### PART 3
**MANAGEMENT AND ACCOUNTABILITY**

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CHAPTER 7
CORPORATE GOVERNANCE

Professor Vaughan Macefield (L) and Professor Kenny Kwok (R), University of Western Sydney, are investigating human comfort and performance in tall buildings.

Photo courtesy of Sally Tsoutas.
DESCRIPTION

In 2013–14 the ARC continued to maintain a robust corporate government framework to support
delivery of its program. Key elements of the framework included:
- a well defined governance structure
- comprehensive planning and reporting arrangements
- well development arrangements for monitoring financial and service delivery
- sound risk management practices
- strong framework of standards for ethical conduct
- commitment to engage stakeholders where appropriate
- monitoring of performance against service charter and complaints.

GOVERNANCE STRUCTURE

PORTFOLIO

Under the amended Administrative Arrangements Order issued by the Governor-General on
18 September 2013, the ARC was appointed to the Education portfolio. The Hon Christopher Pyne
MP (the Minister) was appointed Minister for Education. Prior to the amendment, the ARC was
part of the Industry portfolio.

LEGISLATION

The ARC is established as an independent body under the Australian Research Council Act 2001
(ARC Act). In 2013–14 the ARC was also a prescribed agency under the Financial Management
and Accountability Act 1997 and subject to the Public Service Act 1999.

Under the ARC Act, the Minister has a range of powers including approving the ARC’s strategic
plan, funding rules and proposals for expenditure under the National Competitive Grants Program
(NCGP). The Minister also has the power to:
- establish designated committees to assist in carrying out the functions of the Chief Executive
  Officer (CEO)
- direct the CEO about the performance of the CEO’s functions
- provide notification of the general policies of the Australian Government that are to apply to
  the ARC or its components (that is, the ARC committees and staff).

There were no Ministerial directions issued to the ARC during 2013–14. The Minister wrote to the
CEO in April 2014 about his expectations of the ARC in relation to the Government’s deregulation
agenda. Information about the ARC’s contribution to the Government’s deregulation agenda is
provided on the page 97.
Public Governance, Performance and Accountability Act 2013

The Public Governance, Performance and Accountability Act 2013 (PGPA Act) received Royal Assent on 29 June 2013 and came into effect on 1 July 2014. The PGPA Act aims to establish a coherent approach to the use and management of public resources and support greater efficiencies for Commonwealth entities.

It is based on the following principles:
- government should operate as a coherent whole
- a uniform set of duties should apply to all resources handled by Commonwealth entities
- performance of the public sector is more than financial
- engaging with risk is a necessary step in improving performance.

From 1 July 2014 Financial Management and Accountability Act 1997 (FMA Act) agencies and Commonwealth Authorities and Companies Act 1997 (CAC Act) bodies will be governed by the PGPA Act. Consequent changes required of agencies, include: updating the sources of authority in internal controls and financial delegations; ensuring risks are actively managed through effective internal systems and controls; and complying with general duties that apply to all officials. The PGPA Act will be supported by rules and guidance to assist Commonwealth entities to manage public resources. Some rules and guidelines, such as the property framework and financial reporting, will not change immediately but others, such as the procurement framework, the Commonwealth Procurement Rules and the Commonwealth Grants Rules and Guidelines changed in early July 2014.

In 2013–14 the ARC commenced preparations for the transition from the FMA Act to the PGPA Act by:
- attending Whole of Australian Government meetings and forums on the implementation of the PGPA Act and keeping abreast of the information on the Public Management Reform Agenda website
- reviewing and identifying changes required to terminology, internal controls and documentation, including the Audit Committee Charter, Financial Delegations, Chief Executive’s Instructions (CEIs) and the ARC’s standard contract templates, as well as policies and procedures regarding risk management, fraud control, travel, hospitality, the use of corporate credit cards and conflict of interest
- promoting awareness of the changes to staff including via regular updates in all staff communications and in the ARC’s internal newsletter, an intranet page dedicated to the introduction, the display of PGPA Act implementation posters throughout the ARC.

The ARC will continue to review and update internal controls and its policy and procedure documents in 2014–15 in line with the approval and release of the final set of PGPA Rules and Model Accountable Authority Instructions and any further guidance, as it becomes available.
ARC CONTRIBUTION TO THE GOVERNMENT’S DEREGULATION AGENDA

The Government’s deregulation agenda aims to reduce unnecessary red tape costs on individuals, businesses and community organisations. It applies to any mandatory obligations imposed by legislation, regulations, or quasi regulations. This includes statutory instruments, standards, codes of practice, or any other aspect of regulator behaviour that has a measurable cost burden on business or individuals.

Elements of the Government’s Deregulation Agenda include:
- a commitment to cutting the burden of red and green tape by a net $1 billion a year
- the establishment of Deregulation Units in each portfolio to implement the deregulation agenda
- the conduct of audits of the regulatory footprint within each portfolio.

Implementation of the Government’s deregulation agenda across the whole of government is coordinated by the Office of Deregulation, within the Department of the Prime Minister and Cabinet.

Letter of expectations
The Minister wrote to the CEO in April 2014 about his expectations of the ARC in relation to the Government’s deregulation agenda. These were that the ARC would actively minimise the regulatory burden on the research sector by: being transparent and accountable in decision making, maximising clarity and transparency in approaches, processes and communication, and taking a risk based approach to compliance where appropriate.

Government-wide stocktake and audit of regulations
The ARC is contributing to the government-wide stocktake and audit of regulations. In 2013–14, as part of Phase 1 of this process, the ARC identified all regulations administered under its programs, their estimated compliance requirements and opportunities for reform. The overall regulatory burden of these programs was assessed independently as being medium.
EXECUTIVE STAFF RESPONSIBILITIES

Executive staff

PROFESSOR AIDAN BYRNE, CHIEF EXECUTIVE OFFICER
The CEO has the following functions under the ARC Act: to make recommendations to the Minister on which proposals should be approved for funding; to administer the financial assistance for research provided through the NCGP; to provide advice to the Minister on research matters; any other functions conferred on the CEO by this or any other Act. Professor Byrne also has statutory responsibilities for managing and leading the agency in accordance with the requirements of relevant legislation.

MS LEANNE HARVEY, EXECUTIVE GENERAL MANAGER
The Executive General Manager (EGM) is responsible for the Research Excellence Branch and the Corporate Services Branch. The Research Excellence Branch comprises three sections: Program Evaluation; Research Analysis; and Research Evaluation. The branch administers Excellence in Research for Australia (ERA) and undertakes program evaluation. The Corporate Services Branch comprises four sections: Finance; Legal Services; People and Services; and Stakeholder Relations and Parliamentary. The branch undertakes finance and legal functions; people management; property and facilities management; delivery of corporate communications, media relations and publications activities; and ministerial and parliamentary liaison.

DR TERRY BOWDITCH, BRANCH MANAGER, STRATEGY BRANCH
The Branch Manager, Strategy Branch is responsible for the Policy and Governance and Policy and Integrity sections of the ARC. The Strategy Branch undertakes policy development and advice; coordinates the agency’s strategic and operational planning and performance reporting; NCGP data analysis; secretariat support to the ARC Advisory Council, Australian Research Integrity Committee and ARC Audit Committee; and coordination of ARC’s risk management and internal audit activities.

DR FIONA CAMERON, EXECUTIVE DIRECTOR, BIOLOGICAL SCIENCES AND BIOTECHNOLOGY
Dr Cameron is responsible for oversight of the ARC Centres of Excellence, Industrial Research Transformation Research Program and Linkage Projects funding schemes. In addition, she has particular responsibility for discipline activities in biological sciences and biotechnology.

PROFESSOR DENISE MEREDYTH, EXECUTIVE DIRECTOR, HUMANITIES AND CREATIVE ARTS
Professor Meredith is responsible for oversight of the Australian Laureate Fellowships funding scheme. In addition she has particular responsibility for discipline activities in the humanities and creative arts.
PROFESSOR MARIAN SIMMS, EXECUTIVE DIRECTOR, SOCIAL, BEHAVIOURAL AND ECONOMIC SCIENCES
Professor Simms is responsible for oversight of the Discovery Indigenous and Discovery Projects funding schemes. In addition she has particular responsibility for discipline activities in the social, behavioural and economic sciences.

PROFESSOR BRIAN YATES, EXECUTIVE DIRECTOR, ENGINEERING, MATHEMATICS AND INFORMATION SCIENCES
Professor Yates is responsible for oversight of the Discovery Early Career Researcher Award, Future Fellowships and Linkage Infrastructure, Equipment and Facilities funding schemes. In addition he has particular responsibility for discipline activities in engineering, mathematics and information sciences.

Senior staff

DR LAURA DAN, CHIEF PROGRAM OFFICER
The Chief Program Officer is responsible for the three sections of the Programs Branch: Discovery, Linkage and Program Partnerships. The Programs Branch administers the funding schemes of the NCGP, including activities at all stages of the grants process, from application through to post award.

MS JULIJA DELEVA, CHIEF FINANCIAL OFFICER
The Chief Financial Officer is responsible for delivery of ARC financial functions including ensuring the application of relevant Australian Government financial standards, preparation of annual financial accounts and statements, purchasing, tendering, and compliance and delegations.

MS TRISH LEAHEY, CHIEF INFORMATION OFFICER
The Chief Information Officer is responsible for the two sections of the Information and Communications Technology (ICT) Services Branch: Applications and Operations. The ICT Services Branch is responsible for the development and ongoing maintenance of in-house ICT applications supporting delivery of the NCGP and ERA, as well as other ICT functions.
COMMITTEES

The ARC has a number of governance committees and a number of committees that assist with the delivery of the NCGP and ERA. Committee membership information is provided in Part 5, Appendix 4.

Governance

ARC ADVISORY COUNCIL

Under section 4 of the ARC Act, the Minister may establish a committee or committees to assist in carrying out the functions of the CEO. The ARC Advisory Council is the ARC’s only designated committee. It is established to provide advice to the Chief Executive Officer (CEO) about strategic issues relating to the mission of the ARC, including: strategic planning; policy matters relating to innovation, research and research training; and matters relating to the evaluation of the quality and outcomes of research and research training in an international context.

The council comprises up to ten members, including the CEO who chairs the council. Members are appointed by the Minister for periods of up to three years, based on their distinguished research records or achievements in business, research and development. The collective expertise of the council spans a broad range of research and stakeholder knowledge.

During 2013–14 the council met on three occasions. The members discussed and provided advice on a range of issues, including: development of the ARC strategic plan; NCGP requirements; ERA processes; and ARC policies (for example, open access).
AUDIT COMMITTEE

The ARC Audit Committee provides the CEO with independent assurance on the risk, control and compliance framework of the ARC under the FMA Act and undertakes financial statement responsibilities. It also provides a forum for communication between the CEO, senior staff and the Auditor-General. During 2013–14 the committee met five times.

SENIOR MANAGEMENT GROUP

The Senior Management Group (SMG) provides advice and direction on strategic and operational issues and coordinates activities across the agency. SMG comprises the CEO; EGM; Branch Manager, Strategy; Chief Financial Officer, Chief Information Officer and Chief Program Officer. SMG meetings are scheduled fortnightly. Observers may be invited to assist the committee on matters under consideration.

OTHER COMMITTEES

Other governance committees in place as at 30 June 2014 included:
- ARC Security Committee
- Business Continuity Plan Committee
- DELTA Project Board
- ICT Change Control Committee
- ICT Governance Committee
- People Management and Development Committee
- Salary Review Committee
- Work Health and Safety Committee.

National Competitive Grants Program

ARC COLLEGE OF EXPERTS

The ARC College of Experts plays a fundamental role in identifying research excellence, moderating external assessments and recommending fundable proposals. Members also help recruit and assign assessors, and implement peer review reforms in established and emerging disciplines as well as interdisciplinary areas. The members are appointed by the CEO across five discipline groups for up to three years.

Meetings of the ARC College of Experts are convened during the year depending on scheme requirements. Generally, larger multi-panel meetings are held in April/May and August/September each year, while smaller interdisciplinary sub-group meetings may be convened at the ARC or online at other times.
In November 2013, following a competitive selection process, the ARC appointed 51 new members to the ARC College of Experts to participate in deliberations for 2014 onwards. When appointing new members, the ARC considered the expanding research areas of grant proposals, gender balance, institutional affiliations and state/territory representation.

The 2014 ARC College of Experts comprises 158 experts of international standing drawn from the Australian research community—from higher education, industry and public sector research organisations.

**APPEALS COMMITTEE**

The ARC Appeals Committee considers appeals submitted to the ARC in relation to the NCGP. For each appeal, the committee determines if there was an administrative error related to a selection process that has adversely affected the proposal. The committee then makes a recommendation to the CEO about whether the appeal should be upheld or dismissed. The committee also provides general advice to the ARC in relation to how administrative processes could be modified or improved. The committee consists of external members appointed by the CEO.

In 2013–14 the committee met twice to consider nine appeals received by the ARC in relation to NCGP proposals across the Discovery Projects, Linkage Infrastructure, Equipment and Facilities and Linkage Projects schemes. Of these, one appeal was upheld.

**SCRUTINY COMMITTEE**

The ARC Scrutiny Committee scrutinises the probity of ARC assessment processes in relation to funding proposals involving members of the ARC College of Experts and/or ARC staff. On completion of the process, the committee reports its findings and recommendations to the CEO. The committee consists of external members appointed by the CEO annually. The committee met once during 2013–14.

**SELECTION ADVISORY COMMITTEES**

The ARC convenes Selection Advisory Committees (SACs), comprising a group of experts appointed to assist the ARC to evaluate proposals and provide recommendations for funding, under some ARC schemes. In 2013–14 SACs assessed proposals for funding under the Australian Laureate Fellowships; ARC Centres of Excellence; Special Research Initiatives, Learned Academies Special Projects and Industrial Transformation Research Program schemes.
Excellence in Research for Australia

The ARC establishes ERA Research Evaluation Committees (RECs) to evaluate research at Australian higher education institutions by discipline. The committees comprise distinguished and internationally-recognised researchers with expertise in research evaluation. No ERA RECs were convened in 2013–14 as it was not an evaluation year.

Australian Research Integrity Committee

The ARC and the National Health and Medical Research Council (NHMRC) established the Australian Research Integrity Committee (ARIC) in February 2011. ARIC is comprised of four expert members and reports to both the ARC and the NHMRC. The committee reviews the processes by which a university has managed an allegation of research misconduct.

ARIC’s role in reviewing institutional processes in response to allegations of research misconduct ensures institutions observe proper process in their investigations. In doing so, ARIC contributes to public confidence regarding the integrity of Australia’s research effort. ARIC review whether an institution’s investigation of allegations of research misconduct is consistent with the Australian Code for the Responsible Conduct of Research (2007) and the institution’s own policies and procedures.

The ARC provides secretariat support for ARIC matters relevant to ARC-funded research. An important component of the ARC’s involvement is to create an awareness of ARIC and its responsibilities.

In 2013–14 members of the ARIC were jointly reappointed by the CEO’s of the ARC and NHMRC for a second three-year term. Members included: Mr Ron Brent (Chair); Dr Kerry Breen; Ms Julie Hamblin; and Emeritus Professor Sheila Shaver.

During 2013–14 the ARC received two requests for review to be undertaken by ARIC. ARIC provides findings and, where relevant, recommendations to the CEO of the ARC. Annual, de-identified reports are also provided to the CEO on all activities of the committee. Details of ARIC investigations are not made publicly available.
PLANNING AND REPORTING ARRANGEMENTS

STRATEGIC PLAN
The ARC Act requires the CEO to prepare a strategic plan each year that sets out the goals, priorities, policies and strategies to be adopted by the ARC to achieve its objectives. The strategic plan includes performance indicators which will be used to evaluate the ARC’s performance in meeting its objectives in the following year.

The ARC Strategic Plan for 2013–14 to 2015–16 was tabled in The Parliament of Australia on 25 June 2013. The plan comprised three program goals based on the Discovery, Linkage and Excellence in Research for Australia programs; and included four enabling goals based on the provision of high quality advice to the Australian Government, effective engagement with national and international stakeholders, efficient and effective program delivery and improving organisational capability.

OPERATIONAL PLAN
Every year the ARC prepares an internal operational plan to support the strategic plan. The ARC Operational Plan 2013–14 details the actions undertaken by the ARC to address the objectives and priorities outlined in the strategic plan. Each section of the ARC provides input into the operational plan and a progress report is produced quarterly to monitor progress of the actions, and provided to SMG for endorsement.

PORTFOLIO BUDGET STATEMENTS
The Portfolio Budget Statements (PBS) are used to inform Senators and Members of Parliament of the proposed allocation of resources to Australian Government outcomes by agencies within the portfolio. In 2013–14 the ARC was included as a separate agency within the Portfolio Budget Statements 2013–14, Budget Related Paper No. 1.12, Industry, Innovation, Climate Change, Science, Research and Tertiary Education Portfolio.

ANNUAL REPORT
The annual report is the main instrument through which the ARC reports to the Parliament of Australia (Parliament). In accordance with the ARC Act, at the end of each financial year the CEO prepares an annual report. The annual report provides an overview of the ARC’s activities and performance against the performance indicators in the strategic plan and the PBS for that year.

The annual report must meet the requirements set out in the Requirements for Annual Reports, and be tabled in Parliament in accordance with the Guidelines for the Presentation of documents to the Parliament, each published by the Department of Prime Minister and Cabinet. The ARC Annual Report 2012–13 was tabled in Parliament on 24 October 2013.
ARRANGEMENTS FOR MONITORING
FINANCIAL AND SERVICE DELIVERY

INTERNAL AUDIT
Internal audit is an integral part of the ARC’s corporate governance framework. The internal audit function provides an independent and objective review and advisory service to:

- provide assurance to the CEO that the ARC’s financial and operational controls (designed to manage the organisation’s risks and achieve the ARC’s objectives) are operating in an efficient, effective, economical and ethical manner
- assist management in improving the ARC’s business performance.

The Head, Internal Audit is responsible for providing the CEO with the assurance that the ARC’s internal audit functions are efficient and effective. In 2013–14 the Branch Manager, Strategy Branch was the Head, Internal Audit and KPMG was the ARC’s internal auditor. The internal auditor reports to the Audit Committee through the Head, Internal Audit.

The internal auditor developed the Annual Internal Audit Work Plan 2013–14 in consultation with the Head, Internal Audit, ARC Executive and senior staff, the Audit Committee and the CEO. In accordance with the plan, the internal auditor completed audits on the ARC’s risk management framework, protective security policy framework and Discovery Early Career Researcher Award scheme. The auditor also carried out a business disruption health check. A planned audit to review the CEIs and FMA compliance was postponed until 2014–15 to accommodate changes from the Public Governance, Performance and Accountability Act 2013. The Audit Committee monitored the implementation of agreed recommendations from the audits.

INSTITUTIONAL REVIEWS
During 2013–14 the ARC undertook two institutional reviews. The objective of the reviews was to monitor and evaluate universities’ compliance with ARC funding agreement requirements. As part of the reviews, discussions were held with key stakeholders and analysis and testing was performed on the universities’ internal accounting and research grant administration frameworks.
SOUND RISK MANAGEMENT PRACTICES

RISK MANAGEMENT FRAMEWORK

The ARC manages risk in accordance with the Australian/New Zealand Standard for Risk Management (AS/NZS ISO 31000: 2009). The ARC risk management framework is designed to minimise the possibility of loss or damage to operations, staff, property, reputation and assets, while recognising opportunities to meet the stated objectives of the organisation within a good corporate governance framework. Key components of the ARC’s risk management framework include:

- a risk management policy
- risk management plan and toolkit
- annual reviews of strategic risks and six-monthly reviews of operational risks
- a network of risk champions.

The ARC participated in the 2014 Comcover Risk Management Benchmarking Program and recorded an improvement on its previous years overall score. Results from the survey indicated that the ARC’s risk management framework had made improvements in the areas of integration, positive risk culture, and risk management policies and objectives.

During 2013–14 the ARC’s internal auditor reviewed the ARC’s risk management framework. The auditors found the framework to be consistent with better practice and noted that the ARC had a positive risk culture with a relatively mature risk environment. This review, along with the ARC’s results in the Comcover Risk Management Benchmarking Program, informed the development of an updated risk management policy and plan in June 2014.

FRAUD CONTROL

During 2013–14 the ARC reviewed and updated its Fraud Risk Assessment Summary and its Fraud Control Plan. The CEO has certified within the Letter of Transmittal (page iii) that the ARC has complied with the requirements of the Commonwealth Fraud Control Guidelines.

BUSINESS CONTINUITY AND DISASTER RECOVERY

The ARC reviewed and updated its Business Continuity Plan on May 2014 taking into account recommendations arising from an internal audit conducted during the year. The ARC tested its preparedness to respond to a business interruption event through two actual events: a planned interruption of ICT services for a cabling relocation of the Intra Government Communications Network (ICON); and an unplanned event resulting in a failover event. These events were sufficient to evaluate business continuity and disaster recovery plans—they provided the ARC with assurance of both the impact of disaster scenarios and the procedures required to re-establish services.
CASE STUDY

INFORMED AND APPROPRIATE RISK TAKING

During 2013–14 the ARC continued to foster informed and appropriate risk taking through a clear framework of accountability and responsibility.

Throughout 2013–14 the ARC adhered to its risk management framework and made further improvements to its risk management capabilities. The ARC undertook regular reviews to monitor the agency’s risks and continued to raise awareness and understanding of risk management across the agency. The ARC’s actions provided the CEO with assurance that the ARC is following best practice in minimising the potential for loss or damage.

ARC risk management activities included identification, review and implementation of risk treatments for:
- operational risks—conducted by all business groups in July 2013 and January 2014
- agency strategic risks—conducted by senior management in May 2014.

Following an internal audit of the ARC’s Risk Management Framework in January 2014, the ARC updated its Risk Management Plan to include greater guidance to staff on risk treatment strategies, and revised risk appetite levels to be more practical.

The ARC’s ongoing commitment to improving its risk management practices was reflected in the improved overall score achieved by the ARC in the 2014 Comcover Risk Management Benchmarking Program. Improvements made to the ARC’s risk management processes in 2013–14 included increased alignment of planning and risk activities, as well as the measurement of risks at the inherent level.

In 2013–14 the ARC continued to foster a positive attitude to the management of risk across the agency by encouraging staff to attend risk management training courses, communicating risk management requirements on the ARC’s intranet, and including risk management as part of induction training. The agency’s positive risk management culture was recognised by an internal audit, which provided validation and recognition of the work done during 2013–14.
STANDARDS FOR ETHICAL CONDUCT

STAFF

ARC Executive and senior staff are committed to high ethical standards. This commitment is promoted through:

– the ARC Strategic Plan for 2013–14 to 2015–16 which includes among its guiding principles: ‘accountability through adherence to ethical standards’
– the incorporation of ethical standards into ARC governance policies and guidelines
– the incorporation of the ARC values into performance agreements
– an ARC intranet site to promote ethical behaviour and the Australian Public Service Commission (APSC) Ethics Advisory Service
– an ARC Ethics Contact Officer.

The ARC includes an overview and discussion of the Australian Public Service (APS) Values and Code of Conduct as part of induction training for new appointees. Copies of the values and the code are provided to new appointees, who are required to acknowledge that they understand and adopt these before their appointments are finalised. Furthermore, biannual individual performance reviews provide ongoing opportunities for staff and supervisors to address ethical issues.

The State of the Service Report 2012–2013, published by the APSC in December 2013, reported 84 per cent of ARC staff believed that ARC senior executives act in accordance with the APS values, compared to 69 per cent APS wide.

ARC-FUNDED RESEARCHERS

ARC funding rules and funding agreements

The NCGP funding rules clearly state the ethical compliance requirements for ARC-funded researchers. All ARC-funded research projects must conform to the principles outlined in the Australian Code for the Responsible Conduct of Research (2007). Where applicable, ARC-funded research projects must also conform with the:

– National Principles of Intellectual Property Management for Publicly Funded Research (published on the ARC website)
– NHMRC Values and Ethics: Guidelines for Ethical Conduct in Aboriginal and Torres Strait Islander Health Research (2003)
– Australian Institute of Aboriginal and Torres Strait Islander Studies Guidelines for Ethical Research in Australian Indigenous Studies (2011)
– Australian Code for the care and use of animals for scientific purposes (2013).
Funding agreements between the ARC and any organisation in receipt of ARC funding also require institutions to comply with the provisions of any relevant statutes, regulations, by-laws, and requirements of any Commonwealth, State, Territory or local authority; and acknowledge that Chapter 7 of the Criminal Code provides for offences which attract substantial penalties, including theft of Commonwealth property and other property offences, obtaining property or financial advantage by deception, offences involving fraudulent conduct, bribery, forgery and falsification of documents.

**AUSTRALIAN CODE FOR THE CARE AND USE OF ANIMALS FOR SCIENTIFIC PURPOSES (2013)**

In July 2013, the NHMRC released the new edition of the *Australian Code for the care and use of animals for scientific purposes*. The Code is endorsed by the ARC, Commonwealth Scientific Industrial Research Organisation and Universities Australia. The new edition of the Code provides information on the ethical, humane and responsible care and use of animals for scientific purposes. It outlines the governing principles and ethical framework to guide the decisions and actions of researchers and teachers involved and in all situations where animals are used.

**Research misconduct**

The *ARC Complaints Handling Policy and Procedures (2013)* includes a formal process for handling research misconduct allegations related to scientific fraud, ethical breaches and research misconduct that is external to the ARC, but associated with research funded by the ARC. If the ARC reasonably considers there is fraud, misleading or deceptive conduct on the part of an organisation, or any specified personnel, associated with ARC funding, the ARC may terminate a funding agreement and recover any or all funding associated with the breach. The ARC may also consider imposing other sanctions.

The *ARC Complaints Handling Policy and Procedures (2013)* also outlines reporting processes for ARC College members and assessors who discover a possible case of research misconduct during the peer review of a proposal.

The ARC has a Research Misconduct Officer responsible for maintaining a register and managing the investigation process for research misconduct allegations. Further information about research misconduct allegations reported to the ARC is provided on page 112. The Research Misconduct Officer may recommend that an allegation of research misconduct be referred to ARIC if the case falls within the scope of ARIC. Further information about ARIC is provided earlier in this chapter (see page 103).

**ARC COMMITTEE MEMBERS AND ASSESSORS**

As a public research funding body, the ARC is required to maintain a high standard of professionalism and ethical conduct in its operations. The ARC is committed to preserving public confidence in the integrity, legitimacy, impartiality and fairness of its business, and in particular its peer review process.
Conflict of Interest

All people carrying out ARC business, including ARC committee members and assessors, are bound by the *ARC Conflict of Interest and Confidentiality Policy* (December 2013) which requires that they:

- observe the APS Values and Code of Conduct
- act with integrity, objectivity, openness and honesty
- be accountable for their decisions and actions
- be subject to an appropriate level of scrutiny
- provide assurances to the ARC that they will abide by the ARC confidentiality requirements
- disclose any conflicts of interest related to their official duties.

The guidelines are made available to any relevant parties and are available on the ARC website.
ENGAGEMENT OF STAKEHOLDERS

In delivering its programs, the ARC engages with a diverse group of stakeholders with differing expectations and interests. The ARC’s primary stakeholders are:

- the Australian Parliament
- institutions and researchers within the higher education sector
- partner organisations—industry, government (international, Australian, state and local), not-for-profit organisations and international organisations
- departments and agencies of the Australian Government
- the Australian community.

CONSULTATIONS

The ARC undertook a number of stakeholder consultations during 2013–14 in relation to:

- submission requirements for the Excellence in Research for Australia (ERA) 2015
- streamlining NCGP application processes
- ARC support for the research workforce.

In May and June 2014 ARC staff conducted a roadshow as part of the ARC’s project to redevelop its ICT systems. The roadshow provided the opportunity for the ARC and the sector to exchange ideas and experiences of the present system and identify possible areas of improvement. The sessions were attended by Research office staff representing 29 universities.

PROVISION OF INFORMATION

ARC/NHMRC Research Administrators’ Seminar

The ARC, together with Australasian Research Management Society (ARMS) and the National Health and Medical Research Council (NHMRC), holds an annual research administrators’ seminar. The ARC held the 2013 seminar on 25–26 November 2013 in Canberra. Approximately 300 people from 70 institutions attended the event. This event is important in providing information to the sector about changes to NCGP funding schemes, ERA and a range of other policy and program matters.

ARC Centre Directors’ Forum

The ARC hosted the Centre Directors’ Forum in Sydney, a one-day information and networking event for Centre leaders and chief operations officers or delegates of ARC Centres of Excellence; Industrial Transformation Research Hubs and Training Centres; Special Research Initiatives; and Co-funded Centres. Eighty-eight delegates attended from across Australia.
MONITORING PERFORMANCE AGAINST SERVICE CHARTER AND COMPLAINTS

CLIENT SERVICE CHARTER
The ARC Client Service Charter, sets out the standards of service clients and stakeholders should expect from the ARC and provides guidance for the process clients and stakeholders can follow if they are dissatisfied with the level of service they have received. The charter is available on the ARC website.

In 2013–14 the ARC received no complaints in relation to the client service charter mechanism. Part 5, Appendix 5 provides details of the ARC’s performance against the service standards in the charter.

COMPLAINTS HANDLING
The ARC Complaints Handling Policy and Procedures is published on the ARC website. This policy aims to assist clients and stakeholders if they have:
- a general complaint about the ARC
- an appeal about the administrative processes of the National Competitive Grants Program (NCGP)
- research misconduct allegations relating to scientific fraud, ethical breaches and research misconduct external to the ARC, but associated with ARC-funded research.

A report on appeals, general complaints and research misconduct allegation is provided to the Senior Management Group every six months. In 2013–14 nine appeals about NCGP administrative processes, one general complaint and five research misconduct allegations were submitted to the ARC. Information about the outcomes of appeals submitted to the ARC is provided on page 102.
Dr Ross Smith, University of South Australia, is demonstrating his invention—the US Patented Digital Foam Sensor.
DESCRIPTION

As an agency of the Australian Government, the ARC is subject to external scrutiny by Parliamentary Committees, the Australian National Audit Office and a number of other external bodies. It is also subject to a range of reporting requirements through legislation and other government policies. The mandatory reporting requirements which must be dealt with in annual reports are addressed in this chapter.

PARLIAMENTARY COMMITTEES

The ARC appeared before the Senate Economics Legislation Committee at estimates hearings held in October 2013, February 2014 and June 2014.

The ARC responded to 32 Questions on Notice arising from these hearings. It also provided input to 117 Questions on Notice directed to the ARC’s portfolio departments during 2013–14—the Department of Education and the Department of Industry, Innovation, Climate Change, Science, Research and Tertiary Education.

On 19 March 2014 the Senate Education and Employment Legislation Committee released its report on annual reports for the agencies for which it is responsible (Annual reports—No. 1 of 2014). The committee reported that the ARC Annual Report 2012–13 was well presented and easily navigated. The committee considered that the report fulfilled all requirements (as specified under section 63 of the Public Service Act 1999, the Financial Management and Accountability Act 1997 and the Australian Research Council Act 2001).

AUSTRALIAN NATIONAL AUDIT OFFICE

The Australian National Audit Office (ANAO) audited the ARC’s annual financial statements for the year ended 30 June 2014. The report for this audit can be found in Part 4, Chapter 12.

In 2013–14 the ARC provided input into phase one and two of the cross-agency audit Managing Conflicts of Interests in FMA Agencies Audit Report No. 47 which was tabled by the ANAO on 23 June 2014. The ARC agreed to the one recommendation made by the report, that is, that APS agencies as part of their normal enterprise wide risk reviews, should give specific attention to conflicts of interest matters.

The ARC also reviewed, and considered the recommendations made within a number of relevant ANAO audit reports released during 2013–14, including:

- Confidentiality in Government Contracts: Senate Order for Departmental and Agency Contracts (Calendar Year 2012 Compliance), Audit Report No. 4 tabled on 26 September 2013
- Management of Complaints and Other Feedback, Audit Report No. 19 tabled on 12 February 2014
- Pilot Project to Audit Key Performance Indicators, Audit Report No. 21 tabled on 27 February 2014
- Indigenous Employment in Australian Government Entities, Audit Report No. 33 tabled on 29 May 2014
- Implementation of ANAO Performance Audit Recommendations, Audit Report No. 34 tabled on 29 May 2014
- Interim Phase of the Audits of the Financial Statements of Major General Government Sector Agencies for the year ending 30 June 2014, Audit Report No. 44 tabled on 19 June 2014
- Establishment and Use of Multi Use Lists, Audit Report No. 54 tabled on 26 June 2014.

In 2013–14 the ANAO released two Better Practice Guides relevant to the ARC’s activities:
- Implementation of Better Practice Grant Administration (December 2013)
- Public Sector Governance: Strengthening performance through good governance (June 2014).

OTHER EXTERNAL BODIES

During 2013–14:
- the Commonwealth Ombudsman’s Office did not initiate any investigations about ARC business
- the Human Rights and Equal Opportunity Commissioner did not refer any complaints to the ARC
- no complaints about the ARC were referred to the Federal Privacy Commissioner
- the ARC received no claims under the Compensation for Detriment for Defective Administration scheme (which allows people adversely affected by the maladministration of an Australian Government agency to receive compensation when they have no legal redress)
- there were no requests from the office of the Australian Information Commissioner to review ARC freedom of information decisions.

There was one judicial decision involving the ARC under the Administrative Decisions (Judicial Review) Act 1977 (which provides for judicial review of most administrative decisions made under the Commonwealth enactments on grounds relating to legality, rather than merits, of decisions). This matter did not result in any findings that have had, or may have a significant effect on the agency’s operations.
MANDATORY REPORTING IN ANNUAL REPORTS

LEGISLATIVE REQUIREMENTS
In accordance with specific legislative requirements, annual reports must include matters in relation to:

- work health and safety (Schedule 2, Part 4 of the Work Health and Safety Act 2011)
- advertising and market research (section 311A, Commonwealth Electoral Act 1918)
- ecologically sustainable development and environmental performance (section 516A, Environment Protection and Biodiversity Conservation Act 1999)
- compliance with the agency’s obligations under the Carer Recognition Act 2010.

Appendices 6, 7 and 8 respectively provide reports against the first three requirements above.

The ARC does not have any obligations with regard to the Carer Recognition Act 2010; that is, it is not an agency as defined in the Public Service Act 1999 (PS Act) that is responsible for the development, implementation, provision of evaluation of policies, programs or services directed to carers or the persons for whom they care.

OTHER REQUIREMENTS

Grant programs
The ARC administers a number of research funding schemes under the NCGP. A full list of these schemes is in Part 5, Appendices 1 and 2. Further information on the grants awarded by the ARC during the period 1 July 2013 to 30 June 2014 is available on the ARC website.

Disability reporting
Since 1994, Commonwealth departments and agencies have reported on their performance as policy adviser, purchaser, employer, regulator and provider under the Commonwealth Disability Strategy. In 2007–08, reporting on the employer role was transferred to the Australian Public Service Commission’s (APSC) State of the Service Report and the APS Statistical Bulletin. These reports are available on the APSC website <www.apsc.gov.au>. From 2010–11, departments and agencies have no longer been required to report on these functions.

The Commonwealth Disability Strategy has been overtaken by the National Disability Strategy 2010–2020, which sets out a ten year national policy framework to improve the lives of people with disability, promote participation and create a more inclusive society. A high level two-yearly report will track progress against each of the six outcome areas of the Strategy and present a picture of how people with disability are faring. The first of these reports will be available in late 2014 on the Department of Social Services website <www.dss.gov.au>.
Information Publication Scheme

Agencies subject to the Freedom of Information Act 1982 (FOI Act) are required to publish information to the public as part of the Information Publication Scheme (IPS). This requirement is in Part II of the FOI Act and has replaced the former requirement to publish a section 8 statement in an annual report.

Each agency must display on its website a plan showing what information it publishes in accordance with the IPS requirements. ARC information relating to the IPS and the FOI disclosure log is published on the ARC website.

Correction of errors

Errors or omissions of fact that were identified in the ARC Annual Report 2012–13 are detailed in Part 5, Appendix 9.

OTHER REPORTING

The Annual Report guidelines note that reporting and analysis in an annual report, as a document of record, is complementary to the ongoing availability of information through the internet. A range of information on the ARC website is published in accordance with formal reporting requirements including details of:
- all grants awarded
- freedom of information requests
- agency contracts.
Future Fellow, Dr Tariq Ezaz, University of Canberra, is holding a central bearded dragon.

Photo courtesy of Michelle McAulay.
DESCRIPTION

In 2013–14 the ARC effectively managed and developed staff to achieve its objectives. Strategies employed to assist in retaining skilled staff included:
- workforce planning
- flexible conditions of employment
- access to training and development opportunities
- safe and healthy work environment
- development of supportive workplace culture (including good communication and rewards and recognition).

STAFF STATISTICS

At 30 June 2014 (including the CEO):
- the ARC had 119 staff—this has reduced from 125 in 2012–13
- the largest number of staff were at Executive Level 1
- 96.6 per cent of total staff were ongoing employees
- 66 per cent of staff were female with the largest number of females employed at the APS 4–5 (ARC Level 2)
- 95.8 per cent of employees were employed under the Enterprise Agreement.

The ARC had less staff turnover in 2013–14, with 16 separations compared to 20 separations in 2012–13.

Detailed staff statistics are provided in Part 5, Appendix 10, including:
- ARC employees by classification level, full-time/part-time status, gender and employment arrangements
- staff separations by classification level and employment category.
WORKFORCE PLANNING

The ARC undertakes a workforce planning exercise each year as part of internal budget deliberations. In 2013–14 the priorities for 2014–15 and the resources required to meet those priorities were determined using this process. In addition, various committees provided input to ensure the needs of the organisation and its individuals were met. Being a small agency, workforce planning at the ARC also includes staff rotations within the organisation, training, knowledge management and succession planning.

EMPLOYMENT CONDITIONS

During 2013–14 the ARC employed staff under a range of different arrangements including the ARC Enterprise Agreement 2011–14, Australian Workplace Agreements, Individual Flexibility Arrangements and Common Law Contracts.

WORKPLACE ARRANGEMENTS

Non-SES staff

ENTERPRISE AGREEMENT

The current ARC Enterprise Agreement expired on 30 June 2014. The Australian Government Public Sector Workplace Bargaining Policy was released in March 2014. Consultation with staff is currently underway in preparation for a new Enterprise Agreement.

AUSTRALIAN WORKPLACE AGREEMENTS

At 30 June 2014, five non-Senior Executive Service (SES) staff continued to be covered by Australian Workplace Agreements (AWAs). These AWAs were in place prior to the changes to the Workplace Relations Act 1996, which stipulated that no new AWA may be entered into on or after 13 February 2008.

INDIVIDUAL FLEXIBILITY ARRANGEMENTS

Employees covered by the ARC Enterprise Agreement 2011–14 may agree to make an Individual Flexibility Agreement (IFA) to vary the effect of terms of the agreement. IFAs within the ARC generally deal with retention allowances or remuneration allowing the Chief Executive Officer (CEO) to remunerate specialised employees based on market forces and experience.

SECTION 24(1) DETERMINATIONS

Under Section 24(1) of the Public Service Act 1999, the CEO can make determinations to offer staff remuneration or conditions that supplement those available under an enterprise agreement or AWA in order to avoid disadvantage. Section 24(1) determinations used in the ARC are individual arrangements and in general provide for a specified retention allowance. The ARC Enterprise Agreement 2011–14 obviates the need for new determinations, although existing determinations will continue.
SES staff

COMMON LAW CONTRACTS
Employee arrangements under common law contracts set the terms and conditions for SES staff. As at 30 June 2014 there were four Common Law Contracts in place for SES staff.

REMUNERATION

Non-SES staff
Salary ranges for non-SES staff reflect various workplace arrangements. The salary ranges for 2013–14 are provided in Table 9.1 below, they include salaries under all workplace arrangements outlined above.

TABLE 9.1: SALARY RANGES OF NON-SES STAFF BY CLASSIFICATION (AT 30 JUNE 2014)

<table>
<thead>
<tr>
<th>CLASSIFICATION</th>
<th>SALARY RANGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Executive Level 2</td>
<td>$114,414–$166,794</td>
</tr>
<tr>
<td>Executive Level 1</td>
<td>$95,355–$120,420</td>
</tr>
<tr>
<td>APS 6</td>
<td>$74,657–$86,711</td>
</tr>
<tr>
<td>APS 5</td>
<td>$67,431–$72,685</td>
</tr>
<tr>
<td>APS 4</td>
<td>$62,069–$65,592</td>
</tr>
<tr>
<td>APS 3</td>
<td>$55,212–$58,345</td>
</tr>
<tr>
<td>APS 2</td>
<td>$49,437–$53,706</td>
</tr>
<tr>
<td>APS 1</td>
<td>$45,730–$46,900</td>
</tr>
</tbody>
</table>

SES staff
Individual common law contracts determine the nature and amount of remuneration provided to SES employees. Remuneration is reviewed annually taking into account the individual’s personal skills, knowledge, experience and capabilities as well as achievements against goals set in the preceding performance cycle.

At 30 June 2014 the notional salary range for SES Band 1 and Band 2 officers was between $170,000 and $285,000. In the Financial Statements, Note 14 provides additional information on executive remuneration in 2013–14 (see Part 4).

Performance pay
The ARC does not provide access to performance pay.
NON-SALARY BENEFITS

Non-salary benefits offered included:
– flu vaccinations
– health allowance
– access to salary packaging arrangements.

TRAINING AND DEVELOPMENT

During the year all new employees were required to attend three induction programs: Introduction to the ARC; Introduction to the APS; and Introduction to Administrative Law. The ARC also provided in-house training to staff on:
– mental health
– preventing bullying and harassment
– performance management
– project management
– minute taking
– transition to Executive Level 1.

The ARC spent a total of $132,403 on learning and development activities including formal training programs in 2013–14 (Table 9.2). On average the ARC spent $1112 per person (based on 119 employees) on training and development—with an average attendance of 2.5 days per person. The ARC spent a total of $12,860 on studies assistance for seven staff members to undertake studies approved under the ARC Studies Assistance Guidelines during 2013–14.

TABLE 9.2: TRAINING AND DEVELOPMENT BY CLASSIFICATION, 2013–14

<table>
<thead>
<tr>
<th>CLASSIFICATION</th>
<th>STAFF (NO.)</th>
<th>DAYS USED (NO.)</th>
<th>EXPENDITURE ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>CEO and SES</td>
<td>6</td>
<td>4</td>
<td>3,318</td>
</tr>
<tr>
<td>Executive Level 1–2</td>
<td>53</td>
<td>156</td>
<td>59,268</td>
</tr>
<tr>
<td>APS 1–6</td>
<td>60</td>
<td>179</td>
<td>69,817</td>
</tr>
<tr>
<td>Total</td>
<td>119</td>
<td>298</td>
<td>132,403</td>
</tr>
</tbody>
</table>

SAFE AND HEALTHY WORK ENVIRONMENT

Part 5, Appendix 6 provides information on the ARC’s work health and safety performance, as required under the Work Health and Safety Act 2011 (Cth).
AGENCY MULTICULTURAL PLAN

Under the Australian Government’s Multicultural Access and Equity Policy all government departments are required to develop and implement a biennial Agency Multicultural Plan from 1 July 2013.

The ARC’s vision for the Agency Multicultural Plan (AMP) 2013–2015 is to ‘enhance knowledge and capacities in matters relating to culturally and linguistically diverse employees, indirect stakeholders and the community’. By strengthening the availability of data, evidence, analysis and research, the ARC aims to better inform the programs, policies and services developed in other agencies for people from a culturally and linguistically diverse background.

Actions to date

– In July 2013 Senior Management Group appointed the Executive General Manager as the Multicultural Champion and tasked the People and Services section with monitoring implementation of the plan. A Multicultural Access and Equity Action Group (MAEAG) was also established to discuss and promote the AMP obligations.
– The AMP was published on the ARC website and made available to employees on the intranet. The ARC promoted awareness of the multicultural access and equity obligations to employees.
– Where relevant the ARC’s procurement guidelines, contracts and Memoranda of Understanding were reviewed to incorporate whole-of-government multicultural access and equity requirements.
– A skills register is being developed to capture employee’s diversity and language capacity that will be circulated to our Portfolio Department and Agencies in an effort to utilise the skills of all employees more widely.

Next steps

– In July 2014 the MAEAG will commence the development of a Multicultural Access and Equity Policy and the AMP external communication plan.
– A mechanism is being explored to: identify ways to enhance program data collection to meet multicultural access and equity reporting requirements; and to help ensure effective and well informed policy and program development for the future.
The results of the 2013 census highlighted the ARC’s strengths and weaknesses compared to other APS Agencies. The profile of staff, together with the results of the survey, provided the ARC with a valuable resource to assist in staff planning.

Seventy-three per cent of ARC staff participated in the 2013 State of the Service census. At the time the survey was conducted 79 per cent of staff indicated that their job gave them a feeling of personal accomplishment (compared to an APS-wide percentage of 65).

**Strengths**
The ARC performed more strongly than the overall APS in all areas, but particularly in the following:
- recognition for doing a good job (79 per cent compared to the APS average of 55 per cent)
- effective communication between senior leaders and other employees (65 per cent compared to the APS average of 38 per cent)
- employees feel valued for their contribution (82 per cent compared to the APS average of 50 per cent)
- leadership is of a high quality (79 per cent compared to the APS average of 46 per cent).

**Improved performance**
The 2012 State of the Survey census highlighted a weakness for the ARC in the area of providing access to effective learning and development. As a result, emphasis was placed on this area in 2013. The success of this strategy is reflected in the 2013 census results (76 per cent for the 2013 year compared to 61 per cent for the ARC 2012 result, and 60 per cent for the 2013 APS average).
CHAPTER 10
PURCHASING, CONSULTANTS AND ASSET MANAGEMENT

Professor Vadim Kamenetsky, University of Tasmania, is holding a pyrite-encrusted carbonate concretion.
DESCRIPTION

This chapter provides details of the ARC’s approach to purchasing, its use of consultants and details of assets management.

PURCHASING

The ARC’s approach to purchasing is consistent with the Commonwealth Procurement Rules and is set out in the ARC's Chief Executive’s Instructions (CEIs), the ARC Procurement Manual and other specific policy and procedure guides (such as those for travel and use of Commonwealth credit cards), all of which are updated periodically.

The Commonwealth Procurement Rules represent the Government’s policy framework under which agencies govern and undertake procurement. The key rules are:
- value for money
- encouraging competition
- efficient, effective, economical and ethical procurement
- accountability and transparency in procurement
- procurement risk
- procurement method.

The Finance Section has overall responsibility for procurement within the ARC. Finance Section staff provide information and training about procurement policies and procedures as required.

The ARC provides information on procurements in the ARC’s annual procurement plan, available from the AusTender website <www.tenders.gov.au>. This plan gives potential suppliers early notice of significant planned procurements for the coming year.

CONSULTANTS

POLICY ON SELECTION AND ENGAGEMENT OF CONSULTANTS

The ARC’s policy on selecting and engaging consultants is set out in the ARC’s CEIs and in related procurement instructions and guidance material. The ARC engages consultants primarily where there is a need for independent research or assessment or where a specialist skill or expertise is required. Consultants are engaged through a meritorious selection or procurement process.

Consultancy services are distinguished from other contracts for services by the nature of the work performed, which typically involves the development of an intellectual output that assists with agency decision-making and reflects the independent views of the service provider. By contrast, other (non-consultancy) contracts for services are typically far more restrictive in the degree of latitude afforded to the contractor.

Details of contracts for services are available from the Austender website.
EXPENDITURE
During 2013–14 the ARC entered into 63 new consultancy contracts involving total actual expenditure of $2,874,246. In addition, 132 ongoing consultancy contracts were active during the 2013–14 year, involving total actual expenditure of $7,600,852. The majority of the new consultancy contracts in 2013–14 were for services relating to membership of ARC committees, primarily the ARC College of Experts and various Selection Advisory Committees.

Over the past three years the ARC’s expenditure on consultancy contracts was:
- $1,722,263 in 2013–14
- $2,929,267 in 2012–13
- $1,081,686 in 2011–12.

Annual reports contain information about actual expenditure on contracts for consultancies. Information on the value of individual contracts and consultancies is available on the AusTender website.

EXEMPT CONTRACTS
The Chief Executive Officer did not exempt any contracts from publication on the AusTender website on the basis that their release would disclose exempt matters under the Freedom of Information Act 1982.

AUSTRALIAN NATIONAL AUDIT OFFICE ACCESS CLAUSES
All contracts let for goods and services during the reporting period of $100,000 or more (inclusive of GST) provided for the Auditor-General to have access to the contractor’s premises.

ASSET MANAGEMENT
Asset management is not a significant part of the ARC’s strategic business. The ARC’s assets include office fit out, furniture, IT software and ‘portable and attractive’ equipment held at the ARC office. The ARC reviews its asset holdings annually to ensure cost effectiveness and whole-of-life asset utilisation. In 2013–14 the annual stocktake was conducted in March 2014.
Associate Professor Michael J. Biercuk, a Chief Investigator in the ARC Centre of Excellence for Engineered Quantum Systems.

Photo courtesy of The University of Sydney.