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1. INTRODUCTION

This Audit Service Providers (ASPs) Manual (Manual) contains important guidance for ASPs providing services to the Auditor-General for New South Wales (Auditor-General) and the Audit Office of New South Wales (Audit Office). It also details processes the Audit Office uses to:

- manage the ASPs it engages
- verify the services ASPs provide to ensure they meet its needs.

The Audit Office continuously reviews the ASP oversight arrangements and reporting obligations with the aim of making the arrangements more efficient, effective and compliant with latest NSW Government pronouncements and industry standards.

2. AUDITING IN THE PUBLIC SECTOR

The Audit Office holds a privileged position as one of a small number of independent agencies that supports accountability and provides assurance that is integral to our system of government. The role of the Auditor-General in New South Wales has a proud history stretching back to 1824. Its core purpose, to scrutinise and hold government to account, has not wavered in all this time.

Public sector audits provide important checks and balances to our system of government. They ensure there is accountability, integrity and transparency in the management and use of public resources, which is fundamental in building community trust.

The increased public scrutiny and the unique position of the Audit Office as the auditors of the State and local government sector, has highlighted the need to address that our ‘public sector auditor’ role does not solely focus on opining on the financial statements, but also to call out (where relevant) an entity’s decision in relation to financial prudence, probity or waste, during the conduct of the audit. Auditing in the public sector also involves working with public sector entities to generate insights that inform and challenge government, with the ultimate goal of improving outcomes for citizens.

Each year, the Auditor-General’s Reports to Parliament highlight sector wide themes to assess performance and benchmark across the sector. The Reports provide insights to improve the financial reporting, internal controls and performance of public sector entities and councils. In addition to auditing financial statements, Parliament allows the Auditor-General to examine matters arising during engagements that involve wastage of public resources, and lack of probity or financial prudence in the management or application of public resources.

The broader mandate of a public sector audit does mean balancing audit efficiency with audit effectiveness. Achieving the latter sometimes means investing more time on certain procedures, focusing on key areas or themes each year, and applying lower thresholds when determining the scope of our audits.

From a practical perspective, this includes an entity’s internal control and governance processes such as (but not limited to):

- deficiencies in internal control, including but not limited to those related to business processes, information technology and security, governance, and to the prevention and detection of fraud
- instances of actual or possible fraud, including management fraud
- non-compliance with laws and regulations, such as intentional or legislative non-compliance, with a focus on laws and regulations key to the auditee’s public and financial administration
- appropriateness of the entity’s delegations to support timely and effective decision making
- processes/decision making around the use of public resources not demonstrating appropriate probity, and/or resulting in waste
- issues identified during the conduct of the audit that are not material to the financial statements but pose a heightened strategic, operational, or reputational risk to the auditee.
Not all of the above instances may be relevant to all audits and related services engagements. Some instances may be more or less relevant depending on the type and nature of the engagement.

The value generated from a public sector audit includes insights aimed at improving financial management, fiscal responsibility, governance and performance of public sector entities for the benefit of all citizens.

General expectations of ASPs

ASPs are expected to:

- recognise and promote the Auditor-General as the appointed auditor
- adhere with the principles set out in the Audit Office’s Statement of Business Ethics, available on the Audit Office’s website
- adhere to the Audit Office’s Audit and Assurance and Governance policies
- have quality assurance systems that comply with Auditing Standard ASQC 1 ‘Quality Control for Firms that Perform Audits and Reviews of Financial Reports and Other Financial Information, Other Assurance Engagements and Related Services Engagements’ and APES 320 ‘Quality Control for Firms’
- use an audit methodology that complies with the requirements of Australian Auditing Standards and Australian Pronouncements of Ethical Standards
- observe ethical standards and professional independence requirements including APES 110 ‘Code of Ethics for Professional Accountants (including Independence Standards)’
- adhere to all requirements in the Agreement to Provide Auditing Services
- have the necessary skills, competence and experience to undertake a public sector audit (see next section) as an agent of the Auditor-General
- ensure staff assigned to engagements have appropriate professional qualifications, skills, competence and experience
- resource the audit team sufficiently so it can perform the engagement within the agreed timetable
- communicate with, follow the instructions of, and report to the group Engagement Controller (EC) where the engagement is a component within a group
- consult with the Audit Office:
  - on difficult and contentious issues
  - on the form and content for all written communications with auditees using the Audit Office templates and stationery
  - at agreed stages of the audit and under agreed conditions
  - on any intention to subcontract, outsource or ‘off-shore’ any component of a contracted audit
  - on any proposed activity, interest or relationship with an auditee which may threaten or be perceived to threaten the independence of the Auditor-General or conflict with providing the auditing services to the Auditor-General
- obtain the Auditor-General’s written approval to provide any other service, including internal audit services, system implementations, and advice on accounting treatments and transactions to an auditee or a parent or related entity of the auditee during the period of appointment
- comply with the Audit Office’s Gifts, Benefits and Hospitality policy. The ASP is required to notify the Auditor-General if an auditee offers the ASP a gift or benefit in excess of $25
- comply with the Audit Office’s Third Party Security Policy.
Preserving confidentiality

The audit material collected by an ASP are records of the Audit Office. Therefore, an ASP must adhere to secrecy provisions and protect the confidentiality of information gained in the course of an audit. In the public sector, specific laws and regulations protect the confidentiality of information. These include section 38 of the Government Sector Audit Act 1983 (GSA Act), section 425 of the Local Government Act 1993 (LG Act), the Privacy and Personal Information Protection Act 1998 and the Health Records Information Act 2002.

Unless it has obtained the prior written approval of the Auditor-General to do otherwise, the ASP must ensure that the audit material is used, copied, supplied or reproduced only for the purposes of providing services to the Audit Office. This includes not sharing the audit files for quality monitoring review internally within the ASP firm, by a professional body such as Chartered Accountants Australia and New Zealand, or the Australian Securities and Investments Commission, without obtaining the Auditor-General's approval to make the audit files available. The approval of the Auditor-General may be given or withheld in its absolute discretion and may be subject to such terms and conditions as the Auditor-General considers appropriate.

Specific considerations of public sector audits

This Manual outlines specific requirements for ASPs when auditing in the public sector. ASPs are required to:

• understand and apply the wider mandate of the Auditor-General as outlined in the ‘Role of the Auditor-General’ section below
• understand the additional reporting requirements to Parliament and those charged with the governance of auditees as outlined in the ‘Reporting by the Auditor-General’ section below
• audit the auditee’s compliance with significant legislative requirements
• develop an audit strategy that is both efficient and meets the needs of Parliament, and assesses the effectiveness of systems of internal control
• focus on generating relevant insights and outcomes
• move from an ethos of separation – separate teams, roles, contract auditors and stakeholders – to one of connection where we collaborate with each other and are viewed as one audit team from the perspective of the auditee
• be agile in how we work, promoting creativity, collaboration, flexibility and diversity of opinions.

Audit Office policy on audit independence and rotation

ASPs are required to observe requirements of applicable legislation including the Corporations Act 2001 (Corps Act) and requirements of relevant Australian auditing, assurance and ethical standards.

The Audit Office has detailed policies to ensure ASPs are independent. ASPs are required to comply with Audit Office policies on ‘Rotation of staff on assurance engagements’ and ‘Conflict of interest and professional independence’.

The Audit Office has a policy that the ASP engagement partner should not spend more than five years on any assurance engagement. Following rotation, a period of at least two years should elapse before the engagement partner is involved again on that engagement.

Relationships with auditees

ASPs should consult with their Audit Office EC on any proposed activity, interest or relationship with an auditee which may threaten or be perceived to threaten the independence of the Auditor-General or conflict with providing the auditing services to the Auditor-General. This includes where the ASP is proposing to procure goods or services from an auditee, or where the ASP is proposing to partner with an auditee to undertake activities for their joint benefit or to provide goods or services to third parties.
Additional services provided by ASPs

The Auditor-General is only mandated to perform audit or audit related services for the entities we are required to audit. However, ASPs engaged by the Audit Office are not constrained by our mandate and may undertake additional non-audit related services. ASPs are required to comply with the Audit Office policy Approve to perform additional services, which requires ASPs to obtain the Auditor-General’s (or their delegate’s) written approval before commencing an engagement to provide:

- other audit and audit related services
- non-audit related services.

The Auditor-General’s approval to provide any additional service is required, regardless of whether the work will be performed directly or indirectly, for the auditee or, in the case of a group audit, another component entity within the group. ASP firms should use the:

- Approval to perform other audit and audit related services form for approval to perform other audit and audit related services
- Approval to perform non-audit related services form for approval to perform non-audit related services.

ASPs should submit completed forms to the EC for approval. The Audit Office will review the forms and the EC will advise the ASP of the outcome.

3. ROLE OF THE AUDITOR-GENERAL

The Auditor-General’s responsibilities

The Auditor-General is part of the mechanism by which Parliament holds the government accountable for the use of public resources. The Audit Office helps the Auditor-General fulfill this role.

The Auditor-General is required to act in the public interest without fear or favour to maintain public and Parliamentary confidence. The powers and duties of the Auditor-General are primarily set out in the GSA Act. However, other acts may also confer powers and duties upon the Auditor-General. These acts include the Government Sector Finance Act 2018 (GSF Act), LG Act and the Corps Act.

The GSA Act sets stringent requirements for the appointment and removal of the Auditor-General. This gives Parliament confidence the Auditor-General will act independently.

The Auditor-General has the functions conferred or imposed on the Auditor-General by law. The Auditor-General’s functions under the GSA Act include:

- auditing the Consolidated State Financial Statements, the General Government Sector Financial Statements and any other financial reports that the Auditor-General is required or authorised to audit by law
- providing audit and related services to the Parliament, the Treasurer and Ministers on request
- providing any other auditing, audit-related or reporting services that the Auditor-General is required or authorised to audit by law
- reporting to Parliament
- identifying waste of public resources, or lack of probity or financial prudence in the management or application of public resources
- preparing an audit report for financial statements / financial reports given to the Auditor-General under Division 7.2 of the GSF Act
- conducting performance audits of agencies’ activities
- performing anything incidental to the exercise of the Auditor-General’s functions.
The Auditor-General’s functions under the LG Act include:

- auditing local and county councils’ (collectively referred to as councils), joint organisations’ (JOs) and, where applicable, council entities’ financial statements with the objective of expressing an opinion on the financial statements
- providing audit and related services to a council or JO at the request of the council / JO, the Minister for Local Government or the Secretary of the Department of Planning, Industry and Environment
- reporting to Parliament
- conducting performance audits of the activities of councils, JOs and, where applicable, council entities.

**Consideration of financial prudence, probity or waste**

The Auditor-General has additional statutory functions such as, investigating matters of public concern related to financial prudence, probity and waste.

By their nature, NSW public sector entities have a higher level of public interest than other entities because they are taxpayer funded, subject to parliamentary oversight and often engage with the general public. As such, an increased level of risk management is required for audit and assurance engagements.

During the conduct of audits and related services engagements, ASPs are also expected to be alert to, and raise for discussion with the EC, matters that give rise to public concern related to financial prudence, probity and waste – regardless of whether the matter results in a material misstatement. This includes an entity’s internal control and governance processes such as (but not limited to):

- deficiencies in internal control, including but not limited to those related to business processes, information technology and security, governance, and to the prevention and detection of fraud
- instances of actual or possible fraud, including management fraud
- non-compliance with laws and regulations, such as intentional or legislative non-compliance, with a focus on laws and regulations key to the auditee’s public and financial administration
- appropriateness of the entity’s delegations to support timely and effective decision making
- processes/decision making around the use of public resources not demonstrating appropriate probity, and/or resulting in waste
- issues identified during the conduct of the audit that are not material to the financial statements but pose a heightened strategic, operational, or reputational risk to the auditee.

**The Audit Office’s strategic foundations**

The Audit Office’s purpose is ‘To help Parliament hold government accountable for its use of public resources’ and vision is ‘Our insights inform and challenge government to improve outcomes for citizens’.

The Audit Office values are:

- **Pride in purpose** – Our work is important, so we set high standards and strive for excellence. Our insights drive better government and have a real impact on issues that affect the people of New South Wales.
- **Curious and open-minded** – Our people are empowered to look outward and find the best ways and question the status quo. We are constantly curious and open to challenge.
- **Valuing people** – People are at the heart of what we do. Every member of our team. Our stakeholders. The people of New South Wales. We support, trust and respect our people. We embrace and celebrate our diversity. We work as a team.
- **Contagious integrity** – Behaving with the highest levels of integrity is fundamental to who we are. We set a high standard and inspire others to do the same. We set the example.
Our insights inform and challenge government to improve outcomes for citizens

- **Courage (even when it's uncomfortable)** – We are impartial and objective. We listen and learn and strive for a balanced view. But we are not afraid to ask the uncomfortable questions and speak the uncomfortable truth.

It is expected that ASPs live these values in the conduct of their audit work.

The Auditor-General is required to:

- have regard to professional standards and practices
- comply with all/any relevant legislative requirements
- not question the merits of policy objectives of government or of a council or JO.

4. **REPORTING BY THE AUDITOR-GENERAL**

**Audit Office templates**

ASPs are required to prepare all reports and formal correspondence with management and those charged with governance of the auditee using Audit Office templates. The ASP should send a soft copy of the draft document to the EC in a timely manner so it can be issued by the Audit Office. Audit Office templates contain instructions on content, timing, recipients, addressees, background information and other guidance. The ASP is responsible for:

- proposing and discussing the content of written communications to the auditee with the EC
- drafting the correspondence, allowing sufficient time for the EC’s review. The EC will sign and send all written communications to the auditee.

Written communications (other than the Independent Auditor’s Report and the Report on the Conduct of the Audit) are only intended for the parties to whom they addressed and must not be made publicly available.

The latest version of Audit Office templates is available on the Audit Office website.

**Independent Auditor’s Reports**

ASPs are responsible for recommending the form and content of the Independent Auditor’s Report (IAR) consistent with requirements of Australian Auditing Standards. ASPs should include the recommended audit opinion in the Audit Service Provider Representation Letter.

When forming an opinion on financial information, the ASP is required to consider the auditee’s compliance with statutory and other requirements. An audit response is required if:

- non-compliance with the requirements of an Act, regulation or directive pursuant to an Act may have a material impact on the financial statements, and
- the financial statements include an assertion that draws into question compliance with requirements.

ASPs are required to:

- recommend a qualified opinion where there is significant uncertainty, or non-compliance with laws and regulations that has a material impact on the financial statements
- advise the Audit Office of all instances of non-compliance with statutory obligations. Even if the financial statements appropriately record and disclose the non-compliance, a modified IAR may still be required.

**Statutory Audit Reports (state and university sectors only)**

Section 34(6) of the GSA Act requires the Auditor-General to report to the GSF agency’s Accountable Authority, their responsible Minister and the Treasurer, the results of the audit and ‘any irregularities or other matter that in the judgement of the Auditor-General calls for special notice’. The Audit Office meets this requirement by issuing a Statutory Audit Report (SAR). Matters that call for special notice can include matters of governance interest as defined by the Australian Auditing Standards.
ASPs are responsible for recommending the form and content of the SAR, clearly articulating that either:

- there are no major audit findings, or, all matters raised have been satisfactorily resolved prior to the issue of the IAR and do not need to be reported. Also refer to ‘Compliance with GSF Act reporting deadlines’ below
- significant issues arose during the audit that require reporting in the SAR (such as the reasons for modifying the IAR, important matters raised in management letters, unresolved issues or issues to which the auditee has not formally responded).

The auditee’s management, those charged with governance, the responsible Minister and the Treasurer should be informed of significant audit findings on a timely basis. However, under the relevant Acts, not all parties are entitled to receive those findings by way of an SAR. Those charged with governance are sent a tailored letter with the findings instead.

ASPs are responsible for:

- promptly advising the EC if they identify a matter that requires reporting in the SAR
- discussing all matters proposed for inclusion in the SAR with the EC before discussing these with the auditee’s management
- discussing all matters proposed for inclusion in the SAR with the auditee’s management so misunderstandings or inaccuracies can be resolved before the formal report is issued. If the matter is significant, this discussion must include the Secretary or CEO
- presenting a draft SAR at the same time as the recommended IAR.

Interim SARs may be issued at any time during the year if a significant matter requires reporting.

Report on the Conduct of the Audit (local government sector only)

Section 417(3) of the LG Act requires a council’s or JO’s auditor to prepare a Report on the Conduct of the Audit (the Conduct Report). The Conduct Report is issued at the same time as the IAR and incorporates statements and comments the auditor considers appropriate, based on the audit of the council’s /JO's financial statements.

ASPs are responsible for recommending the form and content of the Conduct Report. ASPs must present the draft Conduct Report (using the Audit Office template) at the same time as the recommended IAR.

Communications with Ministers

Communications to the portfolio minister (state sector only)

A separate report to the portfolio minister is required for each audit of a State Owned Corporation. The proforma SAR provides guidance on the form and content of this report.

Communications to the Treasurer (state and university sectors only)

Section 31 of the GSA Act requires the Auditor-General to communicate to the Treasurer matters the Auditor-General considers significant enough to be brought to the Treasurer’s attention. This may include non-compliance with the GSF Act, GSA Act or Treasurer's Directions.

Communications to the Minister for Local Government (local government sector only)

Section 426 of the LG Act requires the Auditor-General to communicate with the Minister for Local Government on all matters under the LG Act or regulations which, in the Auditor-General’s opinion are sufficiently significant to be brought to the Minister’s attention. The Auditor-General meets this requirement by sending a letter to the Minister if matters that require reporting are identified.

ASPs are responsible for promptly advising the EC if they identify a sufficiently significant matter, that requires reporting to the Minister.
Auditor-General’s report to Parliament

Section 52 of the GSA Act requires the Auditor-General to report to Parliament. In these reports, the Auditor-General can make recommendations and suggestions for:

- better collection and payment of government money
- more effective and economic auditing and examining of the Consolidated State Financial Statements, the General Government Sector Financial Statements and the financial reports of auditable entities
- any matters arising from the audit or other functions of the Auditor-General which, in the opinion of the Auditor-General, should be brought to the attention of Parliament.

The Auditor-General may also have regard to whether there has been:

- waste of public resources
- lack of probity or financial prudence in the management or application of public resources.

Similar reporting provisions, allowing the Auditor-General to report to Parliament on any matter in respect of a State Owned Corporation or a council and joint organisation, are contained respectively within:

- section 25 of the State Owned Corporations Act 1989
- section 421C of the LG Act.

ASPs are expected to contribute to the content of the Auditor-General’s Report as it relates to the auditee. This may include collecting and/or verifying data to support the report drafting process.

Other reports and correspondence with management and those charged with governance

Annual Engagement Plan (AEP)

The AEP covers all matters necessary to establish a clear understanding of the engagement. AEPs are issued to auditees no later than the end of:

- December for 30 June audits included within the scope of the Internal Controls and Governance Auditor-General’s Report (Top 40 state sector agencies)
- February for the remaining 30 June audits
- July for 31 December audits.

Letter of Observations on Early Close Procedures (ECPs) (state sector only)

The audit team issues a Letter of Observations on Early Close Procedures1, which formally reports its observations of management’s compliance with required early close procedures, the outcomes and the achievement of timeframes.

ASPs recommend the form and content of the Letter on ECPs and are responsible for providing it to the EC in sufficient time to allow its issue no later than one month after receipt of ECP materials from the auditee (or 31 December for university sector audits).

Late submission of financial statements (state sector only)

ASPs are responsible for advising the EC if the auditee’s financial statements are not received within the timeframe specified by the Treasurer’s Directions. The Auditor-General may report the late submission of the financial statements to the responsible Ministers, the Treasurer and Accountable Authority. If the late submission is reported, the EC will arrange for a letter signed by the Auditor-General to be sent to the auditee’s Accountable Authority, responsible Minister and the Treasurer.

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1 Mandatory early close procedures apply to NSW public sector agencies listed in Appendix A of Treasurer’s Direction ‘TD 19-02 ‘Mandatory Early Close as at 31 March each year’.
The ASP is responsible for:
• discussing with the auditee the reasons why the financial statements were submitted late
• if a letter will be sent, informing the auditee that the letter will be sent
• including the late submission of the financial statements the SAR.

Engagement Closing Report (ECR)

The ECR summarises the audit outcomes. The ECR is addressed to the head of the auditee/General Manager and/or Chair of the Audit and Risk Committee and/or others, depending on the audit team’s assessment of who is charged with the governance.

The ASP recommends the form and content of the proposed ECR so the EC can issue it no later than three working days before the relevant Audit and Risk Committee (ARC) / Audit, Risk and Improvement Committee (ARIC) meeting. If there is no ARC / ARIC meeting, the ECR is required to be issued no later than three working days before the IAR is signed.

Management Letter

ASPs are responsible for:
• preparing a draft management letter for all engagements where they have identified matters to report
• issuing a management letter immediately if significant matters are identified at any phase of an audit
• agreeing the risk ratings with the EC
• discussing the form, timing and expected content of the management letter with the auditee’s management and those charged with governance
• sending the draft management letter to the EC to review, sign and issue.

Interim management letters detailing issues observed during the planning and interim phases of the engagement should be finalised and issued no later than:
• 30 June for the Top 40 state sector auditees with a 30 June reporting date (those included in the Internal Controls and Governance Auditor-General’s Report volume)
• 15 July for all other state sector auditees with a 30 June reporting date
• 31 July for councils with a 30 June reporting date
• 31 December for auditees with a 31 December reporting date.

ASPs should aim to have the EC finalise and issue management letters from the final phase of the engagement no later than the issue of the ECR. If that is not possible, ASPs are required to include extreme and high risk rated observations, together with management’s draft responses, in the ECR. All management letters are required to be issued within six weeks of signing the IAR or by the time the cluster (and, if applicable, Internal Controls and Governance) Report to Parliament is ready for tabling - whichever comes first.

Reports of wrongdoing

Public interest disclosures

The Public Interest Disclosures Act 1994 (PID Act) protects public officials making disclosures that concern:
• corrupt conduct, as defined in the Independent Commission Against Corruption Act 1988 (ICAC Act)
• maladministration, defined for the purposes of 11(2) of the PID Act
• serious and substantial waste
• government information contravention
• local government pecuniary interest contravention.
Disclosures by public officials may be made to:

- the principal officer of an auditee (generally the head of the auditee), or
- another officer of the auditee, or
- an investigating authority, including the Independent Commission Against Corruption, the Auditor-General, the Ombudsman or the local government investigating authority (as defined in the PID Act), or
- in certain limited circumstances (refer to the PID Act), a Member of Parliament or journalist.

The Auditor-General, subject to the provisions of the GSA Act, may conduct an inspection, examination or audit of the ‘serious and substantial waste’ of government money.

The Audit Office’s External Public Interest Disclosures policy sets out the Audit Office staff who are authorised to receive PIDs, what can be reported and how the Audit Office deals with reports of serious and substantial waste.

ASPs providing audit services to the Auditor-General have an important role in our internal reporting process. ASPs have a responsibility:

- to identify reports made to them in the course of their work which could be a PID
- assist the public official to make a report directly to the Audit Office as per the Audit Office’s External Public Interest Disclosures policy.

Whistleblower provisions in the Corps Act

The whistleblower protection provisions in the Corps Act apply not only to companies but also to any entity that is a ‘trading or financial corporation’ within the meaning of the Constitution. This is likely to include a significant number of entities established under NSW laws, including state owned corporations, some agencies in the health and transport portfolios, and may include a number of local councils and universities.

ASPs providing audit services to the Auditor-General have a responsibility to:

- identify reports made to them in the course of their work which could be a report of wrongdoing under the Corps Act
- assist the public official to make a report directly to the Audit Office.
5. QUALITY ASSURANCE

Quality assurance process

The Audit Office’s quality assurance process is detailed in the following diagram.

<table>
<thead>
<tr>
<th>ASP action</th>
<th>Audit Office quality process</th>
<th>Audit Office action</th>
</tr>
</thead>
<tbody>
<tr>
<td>Consult with the Audit Office to develop the overall audit strategy</td>
<td>Consultation and review</td>
<td>Audit Office Engagement Controller (EC) approves audit strategy</td>
</tr>
<tr>
<td>Advise the Audit Office of specific issues as they arise</td>
<td>Consultation and review</td>
<td>EC approves audit plan</td>
</tr>
<tr>
<td>Document the audit plan</td>
<td>Consultation and review</td>
<td>ASP can commence audit work</td>
</tr>
<tr>
<td>Determine approaches to specific issues</td>
<td>Consultation and review</td>
<td>Support ASP view or direct an alternative</td>
</tr>
<tr>
<td>Perform audit procedures and final review</td>
<td>Consultation and review, involve internal and external technical resources if required</td>
<td>Report significant findings and issues to auditee management and those charged with governance</td>
</tr>
<tr>
<td>Consult with the Audit Office on significant findings and issues</td>
<td>Consultation and review, referral to the Technical Issues Committee if required</td>
<td>Audit Reports issued</td>
</tr>
<tr>
<td>Recommend Audit Reports and issue Audit Service Provider Representation Letter</td>
<td>Review for completeness and timeliness</td>
<td>Store and archive electronic and manual files</td>
</tr>
<tr>
<td>Delivery of completed audit file to the Audit Office within archiving timeframes</td>
<td>Review of findings by the Audit Office Quality Audit Review Committee</td>
<td>Feedback to the ASP</td>
</tr>
</tbody>
</table>

The Audit Office Quality Audit Review Committee (QARC) monitors audit quality. Where an audit is selected for review, the QARC will appoint a qualified professional auditor, independent of the engagement team to conduct the review (quality reviewer). At the conclusion of the review, the ASP will be provided with a copy of the Quality Review Report detailing the findings from the audits selected for review.

The ASP, in conjunction with the EC must ensure that they cooperate and provide timely responses to the quality reviewer to ensure the QARC fulfils its responsibilities in accordance with Audit Office Policy 2.8.1 'Monitoring Activities'.
Quality control

The Auditor-General and the Audit Office remain responsible for the audit. ASPs should:

• adequately involve Audit Office staff in key planning meetings either during a planned site visit or by teleconference
• appropriately involve Audit Office staff in key judgments and areas of audit significance or contention throughout the audit
• discuss the audit approach with Audit Office staff. Public sector entities are required to maintain effective systems of internal control. Consequently, the Audit Office prefers a controls reliance approach, where feasible. Even where it is not appropriate to rely on the operating effectiveness of controls, ASPs are expected to test and identify deficiencies in the design and implementation of all relevant controls. This approach helps the Audit Office add value through recommendations that improve public sector accountability and report deficiencies and non-compliance to Parliament
• provide Audit Office staff with copies of, or access to, the audit file whilst the audit is in progress to facilitate timely review and identification and resolution of issues
• expect the Audit Office may review completed ASP files following the conclusion of the audit, if the QARC selects the audit as part of its monitoring program
• engage more frequently with the Audit Office if issues arise that may lead to an increase in audit risk, such as significant changes to the audit team, the firm’s methodology, or the operation or condition of the auditee.
## 6. AUDIT ENGAGEMENT APPROACH

### Audit planning
- Assess and respond to engagement risk
- Organise team meeting (invite the Audit Office EC)
- Understand the auditee and its environment
- Understand entity level internal controls including information technology general controls (ITGCs)
- Understand the accounting process and document the design and implementation of controls
- Perform preliminary analytical review
- Determine materiality and performance materiality
- Plan a response to risk at the financial statement line item (FSLI) for each material balance
- Plan an audit response to assessed non-FSLI risks (fraud, laws and regulation, related parties, accounting estimates)
- Plan tests of controls, including ITGCs, where applicable
- Plan substantive procedures
- Prepare draft engagement reports

### Deliverables
- Progressive involvement record
- Drafted Annual Engagement Plan

### Audit execution
- Test the operating effectiveness of controls including ITGCs, where applicable
- Perform ECPs, if applicable
- Perform substantive procedures
- Review draft financial statements
- Evaluate misstatements, document and communicate deficiencies and significant matters
- Prepare draft engagement reports

### Deliverables
- Drafted:
  - Management Letter(s)
  - Letter of Observations on Early Close*

### Audit completion
- Obtain representations from management and those charged with governance
- Perform subsequent events review
- Confirm independence
- Prepare draft engagement reports
- Prepare and issue the Audit Service Provider (ASP) Representation Letter

### Deliverables
- Drafted:
  - Management Letter(s)
  - Engagement Closing Report
  - Statutory Audit Report(s)^
  - Report on the Conduct of the Audit#
- Progressive involvement record
- ASP Representation Letter

### Post engagement activities
- Complete audit file within archiving timeframes

### Deliverables
- Electronic audit file
- Manual audit file index

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* Applies to all NSW public sector agencies, including State Owned Corporations.
^ Applies to NSW state sector agencies and universities.
# Applies to councils and JOs.
Audit planning

ASPs are responsible for:

- making initial contact with both the auditee and the EC early in the relevant financial year to establish a working relationship between all parties
- agreeing the dates for the progressive review of audit working papers and completion of all audit work and reports with the EC
- inviting the EC to the planning meeting to discuss the audit strategy, fraud risk and any compliance audit requirements for the year
- presenting the audit plan to the EC for review before starting any interim audit work
- completing component auditor referral instructions if the audit is part of a group audit (the Audit Office group auditor will send these to the ASP to complete)
- preparing draft engagement deliverables (using the Audit Office templates) and sending these to the EC to review, sign and issue
- completing and sending the Planning section of the Progressive involvement Record to the Audit Office
- presenting the work performed to the Audit Office for review.

Based on this review, and in response to its consideration of audit risk, the Audit Office will confirm the existing audit plan, or may, in consultation with the ASP, recommend an alternative approach to the audit plan.

Audit execution

ASPs are responsible for:

- performing the planned audit procedures including:
  - procedures required by Australian Auditing Standards
  - testing the operating effectiveness of controls including ITCGs (where applicable)
  - performing early close procedures (where applicable)
  - performing substantive procedures
- reviewing the draft financial statements and advising the auditee of recommended changes
- evaluating misstatements, documenting and advising the EC of deficiencies and significant matters
- obtaining support for and following Audit Office policies and procedures for prior period errors and/or change to accounting policies that will be treated retrospectively
- preparing draft engagement reports (using the Audit Office template) and sending these to the EC to review, sign and issue.

Based on this review, the results of testing and a reconsideration of audit risk, the Audit Office will confirm the work performed, or may, in consultation with the ASP, recommend additional procedures.

Audit completion

ASPs are responsible for:

- presenting the work performed, including a review of the audit procedures/work papers since the planning review to the Audit Office for review
- preparing and issuing the Audit Service Provider Representation Letter, including recommending the form and content of the Independent Auditor’s Report
- preparing draft engagement deliverables (using the Audit Office templates) and sending these to the EC to review, sign and issue.

The ASP should send the Execution and Completion section of the Progressive involvement record to the Audit Office at the completion of the audit.
Based on this review, the results of testing and a reconsideration of audit risk, the Audit Office will confirm the work performed, or may, in consultation with the ASP, recommend additional procedures.

**Post engagement activities**

ASPs are responsible for:

- finalising and providing the EC with a copy of the completed audit file within 30 days of the EC issuing the auditor’s report
- removing all engagement documentation not contained with the audit file from: shared directories; individual or shared OneDrive or SharePoint folders; individual or shared email mailboxes; USB devices and external hard drives; and any other location that is not the audit file.

### 7. AUDIT ENGAGEMENT ADMINISTRATION

**Audit timetable**

The Proforma calendar of events outlines the typical audit process and sets out, in summary, the general timing and flow of documents between the auditee, the ASP and the Audit Office.

**Audit file storage and offshoring**

ASPs must not offshore any audit procedures (including administrative tasks such as rolling over prior year audit files) without the EC’s prior written approval. Approval to offshore any audit procedures will be dependent on the nature of activities the ASP is proposing to offshore, the nature of information being shared with affiliated overseas firms, how the information is shared with affiliated overseas firms and the security controls to prevent unauthorised access.

ASPs must not store, transfer, take or transit audit material outside Australia, without the Auditor-General’s (or delegate’s) prior written consent.

**Fees**

**Payment of ASP fees**

The Audit Office will pay fees within the agreed terms after the receipt of a correctly rendered invoice and the EC is satisfied that the services have been provided. A correctly rendered invoice is one that includes, at a minimum the following information:

- audit name and year-end
- Audit Office purchase order number.

The Audit Office reserves the right to withhold a payment until the ASP has provided the Audit Office with a report (from its practice management system) of time spent and/or disbursements incurred on the audit.

**Claims for additional fees**

ASPs must seek the EC’s approval before discussing claims for additional fees with the auditee. ASPs must outline the basis for the additional fee and provide relevant supporting documentation. ASPs should use the ASP fee variation form available on the Audit Office’s website to document their claim for additional fees.

Once the EC has approved the basis for an additional fee, it is the ASP’s responsibility to agree the additional fees in writing with the auditee before seeking reimbursement from the Audit Office. In some cases, the EC may decide to be involved in additional fee negotiations with the auditee.

**Audit fee beyond the initial year**

As outlined in the Agreement to provide Auditing Services, the ASP must submit a request to vary the initial year audit fee to the EC. ASPs should use the ASP fee variation form available on the Audit Office’s website to request a variation to the initial year audit fee.
The price escalation beyond the initial year must be consistent with the escalation basis outlined in the Agreement to provide Auditing Services.

8. PERFORMANCE MANAGEMENT

Annually, at the end of the assignment, the EC will assess the ASP’s performance against the obligations and expectations outlined in the agreement, this Manual and the quality and timeliness of key deliverables outlined in the calendar of events.

Amongst other things, the annual performance assessment will consider:

- whether the ASP completed the audit in accordance with professional pronouncements and the Audit Office audit and assurance, and governance policies
- the appropriateness of the audit approach and engagement risk assessment
- the quality and sufficiency of working papers to support the audit conclusions
- the sufficiency and effectiveness of the ASP’s quality control procedures on the audit
- the frequency, timeliness and adequacy of communication from the ASP to the Audit Office
- the auditee relationship and managing their expectations
- the level of engagement of senior staff in key auditee meetings/discussions
- the quality and timeliness of draft reports presented to the EC for finalisation
- the performance against agreed milestones for key deliverables
- the level of innovative practices used in the audit.

The results of the ASP’s performance will be shared with the Assistant Auditor-General responsible for managing ASPs and the Financial Audit Executive, who will review the assessment information to determine if any unsatisfactory performance needs to be remedied.

The EC will communicate the results of the annual performance assessment to the ASP at or before the planning phase of the following year’s audit.

Concerns of the ASP and the auditee

The ASP and the auditee may contact the Audit Office with comments, recommendations for improvement or concerns with the audit arrangements or processes. Significant concerns that are not satisfactorily resolved during the audit, can be registered as a complaint. Details of the complaint handling process are available on the Audit Office website: Make a complaint about us.

9. WORKPLACE HEALTH AND SAFETY OBLIGATIONS

The Audit Office is committed to maintaining a high standard of work health and safety (WHS) for everyone who works for the Audit Office and who visits our workplaces. This commitment also extends to contractors such as ASPs.

To achieve and sustain a safe and healthy work environment, the Audit Office expects all ASPs:

- to be responsible for providing a safe and healthy work environment for all workers involved in performing auditing services on behalf of the Auditor-General
- to act in accordance with its obligations under relevant legislation, codes of practice and recognised industry standards and aspires to implement best practices in WHS
- to ensure its workers are provided with appropriate training in respect of the ASPs policies and procedures
- to ensure its workers take reasonable care for their own health and safety and the health and safety of others and comply with any reasonable instructions, policies and procedures that apply to their work in performing the auditing services
- immediately report any work health and safety incident that directly relates to the auditing services to the Auditor-General
- to maintain up to date workers’ compensation insurance in accordance with the relevant workers’ compensation legislation.
To support the commitment to maintaining a high standard of WHS, ASPs are required to provide an annual certification to the Auditor-General. The Audit Office will send out the request for this certification at the end of each calendar year. The ASP must return the signed certification by no later than 31 December. The certification is outlined below:

[ASP name] has designed and implemented an appropriate work health and safety framework, including risk management processes, to ensure it is complying with the Work Health and Safety Act 2011 (NSW) and its own work health and safety obligations. [ASP name] also certifies that the work health and safety framework is operating effectively, and we agree to immediately notify you of any work, health and safety incidents that occur in the conduct of the auditing services.

10. INFORMATION SECURITY AND DATA BREACHES

The Audit Office is committed to securely storing auditee information that is obtained during the course of an audit. ASPs must comply with the Audit Office’s Third Party Security Policy. This policy governs the storing of information and infrastructure belonging to the Audit Office.

As a general principle, ASPs must have appropriate controls and mitigation processes in place to minimise the risk associated with potential security breaches. From time to time, the Audit Office will ask ASPs to complete an information security self-assessment. It is expected that ASPs will address any information security deficiencies identified from the self-assessment within an agreed timeframe. Failure to do so may result in a breach of contract.

ASPs must immediately notify the Audit Office of a cyber incident or breach that relates to any data, systems infrastructure or processes used in its arrangement with the Audit Office. Such notifications should be addressed to the EC and the Audit Office’s Professional Services Branch at governance@audit.nsw.gov.au.

ASPs must notify the Audit Office before advising the auditee of the cyber incident or potential data breach.

11. BREACHES OF CONTRACT

If a breach of contract occurs, the EC will evaluate the effect of the breach on the audit relationship. If the ongoing contractual relationship is not affected by the breach, the ASP will be advised a breach has been identified and the contract may be unaffected. Where the contractual audit relationship is affected by the breach, the ASP will be asked to take corrective action.

Where the breach of contract is material, the Audit Office may take steps to terminate the contract. Examples of a material breach of contract could include, but is not limited to:

• misrepresentations of the ASP’s qualifications
• failure to comply with Australian Auditing Standards or Australian Pronouncements of Ethical Standards
• audit work of an unacceptable standard or inadequately documented
• failure to meet quality standards
• inability to complete the audit within the specified time
• audit work not in accordance with the agreed audit plan
• suspension of ASP principals or key audit personnel by a professional accounting body
• imposition of an enforceable undertaking, or order, or disciplinary action by regulatory or professional body
• failure to maintain adequate information security controls and/or failure to adequately address any information security deficiencies identified via the information security self-assessment process within the agreed timeframe.
ASPs will be advised if an auditee expresses dissatisfaction with their audit services. The Audit Office will investigate all complaints made. ASPs will be asked to address any valid complaints. Failure to take appropriate corrective action may result in termination of the contract.

12. **ANNUAL AUDIT REPORTING FORMS**

The following forms are available on the Audit Office website:

- Progressive involvement record
- Proforma calendar of audit events
- Audit service providers representation letter *(state entities and universities)*
- Audit service providers representation letter *(local government entities)*
- Audit service provider representation letter – application for payment of pensioner concession subsidy.
APPENDIX 1. GLOSSARY OF TERMS

**Auditable entities** under the GSA Act include:

- GSF agency (whether or not a reporting GSF agency)
- university or any of its controlled entities (within the meaning of the GSF Act)
- any other entity:
  - for which the financial reports or statements are subject to audit by the Auditor-General under the GSA Act, GSF Act, or any other Act
  - that is prescribed by the regulations to be an auditable entity (section 44 and 45 of the GSA Act).

Note: For the purpose of Division 2 of the GSA Act which covers financial and performance audits, local government entities are not auditable entities as their audit provisions are covered in the LG Act.

**Consolidated Fund**: The main account of the government, which records:

- taxes, fines, fees collected
- Australian Government grants
- financial distributions from non-general government sector agencies
- appropriations to agencies.

**Consolidated State Financial Statements**: This represents all agencies and corporations owned and controlled by the NSW Government. It comprises the General Government Sector, the Public Financial Enterprise Sector and the Public Trading Enterprise Sector (also referred to as the Public Non-Financial Corporations Sector).

**Economy**: The acquisition of resources at cost to an auditee or the public. Economy is essentially a resource acquisition concept embodying a ‘least cost’ notion. It has been defined as the acquisition of resources of appropriate quality and quantity at the appropriate time and place for the lowest reasonable cost. The concept of economy may be violated by purchasing resources at the incorrect time, at an unfavourable price, in the wrong quantities or of inferior quality.

**Financial Reporting Code**: A model financial reporting framework which promotes consistency in the form and content of financial statements and accompanying note disclosures for General Government Sector entities. Treasury issues the Code annually, as a Treasury Policy and Guidelines Paper.


**Financial statements (as referred to in the Local Government Code of Accounting Practice and Financial Reporting)**:

- **Special Purpose Financial Statements** meet the needs of specific users and include the council’s:
  - **Declared Business Activities** prepared for use by the council and the Office of Local Government (OLG) within the Department of Planning, Industry and Environment to fulfil their requirements under the National Competition Policy
  - **Special Schedule ‘Permissible income for general rates’** prepared for distribution to OLG to confirm that the council’s reconciliation of the total permissible general income is presented fairly.
General Government Sector: According to Australian Bureau of Statistics definitions, the general government sector comprises those public sector entities that provide, mainly goods and services outside the market mechanism, as well as those that provide for the transfer of income for public policy purposes.

General Government Sector Entity: Any department or statutory body that provides goods and services or transfers income for public policy purposes. Regulatory bodies which retain taxation receipts are also regarded as general government sector entities. Only those general government sector entities which receive direct Consolidated Fund appropriations are included in the Budget.

Government money: the GSA Act has the same meaning as the GSF Act and includes anything that was public money within the meaning of the Public Finance and Audit Act 1983 immediately before the definition of public money was omitted by the substitution of this section by the Government Sector Finance Legislation (Repeal and Amendment) Act 2018.

For the purpose of complaints about government money under section 52D of the GSA Act, waste of government money in relation to an auditable entity that is not a GSF agency includes waste of money of that entity even if it is not government money.

Government money in the GSF Act means any:

- public money (including any securities and revenue, loans, and other money whatsoever) collected, received, or held by any person for or on account of the State and
- any territorial, casual and other revenues of the Crown (including all royalties), from whatever source arising, within New South Wales, and as to the disposal of which the Crown may otherwise be entitled absolutely, conditionally or in any other way (as referred to in section 39 (2) of the Constitution Act 1902) and
- money that, under any Act, is directed or authorised to be paid to or expressed to, or is expressed to form part of the Consolidated Fund or the Special Deposits Account (including money in working accounts in the Special Deposits Account) and
- money (or money of a kind) prescribed by the Government Sector Finance Regulations 2018 as government money.

Legislative requirements: The particular requirements or provisions detailed in Acts, Regulations, or a Treasurer’s Direction or OLG Guidelines.

Local Government Code of Accounting Practice and Financial Reporting: A comprehensive financial reporting framework outlining the form and content of financial statements and accompanying note disclosures for councils issued by OLG.

Non-audit services: Any service other than ‘Audit Services’ set out in clause 10 of the Agreement to Provide Auditing Services.

Non-Compliance with legislative requirements: Acts or omissions by an auditee, either intentional or unintentional, which are contrary to law. These include unauthorised or illegal transactions entered into by or in the name of the auditee or on its behalf by its governing body or employees. For audit purposes, this does not include personal misconduct by members of the auditee's governing body or employees who are unrelated to an auditee's operations. Civil wrongs are also excluded, for example breaches of duties in contract or tort.

The terms illegal, breach of legislation/law or unlawful are intended to mean the same as non-compliance with legislative requirements.

Public Financial Enterprise (PFE): Agencies with one, or more, of the following functions:

- central banker
- acceptance of demand, time or savings deposits
- authority to incur liabilities and acquire financial assets in the market for their own account.
Public Trading Enterprise (PTE): Agencies which charge for services provided and hence have a broadly commercial orientation.

Report on the Conduct of the Audit: A report auditors are required to issue under section 417 of the LG Act. Auditors are required to consider and report on matters pertinent to the council’s financial statements and the audit.

Significant: An item is significant if it is of such a nature or amount that its disclosure or non-disclosure, or the method of treating it, is likely to influence users in making decisions or assessments.

Significant legislative requirements: Comprise all legislative requirements intended to govern an auditee’s financial management behaviour, the form and content of its financial statements and other legislative requirements where the risk of non-compliance with legislative requirements is high and the likely financial impact, operational or political exposure, is also high.

State Owned Corporation: Public Trading Enterprises (PTEs) established with a governance structure, which mirrors as far as possible a publicly listed company.

Those charged with governance: The governing body, audit and risk committee, individual member of the governing body, officer(s) and/or other person(s) having responsibility for corporate governance, including the planning and directing of activities of an auditee. For certain reporting purposes, it may also include the relevant Minister.

Waste: The misuse of resources.
# APPENDIX 2. LEGISLATION AND USEFUL WEBSITES

To access the New South Wales Legislation home page, click on this [link](#).

To access other legislation, click on this [link](#).

<table>
<thead>
<tr>
<th>Website</th>
<th>Details</th>
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<tbody>
<tr>
<td><strong>NSW Government Home Page</strong></td>
<td>A comprehensive website useful for simple enquiries as well as more detailed research tasks such as:</td>
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<td>• looking up legislation</td>
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<td>• identifying business opportunities</td>
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<td>• finding out rights of a consumer.</td>
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<tr>
<td><strong>NSW Government Directories</strong></td>
<td>This directory provides information about the New South Wales State Government - Parliament, courts and several hundred organisations ('agencies') grouped into Ministers’ portfolios. The information is arranged to show the government’s structure and provide general details and contact information.</td>
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<tr>
<td><strong>Independent Commission Against Corruption</strong></td>
<td>The Independent Commission Against Corruption exposes and minimises corruption in the New South Wales public sector. It does this by conducting investigations and hearings, providing corruption prevention advice and informing and educating the public and private sectors, and the community.</td>
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<tr>
<td><strong>NSW Treasury</strong></td>
<td>The Treasury advises the Treasurer and the New South Wales Government on state financial management policy and reporting, and economic conditions and issues.</td>
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<td></td>
<td>The policies and other reporting requirements are documented in publications such as <a href="#">Treasurers Directions</a>, <a href="#">Treasury Circulars</a>, and <a href="#">Treasury Policy Papers</a>.</td>
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<td></td>
<td>Information on the GSF Act and the ongoing reforms are available at NSW Treasury's <a href="#">Government Sector Finance Act 2018</a> page.</td>
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<tr>
<td><strong>Office of Local Government</strong></td>
<td>The Office of Local Government (OLG) within the Department of Planning, Industry and Environment is responsible for regulating local government across NSW. OLG has a policy, legislative, and investigative program focusing on matters ranging across local government finance, infrastructure, governance, performance, collaboration and community engagement. OLG works collaboratively with the local government sector and is the key advisor to the NSW Government on Local Government matters.</td>
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<tr>
<td><strong>Revenue NSW</strong></td>
<td>Revenue NSW is a division of the Department of Customer Service and administers state taxation and revenue, for and on behalf of, the people of New South Wales. Revenue NSW manages fines, administers grants and subsidies and recovers debt.</td>
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<tr>
<td><strong>Ombudsman’s Office</strong></td>
<td>The NSW Ombudsman is an integrity agency that makes sure that agencies it watches over fulfil their functions properly and improve their delivery of services to the public. The Ombudsman has the power to investigate conduct which may be:</td>
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<td>• illegal</td>
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<td>• unreasonable, unjust or oppressive</td>
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<td>• improperly discriminatory</td>
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<td>• based on improper motives or irrelevant grounds</td>
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<td>• based on a mistake of law or fact.</td>
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<td>Website</td>
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<tr>
<td>Parliament of New South Wales</td>
<td>The website provides access to Bills, Hansard and Committee Papers.</td>
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<tr>
<td>Department of Premier and Cabinet</td>
<td>The Department of Premier and Cabinet is the central agency for the NSW Government. It leads the NSW public sector to deliver on the NSW Government’s commitments and priorities. Agencies, aside from State Owned Corporations (SOCs), must comply with the Ministerial Memoranda and Department Circulars. Memoranda and Circulars do not apply to SOCs unless stated and are supported by directions from the Ministerial shareholders.</td>
</tr>
<tr>
<td>State Archives and Records Authority</td>
<td>The State Archives and Records Authority is the NSW Government’s archives and records management authority.</td>
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OUR VISION

Our insights inform and challenge government to improve outcomes for citizens.

OUR PURPOSE

To help parliament hold government accountable for its use of public resources.