

Senate Standing Committee on Education and Employment

QUESTIONS ON NOTICE Additional Estimates 2014 - 2015

Outcome 1 - Employment

Department of Employment Question No. EMSQ15-000058

Senator Cameron asked on 10 April 2015 on proof Hansard page 22

Question

List of unsuccessful tenders

Senator CAMERON: Can you provide a list of the unsuccessful tenderers?

Senator Abetz: We will take that on notice and see whether there are any issues associated with that.

Senator CAMERON: Can you provide a list of unsuccessful tenderers for jobactive contracts by each service?

Senator Abetz: We will take that on notice as well.

Answer

The Department is subject to Commonwealth legal and policy requirements to, in the interests of transparency and accountability, publish the names of successful tenderers. This is required by the Commonwealth Procurement Rules (clauses 7.16 and 7.17) and the Senate Order for Departmental and Entity Contracts, and was reflected in Sections 6.5.12 and 6.6.3 of the Request for Tender for Employment Services 2015-2020.

However, it is not usual practice (and is not required by Commonwealth law or policy) to publish the names of unsuccessful tenderers. Publishing the fact that an organisation has unsuccessfully tendered for work is commercially sensitive information that may result in a negative business or reputational impact to the organisation in question.

In addition, Section 6.6.3 (Confidential information) of the Request for Tender for Employment Services 2015-2020 stated that information generated by the Department as a result of the tender process will not be disclosed outside of the Department without the Tenderer's consent, except where authorised or required by law.

The Department, therefore, does not make this information publicly available.