

**SARAH LAU**  
**PUBLIC ACCOUNTABILITY COMMITTEE:**  
**INQUIRY INTO THE INTEGRITY, EFFICIENCY AND VALUE FOR MONEY OF**  
**NSW GOVERNMENT GRANT PROGRAMS**  
**HEARING – 23 OCTOBER 2020**  
**SUPPLEMENTARY QUESTIONS**

**QUESTION 1**

What other documents relating to the NSW Stronger Communities fund were shredded or deleted?

**ANSWER:**

To the best of my recollection, the documents relating to the Stronger Communities Fund that were recovered from electronic back-up systems and provided to the NSW Legislative Council on 25 November 2020 were those that were disposed of.

The NSW Premier's Office complies with its obligations under the *State Records Act 1998*.

In this regard, the *Ministers' Office Handbook* (the Handbook) provides policy and practice material for Ministers and their staff about employment and office management practices. The Handbook provides guidance for Ministers' offices on making and keeping records appropriately and complying with their obligations under the *State Records Act 1998*. The Handbook is provided to all ministerial staff on commencement of their employment and is publicly available at:

<https://publications.dpc.nsw.gov.au/ministers-office-handbook/managing-records-and-publishing-diaries/>

Further, records management training for ministerial staff is also arranged. This training covers topics including creating and maintaining records, retaining records for as long as they are required, disposing of records legally and appropriately, transferring records to NSW State Archives, and authorising public access to records.

**QUESTION 2**

When did you delete the working advice notes? Was it in 2018, 2019 or 2020?

**ANSWER:**

I understand the Premier's Office commissioned a search of electronic back-up systems in response to a resolution of the NSW Legislative Council under Standing Order 52. Three working advice notes relating to the Stronger Communities Fund program were recovered from electronic back-up systems and provided to the NSW Legislative Council on 25 November 2020.

I understand that due to the constraints of the document recovery process, which requires specialist IT resources, it is only possible to observe that the relevant documents were disposed of after September 2018 and prior to my going on maternity leave in September 2019.

**QUESTION 3**

Can you outline the usual structure of a working advice note? Does it have standard headings?

**ANSWER:**

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There is no usual structure to a working advice note.

**QUESTION 4**

What other working advice notes have you shredded? Please list any other topics/issues you're aware of using this similar record keeping?

**ANSWER:**

To the best of my recollection, the working advice notes relating to the Stronger Communities Fund that were recovered from electronic back-up systems and provided to the NSW Legislative Council on 25 November 2020 were those that were disposed of.

I always endeavour to ensure my records management processes are consistent with the *State Records Act 1998*.

**QUESTION 5**

What other working advice notes have you deleted electronic files of? Please list any other topics/issues you're aware of using this similar record keeping?

To the best of my recollection, the working advice notes relating to the Stronger Communities Fund that were recovered from electronic back-up systems and provided to the NSW Legislative Council on 25 November 2020 were those that were disposed of.

I always endeavour to ensure my document management processes are consistent with the *State Records Act 1998*.

**QUESTION 6**

What other working advice notes have you retained? What years are they from?

**ANSWER:**

To the best of my recollection, the working advice notes relating to the Stronger Communities Fund that were recovered from electronic back-up systems and provided to the NSW Legislative Council on 25 November 2020 were those that were disposed of.

No other working advice notes relating to the Stronger Communities Fund are held by the Premier's Office.

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**QUESTION 7**

Have you or any staff from the Premier's office taken any steps in restoring the deleted electronic files?

**ANSWER:**

Yes, please refer to my answer to Question 2.

I understand that the Digital and Information Branch of the Department of Premier and Cabinet maintains 'back-up' tapes for documents held on the Ministers' IT network for disaster recovery purposes.

**QUESTION 8**

Before the working advice notes were deleted did any other staff from the Premier's office view or copy the working advice notes?

**ANSWER:**

Please refer to pages 3-4 of the transcript of my attendance before the Public Accountability Committee.

**QUESTION 9**

Before the working advice notes were deleted did any other staff from the Department of Premier and Cabinet view or copy the notes?

**ANSWER:**

Not to my knowledge.

**QUESTION 10**

Are office policies regarding record management currently implemented at the Premier's office? If so, what are they?

**ANSWER:**

The *Ministers' Office Handbook* provides policy and practice material for Ministers and their staff about employment and office management practices, including records management. The Handbook is provided to all ministerial staff on commencement of their employment and is publicly available at:

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**QUESTION 11**

Are office policies regarding record management currently implemented at the Department of Premier and Cabinet? If so, what are they?

**ANSWER:**

This is a matter for the Department of Premier and Cabinet.

**QUESTION 12**

Have you completed any training on records management, specifically your obligations under the State Records Act 1998?

**ANSWER:**

Yes. At the Department of Premier and Cabinet, I attended training on records management in March 2016 and also undertook e-learning modules from time to time. Training for ministerial staff was also carried out in November 2018 and January 2019.

**QUESTION 13**

What training on records management does the Department of Premier and Cabinet offer staff? How often do these sessions occur?

**ANSWER:**

This is a question best directed to the Department of Premier and Cabinet.

**QUESTION 14**

Did anyone instruct you to shred the working advice notes relating to the Stronger Communities fund? If yes, who?

**ANSWER:**

No. As noted on page 5 of the transcript of my attendance before the Public Accountability Committee, documents were disposed of as part of my normal administrative practices.

**QUESTION 15**

Did anyone instruct you to delete the working advice notes relating to the Stronger Communities fund? If yes, who?

**ANSWER:**

No. As noted on page 5 of the transcript of my attendance before the Public Accountability Committee, documents were disposed of as part of my normal administrative practices.

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**QUESTION 16**

Have you kept any other electronic working advice notes? What are these?

**ANSWER:**

I always endeavour to ensure my records management processes are consistent with the *State Records Act 1998* and therefore maintain appropriate records for my areas of responsibility.

**QUESTION 17**

As part of your usual records management, do you have specific timings for shredding documents?

**ANSWER:**

No.

**QUESTION 18**

Do you need to notify your supervisor before deleting any documents?

**ANSWER:**

Please refer to my answer to Question 1. As noted on page 5 of the transcript of my attendance before the Public Accountability Committee, documents were disposed of as part of my normal administrative practices.

I always endeavour to ensure my records management processes are consistent with the *State Records Act 1998*.

**QUESTION 19**

How many times did you discuss the Stronger Communities Fund working advice notes with Mr Crocker? Did those discussions occur regularly or on an ad hoc basis?

**ANSWER:**

I cannot recall as these events occurred close to two and a half years ago. There would have been several discussions regarding the Fund over several months.

**QUESTION 20**

Were you ever provided with any written notes from the discussions Mr Crocker had with the Premier? If yes, did you retain these or were they shredded?

**ANSWER:**

Not to my knowledge.

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**QUESTION 21**

Who provided you with the proposed list of councils to receive funding from the Stronger Communities Fund?

**ANSWER:**

Please refer to the transcript of my attendance before the Public Accountability Committee.

**QUESTION 22**

Who drafted the proposed list of councils to receive funding from the Stronger Communities Fund?

**ANSWER:**

Please refer to the transcript of my attendance before the Public Accountability Committee.

**QUESTION 23**

Does a copy of the proposed list of councils to receive funding still exist? If yes, can you provide a copy of the list?

**ANSWER:**

Documentation confirming which councils received funding under the Stronger Communities Fund has been provided to the NSW Legislative Council.

**QUESTION 24**

Do you use a notebook for office tasks? If so, did you retain this notebook?

**ANSWER:**

Yes, I use notebooks to keep to do lists.

**QUESTION 25**

Did the notebook include any details regarding the Stronger Communities Fund?

**ANSWER:**

Not to my recollection as my notebooks are used to keep to do lists.

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**QUESTION 26**

Did the notebook include any details from any of your conversations with Mr Crocker?

**ANSWER:**

Not to my recollection as my notebooks are used to keep to do lists.

**QUESTION 27**

Do you use an electronic notetaking system? If so, did you retain these notes?

**ANSWER:**

No.

**QUESTION 28**

Did the digital notetaking system include any details regarding the Stronger Communities' Fund?

**ANSWER:**

Please refer to my answer to Question 27.

**QUESTION 29**

Did the digital notetaking system include any details from any of your conversations with Mr Crocker?

**ANSWER:**

Please refer to my answer to Question 27.

**QUESTION 30**

What office policies are there that dictate how long records should be kept for before being destroyed? Do you shred documents and records relating to any other grants? If so, what grants have you shredded records from?

**ANSWER:**

I always endeavour to ensure my records management processes are consistent with the *State Records Act 1998*.

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**QUESTION 31**

How many documents relating to the Stronger Communities Fund did you actually shred?

**ANSWER:**

To the best of my recollection, the documents relating to the Stronger Communities Fund that were recovered from electronic back-up systems and provided to the NSW Legislative Council on 25 November 2020 were those that were disposed of.

**QUESTION 32**

How many digital documents and records relating to the Stronger Communities Fund did you delete?

**ANSWER:**

To the best of my recollection, the documents relating to the Stronger Communities Fund that were recovered from electronic back-up systems and provided to the NSW Legislative Council on 25 November 2020 were those that were disposed of.

**QUESTION 33**

Did anyone else delete digital documents and records relating to the Stronger Communities Fund?

**ANSWER:**

Not to my knowledge.

**QUESTION 34**

Are you aware of anyone else shredding documents relating to the Stronger Communities Fund?

**ANSWER:**

No.

**QUESTION 35**

Are you aware of anyone else deleting documents relating to the Stronger Communities Fund?

**ANSWER:**

No.

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**QUESTION 36**

What is the current document management plan for the Premier's office? Can you please provide a copy?

**ANSWER:**

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**QUESTION 37**

What is the current content management system or document tracking system used by the Premier's office?

**ANSWER:**

The *Ministers' Office Handbook* provides policy and practice material for Ministers and their staff about employment and office management practices, including records management.

**QUESTION 38**

Do you have a current internal governance document or a document that outlines delegated authority within the Premier's office? If yes, can you please provide a copy?

**ANSWER:**

I do not hold such a document. However, I understand there are employer delegations and financial delegations in place under the *Members of Parliament Staff Act 2013* and the *Public Finance and Audit Act 1983*.

**QUESTION 39**

Are you aware of any current NSW Government guidelines for ministerial advisors on record management?

**ANSWER:**

The *Ministers' Office Handbook* provides policy and practice material for Ministers and their staff about employment and office management practices, including records management.