

Fw: Catch up

From: Stephen Cartwright <Sensitive>
To: Lorraine Suka
Date: Thu, 11 Aug 2022 19:47:51 +1000
From: Zalie Harrison
Sent: Friday, 12 February 2021 8:52 AM
To: Stephen Cartwright <Sensitive>
Subject: RE: Catch up

Perfect, thanks so much

I hope you enjoy a wonderful Friday

Thanks again
Zalie

From: Stephen Cartwright <Sensitive>
Sent: Friday, 12 February 2021 8:33 AM
To: Zalie Harrison
Subject: Re: Catch up

Good morning Zalie

I completely understand - Mike has a lot on his plate.

Friday 19th works best for me if that is ok?

Kind regards

Stephen

Sent from my iPhone

On 12 Feb 2021, at 8:09 am, Zalie Harrison

> wrote:

Good morning Mr Cartwright

I hope this email finds you well

Sincerest apologies for the cancellation of today's breakfast meeting – would you be available next Thursday (18.02) or Friday (19.02) for me to reschedule this to?

Happy to explore other dates and times with you

Many thanks and kindest regards
Zalie

From: Zalie Harrison
Sent: Tuesday, 2 February 2021 9:12 AM
To: Stephen Cartwright <Sensitive>
Subject: RE: Catch up

Thank you so much for your speedy response!
I have sent through a calendar invitation including the below details
www.bondcafe.com.au
Bond Café is nestled in the assembly of 52 Martin Place – enter via 111 Phillip Street, Sydney
Reservation Number: 58549903030
Reservation held under: Michael Pratt

Please let me know if there's anything else I may assist with

I hope you enjoy a wonderful day

Kindest regards
Zalie

From: Stephen Cartwright <Sensitive>
Sent: Tuesday, 2 February 2021 9:07 AM
To: Zalie Harrison
Subject: Re: Catch up

Thanks so much for organising this Zalie.

Friday 12 Feb at 7:45am works well for me.

Please let me know a location that works for Mike and I will be there.

Kind regards

Stephen

Sent from my iPhone

On 2 Feb 2021, at 8:21 am, Zalie Harrison

wrote:

Morning Mr Cartwright,

I hope this email finds you well. Please accept my sincerest apologies for my delayed response.

The Secretaries upcoming availabilities noted below:

Friday February 12 th	7:45 AM	Breakfast Meeting
Tuesday February 16 th	7:45 AM	Breakfast Meeting
Thursday February 18 th	7:45 AM	Breakfast Meeting

Please let me know if I can explore alternative dates and times with you

Many thanks and kindest regards
Zalie

From: Stephen Cartwright <Sensitive>
Sent: Thursday, 28 January 2021 9:12 AM

To: Zalie Harrison
Subject: FW: Catch up

Good morning Zalie

I hope you had a great Australia Day.

I sent the email below to you last Friday but I got a bounce back message so not sure if it actually got through.

Could you please let me know if you receive this email?

Thanks

Stephen

Sent from [Mail](#) for Windows 10

From: [Stephen Cartwright](#)
Sent: Friday, 22 January 2021 12:28 PM
To: [Zalie Harrison](#)
Subject: Catch up

Good morning Zalie

Firstly, thank you for setting up the Teams meeting with Mike this morning – it is most appreciated.

Secondly, Mike suggested that he and I should grab a coffee soon to discuss my plans for 2021 and beyond so I would be grateful if you could let me know when he might be able to fit that into his busy schedule?

I am away on Monday but can do almost any morning after 10am from Wednesday onwards.

Thanks Zalie.

Kind regards

Stephen

Sent from [Mail](#) for Windows 10

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FW: NSW A/G Interview - Panel Questions

From: Kristy Manton
To: Simon Anderson
Date: Wed, 17 Mar 2021 12:49:19 +1100

From: Marianne Broadbent
Sent: Wednesday, 17 March 2021 12:02 PM
To: Zalie Harrison

Jenny West

Cc: Lynne Clements
Subject: Re: NSW A/G Interview - Panel Questions

Thanks Zalie. I have advised Stephen.

For Information and action as necessary - Stephen was in turn keen to advise that he is also involved in another process in state government, and that, as he understands it, a recommendation is going to Cabinet on 29 March. He believes Mike Pratt is aware of this, but was hoping the meeting would go ahead today so he could have further discussions re timeline etc.

Regards Marianne B

Dr Marianne Broadbent
MANAGING PARTNER

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From: Zalie Harrison
Date: Wednesday, 17 March 2021 at 11:39 am
To: Kristy Manton
Subject: RE: NSW A/G Interview - Panel Questions

Jenny West

Good morning Dr Broadbent,

Many thanks for sending this through. I have already compiled folders including the questions assigned to each panel member.

Regretfully, we will have to postpone today's interview. I am sincerely sorry to do this again. Please pass along our apologies to the candidate as well.

I will be back in touch when I can find a new time and date that all panel members can accommodate

Sorry again

Kindest regards
Zalie

From: Marianne Broadbent
Sent: Wednesday, 17 March 2021 10:27 AM
To: Jenny West Kristy Manton
Cc: Zalie Harrison
Subject: NSW A/G Interview - Panel Questions

Jenny / Kristy / Zalie – not sure if new versions of these done, but this was the Interview Guide used for previous A/G candidates – if relevant, can you please provide to the Panel members.
Understand I am being connected in by someone calling me on my mobile – would appreciate if you can make sure that happens.

Thank Marianne B

Dr Marianne Broadbent
MANAGING PARTNER

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RE: Confidential - Follow Up

From Jenny West

:

To: Michael Pratt

Tim Reardon

Date: Wed, 31 Mar 2021 15:46:22 +1100

Mike

Understood. I am catching up with Stephen tomorrow morning and will come back

Thanks Jenny

From: Michael Pratt

Sent: Wednesday, 31 March 2021 11:57 AM

To: Jenny West

Tim Reardon

Subject: RE: Confidential - Follow Up

Thanks Jenny, please sit down with Stephen and get clarity on his requirements, then draft a package together for us to review. As discussed last night I do not believe his expectations (that I am aware of) are unreasonable in these circumstances but need to package up and look at overall ask etc Mike

Michael Pratt AM | Secretary

52 Martin Place, Sydney (enter via 127 Phillip Street)
GPO Box 5469, Sydney NSW 2001

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EA:

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Treasury acknowledges the traditional owners of the lands of the Gadigal people of the Eora nation, and their continuing connection to land, water and community. We pay our respects to them and their cultures and to elders past, present and emerging.

From: Jenny West

Sent: Wednesday, 31 March 2021 10:37 AM

To: Michael Pratt

Tim Reardon

Subject: Confidential - Follow Up

Mike and Tim

Further to the discussions with Stephen yesterday please find attached additional details around expectations.

Tim – can you please confirm you are comfortable with looking at how we progress on the basis of the below “asks”

I can then organise a time to loop back in with Stephen

Thanks Jenny

From: Marianne Broadbent
Sent: Wednesday, 31 March 2021 10:28 AM
To: Jenny West
Subject: FW: Follow Up

Jenny – see below from Stephen confirming my comments yesterday. 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:
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 Lynne 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](#)
Sent: Tuesday, 30 March 2021 9:42 PM
To: [Stephen Cartwright](#)
Cc: [Lynne Clements](#)
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 Lynne 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 Nola Watson 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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STIC Proposed Arrangements – as at 12 April, 2021

Following discussions with Investment NSW and NSW Treasury officials, we understand that the following arrangements will be put in place (though subject to final confirmation at this stage).

- Salary + Super package of about \$Au450k, paid in local currency
- Appropriate temporary accommodation till longer term arrangements are found
- Reasonable relocation expenses
- Reasonable travel between the STIC location and Sydney as required
- Travel on an Official Government Passport
- Assistance regarding Visa arrangements

The appointment would commence with a two month induction period based in Sydney which would enable the incoming A-G to be fully familiar with NSW personnel, programs and processes. Any other arrangements that might be specific to a posting will be discussed and agreed with the preferred candidate.

Note that on shore there is support team to assist in developing target and pipeline opportunities.

Concurrently, Investment NSW has secured the services of Deloitte to assist putting local arrangements in place, with Freehills for legal services support and Cushman & Wakefield for facilities support.

Each STIC will also be supported by other in-region appointments and satellite offices which are currently be decided and finalised.

NSW Agent-General Proposed Arrangements – as at 12 April 2021

Following discussions with Investment NSW and NSW Treasury officials, we understand that the following arrangements will be put in place (though subject to final confirmation at this stage).

- Salary + Super package of \$600k
- Significant contribution to accommodation, understanding that a well-located three bedroom residence is required
- Appropriate temporary accommodation till longer term arrangements are located
- Significant contribution to school fees for dependent children
- Reasonable relocation expenses
- Reasonable travel between the UK and Sydney as required

The appointment would commence with a two month induction period based in Sydney which would enable the incoming A-G to be fully familiar with NSW personnel, programs and processes.

Note that on shore there is support team to assist in developing target and pipeline opportunities.

Concurrently, Investment NSW has secured the services of Deloitte to assist putting local arrangements in place, with Freehills for legal services support and Cushman & Wakefield for facilities support.

Each STIC will also be supported by other in-region appointments and satellite offices which are currently be decided and finalised.

FW: Follow up - Proposed Arrangements

From: Marianne Broadbent
To: Jenny West
Date: Mon, 12 Apr 2021 13:23:07 +1000

J – Spoke with Stephen and read this out to him, and he sounds very happy with Progress. I will see if I can find that 10week list of stuff that has to happen also – and have alerted him to this. Thanks M

Dr Marianne Broadbent
MANAGING PARTNER

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From: Marianne Broadbent
Date: Monday, 12 April 2021 at 1:13 pm
To: Stephen Cartwright
Cc: Jenny West Lynne Clements

Subject: Follow up - Proposed Arrangements

Stephen

Following discussions with Investment NSW and NSW Treasury officials, we understand that the following arrangements will be put in place (subject to final confirmation from Investment NSW at this stage):

- Salary + Super package of \$600k
- Significant contribution to accommodation, understanding that a well-located three bedroom residence is required
- Appropriate temporary accommodation till longer term arrangements are located
- Significant contribution to school fees for dependent children
- Reasonable relocation expenses
- Reasonable travel between the UK and Sydney as required

The appointment would commence with a two month induction period based in Sydney which would enable the incoming A-G to be fully familiar with NSW personnel, programs and processes.

As you might appreciate sign off is being sought on a group of arrangements with Investment NSW at this stage.

Will call you shortly re this also.

Regards Marianne B

Dr Marianne Broadbent
MANAGING PARTNER

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Re: Follow up - Proposed Arrangements

From Stephen Cartwright
To: marianne.broadbent
Cc: Jenny West Lynne Clements
Date: Mon, 12 Apr 2021 15:05:15 +1000

Hi Marianne
Thank you for sending me this information - it is very helpful.
Assuming that travel to and from London is in a business class seat, and subject to understanding what "significant contribution" means, then I am comfortable with the package as you have outlined it.
Again, thank you (and Jenny) for progressing this.
I look forward to hearing more soon.
Kind regards
Stephen

Sent from my iPhone

On 12 Apr 2021, at 1:13 pm, Marianne Broadbent <marianne.broadbent@ngs-global.com> wrote:

Stephen

Following discussions with Investment NSW and NSW Treasury officials, we understand that the following arrangements will be put in place (subject to final confirmation from Investment NSW at this stage):

- Salary + Super package of \$600k
- Significant contribution to accommodation, understanding that a well-located three bedroom residence is required
- Appropriate temporary accommodation till longer term arrangements are located
- Significant contribution to school fees for dependent children
- Reasonable relocation expenses
- Reasonable travel between the UK and Sydney as required

The appointment would commence with a two month induction period based in Sydney which would enable the incoming A-G to be fully familiar with NSW personnel, programs and processes.
As you might appreciate sign off is being sought on a group of arrangements with Investment NSW at this stage.

Will call you shortly re this also.

Regards Marianne B

Dr Marianne Broadbent
MANAGING PARTNER

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Re:

From: Jenny West
:
To: Stephen Cartwright marianne broadbent
Date: Mon, 12 Apr 2021 13:04:59 +1000

Stephen

Thanks for the note. I will loop back with Marianne now and come back

Thanks Jenny

Get [Outlook for iOS](#)
From: Stephen Cartwright
Sent: Monday, April 12, 2021 12:35 pm
To: Jenny West
Subject:

Good afternoon Jenny

I hope you had a great weekend.

I was just wondering if you might let me know how things are progressing re the AG role as I am being approached by a number of organisations who are seeking a CEO, Board Director or Consultant, and I am pushing them all off to avoid making any commitments that I am unable to keep.

Any advice you can give me on the timeline would be greatly appreciated.

Kind regards

Stephen

Sent from my iPhone

Re: London

From: Jenny West
To: Michael Pratt
Date: Fri, 23 Apr 2021 17:20:39 +1000

Trying to finalise package with Tim Reardon / Amy. We got legal advice and will have to get an exemption for London given package
I will send separate email and followed up with Amy again today. Wouldn't mind you giving Tim a nudge from your end as well
Thanks Jenny
Get [Outlook for iOS](#)
From: Michael Pratt
Sent: Friday, April 23, 2021 5:04:05 PM
To: Jenny West
Subject: London

Hi Jenny,
Just wondering where we are at with Stephen Cartwright? Cheers Mike

Michael Pratt AM | Secretary

52 Martin Place, Sydney (enter via 127 Phillip Street)
GPO Box 5469, Sydney NSW 2001

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Treasury acknowledges the traditional owners of the lands of the Gadigal people of the Eora nation, and their continuing connection to land, water and community. We pay our respects to them and their cultures and to elders past, present and emerging.

Re: Confidential - Status of London AG and Tokyo STIC engagement

From: Jenny West
To: Evelina Polura
Date: Mon, 26 Apr 2021 17:15:53 +1000

Evelina

Thanks for sending this through

The AG role is getting \$100k above Austrade max on salary and wanting house / school on top.

Can we keep pound amount and add \$aus equivalent so then we can discuss overall recommended package to Amy

Thanks for this info - very helpful

Jenny

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From: Evelina Polura

Sent: Monday, April 26, 2021 4:42:31 PM

To: Jenny West

Cc: Anant Bamra

Subject: FW: Confidential - Status of London AG and Tokyo STIC engagement

Hi Jenny,

Please find attached a little summary I've done around Tokyo STIC and London AG remuneration and benefits, based on what we know so far and Mercer data we have from last year.

As soon as I get some info from Austrade I'll add to this, but happy to discuss and take you through this whenever you have a chance tomorrow, so that we can move forward with the briefs as soon as we hear from OGC about whether GSE applies and if we need an exemption or not.

Regards,

Evelina

Evelina Polura | HR Business Partner
Investment NSW
52 Martin Place, Sydney NSW 2000

investment.nsw.gov.au



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NSW**

Investment NSW believes in 'all roles flex'. I work flexibly. I am sending this message now because it's a good time for me, but I don't expect that you will read, respond or action it outside of your own regular hours.

My workdays are: Mon | Tues | Wed | Thurs | Fri

From: Amy Brown
Sent: Monday, 26 April 2021 4:15 PM
To: Jenny West
Cc: Evelina Polura

Anant Bamra

Subject: RE: Confidential - Status of London AG and Tokyo STIC engagement

Hi Jenny

Thanks for sending this through. I'm comfortable with the AG package as attached to your email. Thanks also for progressing the exemption from the GSE provisions. Let me know if you need anything else from me for this one.

Amy Brown | Chief Executive Officer
Investment NSW
52 Martin Place, Sydney NSW 2000

investment.nsw.gov.au



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My workdays are: Mon | Tues | Wed | Thurs | Fri

From: Jenny West
Sent: Monday, 26 April 2021 10:12 AM
To: Amy Brown
Cc: Evelina Polura

Anant Bamra

Subject: RE: Confidential - Status of London AG and Tokyo STIC engagement
Importance: High

Amy

Further to our discussions I can update you on the latest for the STIC for Tokyo and the Agent General for London.

- We caught up with the CSO, Karen Smith at the end of last week to get advice and we will need to put forward an exemption under the GSE Act for the Agent General role (this shouldn't be too hard)
- In regard to the STIC roles – they should still fall in the Band 3 overall package (including extras) – Evelina can you please review this so we can put this up as a proposal and get approved

Feedback I need from you – Amy can you please check re the accommodation and school fees cover for the AG role.

Evelina – can you please provide some Austrade benchmarks here as well.

Both candidates have been spoken to by myself or NGS last week so we are hoping to get all of this finalised this week

Thanks Jenny

From: Jenny West
Sent: Wednesday, 14 April 2021 8:57 PM
To: Amy Brown
Cc: Evelina Polura

Anant Bamra

Subject: Re: Confidential - Status of London AG and Tokyo STIC engagement

No problem Amy we will get onto this.

Evelina while I am away can you please work to finalise the briefs and I will approve up to Amy on Monday

Thanks everyone for their efforts

Jenny

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From: Amy Brown

Sent: Wednesday, April 14, 2021 8:03:33 PM

To: Jenny West

Cc: Evelina Polura

Anant Bamra

Subject: RE: Confidential - Status of London AG and Tokyo STIC engagement

Hi Jenny

Thanks for this comprehensive advice - and thanks to Evelina and Anant too!

As Tim Reardon would like to approve these appointments (including the salary and related incentives) please could you arrange for a brief to be sent up to him via me? I think it would involve you approving it on your side, and sending it to Alex Engel to upload into the DPC workflow system to send to the Secretary. Given he's already across it, he doesn't usually take long to approve these sort of briefs.

Well done on getting these finalised.

Amy

Amy Brown | Chief Executive Officer

Investment NSW

52 Martin Place, Sydney NSW 2000

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From: Jenny West

Sent: Wednesday, 14 April 2021 2:53 PM

To: Amy Brown

Cc: Evelina Polura

Anant Bamra

Subject: Confidential - Status of London AG and Tokyo STIC engagement

Evelina and Anant,

Thank you both for your detailed work and confidentiality around the Agent General Recruitment in the UK and STIC recruitment for Tokyo.

Amy – I can confirm (see below) that we can engage these senior roles and they will be GSE Exempt.

On this basis we are recommending we get approval from Tim Reardon in regards to the packages discussed so we can then move to formalised contracts which we have been getting HSF (with the Treasury legal team) to finalise.

Please let me know how you would like to proceed. Both Anant and Evelina are the only ones working on this with me (and Marianne Broadbent) given the confidentiality of these positions.

Thanks Jenny

Jenny West | Deputy Secretary Trade & International
Investment NSW
Level 35, 52 Martin Place, Sydney NSW 2000

investment.nsw.gov.au



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NSW**

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My workdays are: Mon | Tues | Wed | Thurs | Fri

From: Evelina Polura
Sent: Wednesday, 14 April 2021 2:44 PM
To: Jenny West
Subject: Status of London AG and Tokyo STIC engagement

Hi Jenny,

Below is a short summary of where things are at with the AG and Tokyo STIC engagement and the advice we've sought or had in this respect from OGC, CSO and HSF/KWM with a whole bunch of relevant correspondence attached so you have the detailed picture if required;

- All current offshore locally engaged employees are GSE exempt and have bespoke contracts specific to the location where they are based;
- Final advice has been that both AG and STICs can also be GSE exempt if that is how we would like to engage them;
- UK contract template had been drafted and finalised by KWM and was in approved stage. It is now with HSF for the AG overlay which will include any additional clauses they deem necessary as well as clauses around relocation, cross jurisdictional tax and pension entitlements, payment across currencies, etc.
- Japan contract was in draft form and HSF advised on final version. That template is now with them for the STIC overlay which will include any additional clauses they deem

necessary as well as clauses around relocation, cross jurisdictional tax and pension entitlements, payment across currencies, etc.

The first 6 attachments are all related to the AG and the final two related to the Tokyo STIC. We are expecting the AG and STIC contract templates from HSF soon, although Anant could probably provide a better idea of actual timing.

Please let me know if you need anything else, I will be on leave tomorrow and Friday but can be contacted on my mobile if need be.

Evelina

Evelina Polura | HR Business Partner
Investment NSW
52 Martin Place, Sydney NSW 2000

investment.nsw.gov.au



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My workdays are: Mon | Tues | Wed | Thurs | Fri

RE: Confidential: Start Date - AG London

From Jenny West

:

To: Stephen Cartwright

Evelina Polura

Date: Thu, 08 Jul 2021 10:16:31 +1000

I spoke to Evelina yesterday and she was aiming to get it to you today.

Evelina – can you please confirm

Thanks Jenny

From: Stephen Cartwright

Sent: Thursday, 8 July 2021 10:07 AM

To: Evelina Polura

Cc: Jenny West

Subject: Fwd: Confidential: Start Date - AG London

Good morning Evelina

Further to our email exchange below, I am just checking on the likely timing for the provision of the draft contract?

I look forward to hearing from you.

Kind regards

Stephen.

Sent from my iPhone

Begin forwarded message:

From: Stephen Cartwright

Date: 28 June 2021 at 1:06:06 pm AEST

To: Evelina Polura

Jenny West

Subject: RE: Confidential: Start Date - AG London

Hi Evelina

Thank you for your email below.

I totally understand the challenges associated with preparing the draft contract and I look forward to receiving it later this week.

I look forward to working with you from 26 July onwards.

Kind regards

Stephen

Sent from [Mail](#) for Windows 10

From: [Evelina Polura](#)
Sent: Friday, 25 June 2021 1:40 PM
To: [Stephen Cartwright](#); [Jenny West](#)
Subject: RE: Confidential: Start Date - AG London

Hi Stephen,

My way of introduction, I'm Evelina Polura the HR business partner leading the Investment NSW global expansion, and I will be your main point of contact from an HR perspective and look forward to meeting you soon.

However by way of apology I'd like to say sorry that the draft contract which I was hoping to provide to you by the end of this week, now won't be coming your way until mid-next week.

We are working with our legal advisors to complete our UK contract for your specific details and circumstances, albeit in draft only at this stage, and expect to finalise this in the first few days of next week and send to your for your perusal as soon as this is complete.

Also due to our change of IT systems from Treasury to Investment NSW we will all be offline from 6pm tonight until some time on Monday morning, so I look forward to being in touch with you again next week. Have a great weekend.

Kind regards,

Evelina Polura | HR Business Partner
Investment NSW
52 Martin Place, Sydney NSW 2000

investment.nsw.gov.au



**Investment
NSW**

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My workdays are: Mon | Tues | Wed | Thurs | Fri

From: Stephen Cartwright
Sent: Tuesday, 22 June 2021 10:55 AM
To: Jenny West
Cc: Amy Brown

Evelina Polura

Tim Bayl

Lisa

Braid

Subject: RE: Confidential: Start Date - AG London

Jenny,

Thank you for letting me know.

I look forward to receiving the draft contract in due course, and to finally starting on 26 July.

Kind regards

Stephen

Sent from [Mail](#) for Windows 10

From: [Jenny West](#)
Sent: Monday, 21 June 2021 11:03 AM
To: [Stephen Cartwright](#)
Cc: [Amy Brown](#); [Evelina Polura](#); [Tim Bayl](#); [Lisa Braid](#)
Subject: Confidential: Start Date - AG London

Stephen,

As promised, I wanted to come back to you as soon as we found out this morning in regards to timings for Cabinet Endorsement of your role and start date.

Unfortunately, due to the number of Ministerial Office sign offs; additional sign offs required in Investment NSW and availability of the Premier the AG paperwork will now not be going up to Cabinet for final endorsement until 19th July. We will then have to get the Governors sign-off that week so your official start date will now be Monday 26th July

I sincerely apologise for the delay in this endorsement but unfortunately in Government sometimes the processes take this long.

In the interim (as discussed) I have asked Evelina to send you a DRAFT contract but we will not be able to provide you with the final contract until Cabinet endorsement.

Please reach out if you have any questions in regard to the above.

Thanks Jenny

Jenny West | Deputy Secretary Trade & International
Investment NSW
Level 35, 52 Martin Place, Sydney NSW 2000

investment.nsw.gov.au



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For Follow Up: Confidential: Draft Agreement - AG London

From: Jenny West
To: Evelina Polura Kristy Manton
Cc: Amy Brown Lisa Braid
 Chris Carr
Date: Mon, 12 Jul 2021 09:38:41 +1000

Evelina and Kristy,
 See below some additional questions from Stephen Cartwright in regards to his contract.
 Can you please work through his questions and draft a response (we will also need to get Chris across this so I am looping him in)
 Importantly, we don't want to set any precedents here as well
The area I am also concerned about that we will need to discuss is the "entertainment" budget and what can or cannot be done with the STICs offshore.
 Please let me know if you have any questions
 Thanks Jenny

From: Stephen Cartwright
Sent: Sunday, 11 July 2021 3:19 PM
To: Jenny West
Subject: RE: Confidential: Draft Agreement - AG London

Good afternoon Jenny

I thought I should give you my thoughts / observations / questions on the draft contract and relocation benefits letter as soon as possible, to make sure that we have sufficient time to discuss and deal with these prior to the start date in a fortnight. I have not copied in Evelina at this stage as I am unclear on your internal processes for approving any changes, so I will leave that for you to manage as you see fit. I am also happy to discuss with Amy / Tim / Premier if that is required, but will leave that for you to decide what works best.

In summary, these are my observations:

1. **Draft Contract of Employment**
 - a. Page 4 – The table says TBA re UK office location – is this still to be Australia House or could it be somewhere else ?
 - b. Clause 10.4 requires the Employee to give 90 days notice of termination (except at the end of the contract) but Clause 9.1 of Schedule A only requires the Employer to give 30 days notice. My observations on this are as follows:
 - i. In the private sector, someone employed at my level would be entitled to at least 90 days notice (other than at the end of the term or for reasons set out in Schedule A 9.2) but more commonly 6 months notice.
 - ii. The accepted practice is also for the notice periods to be the same on either side.
 - iii. My situation is unlike most other executives employed by the NSW Govt in that I am relocating my family to the other side of the world in order to serve the people of NSW. This involves asking my two boys to change schools (which will be very disruptive for them) and asking my wife to leave behind her elderly parents.

To give my Employer an unfettered contractual right (ie no valid reason required and at the Employer's absolute discretion) to terminate my employment with just 30 days notice seems unreasonable given that I would then have to navigate moving the family back to Australia, moving the boys schooling once again, prematurely ending a rental lease, moving furniture back, and finding a new role back in Australia – a process that will surely take more than 30 days to complete.

- iv. There is also the very real political dimension for my job security. The next state election is in March 2023, which would be 20 months into my 36 month tenure. If the people of NSW saw fit to make a change at that time, and the incoming administration decided to terminate me or my role for no reason associated with my performance (but rather because I was seen as aligned with the current government or because they wanted someone else in the role), to be left with 30 days notice and no entitlement to redundancy (the contract specifies this kicks in after 24 months) would be unreasonable. I recall discussing this topic with Kate Carnell when she had a 5 year term as the Commonwealth Small Business Ombudsman and it looked as though a Shorten Govt would happen half way through her term (remembering she was a former Liberal Chief Minister), and she told me that her employment contract required the rest of her term to be paid out if it was terminated for no good cause (ie political reasons).
- v. Given all of the above, I would ask for (i) a mutual 90 day notice period and (ii) for the payout of the remaining term of the contract if my employment is terminated without cause as a result of or subsequent to a change of government.
 - c. Clause 13.2 – for my 90 day induction period in Sydney, will the govt pay my 10% super into my SMSF or into my Care Super account?
 - d. Clause 13.3 – how will such out of pocket expenses be managed in reality eg will I be issued a credit card or will I take out a dedicated credit card for govt expenses and have it paid once each month? I envisage I will need to incur travel expenses (eg trains), taxis, entertainment for prospective investors etc? This doesn't need any contractual amendment but I am just capturing questions raised by the documents.
 - e. Clause 16.3 refers to equipment provided by the Employer – I assume I will be provided with a mobile phone, laptop etc but given I will likely be working from a home office for some of the time (especially given time zone differences) will I be able to set up a home office (eg printer) and have WIFI reimbursed ?
 - f. Schedule A Clause 3.2.2 – in all of my discussions with the Deputy Premier and other senior govt execs over the past 5 months or so, it was accepted that I would travel over to the UK later this year, set up the office and get everything settled and then I would need to come back to Australia to pack up the family and move them over

when it was the right time for changing schools etc. I am assuming that this will be a work trip back and that quarantine costs (if it is still hotel by then) will be covered?

- g. Schedule A Clause 4.2 – in my discussions with Deloitte I was told by the UK execs on the call that the normal annual leave period each year for executives (and indeed most employees in the UK) is 25 days. It was made clear to me that my leave arrangements would be governed by UK conditions (and Clause 12.1 of the contract makes that clear for public holidays) and that I should expect to have 25 days of leave each year. As a final point on this, there are 8 public holidays each year in the UK and 13 in NSW, so the extra 5 days of annual leave would be to ensure the same total amount of leave each year as NSW govt staff.
- h. Schedule A Clause 8.3 – could I please have some more information about what this private medical insurance is?
- i. Schedule A Clause 9.7 – Could this please be amended to say “salary and allowances as per Clause 2 of the contract” to avoid any doubt.

2. Letter – Relocation Benefits

- a. My prime request here is for the ability to hold some of this \$60k relocation money in reserve for our return to Australia at the end of the 3 year term. We will need flights home and to bring back furniture etc so I am keen to hold some back to cover this. For example, we might spend \$45k all up on the move over and then have \$15k reserved to bring us all home at the end.
- b. I would be grateful if we could also clarify that the Relocation Allowance could be used to cover:
 - i. Costs associated with packing up our home for the move;
 - ii. Costs associated with taking one of our cars over in a container
 - iii. Car hire when we arrive whilst we wait for ours to arrive (can take 40 days)
 - iv. One off school enrolment fees / uniforms (neither of which we would have to incur but for the move)

That seems to be the list of matters raised by both documents.

I look forward to hearing from you in the next few days and would be very pleased to discuss any or all of these matters on the phone if that makes it easier.

Kind regards

Stephen

From: [Evelina Polura](#)

Sent: Thursday, 8 July 2021 6:47 PM

To: ['Stephen Cartwright'](#)

Cc: [Jenny West](#)

Subject: RE: Confidential: Draft Agreement - AG London

Hi Stephen,

Thanks for your follow up and sincere apologies for the delay in getting a draft of your employment agreement to you. I have considered emailing you each day this week to advise of the delay, but then each time thought I would be in a position to send it the following morning, and hence there seemed little point. As it turns out it didn't eventuate until today.

However I am glad to finally be able to provide you with both a draft of the employment agreement and relocation side letter for your review.

Thanks for your patience and bearing with us whilst we sorted out the remaining aspects and details.

Kind regards,

Evelina Polura | HR Business Partner
Investment NSW
52 Martin Place, Sydney NSW 2000

investment.nsw.gov.au



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NSW**

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My workdays are: Mon | Tues | Wed | Thurs | Fri

From: Stephen Cartwright
Sent: Thursday, 8 July 2021 10:32 AM
To: Jenny West
Cc: Evelina Polura
Subject: Re: Confidential: Start Date - AG London
Thanks Jenny - that's great.
Kind regards
Stephen

Sent from my iPhone

On 8 Jul 2021, at 10:16 am, Jenny West

wrote:

I spoke to Evelina yesterday and she was aiming to get it to you today.
Evelina – can you please confirm
Thanks Jenny

From: Stephen Cartwright
Sent: Thursday, 8 July 2021 10:07 AM
To: Evelina Polura
Cc: Jenny West
Subject: Fwd: Confidential: Start Date - AG London
Good morning Evelina
Further to our email exchange below, I am just checking on the likely timing for the provision of the draft contract?
I look forward to hearing from you.
Kind regards
Stephen.

Sent from my iPhone

Begin forwarded message:

From: Stephen Cartwright
Date: 28 June 2021 at 1:06:06 pm AEST
To: Evelina Polura

Jenny West

Subject: RE: Confidential: Start Date - AG London

Hi Evelina
Thank you for your email below.

I totally understand the challenges associated with preparing the draft contract and I look forward to receiving it later this week.

I look forward to working with you from 26 July onwards.

Kind regards

Stephen

Sent from [Mail](#) for Windows 10

From: [Evelina Polura](#)

Sent: Friday, 25 June 2021 1:40 PM

To: [Stephen Cartwright](#); [Jenny West](#)

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Also due to our change of IT systems from Treasury to Investment NSW we will all be offline from 6pm tonight until some time on Monday morning, so I look forward to being in touch with you again next week. Have a great weekend.

Kind regards,

Evelina Polura | HR Business Partner

Investment NSW

52 Martin Place, Sydney NSW 2000

investment.nsw.gov.au

<image001.png>

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Sent: Tuesday, 22 June 2021 10:55 AM

To: Jenny West

Cc: Amy Brown

Evelina Polura

Tim Bayl

Lisa Braid

Subject: RE: Confidential: Start Date - AG London

Jenny,

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Kind regards

Stephen

Sent from [Mail](#) for Windows 10

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Sent: Monday, 21 June 2021 11:03 AM

To: [Stephen Cartwright](#)

Cc: [Amy Brown](#); [Evelina Polura](#); [Tim Bayl](#); [Lisa Braid](#)

Subject: Confidential: Start Date - AG London

Stephen,

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Unfortunately, due to the number of Ministerial Office sign offs; additional sign offs required in Investment NSW and availability of the Premier the AG paperwork will now not be going up to Cabinet for final endorsement until 19th July. We will then have to get the Governors sign-off that week so your official start date will now be Monday 26th July. I sincerely apologise for the delay in this endorsement but unfortunately in Government sometimes the processes take this long. In the interim (as discussed) I have asked Evelina to send you a DRAFT contract but we will not be able to provide you with the final contract until Cabinet endorsement. Please reach out if you have any questions in regard to the above.

Thanks Jenny

<image002.png>

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RE: Confidential: Draft Agreement - AG London

From: Leah Lambert
To: Jenny West
Date: Tue, 13 Jul 2021 12:06:12 +1000

Sure, will try.

Kind regards,
Leah

Leah Lambert | Executive Assistant to Jenny West
Office of the Deputy Secretary, Trade | Investment NSW
Level 9, 52 Martin Place, Sydney NSW 2000

investment.nsw.gov.au



**Investment
NSW**

I acknowledge and pay my respects to the traditional owners and custodians on whose land I walk, work and live.

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My workdays are: Mon | Tue | Wed | Thu | Fri

From: Jenny West
Sent: Tuesday, 13 July 2021 12:06 PM
To: Leah Lambert
Subject: RE: Confidential: Draft Agreement - AG London

Can we get this call in Wed or Thursday even if I need to cancel another meeting – it is urgent

From: Leah Lambert
Sent: Tuesday, 13 July 2021 11:45 AM
To: Jenny West
Subject: RE: Confidential: Draft Agreement - AG London

Thanks Jenny, I have reached out to Alicia to confirm Amy's availability. Are you open to a call on Friday? Your diary this week is already full.

Kind regards,
Leah

Leah Lambert | Executive Assistant to Jenny West
Office of the Deputy Secretary, Trade | Investment NSW
Level 9, 52 Martin Place, Sydney NSW 2000

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From: Jenny West
Sent: Tuesday, 13 July 2021 11:23 AM
To: Leah Lambert
Subject: RE: Confidential: Draft Agreement - AG London

Stephen, Amy and myself

From: Leah Lambert
Sent: Monday, 12 July 2021 5:34 PM
To: Jenny West
Subject: RE: Confidential: Draft Agreement - AG London

Hi Jenny,

Is Stephen joining the catch up, or is it just between you and Amy?

Kind regards,
Leah

Leah Lambert | Executive Assistant to Jenny West
Office of the Deputy Secretary, Trade | Investment NSW
Level 9, 52 Martin Place, Sydney NSW 2000

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From: Jenny West
Sent: Monday, 12 July 2021 5:23 PM
To: Stephen Cartwright
Cc: Amy Brown

Kristy Manton

Leah Lambert

Alexandra Engel
Subject: Confidential: Draft Agreement - AG London

Stephen

I am just writing to provide some initial feedback and we are looking into the other areas that you have requested more detail on – **see my comments below in BLUE**

I am also going to get Leah to organise a catch up with Amy and myself this week so we can discuss what you can or cannot do as a Public Servant so you are clear prior to signing the contract.

We would much prefer there are no misunderstandings on either side prior to finalising the details.

I have HR currently reviewing your other queries. Kristy – can you please follow up on the other areas as discussed.

Thanks,

Jenny

Jenny West | Deputy Secretary Trade & International
Investment NSW
Level 35, 52 Martin Place, Sydney NSW 2000

investment.nsw.gov.au



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In summary, these are my observations:

1. Draft Contract of Employment

- a. Page 4 – The table says TBA re UK office location – is this still to be Australia House or could it be somewhere else ? **It will be Australia House – this is confirmed. We have already signed a lease.**
- b. Clause 10.4 requires the Employee to give 90 days notice of termination (except at the end of the contract) but Clause 9.1 of Schedule A only requires the Employer to give 30 days notice. My observations on this are as follows:
 - i. In the private sector, someone employed at my level would be entitled to at least 90 days notice (other than at the end of the term or for reasons set out in Schedule A 9.2) but more commonly 6 months notice.
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involves asking my two boys to change schools (which will be very disruptive for them) and asking my wife to leave behind her elderly parents. To give my Employer an unfettered contractual right (ie no valid reason required and at the Employer's absolute discretion) to terminate my employment with just 30 days notice seems unreasonable given that I would then have to navigate moving the family back to Australia, moving the boys schooling once again, prematurely ending a rental lease, moving furniture back, and finding a new role back in Australia – a process that will surely take more than 30 days to complete.

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v. Given all of the above, I would ask for (i) a mutual 90 day notice period and (ii) for the payout of the remaining term of the contract if my employment is terminated without cause as a result of or subsequent to a change of government.

- c. Clause 13.2 – for my 90 day induction period in Sydney, will the govt pay my 10% super into my SMSF or into my Care Super account?
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From a Government perspective there are some very clear guidelines around 'Gifts and Benefits' – you need to declare on the Gifts and Benefits Register anything above A\$50

In addition to this the Post has a Budget for Trade and Investment initiatives however unlike the private sector you do not get a personal entertainment budget.

Due to Government expectations regarding expenditure on representation, Representation and Entertainment activities can be undertaken when it will enhance NSW's interests through making key contacts and improving the quality of relationships for Trade and Investment outcomes. All representation or entertainment expenditure must be approved by the appropriate delegate (we can provide the Delegations for your level in due course). All Representation and Entertainment expenditure must be incurred and consistent with responsibilities to manage public resources efficiently, effectively and ethically and adhere to NSW Government Guidelines.

Note: In terms of significant events and activities these will be managed through the London Office Marketing Budget. I hope this clarifies things for you.

- e. Clause 16.3 refers to equipment provided by the Employer – I assume I will be provided with a mobile phone, laptop etc but given I will likely be working from a home office for some of the time (especially given time zone differences) will I be able to set up a home office (eg printer) and have WIFI reimbursed ?
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Kind regards

Stephen

From: [Evelina Polura](#)

Sent: Thursday, 8 July 2021 6:47 PM

To: ['Stephen Cartwright'](#)

Cc: [Jenny West](#)

Subject: RE: Confidential: Draft Agreement - AG London

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Thanks for your follow up and sincere apologies for the delay in getting a draft of your employment agreement to you. I have considered emailing you each day this week to advise of the delay, but then each time thought I would be in a position to send it the following morning, and hence there seemed little point. As it turns out it didn't eventuate until today.

However I am glad to finally be able to provide you with both a draft of the employment agreement and relocation side letter for your review.

Thanks for your patience and bearing with us whilst we sorted out the remaining aspects and details.

Kind regards,

Evelina Polura | HR Business Partner
Investment NSW

52 Martin Place, Sydney NSW 2000

investment.nsw.gov.au



**Investment
NSW**

Investment NSW believes in 'all roles flex'. I work flexibly. I am sending this message now because it's a good time for me, but I don't expect that you will read, respond or action it outside of your own regular hours.

My workdays are: Mon | Tues | Wed | Thurs | Fri

From: Stephen Cartwright
Sent: Thursday, 8 July 2021 10:32 AM
To: Jenny West
Cc: Evelina Polura
Subject: Re: Confidential: Start Date - AG London

Thanks Jenny - that's great.

Kind regards

Stephen

Sent from my iPhone

On 8 Jul 2021, at 10:16 am, Jenny West wrote:

I spoke to Evelina yesterday and she was aiming to get it to you today.

Evelina – can you please confirm

Thanks Jenny

From: Stephen Cartwright
Sent: Thursday, 8 July 2021 10:07 AM
To: Evelina Polura
Cc: Jenny West
Subject: Fwd: Confidential: Start Date - AG London

Good morning Evelina

Further to our email exchange below, I am just checking on the likely timing for the provision of the draft contract?

I look forward to hearing from you.

Kind regards

Stephen.

Sent from my iPhone

Begin forwarded message:

From: Stephen Cartwright
Date: 28 June 2021 at 1:06:06 pm AEST
To: Evelina Polura

Jenny West

Subject: RE: Confidential: Start Date - AG London

Hi Evelina

Thank you for your email below.

I totally understand the challenges associated with preparing the draft contract and I look forward to receiving it later this week.

I look forward to working with you from 26 July onwards.

Kind regards

Stephen

Sent from [Mail](#) for Windows 10

From: [Evelina Polura](#)
Sent: Friday, 25 June 2021 1:40 PM
To: [Stephen Cartwright](#); [Jenny West](#)
Subject: RE: Confidential: Start Date - AG London

Hi Stephen,

My way of introduction, I'm Evelina Polura the HR business partner leading the Investment NSW global expansion, and I will be your main point of contact from an HR perspective and look forward to meeting you soon.

However by way of apology I'd like to say sorry that the draft contract which I was hoping to provide to you by the end of this week, now won't be coming your way until mid-next week.

We are working with our legal advisors to complete our UK contract for your specific details and circumstances, albeit in draft only at this stage, and expect to finalise this in the first few days of next week and send to your for your perusal as soon as this is complete.

Also due to our change of IT systems from Treasury to Investment NSW we will all be offline from 6pm tonight until some time on Monday morning, so I look forward to being in touch with you again next week. Have a great weekend.

Kind regards,

Evelina Polura | HR Business Partner
Investment NSW
52 Martin Place, Sydney NSW 2000

investment.nsw.gov.au

<image001.png>

Investment NSW believes in 'all roles flex'. I work flexibly. I am sending this message now because it's a good time for me, but I don't expect that you will read, respond or action it outside of your own regular hours.

My workdays are: Mon | Tues | Wed | Thurs | Fri

From: Stephen Cartwright
Sent: Tuesday, 22 June 2021 10:55 AM
To: Jenny West
Cc: Amy Brown; Evelina Polura; Tim Bayl
Lisa Braid
Subject: RE: Confidential: Start Date - AG London

Jenny,

Thank you for letting me know.

I look forward to receiving the draft contract in due course, and to finally starting on 26 July.

Kind regards

Stephen

Sent from [Mail](#) for Windows 10

From: [Jenny West](#)
Sent: Monday, 21 June 2021 11:03 AM
To: [Stephen Cartwright](#)
Cc: [Amy Brown](#); [Evelina Polura](#); [Tim Bayl](#); [Lisa Braid](#)
Subject: Confidential: Start Date - AG London

Stephen,

As promised, I wanted to come back to you as soon as we found out this morning in regards to timings for Cabinet Endorsement of your role and start date.

Unfortunately, due to the number of Ministerial Office sign offs; additional sign offs required in Investment NSW and availability of the Premier the AG paperwork will now not be going up to Cabinet for final endorsement until 19th July. We will then have to get the Governors sign-off that week so your official start date will now be Monday 26th July

I sincerely apologise for the delay in this endorsement but unfortunately in Government sometimes the processes take this long.

In the interim (as discussed) I have asked Evelina to send you a DRAFT contract but we will not be able to provide you with the final contract until Cabinet endorsement.

Please reach out if you have any questions in regard to the above.

Thanks Jenny

<image002.png>

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RE: Confidential - Responses to outstanding contract items

From: Chris Carr
To: Stephen Cartwright
Date: Sat, 17 Jul 2021 17:35:06 +1000

Thanks Stephen. In terms of managing expectations on timing, I am awaiting confirmation regarding the UK redundancy entitlements wording to reflect the principles agreed. Given the time difference, I think that it's more likely you'll get something tomorrow, rather than tonight. I've chased the UK lawyers this evening. I didn't want you waiting too long this evening.

Kind regards

Chris

Chris Carr, General Counsel
Investment NSW
52 Martin Place, Sydney NSW 2000

investment.nsw.gov.au



**Investment
NSW**

From: Stephen Cartwright
Sent: Saturday, 17 July 2021 4:10 PM
To: Chris Carr
Cc: Jenny West
Amy Brown
Kristy Manton
Subject: Re: Confidential - Responses to outstanding contract items

Hi Chris

I am sorry to hear that you have suffered a power outage - the weather is certainly wild this weekend!

Thank you (and Amy/Jenny/Kristy) for dealing with each of my concerns - I sincerely appreciate it.

I am satisfied with the responses provided in your email below and am now happy to execute a contract once it and the relevant side letters have been amended to reflect these.

I note that my concern re the last item was around ensuring full pay during any period of pay in lieu of notice, and not just garden leave, but I assume the side letter will cover both circumstances.

Accordingly, I look forward to exciting the contract before the Monday morning deadline so that Cabinet can consider and approve the appointment.

lieu of notice) minus the amount of weeks' compensation you are entitled to under the UK redundancy scheme (worded properly to reflect the legislation). We believe that this is fair and that it addresses your concerns.

6. Re my return flight home and back again later in the year or early next year to help the family pack up and travel over – if I am not travelling back for business reasons then I assume my flights can be covered by the relocation fund as this is the reason for the travel?

Investment NSW Response: As discussed, we will amend the agreement to permit for this to be part of the relocation fund and give you some flexibility on how you relocate your family.

7. Re annual leave – I am still confused about this. A receptionist working 9-5 Mon-Fri for Investment NSW in Sydney would enjoy 33 days of leave (20 annual and 13 public holidays) each year, but a senior executive working and travelling away from home at all hours of the day and night and on weekends as required by the job will only enjoy 28 days? Perhaps we can discuss further later today?

Investment NSW Response: We have discussed the rationale with you and you have agreed to leave the contract wording as is.

9. Re Sch A Clause 9.7 – the contract currently provides the payment of “gross salary only” for pay in lieu of notice whereas in 9.3 for garden leave it stipulates “full salary and other contractual benefits”. As my salary is broken up into base plus allowances I am just asking for the contract to be clear that pay in lieu of notice is the full salary (ie base and allowances).

Investment NSW Response: This will be addressed in the side letter on the basis that the amount will be pro rated across any garden leave period against the current year when the gardening leave occurs. It will still be subject to the conditions of the side letter.

10. Thank you for agreeing to allow any unused portion of the \$60k relocation fund to be available to cover moving back (other than for summary dismissal). Once again, however, I don't understand why this would also not apply in the case of redundancy as it would be through no fault of mine (probably a change in govt policy about having such a role) and therefore the cost of moving the family back is exactly the same as termination without cause. Perhaps we can discuss this again this afternoon?

Investment NSW Response: In the case of a redundancy, you will be entitled to use the balance (if any) of the \$60,000 relocation fund for a relocation back to Australia, on the basis that the costs incurred in such a relocation are paid by you at your expense and not by a third party. We will amend to reflect this position in the agreement.

I appreciate that these points are now getting into the finer details of the agreement, so if you'd like to discuss further, please let me know.

Kind regards

Chris

Chris Carr, General Counsel
Investment NSW
52 Martin Place, Sydney NSW 2000

investment.nsw.gov.au

<image003.png>

FW: Confidential: Follow Up on Contract Queries

From: Chris Carr
To: Kristy Manton
Evelina Polura
Cc: Richelle Kumar
Date: Sun, 18 Jul 2021 09:16:30 +1000
Attachments: Investment NSW - UK AG Relocation letter - with amendments.docx (823.78 kB)
:

Hi all

I've made some further tweaks to the side letter to reflect the agreed position – eg we need to allow the inclusion of quarantine costs if he returns to collect his family. In reality if he burns through the \$60k like that – which he will - then so be it. It won't cost the state any more and is clearly part of the relocation. I've also left it jurisdiction neutral in that the UK may impose those costs too, in which case he should be able to include them as part of that.

If these changes are ok, please can we get this formatted (including updated dates as at today's date) and ready in clean version ready to be sent.

Kind regards

Chris

Chris Carr, General Counsel
Investment NSW
52 Martin Place, Sydney NSW 2000

investment.nsw.gov.au



**Investment
NSW**

From: Evelina Polura
Sent: Friday, 16 July 2021 3:58 PM
To: Kristy Manton

Chris Carr

Subject: RE: Confidential: Follow Up on Contract Queries

Hi Chris,

Kristy and I have gone through and drafted the suggested changes in both the agreement and the relocation letter and attached here with tracked changes.

I still want to get HSF to double check and give feedback on the suggested wording around notice periods and payment during gardening leave or annual leave payout, as much for consistency of tone and terminology as for local legal compliance, so will make sure they do that by Monday.

In the meantime you could either email him the proposed changes, send him the amended draft advising it's not finalised (I don't think it's in good enough shape for that just yet) or just talk him through these changes, up to you.

Please let me know if you need anything else from us at this stage.

Regards,

Evelina Polura | HR Business Partner
Investment NSW
52 Martin Place, Sydney NSW 2000

investment.nsw.gov.au



**Investment
NSW**

Investment NSW believes in 'all roles flex'. I work flexibly. I am sending this message now because it's a good time for me, but I don't expect that you will read, respond or action it outside of your own regular hours.

My workdays are: Mon | Tues | Wed | Thurs | Fri

From: Kristy Manton
Sent: Thursday, 15 July 2021 5:32 PM
To: Evelina Polura

Chris Carr

Subject: FW: Confidential: Follow Up on Contract Queries

Hey both

Im taking a look at these now. Should we do what we did the other day and do a quick call?

Chris- we will then need to agree on how we approach this in our conversation with Stephen

K

From: Jenny West
Sent: Thursday, 15 July 2021 4:26 PM
To: Stephen Cartwright
Cc: Amy Brown

Kristy Manton

Chris Carr

Subject: Re: Confidential: Follow Up on Contract Queries

Stephen

Thanks for your additional comments.

Kristy can you please review with Chris and arrange a time with Stephen to go through the finer details

Thanks Jenny

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From: Stephen Cartwright
Sent: Thursday, July 15, 2021 3:32:14 PM
To: Jenny West
Cc: Amy Brown
Subject: RE: Confidential: Follow Up on Contract Queries

Jenny,

Thank you for your email below, and for responding to each of my questions / concerns.

I look forward to discussing some of these further with you and Amy later today, but provide the following as a guide to those matters which I would still like to discuss:

1. Thanks re office location – that is great.
2. Thank you for agreeing to a 90 day notice period for reasons other than end of contract or summary dismissal – these both make sense and I fully accept that the State cant be bound to longer notice periods in such circumstances. However, the issue of redundancy is less clear. I admit that I don't know what statutory notice period and payments apply in such circumstances but I think I recall the contract specifying that redundancy entitlements only apply after 2 years of service. So, although you (or Chris maybe) refer to a "hypothetical" change in government in 16 months time, this is a very real consideration. If an incoming government decided to make the role redundant (as the Fahey Government did back in the 90s) then as far as I can determine I would be in the very situation that I am concerned about – 1 month notice, no redundancy entitlement, a residential lease and kids mid way though a school year. Perhaps we can discuss exactly what the notice / payments are in a redundancy situation after 16 months when we have our call this afternoon?
3. Thanks re the super whilst I am here in NSW – I understand.
4. Thanks for the explanation re expenses / entertainment etc – I am sure I will get my head around it all in due course.
5. Thanks re home office – I understand.
6. Re my return flight home and back again later in the year or early next year to help the family pack up and travel over – if I am not travelling back for business reasons then I assume my flights can be covered by the relocation fund as this is the reason for the travel?
7. Re annual leave – I am still confused about this. A receptionist working 9-5 Mon-Fri for Investment NSW in Sydney would enjoy 33 days of leave (20 annual and 13 public holidays) each year, but a senior executive working and travelling away from home at all hours of the day and night and on weekends as required by the job will only enjoy 28 days? Perhaps we can discuss further later today?
8. Thanks re further details on medical insurance
9. Re Sch A Clause 9.7 – the contract currently provides the payment of "gross salary only" for pay in lieu of notice whereas in 9.3 for garden leave it stipulates "full salary and other contractual benefits". As my salary is broken up into base plus allowances I am just asking for the contract to be clear that pay in lieu of notice is the full salary (ie base and allowances).
10. Thank you for agreeing to allow any unused portion of the \$60k relocation fund to be available to cover moving back (other than for summary dismissal). Once again, however, I don't understand why this would also not apply in the case of redundancy as it would be through no fault of mine (probably a change in govt policy about having such a role) and therefore the cost of moving the family back is exactly the same as termination without cause. Perhaps we can discuss this again this afternoon?
11. As for relocating our car, I am a little confused as to why this is any different to household furniture. Both go in shipping containers and both are being transported to avoid having to buy expensive replacements for a short term contract. Perhaps we can discuss this afternoon?
12. Thank you re the car hire.
13. I understand re the schooling costs.

I am pleased that we have narrowed down the remaining items to be discussed and I look forward to executing an agreed contract very soon to enable the agreed start date of 26 July.

I look forward to our call later today.

Kind regards

Stephen

Sent from [Mail](#) for Windows 10

From: [Jenny West](#)
Sent: Thursday, 15 July 2021 1:57 PM
To: [Stephen Cartwright](#)
Cc: [Amy Brown](#); [Chris Carr](#); [Kristy Manton](#)
Subject: Confidential: Follow Up on Contract Queries

Stephen,

HR and Legal have kindly reviewed the contract and we have provided feedback to assist with your concerns / queries.

Amy and I can discuss this and any other questions you may have when we catch up later this afternoon.

Jenny

1. Draft Contract of Employment

- a. Page 4 – The table says TBA re UK office location – is this still to be Australia House or could it be somewhere else ? It will be Australia House – this is confirmed. We have already signed a lease.
- b. Clause 10.4 requires the Employee to give 90 days notice of termination (except at the end of the contract) but Clause 9.1 of Schedule A only requires the Employer to give 30 days notice. My observations on this are as follows:
 - i. In the private sector, someone employed at my level would be entitled to at least 90 days notice (other than at the end of the term or for reasons set out in Schedule A 9.2) but more commonly 6 months notice. The clause at 9.1 refers to notice at the end of the contract term and that is the 30 days' notice as the State will not want to be in a position where a notice period is required to extend beyond the term originally agreed. In recognising your concerns, we will include a reference to a 90 day employer notice period if the termination is for reasons other than end of term, summary dismissal or redundancy (where the applicable statutory notice period and payments will apply). As you will appreciate, the state cannot accept a position where any of those reasons prevent us from a shorter notice period.
 - ii. The accepted practice is also for the notice periods to be the same on either side. Without going into too much detail on this, the need for the distinctions above relate to the reality that the state cannot be required to retain an employment relationship where one of

those items are triggered. We hope that by providing a reciprocal 90 day notice period for all other termination reasons, this gives you comfort.

- iii. My situation is unlike most other executives employed by the NSW Govt in that I am relocating my family to the other side of the world in order to serve the people of NSW. This involves asking my two boys to change schools (which will be very disruptive for them) and asking my wife to leave behind her elderly parents. To give my Employer an unfettered contractual right (ie no valid reason required and at the Employer's absolute discretion) to terminate my employment with just 30 days notice seems unreasonable given that I would then have to navigate moving the family back to Australia, moving the boys schooling once again, prematurely ending a rental lease, moving furniture back, and finding a new role back in Australia – a process that will surely take more than 30 days to complete. We believe that the amendment noted above addresses these concerns.
- iv. There is also the very real political dimension for my job security. The next state election is in March 2023, which would be 20 months into my 36 month tenure. If the people of NSW saw fit to make a change at that time, and the incoming administration decided to terminate me or my role for no reason associated with my performance (but rather because I was seen as aligned with the current government or because they wanted someone else in the role), to be left with 30 days notice and no entitlement to redundancy (the contract specifies this kicks in after 24 months) would be unreasonable. I recall discussing this topic with Kate Carnell when she had a 5 year term as the Commonwealth Small Business Ombudsman and it looked as though a Shorten Govt would happen half way through her term (remembering she was a former Liberal Chief Minister), and she told me that her employment contract required the rest of her term to be paid out if it was terminated for no good cause (ie political reasons). We believe the above amendment addresses most of these concerns. The decisions and employment arrangements of Commonwealth agencies are matters for the Commonwealth to determine. As part of the expansion of the global NSW network, we are committed to long term, sustainable office establishments. We however, are not building into our arrangements or appointments political carve outs for hypothetical changes in government. This approach is being taken consistently for all senior positions abroad and we won't be deviating from that as it would be inappropriate to do so.
- v. Given all of the above, I would ask for (i) a mutual 90 day notice period and (ii) for the payout of the remaining term of the contract if my employment is terminated without cause as a result of or subsequent to a change of government. In respect of (i), we believe that the amendments and comments above address this request. On (ii) please see our comments in relation to question (iv) immediately above – we cannot agree to that request.

- c. Clause 13.2 – for my 90 day induction period in Sydney, will the govt pay my 10% super into my SMSF or into my Care Super account? While in NSW we will pay your superannuation into a complying superannuation fund as nominated by you. Importantly, please note that you are on a Total Remuneration Package (TRP) and the amount payable into superannuation will be up to the cap (\$23,568 per annum, being the effective rate from 1 July 2021) rather than the 10% figure you refer to. Any amounts above this cap would need to be salary sacrificed line with ATO advice.

Clause 13.3 – how will such out of pocket expenses be managed in reality eg will I be issued a credit card or will I take out a dedicated credit card for govt expenses and have it paid once each month? I envisage I will need to incur travel expenses (eg trains), taxis, entertainment for prospective investors etc? This doesn't need any contractual amendment but I am just capturing questions raised by the documents. You will be given a Government P Card and your flights / accommodation for travel will be covered as well as a meal allowance.

From a Government perspective there are some very clear guidelines around 'Gifts and Benefits' – you need to declare on the Gifts and Benefits Register anything above A\$50

In addition to this the Post has a Budget for Trade and Investment initiatives however unlike the private sector you do not get a personal entertainment budget.

Due to Government expectations regarding expenditure on representation, Representation and Entertainment activities can be undertaken when it will enhance NSW's interests through making key contacts and improving the quality of relationships for Trade and Investment outcomes. All representation or entertainment expenditure must be approved by the appropriate delegate (we can provide the Delegations for your level in due course). All Representation and Entertainment expenditure must be incurred and consistent with responsibilities to manage public resources efficiently, effectively and ethically and adhere to NSW Government Guidelines.

Note: In terms of significant events and activities these will be managed through the London Office Marketing Budget. I hope this clarifies things for you.

- d. Clause 16.3 refers to equipment provided by the Employer – I assume I will be provided with a mobile phone, laptop etc but given I will likely be working from a home office for some of the time (especially given time zone differences) will I be able to set up a home office (eg printer) and have WIFI reimbursed? An Investment NSW mobile phone and laptop will be issued to you. However, the NSW government does not provide other home office equipment or set up such as printers, etc and does not reimburse for home WIFI or associated internet costs.

- e. Schedule A Clause 3.2.2 – in all of my discussions with the Deputy Premier and other senior govt execs over the past 5 months or so, it was accepted that I would travel over to the UK later this year, set up the office and get everything settled and then I would need to come back to Australia to pack up the family and move them over when it was the right time for changing schools etc. I am assuming that this will be a work trip back and that quarantine costs (if it is still hotel by then) will be covered? We cannot agree to consider this as a business trip, since any decision for you to return to Australia due to the relocation of your family is a personal one. We therefore cannot cover the cost of flights, quarantine or other items for such a trip. However, should a business trip back to Australia be genuinely required at a time that aligns with this relocation, the costs of your travel would be covered in line our business travel policies. As always there would however be a natural risk that such a trip could be cancelled or that the timing of such Business travel does not align with your personal/family requirements.
- f. Schedule A Clause 4.2 – in my discussions with Deloitte I was told by the UK execs on the call that the normal annual leave period each year for executives (and indeed most employees in the UK) is 25 days. It was made clear to me that my leave arrangements would be governed by UK conditions (and Clause 12.1 of the contract makes that clear for public holidays) and that I should expect to have 25 days of leave each year. As a final point on this, there are 8 public holidays each year in the UK and 13 in NSW, so the extra 5 days of annual leave would be to ensure the same total amount of leave each year as NSW govt staff. The reference to a minimum of 25 days leave includes both annual leave and bank/statutory holidays. NSW public holidays are not recognised for our offshore employees. As well as providing 28 days rather than this minimum 25 day figure, to ensure consistency and parity across our global network we also allow annual leave entitlements to carry over from year to year (up to a maximum of 30 days) which is not common practice in the UK but is an added benefit for our offshore employees.
- g. Schedule A Clause 8.3 – could I please have some more information about what this private medical insurance is? We are still awaiting advice on details of medical insurance. Details will be provided as soon as they are available.
- h. Schedule A Clause 9.7 – Could this please be amended to say “salary and allowances as per Clause 2 of the contract” to avoid any doubt. We are unable to find this reference in Schedule A Clause 9.7.

2. Letter – Relocation Benefits

- a. My prime request here is for the ability to hold some of this \$60k relocation money in reserve for our return to Australia at the end of the 3 year term. We will need flights home and to bring back furniture etc so I am keen to hold some back to cover this. For example, we might spend \$45k all up on the move over and then have \$15k reserved to bring us all home at the end. We can agree to allow any unused balance of the relocation expense budget to be used for **your** relocation back to Australia if the termination reason is the end of the employment term or termination by Investment NSW for reasons other than summary dismissal or redundancy where the applicable statutory notice period and payments will apply.
- b. I would be grateful if we could also clarify that the Relocation Allowance could be used to cover:
 - i. Costs associated with packing up our home for the move; this is covered under the third bullet point in the Relocation side letter, which refers to "reasonable costs for relocation of the Employee and their family's household goods and other belongings".
 - ii. Costs associated with taking one of our cars over in a container We cannot allow this to be included in the relocation amount as it not considered an appropriate use of taxpayer money.
 - iii. Car hire when we arrive whilst we wait for ours to arrive (can take 40 days) We will note the inclusion of up to 30 days of car hire in the allowable relocation expenses. This will allow you time to make the necessary arrangements regarding transporation/vehicle.
 - iv. One off school enrolment fees / uniforms (neither of which we would have to incur but for the move) Any schooling related costs are included in the Allowances of \$112,950 per annum gross (which also includes ongoing housing costs and any home leave costs).

Attached is Chris's details as well for your reference

Chris Carr, General Counsel
Investment NSW
52 Martin Place, Sydney NSW 2000

investment.nsw.gov.au



**Investment
NSW**

Jenny West | Deputy Secretary Trade & International
Investment NSW
Level 35, 52 Martin Place, Sydney NSW 2000

investment.nsw.gov.au



**Investment
NSW**

Investment NSW believes in 'all roles flex'. I work flexibly. I am sending this message now because it's a good time for me, but I don't expect I you will read, respond or action it outside of your own regular hours.
My workdays are: Mon | Tues | Wed | Thurs | Fri

**RE: Confidential - Employment Offer and Side Letter
(final)**

From "chris carr"

:

To: Amy BrownJenny West
Kristy Manton**Date:** Sun, 18 Jul 2021 15:31:47 +1000

Thanks Amy. Jenny has kept me well updated along the journey and has also framed the situation completely for me. It seems that the agreement is essentially settled now – thankfully.

Chris Carr, General Counsel
Investment NSW
52 Martin Place, Svdnev NSW 2000

investment.nsw.gov.au**Investment
NSW**

From: Amy Brown**Sent:** Sunday, 18 July 2021 2:47 PM**To:** Chris Carr

Jenny West

Subject: Re: Confidential - Employment Offer and Side Letter (final)

Chris and Kristy - this is above and beyond, thank you. Jenny may have relayed that I had a long chat with our incoming Secretary on this and have much better peace of mind knowing he's across the detail.

I have every confidence that all other appointments from here-on-in will be a lot more straightforward.

Thanks again,

Amy

Amy Brown
CEO, Investment NSW

From: Chris Carr**Sent:** Sunday, July 18, 2021 2:42:55 PM**To:** Amy BrownJenny West
Kristy Manton**Subject:** FW: Confidential - Employment Offer and Side Letter (final)

Hi All

Hopefully this can be confirmed and this can then be left to Kristy/Evelina to put the docs through the system for signing. Given what's happened on this to get to this point, we should ensure a full audit trail.

Kristy

Needless to say

1. A huge thanks from me for helping out across the weekend – above and beyond really; and
2. Hopefully, fingers crossed this is now the end of it.

Chris

Chris Carr, General Counsel
Investment NSW
52 Martin Place, Sydney NSW 2000

investment.nsw.gov.au



**Investment
NSW**

From: Chris Carr
Sent: Sunday, 18 July 2021 2:40 PM
To: Stephen Cartwright
Cc: Amy Brown Jenny West
Kristy Manton
Subject: Confidential - Employment Offer and Side Letter (final)

Dear Stephen

Thank you for your patience while we worked through the finer details of your employment agreement. I attach what we now expect to be the execution copies of the employment offer and side letter. I appreciate that this has been the product of a lot of input from you and others along the way. Although every effort has been made to ensure that these documents now capture the agreed position on the list of outstanding issues you raised over recent days, if you have any questions on the final drafting, please let me know. If there are no further questions and the documents are accepted by you, please confirm that there are no further comments and we will arrange for both documents to be signed.

Kind regards

Chris

Chris Carr, General Counsel
Investment NSW
52 Martin Place, Sydney NSW 2000

investment.nsw.gov.au



**Investment
NSW**

Fwd: Pay slip

From: Jenny West
To: Kristy Manton
Date: Mon, 09 Aug 2021 16:57:54 +1000
Get [Outlook for iOS](#)
From: Stephen Cartwright
Sent: Monday, August 9, 2021 4:56:13 PM
To: Jenny West
Subject: FW: Pay slip

Hi Jenny

Could I please add this item to the agenda for our weekly catch up meeting later this week.

I will need your guidance to help get this resolved asap.

Thanks

Stephen Cartwright OAM | NSW Agent General – UK (Designate), Senior Trade & Investment
Commissioner – Europe & Israel
Investment NSW
Level 35, 52 Martin Place, Sydney NSW 2000



**Investment
NSW**

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My workdays are: Mon | Tues | Wed | Thurs | Fri

From: Stephen Cartwright
Sent: Friday, 6 August 2021 3:37 PM
To: Kristy Manton
Cc: Jenny West <j
Subject: RE: Pay slip

Thanks Kristy

If this is right (and I must admit it has caught me by surprise given the artificial nature of the way my package has been structured) then can you please confirm that the pro-rata application of the \$113k pa allowances will apply from the time I arrive in the UK but calculated to ensure that I get the same amount by 30 June ie:

- If the allowances were paid each fortnight from my start date it would have been \$113 x 11/12 = \$103.58k by 30 June.

- Accordingly, if it is only to be paid from say 1 November then it should be \$14,797 per month for the last 7 months of the year to ensure that I receive the same \$103.58k by 30 June.

If this doesn't occur then I am being paid less than I agreed to for this year by a huge amount.

Given the design of my package was artificial to meet internal considerations, I can't imagine Jenny will allow that to happen.

Please let me know.

Thanks

Stephen Cartwright OAM | NSW Agent General – UK (Designate), Senior Trade & Investment
Commissioner – Europe & Israel
Investment NSW
Level 35, 52 Martin Place, Sydney NSW 2000



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From: Kristy Manton
Sent: Friday, 6 August 2021 3:13 PM
To: Stephen Cartwright
Cc: Jenny West <jenny.west@investmentnsw.gov.au>
Subject: RE: Pay slip

Hey Stephen

Happy Friday!!

Thanks for your patience with this one.

I have looked at your contract and also the background on this particular arrangement.

In accordance with 5.3 of your contract....

5.3 Once the Employee relocates to the UK, and the Onboarding Term cease's:
5.3.3

The Allowances referred to in Clause 2 of this Agreement shall include payments in respect of schooling, housing and home leave flight allowances. No further payments in respect of such matters will be payable to the Employee as expenses or otherwise. Such allowance payments will be subject to all necessary deductions for income tax and applicable social security payments".

In accordance with your contract, these allowances are not payable during your onboarding period (clause 5.2 refers only to salary) in Australia and kick in once you are in the UK. This arrangement is being applied consistently to all Senior Trade and Investment Commissioners.

Please let me know if you need any further information

Kristy

Kristy Manton | Director People & Culture
Investment NSW
Level 35, 52 Martin Place, Sydney NSW 2000

investment.nsw.gov.au



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From: Stephen Cartwright
Sent: Thursday, 5 August 2021 12:14 PM
To: Kristy Manton
Cc: Jenny West
Subject: Pay slip

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Could you please explore this for me and let me know when it can be fixed?

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Some advice please

From Jenny West

:

To: Stephen Cartwright

Kristy Manton

Cc: Chris Carr

Evelina Polura

Date: Tue, 17 Aug 2021 15:29:02 +1000

Stephen

Thanks for the catch up today and discussion.

As discussed you have almost completed all the E-Learning Modules and stakeholder meetings (organised by the Markets team) as part of your induction. Once you have completed these your induction will have finished. If you need additional meetings added we can arrange these for you as well (either while you are based in Sydney or the UK).

We are just waiting on confirmation from the UK Government on your appointment and then you will be in a position to go to the UK. As discussed, after the announcement we are happy to organise additional meetings for you if required as well.

As per Kristy's note below (and our discussion) it is up to you in terms of when you wish to go to the UK and when you relocate your family. I will leave this with you to discuss further with your wife.

Given your induction has almost been completed and a lot of the work can be done remotely and virtually (recruitment/meetings) etc. there is no business case for us to send you over to the UK and bring you back to Australia. As mentioned, my Austrade contacts in Europe and the UK have offered to assist with recruitment, our new Office Manager in the UK Lorraine can get laptops and staff on-boarded so you should be able to manage this remotely from Sydney. Alternatively, if you wish to go over earlier and have your family travel later that is your choice.

I will leave it with you to discuss what you want to do further with your family and whether you wish to remain here until they relocate or go over earlier and come back using the overall relocation budget allocated to you.

Reach out if you have any further questions or need extra clarification.

Thanks for the chat

Jenny

Jenny West | Deputy Secretary Trade & International

Investment NSW

Level 35, 52 Martin Place, Sydney NSW 2000

investment.nsw.gov.au



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From: Stephen Cartwright
Sent: Tuesday, 17 August 2021 8:26 AM
To: Kristy Manton
Cc: Chris Carr
Jenny West
Evelina Polura
Subject: RE: Some advice please

Thanks Kristy – I appreciate the responses to my questions. As I indicated, I am still trying to learn how government works as it seems that, in many ways, the decision making processes are quite different to the way the private sector works.

Given the obvious benefits for Investment NSW in having me in the UK asap recruiting the new team and establishing the new office, I am a little surprised that the decision to go or not go seems to be mine alone (and that the risk of travel seems to be mine alone). I would have expected that the decision to go or not is one that would be made collectively with Jenny and Amy based on what is best for the organisation, but I guess Jenny and I can discuss this further today in our 1-1 meeting. Just to be clear, I would be returning in mid-November to undertake the network and awareness building work with the business communities / Chambers / Industry Associations throughout NSW (something that lockdown will prevent me doing for the next few months) – this would seem to be the most sensible use of my time. However, based on your response below, it appears that one option available to me is to stay here in Sydney until January next year, so it is important to have had that confirmed by HR – thank you.

Lots to think about.

On another matter, could you please advise the details of the health insurance cover referred to in my employment contract so that I can assess what remaining cover I need to keep in place for my family?

Thanks again for your responses – I appreciate it.

Kind regards

Stephen Cartwright OAM | NSW Agent General – UK (Designate), Senior Trade & Investment
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From: Kristy Manton
Sent: Monday, 16 August 2021 6:03 PM
To: Stephen Cartwright
Cc: Chris Carr
Jenny West
Evelina Polura
Subject: FW: Some advice please

Hi Stephen

Thanks for your patience while I worked through your comments and queries.

I have had discussions with the onboarding team who arranged your onboarding and induction and they have advised that this is now at the final stages (apart from some Ministerial catch ups etc) which can be done via Teams remotely. Unfortunately due to current lockdown restrictions site visits are not possible and accordingly the Investment Attraction team is looking into virtual tours of Parkes, Wagga and Westmead Precincts for yourself and the other STICs.

Given the above, if you wish to travel to the UK earlier (mid-September) this appears to be feasible assuming all approvals, travel documents and flights can be obtained. Your onshore onboarding and induction will cease once you leave Australia for the UK.

If you chose to depart in September, your regular work in the UK will commence (although to be clear this in no way alters your probationary period). Your travel to the UK would be part of your relocation to the UK. From that point, any return travel to Australia will either be in a personal capacity or as part of official business travel.

If you chose to return to Australia in November to assist with the relocation of your family – that is a personal matter for you to decide and as such your return flight to Australia and back to the UK will be at your own expense (as part of the relocation budget allocated). If you have questions around this the funding it is dealt with as part of your relocation side letter.

Given the current COVID situation both in the UK and Australia we cannot give you any assurances that you will be able to return to Australia in November and you should consider your personal circumstances before committing to leave to Australia at that time.

We will leave it with you to discuss this further with your family as to whether you wish to remain here until they relocate or go over earlier and come back using the overall relocation budget allocated to you.

Responses to your additional questions are highlighted below. Please do not hesitate to reach out if you require further detail.

Kristy

.....
Good afternoon Kristy

Earlier today I had a catch up meeting with Jenny to discuss a range of matters, and toward the end of that meeting I raised some questions which Jenny suggested needed to be answered by HR. Jenny said that she would set up a Teams meeting with you, Evelina and me to cover everything off, so I thought it would be best to send you the list of questions beforehand in case you need time to consider the options before we meet. I have copied Chris into this email as well in case you need his input.

By way of background, I have been in discussions with Kylie and Karla (and also Jenny today) about the idea that it might make sense for me to travel to London in mid-September once the Premier and Deputy Premier have formally announced my appointment as AG and we have dealt with the media and other important meetings (eg Ministers and Secretaries of relevant departments etc) that will inevitably arise from that announcement. Originally, the plan had been for me to spend the first 3 months here (up to the end of October) and then to head over

to London, using my time here to meet with key NSW stakeholders etc, but with Sydney in lockdown for the foreseeable future, we have come to the conclusion that my time might be better spent in the UK (which is out of lockdown) overseeing the recruitment of London and EU staff, meeting key contacts in London (Austrade, Destination NSW, Chambers, Investors) and getting the office set up and running. The plan would be for me to then return to Sydney in early November (by which time we are hopefully out of lockdown), do my 2 weeks in quarantine (hopefully at home) and then head out into NSW to build the local awareness of Investment NSW and the London/EU operation during late November, December and January (taking some leave over Christmas / New Year of course). Ultimately this would allow me to then help pack up my house and move the family over to London before school starts in January.

Assuming Amy is supportive of this plan (and we get all the necessary travel permits to go and come back), the questions I would like some advice on are as follows:

1. As you know, I recently discovered that a large % of the salary that I had verbally agreed to prior to joining Investment NSW (ie the "allowance") will not be paid to me until I am in the UK. Can you please confirm that this allowance will be paid once I arrive in London in late September and will then continue to be paid each month (even if I am back in Sydney for work in Nov/Dec/Jan or at other times during my 3 year contract)? **The employment of public servants in NSW and overseas, including their salaries and allowances is regulated. Our processes require that all employment agreements be set out in writing and comply with the relevant legislation. At no point was there an expectation or commitment in the documents provided to you (which were negotiated extensively with you) that you would be paid expatriate cost of living allowances while you are still based in Australia. As set out above, if the current proposal is agreed to, your departure in September will form part of your relocation to UK and will signal the end of your Onboarding Term. Once you arrive in the UK the onboarding period ceases and in accordance with 5.3 of schedule A you will be entitled to the allowance. This allowance will remain in place while you are undertaking official travel or are on personal leave.**
2. I imagine that I will be paid monthly in UK pounds, and into my UK bank account, at the same time ie late September? **On and from your relocation to the UK you will be paid in GBP to your nominated UK account.**
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5. Will the government pay for my accommodation in London in Sept/Oct/Nov? **As above, your departure in September is part of your relocation and your accommodation during this time can therefore be drawn from the balance of your relocation expenses allocation.**
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7. Will the government pay for my flight back to Sydney in November? **Where travel is for personal purposes as part of the process of enabling your family to relocate, your flight will be paid from the balance of your relocation expenses allocation. That said, there is flexibility in enabling you to work remotely from Australia (within reason) while your make arrangements for your family to relocate.**

8. If I am forced to quarantine in Sydney will the government pay for my hotel quarantine?
Where travel is for personal purposes, these matters are already addressed in your relocation letter.
9. When I fly back to London in January (ie family relocation) will the government pay for my flight? Your flight in January will be paid from the balance of your relocation expenses allocation. You will recall that specific flexibility was built into the relocation side letter to enable you to use those funds for this purpose.

There are a number of references above to your relocation expenses allocation. Once those amounts exceed the limits in the relocation letter, the excess is at your expense.

RE: Some advice please

From: Kristy Manton
To: Evelina Polura
Date: Wed, 18 Aug 2021 14:38:47 +1000

Hi Evelina

When are we expecting advise on this? If he goes over next month I assume he and us would something prior to his arrival?

K

From: Evelina Polura
Sent: Wednesday, 18 August 2021 1:33 PM
To: Kristy Manton
Subject: RE: Some advice please

Hi Kristy,

We don't have details of the offshore insurance cover for any locations yet as we're still working through the different options and practicalities of each - whether we try find a provider for all our offshore private health-cover needs, a cross-border policy that maintains coverage across home and host locations for the STICs/AG or just a standalone local policy for each country.

However Stephen's contract, as with the other STICs, specifies private health insurance for him only and that his family's coverage would be for his own cost and to arrange (see below excerpt from contract). As such the answer to his question about what he needs to maintain for his family is pretty much that he would need to maintain whatever they currently have whilst they remain here and then choose the level and type of cover they want in the UK and arrange that.

If it turns out that he is able to add family members onto his UK cover for an additional cost, and that it a cost effective and desired option for him, then we will work with him to arrange that and agree the best way to charge him that additional amount.

8.3. **The** Employee may become and during the continuance of their employment remain a member of such private medical insurance scheme as the Employer may from time to time in its absolute discretion participate in, membership being subject to the rules of the scheme (as varied from time to time), details of which will be made available to the Employee. Such cover shall be provided for the Employee only and shall not cover any family members.

Hopefully that answers his question for now, but let me know if you think he's asking something different or seeking other information.

Regards,

Evelina Polura | HR Business Partner
Investment NSW
52 Martin Place, Sydney NSW 2000

investment.nsw.gov.au



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From: Kristy Manton
Sent: Tuesday, 17 August 2021 4:45 PM
To: Evelina Polura
Subject: FW: Some advice please

Hey Evelina

Could you please provide me advice on the UK health insurance?

K

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Sent: Tuesday, 17 August 2021 8:26 AM
To: Kristy Manton
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RE: Some advice please

From: Stephen Cartwright
To: Evelina Polura
Cc: Kristy Manton
Date: Fri, 20 Aug 2021 16:34:31 +1000

Great – thanks Evelina, I appreciate the update and look forward to hearing more in due course.

Have a great weekend.

Kind regards

Stephen Cartwright OAM | NSW Agent General – UK (Designate), Senior Trade & Investment
Commissioner – Europe & Israel
Investment NSW
Level 35, 52 Martin Place, Sydney NSW 2000



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From: Evelina Polura
Sent: Friday, 20 August 2021 4:23 PM
To: Stephen Cartwright
Cc: Kristy Manton
Subject: FW: Some advice please

Hi Stephen,

I just wanted to revert to you with regard to your question regarding offshore / UK health cover.

As we don't yet have details of the offshore insurance cover for our offshore locations as we're still working through the costs and practicalities of different options - whether that will involve a global provider for all our offshore private health-cover needs, a cross-border policy that can be extended between home and host locations or just a standalone local policy for each country - we can't yet confirm exactly what the coverage will look like or who will be the insurer.

If you end up relocating to the UK prior to us having made these decisions and put the arrangements in place, then we will ensure we put an interim solution in place to make sure you have health insurance coverage in the UK as per your contract.

Whilst your family's UK health insurance will be for your own cost, once they also relocate to the UK if adding them onto your policy is possible and a cost effective and desired option for you, then we will work with you to arrange that and agree the best way to charge the additional cost to you.

Kind regards,

Evelina Polura | HR Business Partner
Investment NSW
52 Martin Place, Sydney NSW 2000

investment.nsw.gov.au



**Investment
NSW**

Investment NSW believes in 'all roles flex'. I work flexibly. I am sending this message now because it's a good time for me, but I don't expect that you will read, respond or action it outside of your own regular hours.

My workdays are: Mon | Tues | Wed | Thurs | Fri

From: Stephen Cartwright
Sent: Tuesday, 17 August 2021 8:26 AM
To: Kristy Manton
Cc: Chris Carr
Jenny West
Evelina Polura
Subject: RE: Some advice please

Thanks Kristy – I appreciate the responses to my questions. As I indicated, I am still trying to learn how government works as it seems that, in many ways, the decision making processes are quite different to the way the private sector works.

Given the obvious benefits for Investment NSW in having me in the UK asap recruiting the new team and establishing the new office, I am a little surprised that the decision to go or not go seems to be mine alone (and that the risk of travel seems to be mine alone). I would have expected that the decision to go or not is one that would be made collectively with Jenny and Amy based on what is best for the organisation, but I guess Jenny and I can discuss this further today in our 1-1 meeting. Just to be clear, I would be returning in mid-November to undertake the network and awareness building work with the business communities / Chambers / Industry Associations throughout NSW (something that lockdown will prevent me doing for the next few months) – this would seem to be the most sensible use of my time. However, based on your response below, it appears that one option available to me is to stay here in Sydney until January next year, so it is important to have had that confirmed by HR – thank you.

Lots to think about.

On another matter, could you please advise the details of the health insurance cover referred to in my employment contract so that I can assess what remaining cover I need to keep in place for my family?

Thanks again for your responses – I appreciate it.

Kind regards

Stephen Cartwright OAM | NSW Agent General – UK (Designate), Senior Trade & Investment
Commissioner – Europe & Israel
Investment NSW
Level 35, 52 Martin Place, Sydney NSW 2000



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My workdays are: Mon | Tues | Wed | Thurs | Fri

From: Kristy Manton

Sent: Monday, 16 August 2021 6:03 PM

To: Stephen Cartwright

Cc: Chris Carr

Jenny West

Evelina Polura

Subject: FW: Some advice please

Hi Stephen

Thanks for your patience while I worked through your comments and queries.

I have had discussions with the onboarding team who arranged your onboarding and induction and they have advised that this is now at the final stages (apart from some Ministerial catch ups etc) which can be done via Teams remotely. Unfortunately due to current lockdown restrictions site visits are not possible and accordingly the Investment Attraction team is looking into virtual tours of Parkes, Wagga and Westmead Precincts for yourself and the other STICs.

Given the above, if you wish to travel to the UK earlier (mid-September) this appears to be feasible assuming all approvals, travel documents and flights can be obtained. Your onshore onboarding and induction will cease once you leave Australia for the UK.

If you chose to depart in September, your regular work in the UK will commence (although to be clear this in no way alters your probationary period). Your travel to the UK would be part of your relocation to the UK. From that point, any return travel to Australia will either be in a personal capacity or as part of official business travel.

If you chose to return to Australia in November to assist with the relocation of your family that is a personal matter for you to decide and as such your return flight to Australia and back to the UK will be at your own expense (as part of the relocation budget allocated). If you have questions around this the funding it is dealt with as part of your relocation side letter.

Given the current COVID situation both in the UK and Australia we cannot give you any assurances that you will be able to return to Australia in November and you should consider your personal circumstances before committing to leave to Australia at that time.

We will leave it with you to discuss this further with your family as to whether you wish to remain here until they relocate or go over earlier and come back using the overall relocation budget allocated to you.

Responses to your additional questions are highlighted below. Please do not hesitate to reach out if you require further detail.

Kristy

.....

Good afternoon Kristy

Earlier today I had a catch up meeting with Jenny to discuss a range of matters, and toward the end of that meeting I raised some questions which Jenny suggested needed to be answered by HR. Jenny said that she would set up a Teams meeting with you, Evelina and me to cover everything off, so I thought it would be best to send you the list of questions beforehand in case you need time to consider the options before we meet. I have copied Chris into this email as well in case you need his input.

By way of background, I have been in discussions with Kylie and Karla (and also Jenny today) about the idea that it might make sense for me to travel to London in mid-September once the Premier and Deputy Premier have formally announced my appointment as AG and we have dealt with the media and other important meetings (eg Ministers and Secretaries of relevant departments etc) that will inevitably arise from that announcement. Originally, the plan had been for me to spend the first 3 months here (up to the end of October) and then to head over to London, using my time here to meet with key NSW stakeholders etc, but with Sydney in lockdown for the foreseeable future, we have come to the conclusion that my time might be better spent in the UK (which is out of lockdown) overseeing the recruitment of London and EU staff, meeting key contacts in London (Austrade, Destination NSW, Chambers, Investors) and getting the office set up and running. The plan would be for me to then return to Sydney in early November (by which time we are hopefully out of lockdown), do my 2 weeks in quarantine (hopefully at home) and then head out into NSW to build the local awareness of Investment NSW and the London/EU operation during late November, December and January (taking some leave over Christmas / New Year of course). Ultimately this would allow me to then help pack up my house and move the family over to London before school starts in January.

Assuming Amy is supportive of this plan (and we get all the necessary travel permits to go and come back), the questions I would like some advice on are as follows:

1. As you know, I recently discovered that a large % of the salary that I had verbally agreed to prior to joining Investment NSW (ie the "allowance") will not be paid to me until I am in the UK. Can you please confirm that this allowance will be paid once I arrive in London in late September and will then continue to be paid each month (even if I am back in Sydney for work in Nov/Dec/Jan or at other times during my 3 year contract)? **The employment of public servants in NSW and overseas, including their salaries and allowances is regulated. Our processes require that all employment agreements be set out in writing and comply with the relevant legislation. At no point was there an expectation or commitment in the documents provided to you (which were negotiated extensively with you) that you would be paid expatriate cost of living allowances while you are still based in Australia. As set out above, if the current proposal is agreed to, your departure in September will form part of your relocation to UK and will signal the end of your Onboarding Term. Once you arrive in the UK the onboarding period ceases and in accordance with 5.3 of schedule A you will be entitled to the allowance. This allowance will remain in place while you are undertaking official travel or are on personal leave.**
2. I imagine that I will be paid monthly in UK pounds, and into my UK bank account, at the same time ie late September? **On and from your relocation to the UK you will be paid in GBP to your nominated UK account.**
3. Will the government pay for my flight over in September? **Your flight in September is part of your relocation and will be paid from the balance of your relocation expenses.**

4. Should I pay for taxis to and from the airports at either end with my P card? As this is a miscellaneous cost related to your relocation, taxis and other travel related expenses will be covered by the balance of relocation expenses allocation. These payments will be reimbursed to you on the provision of receipts. It is preferable that these be made separate from your P-Card but if there are incidental instances where the use of the P-Card is unavoidable, then the costs can ultimately be reconciled against your relocation fund.
5. Will the government pay for my accommodation in London in Sept/Oct/Nov? As above, your departure in September is part of your relocation and your accommodation during this time can therefore be drawn from the balance of your relocation expenses allocation.
6. Will the government pay for my meals in London? Private meals in London for you and your family are at your expense.
7. Will the government pay for my flight back to Sydney in November? Where travel is for personal purposes as part of the process of enabling your family to relocate, your flight will be paid from the balance of your relocation expenses allocation. That said, there is flexibility in enabling you to work remotely from Australia (within reason) while your make arrangements for your family to relocate.
8. If I am forced to quarantine in Sydney will the government pay for my hotel quarantine? Where travel is for personal purposes, these matters are already addressed in your relocation letter.
9. When I fly back to London in January (ie family relocation) will the government pay for my flight? Your flight in January will be paid from the balance of your relocation expenses allocation. You will recall that specific flexibility was built into the relocation side letter to enable you to use those funds for this purpose.

There are a number of references above to your relocation expenses allocation. Once those amounts exceed the limits in the relocation letter, the excess is at your expense.

7:30



2 People >

iMessage

Tue, 21 Sep, 1:00 am

Happy birthday
Treasurer! I hope that
you find some time to
celebrate with your kids
today. Looking forward
to finally being
announced as AG to
London on 1 October
and to getting over
there to champion the
cause for NSW. Have a
great birthday. Best
wishes. Stephen
Cartwright

7:31



DP

DP



2 People >

there to champion the cause for NSW. Have a great birthday. Best wishes. Stephen Cartwright

Tue, 21 Sep, 4:02 am

Dominic Perottet

Thanks Stephen you are going to be a great asset for the state over there. Cheers Dom

DP

Sun, 3 Oct, 7:58 am

Congratulations Premier - I am very pleased for you and your family, and for NSW. My sincere best wishes. Stephen



iMessage



RE: Contract Variation

From Will Crago
To: Clare O'Connor
Date: Thu, 16 Jun 2022 10:20:31 +1000

OFFICIAL: Sensitive - NSW Government

I am not sure we have ever seen his tenancy agreement. I will hopefully speak with Stephen tonight so can ask him for the lease.

Will Crago PSM
Director of International Operations
International Projects Office | Trade and International

Investment NSW
Level 9, 52 Martin Place, Sydney NSW 2000

investment.nsw.gov.au



**Investment
NSW**

Part of the New South Wales Government

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I acknowledge the traditional custodians of the land and pay respects to Elders past and present. I also acknowledge all the Aboriginal and Torres Strait Islander staff working with NSW Government at this time.

Please consider the environment before printing this email.

From: Clare O'Connor
Sent: Thursday, 16 June 2022 9:38 AM
To: Will Crago

Evelina Polura

Cc: Kylie Bell
Subject: RE: Contract Variation

OFFICIAL: Sensitive - NSW Government

Sure.

Please would you flick me the rental agreement and a copy of the signed letter from SC?

Thanks

Clare

Clare O'Connor | Associate Director, Finance & Performance

From: Will Crago
Sent: Thursday, 16 June 2022 9:09 AM
To: Evelina Polura

Clare O'Connor

Cc: Kylie Bell
Subject: FW: Contract Variation

OFFICIAL: Sensitive - NSW Government

Ev - Please do send the email today to Stephen outline how/when his taken home pay will be affected.

Clare – can you get in touch with Loraine to talk through how we will pay the rent.

Will Crago PSM
Director of International Operations
International Projects Office | Trade and International

Investment NSW
Level 9, 52 Martin Place, Sydney NSW 2000

investment.nsw.gov.au

W:



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Please consider the environment before printing this email.

From: Kylie Bell
Sent: Wednesday, 15 June 2022 11:30 PM
To: Stephen Cartwright
Cc: Will Crago
Subject: RE: Contract Variation

OFFICIAL: Sensitive - NSW Government

From my earlier email

Confirming this agreement kicks in on 6 July from the date we start paying your accommodation directly (date in the letter).

Your pay will be adjusted from this period onwards. Will has triple check with ops that they will be ready.

I'll get Will and Clare to brief Lorraine on how to make the payments through the UK bank account directly.

Cheers
K

-----Original Message-----

From: Stephen Cartwright
Sent: Wednesday, 15 June 2022 11:27 PM
To: Kylie Bell
Cc: Will Crago
Subject: RE: Contract Variation

OFFICIAL: Sensitive - NSW Government

Remember I raised the issue of effective date? I haven't heard back on that yet.

Stephen Cartwright OAM
NSW Agent General – UK
Senior Trade & Investment Commissioner – Europe & Israel Investment NSW Level 4 & 5,
Australia Centre, Australia House Melbourne Place, London, WC2B 4LG

W: www.investment.nsw.gov.au

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From: Kylie Bell
Sent: Wednesday, 15 June 2022 2:25 PM
To: Stephen Cartwright
Cc: Will Crago
Subject: RE: Contract Variation

OFFICIAL: Sensitive - NSW Government

Hey

Have you signed the contract variation letter and returned it? Or are you not happy with it? All you need to do is sign the contract variation I sent through last week and we kick in. Will has worked with finance and HR and its all good to go. Right Will?

We just need your agreement to amend the conditions in your contract as outlined in the letter.

If you would like changes to letter or don't think it is clear enough can you mark them up and send through for consideration.

Will, can we please sort this out tomorrow with Stephen.

Thanks
KB

-----Original Message-----

From: Stephen Cartwright
Sent: Wednesday, 15 June 2022 11:17 PM
To: Kylie Bell
Subject: RE: Contract Variation

OFFICIAL: Sensitive - NSW Government

Hi Kylie

I am getting a little worried that the next rent payment is looming and we don't seem to be near to completing this and setting up the payment?

I haven't heard from Will.

Kind regards

Stephen Cartwright OAM
NSW Agent General – UK
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-----Original Message-----

From: Kylie Bell
Sent: Sunday, 12 June 2022 1:17 PM
To: Stephen Cartwright
Cc: Will Crago
Subject: RE: Contract Variation

OFFICIAL: Sensitive - NSW Government

Hi Stephen

Not sure if Will got back to you on Friday (I cant see an email that he did) but two things.

1) Confirming this agreement kicks in on 6 July from the date we start paying your accommodation directly (date in the letter). Will is checking with payroll and finance to make sure it is a smooth transition and everything is in place for your pay.

2) For the purpose of your payroll and our reporting to the UK govt for your tax obligations, this arrangement replaces your current 'Allowances under your Contract' and you will no longer receive specific payments each pay period in respect of schooling, housing and home leave flight allowances from the date. This will be reflected in your pay and benefits statement. The allowance of \$112,550 per year was specifically to go towards these special allowances/ benefits over and above your base salary of the maximum salary of a band 3 NSW government employee.

However, as agreed, next year if the children are with you in the UK and you require us to pay schooling directly from your base salary as agreed, a new letter will be issued, with specific amounts for fees, and your base salary will further be reduced by the same amount and a new letter will be issued confirming the specifics including the benefits tax we will make good on on your behalf. Each time we enter into a new salary packaging arrangement, a new letter will be issued. The same would apply if you opt for a different apartment if they join you on a more permanent basis.

Hope this all makes sense but will be around tomorrow (it's a public holiday but I'll be online/ on mobile) if you need to discuss.

Cheers
KB

-----Original Message-----

From: Stephen Cartwright

Sent: Thursday, 9 June 2022 8:28 PM

To: Kylie Bell

Subject: RE: Contract Variation

OFFICIAL: Sensitive - NSW Government

Hi Kylie

I look forward to hearing back from Will on the operative date issue.

Also, you and I discussed the opportunity for the school fees to be paid via the same salary sacrifice method as the rent if they moved over and went to school here (or if Jacob was a boarder). I recall that the Minister agreed to this. However, this draft specifically prohibits this in the future?

Kind regards

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-----Original Message-----

From: Kylie Bell

Sent: Wednesday, 8 June 2022 1:29 PM

To: Stephen Cartwright

Cc: Will Crago

Evelina Polura

Jeshree Gaundar

Subject: Contract Variation

Importance: High

OFFICIAL: Sensitive - NSW Government

Hi Stephen

Hope you have landed safely and most importantly the move into the new apartment has gone smoothly and you are getting settled.

Please see signed letter from the CEO to vary your employment agreement - with us now paying your rent and wearing the tax implications, with a subsequent reduction in your allowances to the same value of your rent. I believe this has all been discussed with Will and KPMG and you are across all the details.

As it reflects a change in your employment agreement we will need your signature on the amendment letter. We have asked for you to return it this week (or early next week) so we can make adjustments to payroll and ensure everything is set up with Lorraine to begin paying your rent directly from 6 July - which is I think your dday.

Please be reminded that your remuneration package and arrangements are of course confidential.

Any questions, reach out to Will or I, given Will has been leading this one for you.

Thanks

Kylie

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Fwd: Contract Variation

From: Kylie Bell

:

To: Stephen Cartwright

Lorraine Suka

Date: Thu, 16 Jun 2022 09:23:15 +1000

Just

Get [Outlook for iOS](#)

From: Will Crago

Sent: Thursday, June 16, 2022 9:08 am

To: Evelina Polura

Clare O'Connor

Cc: Kylie Bell

Subject: FW: Contract Variation

OFFICIAL: Sensitive - NSW Government

Ev - Please do send the email today to Stephen outline how/when his taken home pay will be affected.

Clare – can you get in touch with Lorraine to talk through how we will pay the rent.

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Please be reminded that your remuneration package and arrangements are of course confidential.

Any questions, reach out to Will or I, given Will has been leading this one for you.

Thanks
Kylie

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OFFICIAL: Sensitive - NSW Government

RE: Variation to Employment Agreement

From Clare O'Connor

:

To: Will CragoEvelina Polura
Victoria Gordon**Date:** Fri, 17 Jun 2022 08:40:55 +1000

OFFICIAL

Thanks.

I have corresponded with Lorraine and it is now in her court to get the payment established.

-C

Clare O'Connor | Associate Director, Finance & Performance

From: Will Crago**Sent:** Friday, 17 June 2022 8:39 AM**To:** Evelina Polura

Clare O'Connor

Victoria Gordon

Subject: FW: Variation to Employment Agreement

OFFICIAL

FYI.

Clare, I spoke with Stephen last night. He said he would ask Loraine to send through his lease so NSW can start paying the rent. Grateful if you could follow this up with Loraine.

Many thanks

Will Crago PSMDirector of International Operations
International Projects Office | Trade and International**Investment NSW**

Level 9, 52 Martin Place, Sydney NSW 2000

investment.nsw.gov.au

W:

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NSW****Part of the New South Wales Government**

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Please consider the environment before printing this email.

From: Stephen Cartwright
Sent: Thursday, 16 June 2022 8:36 PM
To: Amy Brown
Cc: Kylie Bell

Will Crago

Subject: Variation to Employment Agreement

OFFICIAL

Good evening Amy

As requested, please find enclosed the signed variation to my employment agreement.

I did raise two queries with Kylie in relation to the wording of the agreement, but I have been reassured on both, hence I have signed the document.

The first relates to the operative date of the variation. You will note that the variation is silent in this regard, with the potential for a clever lawyer to argue that it actually varied the agreement *ab initio*, and this could result in me being asked to repay most of the UK allowance that I have been paid to date. However, I have email assurance from Kylie that it applies from 1 July 2022 and so I will rely on this email if it is ever raised in the future.

The second relates to the specific clause that rules out applying a similar salary sacrifice structure to school fees should my family move to London permanently. You will recall that the Minister was very clear that school fees could be dealt with the same way as we are dealing with the rent, so this clause caused me some concern. However, I have been reassured by Kylie that the Minister did, in fact, approve this, so if my family do permanently relocate we can do another similar variation agreement to cover the fees once the quantum of the fees are known.

On the basis of these two clarifications, I have executed the variation agreement.

I would like to thank Kylie and Will for their persistence in shepherding this through our internal processes, and thank you for securing the Minister's approval of the variation.

Kind regards

Stephen Cartwright OAM
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'Something has to be done': Agent-general's message to minister over trade job entitlements

Alexandra Smith and Lucy Cormack

August 23, 2022 – 5.00am

The Agent-General Stephen Cartwright met then-Treasury secretary Mike Pratt for breakfast to discuss his chances of securing the London-based role even though a candidate had already been selected for the position.

Newly released documents reveal that Cartwright, who became a candidate for the lucrative role at Pratt's request, also lamented to then-trade minister Stuart Ayres in March this year that his accommodation and expense allocations for the posting were insufficient, insisting "something has to be done".



Stephen Cartwright, the Agent-General in London, was unhappy with his accommodation and expenses. [LINKEDIN](#)

The appointment of Cartwright has come under scrutiny after it emerged he belatedly applied for the role, and then expected an \$800,000 salary. He ultimately negotiated a \$600,000 package that included expenses – higher than any other trade commissioner.

Emails released under parliamentary order show the former head of lobby group Business NSW met with the Treasury boss on February 19 last year to talk about the job and detail his personal circumstances. He was announced as agent-general on October 1.

Other emails show Cartwright asked Pratt for a meeting as early as January 22 last year, writing to Pratt's executive assistant to arrange a breakfast meeting after the pair had already engaged in a virtual call.

S. Cartwright

This was despite a preferred candidate, Paul Webster, having already been chosen and his salary negotiations being under way. Pratt was on the selection panel that recommended Webster for the role.

In a lengthy WhatsApp message to then-trade minister Stuart Ayres in March this year after his appointment, Cartwright said he would not be able to support his family on the entitlements he was receiving in the role.

Cartwright's message, seen by the *Herald*, said that he could not afford to have his wife and children join him, insisting a suitable apartment and school fees cost more in London than his entire salary.

"All other AGs and Fed Govt execs have rent, car and school fees covered by their govt," he wrote on March 23 before listing entitlements for comparable representatives from other Australian states.

"The WA Govt is paying 13,500 pounds per month rent – that's more than my entire net salary!"

Cartwright suggested he would have to consider his future in the role if his requests for entitlements could not be met.

"I have had two offers for CEO roles back in Sydney but I would rather stay here and deliver for NSW. But I can't live here for 3 years without an apartment that can accommodate my family (at least on school holidays as the school fees here are twice that of Knox)," he wrote.

"Happy to discuss over the phone if you would prefer but something has to be done."

A parliamentary inquiry examining the trade roles, including the appointment of John Barilaro to a New York posting, last week heard Cartwright was a late entry candidate for the London position.

Marianne Broadbent, managing partner of NGS Global, which ran the recruitment for the trade roles, told the inquiry she was advised Cartwright would need to be considered for the role.

Pratt, along with former Liberal MP Warwick Smith and then-secretary of the Department of Premier and Cabinet Tim Reardon, made up the selection panel, favouring Webster in a draft report.

Broadbent said neither Pratt nor anyone else in government disclosed any conversations they had with Cartwright about the role, adding that he became a candidate following a discussion with then-deputy premier Barilaro.

"I don't recall that ... I don't recall that it was raised," she told the inquiry last week.

The first screening interview Broadbent conducted with Cartwright took place one week after she received the initial request from Pratt.

Labor's Daniel Mookhey said he believed the events leading up to Barilaro's New York appointment "pales in comparison" to those relating to the recruitment of the agent-general in London.

"Labor doesn't think these roles should exist ... we think that a \$600,000 role in London is yet to provide any public benefit that we can see," Mookhey said.

"At the same time we are running a budget deficit that is eye watering, we are forking out \$128 million on this Global NSW strategy and I don't know what it's delivering the taxpayers of this state."

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