobbyists or journalists, involved in activities relevant to DPS?		
Do you have any personal, financial or other interests in any organisations involved in activities relevant to DPS?		
Are you aware of any personal, financial or other interests of your immediate family in any organisations involved in activities relevant to DPS?		
Do you have a relationship with a corporation or business that is the subject of a DPS contract? Relationships may be business or personal (family, social, cultural).		
Do you have a family or private business? This includes not-for-profit entities, partnerships or an entity associated with other nominee companies.		
Do you have supervisory responsibility over an employee with whom you have a personal relationship?		
Do you have any political affiliations?		
Do you have family or other relationships (e.g. friendships or social acquaintances) with clients, contractors, consultants or other staff working in DPS or in the Parliamentary Service (i.e. Parliamentary Budget Office, Department of the Senate or Department of the House of Representatives) or Parliamentary Workplace Support Service?		
In the past 12 months, have you received any gifts or benefits in the course of your official duties?		
Are you aware of any other circumstances not covered above that could be considered to give rise to a real or apparent conflict of interest?		

Retain a copy of the completed-self assessment test for your own records. It does not need to be submitted to DPS.

If you have ticked 'yes' to any of the above, you will need to complete Attachment B: *Declaration of interest form*. (SES employees and office holders are required to complete Attachment B regardless of whether an interest exists).

¹You must complete an Application for Outside Employment in accordance with the *DPS Outside Employment Policy*.

²You must complete an Application for Outside Employment in accordance with the *DPS Outside Employment Policy*.

Attachment B: Declaration of Interest Form

Please read the *DPS Conflicts of Interest Policy* before completing this form.

Who should complete this form?

This declaration is to be completed by all employees, including SES, on commencement with DPS, and as directed by this policy where they have material personal interests that they are required to disclose.

Your details

Name	
Position Title	
Section/Branch/Division	
Phone number	

Material Personal Interest/s

Please list any private interests or relationships which could, or could be seen to, influence the decisions you are taking or the advice you are giving in your role as a DPS employee.

Attach the private interests of your immediate family on Attachment C, where relevant.

The types of interests and relationships that may need to be disclosed include:

- real estate investments
- shareholdings
- trusts or nominee companies
- company directorships or partnerships
- other significant sources of income
- significant liabilities
- gifts
- private business
- social/personal relationships, and
- paid, unpaid or voluntary outside employment.

Note that the DPS Outside Employment Policy applies to all outside employment arrangements.

Material personal interests:

Signature of employee

Date

Employee declaration

I declare that:

- I am aware of my responsibilities under the Parliamentary Service Code of Conduct to behave honestly and with integrity, to disclose, and take reasonable steps to avoid, any conflict of interest (real or apparent) in connection with DPS employment and not make improper use of (a) inside information, or (b) my duties, status, power or authority, in order to gain, or seek to gain, a benefit or advantage for myself or for any other person
- I have read and understood *the DPS Conflicts of Interest Policy* and the privacy notice overleaf
- The list of my material personal interests and relationships has been prepared on the basis of:
 - the particular roles and responsibilities of DPS, and
 - my particular role and responsibilities within DPS.
- I undertake to immediately inform DPS of any changes to:
 - my responsibilities or to the issue or subjects on which I am required to make decisions or give advice,
 - my personal circumstances that could affect the contents of this declaration and to provide an amended declaration/s using this form.
- I undertake to obtain the declaration of any private interests or relationships of my immediate family that I am aware of which I consider could, or could be seen to, influence the decisions I am taking or the advice I am giving. I understand that this would require the consent of the family member to the collection by DPS of personal information and a declaration that he/she is aware of the purpose for which the personal information has been collected, the legislative requirements authorising the collection and the third parties to whom the personal information may be disclosed.

Management Actions

Where there is an apparent or real conflict of interest I have developed the following management plan:

Management action/s:

Evaluation of management actions to be conducted by:

Evaluation review period (date/s):

Decision by Assistant Secretary (for non-SES employees) / Secretary (for SES employees)

Based on the information available, including my own enquiries, I conclude (tick as appropriate):

- No conflict (no management plan required)
- Apparent conflict
- Real conflict

Where there is an apparent or real conflict of interest I have consulted with the employee and endorse the management plan.

Signature of Assistant Secretary / Secretary

Date

Once signed, please return this declaration to workplacerelationsDPS@aph.gov.au.

Privacy notice

DPS collects the personal information in this form for the purposes of managing real and apparent conflicts of interest in accordance with the *Parliamentary Service Act 1999* and the *Public Governance, Performance and Accountability Act 2013*. The principles of the *Privacy Act 1988* will be applied to all information collected.

How this information will be used

The personal information you provide will be used by DPS to manage any conflicts of interests that may arise as a result of information you declare and your employment.

How this information will be disclosed

DPS will not disclose your personal information to anyone other than where the *Privacy Act 1988* allows.

As set out in the *Conflicts of Interest Policy*, where the Assistant Secretary needs to disclose your personal information to your Director, or any other person, as part of a management plan to address a conflict, real or apparent, you will be advised.

How this information will be stored

Your information will be stored securely on your personnel file. If you require access to the personal information contained in this declaration you may contact workplacerelationsDPS@aph.gov.au to make your request.

Attachment C: Declaration of Interest by Family Member

This form is to be completed by the immediate family member/s of the employee should circumstances arise in which the employee considers that material personal interests of the family member/s could influence, or could reasonably be seen to influence, the decisions they take or the advice they give.

Declaration of consent – family member

I declare that:

I am aware that my information has been collected for the purpose of identifying material personal interests that could influence, or could be seen to influence, the decisions that the employee covered by the *DPS Conflicts of Interest Policy and Procedure* takes or the advice he/she gives. I have read the Privacy Notice overleaf, and I consent to the collection of my personal information by DPS.

The following list of my material personal interests has been prepared on that basis.

Signature of family member

Date

Declaration of material personal interests – family member

Please list any material personal interests¹ you have which could influence, or could reasonably be seen to influence, the decisions that the employee covered by the *DPS Conflicts of Interest Policy and Procedure* takes or the advice he/she gives.

Material personal interests:

¹ The types of interests and relationships that may need to be disclosed include real estate investments, shareholdings, trusts or nominee companies, company directorships or partnerships, other significant sources of income, significant liabilities, gifts, private business, employment, voluntary activities, social or personal relationships that could or could be seen to impact upon the responsibilities of the employee covered by the declaration policy.

Signature of family member

Date

Name of family member

Relationship to DPS employee

Privacy notice

DPS collects the personal information in this form for the purposes of identifying and managing real and apparent conflicts of interest in accordance with the *Parliamentary Service Act 1999* and the *Public Governance, Performance and Accountability Act 2013*, and to record your acknowledgement of your obligations under this legislation. The principles of the *Privacy Act 1988* will be applied to all information collected.

How this information will be used

The personal information you provide will be used by DPS to manage any conflicts of interests that may arise as a result of information you declare in relation to your family member's employment at DPS.

How this information will be disclosed

DPS will not disclose your personal information to anyone other than where the *Privacy Act 1988* allows.

As set out in the *Conflicts of Interest Policy* where the Assistant Secretary needs to disclose personal information to the employee's Director, or any other person, as part of a management plan to address a conflict, real or apparent, the employee will be advised.

How this information will be stored

Information will be stored securely on the DPS employee's personnel file. If you require access to the personal information contained in this declaration you may contact workplacerelationsDPS@aph.gov.au to make your request.



DPS ref: D25/212732

Senator Karen Grogan
Chair
Finance and Public Administration Legislation Committee

By email to: fpa.sen@aph.gov.au

Dear Chair

Budget Estimates 2025-2026

On 27 March 2025, the Department of Parliamentary Services (DPS) attended the Budget Estimates 2025-2026 hearing of the Finance and Public Administration Committee.

In my opening statement, as recorded in Hansard, I advised that I have received a report from Dr Fiona Roughley SC arising from her fact-finding investigation into the department's actions regarding the Incentive to retire (ITR) payment made to a previous DPS Deputy Secretary. I noted that Dr Roughley's report included seven recommendations aimed at improving the department's internal processes and decision-making related to ITR decisions and payments, including conflict of interest management and record-keeping. I further informed the committee that I had accepted each of Dr Roughley's recommendations and that the department was in the process of implementing them.

I also committed to providing additional material about Dr Roughley's report to the committee at an appropriate time. Against this background, I am providing a summary of the report submitted to me by Dr Roughley in March 2025 (**Attachment A**). The summary provides a high-level overview of the issues identified by Dr Roughley. It also provides Dr Roughley's recommendations, issued to DPS, in full.

I have also enclosed a new DPS policy developed in response to Recommendation 1 of Dr Roughley's report (**Attachment B**). This policy, the *DPS Retirement and Redundancy Incentives Policy*, establishes an integrity and assurance mechanism to provide confidence to the Delegate that appropriate internal steps have been taken in the calculation of any proposed payments, that potential and real conflicts are considered and addressed, that substantive members of the DPS Executive Remuneration Committee have endorsed any proposed payments and that all decision making and subsequent approval steps are fully documented and recorded.

The summary of the Roughley Report, and the DPS Retirement and Redundancy Incentives Policy will also be made available from today on the DPS website under the 'publications' tab at the following link: [Publications – Parliament of Australia](#)

OFFICIAL

Attachment J - Letter from DPS Secretary to Chair- Finance and
Public Administration Committee 15 September 2025

Since being appointed as Secretary, I have focused on increasing transparency to the Parliament, to Parliamentarians and to the Committee about matters within my responsibilities as Secretary. While I recognise that the department has more to do, I am proud of what the department has achieved since my appointment and commit to continuing to serve the Parliament, Parliamentarians and Australian Parliament House, and to lead the Department to the best of my ability.

Yours sincerely

Jaala Hinchcliffe

Secretary

16 October 2025

Attachments:

- A: Summary report – Fact-finding investigation, Dr Fiona Roughley SC
- B: DPS Retirement and Redundancy Incentives Policy

OFFICIAL



Report by Dr Fiona Roughley SC – Recommendations to DPS

Background

On 11 July 2024, the Department of Parliamentary Services (DPS) engaged Dr Fiona Roughley SC as an independent external investigator. Dr Roughley's mandate was to establish findings of fact regarding the Incentive to Retire (ITR) payment made to a former DPS Deputy Secretary on 1 October 2023.

Terms of Reference

The investigation was tasked with examining the processes undertaken resulting in an ITR payment being made, including:

- i. The role of DPS in the ITR payment process
- ii. If the processes followed by DPS were appropriate
- iii. If the amount of the ITR payment was calculated correctly and was appropriate in the circumstances
- iv. Any conduct by DPS officials that might be the subject of a referral for further investigation or other action, and
- v. Recommendations to DPS on its processes and, if the investigation concludes that processes followed were not appropriate, any recommended actions as a result of that finding.

Report Submission

Dr Roughley submitted her report to the DPS Secretary on 12 March 2025. The report is an extensive examination of the department's actions and engagement, with Dr Roughley's findings and recommendations supported by evidence.

On 27 March 2025, the DPS Secretary informed the Finance and Public Administration Committee that DPS accepts all seven recommendations and is actively implementing them.

Key Findings

- There were conflicts of interest, and conflicted persons, within DPS, involved in the decision-making process.
- There were multiple procedural failures by DPS, or informed by DPS, in relation to the calculation of the ITR payment. The payment deviated from the Australian Public Service Commission (APSC) guidance material in its calculation, which resulted in an increase in the quantum of the payment made.

- Additional concerns expressed by Dr Roughley relating to aspects of the process include:

- Errors identified in the calculation of the payment
- Exclusion and/or lack of involvement and / or disregard for the advice of specialist DPS Payroll staff,
- Excessive pressure applied on the timing of the payment.

Recommendations

Seven (7) recommendations have been made by Dr Roughley in relation to the findings of the investigation. They relate only to DPS.

Dr Roughley's recommendations to DPS are that:

- 1 Guidelines should be promulgated about how a decision to make an ITR payment offer will generally be made, including indicative factors that may be relevant to that decision and to the quantification of the amount to be paid.
- 2 Offers of ITR payments should usually only be made in a specified amount or where any variables still to be calculated could only reasonably reduce rather than increase the amount to be paid.
- 3 The reasons for making an offer of an ITR payment in a particular amount should be documented.
- 4 The Payroll Team should be involved in giving advice to the decision-maker on calculating the possible ITR payment.
- 5 Conflicts of interest should be clearly disclosed to those involved in the ITR process and documented.
- 6 A conflicted decision-maker should be quarantined from the decision-making process.
- 7 Significant ITR payments should not be calculated, decided and/or processed at a time when key individuals involved in the process are on leave with others acting in the relevant roles.

DPS response to Dr Roughley's recommendations

DPS has accepted all of Dr Roughley's recommendations. No ITR payments have been made by the Department since 1 October 2023. Further, DPS has finalised and implemented a **Retirement and Redundancy Incentives Policy** which incorporates Dr Roughley's recommendations.

The policy establishes the principles and requirements for the appropriate calculation and approval of financial incentives related to Incentives to Retire (ITR), Voluntary Redundancies (VR), and Involuntary Redundancies (IR) applicable to DPS employees.

The policy establishes an integrity and assurance mechanism to provide confidence to the Delegate that appropriate internal steps have been taken in the calculation of any proposed ITR, VR or IV payments, that potential and real conflicts are considered and

Attachment J - Letter from DPS Secretary to Chair- Finance and
Public Administration Committee 15 September 2025

addressed, that substantive members of the DPS Executive Remuneration Committee have endorsed any proposed payments and that all decision making and subsequent approval steps are fully documented.

A copy of the DPS policy is provided for the information of the Committee.



PARLIAMENT OF AUSTRALIA

DEPARTMENT OF PARLIAMENTARY SERVICES



Retirement and Redundancy Incentives Policy

Date: 15 October 2025

Approved: Secretary

Contact: WRPC

File: D25/246086

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Date of effect

1. This Department of Parliamentary Services (DPS) Retirement and Redundancy Incentives Policy (the policy) is maintained by the Deputy Chief Operating Officer (DCOO) and was approved by the Secretary on 15 October 2025.
2. This policy replaces all previous DPS policies and any other related strategies, local guidance or directions on this subject, unless otherwise specified in this policy. The policy has been informed by guidance developed by the Australian Public Service Commission (APSC).

Policy review mechanisms

3. This policy will be reviewed every three years or earlier if required. The policy will also be reviewed with regard to any relevant policy or guidance change/s, as published by the APSC.
4. The DPS Corporate Services Division is responsible for reviewing and updating this policy.

Intent of policy

5. Incentive to Retire (ITRs), Voluntary Redundancy (VRs) and Involuntary Redundancy (IRs) are not rights or benefits rather, are offers made at the department's discretion.
6. The policy endeavours to ensure integrity, fairness, and accountability in decision-making, particularly where actual or perceived conflicts of interest may arise.
7. This policy also establishes the principles and requirements for the appropriate calculation and approval of financial incentives related to:
 - a. ITR calculations and payments (applicable to Senior Executive Service (SES) officers); and
 - b. VR and IR calculations and payments (for Parliamentary Service Level (PSL) and Parliamentary Executive Level (PEL) staff).
8. If an SES officer rejects an ITR offer, processes outlined the Parliamentary Service Determination will apply. Under section 38 of the *PS Act*, a Secretary cannot terminate the employment of an SES employee unless the Parliamentary Service Commissioner is of the opinion that the termination is in the public interest.

9. The policy establishes the assurance mechanisms established to support decision making for ITR, VR and IR calculations and payments, including the role of the DPS Executive Renumeration Committee (ERC). The DPS ERC comprises the Secretary, the Deputy Secretary and Parliamentarian Librarian.

Application

10. This policy applies to all DPS employees, decision-makers and/or delegates involved in the assessment, calculation, recommendation, and approval of ITRs (SES employees), and VR and IR payments for DPS (PSL and PEL) employees.

Document consultation and approval

11. This document was considered by the DPS ERC, and the DPS Staff Consultative Committee before finalisation.

Termination of employment, via VR and IR processes, for PSL and PEL employees

12. VRs and IRs will not be used by DPS in place of performance management.
13. For PSL and PEL staff, VR and IR processes must align with section 29 of the *Parliamentary Service Act 1999* (PS Act).
14. Any ground for termination does not indicate a right to a VR or IR. VRs and IRs are not automatic rights or benefits rather, are offers made at the department's discretion.
15. The following sections of the *DPS Enterprise Agreement 2024* must be referenced when managing PSL and PEL termination processes:
 - a. 89 – Managing Excess Employees,
 - b. 90 – Severance Benefit,
 - c. 91 – Retention Periods, and
 - d. 92 – Involuntary Retirement.

Cessation of employment for SES employees via a ITR process

16. Section 37 of the *PS Act* enables the Secretary to give notice in writing to an SES employee stating that the employee will become entitled to a payment of a specified amount if the employee retires within a period specified in the notice.
17. An ITR may be appropriate when:
 - a. the employee is excess to requirements, or
 - b. the employee no longer has the skills required to perform their SES role.

18. DPS will not offer an ITR as a reward for long service, where the employee has expressed their intention to retire within the next 12 months, as a replacement for a performance management process; or in circumstances where the employee is suitable for redeployment to another SES position at the same level.
19. For DPS SES employees, any ITR processes must align with the APSC guidance on [Senior Executive Service – ending employment](#), and this policy, including:
 - a. ensuring decisions are made with integrity and meet legislative employment requirements
 - b. taking reasonable steps to avoid conflicts of interest; disclosing material personal interests; and managing any actual or perceived conflict applying consistent and fair processes for calculating termination payments,
 - c. with appropriate oversight by the DPS Executive Remuneration Committee prior to any consideration by the Secretary or other delegated officer.

Conflict of interest management

20. All individuals involved in an ITR, VR, or IR process, must disclose and record any actual, potential, or perceived conflicts of interest before involvement in any process, and act in accordance with the DPS Conflict of Interest Policy.
21. The indicative factors that may suggest a conflict of interest include (but are not limited to):
 - a. personal relationships with the employee concerned,
 - b. a financial interest in the outcome,
 - c. previous involvement in performance management or disciplinary actions, and
 - d. acting in a role temporarily due to leave or a vacancy.
22. Conflicts must be documented and disclosed to the delegate and reported to the DPS ERC for transparency.
 - a) If the Secretary is the delegate, and an actual, potential or perceived conflict of interest is disclosed or identified, the DPS ERC will consider the disclosure and if it is unable to be mitigated, the Secretary will be quarantined from decision making with the DPS Deputy Secretary exercising delegated authority against documented approvals and processes outlined in this policy.
 - b) A similar process will be applied to other members of the DPS ERC if a conflict is disclosed or identified.

23. A conflicted decision-maker must be quarantined from the decision-making process where the conflict cannot be appropriately mitigated or managed.

Calculation of Payments

24. The DPS Workplace Relations, Performance and Conduct (WRPC) and Payroll teams must be consulted to provide advice and verify calculations before any offer is made. Unless a conflict has been disclosed or identified, the Director WPRC, Assistant Secretary People, Performance and Strategy (PPS) or Deputy Chief Operating Officer (COO) must approve the payment calculation before any offer can be made.
25. For DPS SES employees, any ITR payment calculation must align with the APSC guidance on [Senior Executive Service – ending employment](#).
26. IR and VR payments will be calculated in accordance with the DPS Enterprise Agreement.
27. The justification for making an offer of a particular amount must be documented, including any assumptions or discretionary factors applied.

Timing, oversight and decision making

28. The DPS ERC will be provided with oversight of all ITR, VR or IR processes and calculations from inception to finalisation. The role of the DPS ERC is to provide assurance by confirming that all appropriate steps have been taken (confirmed as per **Attachment A** to this policy), with all evidence provided to the delegate.
29. ITR payments must not be calculated, decided, or processed during periods when any member of the DPS ERC is on leave and others are acting in their roles, unless for documented extenuating circumstances.

Documentation and record-keeping

30. All decisions, calculations, and conflict of interest declarations must be recorded in the relevant HR and Payroll systems and provided to the DPS ERC for background to their decision making.
31. The delegates decision must be recorded in the recorded in the relevant HR and payroll systems and filed in accordance with the departments information management policies.
32. A checklist of required supporting documentation and internal approvals is provided at **Attachment A**.

33. All supporting documentation must be retained for audit and review purposes and in-line with the department's mandated record-keeping policies and practices.

Review and compliance

34. A failure to comply with the requirements of this policy may result in disciplinary action and/or financial review.

Related documents

35. This policy should be read in conjunction with the:

- a. DPS Enterprise Agreement 2024,
- b. *Parliamentary Service Act 1999*,
- c. DPS Conflict of Interest policy
- d. Information Management policy
- e. Terms of Reference – DPS Executive Remuneration Committee
- f. DPS Human Resources – Instrument of Delegation
- g. DPS Accountable Authority Instructions, and
- h. APSC SES Ending Employment Guidance

Attachment A – DPS ERC Checklist

The following provides a checklist of required supporting documentation and internal approvals that must be provided to the DPS ERC.

All steps must be completed and verified.

ERC Checklist ((xx) indicates paragraph in policy)	
<input type="checkbox"/>	Conflict of Interest Declarations documented and disclosed to the delegate (20)
<input type="checkbox"/>	Conflict of Interest Declarations reported to the DPS ERC for transparency (22)
<input type="checkbox"/>	Conflicted decision maker quarantined from the decision-making process (23)
<input type="checkbox"/>	WRPC and Payroll teams consulted to provide advice and verify calculations (24)
<input type="checkbox"/>	Approval provided by the Director WPRC, AS PP&S, or Deputy COO (24)
<input type="checkbox"/>	ITR payment calculation aligned with APSC guidance (25)
<input type="checkbox"/>	Justification for making an offer of a particular amount documented (27)
<input type="checkbox"/>	Members of the DPS ERC are present and able to provide oversight (28)
<input type="checkbox"/>	Attachment A DPS ERC checklist completed (28)
<input type="checkbox"/>	All decisions, calculations and Conflicts of Interests recorded in the relevant systems (30)
<input type="checkbox"/>	All decisions, calculations and Conflict of Interests provided to the DPS ERC for background (30)
<input type="checkbox"/>	Delegates decision recorded in relevant HR and finance systems and in accordance with the DPS Information Management Policy (31)
<input type="checkbox"/>	Supporting documentation retained for audit and review purposes (32)



PARLIAMENT OF AUSTRALIA

DEPARTMENT OF PARLIAMENTARY SERVICES

Attachment K - Letter from Deputy Secretary to Chair - Finance and Public Administration Committee 04 November 2025

DPS ref: D25/275796

Senator Karen Grogan
Chair
Senate Standing Committee on Finance and Public Administration

By email: fpa.sen@aph.gov.au

Dear Chair

In my role as Deputy Secretary of the Department of Parliamentary Services, I appeared before the Senate Finance and Public Administration Committee (Committee) Supplementary Budget Estimates hearing of 04 November 2025. Following my attendance, I have become aware of additional information and provide the following corrections to my evidence.

TransPerfect employee – AGSVA security clearance status

At the hearing, I informed the Committee that the TransPerfect Legal (TPL) data forensic expert (TPL employee), who conducted data extraction processes in support of Dr Fiona Roughley SC's fact-finding investigation held an Australian Government Security Vetting Agency (AGSVA) Negative Vetting 1 (NV1) Clearance.

As the Department of Parliamentary Services (DPS) has advised the Committee, HWLE Lawyers (HWLE) were engaged under the Whole of Australian Government Legal Services Panel (Standing Officer Notice 4072331) established by the Attorney General's Department.

On 28 March 2024, HWLE advised DPS of the AGSVA security clearance status of its proposed team who would provide support legal support to the department for the provision of ad-hoc legal advice. Based on this advice and noting HWLE Lawyers professional obligations pursuant to the *Legal Profession Act 2006*, the department did not perform additional security clearance or vetting processes. This is a common practice when engaging a legal professional firm.

Due to concerns raised about the data extraction processes undertaken by representatives of the DPS Information Services Division, the department authorised, through HWLE, the engagement of an external data forensic service. This service was provided by TPL.

Through the engagement process, DPS was advised in writing, that the TPL employee retained a AGSVA Negative Vetting Level 1 (NV1) clearance. Notwithstanding this previous written assurance, the department was formally advised by TPL on 26 November 2025 that the TPL employee only holds an Organisational Suitability Assessment for another Commonwealth agency. They do not hold an AGSVA NV1 clearance. That advice initially received from TPL regarding their employee's clearance, and which has subsequently been shown to be incorrect, has been raised by HWLE Lawyers with TPL in the strongest terms.

I can confirm however that the absence of an AGSVA NV1 clearance would not have precluded the TransPerfect employee from being provided supervised access to the APH network.

Following the receipt of this information, the department has conducted a retrospective review of the Australian Signals Directorate's Information Security Manual.

Consistent with the Manual:

Temporary access to systems¹

Under strict circumstances, temporary access to systems, applications or data repositories may be granted to personnel who lack an appropriate security clearance or briefing. In such circumstances, personnel should have their access controlled in such a way that they only have access to data required for them to undertake their duties.

Control: ISM-0441; Revision: 8; Updated: Jun-22; Applicability: All; Essential Eight: N/A

When personnel are granted temporary access to a system, effective controls are put in place to restrict their access to only data required for them to undertake their duties.

DPS had in place strict control measures at the time that the TPL employee was granted temporary access. The measures, were put in place prior to TPL attending the Australian Parliament House (APH). They included:

- The data extraction occurring only on the APH Official platform, ensuring that no national security or other classified information was included in the authorised search;
- The TPL employee was subject to standard security screening at APH including identity verification, and only issued a temporary 'escorted visitor' pass, requiring him to be supervised at all times, including in DPS ICT facilities and any private areas of APH;
- The TPL employee was supervised by permanent DPS employees with expertise in the DPS ICT environment. The DPS employees held valid AGSVA Negative Vetting Level 2 (NV2) clearances, when supervising the TPL employee;
- The TPL employee was directed to follow the Protective Security Policy Framework (PSPF) for accessing and extracting any data and was provided with a copy of the PSPF policy prior to his attendance at APH. The TPL employee was further instructed to encrypt all exported data and use "safe-hand" procedures when transporting the extracted data; and
- The TPL employee was instructed to record and log all processes undertaken during his temporary access to the APH Official platform and maintain evidence custody records.

DPS notes that audit logs for the data extraction conducted by the TPL employee are retained by the department.

In accordance with the APH Private Areas Access Policy (PAAP), a Nationally Coordinated Criminal History Check (NCCHC), or Police Check, was not required to be undertaken for an escorted visitor.

¹ Information Security Manual, September 2024, Chapter 8, page 7.

OFFICIAL

Attachment K - Letter from Deputy Secretary to Chair - Finance
and Public Administration Committee 04 November 2025

Supervision of the TPL employee

In addition to the correction outlined above, I would also like to provide the Committee with the following information regarding my evidence as reported on page 10 of the Hansard record. When referencing the supervision of the TPL employee I advised that:

Ms Hinder: The escort was an SES band 1 officer and the person who undertook the supervision was a senior employee within the department's ICT division.

I advise that the TPL data forensic expert was escorted and/or supervised by three DPS permanent employees, including, at various times, one SES Band 1 Officer and two senior ISD employees. All DPS employees held a valid NV2 clearance.

I trust the above is of assistance to the committee and provides assurance of the department's actions.

Yours sincerely

Nicola Hinder PSM

Deputy Secretary
Chief Operating Officer

26 November 2025

Attachment L - Email from HWLE date 29 October 2024 confirming
TPL NV1 Clearance

From: Stephen Coyle <scoyle@hwle.com.au>

Sent: Tuesday, October 29, 2024 10:03:20 AM

To: Harmer, Amanda (DPS) <Amanda.Harmer@aph.gov.au>

Cc: [REDACTED]

Subject: RE: [SEC=OFFICIAL] TransPerfect & HWLE - Data Scoping - DPS Matter [HWLE-MATTER.C0223406.1235240]

OFFICIAL

Hi Amanda,

Thanks for your email and draft letter. We are reviewing and will get back to you shortly.

We have also been working with Fiona and have prepared a draft letter for her to issue formally requesting the forensic analysis. We are expecting this letter to be issued today.

I confirm that [REDACTED] holds an NV1 clearance.

With regards to speaking with [REDACTED] directly, to maintain Legal Professional Privilege over the engagement, contact should be facilitated through HWLE but we can arrange a direct meeting for you with [REDACTED] and one of our team present. Let me know if you would like us to arrange that.

Kind regards,

Stephen.

Stephen Coyle

Partner

<image001.png>

Level 5, HWL Ebsworth Building, 6 National Circuit | Barton ACT 2600

Phone [REDACTED]

OFFICIAL

From: Harmer, Amanda (DPS) <Amanda.Harmer@aph.gov.au>

Sent: Tuesday, 29 October 2024 7:59 AM

To: Stephen Coyle <scoyle@hwle.com.au>

Cc: Caitlin Holloway [REDACTED]

OFFICIAL

OFFICIAL

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Attachment L - Email from HWLE date 29 October 2024 confirming TPL
NV1 Clearance

Subject: RE: [SEC=OFFICIAL] TransPerfect & HWLE - Data Scoping - DPS Matter

CAUTION: EXTERNAL EMAIL.

OFFICIAL

Hi Stephen

I've drafted the direction letter – see attached – could you provide any thoughts?

Could you also confirm if [REDACTED] from TP holds a security clearance? Otherwise, we may need to consider how we manage that.

If TP is confirmed for Thursday, can I speak with [REDACTED] directly?

Thanks

Amanda

OFFICIAL

Attachment M - Email from HWLE dated 26 November 2025 concerning TPL security clearance

From: [Stephen Coyle](#)
To: [Hinder, Nicola \(DPS\)](#)
Cc: [Lucas, Jason \(DPS\)](#)
Subject: RE: Roughley investigation [HWLE-MATTER.C0223406.1226305]
Date: Wednesday, 26 November 2025 3:20:16 PM
Attachments: [image005.png](#)
[image006.png](#)
[image001.png](#)

Good afternoon Nicola,

I refer to my email below and, in particular, the further information that we sought from TransPerfect Legal (TPL) about [REDACTED] security clearance.

In relation to [REDACTED] AGSVA security clearance generally, we note that on 29 October 2024, HWLE sought in writing from TPL's Director of Australia and Asia Pacific confirmation of [REDACTED] AGSVA security clearance. On that same day, HWLE was advised in writing that [REDACTED] held an AGSVA NV1 security clearance. That representation was repeated orally on a number of occasions on 30 October 2024 to HWLE representatives and also to DPS representatives prior to [REDACTED] attendance at APH during phone and video conferences. We note that a further written representation was received by HWLE from [REDACTED] on 3 November 2025 stating that he obtained an AGSVA NV1 security clearance in 2019 which was valid for 10 years.

As noted below, following Senate Estimates on 4 November 2025 and the questions taken on notice, we sought additional information from TPL, including information about [REDACTED] security clearance. In reply, on 10 November 2025, TPL provided on a copy of [REDACTED] ASIC Organisational Suitability Assessment (OSA). We subsequently asked for further details of his AGSVA NV 1 clearance in addition to the OSA.

On 19 November 2025, TPL advised that [REDACTED] had applied for government clearance with ASIC as his sponsor whilst in the employ of KordaMentha. They also advised that he had received confirmation of his OSA on 19 March 2019 and had been "advised" that he and his entire team had all received NV1 clearances, and he had subsequently worked with multiple government agencies including ASIC and ACCC. However, because he no longer worked at KordaMentha, he did not have a copy of all the relevant documents that were provided at that time. We subsequently pressed TPL and [REDACTED] on the issue and [REDACTED] advised today that he "does not have a AGSVA clearance".

It still remains unclear if [REDACTED] had commenced the process to obtain an AGSVA clearance but failed to complete that process or whether he held a clearance, but his sponsor subsequently withdrew support for it. [REDACTED] has indicated that he is agreeable to providing his personal details to DPS and his consent for DPS to undertake searches to confirm this situation.

We are obviously deeply disappointed in this situation and the conduct of our subcontractor. TPL is a leading global provider of e-discovery service and ranked as a Band 1 provider by Chambers and Partners. The representations made to us were by senior members of that organisation, including their director of their Asia Pacific operations. It is simply not good enough that these incorrect representations were made, and were not corrected, until now. HWLE intends to take further action in respect of this matter.

We acknowledge the issues that this will create for DPS and apologise for, among other things, the inconvenience that this will cause. HWLE will, of course, assist DPS in any way it can with this issue.

Please do not hesitate to contact me to discuss any of the above.

Kind regards,
Stephen.

Stephen Coyle
Partner

From: Hinder, Nicola (DPS)
Sent: Wednesday, 26 November 2025 7:31 PM
To: Stephen Coyle
Cc: Hinchcliffe, Jaala (DPS)
Subject: CM: TransPerfect - Engagement and concerns
Attachments: Letter to FPA Chair - Correction letter - Hansard - 04 November 2025.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Categories: ADD TO CM

Good evening Stephen

I refer to our discussions through today and HWLE Lawyers receipt of information from TransPerfect Legal (TPL) regarding representations made to HWLE Lawyers, and through HWLE to the Department of Parliamentary Services (DPS), about the AGSVA security clearance level held by a TPL employee when undertaking a data extraction process on the Australian Parliament House Official network.

I acknowledge that HWLE Lawyers have engaged with TPL on this issue and have kept the department proactively informed as concerns were confirmed today.

I must however record my earlier request - that HWLE Lawyers express to TPL, in the strongest terms possible, DPS' disappointment. Firstly, that representations made about their employee holding an AGSVA clearance were incorrect; and secondly, about the engagement needed with TPL in order for HWLE Lawyers to receive clear confirmation that an AGSVA clearance was not held.

I have now corrected the record of evidence I provided to the Senate Finance and Public Administration Committee on 04 November 2025 (attached). It is likely that I may be asked about this correction in evidence on Monday, which I will of course answer transparently and honestly. If HWLE wish to record any action or response from TPL before I attend Estimates on Monday, that there is comfort to disclose, I would appreciate advice.

With thanks

Nicola

Nicola Hinder PSM (she/her)
Deputy Secretary and Chief Operating Officer
T: 02 6277 8625 | [REDACTED]
E: nicola.hinder@aph.gov.au

[REDACTED] Parliament House | PO Box 6000 | Canberra ACT 2600



PARLIAMENT OF AUSTRALIA

DEPARTMENT OF PARLIAMENTARY SERVICES



The Department of Parliamentary Services acknowledges the Ngunnawal and Ngambri people, who are the traditional custodians of the land on which Australian Parliament House is situated – an area where people have met for thousands of years.

The painting Possum and Wallaby Dreaming was used as the design for the Forecourt Mosaic of Parliament House, created by the late Michael Nelson Jagamara AM, Warlpiri Elder, in 1985. His design depicts the tracks of the ancestral peoples of the red kangaroo, rock wallaby, bush-tail possum, and goanna. Their tracks lead to a central meeting place, as they gather to talk about and enact ceremonial obligations, in the same way that Parliament House is a gathering place.

Wellbeing notice – managing a good work / life balance looks different for everyone. I am sending this email at a working time that suits me – if this email is received out of normal working hours, please respond at a time suitable for you.



Procedure for dealing with requests for DPS employee data that may contain Parliamentarian data

Introduction

The Department of Parliamentary Services (DPS) is reviewing its current Information, Communications and Technology (ICT) policies and procedures. The review will include the development of an ICT Code of Practice to provide a framework over the management, storage, use, release, retention, and destruction of DPS employee information that may contain Parliamentarian or Parliamentary data. In time, this procedure will be incorporated into the new Code of Practice under development.

Until the new ICT Code of Practice is developed, the *DPS Procedure for dealing with requests for DPS employee data that may contain Parliamentarian data* (the procedure) has been developed.

Application and intent

The procedure applies to requests for DPS employee data (e.g. emails, Teams messages and/or other 0365 data), where the scope of the request may include Parliamentarian data, for example an email from a Parliamentarian to a DPS staff member.

These types of requests are most likely to occur in DPS initiated investigations involving DPS employees and/or investigations conducted by third parties involving DPS employees.

One of the purposes of this procedure is to function as a safeguard against the possibility that requests to access or obtain DPS employee data may be effected in a manner which amounts, or is intended or likely to amount, to an improper interference with the free exercise by a House or Committee of its authority or functions, or with the free performance by a member or the member's duties as a member. In this regard, this procedure has effect subject to the powers, privileges, and immunities of each House and of the members and the committees of each House.

As well as functioning as a safeguard to ensure that Parliamentary Privilege is protected and maintained, this procedure is designed to ensure that Parliamentarian data is not inadvertently released as a result of a request to access DPS employee data.

This procedure does not apply to any compulsory powers applied to DPS which are covered by either the:

- *Memorandum of Understanding between the National Anti-Corruption Commission and the Attorney-General, the President of the Senate and the Speaker of the House of Representatives – Parliamentary Privilege.*
- *Memorandum of Understanding on the execution of search warrants and use of covert investigative powers where Parliamentary Privilege may apply between the Attorney-General, the President of the Senate and the Speaker of the House of Representatives; and/or*

- *Memorandum of Understanding relating to the process for information-gathering powers under the Independent Parliamentary Expenses Authority 2017 and claims for parliamentary privilege.*

Where one of these Memorandums of Understanding applies, the procedure to be undertaken is set out in the applicable Memorandum of Understanding.

Procedure

When a request is made for DPS employee data which may contain Parliamentarian data, DPS will inform the Presiding Officers and Clerks, or the relevant Presiding Officer and Clerk and will discuss with the Clerk/s a proposed method for extracting and searching the material to ensure that any Parliamentarian data is not inadvertently released as a result of the request.

DPS will apply advice that the relevant Clerk may provide regarding mitigation strategies, including, but not limited to:

- how material will be extracted, searched and reviewed to ensure that any Parliamentarian data is not inadvertently released as a result of the request for DPS employee data;
- how any potentially privileged material will be identified and quarantined from the material to be released in response to the request;
- a process for ensuring that claims of privilege can be made in relation to material connected to parliamentary proceedings and determined by the relevant House;
- any assurance mechanisms that should be put in place to support the mitigation strategies; and
- any circumstance in which it would be appropriate to inform any parliamentarian of the data extraction.

If a third party is required to extract the requested DPS employee data, DPS will inform the Presiding Officers and Clerks, or the relevant Presiding Officer and Clerk, and will apply advice that the Clerk/s may provide regarding additional assurance mechanisms that should be put in place to support the mitigation strategies.

If the extracted DPS employee data includes potentially privileged material, DPS will ensure it is prepared to provide to the Presiding Officers and Clerks, or the relevant Presiding Officer and Clerk, an assurance report in relation to the implementation of the mitigation strategies supporting the data request.

If DPS assesses that the likelihood of the DPS employee having Parliamentarian data is low (due to position or role) and therefore not requiring consultation with the Clerks, DPS' basis for the assessment and decision taken will be recorded.

Review

This procedure was agreed by the Secretary of the Department of Parliamentary Services on 02 January 2026 and takes immediate effect.



DPS ref: XXX

Vendor Name

Vendor email

Dear xx,

Aligning with the letter we sent previously in **October 2023**, as a key vendor providing services through contractual arrangements to the Department of Parliamentary Services (DPS), it is possible that the systems that your company maintains, services, or operates may store or transmit data or metadata that belongs to current or former parliamentarians. The Parliament and its members enjoy certain rights and exemptions from ordinary law (immunities) known as 'parliamentary privilege'. As any disclosure of data or metadata belonging to current or former parliamentarians may be covered by parliamentary privilege. I am writing to confirm the procedures that apply should your company be approached to provide any information related to the services your company provides to DPS.

Parliamentarians own the IT records created in their parliamentary and electorate offices, or by the persons they employ to work in these offices on their behalf and stored on the parliamentary computing network. This may include data or metadata that is stored, transmitted, or logged by systems that your company supports.

Any request to release the IT records belonging to a parliamentarian to a third party must be with the consent of the parliamentarian. Where a request is made under a coercive power, such as a search warrant, a parliamentarian must first be given the opportunity to consider any claims they may have for parliamentary privilege. Similar protections apply to other parliamentary material.

Under the existing contractual arrangements, we have in place with you, any information related to the services your company provides to DPS cannot be disclosed to a third party without the express written permission of DPS. Consistent with these arrangements, where a third party requests access to information, data or metadata owned by a parliamentarian, even if it is requested under coercive powers such as a search warrant, the relevant parliamentarian must be consulted and given an opportunity to consider any claims that they may have for parliamentary privilege.

Accordingly, should your company be approached to provide information, data or metadata that is accessible to you because of your contractual arrangements with DPS, and any doubt exists about

the ownership of the material, or you are concerned it may be related in any way to the operation of parliament, please contact myself or your DPS Contract Manager. This will ensure we can work with you and the requesting party or authority to ensure that permission to release the material is obtained (where there is discretion to refuse) and that the parliamentarian has the opportunity to consider any claim for parliamentary privilege.

If you have any questions regarding this communication, please contact me at xx@aph.gov.au or

[02 6277 3917](tel:0262773917).

Yours Sincerely

Monique Morgan

Chief Information Security Officer (CISO)

Department of Parliamentary Services

January 2026

We request that you acknowledge this communication by completing the below information and scanning a completed and signed copy of both pages of this letter to xx@aph.gov.au and cyber@aph.gov.au.

xxCompany

Company Representative:

On behalf of the above mentioned company, I acknowledge receipt of the enclosed information regarding parliamentary privilege in relation to data, metadata, or information that our organisation may handle, manage or store in our dealings with the Australian Parliament and the Department of Parliamentary Services.

Name: _____

Title: _____

Signature: _____

Date: _____