
Public Works Committee Inquiry: The granting of contract number OoS17/18-021 by the Office of Sport

NSW Government Response

NSW Government response to recommendations

Recommendation	Government Response
<p>Recommendation 1</p> <p>That the NSW Independent Commission Against Corruption give consideration to reopening its investigation of the granting of contract number OoS17/18-02, with specific reference to the use of second-hand material from Wallaby Hill at the Sydney International Equestrian Centre.</p>	<p>Noted.</p>
<p>Recommendation 2</p> <p>That the Office of Sport continue to seek further advice from the Independent Commission Against Corruption to ensure its current procurement processes:</p> <ul style="list-style-type: none"> • are robust and consistent with the highest probity standards • are compliant with any relevant legislative and policy requirements • ensure value-for-money for the New South Wales taxpayer. 	<p>Supported.</p> <p>The Office of Sport has worked closely with the Independent Commission Against Corruption in re-designing its procurement documentation.</p> <p>The Office will arrange regular update briefings to staff on procurement risks, particularly for staff in the procurement and assets teams.</p>
<p>Recommendation 3</p> <p>That the NSW Government review the relationship between the Office of Sport and Equestrian NSW to ensure independence on the part of the Office of Sport and its administrative and decision-making processes.</p>	<p>Supported.</p> <p>The Office of Sport has commissioned its probity adviser to assess its relationship with Equestrian NSW.</p>

Recommendation	Government Response
<p>Recommendation 4</p> <p>That the Office of Sport ensure that the requirements contained in the new funding agreements with State Sporting Organisations are adhered to.</p>	<p>Supported.</p> <p>The Office of Sport has updated its standard funding agreement template with State Sporting Organisations. The latest update is dated August 2022, where the following matters are included:</p> <ul style="list-style-type: none"> • Undertake corporate governance activities, which are consistent with Sport Australia’s Sport Governance Principles and recognised best corporate governance practice. • Have processes for disclosing and managing conflicts of interest which are documented, implemented, enacted and enforced. • Ability for the Office of Sport to terminate agreements and seek damages where reasonable.
<p>Recommendation 5</p> <p>That the Office of Sport publish its standard funding agreement with State Sporting Organisations in its annual report.</p>	<p>Supported in principle.</p> <p>The Office of Sport agrees there is value in making its standard funding agreement templates public.</p> <p>It already does this in relation to all grant programs by publishing them on its website.</p> <p>The Office of Sport will also publish the SSO funding agreement template for the Organisational Support Program on its website.</p>

Recommendation	Government Response
<p>Recommendation 6</p> <p>That the NSW Government give consideration to extending the performance audit function of the Auditor-General to include audits of State Sporting Organisations.</p>	<p>Noted.</p> <p>On 17 November 2022, the NSW Parliament passed the <i>Government Sector Audit and Other Legislation Amendment Bill 2022</i> to amend the <i>Government Sector Audit Act 1983</i> and the <i>Local Government Act 1993</i> to enable the Auditor-General to conduct follow-the-dollar type performance audits of government funded activities of non-government entities carried out for or on behalf of State and local government entities. As at 25 November 2022, it is awaiting Royal Assent.</p>
<p>Recommendation 7</p> <p>That NSW Police give consideration to evidence received during this inquiry regarding Mr Barrie Smith, Mr Bruce Farrar and Ms Alexandra Townsend in order to examine whether there has been any potential breach of the <i>Crimes Act 1900</i>.</p>	<p>Noted.</p>

Level 3, 6B Figtree Drive,
Sydney Olympic Park, NSW 2128

Locked Bag 1422,
Silverwater NSW 2128

Office hours:
Monday to Friday
9.00am — 5.00pm

T: 13 13 02

E: email@sport.nsw.gov.au

W: sport.nsw.gov.au