



**The Hon Clare O’Neil MP**  
**Minister for Home Affairs**  
**Minister for Cyber Security**

Dr Gordon de Brouwer PSM  
Public Service Commissioner

By email: [Gordon.debrouwer@apsc.gov.au](mailto:Gordon.debrouwer@apsc.gov.au)

Dear Dr Brouwer

I write regarding media reporting this evening in the Nine newspapers which details alleged communications between the Secretary of Home Affairs, Mr Michael Pezzullo, and Mr Scott Briggs.

I refer this matter to you for your advice and consideration in your role as Public Service Commissioner.

Yours sincerely

s. 47F

CLARE O’NEIL MP

24/9/ 2023

# ANNEXURE B



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## DEPARTMENT OF HOME AFFAIRS

### REQUEST FOR TENDER – PERMISSIONS CAPABILITY

#### PROBITY BRIEFING NOTE

1. The Department of Home Affairs (**Department**) is conducting a procurement process, through an open approach to market, for a Permissions Capability (**RFT process**)
2. This Probity Briefing Note substitutes for an oral probity briefing. As such, you must read this note and comply with the instructions in this note and the Probity Plan for this RFT process.
3. The RFT process will be high profile with many stakeholders and involves the potential expenditure of significant amounts of public money. As Procurement Personnel, you should adhere to the principles that underpin the conduct of the RFT process, being:
  - fairness and impartiality;
  - consistency, accountability and transparency of process;
  - use of an appropriately competitive process;
  - information security and confidentiality;
  - identification and resolution of conflicts of interest; and
  - compliance with legislative obligations and government policies, including with regard to maintaining an appropriate audit trail.

#### PROBITY PLAN

4. You should read and be familiar with the requirements in the Probity Plan for the RFT process, as it reflects these principles. You must comply with the requirements in the Probity Plan until you have ceased your involvement in the RFT process.
  - Have you received and read the Probity Plan for the RFT process? YES  NO

#### CONFLICTS OF INTEREST

5. The avoidance or management of conflicts of interest is critical for maintaining the integrity of the RFT process, and also for protecting people involved in the RFT process, such as you.
6. You must declare any interests you have which conflict or might be seen to conflict with your ability to properly carry out your role in the RFT process. Examples include having previously been employed by a tenderer or potential tenderer; having family members or being in a relationship with a person who is, or might be employed by, a tenderer or potential tenderer; having a financial interest in a potential tenderer or tenderer.
  - Have you signed a Conflict of Interest Declaration? YES  NO
7. The declaration of actual, potential or perceived conflicts of interest is an ongoing obligation that lasts for the entirety of your involvement in the RFT process. If an actual, potential or perceived conflict of interest arises while you are involved in the RFT process, please contact [service.delivery.probity@homeaffairs.gov.au](mailto:service.delivery.probity@homeaffairs.gov.au).

#### CONFIDENTIALITY

8. It is important for the fairness of the RFT process and for your own protection that you treat all non-public information about the RFT process confidential. This is because uncontrolled leaks of information can give an unfair advantage or perception of unfair advantage (or can give a disadvantage to the recipient). This includes information on the Department's views or



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the views of other agencies (eg the Digital Transformation Agency, as well as information about how the RFT process is being run.

9. This means you must not disclose information about the RFT process to, for example, tenderers, potential tenderers, any of your colleagues or people in other agencies who do not have a need to know, or the media. Remember that people who work with you day to day may have relationships with potential tenderers or tenderers.
10. At the commencement of your involvement in the RFT process, you must sign a Confidentiality Acknowledgement (APS Employee).
- Have you signed a Confidentiality Acknowledgement (APS Employee)?  
YES  NO
11. The Probity Plan contains confidentiality requirements in relation to specific situations. You must comply with these:
- **Single Point of Contact** – The Department has appointed a single point of contact for this RFT process. If you receive any queries at all about the RFT process (whether from agency colleagues who do not have a need to know; from potential tenderers; or from the media), please make a note of that query and refer them to the point of contact set out in the RFT – [permissions.capability.procurement@homeaffairs.gov.au](mailto:permissions.capability.procurement@homeaffairs.gov.au).
  - **Hospitality, gifts and other benefits** – You should not accept any gifts, hospitality or other benefits from any tenderer or potential tenderer. If any gifts, hospitality or other benefits are offered to you by a tenderer or potential tenderer, decline the offer and notify [service.delivery.probity@homeaffairs.gov.au](mailto:service.delivery.probity@homeaffairs.gov.au).
  - **Social and business interactions** – You should exercise caution in your social and business interactions during the RFT process. If you think an interaction could give rise to a perception of a conflict of interest or a lack of impartiality, you should consider taking steps to avoid it, or, where it cannot be avoided; you should record the details of the interaction and notify [service.delivery.probity@homeaffairs.gov.au](mailto:service.delivery.probity@homeaffairs.gov.au).
  - **Dealing with current providers of relevant services – business as usual** – The Probity Plan contains a Separation Protocol for dealing with incumbent providers that may submit a tender. Please read this. You can continue to interact with the current providers of services on a legitimate business as usual (BAU) basis. However, to avoid any actual or perceived advantage being given to current providers, you **must not** discuss any aspect of the RFT process with them. If a current provider asks questions about the RFT process, you must make a note of that query and refer them to the Contact Officer in the RFT ([permissions.capability.procurement@homeaffairs.gov.au](mailto:permissions.capability.procurement@homeaffairs.gov.au)). Please also notify [service.delivery.probity@homeaffairs.gov.au](mailto:service.delivery.probity@homeaffairs.gov.au) of such queries.

### CONTACT DETAILS

Service Delivery team - [service.delivery.probity@homeaffairs.gov.au](mailto:service.delivery.probity@homeaffairs.gov.au)

RFT Contact Officer – [permissions.capability.procurement@homeaffairs.gov.au](mailto:permissions.capability.procurement@homeaffairs.gov.au)

I have read and understood the above Probity Briefing Note.

Print name: Michael Pezzullo Signature 

Date: 23 October 2020