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PARLIAMENT OF TASMANIA

AUDITOR-GENERAL SPECIAL REPORT No.93

Investigations 2004–2010

November 2010

Presented to both Houses of Parliament in accordance with the provisions of Audit Act 2008

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9 November 2010

President
Legislative Council
HOBART

Speaker
House of Assembly
HOBART

Dear Madam President

Dear Mr Speaker

SPECIAL REPORT NO. 93

Investigations 2004-2010

This report has been prepared consequent to examinations conducted under section 23 of the *Audit Act 2008*. It summarises my Office's approach to requests we receive to conduct audits and investigations, actions taken and reports prepared over the 2004 to 2010 period. Also included are the outcomes from matters followed up but not previously reported.

Yours sincerely

H M Blake

AUDITOR-GENERAL

Contents

Foreword	i
List of acronyms and abbreviations	ii
Executive summary	2
Background.....	2
Detailed audit conclusions.....	2
List of recommendations.....	3
<i>Audit Act 2008</i> section 30 — Submissions and comments received	6
Introduction	8
1 Referrals received and actions taken	16
1.1 Background.....	16
1.2 Summary of audits conducted resulting in a public report	16
1.3 Other referred matters added to our work program	20
1.4 Management letter issued	20
1.5 No action taken or matter referred.....	21
1.6 Audits by arrangement.....	21
1.7 Conclusion	22
2 Launceston General Hospital	24
2.1 Background.....	24
2.2 Matters referred.....	24
2.3 Section 4 of the <i>Health Act 1997</i> (the Health Act)	25
2.4 Conclusion	26
2.5 Submissions and comments received.....	26
3 Matters relating to the Property Agents Board	30
3.1 Background.....	30
3.2 Is PAB a State entity?	30
3.3 Action taken	31
3.4 Financial reporting arrangements	35
3.5 Structure and roles of PAB and its related entities	36
3.6 Overview of our findings in this Chapter	40

3.7	Conclusion	40
3.8	Submissions and comments received.....	40
4	Local government council-related matter	44
4.1	Background	44
4.2	<i>Local Government Act 1993</i> : Section 55 disclosures	44
4.3	Conclusion	44
4.4	Submissions and comments received.....	45
	Recent reports	48
	Current projects.....	50

List of figures

Figure 1: Real estate industry regulatory and administrative arrangements.....	36
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Foreword

My Office regularly receives referrals from various sources requesting the conduct of audits or investigations into diverse matters. In the period 2004–2010 more than eighty such referrals were received all of which result in audit effort regardless of the action taken.

One of the motivating factors in preparing this Report was to demonstrate just how seriously my Office regards matters referred to it. Many of those matters resulted in audits leading to recommendations made in reports and consequent action taken by management of State entities. However, it should be understood that not all such matters automatically trigger audits or investigations.

To ensure proper and consistent response to these referrals, we designed internal protocols which are outlined in this Report. Importantly, these protocols are aimed at taking a public interest approach to the matters raised and ensuring our independence.

This report summarises actions taken, in some cases actions not taken, and includes outcomes from work done but not previously reported.

H M Blake

Auditor-General

9 November 2010

List of acronyms and abbreviations

DHHS	Department of Health and Human Services
DoJ	Department of Justice
Division	Division of Consumer Affairs and Fair Trading
FMAA	<i>Financial Management and Audit Act 1990</i>
Guarantee Fund	Property Agents Guarantee Fund
LCC	Launceston City Council
LGH	Launceston General Hospital
MIT	MIT Fund Limited
PAB	Property Agents Board
PAT	Property Agents Trust
REIT	Real Estate Institute of Tasmania
Scholarship Board	Real Estate Scholarship Board

Executive summary

Executive summary

Background

From time to time, we receive requests or referrals from various parties including Members of Parliament, members of the public, the media, public sector agencies, the Ombudsman and others to conduct audits or investigations. In the period May 2004 to June 2010, more than eighty matters were formally or informally referred for investigation.

Every one of these matters is assessed under an internal protocol application of which results in any of the following decisions to:

- take no further action
- refer the matter to a more appropriate authority
- address the matter as part of our normal financial audit program
- investigate or audit the matter using a combination of our resources along with those of an auditee often resulting in management letters addressed to those charged with governance within that auditee. Where a finding is significant, we may include this in a report to Parliament
- investigate or audit the matter resulting in a report to Parliament.

This Report summarises actions taken and any outcomes.

Detailed audit conclusions

As to referrals received and action taken

Chapter 1 summarises all the referrals received between May 2004 and June 2010, actions taken, or in some cases not taken, and the 17 occasions where an outcome was a report to Parliament. It highlights the extent and variability of matters referred over the past six years. We have, and will continue to, exercise our independence in determining how to respond.

As to the Launceston General Hospital

A matter raised with us related to arrangements whereby doctors are credentialed to carry out clinical procedures at the Launceston General Hospital (LGH). To the extent that we were able at the time, we examined the matter raised from which we concluded that proper action was taken by management of both the LGH and the Department of Health and Human Services (DHHS).

However, we were prevented by section 4 ‘Quality assurance committees’ of the *Health Act 1997* from accessing the LGH’s decision-making material. While this has subsequently been resolved in the Audit Act, this lead us to conclude that appropriately qualified independent officers such as the Ombudsman and the Health Complaints Commissioner should be allowed to initiate an investigation of activities undertaken by quality assurance committees, in particular where they relate to staff.

As to the Property Agents Board

A number of matters, primarily relating to expenditure incurred by the Property Agents Board (PAB) and the Property Agents Trust (PAT), were referred to us.

Our inquiries, which were not an audit or review, suggest to us no wrong doing in the payment of funds between PAB, PAT, MIT Fund Limited, Scholarship Board, the Department of Justice’s Division of Consumer Affairs and Trading and the Real Estate Institute of Tasmania (REIT) and the payments made were consistent with existing legislative and regulatory frameworks.

Although the current arrangements and roles of these entities have over time evolved into a complicated relationship, there is no identifiable conflict of interest, since it is appropriate, and not uncommon, that the industry should have representation on these bodies.

As to the Launceston City Council

A referral received indicated that the Launceston City Council (LCC) may not be complying with the disclosure requirements of section 55 ‘Interests of employees and general manager’ of the *Local Government Act 1993*.

Section 55 disclosures are important accountability mechanisms and are aimed at protecting both the employee and the council. Management at the LCC promptly addressed an instance of lack of disclosure when it was brought to their attention. Procedures put in place should avoid future lapses.

List of recommendations

The following table reproduces the recommendations contained in the body of this Report.

Rec No	Section	We recommend that...
1	2.3.3	<p>... the Department of Health and Human Services revisit whether or not:</p> <ul style="list-style-type: none"> ▪ The Ombudsman and the Health Complaints Commissioner should continue to be precluded from examining matters addressed by quality assurance committees established by section 4 of the <i>Health Act 1997</i>. ▪ Credentialing committees should be quality assurance committees.
2	3.3.2	<p>... the trustees of the Property Agents Trust take steps to align their financial reporting period with that of the Property Agents Board.</p>
3	3.5.3	<p>... the Department of Justice review the arrangements whereby the Attorney-General appoints the Directors of the Scholarship Board.</p>
4	4.2	<p>... the General Manager of the Launceston City Council takes steps ensuring the revised notification of interest procedures are implemented as designed.</p>

Audit Act 2008 section 30 — Submissions and comments received

Audit Act 2008 section 30 — Submissions and comments received

Introduction

In accordance with section 30(2) of the *Audit Act 2008*, a copy of this Report, or relevant extracts from it, were provided to applicable State entities and individuals or organisations with an interest in the matters reported. A summary of findings was also provided to the Treasurer, Minister for Health, Minister for Local Government and the Attorney-General.

The comments and submissions provided are not subject to the audit nor the evidentiary standards required in reaching an audit conclusion. Responsibility for the accuracy, fairness and balance of those comments rests solely with those who provided a response or comment.

Submissions and comments received

Unless otherwise stated, submissions and comments received are included within relevant chapters of this Report.

Introduction

Introduction

Background

From time to time, our Office receives requests or referrals from various parties including Members of Parliament, members of the public, the media, public sector agencies, the Ombudsman and others to conduct audits or investigations. These requests are referred to by us as ‘public interest matters’ or ‘complaints’. In this Report these matters are reported collectively as referrals.

In the period May 2004 to June 2010, more than eighty matters were formally or informally referred to our Office for investigation or inclusion on our performance or financial audit programs. Every one of these matters is assessed under an internal protocol involving a minimum amount of work, even where a decision is made not to investigate or audit.

Application of the internal protocol results in any of the following decisions to:

- take no further action — we write to the referring person accordingly
- refer the matter to a more appropriate authority — we write to the referring person accordingly
- address the matter as part of our normal financial audit program — we write to the referring person accordingly
- investigate or audit the matter using a combination of our resources along with those of an auditee often resulting in management letters addressed to those charged with governance within that auditee. Where a finding is significant, we may include this in a report to Parliament
- investigate or audit the matter resulting in a report to Parliament.

Purpose of this Report

Because each referral results in audit effort, and therefore use of public funds, we decided to advise the Parliament about these referrals, actions taken and any audit outcomes.

Auditor-General's mandate regarding referrals

Authority for the Auditor-General to conduct audits or investigations is provided under section 23 of the *Audit Act 2008* and, specifically as this relates to referrals:

The Auditor-General may at any time carry out an examination or investigation for one or more of the following purposes:

- (b) investigating any matter relating to the accounts of the Treasurer, a State entity or a subsidiary of a State entity;
- (c) investigating any matter relating to public money or other money, or to public property or other property;
- (d) examining the compliance of a State entity or a subsidiary of a State entity with written laws or its own internal policies;
- (e) examining the efficiency, effectiveness and economy of a State entity, a number of State entities, a part of a State entity or a subsidiary of a State entity.

Use of the word ‘may’ in section 23 is important in two respects:

- firstly because it is a discretionary authority
- secondly because that discretion is exercised by the Auditor-General.

Therefore, even in a situation where a referral may involve a matter relating to public money or property, the Auditor-General is not obliged to investigate.

Who may seek an investigation?

The *Audit Act 2008* explicitly details that the Treasurer, the Public Accounts Committee and the Ombudsman may request the Auditor-General to investigate or audit a matter.

This does not, however, prevent other parties or persons from making such a request. This Report highlights that many other persons do so, some anonymously.

Auditor-General's reporting

Section 30 of the *Audit Act 2008* provides that the Auditor-General may prepare a report on examinations and investigations and may submit such reports to Parliament or to the Public Accounts Committee.

Again, the preparation and submission of a report is discretionary. The Auditor-General may decide to conduct an investigation or audit and then decide whether or not to report outcomes from that work. It would be rare for the Auditor-General to choose not to report and there would be few cases where a report would not be tabled in the Parliament.

Recently section 30A was added to the *Audit Act 2008*. It prevents, in specified circumstances, the Auditor-General from disclosing

information in a report where it is not in the public interest to do so. Where this happens, the Auditor-General must state in a report the following:

- that information, which does not have to be identified, has not been disclosed in the report and
- the reason why the Auditor-General is of the opinion that the information cannot be disclosed.

However, the Auditor-General may still prepare a report including the information not disclosed and may give it to the Public Accounts Committee and to the Treasurer. Sections 30A (6) to (8) detail actions that the Treasurer and Public Accounts Committee can take.

Internal protocols

To assure consistency in the manner in which we handle referrals, we developed a risk management protocol aimed at informing us on the most appropriate action to take when receiving them.

The essential components of the internal protocol are:

1. In all possible cases, acknowledgement of the referral is provided in writing.
2. Does the request fall within the mandate as contained in section 23?
3. Is audit involvement in the public interest and would any work by us add value?
4. If the conclusion to dot points 2 and 3 is yes, we would undertake a confidential preliminary review in order to better understand:
 - the referred matter
 - actions already taken by responsible State entities
 - the extent to which other organisations, such as the Ombudsman, might already have reviewed the matter, etc..

Consideration will also be given to internal resourcing requirements and impacts on other projects.

5. If it is decided that the referred matter is not to be audited or investigated, an assessment of the risks of not doing so will be made and, where possible, the referrer advised of our decision.
6. Where it is decided that a preliminary review is to be done, staff are allocated along with a reporting timeframe. The preliminary review is to be undertaken

as soon as is practicable. Where significant delays are expected, as a matter of courtesy, consideration is given to advising the referrer.

7. Following completion of the preliminary review, if a decision is made not to proceed, then the referrer is advised in writing as soon as is practicable.
8. If a decision is made that an investigation is needed, consideration is given as to whether this should be done by us or referred to another party.
9. Where the decision is made for us to commence an audit or investigation, we advise the referrer accordingly but, generally, further correspondence ceases because the matter will then remain confidential until a report to the Parliament is issued.
10. In deciding on whether a matter meets the ‘public interest’ or ‘add value’ test, we consider (in no particular order):
 - Is the matter already being investigated by another appropriate person or body?
 - Have all other appropriate channels of inquiry been exhausted?
 - Will the outcome potentially provide assurance to the Parliament and Community on the performance and accountability of the Tasmanian Public Sector - in other words, is the conduct of an audit consistent with our stated ‘purpose’?
 - Is the matter a relatively recent occurrence?
 - Is the matter frivolous or vexatious?
 - Can an audit be conducted in a sufficiently timely manner?
 - Is the risk of doing nothing greater than the risk of proceeding with an audit?
 - Do we have the appropriate skills in-house or can they be purchased?
 - Is there benefit in conducting the project ahead of the existing work program — in other words, is the risk in delaying an existing project too great?
 - Do we have the legislative mandate?

Internal policy objective

When assessing referrals, an important consideration is that we add most value when tackling matters relating to public sector service delivery.

Anonymous referrals

Anonymous referrals are dealt with in the same manner as any other referral, with the obvious exception that we are not able to communicate with the referrer. That inability to make inquiries of the person making the referral often impedes any resulting audit or investigation.

Known referrals where the referrer wishes to remain anonymous

Referrals of this type have been received and followed up. Once again, however, audit work is made more difficult in these circumstances. In any event, it is our policy not to reveal sources of referrals unless the referrer permits this.

Timing

This Report covers referrals received over the period May 2004 to June 2010.

Resources

Total time and costs committed to the 17 projects referred to in section 1.2, to the more than 65 other projects referred to in this Report, was estimated at \$1 095 000. The cost of preparing this Report, excluding production costs, was estimated at \$5 400.

Structure of this Report

Where a matter was investigated or audited by us:

- exclusively, a public report is normally issued. Details are provided in Chapter 1.
- resulting in a management letter to the entity, but findings were not sufficiently significant to warrant inclusion in a report to Parliament. Details are provided in Section 1.3.
- in association with an auditee's internal audit activity resulting in internal audit reports and a management letter, no further action was taken until now. Details are provided in Chapter 2.
- exclusively and a public report not previously issued, details are reported now in Chapters 3 and 4.

Where it was decided that no action be taken or the matter was referred to another party, details are provided in Section 1.4.

1 Referrals received and actions taken

1 Referrals received and actions taken

1.1 *Background*

This Chapter summarises all the referrals received between May 2004 and June 2010. Where relevant, actions taken are noted including where audits resulted in a report to Parliament over this period or to other sections in this Report.

In this Chapter, the word ‘audit’ includes investigations.

This summary categorises referrals according to the following:

- audit initiated resulting in a public report (refer Section 1.2)
- matter added to our annual plan of work (refer Section 1.3)
- matter added to our internal summary of projects to be completed in the future (refer Section 1.3)
- audit initiated resulting in a management letter issued to those charged with governance (refer Section 1.4)
- matter not to be audited or referred to another appropriate authority (refer Section 1.5)
- audits conducted ‘by arrangement’ (refer Section 1.6).

1.2 *Summary of audits conducted resulting in a public report*

This section summarises 17 referrals which resulted in the conduct of an audit by us and a report to the Parliament or, in one case, a report to the then Premier (this was the Taswood Growers Joint Venture project relating to the awarding of a softwood supply contract). These matters are not referred to again in this Report.

The reports below are summarised in date order.

1.2.1 Ex-gratia payment to the former Governor Mr R W Butler AC

An audit was initiated following a request for advice on matters regarding an ex-gratia payment to the then Governor of Tasmania. This work resulted in our unnumbered Special Report tabled in August 2004.

1.2.2 Forestry Tasmania Land Swap Report

An audit was initiated following a request to investigate matters relating to an exchange of land between Government and Forestry

Tasmania in 1997. This work resulted in the Forestry Tasmania Land Swap Report included in Auditor-General's Report No. 1 tabled in June 2005.

1.2.3 TT-Line: Governance review

An audit was initiated following a request to examine the corporate governance and decision-making processes at TT-Line Pty Ltd. This work resulted in tabling Special Report No. 56 in June 2005.

1.2.4 Tasmanian Ambulance Service

Audit work was initiated following a request to examine aspects of the Tasmanian Ambulance Service. This work resulted in our including, for the first time, details about the TAS in Auditor-General's Report No.2 of 2006.

1.2.5 Implementation of aspects of the Building Act 2000

While no specific referral was received, media and other reports indicated the need for an audit of the management by Workplace Standards Tasmania of aspects of the *Building Act 2000*. An audit was initiated although our scope was limited to matters not already addressed by a separate audit conducted by a private accounting firm and to avoid matters addressed by the Director of Public Prosecutions.

This work resulted in tabling Special Report No. 64 in November 2006.

1.2.6 Awarding of a softwood supply contract

Audit work was initiated, based on an agreed terms of reference, following a request from the then Premier for the conduct an independent audit of the process followed by the Taswood Growers Joint Venture in awarding a softwood supply contract. Under the *Financial Management and Audit Act 1990*, the audit legislation applicable at the time, this request was outside the powers of the Auditor-General who was engaged as a private auditor rather than in his statutory role.

This work resulted in a report issued to the Premier on 23 March 2007.

1.2.7 Management of an award breach

While no specific referral was received, advice was provided to the effect that an industrial award breach may have occurred. An audit was initiated resulting in Special Report No. 65 tabled in April 2007.

1.2.8 Procurement in government departments — PV Freycinet

We were requested to examine aspects of the procurement by Department of Police and Emergency Management to replace the *PV Freycinet* with a new boat.

Because at that time we were already carrying out an across department audit of procurement, we added the *PV Freycinet* matter to the scope of the audit along with the procurement of outboard engines. However, in the case of the *PV Freycinet* replacement, we restricted the scope of the audit to whether there were adequate grounds for the procurement to have qualified for exemption from the normal procurement process.

The result of our audit was included in Special Report No. 70 tabled in November 2007.

1.2.9 Scamander bush fires

We were requested to investigate aspects of the expenditure of funds relating to the Scamander bushfires in 2007. No audit was initiated but information about this was obtained and details provided in Auditor-General's Report No.2 of 2008 in the Chapter dealing with our audit of the Break O' Day Council.

1.2.10 Food safety: safe as eggs

At differing stages, requests were made for us to audit salmonella outbreaks related to egg production and consumption. Initially, we discussed these matters with the Department of Health and Human Services (DHHS) and the then Department of Primary Industries and Water (DPIW). Ultimately an audit was initiated resulting in Special Report No. 77 tabled in November 2008.

1.2.11 Hydro hedges

As a result of an anonymous referral, the Ombudsman requested that we audit Hydro Tasmania's hedging arrangements associated with Basslink transactions. An audit was conducted resulting in Special Report No. 80 tabled in May 2009.

1.2.12 Head of Agency contract renewal

We were requested to audit the decision by the Premier to renew a Head of Agency employment contract. An audit was conducted resulting in Special Report No. 82 tabled in August 2009.

1.2.13 Communications by Government and the Tasmanian Brand project (includes three referred matters)

While no specific referral was received, media and other reports indicated the need for an audit of what at the time was referred to as the ‘axed advertisement’. At about that time we were also requested to investigate matters relating to:

- the use of surveys to obtain public comment on government services
- the possible use of a departmental website to promote party political material.

Because we were already conducting an audit of government communications, the scope was broadened to include all three matters.

Our Special Report No. 83 tabled in October 2009 included two subject matters:

- The Tasmanian Brand project which dealt with the ‘axed advertisement’ matter.
- Communications by Government which included separate chapters on the website and survey referrals.

1.2.14 Derwent Valley Council and its management of Willow Court

Over a lengthy period, various requests were made relating to Willow Court, for which the Derwent Valley Council has responsibility. Allegations included misuse of intellectual property in the municipality and suspect land transactions related to the old Royal Derwent Hospital site. We were also requested to investigate matters relating to the organisation called Valley Vision.

Each matter was given serious consideration with copious documentation obtained and many interviews held. We decided that:

- as the intellectual property matter had resulted in various Court actions, it should not be investigated by us
- no further audit work was warranted in relation to the land transactions involving the former Royal Derwent Hospital site.

The outcomes of work done and findings regarding Willow Court and Valley Vision were included in the Auditor-General’s Report No.1 of 2010 tabled in June 2010.

1.2.15 Employment of staff to support MPs

We were requested to audit arrangements whereby a Member of Parliament recruited a family member to work in an electorate office. An audit was initiated although its scope was broadened to include staffing arrangements for all Members of Parliament.

This was a compliance audit which resulted in tabling of Special Report No. 87 in June 2010.

1.3 Other referred matters added to our work program

Not included in section 1.2 are ‘pending’ referred matters which have been, or could be, added to our work program but audit work, at the time of writing, had still to commence. There are 11 such matters all of which, where audits are conducted, are likely to result in the preparation of reports to Parliament once work is completed.

Subject matters are diverse and include the water and sewerage reforms, irrigation arrangements (including the Meander Dam), abandoned mining sites, expenditure from the Urban Heritage and Renewal Fund and from the Premier’s Sundry Grant’s Fund, allocation of National Park fees, mining royalties, public housing, implementation of the Commonwealth’s stimulus package and the five per cent energy price cap decision.

In addition we have recently completed inquiries into matters relating to the Property Agents Board the outcomes from which are detailed in Chapter 3 of this Report.

1.4 Management letter issued

This section summarises, in date order, those situations where a referral was received and the matter examined resulting in a management letter issued to the entity.

1.4.1 Launceston General Hospital

Anonymous referrals were received requesting that we audit certain matters at the LGH. To the extent possible, work was conducted by us or with assistance from DHHS’ internal auditors. This resulted in a management letter being issued and followed up. Aspects of this work are included in Chapter 2 of this Report.

1.4.2 Approval for staff to attend conferences

A matter referred to us by the Ombudsman related to the processes followed by a State entity for approving the attendances by staff at

conferences. The scope of our financial statement audit for the relevant financial year was broadened to include this matter.

We made no adverse findings but our work resulted in the issue of a management letter recommending the development of relevant policies regarding attendance at training courses and conferences and one process improvement.

1.4.3 Local government council

We were requested to audit aspects of a particular procurement at a local government council. An audit was initiated and is currently underway with a separate report still to be drafted.

1.4.4 Launceston City Council

We were advised on an occasion where the LCC had allegedly failed to comply with section 55 ‘Interests of employees and general manager’ of the *Local Government Act 1993*. This section requires a council employee to notify the General Manager, in writing, of having an interest in any matter in respect of which he or she provides advice to the council or council committee, or makes a decision or determination or makes a recommendation to the council or council committee.

We inquired into this with the outcome reported in Chapter 4 of this Report.

1.5 No action taken or matter referred

There have been in excess of 40 referrals where, following the conduct of a preliminary assessment or of a preliminary review, we decided to take no further action or to refer the matter to another party for follow up. For reasons of confidentiality, details of the matters referred are not included.

Reasons for not following up these matters were consistent with our internal protocols detailed in the Introduction to this report and included:

- audit effort not regarded as being in the public interest
- matter raised was beyond our mandate
- matter had already been, or was being, addressed by the responsible authority
- matter had already been dealt with by us.

1.6 Audits by arrangement

The *Audit Act 2008* introduced the capability for us to conduct audits by arrangement. In February 2010, the Department of

Treasury and Finance (Treasury) requested us to review aspects relating to costs associated with the compulsory acquisition of properties relating to the Launceston Flood Risk Management Strategy. This review was completed in June 2010 when we issued our report to Treasury and to the Launceston City Council.

The *Audit Act 2008* allows us to recover a fee for by arrangement audits. Accordingly, we charged a fee to recover our costs.

1.7 *Conclusion*

This summary chapter highlights the extent and variability of matters referred to our Office over the past six years and the actions taken. We have, and will continue to, exercise our independence in determining how to respond.

2 Launceston General Hospital

2 Launceston General Hospital

2.1 *Background*

A number of referrals have been made to us relating to matters at the Launceston General Hospital (LGH). This Chapter deals with aspects of these referrals.

2.2 *Matters referred*

As indicated in section 1.4.1, various matters were inquired into at the LGH resulting in a management letter issued by us and the completion of various internal audit reports. In this Chapter, we focus on one aspect of the work we conducted — arrangements whereby doctors are credentialed to carry out clinical procedures at the LGH.

2.2.1 *Credentialing*

Concerns were raised with us to the effect that on two separate occasions medical practitioners at the LGH were credentialed to conduct clinical procedures when, at the time of their appointment, they allegedly were not fully qualified to do so.

2.2.2 *Action taken — LGH*

Upon receipt of these allegations, we reviewed internal policy documentation applied by the LGH when credentialing medical and surgical specialists and concluded that these were appropriate. We also raised our concerns with senior management who assured us that:

- The Launceston General Hospital Credentialing and Scope of Practice Committee review a complete range of credentials for all specialist appointments which include professional references and procedural log-books. The policies applied by the LGH were concordant with the National Credentialing Standard.
- The practices described applied to both matters referred to us.

2.2.3 *Action taken — DHHS*

We also raised these matters with the Department of Health and Human Services who, to the extent that they were able, responded promptly.

While satisfied that these arrangements are appropriate, and proper action was taken by both LGH and DHHS management, we were not able, at the time these matters were referred to us, and for the

reasons set out in section 2.3, to test the application of these policies.

2.3 *Section 4 of the Health Act 1997 (the Health Act)*

2.3.1 *Access under the FMAA*

Section 4 ‘Quality assurance committees’ enables the Minister, by notice in the Gazette, to declare that a specified committee established by the Secretary of DHHS, the governing body of a health service establishment or a professional association is an approved quality assurance committee. One such committee is the LGH Credentialing and Scope of Practice Committee referred to in Section 2.2.2. Section 4 has very clear confidentiality provisions relating to persons on, and documentation considered or generated by, such committees.

Of relevance to this Chapter is that:

- At the time matters noted below were raised with us, we were advised that, despite the wide access powers in the *Financial Management and Audit Act 1990* (FMAA) — the audit legislation applicable at the time — Section 4 over-rides the FMAA audit access provisions.
- We were advised that both the Ombudsman and the Health Complaints Commissioner are similarly precluded from accessing persons or documentation relevant to quality assurance committees. This was reinforced by the inclusion in section 4 of sub-section 8 which reads:

‘Section 62B of the *Health Complaints Act 1995* and section 17 of the *Ombudsman Act 1978* do not apply to a disclosure or communication of information to which this section refers.’

More broadly, now subject to our comments in Section 2.3.2 of this Report below, section 4 means that decisions and activities of quality assurance committees cannot be investigated or reviewed by any party or person. Not even senior management of the Department of Health and Human Services can currently do so.

2.3.2 *Access under the Audit Act 2008*

The Audit Act, which commenced in March 2009, strengthened our evidence gathering powers such that, it is now our advice, relevant parts of the Audit Act over-ride the provisions of section 4 of the Health Act. We have not tested this advice nor do we plan to re-visit our previous work.

2.3.3 *Appropriate checks and balances*

In our view, appointing medical or clinical specialists to carry out certain surgical or medical procedures is similar to any other staff appointments. On this basis, in order for appropriate checks and balances to be effective, in the public interest, there may be limited situations where an appropriate independent officer, such as the Ombudsman and the Health Complaints Commissioner, should be allowed to initiate an investigation of activities undertaken by quality assurance committees, in particular where they relate to staff appointments.

In raising this matter, we acknowledge that credentialing and privilege arrangements in public hospitals are complex matters.

Recommendation 1

We recommend that the Department of Health and Human Services revisit whether or not:

- **The Ombudsman and the Health Complaints Commissioner should continue to be precluded from examining matters addressed by quality assurance committees established by section 4 of the *Health Act 1997*.**
- **Credentialing committees should be quality assurance committees.**

2.4 *Conclusion*

The matters that we raised with the LGH and DHHS were properly considered by their management.

Appropriately qualified independent officers such as the Ombudsman and the Health Complaints Commissioner should be allowed to initiate an investigation of activities undertaken by quality assurance committees, in particular where they relate to staff.

2.5 *Submissions and comments received*

Launceston General Hospital

The LGH supports the recommendations. With the introduction of National registration, the LGH suggests that a nationally consistent approach to credentialing and the use of qualified privilege would be beneficial.

Department of Health and Human Services

The DHHS accepts Recommendation 1 and will include it on the agenda for consideration by the DHHS' still to be established Safety and Quality Governance Committee. We have also listed the need to revisit the *Health Act 1997*.

Ombudsman

The Ombudsman indicated his support for the recommendation.

3 Matters relating to the Property Agents Board

3 Matters relating to the Property Agents Board

3.1 *Background*

A number of matters relating to the Property Agents Board (PAB) were referred to us by one individual for investigation including suggestions that:

- Payments for training, research and other related costs incurred by the PAB were too high and amounts kept changing — see Section 3.3.1.
- Payments made by the Property Agents Trust (PAT) were inappropriate and amounts kept changing — see Section 3.3.2.
- Payments made by the Real Estate Scholarship Board (the Scholarship Board) were also too high and amounts also kept changing — see Section 3.3.3.
- Payments by the PAB to the Division of Consumer Affairs and Fair Trading within the Department of Justice were inappropriate — see Section 3.3.4.
- Certain appointments to the PAB and to related entities were inappropriate and resulted in conflicts of interest — see Sections 3.3.5 and 3.5.5.
- Training arrangements for persons studying to work in the real estate industry were inappropriate — see Section 3.3.6.
- Funding arrangements for the MIT Fund Limited (MIT Fund) may have been inappropriate – see Section 3.3.7.
- Expenditure-related audit testing conducted by an accounting firm was inadequate — see Section 3.3.8.

3.2 *Is PAB a State entity?*

At the time of receiving this referral, we were not auditing the annual financial statements of PAB nor were we aware of its existence. Our initial assessment, however, was that PAB is a State entity as defined in the *Audit Act 2008*, a view confirmed by subsequent legal advice. Consequently, steps were taken with PAB to transfer responsibility for auditing its financial statements to our Office. The first audits under our jurisdiction will be for 2009-10.

For the same reason, similar arrangements were made to audit the financial statements of the Property Agents Trust.

3.3 *Action taken*

We did not conduct an audit or a review of the matters referred. However, general inquiries were made to enable us to respond to the matters raised and, where relevant, to reach the conclusions noted in this section. Our work included reading audited financial statements of the PAB and PAT for the period 2002 to 2009.

3.3.1 *Payments made by the PAB to the REIT*

In the main, PAB is funded by registration fees paid by real estate agents. It also receives funding from the Property Agents Trust to enable it to pay for training provided by, and research conducted by, the Real Estate Institute of Tasmania (REIT). In the latter case, funding received matches payments made.

In documentation provided to us by the referrer, it was suggested that there had been overpayments made by PAB to REIT over a number of years. While we have not conducted an audit of any of these payments, we identified that for each of the financial years ended 30 June 2002 to 2009, an unqualified audit report was issued.

Our inquiries did not identify any inappropriate payments by the PAB to the REIT. Payments are based on actual claims and invoices which often differed from original estimates and budgets. It seems to us that the referrer based his concerns on estimated costs provided by REIT to PAB rather than on the actual costs invoiced and paid.

PAB is now audited by us and its financial reporting period is July to June.

3.3.2 *Payments by the PAT*

PAT manages the Property Agents Guarantee Fund (the Guarantee Fund) which must be maintained at an amount exceeding \$3.000m (at year end 31 December 2009, the balance was \$12.231m). These funds are to be invested as prescribed by section 166 of the *Property Agents and Land Transactions Act 2005* with net income generated from its own investments, together with interest earned on trust accounts managed by real estate agents, property managers, general auctioneers and conveyancers, added to the Guarantee Fund.

PAT may use revenues generated in the Guarantee Fund to meet its operating costs, which are minimal. Any surplus money in the Guarantee Fund is to be distributed, as agreed by PAB (not PAT) and the Minister, as follows:

- first, in payment of costs incurred in administering the *Residential Tenancy Act 1997* — \$0.242m was paid to the Department of Justice for this purpose in 2009

- secondly, to PAB to pay for the cost of research relating to the property agents industry, educating property agents or people to be engaged in this industry or any other purpose approved by the Minister. In 2009, \$0.593m was paid for this purpose to the Real Estate Scholarship Board (the Scholarship Board) (see further comment in Section 3.3.3) and \$0.554m to PAB. Funds paid to PAB were all passed on to REIT – see Section 3.3.1.
- thirdly, in payment of costs incurred in administering the *Conveyancing Act 2004*. This includes costs associated with managing the Rental Deposit Authority (in 2009, \$0.710m was paid to the Department of Justice for this purpose).

In summary, in 2009 PAT paid \$2.098m (2008: \$1.497m) to the real estate industry and to the Department of Justice to administer aspects of this industry.

PAT is now audited by us and its financial reporting period is January to December whereas PAB's and the Scholarship Board's financial reporting period are both July to June. These differing financial reporting periods make it hard for users of the annual financial statements to align payments by PAT to either PAB or the Scholarship Board.

Notwithstanding this complication, we have not identified any inappropriate payments or reporting irregularities by the PAT.

Recommendation 2

The trustees of the Property Agents Trust take steps to align their financial reporting period with that of the Property Agents Board.

3.3.3 Payments by the Scholarship Board

The Scholarship Board received funding from the PAT, \$0.543m in 2008-09, which was in the main used to pay the salaries, wages and training costs, \$0.520m, of people working for real estate business who are studying relevant industry courses prescribed by the Scholarship Board. In turn, the industry part funds the operations of the Scholarship Board (\$0.081m in 2008-09).

The Scholarship Board has a payroll of scholars and it pays the scholars directly.

Not being the auditor of the Scholarship Board results in us not having a view about payments made by it. However, inquiries made suggest to us that payments made by the PAT to the Scholarship

Board were properly audited and we have not identified any inappropriate payments or reporting irregularities.

3.3.4 Payments made by the PAT to the Department of Justice

As indicated in Section 3.3.2, PAT pays monies annually to the Division of Consumer Affairs in the Department of Justice. Therefore, to an extent, the Guarantee Fund subsidises the activities of the Division. We audit the annual financial statements of the Department of Justice, inclusive of the Division. Recent audits have not highlighted any exceptions regarding the Division.

3.3.5 Board appointments and conflicts of interest

This matter is dealt with in Section 3.5.5.

3.3.6 Training arrangements

As indicated in Section 3.5.6, REIT is a registered training organisation and provides training for prospective members. REIT provide recognized training packages with qualifications (Certificate III and IV — there is no Certificate I or II) recognized by real estate institutes across Australia.

It has provided industry training for many years as did TAFE who withdrew its training in 2004, in particular training relating to licensing real estate agents. The withdrawal of TAFE, and in the absence of any other registered training organisation, REIT has, to a greater extent than previously, taken on the role of providing education to the industry.

There is, however, no reason why any other registered training organisation could not provide training to the industry and, as indicated in Section 3.5.1, the PAB has the role of approving courses of practical instruction on the functions of property agents. Under this power the PAB could approve training courses provided by other suppliers.

Therefore, anyone wishing to enter the real estate industry as a property consultant or assistant property manager in Tasmania can:

- apply to the PAB with a qualification from interstate
- do an approved REIT course
- do an approved course from another PAB approved provider
- go straight to the PAB, do no course at all and complete the exam set by the PAB.

3.3.7 Funding arrangements for the MIT Fund

This company was established in 2000, its primary objectives being to:

- provide funding to the extent of funds available in the MIT Fund to Bendigo Bank for a compensatable loss
- do all things that are necessary to the role of the company under the Tasmanian HOME Plan¹.

Its activities were established under a constitution and deeds between it and Tassie Home Loans Pty Ltd, the former Auctioneers and Real Estate Agents' Council of Tasmania (now the PAB) the former Real Estate Agents' Trust of Tasmania (now the PAT) and Bendigo Bank Limited.

Essentially the company was established to support the acquisition by Tasmanians of residential properties where loans equated to 95 per cent of the properties' valuations. It manages a 'compensation fund' which was established by seed funding from the PAT comprising an initial grant of \$0.400m followed by four annual grants of \$0.120m totalling \$0.880m. According to the audited financial statements at 30 June 2010 the fund had net assets of \$1.431m.

In addition to these seed grants, the MIT Fund generated income from participation contributions by Tassie Home Loans Pty Ltd, the real estate agent who sold a property and the solicitor who did the conveyancing plus interest on investments. In recent years interest income has been the MIT Fund's primary revenue source.

The deed between the PAB and the company requires that any assets remaining at the time of any decision to wind up the company revert to the PAT.

From our inquiries we concluded that the payments made by the PAT to the MIT Fund were properly authorised.

3.3.8 Expenditure related audit testing

Prior to communicating with us, the referrer had also lodged complaints with PAB and other bodies. In view of this, and because the complaint related to training and research expenditure incurred by REIT over many years, the Division sought an 'agreed upon procedures' exercise rather than an 'audit'. The exercise was carried out by an independent accounting firm.

¹ As summarized from the Constitution of MIT Fund Limited.

An agreed upon procedures exercise is not an audit. Rather, it reports factual findings providing no assurance on information, in this case certain expenditure, subjected to testing. No conclusions are drawn by the preparer. Instead, it is up to readers of any report to form their own conclusions based on the facts reported.

Despite this lack of assurance, in this instance, we are advised that another driver for selecting an ‘agreed upon procedures’ exercise was that it would enable those to whom the report was provided, to form a view on whether further testing was required if the results showed any concern over the use of funds received by REIT from the PAB. The procedures chosen ensured samples of REIT expenditure were selected from each year tested.

We have read the resulting report and noted it made no significant findings of inappropriate expenditure by REIT. A number of recommendations were made which we are advised REIT has addressed.

The Division has confirmed to us they were satisfied with the facts as reported and they sought no further testing.

3.4 *Financial reporting arrangements*

As indicated in Section 3.2, we are now the auditors of PAB and PAT. We are not however the auditors of the Scholarship Board nor of the MIT Fund. In our new role, we have read the financial statements of PAB and PAT as well as those of the Scholarship Board and the 2010 statements of the MIT Fund.

While the Scholarship Board is not a State entity, it receives funding from the Guarantee Fund managed by PAT. As indicated in Section 3.3.7, the MIT Fund was also funded by the PAT. Since PAT is a State entity, the funds paid to the Scholarship Board and to the MIT Fund are public monies.

Our review of the financial statements for the 2008–09 financial year (PAB and Scholarship Board) and for the 2009 calendar year (PAT) highlighted a number of reporting improvements aimed at clarifying the nature of the transactions between these entities and the relationships between them. However, it is again emphasised that our work has identified nothing improper in any of these transactions. We have also suggested to the MIT Fund that its annual financial statements make clear that on its wind up, residual funds are returned to the PAT.

The secretariat of PAB, PAT and the Scholarship Board has agreed to make these changes as has the Secretary of the MIT Fund.

3.5 Structure and roles of PAB and its related entities

Having established that the PAB and PAT are State entities, we initiated further inquiries regarding the regulatory and administrative arrangements for the real estate industry. This section summarises our findings with Figure 1 providing a diagrammatic view of the current arrangements.

Figure 1: Real estate industry regulatory and administrative arrangements

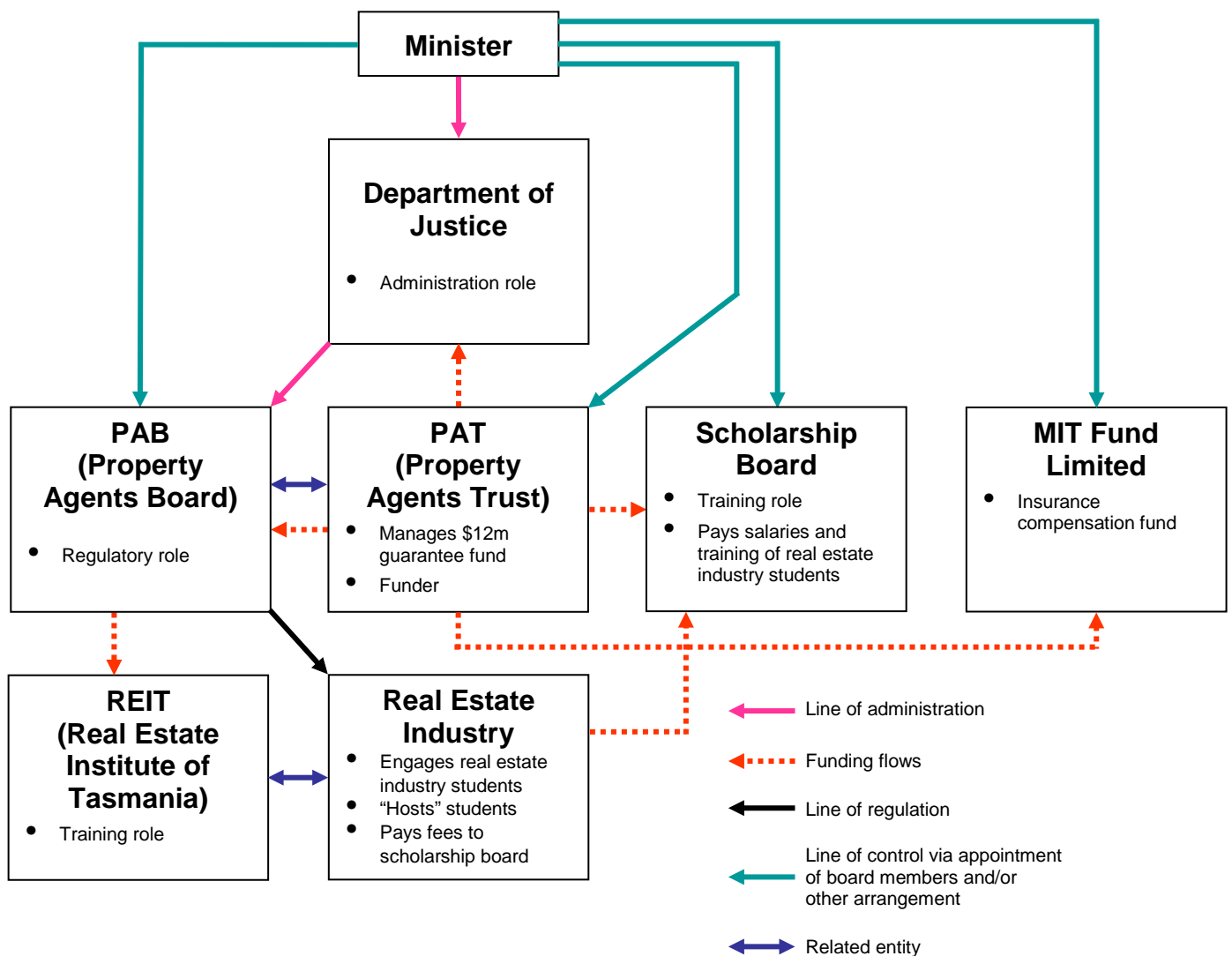


Figure 1 details the various entities involved in the regulation and administration of the real estate industry as well as flows of public funds. These arrangements and roles are explained in this section whereas the funding flows were dealt with in Section 3.3.

3.5.1 PAB (formerly the Auctioneers and Real Estate Agents Board)

Established under the *Property Agents and Land Transactions Act 2005*, the Board of PAB consists of five members, two of whom are property agents (one nominated by the body that the Minister is satisfied represents the views of the majority of property agents, and the other by the Minister), two nominated by the Minister who are not property agents, and a chair who must be a legal practitioner with no less than five years standing. All five persons are appointed by the Minister.

PAB registers eligible property agents and maintains a register of them. It also:

- receives complaints about the conduct of agents and may itself take disciplinary action for minor misconduct or refer more serious complaints to the Disciplinary Tribunal established under the Act
- has a role in recommending standards of education in the real estate industry and approves courses of practical instruction on the functions of property agents
- distributes surplus money in the Property Agents Guarantee Fund as agreed between the Board and the Minister (see Sections 3.3.1 and 3.3.2 for further comment).

3.5.2 Property Agents Trust (formerly the Auctioneers and Real Estate Agents Trust)

As noted in Section 3.5.1, the PAB by agreement with the Minister distributes surplus funds in the Property Agents Guarantee Fund (the Guarantee Fund). The PAT administers the Guarantee Fund; its functions being to:

- establish and maintain a fund to meet claims for loss suffered by people as a result of certain acts and omissions of real estate agents, property managers and general auctioneers, their directors, employees or agents
- administer the fund so established
- pay any compensation arising from claims made under section 169 'Right to claim compensation' of the *Property Agents and Land Transactions Act 2005*.

There are three members of the PAT. The Chair of the PAB is automatically a member with the other two appointed by the Governor, one is a representative of property agents and the other is

to have a wide knowledge of financial matters (section 151 of *Property Agents and Land Transactions Act 2005*).

3.5.3 *The Real Estate Scholarship Board*

The Scholarship Board is an entity incorporated under the *Associations Incorporations Act 1964*. The members of the Board (who are appointed by the Attorney General) are a chairman and two members nominated by the REIT, a member nominated by the PAB, the Executive Officer of the PAB, and the Chief Executive Officer of the REIT. While its board members are all appointed by the Attorney-General, it is not a State entity and not, therefore, audited by us.

The arrangement whereby the Attorney-General appoints the directors of the Scholarship Board, a private entity not associated with government, is in our view strange.

Recommendation 3

That the Department of Justice review the arrangements whereby the Attorney-General appoints the Directors of the Scholarship Board.

The Scholarship Board is a group training organisation whose role is to coordinate a package of training courses known collectively as the Real Estate Scholarship scheme or program. Its establishment, supported by Government, was an industry initiative aimed at stimulating employment in the real estate industry.

The Scholarship Board is primarily a group of members of REIT, effectively elected by its members. It is a group training organisation whose role is to coordinate a package of training courses known collectively as the Real Estate Scholarship scheme or program.

3.5.4 *MIT Fund Limited (company limited by guarantee)*

The directors of the MIT Fund are appointed as follows:

- one by the Secretary of the Department of Justice
- three by the PAB
- one by the PAT.

Currently there is no director of the PAB who is also a director of the MIT Fund and there is one non-industry director (an accountant) who is also a member of PAT.

3.5.5 Board and staffing arrangements for PAB, PAT Scholarship Board and MIT Fund Limited

A single secretariat supports three (three because the secretarial arrangements for the MIT Fund are separate from the other entities) of these four entities. Separate Board appointment arrangements exist and there are some overlapping appointments. A number of Board members are either nominated by, or made by, the REIT thus assuring knowledge of the real estate industry in Board deliberations. Independence is achieved by the appointment of independent chairs and non-industry representatives.

However, these Board and staffing arrangements, when considered alongside the funding flows, could lead to a perception of industry capture of the regulatory arrangements and that, perhaps, the PAB may not be fully independent. This perception can be addressed by Board governance arrangements which we are advised exist. We have identified no evidence of lack of independence.

We see nothing wrong with the existence of a single secretariat supporting three related entities. However, we caution the need to ensure that related party accounting transactions and events are properly handled and reported. We will ensure that any related party accounting transactions are reported in the financial statements for those entities that we audit.

3.5.6 Real Estate Institute of Tasmania (REIT)

The REIT is a private sector institute established by the real estate industry. Of relevance to this Report is that it is REIT who actually provides the training and does the research referred to in Sections 3.3.1 and 3.3.2. REIT is a registered training organisation.

To assist with budgeting and planning, REIT annually provides PAB with estimates of the costs of training courses to be delivered and then invoices PAB for actual costs as they are incurred. Costs only relate to the extent to which training courses run by REIT are not self funding. PAB pays REIT on the basis of invoices or claims received, not on estimates.

Our inquiries led us to the conclusion that payments made by the PAB to the REIT had been audited and were in line with invoices or claims received, although these understandably often differed from original estimates.

3.5.7 The Division of Consumer Affairs and Fair Trading

The Division of Consumer Affairs and Fair Trading, within the Department of Justice, provides an over sight role and administers

relevant legislation and the Rental Deposit Authority. The head of the Division is also the Residential Tenancy Commissioner.

3.6 *Overview of our findings in this Chapter*

While we have not conducted a review or audit of the matters that were referred to us, and no obvious instances of wrong doing were identified from the inquiries that we have made, the commentary in this Chapter suggest to us that consideration should be given to:

- changing the manner in which transactions and related party relationships are described in each of the financial reports of PAB, PAT, MIT and the Scholarship Board (this is occurring)
- reviewing the need for all of these entities.

Although the current arrangements and roles of PAB, PAT, MIT, Scholarship Board and the Division have over time evolved into a complicated relationship, there is no identifiable conflict of interest, since it is appropriate, and not uncommon, that the industry should have representation on these bodies.

3.7 *Conclusion*

Our inquiries, which were not an audit or review, suggest to us no wrong doing in the payment of funds between PAB, PAT, MIT, Scholarship Board, the Division and REIT and the payments made were consistent with existing legislative and regulatory frameworks.

3.8 *Submissions and comments received*

Secretary, Department of Justice

Thank you for the opportunity to comment on the Report – Matters relating to the Property Agents Board.

You have suggested improvements to procedures relating to the activities of the various entities established under the *Property and Land Transactions Act 2005*. These proposals are welcomed as a process of improving the operation and the accountability of those entities

I note in your comment that ‘... these Board and staffing arrangements, when considered alongside the funding flows could lead to a perception of industry capture of the regulatory arrangements and that, perhaps, the PAB may not be fully independent. I further note your comment that ‘... we caution the need to ensure that related party accounting transactions and events are properly handled and reported. We will ensure that any related accounting transactions are reported in the financial statements for

those entities that we audit.’ As it appears that these perceptions and the complexity of the existing arrangements have been responsible for adverse comment, ongoing monitoring of these arrangements would be appropriate.

While clearly improvements can be made, it is also pleasing to note that your inquiries have not identified any instances of wrong doing on the part of any officer or of any entity within the scope of the report. While there will continue to be debate from a policy perspective about the best ways to allocate surplus money from the Guarantee Fund, it is important to note that the expenditure has always been in accordance with the requirements of the Act.

In addition to reviewing the broad governance arrangements, the Department will also ask the Board to review the operation of the Scholarship Board and the Training provided by the REIT. The REIT industry training monopoly appears to have arisen over time because other providers were not available. However, it is now appropriate to consider whether other providers are able to enter this market and whether competition may deliver reduced costs for the PAB.

Similarly, the Scholarship Board provides significant benefit both to scholarship holders and to their employees. However, whether this is the best means of adding value to the industry as whole deserves closer inquiry.

I thank you again for the opportunity to comment on the draft report.

Chair, Property Agents Board

Thank you for your letter of the 26th August with a copy of your draft Report to Parliament. The Board welcomes your findings that nothing improper has been found in any of its transactions, and that you have been unable to identify any lack of independence.

The finding that the referrer of these matters in effect has not distinguished between estimated training expenses and those which were actually invoiced and paid is consistent with the Board’s response ever since the matter was raised. In addition, the Board is not aware of any concern that the training program provided by the Real Estate Institute of Tasmania is not professionally run and of a good standard.

The Board acknowledges that there are a number of different entities involved in the industry, but because each has differing roles and responsibilities, there appears no reason why they should not continue as separate entities. There is only one regulatory authority, the Property Agents Board. The Board also notes that both the Real Estate Scholarship Board and the REIT are currently reviewing the scholarship scheme administered by the Real Estate Scholarship

Board, and it is also understood that the MIT fund is slowly being wound down as loans are repaid.

The existence of these entities was no doubt considered prior to the enactment of the legislation in 2005, and the Board is of the view that these non-statutory bodies are quite capable of making appropriate decisions as to their future direction, and a further review of them now is not necessary.

As far as the issue of estate agents being members of the Board is concerned, it is usual, and indeed desirable, to have industry representation on regulatory boards. That representation on the Property Agents Board provides valuable expertise as to practice in the real estate profession.

Any potential conflict of interest is declared and dealt with in accordance with accepted principles of good corporate governance.

Peter Bushby, REIT State President

The REIT fully supported the investigations by the Auditor General and believes the report accurately reflects the past and present status of the respective organisations in terms of structure and funding. The REIT confirms its willingness to endorse and adhere to all recommendations made by the report.

4 Local government council-related matter

4 Local government council-related matter

4.1 *Background*

We have received a number of referrals regarding activities at local government councils. One such matter dealt with here was disclosures made under section 55 ‘Interests of employees and general manager’ of the *Local Government Act 1993* at Launceston City Council (LCC).

4.2 *Local Government Act 1993: Section 55 disclosures*

A matter referred to us indicated a situation where there was a lack of compliance by LCC staff with the requirements of section 55 of the *Local Government Act 1993*. This section requires a council employee to notify the General Manager, in writing, of having an interest in any matter in respect of which he or she provides advice to the council or council committee, or makes a decision or determination or makes a recommendation to the council or council committee.

Where such a notification is made, the General Manager is to advise the council of the existence of any such interest and keep a register of any such interest. The register is not a public document.

In the situation referred to us, LCC confirmed that a notification should have been made to its General Manager but had not been. Nor was the matter recorded in the register although it now has been.

The General Manager has initiated new procedures which we have reviewed. If properly implemented, these revised procedures will address the weakness identified.

Recommendation 4

We recommend that the General Manager takes steps ensuring the revised notification of interest procedures are implemented as designed.

4.3 *Conclusion*

Section 55 disclosures are important accountability mechanisms and are aimed at protecting both the employee and the council. Management at the LCC promptly addressed an instance of lack of disclosure when it was brought to their attention. Procedures put in place should avoid future lapses.

4.4 Submissions and comments received

General Manager, Launceston City Council

I have no difficulties with your representation of the section 55 matter within your report.

Recent reports

Recent reports

	Tabled	Special Report No.	Title
Oct	2007	69	Public building security
Nov	2007	70	Procurement in government departments Payment of accounts by government departments
Nov	2007	71	Property in police possession Control of assets: Portable and attractive items
Apr	2008	72	Public sector performance information
Jun	2008	73	Timeliness in the Magistrates Court
Jun	2008	74	Follow up of performance audits April–October 2005
Sep	2008	75	Executive termination payments
Nov	2008	76	Complaint handling in local government
Nov	2008	77	Food safety: safe as eggs?
Mar	2009	78	Management of threatened species
May	2009	79	Follow up of performance audits April–August 2006
May	2009	80	Hydro hedges
Jun	2009	81	Contract management
Aug	2009	82	Head of Agency contract renewal
Oct	2009	83	Communications by Government and The <i>Tasmanian Brand</i> project
Oct	2009	84	Funding the Tasmanian Education Foundation
Nov	2009	85	Speed-detection devices
Nov	2009	86	Major works procurement: Nation Building projects, Treasurer's Instructions 1299 and 1214
Jun	2010	87	Employment of staff to support MPs
Jun	2010	88	Public Trustee: management of deceased estates
Jun	2010	89	Post-Year 10 enrolments
Jul	2010	90	Science education in high schools
Sep	2010	91	Follow up of special reports: 62–65 and 70
Oct	2010	92	Public sector productivity: a ten-year comparison

Current projects

Current projects

Performance and compliance audits that the Auditor-General is currently conducting:

Title	Subject
Profitability, and economic benefits to Tasmania, of Forestry Tasmania	Evaluates Forestry Tasmania's long-term financial and economic performance.
Fraud control	Assesses the effectiveness of fraud controls in government entities.
Follow up of special reports	Ascertain the extent to which recommendations from Special Reports 69–73 (tabled from October 2007 to June 2008) have been implemented.
Fire management	Examines whether respective government entities have implemented the recommendations from the COAG 2004 report titled <i>National inquiry on bushfire mitigation and management</i> .
Tourism Tasmania — Value for money?	Examines the effectiveness of TT with respect to: promotions and advertisements; websites and implementation of planned strategies and initiatives.
Out-of-home care	Assesses the effectiveness of some aspects of the efficiency of out-of-home care as an element of child protection.
Aurora Energy five per cent price cap — election promise	Examines whether the care-taker government knew, or should have known, about Aurora's financial position at the time of the price cap announcement made in February 2010.