

SCHEDULE OF DOCUMENTS

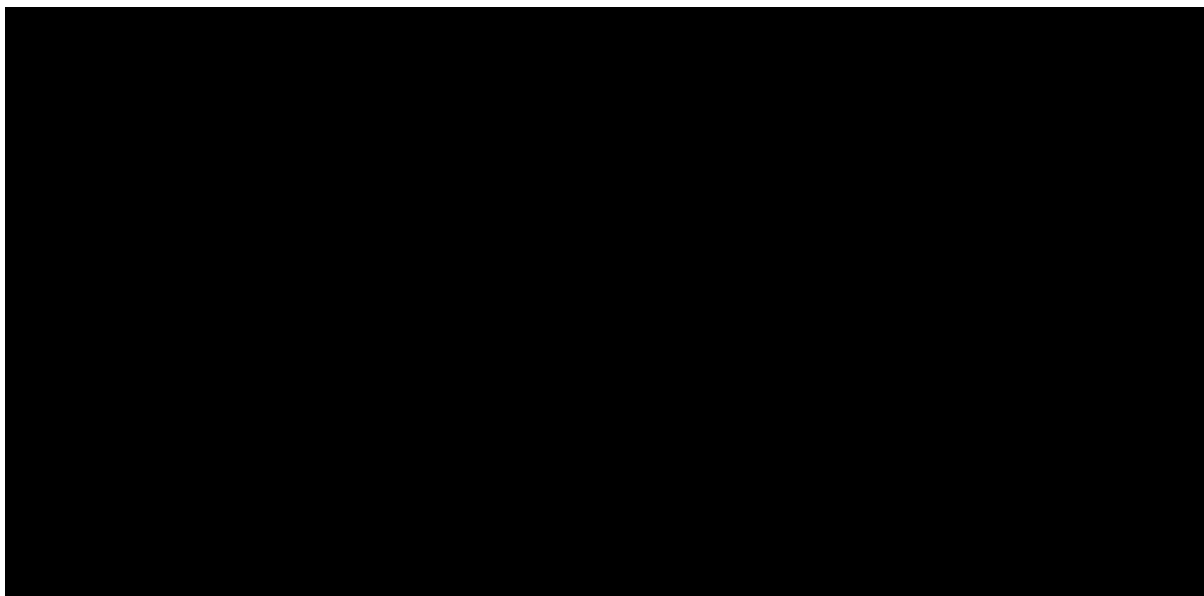
Doc No	Date of Document	Document Description	Full, Partial or Refused	Exemption(s) provision	Page numbers/part page numbers redacted	Comments
1	26-04-2024	AWM Internal Documents	Partial Release	s22(1)(a)(ii)	1-2	Partial Release
2	26-04-2024	AWM Internal Documents	Partial Release	s22(1)(a)(ii)	1-3	Partial Release
3	10-05-2024	AWM Internal Documents	Partial Release	s22(1)(a)(ii)	1-2	Partial Release
4	05-09-2024	AWM Internal Documents	Partial Release	s22(1)(a)(ii)	1	Partial Release
5	06-09-2024	AWM Internal Documents	Partial Release	s22(1)(a)(ii)	1	Partial Release

From: Wayne Hitches s22(1)(a)(ii)
To: [REDACTED]
Subject: FW: Meeting with Min VA re ANAO Audit
Date: Friday, 26 April 2024 10:27:12 AM

In-Confidence

[REDACTED] s22(1)(a)(ii)

Sharing so you have the context for the briefing papers we will be required to produce.



Regards Wayne

s22(1)(a)(ii)

From: Matt Anderson <Matt.Anderson@awm.gov.au>
Sent: Friday, 26 April 2024 9:14 AM
To: Kim Beazley [REDACTED] s22(1)(a)(ii)
Cc: Wayne Hitches <Wayne.Hitches@awm.gov.au>
Subject: Meeting with Min VA re ANAO Audit

Dear Kim

As discussed, attached is a note to provide a summary of the conversation held with Min VA Matt Keogh on Wednesday (17/4). Chief of Staff and Adviser were also present. Wayne accompanied me but, disappointingly for me, he was asked to remain in the foyer.

The Minister said he was surprised we had not given him a 'heads-up' on the audit report. He said had already received a briefing from the Auditor-General, who had told him we could have provided an informal briefing ahead of the tabling. I said this was not our understanding. We were told by the auditors during our exit interview we were not to discuss it with the Minister's office.

I have since looked at the letter I received from the Auditor General, stressing "the proposed audit report is covered by the confidentiality obligation in subsection 36(3) of the Act and must

be safeguarded at all times...Please note that subsection 36(3) of the Act includes a penalty for contravening the confidentiality obligation. Information from the proposed audit report can only be disclosed to other persons (such as external legal advisers, contractors, consultants and Ministers), with my written consent.” No mention of informal there!

The Minister’s other concern was over ‘quality of briefing’ from the Memorial. He stressed ‘the Memorial is not an orphan’ and he has directed a change to the Ministerial Submission template (both for AWM and DVA) to ensure he has the information he needs and in the format he prefers. Not specifically related to the Audit recommendations, but on this occasion, he highlighted a submission before him for suspension of cleaning services contract which contradicted an earlier briefing to extend the contract.

I did challenge the issue of the ‘quality of briefing’ where it related to the Audit Report, especially as it made much of the briefing to the Minister needing to address the issue of ‘value for money’. There were two aspects here – we sought Ministerial Approval for expenditure over \$1 million as required under the AWM Act. The ANAO then applied the PGPA to that approval.

We continue to believe that, as an Officer under the PGPA, it is I who must be satisfied that the expenditure represents value for money, and in every submission I have stated I am satisfied, having read the tender documentation, reports, sought additional information etc. Our interpretation of the Minister’s responsibilities under the PGPA relate to satisfying the expenditure is ‘proper’ – efficient, effective, economical and ethical, without reference to value for money. We have argued this with ANAO, and they held to a different interpretation. ‘Value for money’ comes up 15 times in the Ministerial Approval section of the ANAO report and the quality of our advice! And, of course, the ANAO audit found we are achieving value for money.

He also mentioned more generally he didn’t have the visibility he anticipated of Memorial issues/activities. He received weekly dashboard reporting from both Defence and DVA and wanted the Memorial to be incorporated into that weekly briefing. I think we should restate our standing offer for the Minister to attend Council meeting lunches and for you and I to debrief him after each Council meeting.

He spoke of procurement issues he felt were highlighted by the ANAO audit – including risks around ‘single source’, which is not an issue for us - and directed that all Memorial staff undertake dedicated procurement training. I will prepare an information submission for him outlining the Memorial’s procurement framework (including our Risk Management and contract management policies), the training regime already undertaken by staff, but also to remind him the ANAO found the Memorial’s ‘Procurement policies, governance and project management arrangements were largely effective...Procurement activities were largely conducted in compliance with the Commonwealth Procurement Rules through open and competitive processes...(and) contract management was largely effective.’ We were recently awarded a Finance Department award for procurement.

It was, and remains, a good audit, which reflects well on all involved and the processes and people we have in place.

Of interest, I have never met with him one-on-one – always in the company of others - and have offered to travel to Perth and/or have him home for dinner with [REDACTED] and kids when next in town.

s22(1)(a)(ii)

Actions:

We will prepare a detailed briefing for him on Memorial Procurement, I will establish through Sec DVA the process to have a Memorial update included in his regular briefings, and we should restate the invitation for him to attend Council lunches and for you and/or I to debrief him after every Council meeting.

Sincerely

Matt

From: [Matt Anderson](#)
To: [Wayne Hitches](#)
Subject: RE: Meeting with Min VA re ANAO Audit
Date: Friday, 26 April 2024 3:18:47 PM

Thanks Wayne

Confirming sets of TPs were left with the Minister's office during meeting.

Regards

Matt

From: Wayne Hitches <Wayne.Hitches@awm.gov.au>
Sent: Friday, 26 April 2024 11:53 AM
To: Matt Anderson <Matt.Anderson@awm.gov.au>
Subject: RE: Meeting with Min VA re ANAO Audit

Thanks Matt,

The Minister's perception is disappointing and I feel was inaccurate, thank you for trying to set the record straight. I too hoped I could have been part of the discussion to explain the ANAO statements. Still as you say the report is overwhelmingly positive when fully understood.

For easy reference attached is the Ministerial brief sent 12/4/24 after the report being tabled to Parliament on the 11/4/24. Returned today 26/4/24.

Also the table of talking points you left with the Minister's office at the visit of 17/4/24.

We will produce a Ministerial with responses to current queries and a status on the Recommendations close out progress for you next week.

Please advise if you need additional information or some specifically formatted information for the new Minister weekly dashboard requirements.

Regards Wayne

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Sincerely

Matt

From: [Leanne Patterson](#)
To: [Wayne Hitches](#) s22(1)(a)(ii)
Cc: [REDACTED]
Subject: RE: ANAO status update
Date: Friday, 10 May 2024 11:31:29 AM

Hi Wayne,

Rick has updated the IM policy to incorporate ANAO observations, and it will formally go to CMG next week.

Status - On track.

The draft information management policy will be presented to the Memorial's Corporate Management Group for approval on 16 May 2024. The policy:

- establishes a register of "approved information systems" that includes the electronic document and records management system (EDRMS) SharePoint as well as TechOne.
- includes a requirement for either the Chief Information Officer or Chief Information Governance Officer to be consulted on the capability and process for systems that are not an approved information system (i.e. Aconex) to transfer information assets to an approved information system before they are implemented. The approved information system used for the transfer would normally be SharePoint.
- makes the business owner of a system that is not an approved information system responsible for ongoing transfer of information assets to an approved information system.

Wayne – will you also include a comment re: changes the IMT has made to ensure the transfer of Aconex records to SharePoint? (p3.65-67 procurement, p4.10 site diaries, p4.55 & 56 key contract correspondence and documents)

Changes have been made to require a review of documentation for all procurements prior to seeking a delegate approval. The review is undertaken by a central procurement team and ensures all the relevant compliance activities have taken place by reviewing the completeness and quality of procurement documentation.

Also, I spoke to Chris a few weeks ago about the general procurement update the Minister requested to make sure we have an organisational response, and I'd appreciate seeing a copy of that summary before its submitted please.

thanks
Leanne

From: Wayne Hitches <Wayne.Hitches@awm.gov.au>
Sent: Friday, 26 April 2024 4:08 PM
To: Leanne Patterson <Leanne.Patterson@awm.gov.au>
Cc: Chris Widenbar <Chris.Widenbar@awm.gov.au>
Subject: ANAO status update

Hi Leanne,

We are putting together a status update for Matt to send to the Minister on the ANAO queries and Recommendations close out.

We need to status next week and close out by June (Matt would prefer prior to Senate Estimates if possible).

Can you provide a status on Recommendation number 2 for us please?

Many thanks Wayne

Recommendation no. 2
Paragraph 2.37

The Australian War Memorial update its records management policies to ensure that electronic record-keeping systems are defined and approved, and implement quality assurance controls to ensure records are maintained in accordance with its policy and the requirements of the Archives Act 1983.

Response

Agreed.

The Memorial commenced the review and update of its Records Management policies in Q4 2023; it expects a revised policy to be agreed and implementation to commence not later than end Q2 2024.

Update 22/04/24

Wayne Hitches

Executive Program Director | AWM Development

wayne.hitches@awm.gov.au | t | 02 6243 4554 | [REDACTED] s22(1)(a)(ii)

Australian War Memorial | GPO Box 345 Canberra ACT 2601 | www.awm.gov.au

The Australian War Memorial supports working flexibly as an aid to work/life balance. Although it may suit me to send emails outside standard business hours, I do not expect you to respond outside your regular work hours.

From: [Matt Anderson](#)
To: [Wayne Hitches](#) s22(1)(a)(ii)
Cc: [REDACTED] [Director.Office](#)
Subject: Legal Advice
Date: Thursday, 5 September 2024 11:50:33 PM

Dear Wayne

I spoke with the Minister at length today.

He confirmed that what he was after was legal advice which outlined the basis of the deed of settlement; namely, that while they had claims against us, and we could probably bat most of them away - possibly even all - it was better off seeking a commercial settlement that conceded some in order to derisk the project (time and value for money ec).

I think our legal advice does just that and should be submitted as a new sub. He said he was relaxed if we simply submitted the original sub again, with deed and legal advice attached, or separate sub with just the legal advice, noting it was in response to his comments responded to the comments in the original sub.

He indicated that if satisfied with the legal advice, approval for the second part (4 mil in variations) would naturally follow. But he was not prepared to approve the variations without first. So it might be most expeditious and easiest therefore to re prosecute the original sub language with minor language changes, noting his request for additional legal advice, attach both deed and legal advice, and seeking part 2 in the same sub.

Regards

Matt

s22(1)(a)(ii)

From: Anne Bennie
Sent: Friday, 6 September 2024 6:10 AM
To: Matt Anderson; Leanne Patterson; Brian Dawson; Wayne Hitches
Cc: s22(1)(a)(ii)
Subject: Re: Mtg with Minister

Thanks Matt. Got to love Qantas !

Regards,

Anne

From: Matt Anderson <Matt.Anderson@awm.gov.au>
Sent: Friday, September 6, 2024 2:55:25 AM
To: Leanne Patterson <Leanne.Patterson@awm.gov.au>; Anne Bennie <Anne.Bennie@awm.gov.au>; Brian Dawson <Brian.Dawson@awm.gov.au>; Wayne Hitches <Wayne.Hitches@awm.gov.au>
Cc: s22(1)(a)(ii)
Subject: Mtg with Minister

Had a good meeting with Minister. Have emailed Wayne separately re legal advice for deed. Should clear the way for both asks in Wayne's earlier submission.

Told us he would 'fix' our operational budget position. It would not be in the forthcoming MYEFO, and I again explained our urgency. He assured us he was working on a fix for around the same time as we would have gone to mYEFO but 'in a different way'. He assured us (Chairman and I) there was a workaround he was seeking and asked us not to worry. Cath was on the call via video link and seemed to know what was going on.

Worth a discussion when/if I get back. Plane delayed 2 hours and counting...

Matt