Public Accounts and Estimates Committee



Annual Report for 1996-97

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

TWENTY SECOND REPORT TO PARLIAMENT

ANNUAL REPORT FOR 1996-97

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At a Glance

COMMITTEE ACTIVITIES

39 meetings

4 sub committees appointed

120 witnesses appearing on 26 occasions

3 reports tabled in Parliament

9 new inquiries commenced

18 days of public hearings

9 ministerial portfolios and the parliamentary departments - estimates of expenditure reviewed

1 seminar organised

1 issues paper distributed



Private meeting of the Public Accounts and Estimates Committee L to R: Hon. A J Sheehan, MP; Mr R J Hulls, MP; Mr S P Bracks, MP; Hon. N B Lucas, MLC; Hon. R Best, MLC; Mr S McArthur, MP; Hon. W Forwood, MLC (Chairman); Mr K Wells, MP; (Hon. T C Theophanous, MLC absent)



Hon. T C Theophanous, MLC, longest serving member of the Committee

Highlights of the Year

1996	
23 September	Submission forwarded to Joint Parliamentary Committee of Public Accounts Inquiry into measures to ensure the independence of the Commonwealth Auditor-General
8 October	Report No. 18 tabled - Inquiry into the Public Record Office Victoria
26 October	Inquiry into Outstanding Fines and Unexecuted Warrants announced
3 December	Chairman addresses Conference on "The State of Public Sector Auditing - Is public sector auditing meeting the challenges of change?"
1997	
24 January	Inquiry into Outsourcing of Government Services resumed with revised terms of reference
9-11 February	Committee Members attended the Australasian Conference of Public Accounts Committees
19 February	Committee resolved to undertake an Inquiry into Environmental Accounting and Reporting
8 March	Announced Inquiry into Commercial in Confidence Material and the Public Interest
29 April	Report No. 19 tabled - Inquiry into the 1996-97 Budget Estimates and the 1995-96 Budget Outcomes
14 May	Seminar for Members and their staff sponsored by the Public Accounts and Estimates Committee and presented by the Department of Treasury and Finance on the Budget Papers and the Financial Management Reform Program
20 May	Report No. 20 tabled - Appointment of an Auditor to Conduct a Financial Audit of the Victorian Auditor-General's Office
30 June	Inquiry completed into Outstanding Fines and Unexecuted Warrants

Chairman's Introduction

On behalf of the members of the Committee, I am pleased to present the Committee's annual report for the financial year 1 July 1996 to 30 June 1997. The report continues the practice of informing the Parliament of the Committee's activities and providing information about its performance and achievements.

The year was an extremely busy one for the Committee. In total the full Committee and its four sub-committees held 39 meetings. Four reports were tabled or prepared and another six inquiries were in progress.

The reports tabled covered a broad range of subjects: a review of the Public Record Office (Report No 18), an examination of the 1996-97 Budget Estimates and the 1995-96 Budget Outcomes (Report No 19) and the appointment of an auditor to conduct a financial audit of the Victorian Auditor-General's Office (Report No 20). A report on outstanding fines and unexecuted warrants was also prepared and will be tabled during the spring session of the Parliament.

The Committee commenced its program of reviewing reports prepared by the Auditor-General. Two inquiries were initiated as a result of matters raised by the Auditor-General and additional information was sought on issues raised in two performance audit reports.

Significant progress was made with the Committee's inquiries into contracting out of Government services, commercial confidentiality and the public interest and reviewing the estimates of expenditure for 1997-98.

In addition, the PAEC:

- held 14 public hearings to review the estimates of expenditure for nine ministerial portfolios and the parliamentary departments;
- agreed to undertake an inquiry into environmental accounting and reporting;
- met with officials from Department of Treasury and Finance and the Victorian Auditor-General's Office to discuss the whole of Government accrual based financial report and prepared a submission to the Minister for Finance proposing changes to the format; and
- examined various reports prepared by the Auditor-General.

In my view, the Committee's reports and inquiries have made constructive contributions to a range of significant matters in public administration. In particular the Committee's work has resulted in:

- renewed efforts to introduce public sector financial and management reform; and
- greater transparency in performance information and reporting.

In addition, reports from the Committee have led to changes in policies and procedures, both within individual agencies which have been the subject of PAEC inquiry and across the Victorian public sector.

In line with our objective to enhance the presentation and disclosure of information to Parliament and the public, the Committee held a seminar for Members of Parliament and their staff to outline changes in the budget documents and to brief them on the financial management reform process.

The range of the Committee's activities is now sizeable. The Committee deals with technical accounting and auditing matters, questions of management by government agencies, public interest matters and reviews the estimates of expenditure for all government departments.

A great strength of this Committee has been its bipartisan approach to its work. This year was no exception despite the considerable pressures associated with the review of the Audit Act.

I wish to thank my Deputy Chairman, Hon. Tony Sheehan and all my colleagues on the Committee, including Hon. Barry Steggall who resigned from the Committee during the year, for their efforts in furthering the public accountability process.

Finally, I wish to place on record my thanks to the Committee secretariat for their sterling efforts throughout the year. Michele Cornwell has led by example and I am grateful to her particularly.

Bill Forwood Chairman

Public Accounts and Estimates Committee

1996-97 COMMITTEE MEMBERSHIP



The Honourable Bill Forwood, MLC, Chairman

Bill Forwood was elected MLC for Templestowe Province in 1992, and has served as Chairman of the Public Accounts and Estimates Committee since May 1996. He has been the parliamentary representative on the University of Melbourne Council since 1993. Before entering Parliament, Bill Forwood was employed as a senior adviser and manager and held executive positions in a number of companies.



The Honourable Tony Sheehan, MLA, Deputy Chairman

Tony Sheehan was the MLA for Ivanhoe during 1982-85 and has represented Northcote since 1988. Before his election he had worked as a teacher and as a ministerial adviser. Tony Sheehan was Minister for Housing and Construction August 1990-January 1991, Minister for Finance, January 1991-January 1992 and Treasurer from January to October 1992. Tony Sheehan has served as Shadow Minister for Education and Employment and Shadow Minister for Tourism October-November 1992. He has been a member of the Public Accounts and Estimates Committee since May 1996.



The Honourable Ron Best, MLC

MLC for North Western Province since 1988, Ron Best has served as Secretary of the Parliamentary National Party since 1992 and as National Party spokesperson for Housing and Construction and Small Business 1988-90. He was parliamentary representative on the La Trobe University Council 1988-96. Since 1996 he has been the parliamentary representative on the RMIT Council and the VUT Council. Ron Best has served on the Public Accounts and Estimates Committee since October 1996. Before entering Parliament, he was employed in management and small business.



Mr Steve Bracks, MLA

Steve Bracks was elected MLA for Williamstown in 1994 and has served as Shadow Minister for Employment and Industrial Relations, Shadow Minister for Tourism and Assisting the Shadow Treasurer, Chair, State Opposition Decentralisation Taskforce, December 1994 - March 1996 and Shadow Treasurer, Shadow Minister for Finance and Industrial Relations since April 1996. Since May 1995 he has been the parliamentary representative on the University of Ballarat Council and has served on the Public Accounts and Estimates Committee since May 1996. Before his election, Steve Bracks worked as a teacher, employment project officer and ministerial adviser.



Mr Rob Hulls, MLA

Rob Hulls was elected MLA for Niddrie in February 1996. He was elected as MHR for Kennedy (Qld) 1990-93 and has served as Shadow Attorney-General, Shadow Minister for Gaming and Shadow Minister for Tourism. Before entering Parliament Rob Hulls was a solicitor. He has been a member of the Public Accounts and Estimates Committee since May 1996.



The Honourable Neil Lucas, PSM, MLC

Before being elected MLC for Eumemmerring Province in 1996, Neil Lucas was a senior executive in local Government. He has served on the Public Accounts and Estimates Committee since May 1996.



Mr Stephen McArthur, MLA

Stephen McArthur was elected MLA for Monbulk in October 1992. He has served on the Public Accounts and Estimates Committee since May 1996. Before entering Parliament he was a farmer.



The Honourable Barry Steggall, MLA

MLA for Swan Hill since 1983, Barry Steggall's career was in the wool industry with postings in Bradford, London and Chile and he was also a primary producer. He was acting Cabinet Secretary in the Legislative Assembly 1992-96 and Secretary to the Coalition since October 1992. Barry Steggall was Senior Parliamentary Secretary to the Premier 1992-96 and has been Parliamentary Secretary, State Development since 1996. He was a member of the Public Accounts and Estimates Committee from May to October 1996.



The Honourable Theo Theophanous, MLC

MLC for Jika Jika Province since October 1988, Theo Theophanous has a public service and academic background, having tutored in politics and sociology at La Trobe University. He has held the portfolios of Consumer Affairs and Small Business and was Minister Assisting the Minister for Manufacturing and Industry Development. He is currently the Leader of the Opposition in the Legislative Council and Opposition spokesperson on Industry and Employment and WorkCover. Theo Theophanous was a member of the Economic and Budget Review Committee 1988-92 (Chairman 1991-92), and has been a member of the Public Accounts and Estimates Committee since November 1992.



Mr Kim Wells, MLA

Kim Wells was elected MLA for Wantirna in October 1992. Before entering Parliament he was an accountant and an operations manager. He was appointed to the Public Accounts and Estimates Committee in May 1996.



The Committee meeting with officers from the Auditor-General's Office L to R: Hon. R Best, MLC; Mr R J Hulls, MP; Hon. A J Sheehan, MP; Mr S P Bracks, MP; Mr G Hamilton, Deputy Auditor-General; Mr C Baragwanath, Auditor-General; Mr J Manders, Assistant Auditor-General; Hon. W Forwood, MLC (Chairman); Hon. N B Lucas, MLC; Mr K Wells, MP; Mr S McArthur, MP; (Hon. T C Theophanous, MLC absent)

Chapter 1:

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE - PURPOSE, MEMBERSHIP AND METHODS OF OPERATION

1.1 Introduction

The Public Accounts and Estimates Committee is an all party joint Investigatory Committee of the Victorian Parliament established by the *Parliamentary Committees Act* 1968. The Committee has wide powers to review State public sector finances or administration and the budget estimates.

1.2 Membership

The Public Accounts and Estimates Committee has nine members, four of whom are appointed by the Legislative Council and five by the Legislative Assembly. There are five Government and four Opposition members represented on the Committee. By tradition, the Committee's Chairman is a Government member elected by the whole Committee, while the Deputy Chairman is an Opposition member.

The Committee has undergone a substantial renewal following the State election in 1996 with the retirement of a number of previous Members and the appointment of 8 new Members. The Honourable Theo Theophanous is the only member of the Committee who has continued from the previous Parliament.

1.3 Functions

The Committee carries out investigations and reports to Parliament on matters associated with State financial management. Its functions under the Act are to inquire into, consider and report to the Parliament on -

- (a) any proposal, matter or thing connected with public administration or public sector finances; and
- (b) the annual estimates or receipts and payments and other Budget Papers and any supplementary estimates of receipts or payments presented to the Assembly and the Council.

1.4 Committee Processes

The Public Accounts and Estimates Committee has two key functions, these being the traditional public accounts and estimates functions.

1.5 The Public Accounts Function

The role of the Committee in this area falls into two categories:

- following up matters of concern raised in the reports of the Auditor-General;
- general inquiries relating to some aspect of financial administration or public sector management.

An important aspect of the Committee's work is to follow up on matters raised by the Auditor-General in various reports to the Parliament. These bring to the Parliament's attention financial concerns or relevant issues relating to any public sector agency and the Committee is then able to follow up these matters by virtue of its powers to hold public hearings and take evidence. In this way, matters raised by the Auditor-General are put under the microscope for the benefit of the Parliament and the public. During the year the reports of the Auditor-General raised a number of issues on which the Committee either sought a briefing or investigated further. They involved cross portfolio and individual agency issues.

In addition to reviewing the reports of the Auditor-General, the Public Accounts and Estimates Committee usually undertakes a number of public interest inquiries during the year. These may examine the performance of a specific Department, or perhaps some aspect of financial procedure across the public sector, eg. debt management or asset valuation.

1.6 The Estimates Function

Following the delivery of the Budget Speech by the Treasurer, the Committee forwards a questionnaire to all departments requesting information to supplement the details in the Budget Papers. The information received from departments is analysed and background briefing papers are prepared.

The Committee follows a schedule of public hearings for the budget estimates. This involves all Ministers and departments invited to appear before the Committee at least once in the life of the Parliament, with the major portfolios of Treasury, Finance, Health, Education and Transport invited to appear at least once each financial year. The evidence given at the public hearings is analysed and, where the Committee considers it necessary, further information is sought.

The Committee's objective in its scrutiny of the budget estimates is to:

- constructively contribute to the presentation of budget information, including key financial management details, to the Parliament and the community of Victoria;
- facilitate a greater understanding of the budget estimates;
- encourage clear, full and precise statements of the Government's objectives and planned budget outcomes;

- assist the Parliament and the community of Victoria to assess the achievement of planned budget outcomes; and
- encourage economical, efficient and effective program administration.

The report on the estimates of expenditure is tabled in the spring session each year.

1.7 Government Response to Committee Reports

The Committee has the power to make recommendations to the Parliament, and the appropriate responsible Minister is required to respond to these recommendations within six months of the report being tabled.

1.8 How the Committee Operates

Because the Committee has the capacity to determine its own work program and priorities, it generally undertakes a concurrent number of inquiries. In 1996-97 there were four sub-committees in operation.

Inquiries are generally advertised and the Committee invites interested individuals and organisations to make written submissions.

Almost all of the Committee's evidence gathering hearings are open to the public and interested parties can receive transcripts of those public hearings.

The Committee presents the results of its inquiries in reports which are tabled in both Houses of Parliament. Copies are distributed to all Ministers and State agencies with an interest in individual reports. The reports are also available to the public.

In a major initiative to increase public access to and awareness of the Public Accounts and Estimates Committee's activities, a home page on the Internet has been established. The Committee's Internet address is:

http://yarra.vicnet.net.au/~paec/

The home page provides background information on the Committee and its Members; details of current inquiries; meeting dates and a list of recent Committee reports.

The Public Accounts and Estimates Committee also plans to publish summaries of its reports on the Internet from the 1997-98 financial year onwards.

Chapter 2:

CORPORATE PLAN

To guide its work and provide a framework for the selection of inquiry topics the Committee has developed the following corporate plan:

2.1 Mission Statement

On behalf of the Parliament to scrutinise and assess the financial administration of the public sector, and promote reform where necessary.

2.2 Objectives

The duties of the Public Accounts and Estimates Committee are described in detail in section 4EB of the *Parliamentary Committees Act* 1968. These duties can be interpreted as setting the following objectives for the Committee:

- to encourage the economic, efficient and effective utilisation of public sector resources:
- 2. to enhance the accountability of the Executive Government to the Parliament and the public; and
- 3. to enhance the presentation and disclosure of information to Parliament and the public.

2.3 Strategies

The strategies used by the Committee to achieve its objectives include:

- 1. Examining significant public sector financial and management issues by:
 - maintaining an awareness of key Government policy and public sector financial management issues; and
 - (ii) reviewing:
 - the implementation of Government policy;
 - the effectiveness of public sector internal control and risk management systems; and
 - (iii) monitoring the impact and implementation of reports and activities of the Auditor-General and taking remedial action.
- Actively promoting any reforms necessary to improve accountability and ensure that services provided by Government reflect value for money; and

 Maintaining the Committee's credibility and relevance with Members of Parliament, the public sector and the public by the production of timely, focused and relevant quality reports on matters reviewed or investigated.

2.4 Performance Measures

The Committee's performance during the year, as measured against the targets shown below, clearly demonstrates a period of significant achievement. Both the quantity and quality of the Committee's reports are at high levels and exceed the targeted levels. Interest in the Committee's reports is strong, and their relevance and importance is acknowledged by political and media commentators, academics, Parliamentarians and public sector agencies.

The Committee has set itself a high target for the level of acceptance of the Committee's recommendations by the Government. The Committee is pleased to note that the majority of its recommendations have been accepted and acted on by the Government.

In summary, the Committee has delivered on its corporate mission and is well placed to meet the challenges of the next financial year.

		PERFORMANCE MEASURES	RES	
Strategy	Output	Target 1996-97	Actual 1996-97	Target 1997-98
Examining significant public sector financial and management issues by	Reports tabled in the Parliament.	Annual estimates report - all major departments reviewed annually other departments in	Report tabled April 1997 - estimates of expenditure for	Annual estimates report - all major departments reviewed
(i) maintaining an awareness of key government policies and public sector financial		the life of each Parliament.	Finance, Education, Transport, Health reviewed.	the life of each Parliament.
management issues; (ii) reviewing		Inquiries into: (a) matters raised in reports by	Reports tabled for 1996-97 - Public Record Office (October	Inquiries underway/ planned for 1997-98 include: outsourcing of
• the implementation of		the Auditor-General; and	1996), Financial Audit of the	governmental services,
government policy; and		(b) issues relating to public	Auditor-General's Office (May	commercial confidentiality,
 the effectiveness of 		sector management and	1997). Report on Outstanding	environmental accounting.
public sector internal control and risk		financial administration.	Fines and Warrants completed, to be tabled when Parliament	Review of all outstanding Auditor-General's reports.
management systems			resumes in September 1997.	
implementation of reports and activities of the		At least 50 requests each report produced.	More than 50 copies provided.	Issue of 50+ copies to interested parties.
Auditor-General and taking		,		
remedial action as required.		Adequate coverage by the media and high level of interest by	Key recommendations for each report tabled have been referred	Maintain adequacy of coverage by media and parliamentarians
		tabled by the Committee.	media and in parliamentary debates.	of abstracts of reports on the Internet.
Actively promoting any reforms necessary to improve accountability and ensure that	Reports include recommendations relating to financial	Majority of recommendations accepted by the Government.	In respect of reports issued prior to 1995-96, significant recommendations were	Achieve an acceptance rate of 75 % or better in respect of recommendations made.
services provided by government reflect value for	management reform issues and matters		accepted.	
money.	relating to accountability.	Outstanding issues/	Status of outstanding	All matters in pre 1996-97
		recommendations relating to 1995-96, and not yet dealt with, monitored to ascertain their	issues/recommendations has been determined and follow up action taken.	reports have been dealt with satisfactorily. No significant matters remaining.
		status.		

Strategy	Output	Target 1996-97	Actual 1996-97	Target 1997-98
Maintaining the Committee's credibility and relevance as a committee of the Parliament with Members of Parliament, the public sector and public by the	Implement initiatives aimed at enhancing confidence in the activities of the Committee.	Revision of the estimates inquiry process to take account of financial management reforms.	Revised estimates questionnaire responded to by departments.	Further refinement of requests for information e.g. moving to specific output groups or outputs.
production of timely, focused and relevant quality reports on matters reviewed or investigated.		Adequate representation by interested parties in relation to all inquirtes.	Structured approach to requesting submissions to the inquiries. Production of issues papers to progressively summarise matters being addressed.	Extension of coverage/increase in number of submissions made to Committee inquiries.
		Briefing sessions for parliamentarians on emerging issues relating to public sector reform and financial management.	A seminar program was held for parliamentarians and their staff on accrual accounting and related matters.	Additional seminars to be held on: (a) annual financial statement for the State, (b) financial management framework, and (c) budget documents
		Liaison with, and awareness of activities of Parliamentary, Audit Offices and other relevant Committees.	A number of meetings were held with the Victorian Auditor-General and members and staff from Parliamentary Committees in other jurisdictions.	Continue practice of regular meetings and briefings with the Auditor-General. Continue to attend meetings of ACPAC and keep abreast of developments with other relevant Committees.

Chapter 3:

REPORTS PRESENTED DURING THE YEAR

3.1 Report No. 18: Public Record Office

Reference

In 1995 the then Minister for Arts, the Hon. Haddon Storey, QC, MLC asked the former Public Bodies Review Committee (PBRC) to review the Public Record Office to determine:

- what options are available to the Government and the Public Record Office to meet their future archival storage and preservation responsibilities for the State's public records;
- how the Government and the Public Record Office can re-engineer the records management process to meet their storage, preservation and access responsibilities for the State's electronic records;
- what strategies are available to Government and the Public Record Office to manage the increasing quantity of records being generated by Government in Victoria; and
- how Government and the Public Record Office can better meet the increasing public demand for access to the State's archival records.

The 52nd Parliament was dissolved prior to the PBRC making its report and the reference therefore lapsed. The Committee had prepared a draft report but as the Public Bodies Review Committee was not reconvened for the 53nd Parliament, the report was never formally adopted.

On 25 June 1966 the Public Accounts and Estimates Committee was requested by the Premier and Minister for the Arts to finalise the work commenced by the PBRC and to table its report early in the spring parliamentary session. Because of the volume of evidence to be reviewed an extension of time was sought and agreed to by the Premier.

Inquiry

The Public Accounts and Estimates Committee resolved not to take further evidence or submissions on the reference and relied on the evidence and submissions received by the PBRC and the study report prepared by a sub-committee of PBRC which travelled to the United States and Canada to inspect the latest advancements in archival and records management technologies.

Committee's Findings

The Inquiry revealed that the Public Record Office was facing major problems in discharging its responsibilities under the Public Records Act and in developing strategies for records management.

The Committee made fifty seven recommendations to provide a framework that would promote the careful and effective keeping of records by agencies and ensure that Victoria's history is completely and accurately recorded.

Government response to the Report

The response from the Public Records Advisory Council, on behalf of the Government, advised:

That many of the Committee's recommendations will be useful for the Public Record Office in planning its future direction, particularly the recommendations of having in place records managements standards across all Government agencies.

Many of the recommendations have been implemented while others have resource implications or require legislative action. The Committee will monitor developments in relation to the outstanding matters.

Two specific recommendations generated some public interest. The Committee recommended charging for access to original records and withdrawing Government support from the Public Record Office at Ballarat. Both recommendations were rejected on the basis that the Government is committed to free access to the collections at its other cultural institutions and because of the amount of expenditure put into upgrading the Ballarat facility over the past two years and the high level of local support for the retention of the Office at Ballarat.

3.2 Report No. 19: 1996-97 Budget Estimates and 1995-96 Budget Outcomes

Reference

The PAEC has the power to carry out investigations and report on the annual estimates of receipts and payments and other budget documents presented to the Parliament.

The Inquiry reviewed the 1996-97 budget documents, the Auditor-General's Report on the Statement of Financial Operations 1995-96 and the Auditor-General's Special Report No 44 relating to Timeliness of Service Delivery.

Inquiry

Following the delivery of the Budget Speech by the Treasurer, the Committee circulated a questionnaire to all departments requesting supplementary information to the details presented in the Budget Papers.

During October and November 1996 the Committee held public hearings for the major portfolios of Treasury and Finance, Health, Education and Transport.

Committee's Findings

The Committee's report highlighted substantial efficiency improvements in most departments and agencies but identified the need for an improved financial and

performance reporting framework to ensure agencies are accountable for their performance.

The report included thirty one recommendations relating to customer service charters, accrual accounting and whole of Government reporting, corporate and business plans and the need for improved information on the results achieved by agencies.

Government response to the Report

The Government's response to the report will be tabled in October 1997.

3.3 Report No. 20: Appointment of an Auditor to Conduct a Financial Audit of the Victorian Auditor-General's Office

Reference

In accordance with Section 17 of the *Audit Act* 1994 the Committee is required to recommend to the Parliament the appointment of an independent auditor to conduct an audit of the Victorian Auditor-General's Office.

Committee's Findings

After reviewing the arrangements that have operated for the past two years, the Committee recommended renewing the appointment of Mr Douglas Bartley, a partner of KPMG, for another and final year on the basis that:

- he is highly qualified and experienced in undertaking audits in both the private and public sectors;
- with the move to audited whole of Government accounts and reporting on an
 accrual basis there is an obvious benefit, during this transitional phase, in
 appointing an independent auditor who is familiar with the operations of
 Government and has a knowledge of the Auditor-General's Office; and
- the legislation governing the Auditor-General's Office is presently being reviewed by the Government and hence it would be more appropriate to call for tenders for the following year's audit when it will be clearer what the future requirements of the Audit Office will be.

Response to the Report

The Parliament endorsed the appointment of Mr Bartley.



Jason South / The Age. Reproduced by permission

Estimates hearing with the Treasurer (Hon. Alan Stockdale, MLA) the Minister for Finance (Hon. Roger Hallam, MLC) and the Secretary of the Department of Treasury and Finance, Dr Mike Vertigan.

Chapter 4:

INQUIRIES IN PROGRESS

The following inquiries are in progress:

4.1 Commercial Confidentiality and the Public Interest

Reference

This Inquiry has been initiated as a result of issues raised by the Victorian Auditor-General in the Report on Ministerial Portfolios dated May 1996. The Auditor-General pointed out that some agencies claimed that information he wished to include in reports was commercially confidential and sensitive. The Auditor-General stated that this issue should not override the fundamental obligation of Government to be fully accountable at all times for all financial arrangements involving public moneys.

Although audit legislation does not place any restrictions on the information actually available to the Auditor-General, it restricts the disclosure of commercially sensitive information. No alternative mechanism exists within the parliamentary arena to evaluate the merit of claims that certain material should not be publicly disclosed in reports to the Parliament. It is left to the judgement of the Auditor-General to decide whether or not claims that the material is commercially confidential or sensitive are legitimate and whether or not disclosure of such material is in the public interest.

The Inquiry

The Inquiry will examine what principles should be adopted to protect commercial confidentiality of information in the public sector whilst also ensuring accountability.

In April 1997 the Committee published an issues paper in connection with this Inquiry. The paper sought submissions on the following key issues:

- in what instances has public accountability been hampered by the application of the "commercial in confidence" argument, and to what extent has this occurred?
- in what instances has the disclosure of negotiated outcomes for a contract led to a company losing trade secrets or losing the value of sensitive commercial information?
- what contract information has been traditionally disclosed to the public, to the Auditor-General, and to the Parliament?
- how has the disclosure of this information improved public accountability?
- what points of information about contracts or agency operations should be disclosed to the public and the Parliament, and which should remain confidential?
- at what point should any disclosures be made?
- who should make these disclosures?
- what form should such disclosures take?

- should the Government issue guidelines on disclosure of information relating to contract confidentiality?
- if so, should these be general guidelines applicable to all cases, or separate ones issued for individual projects?
- should there be an "independent" person or body to observe the process and ensure probity and integrity?
- should Government agencies be permitted to enter into agreements which
 contain a provision prohibiting that agency or the responsible Minister from
 providing to the Auditor-General or the Parliament information as to its
 operations or the contents of that agreement?

There was a great deal of interest in the issues paper and more than 1,000 copies were distributed. This resulted in ninety three submissions from a wide range of interested parties. The early presentation of the Budget and the scheduling of the estimates hearings in May and June postponed the public hearings for this Inquiry until early in the following financial year.

4.2 Outstanding Fines and Unexecuted Warrants

Reference

Since the establishment of the PERIN Court in 1986-87, the Auditor-General has commented in several reports to the Parliament on the level of uncollected fines and outstanding warrants. Although the Department of Justice has taken some steps to improve the situation, the matter was again raised by the Auditor-General in the Report on Ministerial Portfolios dated May 1996.

After receiving a briefing from the Auditor-General on these issues and representations from the Manningham City Council, the following terms of reference were adopted for this inquiry:

The Committee is to:

- review the mechanisms in place to execute warrants and collect fines;
- establish what action Government agencies are taking to reduce the level of outstanding fines;
- examine the reasons why the level of outstanding fines continues to grow; and
- determine what measures are needed to improve the present system.

The Inquiry was advertised and submissions sought from a wide range of potentially interested agencies and community organisations. Public hearings have been held and the Inquiry is now completed. A report will be tabled when the Parliament resumes in September 1997.

4.3 Budget Estimates for 1997-98

Reference

Under the Parliamentary Committees Act, the Public Accounts and Estimates Committee has the power to carry out investigations and report on the annual estimates of receipts and payments and other budget documents presented to the Parliament.

The Inquiry

Following the presentation of the Budget, the Committee forwarded a questionnaire to all departments to obtain additional information to assist with the review of their budget estimates.

After analysing this information, public hearings were held with nine Ministers and the Presiding Officers of the Parliament.

A draft report is currently being prepared and the Committee expects to present its report to the Parliament in early November 1997.

4.4 Environmental Accounting and Reporting

Reference

The Committee has the authority to undertake an inquiry into any matters associated with state financial management.

The Inquiry

An increased awareness and a demand for more information about environmental performance and activities have implications for the Government, private sector and the community.

On 19 February 1997 the Committee resolved to undertake an Inquiry into Environmental Accounting and Reporting. The Committee proposes to publish an issues paper, outlining the key matters to be addressed during this Inquiry, in late 1997.

4.5 Performance Audit of the Victorian Auditor-General

Reference

In accordance with Section 19 of the Audit Act, a performance audit of the Auditor-General is undertaken every three years.

The Inquiry

The report on the audit has been completed by Mr Alan Talbot, and the Committee has sought submissions from a number of agencies on the recommendations contained in the report.

4.6 Outsourcing of Government Services

Reference

In August 1995 the previous Public Accounts and Estimates Committee commenced an inquiry into outsourcing in the Victorian public sector.

The Inquiry was interrupted by the State election in 1996. This Committee has resumed the Inquiry but adopted different terms of reference because operations within agencies have changed significantly and outsourcing has evolved to a stage where more detailed information is now available.

The key issues to be considered by the Committee during the Inquiry are:

- the extent of outsourcing activities in the public sector;
- whether the guidelines/directions, if any, are appropriate including whether or not they define core and non-core services;
- whether the agencies conducted a base line costing and established objectives before deciding to outsource a service;
- whether the agencies are monitoring the outcomes of the outsourcing and the performance of the contractors; and
- the public and parliamentary accountability implications of outsourcing.

Submissions were sought from all agencies who had previously responded to the Inquiry and from a range of community and professional organisations.

To date, the Committee has received one hundred and forty five submissions. The Committee has received a briefing from the Department of Premier and Cabinet and the Department of Treasury and Finance and has held several public hearings.

The Committee expects to report on the outcome of the Inquiry in December 1997.

4.7 Matters arising from Reports of the Auditor-General

Reference

In virtually all Parliaments in the Westminster system the Public Accounts Committee works closely with the Auditor-General. The form this co-operation takes varies, but almost always includes a review by the Committee of the reports published by the Auditor-General, and a follow up to those reports when the Committee considers it appropriate.

This is the practice which is followed in Victoria by this Committee.

The Inquiry

The Committee has examined Special Report No. 38 Privatisation: An audit framework for the future and resolved to take note of the Auditor-General's report.

The Committee has received a briefing and additional information from the Secretary of the Department of Premier and Cabinet on Special Reports Nos. 39 (Marketing of Government Services) and 40 (The Community Support Fund).

Reports Nos. 42 to 49 and the Auditor-General's Report on Ministerial Portfolios May 1997 and responses from the Minister for Finance to these reports will be considered by the Committee after a number of current inquiries are completed in the latter half of 1997.



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There was a high level of media interest in the estimates hearings with many public hearings televised.

Chapter 5:

OTHER ACTIVITIES OF THE COMMITTEE

5.1 Members Seminar on the Budget Papers and the Financial Management Reform Process

An innovation that the Committee took during the year was to hold a seminar, in conjunction with Department of Treasury and Finance, for Members and their staff on the new format of the Budget Papers and to outline aspects of the broader public sector reform process. Eighty-four Members and staff attended the seminar.

Following the very positive response to the program, the Committee intends, during the next financial year, to hold a series of seminars on key issues relating to financial and public sector reform.

5.2 Implementation of Accrual Accounting

The introduction of accrual accounting in the Victorian public sector has been one of the major financial reforms introduced during the last three years.

The Committee is an advocate of public sector financial reform. During the year the Committee met on several occasions with officers from the Department of Treasury and Finance and the Auditor-General's Office to discuss the progress with implementing accrual accounting in budget sector agencies and to monitor developments with the preparation of the consolidated financial statement.

The Committee prepared a submission to the Department of Treasury and Finance on the content and format of the consolidated statement and suggested a number of enhancements.

5.3 Australasian Council of Public Accounts Committees

The Australasian Council of Public Accounts Committees (ACPAC), consisting of all public accounts-type committees throughout Australia, New Zealand and New Guinea, operates on a two year cycle, with a biennial conference and a mid-term meeting each alternate year.

The aims of ACPAC are to:

- exchange information; ideas and opinions relating to public accounts committees;
- improve public and parliamentary accountability through the work of public accounts committees; and
- · seek ways of improving the performance of public accounts committees.

Members of the Public Accounts and Estimates Committee attended the meeting held in Sydney in February 1997. Agenda items included:

Minimum independence requirements for Auditors-General;

- · Accountability for grants; and
- Requirements for the ideal Public Accounts Committee.

While these issues are current and relevant, the Committee believes that ACPAC should concentrate more on outcomes that identify and recommend actions which could be pursued by all Public Accounts Committees.

5.4 Presentation of Committee Reports when the Parliament is not sitting

When the Parliament is not sitting, this Committee usually meets on a weekly basis and through its sub-committees works simultaneously on various inquiries. At present, the Committee is required to table all of its reports in Parliament before they can be made public and distributed to Ministers for consideration. As the Parliament meets at set times throughout the year and there can be several months between each session, the requirement to table the report in the Parliament significantly delays the publication of the Committee's findings.

The Committee understands that all other State, Territory and Commonwealth Parliaments have a procedure whereby, when the Parliament is not sitting, committees are able to present their reports to the Presiding Officers and the reports are then deemed to be presented to the Parliament and their publication authorised. When the Parliament resumes the reports are then formally tabled in both Houses.

The advantage of this arrangement is that the information remains current and is not overtaken by subsequent events and it minimises the danger of premature unauthorised disclosure of committee reports which are finalised during adjournment periods.

The Committee recommends that, when the Parliament is not sitting, parliamentary committees should be able to present their reports to the Presiding Officers and these reports shall then be deemed to have been presented to the Parliament and their publication authorised.

5.5 Government Action on Previous Committee Reports

During 1996-97 the Public Accounts and Estimates Committee received a Government response to Report No. 11 Information Technology in the Public Sector. The response was very positive with the Department of Treasury and Finance agreeing in the main with the findings and recommendations contained in the report. The functions proposed for the Outsourcing and Contract Management Unit have been adopted and the revised Outsourcing and Contract Management guidelines, incorporating the recommendations of the Report, have been distributed to all Government agencies.

The Committee also received a response to Report No. 9 (Final Report on the 1993-94 Budget Estimates and Outcomes). The substance of the majority of Committee recommendations were agreed to. Two recommendations relating to information to be included in the Budget Papers and annual reports will be further considered when the Department of Treasury and Finance develop the 1998-99 reporting requirements.

The Government response to the Committee's Report No.12 (Final Report on the State's Budget and Financial Management Framework) accepted 4 recommendations and rejected a recommendation to prescribe in legislation the form and content of annual reports.

The Committee also received a response to the Final Report on the 1994-95 Budget Estimates and Outcomes (Report No.13). Three recommendations were accepted, four were agreed in principle or partly accepted, one recommendation was deferred pending negotiations and another recommendation is dependent on the outcome of the current review of the Audit Act.

APPENDICES

Hearings and Meetings

DATE	SUBJECT	ORGANISATION	WITNESSES IN ATTENDANCE	
1996 16 July	Staffing Sub- Committee			
22 July	Deliberative meeting			
21 August	Deliberative meeting			
23 August	Staffing Sub- Committee			
4 September	Deliberative meeting			
18 September	Deliberative meeting			
26 September	Deliberative meeting			
2 October	Public Hearing	Inquiry into 1996-97 Budget E	Estimates	
		Health and Aged Care	Hon. R Knowles, MLC	
			Mr R Doyle	
			Mr W McCann	
			Dr M Walsh	
			Mr A Clayton	
			Ms J Williams	
			Mr J Hayes	
9 October	Deliberative meeting			
23 October	Deliberative meeting			
30 October	Deliberative meeting with briefing by the Auditor-General			
		Victorian Auditor-General's Office	Mr C Baragwanath	
			Mr S Mitsas	
			Mr R Walker	

DATE	SUBJECT	ORGANISATION	WITNESSES IN ATTENDANCE
6 November	Public Hearing	Inquiry into 1996-97 Budget Estimates	
		Department of Treasury and	Hon. A Stockdale, MLA
		Finance	Hon. R Hallam, MLC
			Mr F King
			Mr R Paice
13 November	Deliberative meeting with briefing by the Auditor-General		
		Victorian Auditor-General's	Mr C Baragwanath
		Office	Mr R Walker
			Mr J Kehoe
22 November	Public Hearing	Inquiry into 1996-97 Budget Estimates	
		Department of Education	Hon. P Gude, MLA
			Mr G Spring
			Mr P Allen
			Mr F Peck
			Mr I Hind
			Mr D Hudgson
22 November	Private and deliberative meeting with the Auditor-General		
		Victorian Auditor-General's	Mr C Baragwanath
		Office	Mr G Hamilton
27 November	Public Hearing	Inquiry into 1996-97 Budget Estimates	
		Public Transport Corporation	Hon. A Brown, MLA
			Mr J McMillan
11 December	Private and deliberative meeting	Briefing on Review of the Audit Act	
		Department of Premier and	Ms E Proust
		Cabinet	Ms F Hanlon

DATE	SUBJECT	ORGANISATION	WITNESSES IN ATTENDANCE	
1997 19 February	Private and deliberative meeting	Briefing on the Auditor-General's Reports Nos. 39 and		
		Department of Premier and Cabinet	Ms E Proust	
			Ms M Sussex	
20 February	Public Hearing	Inquiry into Outstanding Fines and Unexecuted Warrants		
		Municipal Association of	Ms H Proctor	
		Victoria	Mr M Weldon	
	-	City of Melbourne	Mr R Green	
		VicRoads	Mrs S Allen	
			Mr W Bull	
			Mr M Pollard	
27 February	Private Briefing	Inquiry into Outsourcing of Go	Government Services	
		Department of Treasury and Finance	Mr J Perham	
			Mr P Noble	
			Mr B Williamson	
		Local Government Planning and Market Information Services Division Department of Infrastructure	Dr T Ward	
			Mr V Robson	
_		Department of Premier and Cabinet	Ms M Sussex	
			Ms M Van Rees	
6 March	Private Briefing	Inquiry into Outsourcing of Go	Jovernment Services	
		Deloitte and Touche Consulting	Ms S Cullen	
_		Victorian Government Purchasing Board	Mr R Jervis-Read	
			Mr L Bailey	
			Mr J Peachey	
19 March	Deliberative meeting with briefing			
		Victorian Auditor-General's Office	Mr C Baragwanath	
			Mr G Hamilton	
			Mr J Manders	

DATE	SUBJECT	ORGANISATION	WITNESSES IN ATTENDANCE
24 March	Public Hearing	Inquiry into Outstanding Warrants	Fines and Unexecuted
		Department of Justice	Mr A Thompson
			Mr B Quirk
			Mr R Reid-Smith
			Mr A Hargreaves
			Mr C Humphreys
			Mr M Blamey
			Ms A Cannon
		Receivables Management (Vic) Pty Ltd	Mr W Willoughby
		Dynamic Data Systems Pty	Mr A Burgess
		Ltd	Mr I McPherson
		Sheriff's Office Association,	Sergeant W Houldey
		Victoria Inc	Mr S Gamble
25 March	Public Hearing	Inquiry into Outstanding Warrants	Fines and Unexecuted
		City of Stonnington	Ms G Hindman
			Mr S Upfield
		City of Port Phillip	Mr G Oulton
			Mr N McClelland
		City of Boroondara	Mr T Lindsay
			Ms A Burch
		City of Manningham	Mr E Wilkins
		Data Protection Advisory Council	Mr V Perton, MP
27 March	Public Hearing	Inquiry into Outstanding Warrants	Fines and Unexecuted
		PERIN Fines Working	Mr G Sullivan
		Group, Federation of Community Legal Centres	Ms S Burchfield
		Southern Consumer Financial and Advocacy Group	Mr K Hauptmann
		Victoria Legal Aid	Ms K Robertson
			Ms T Higgins

DATE	SUBJECT	ORGANISATION	WITNESSES IN ATTENDANCE
14 April	Deliberative meeting		
17 April	Sub-Committee Deliberative meeting	Inquiry into Outstanding Warrants	Fines and Unexecuted
		Adviser to Inquiry	Professor R Fox
12 May	Public Hearing	ng Inquiry into 1997-98 Budget Estimates	
		Department of Treasury and	Hon. A Stockdale, MLA
		Finance	Hon. R Hallam, MLC
			Dr M Vertigan
			Mr F King
19 May			stimates
		Parliamentary departments	Hon. B A Chamberlain, MLC
			Mr A Bray
			Hon. S J Plowman, MLA
			Mr P Mithen
			Mr B Davidson
			Mr E Woodward
			Ms C Haydon
			Mr H Barr
26 May	Public Hearing	aring Inquiry into 1997-98 Budget Estimates	
		Victorian Casino and Gaming Authority	Hon. R Hallam, MLC Mr W J Lahey
2 June	Sub-Committee Deliberative meeting	Inquiry into Outstanding Warrants	Fines and Unexecuted
		Adviser to Inquiry	Professor R Fox
4 June	Public Hearing	Inquiry into 1997-98 Budget Estimates	
		Health and Aged Care	Hon. R Knowles, MLC
			Mr W McCann
			Mr A Clayton
			Dr C Brook
			Mr J Hayes

DATE	SUBJECT	ORGANISATION	WITNESSES IN ATTENDANCE
5 June	Public Hearing	Inquiry into 1997-98 Budget Estimates	
_		Department of Education	Hon. P Gude, MLA
			Mr G Spring
			Mr F Peck
			Mr P Allen
			Mr I Hind
			Mr J Rosewarne
16 June	Sub-Committee Deliberative meeting	Inquiry into Outstanding Warrants	Fines and Unexecuted
		Adviser to Inquiry	Professor R Fox
16 June	Public Hearing	Inquiry into 1997-98 Budget Estimates	
		Public Transport Corporation	Hon. R Cooper, MLA
			Mr J McMillan
			Mr R McDonald
18 June	Public Hearing	Inquiry into 1997-98 Budget E.	stimates
		Police and Emergency	Hon. W McGrath, MLA
		Services and Corrections	Mr A Thompson
			Mr T Daly
		Victoria Police	Mr N Comrie
25 June	Public Hearing	Inquiry into 1997-98 Budget Estimates	
		Youth and Community Services	Hon. D Napthine, MLA
			Mr Y Blacher
			Mr A Clayton
			Mr J Hayes
			Ms P White
25 June	Public Hearing	Inquiry into 1997-98 Budget Estimates	
		Industry Science and Technology	Hon. M Birrell, MLC
			Mr R Hart
			Mr N Edwards

DATE	SUBJECT	ORGANISATION	WITNESSES IN ATTENDANCE
27 June	Public Hearing	Inquiry into 1997-98 Budget Estimates	
		Tertiary Education and Training	Hon. P Honeywood, MLA
			Mr G Spring
			Mr P Harmsworth
			Ms J Williamson

Staffing Arrangements

The Committee has the following core staff:

Ms Michele Cornwell -

Executive Officer

Ms Frances Essaber

Office Manager

Word processing support is provided by officers of the Joint Committee Secretariat:

Ms Jennifer Hutchinson

Ms Laurel Keith

Ms Sonia Kestle

The Committee acknowledges their valuable assistance during the year.

Secondments

The Committee has a policy of accepting officers from the Victorian Auditor-General's Office, as well as other public sector bodies and private accounting practices, to act as research officers for the Committee. Such secondments assist the Committee and broaden the participants' work experience. Secondments during the year have been:

Ms Luci Marsh

Auditor-General's Office

Mr Richard Snow

Department of Treasury and Finance

The Committee expresses its thanks to these seconded officers and their organisations for their assistance and support.

Specialist Advisers

To assist with some of the more technical and complex issues that may arise during an Inquiry, the Committee is trialling the appointment of a panel of specialist advisers. The composition of the panel changes depending on the degree of specialisation and complexity of each Inquiry.

During this year, the Committee has been assisted by the following advisers:

Inquiry into Outstanding Fines and Unexecuted Warrants

Professor Richard Fox -

Associate Dean of the Law Faculty,

Monash University

Inquiry into Outsourcing Government Services

Mr Graeme Hodge - Senior Lecturer, School of Government,

Monash University

Inquiry into Environmental Accounting and Reporting

Professor Robert Walker - Dean of the School of Accounting, University of New South Wales

The Committee would like to thank them for their advice and assistance.

Hansard

The excellent service provided by the Parliamentary Reporter and staff is also acknowledged.

Committee Expenditure for 1996-97

The Committee's expenditure for 1996-97 was as follows:

	\$
Members' Travel/Expense Allowance	6,013
Salaries and associated costs	134,148
Administrative expenses	51,849
Relocation costs for the Secretariat	55,000
Inquiries' Budget	1,565
Total Expenditure	248,575

This expenditure was \$111,333 less than budgeted due to a number of factors, including:

- (a) the delay in appointing staff; and
- (b) the early presentation of the Budget resulted in the committee reviewing the estimates process twice in one year, which postponed work on the other general inquiries.

Membership of the Committee and Sub-Committees

FULL COMMITTEE

Hon. Bill Forwood, MLC (Chairman)

Hon. Tony Sheehan, MP (Deputy Chairman)

Hon. Ron Best, MLC

Mr Steve Bracks, MP

Mr Rob Hulls, MP

Hon. Neil Lucas, MLC

Mr Stephen McArthur, MP

Hon Theo Theophanous. MLC

Mr Kim Wells, MP

Number of Public Hearings - 14

Number of Private Meetings - 14

SUB-COMMITTEE ON OUTSTANDING FINES AND UNEXECUTED WARRANTS

Hon. Tony Sheehan, MP (Chairman)

Hon. Bill Forwood, MLC

Hon. Neil Lucas, MLC

Mr Stephen McArthur, MP

Number of Public Hearings - 4

Number of Private Meetings - 3

SUB-COMMITTEE ON OUTSOURCING OF GOVERNMENT SERVICES

Hon. Bill Forwood, MLC (Chairman)

Mr Steve Bracks, MP

Hon. Theo Theophanous. MLC

Mr Kim Wells, MP

Number of Private Meetings - 2

SUB-COMMITTEE ON COMMERCIAL IN CONFIDENCE MATERIAL AND THE PUBLIC INTEREST

Hon. Bill Forwood, MLC (Chairman) Mr Steve Bracks, MP Mr Rob Hulls, MP Mr Stephen McArthur, MP

SUB-COMMITTEE ON THE EFFICIENCY AUDIT OF THE AUDITOR-GENERAL

Hon. Bill Forwood, MLC (Chairman) Hon. Tony Sheehan, MP Hon. Theo Theophanous. MLC Mr Kim Wells, MP

SUB-COMMITTEE ON STAFFING

Hon. Bill Forwood, MLC (Chairman) Mr Steve Bracks, MP Mr Stephen McArthur, MP Hon. Tony Sheehan, MP

Number of Private Meetings - 2

Members Attendance at Committee Meetings

In 1996-97 the full committee met on 28 occasions.

In 1996-97 the Sub-Committee on Outstanding Fines and Unexecuted Warrants met on 7 occasions.

In 1996-97 the Sub-Committee on Outsourcing of Government Services met on 2 occasions.

In 1996-97 the Sub-Committee on Staffing met on 2 occasions.

Hon. Bill Forwood, MLC attended 28 full committee meetings, 6 meetings of the Sub-Committee on Outstanding Fines and Unexecuted Warrants, 2 meetings of the Sub-Committee on Outsourcing of Government Services, 2 meetings of the Sub-Committee on Staffing

Hon. Tony Sheehan, MP attended 20 full committee meetings, 7 meetings of the Sub-Committee on Outstanding Fines and Unexecuted Warrants, 1 meeting of the Sub-Committee on Staffing

Hon. Ron Best, MLC (From November 1996) attended 14 full committee meetings

Mr Steve Bracks, MP attended 25 full committee meetings, 2 meetings of the Sub-Committee on Outsourcing of Government Services, 1 meeting of the Sub-Committee on Staffing

Mr Rob Hulls, MP attended 26 full committee meetings

Hon. Neil Lucas, MLC attended 26 full committee meetings, 7 meetings of the Sub-Committee on Outstanding Fines and Unexecuted Warrants

Mr Stephen McArthur, MP attended 26 full committee meetings, 6 meetings of the Sub-Committee on Outstanding Fines and Unexecuted Warrants, 2 meetings of the Sub-Committee on Staffing

Hon. Theo Theophanous, MLC attended 18 full committee meetings, 1 meeting of the Sub-Committee on Outsourcing of Government Services

Mr Kim Wells, MP attended 24 full committee meetings, 1 meeting of the Sub-Committee on Outsourcing of Government Services

Mr Barry Stegall, MP attended 1 full committee meeting (Resigned from the Committee October 1996)