



DEPARTMENT OF TRANSPORT AND COMMUNICATIONS

APPENDIX 11

Office of the Secretary

Graham Evans

Minute T93/628

Subject: GUIDELINES: PREPARATION OF ADVICE
TO MINISTERS

SUB PROGRAM MANAGERS

cc. Deputy Secretary (Communications)
Deputy Secretary (Transport)

The attached guidelines are to be used for the preparation of all future advice to Ministers from this department. They cover the content, structure, and overall style of such advice.

The guidelines will be distributed to all sub-programs for immediate implementation. CMD will provide bulk copies for each sub-program.

The guidelines were prepared in response to recommendations made by Professor Pearce, and in consultation with Ministers' offices, the Department of Prime Minister and Cabinet (Mr Blick) and all sub-programs.

They are to be read in conjunction with the separate "Guidelines for Handling of Ministerial Correspondence" (which cover specific handling procedures and style preferences agreed with Ministers' offices), and the particular requirements for Cabinet material as set out in the Cabinet Handbook. Other relevant references are the records management guidelines "Documenting the Business of the Department on Files" and the recently issued "Procedures for Handling Statutory Instruments".

The normal practice would be for the introduction to any recommendations to Ministers to be in the singular, with the signatory accepting responsibility for consultation as appropriate. Signatories to any advice are also responsible for seeing that the attached guidelines are adhered to in preparation of advice. Standards will be audited on a regular basis.

GRAHAM EVANS
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GUIDELINES

PREPARATION OF ADVICE TO MINISTERS

A. PRINCIPLES

1. Advice to a Minister from the Department is effective when it presents the Minister with:
 - . clear decisions to make or actions to be taken;
 - . the best available understanding of the substantive effect of those decisions or actions;
 - . a full understanding of the range of realistic options for decision or action;
 - . sufficient background information to provide a sound basis for the decisions or support for actions.
2. The background information that is needed may include any or all of:
 - . relevant history and current status of the issue;
 - . policy, technical, legal or cost factors affecting a decision, or its implementation;
 - . who will be affected, and in what ways;
 - . who may implement the decision or action, and how.
3. The authority of advice must be clear as regards:
 - . how comprehensive is the information presented;
 - . the basis of the judgements expressed;
 - . the basis and weighting of recommendations between possible options;
 - . the personal responsibility of the signing officer for the recommendations.
4. The advice must be expressed concisely and without ambiguity.

B. PRESENTATION

Ministers' offices are faced with information overload. Good written communications provide the maximum of useful information for the minimum investment of readers' time and attention. Advice therefore needs to be as short as possible, consistent with adequate coverage of the issues. It is important to use "plain English" style and avoid jargon or unnecessary technical language wherever possible. Slang should be avoided, as it undermines the integrity of a document and can be misinterpreted. Short sentences and paragraphs, minimum use of adjectives, and precise grammar all assist the reader.

The structure of advice should be such that at every stage readers can understand

- . why they need to read the material before them;
- . the relative priority of the material compared to other issues.
- . what form of response it seeks; and

These guidelines set out a revised standard format to assist in meeting this objective. Items 1 to 6, and 11, are mandatory for all advice. Other headings are optional. A style model is included with other style models in the separate "Guidelines for Processing of Ministerial Correspondence."

1. File and Schedule numbers

Inclusion of the file number (Records Management) and the schedule number (Parliamentary Liaison) at the top of the cover page is mandatory, to ensure proper standards of record-keeping and correspondence tracking in the Department.

2. Address

Correct format of address is set out in the Guidelines on Processing of Ministerial Correspondence issued by Parliamentary Liaison Section.

3. Subject

The subject line should contain enough information to narrow the subject down to the area at issue eg, "AUSTRALIA POST - DIVIDENDS" is not as useful a guide to the subject as "AUSTRALIA POST DIVIDENDS - DEPARTMENT OF FINANCE CONSULTATIONS"

4. Action Sought

The purpose of the communication is most clearly defined in terms of ACTION SOUGHT from the recipient. For the Minister, this means "How need I respond.." This should be set out in the briefest and clearest terms immediately below the SUBJECT heading. Examples of typical actions sought might be:

ACTION SOUGHT: That you sign the attached papers for Executive Council relating toBoard appointments

ACTION SOUGHT: That you note the suggested talking points for your meeting with on

ACTION SOUGHT: That you indicate your preferred approach for the Department to consult with industry on

ACTION SOUGHT: That you obtain the agreement of the Minister for Finance to

5. Priority

Whenever there are factors that require the Minister to give priority attention to the ACTION SOUGHT, these should be set out clearly against a heading immediately following the ACTION SOUGHT.

There is little merit in simply saying a matter is "Urgent" - this term is a relative one, subject to abuse and devaluation.

The priority message must indicate a genuine deadline and the consequences of failing to meet that deadline. Examples might be:

PRIORITY: Clearance of the draft submission by 1 November is needed if the legislation is to meet the timetable for Autumn Session passage

PRIORITY: Agreement of the Prime Minister should be secured prior to your meeting with the Chairman on 10 October.

PRIORITY: Appointment of two additional Board members prior to the Annual General Meeting (25 August) is a requirement of the enabling legislation.

By this stage, the Minister or his office should have all the information they need to assess the priority of the material that follows and to schedule it for attention.

6. Issue(s)

The first sentence to follow this heading should establish the nature and scope of any issue that the Minister is asked to address in responding to the advice. Many issues may not require more than a few words to outline; in such cases you should not pad out the issues with insignificant considerations or unnecessary background. In more complex cases, two or three paragraphs may be needed to describe the issues properly. The more complex the issue, the more care should be taken to ensure that it is communicated as clearly and simply as possible.

This heading is not the place to canvass solutions. It should cover only such information as is germane to the reason a Minister now needs to be involved in the subject. This may include identification of conflicting interests, that may be affected by a Minister's decision or action. It should also include reference to any formal powers or obligations under which the Minister would act.

7. Current Situation

This heading covers a concise description of the state of play on the issue. Items to include are:

- . reference to the most current statement of relevant Government policy;
- . the substance of any current representations from parties involved;
- . the state of any legal or administrative processes.

These items should be tightly summarised, with more detailed information available in attachments if necessary. The focus should be on the substance of the matter addressed, rather than just a simple chronology.

8. Technical Issues

Significant technical or legal issues may warrant noting under a separate heading. The source and authority of any views included must be made clear. Treatment in the main body of the advice should be limited to conveying such implications as the Minister must understand in order to take the relevant decisions or actions. Once these are outlined, detailed discussion should be set out in attachments. Where the Department's line of advice to the Minister differs from other opinions quoted, the reasons and authority for taking a different view must be made clear.

9.Options

Where there is a range of possible options for action, each should be presented with care to ensure that the implications are fully understood.

Options not favoured by the Department should still be presented objectively, particularly if they are being pursued by other parties to the issue. If detailed discussion of complex options is needed, this can be in attachments; the main text should present only the key aspects of each option.

If the range of possible options is very wide, judgement should be exercised in presenting a view of the options that is representative, but does not attempt to include minor variations.

If you cannot reduce the range of options to a maximum of three, this may indicate that there are threshold issues that should be resolved before final action options are proposed to the Minister. In these cases, it may be more effective to advise, and seek decisions, on individual components of the issue at different stages, rather than presenting the Minister with an inordinately complex web of considerations and options in a single paper.

This filtering process is a key element of the value added by the Department to government decision-making processes.

The treatment of each option should summarise clearly any implications concerning

- . relationship to current policy and practice
- . effects on interested parties
- . process issues eg
 - is legislation needed?
 - is formal consultation required?
 - can parties appeal against the decision?
- . budgetary effect
- . precedents or constraints on future options or actions

10. Conclusion

This heading should be used in preference to "Summary" (which tends to invite repetition).

The text under CONCLUSION should briefly and clearly set out the arguments leading to the recommended course of action.

11. Recommendations

The recommendations should be consistent with the ACTION SOUGHT, as amplified by the OPTIONS and CONCLUSION sections.

A recommendation "That you note the above" is pointless and should be avoided. You should usually only send information notes when you know that the Minister or his office wants one, or to equip the office to deal with outside enquiries. In such cases suggested talking points should be attached.

If the purpose of the advice is solely to bring the Minister's attention to some significant information, then the recommendation should be that the Minister note the significance of the information in its particular context:
eg

"That you note the concerns expressed by XXX over the effects of YYY on ZZZ, and the possibility that this decision will be challenged in the AAT".

Wording of recommendations for Minister's action should clearly describe specific actions, so that there is no ambiguity as to what the Minister's signature to the advice means.

In general, if the advice has been well constructed there should be no need for recommendations to cross-refer to attachments: the Minister should be able to base his decision on the information in the main text. If the complexity of the issues does not permit this, then sparing reference should be made to attachments.

12. Contact Officer

The signatory to the advice takes full responsibility for all content, but may nominate a contact officer (below the signature to the advice) if the Minister (or office) may wish to follow up on matters of detail not held by the signatory, or when the signatory is likely to be unavailable for some reason. A nominated contact officer must be competent to advise the Minister directly on any matter covered in the advice, unless the nomination specifies a particular field of competence (eg legal or

technical issues). In most cases, contact officers for advice to Ministers should be at least SOB or equivalent.

TYPOGRAPHY

Style requirements are set out in the AGPS style manual, and for individual Ministers' offices in guidelines issued by Parliamentary Liaison Section in consultation with respective offices.

Automated word-processing offers individual drafters a wide array of type faces and styles in which to present written materials. In the context of official correspondence, the selection of type faces and styles has only two legitimate purposes:

- . maximum readability for the recipient
- . image and credibility of the Department.

Self-expression and personal idiosyncrasy must not be indulged in selection of type faces. The authority of documents is undermined if they are presented with a jumble of ill-assorted and confusing typography.

Ministerial office style guidelines will include preferences established with each Minister's office, and these must be adhered to in correspondence with each office.

Good layout and structure assist in rapid reading of documents by making the information they contain readily accessible. Useful devices include careful use of

- . "dot-dash" points;
- . headings and indentation;
- . the use of vertical lists to present facts and options;
and
- . graphs and tables

Where a communication presents special presentation problems such as inclusion of extensive graphics or tables, specialist assistance should be sought from the Public Affairs design group.

C CLEARANCE STANDARDS

A Minister must be able to assume that, for any advice received from the Department, the information upon which it is based is authoritative, the most comprehensive available, and the judgements included are consistent with portfolio-wide priorities. It is the responsibility of the signatory to ensure that this is the case.

Where clearance responsibilities are delegated by program and sub-program managers, officers must be aware of their obligation to ensure drafts have received sufficient clearance both up the line (when senior perspective is required) and across sub-program and program lines (when there may be implications not obvious to a drafting officer).

1. Internal Clearance

Managers are at all times responsible for setting the levels of program clearance required for particular subject matter in their own area, and for establishing the basis on which it is appropriate for clearance to be sought up the line.

Drafting officers are responsible for ensuring that drafts have been appropriately checked with other programs and sub-programs to ensure all relevant considerations are brought to the attention of the clearing officer. Consideration of who else may have a valid interest in the issue should be part of the personal checklist for all drafters and clearers of ministerial papers.

Advice on whether the issue is of interest to other programs and sub-programs and/or they should be consulted, can be sought from senior staff or from Policy Coordination Branch. As regards legal advice, the recent circular Guidelines to Staff on Obtaining Legal Services should always apply.

2. External Co-ordination

Co-ordination with portfolio bodies, other portfolio departments and external bodies serves three purposes:

- the strengthening of information supporting advice to our own Minister;
- identification and reduction of implementation difficulties that might otherwise arise; and
- the opportunity to influence positively the advice being put to the Government from other sources.

Some forms of such co-ordination are formal requirements upon either the Department (eg co-ordination comment on Cabinet submissions, contributions to joint briefings) or the Minister (eg need to consult with the Minister for Finance on certain GBE matters).

Where the formal requirement to consult is of the Minister, it is the responsibility of relevant sub-programs to ensure that the Minister is provided with all advice necessary to the consultation.

As a rule, such advice should include the outcome of prior consultation between this Department and any other department or significant stakeholder in the Minister's consultation process.

When this Department is approached by another portfolio on a consultation basis, judgement must be exercised as to whether the subject matter warrants bringing to the attention of our portfolio's Minister. Criteria include:

- . whether the matter is of major importance to this portfolio; and
- . whether the matter has sufficient authority within the originating portfolio to claim the Minister's attention in the context of other priorities.

In addition to formal clearance mechanisms, informal clearance processes are a normal part of advising work that requires the exercise of discretion and judgement. A primary consideration is to ensure that the status of views and options exposed for discussion with other parties is clearly defined: ie that there is no scope for exploratory positions to be misconstrued as having government or ministerial authority.

In all clearance processes, there should be adherence to the records management guidelines "Documenting the Business of the Department on Files" and to "Procedures for Handling Statutory Instruments" as applicable.

Policy Coordination Branch
September 1993