

From: Dr Marianne Broadbent, Managing Partner, NGS Global

Re: Appointment of Mr John Barilaro as Senior Trade and Investment Commissioner to the Americas, Question on Notice, 18 August

Date: September 8, 2022

QUESTION 1: Re-advertisement date for the Recruitment for the Agent-General – Resumption (Page 5)

The Hon. DANIEL MOOKHEY: Thank you, Dr Broadbent. If you do need to take any specific details on notice I'm sure we won't object. The process resumes sometime in 2020 when conditions under the pandemic allow, is that correct?

MARIANNE BROADBENT: That's right.

The Hon. DANIEL MOOKHEY: When did that happen?

MARIANNE BROADBENT: It was later in the year. I believe it was November/December, again of 2020.

The Hon. DANIEL MOOKHEY: Was there a repeated call for advertisements?

MARIANNE BROADBENT: There was.

The Hon. DANIEL MOOKHEY: The job was readvertised?

MARIANNE BROADBENT: Yes.

The Hon. DANIEL MOOKHEY: Do you know when it was readvertised?

MARIANNE BROADBENT: I believe it was readvertised—and I might have to take this on notice—prior to Christmas. I'm not entirely sure that it was readvertised.

The Hon. DANIEL MOOKHEY: Okay. But the other aspect of what a search firm does, which is to test your own contacts and talent pools, is occurring concurrently. Is that correct?

MARIANNE BROADBENT: Yes.

The Hon. DANIEL MOOKHEY: Were the people who applied at the first instance invited to reapply?

MARIANNE BROADBENT: Yes, they were.

RESPONSE:

The first round of the recruitment for the Agent General was interrupted by the COVID situation early in 2020. This search, plus the search for the STIC North Asia, was put on hold after an initial set of Selection interviews were held in early February 2020. Candidates were advised that the role was on hold and not proceeding at that stage. On 19 October, 2020, I was briefed by NSW Treasury to resume work on both searches. NGS Global proceeded to reconnect with candidates and undertake further pro-active search process. We do not have any record that the Agent-General and STIC North Asia roles were re-advertised. Our understanding was that NSW Treasury considered this to be the resumption of the same process.

From: Dr Marianne Broadbent, Managing Partner, NGS Global

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QUESTION 2: Closing Date for Applications for the Agent-General – Resumption (Page 6)

The Hon. DANIEL MOOKHEY: At this point in time, when that process was called for applications, when did applications close for the second?

MARIANNE BROADBENT: I would have to take that on notice.

RESPONSE:

There was no closing date as such provided for applicants for the resumed recruitment. Applicants and potential applicants were asked to apply within a week of receiving the full documentation in relation to the role. This is not unusual when a recruitment or search is resumed.

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**QUESTION 3: Email discussions with Mr Cartwright re remuneration for the Agent-General role
(Page 17)**

The Hon. DANIEL MOOKHEY: I'm asking you specifically, Dr Broadbent, do you recall getting an email from Mr Cartwright around March 2021 pertaining to Mr Cartwright's expectations around remuneration?

MARIANNE BROADBENT: I believe I would have because I received a number of them.

The Hon. DANIEL MOOKHEY: Okay. How many, by the way, did you receive?

MARIANNE BROADBENT: I don't know. We had discussions about it and then he documented his expectations and he had—the situations with the agent general and under NSW Treasury and the other roles under Treasury were that there was a base salary, but then our advice was that we could say to candidates that there would be some consideration given to the individual circumstances of candidates. That changed once it was clarified that these roles came under the GSE Act, and so there was a ceiling on them.

The Hon. DANIEL MOOKHEY: Well, I think let's not go too far down that rabbit hole of legality because there's a lot of confusing advice about the GSE Act. Did you want to ask anything there?

The Hon. JOHN GRAHAM: Perhaps could you take on notice how many times you were emailed about remuneration.

MARIANNE BROADBENT: I will take that on notice, yes.

RESPONSE:

Discussions re remuneration were by phone and on a video /Zoom call with Mr Cartwright. I do not have phone records for that period, and the video call was on February 25, 2021. I have identified two emails I received from Mr Cartwright that were concerned with remuneration. Following earlier discussions by phone, at the video session, and post the video session, Mr Cartwright documented his expectations in one email, and later responded to the initial proposal prepared by NSW Treasury.

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QUESTION 4: Evidence provided to Investment NSW for Mr Cartwright's remuneration expectations for the Agent-General role (Page 20-21)

The Hon. DANIEL MOOKHEY: And then at some point Ms West starts to make inquiries with you about what Mr Cartwright's salary expectations were?

MARIANNE BROADBENT: And for evidence of that, yes.

The Hon. DANIEL MOOKHEY: And in seeking evidence of that, you say that that led to some interchange with the Treasury in which you had to consider whether you had an obligation to keep it confidential?

MARIANNE BROADBENT: Yes, and I was asked to please provide it because that was a communication about remuneration and what was the basis for that.

The Hon. DANIEL MOOKHEY: So your client effectively asked you to pass on the email?

MARIANNE BROADBENT: Yes.

The Hon. DANIEL MOOKHEY: And you passed on the email?

MARIANNE BROADBENT: I did, in confidence.

The Hon. DANIEL MOOKHEY: Okay.

MARIANNE BROADBENT: I hesitate to say "again".

The Hon. JOHN GRAHAM: Understood.

The Hon. DANIEL MOOKHEY: And that's because you obviously undertake to keep the privacy of people's—

MARIANNE BROADBENT: Absolutely.

The Hon. DANIEL MOOKHEY: Do you recall when you provided this to Investment NSW?

MARIANNE BROADBENT: I do have it here. You probably have it as well.

The Hon. DANIEL MOOKHEY: Do you wish to table it?

MARIANNE BROADBENT: No.

The Hon. DANIEL MOOKHEY: Can we ask you to table it?

MARIANNE BROADBENT: If I'm required to table it.

The Hon. DANIEL MOOKHEY: I am going to ask you to table it.

MARIANNE BROADBENT: Right.

The CHAIR: Thank you, Dr Broadbent. If you could pass that up and we will get it formally tabled.

MARIANNE BROADBENT: Actually, I don't have the physical copy with me, but I can provide it.

The Hon. DANIEL MOOKHEY: Okay.

The Hon. SCOTT FARLOW: The witness can take it on notice, perhaps.

The Hon. DANIEL MOOKHEY: Yes. I ask you to provide it on notice if you don't mind.

MARIANNE BROADBENT: Sure.

RESPONSE:

At the start of the Agent General recruitment process with Mr Cartwright, as with all candidates for that role and all STIC appointments, I explained that the total remuneration was expected to be \$450,000, paid in local currency. At the start of the process, we were advised that we could indicate that there would be some consideration of the circumstances of the candidate. I provided Mr Cartwright with the information given to all candidates regarding remuneration. Following advice that he was the preferred candidate, and with input and advice from Investment NSW, I began initial discussions with Mr Cartwright. He indicated that he had expected higher remuneration. I explained his expectations to Investment NSW. Mr Cartwright documented his expectations for higher remuneration in an email to me on 31 March 2021. Investment NSW asked for the email as evidence of his expectations. I provided it in confidence to Investment NSW at their request to progress discussions. This email to Investment NSW dated 31 March 2021 is attached.

From: Marianne Broadbent

Date: Wednesday, 31 March 2021 at 10:28:20 am Australian Eastern Daylight Time

To: Jenny West

Subject: FW: Follow Up

Jenny – see below from Stephen confirming my comments yesterday (and will leave you to share this Tim / Mike if appropriate). Have advised him you are working to have that meeting with him asap and we are progressing from our end with Referees etc. Can you confirm re the psychometrics (just one assessment from memory) that Michael and Paul have done.

Regards Marianne B

Dr Marianne Broadbent

MANAGING PARTNER

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From: Stephen Cartwright

Date: Wednesday, 31 March 2021 at 9:47 am

To: "marianne.broadbent" **Subject:** RE:

Follow Up

Thank you Marianne. I appreciate the feedback on the interview so quickly, and the outline of next steps. I am eager to have this process concluded asap.

I look forward to receiving the template from [REDACTED] today and will return the completed version immediately.

The discussion with Jenny is an important one to have soon, and I would welcome your guidance on this matter. I will share with you some important conversations, in the strictest confidence, as these have shaped my expectations around the role, but I am uncertain how much of this has been, or will be, communicated to Jenny.

I would be grateful if you could please keep the content of these discussions between us for the moment.

When the Deputy Premier first asked me to consider the role back in early Feb, he and I had a very open and frank discussion about my circumstances (i.e I have been on a package of over \$800k for some years and have made financial commitments accordingly) and about his view that the current package on offer was not attracting the right calibre of candidate. Apart from improving the base package (he mentioned low 5's), he indicated (privately of course) that he and the Treasurer had reached an agreement that the cost of suitable family accommodation (including cleaning etc) in an inner suburb of London could be taken care of by the NSW Govt outside of the salary package. He also suggested that, given I have kids in school here, and elderly parents who recently moved to

Sydney to be close to us, I should propose how I believed I could make it all work (eg he understood that I cant move the kids until the end of the school year so would need to travel back and forth this year, and I will need to return to Sydney a couple of times each year to check on my elderly parents etc). His parting words were "you come back and tell us how it can be made to work for you."

I have discussed the role in confidence with our High Commissioner to NZ (as Patricia used to work for me, is one of my referees and is close to the Premier) and she indicated that the Federal Government takes care of all of her living expenses in NZ (eg home, cleaner, driver etc) so that her salary package can be used to service her financial commitments back in Australia (ie mortgage etc). When I discussed this approach with Warrick when we caught up for coffee some time ago he suggested that this is the normal way that governments support high level overseas diplomatic / trade posts.

When I met with Mike to discuss the role on 19 Feb, he said that he understood about the kids in school / elderly parents etc and was comfortable that I might spend a fair bit of this year here in Australia but travel to and from the UK as required (eg for the July trip by the Premier etc). I also shared with Mike that I am receiving other offers from the government (eg I have recently been offered the Chairmanship of TAFE NSW by another Minister) and from the private sector, and that I have been stalling them as best I can, but that I would need to lock down a start date sooner rather than later (I think I suggested I would like to commence at the latest by 1 May).

So, in light of all of this, I would welcome your views on the best way to navigate this delicate discussion with Jenny. I don't know how much of the above she knows, and I don't want to directly disclose my discussions with the DP etc, or be accused of being unrealistic or playing hard ball in the negotiations, but my participation in the process to date has been shaped by these expectations and I cant hold off other offers for too much longer so I need a degree of certainty on this role asap.

I am happy to discuss over the phone if you would prefer but I am keen to get your thoughts on the best way to proceed with Jenny.

Kind regards

Stephen

Sent from Mail for Windows 10

From: Marianne Broadbent

Date: Tuesday, 30 March 2021 9:42 PM

To: Stephen Cartwright

Cc: [REDACTED]

Subject: Follow Up

Stephen, as you might have gleaned, the interview went well today and so we are now progressing things to the next stage which is great. This includes reference checks and [REDACTED] will provide you with a template to complete for these. I know you listed a number of referees, but the process usually involves a manager/supervisor (someone to whom you have reported), a peer or stakeholder, and a direct report. Will leave you to work out the best people, but know the panel is keen to include [REDACTED] in the referees. There will also likely be the standard psychometric that Trade uses for roles at this level. Will confirm that in the next couple of days. And understand that Jenny West will set up a time to talk with you re other arrangements.

Regards Marianne B

Dr Marianne Broadbent

MANAGING PARTNER

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