



**ACT**  
Government

Chief Minister, Treasury and  
Economic Development

## Freedom of Information Publication Coversheet

The following information is provided pursuant to section 28 of the *Freedom of Information Act 2016*.

FOI Reference: CMTEDDFOI 2022-265

Information to be published	Status
1. Access application	Published
2. Decision notice	Published
3. Documents and schedule	Published
4. Additional information identified	No
5. Fees	Waived
6. Processing time (in working days)	51
7. Decision made by Ombudsman	N/A
8. Additional information identified by Ombudsman	N/A
9. Decision made by ACAT	N/A
10. Additional information identified by ACAT	N/A

**From:** [REDACTED]  
**To:** [CMTEDD FOI](#)  
**Cc:** [REDACTED]  
**Subject:** FOI request for the ChooseCBR review conducted by David Butler  
**Date:** Friday, 26 August 2022 11:20:48 AM

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Dear CMTEDD FOI team,

[REDACTED] would like to request all documents and correspondence in relation to David Butler/David Butler Consulting and the ChooseCBR review, specifically:

- 1. Correspondence/documents from the Head of Service about the ChooseCBR review and appointing David Butler Consulting to conduct it.
- 2. Correspondence/documents about the terms of reference and scope of the review as well as the process to appoint David Butler/David Butler Consulting and other candidates considered.
- 3. Correspondence/documents between CMTEDD and the Minister Cheyne's office about David Butler/David Butler Consulting and the ChooseCBR review.
- 4. Correspondence/documents prior to the ChooseCBR review from or about David Butler or David Butler Consulting in CMTEDD.
- 5. Correspondence/documents after the ChooseCBR review about David Butler/David Butler Consulting including Ministerial briefings.

Thanks,





**ACT**  
Government

Chief Minister, Treasury and  
Economic Development

Our ref: CMTEDDFOI 2022-265



## **FREEDOM OF INFORMATION REQUEST**

I refer to your application under section 30 of the *Freedom of Information Act 2016* (the Act), received by the Chief Minister, Treasury and Economic Development Directorate (CMTEDD) on 26 August 2022, in which you sought access to:

*All documents and correspondence in relation to David Butler/David Butler Consulting and the ChooseCBR review, specifically:*

- *Correspondence/documents from the Head of Service about the ChooseCBR review and appointing David Butler Consulting to conduct it.*
- *Correspondence/documents about the terms of reference and scope of the review as well as the process to appoint David Butler/David Butler Consulting and other candidates considered.*
- *Correspondence/documents between CMTEDD and the Minister Cheyne's office about David Butler/David Butler Consulting and the ChooseCBR review.*
- *Correspondence/documents prior to the ChooseCBR review from or about David Butler or David Butler Consulting in CMTEDD.*
- *Correspondence/documents after the ChooseCBR review about David Butler/David Butler Consulting including Ministerial briefings.*

### **Authority**

As an appointed Information Officer under section 18 of the Act, I am authorised to make a decision on access or amendment to government information in the possession or control of CMTEDD.

### **Timeframes**

In accordance with section 40 of the Act, CMTEDD is required to provide a decision on your access application by 15 October 2022 however, following on from an extension and third party consultations, the due date is now 9 November 2022.

### **Decision on access**

Searches were completed for relevant documents and 20 documents were identified that fall within the scope of your request.

I have included as **Attachment A** to this decision the schedule of relevant documents. This provides a description of the documents that fall within the scope of your request and the access decision for those documents.

I have decided to grant access in full to nine documents and partial access to eleven documents. I have decided to refuse access to a number of attachments to emails as I consider them to be contrary to the public interest information under Schedule 1.

My access decisions are detailed further in the following statement of reasons and the documents released to you are provided as **Attachment B** to this letter.

In accordance with section 54(2) of the Act a statement of reasons outlining my decisions is below.

### **Statement of Reasons**

In reaching my access decisions, I have taken the following into account:

- the Act;
- the content of the documents that fall within the scope of your request,
- the views of a third party,
- the *Human Rights Act 2004*.

### **Exemption claimed**

My reasons for deciding not to grant access to components of the documents are as follows:

#### Contrary to the public interest information under schedule 1 of the Act

In this Act: *contrary to the public interest information* means information—

- (a) that is taken to be contrary to the public interest to disclose under schedule 1.

Documents and components of documents that are entirely composed of, or contain information that is considered to be contrary to the public interest under schedule 1 of the Act have either been redacted or removed in line with Schedule 1 section 1.6. This section of the Act states:

#### 1.6 Cabinet information

##### (1) Information—

- (a) that has been submitted, or that a Minister proposes to submit, to Cabinet for its consideration and that was brought into existence for that purpose

The document that has been identified as being within the scope of your request is entirely composed of information that is considered to be contrary to the public interest under section 1.6 of Schedule 1 of the Act as it is Cabinet information. Under section 1.6 of Schedule 1 of the Act, Cabinet information is exempt from release. The purpose of this exemption is to maintain the confidentiality of the cabinet process and to uphold the principle of collective ministerial responsibility. This exemption was discussed in *The Commonwealth v Northern Land Council* [1993] HCA 24; (1993) 176 CLR 604 (21 April 1993). Paragraph 6 of the decision, states that:

... it has never been doubted that it is in the public interest that the deliberations of Cabinet should remain confidential in order that the members of Cabinet may exchange differing views and at the same time maintain the principle of collective responsibility for any decision which may be made.

Some of the material you have requested falls within section 1.6 of the Act as it is information which has been commissioned by the Cabinet to guide it in its decision making and to assist it in its deliberations. It is therefore exempt from release under the Act.

Information that would, on balance, be contrary to the public interest to disclose under the test set out in section 17 of the Act

Public Interest

The Act has a presumption in favour of disclosure. As a decision maker I am required to decide where, on balance, public interests lies. As part of this process I must consider factors favouring disclosure and non-disclosure.

In *Hogan v Hinch* (2011) 243 CLR 506, [31] French CJ stated that when 'used in a statute, the term [public interest] derives its content from "the subject matter and the scope and purpose" of the enactment in which it appears'. Section 17(1) of the Act sets out the test, to be applied to determine whether disclosure of information would be contrary to the public interest. These factors are found in subsection 17(2) and Schedule 2 of the Act.

Taking into consideration the information contained in the documents found to be within the scope of your request, I have identified that the following public interest factors are relevant to determine if release of the information contained within the documents is within the 'public interest'.

Factors favouring disclosure in the public interest:

- (a) *disclosure of the information could reasonably be expected to do any of the following:*
  - (ii) *contribute to positive and informed debate on important issues or matters of public interest*

Having considered the factors identified as relevant in this matter, I consider that release of the information contained in the documents may contribute to debate in this matter.

Noting that the FOI Act has an express pro-disclosure bias which reflects the importance of public access to government information for the proper working of a representative democracy, I must consider the above factor for disclosure of the information and I afford it some weight in my consideration.

Factors favouring nondisclosure in the public interest:

- (a) *disclosure of the information could reasonably be expected to do any of the following:*
  - (ii) *prejudice the protection of an individual's right to privacy or any other right under the Human Rights Act 2004*

Having reviewed the information, I consider that the protection of an individual's right to privacy, especially during dealings with the ACT Government is a significant factor as the parties involved have provided their personal information for the purposes of working with the ACT Government. This, in my opinion, outweighs the benefit which may be derived from releasing the personal information of the individual involved in this matter.

Individuals are entitled to expect that the personal information they have supplied as part of a government process will be dealt with in a manner that protects their privacy.

Considering the type of information to be withheld from release, I am satisfied that the factors in favour of release can still be met while protecting the personal information of the individuals involved. I therefore weight the factor for nondisclosure more highly than the factor in favour of release in this instance. As a result, I have decided that release of names and contact details of non-ACT Government staff could prejudice their right to privacy under the *Human Rights Act 2004*. I have also decided that information that is not in the public domain such as mobile phone numbers of ACT government employees should not be released.

Having applied the test outlined in section 17 of the Act and deciding that release of personal information contained in the documents is not in the public interest to release, I have chosen to redact this specific information in accordance with section 50(2). Noting the pro-disclosure intent of the Act, I am satisfied that redacting only the information that I believe is not in the public interest to release will ensure that the intent of the Act is met and will provide you with access to the majority of the information held by CMTEDD within the scope of your request.

### **Charges**

Pursuant to *Freedom of Information (Fees) Determination 2017 (No 2)* processing charges are applicable for this request because the total number of pages to be released to you exceeds the charging threshold of 50 pages. However, the charges have been waived in accordance with section 107 (2)(e) of the Act.

### **Online publishing – Disclosure Log**

Under section 28 of the Act, CMTEDD maintains an online record of access applications called a disclosure log. Your original access application, my decision and documents released to you in response to your access application will be published on the CMTEDD disclosure log 3 days after the date of my decision. Your personal contact details will not be published.

You may view CMTEDD disclosure log at <https://www.cmtedd.act.gov.au/functions/foi>.

### **Ombudsman Review**

My decision on your access request is a reviewable decision as identified in Schedule 3 of the Act. You have the right to seek Ombudsman review of this outcome under section 73 of the Act within 20 working days from the day that my decision is published in CMTEDD disclosure log, or a longer period allowed by the Ombudsman.

We recommend using this form [Applying for an Ombudsman Review](#) to ensure you provide all of the required information. Alternatively, you may write to the Ombudsman at:

The ACT Ombudsman  
GPO Box 442  
CANBERRA ACT 2601

Via email: [actfoi@ombudsman.gov.au](mailto:actfoi@ombudsman.gov.au)

### **ACT Civil and Administrative Tribunal (ACAT) Review**

Under section 84 of the Act, if a decision is made under section 82(1) on an Ombudsman review, you may apply to the ACAT for review of the Ombudsman decision. Further information may be obtained from the ACAT at:

ACT Civil and Administrative Tribunal  
Level 4, 1 Moore St  
GPO Box 370  
Canberra City ACT 2601  
Telephone: (02) 6207 1740  
<http://www.acat.act.gov.au/>

Should you have any queries in relation to your request please contact me by telephone on 6207 7754 or email [CMTEDDFOI@act.gov.au](mailto:CMTEDDFOI@act.gov.au).

Yours sincerely,



Emma Hotham  
Information Officer  
Information Access Team  
Chief Minister, Treasury and Economic Development Directorate

9 November 2022



**ACT**  
Government

Chief Minister, Treasury and  
Economic Development

## FREEDOM OF INFORMATION REQUEST SCHEDULE

WHAT ARE THE PARAMETERS OF THE REQUEST	Reference NO.
<p>All documents and correspondence in relation to David Butler/David Butler Consulting and the ChooseCBR review, specifically: 1. Correspondence/documents from the Head of Service about the ChooseCBR review and appointing David Butler Consulting to conduct it.2. Correspondence/documents about the terms of reference and scope of the review as well as the process to appoint David Butler/David Butler Consulting and other candidates considered. 3. Correspondence/documents between CMTEDD and the Minister Cheyne's office about David Butler/David Butler Consulting and the ChooseCBR review. 4. Correspondence/documents prior to the ChooseCBR review from or about David Butler or David Butler Consulting in CMTEDD. 5. Correspondence/documents after the ChooseCBR review about David Butler/David Butler Consulting including Ministerial briefings.</p>	<p>CMTEDDFOI 2022-265</p>

Ref No	Page number	Description	Date	Status	Reason for Exemption	Online Release Status
1	1-2	Email with attachment	15 Jul 22	Full release	N/A	Yes
2	3-4	Risk questionnaire	N/A	Full release	N/A	Yes
3	5	Email	19 Jul 21	Partial release	Sch 2 s2.2 (a)(ii)	Yes
4	6-7	Email chain	21 Jul 21	Partial release	Sch 2 s2.2 (a)(ii)	Yes
5	8	Review and Evaluation of Choose CBR	N/A	Full release	N/A	Yes
6	9	David Butler – BIO	N/A	Full release	N/A	Yes
7	10-12	Email chain	22 Jul 22	Partial release	Sch 2 s2.2 (a)(ii)	Yes
8	13-19	Short Form Contract	3 Aug 21	Partial release	Sch 2 s2.2 (a)(ii)	Yes
9	20-21	Choose CBR Evaluation and Review - Terms of Reference	N/A	Full release	N/A	Yes
10	22-27	Ministerial Brief	16 Nov 21	Full release	N/A	Yes
11	28	Email	26 Oct 21	Partial release	Sch 1 s1.6	Yes



12	29	Email	26 Oct 21	Partial release	Sch 1 s1.6 Sch 2 s2.2 (a)(ii)	Yes
13	30	Email	8 Oct 21	Partial release	Sch 1 s1.6 Sch 2 s2.2 (a)(ii)	Yes
14	31-37	Email with brief	12 Nov 21	Full release	N/A	Yes
15	38	Email chain	26 Oct 21	Partial release	Sch 1 s1.6	Yes
16	39-40	Email chain	29 Sep 21	Partial release	Sch 1 s1.6 Sch 2 s2.2 (a)(ii)	Yes
17	41-42	Email chain	29 Sep 21	Partial release	Sch 2 s2.2 (a)(ii)	Yes
18	43-45	Email chain	2 Oct 21	Partial release	Sch 2 s2.2 (a)(ii)	Yes
19	46-48	Email with attachment	29 Nov 21	Full release	N/A	Yes
20	49-51	Email with attachment	29 Nov 21	Full release	N/A	Yes
<b>Total No of Docs</b>						
20						

## Power, Leanne

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**From:** Leigh, Kathy  
**Sent:** Thursday, 15 July 2021 5:01 PM  
**To:** Power, Leanne  
**Subject:** Choose CBR Review - Terms of Reference  
**Attachments:** Choose CBR Review - Terms of Reference.docx

To send for quote please.

Kathy Leigh | Head of Service and Director-General  
Phone: [02 6205 0246](tel:0262050246) | Email: [kathy.leigh@act.gov.au](mailto:kathy.leigh@act.gov.au)  
Chief Minister, Treasury and Economic Development Directorate | ACT Government  
[Level 5 Canberra Nara Centre](#) | GPO [Box 158 Canberra ACT 2601](#) | [www.act.gov.au](http://www.act.gov.au)

# Checklist for Procurements of Goods and/or Services under \$25,000

Procurement Title: Choose CBR Evaluation and Review

Release Date: NA

Procurement Reference #: NA

Closing Date: NA

Directorate: CMTEDD

Branch: OHoS

Purchasing Officer: Leanne Power

*This form is to be completed by the purchasing officer and filed with associated documents – check off steps as they are completed.*

*This form provides general guidance only.*

*Users should seek advice from [Goods and Services Procurement \(x59797\)](#) in regard to any particular procurement.*

<p><b>1. Determine scope of procurement</b></p> <ul style="list-style-type: none"> <li>Develop a statement of requirements clearly describing the good and/or services that are required (<b>Supplies</b>).</li> <li>Ensure that there is no existing Whole of Government arrangement in place for the Supplies. If there is, that arrangement should be used.</li> <li>Determine a rough timeframe in which the Supplies are required. This may include milestones.</li> <li>Identify available funding, and determine if it is sufficient for the procurement.</li> </ul>	✓
<p><b>2. Research and select supplier/s</b></p> <ul style="list-style-type: none"> <li>Identify at least one supplier that can deliver the required Supplies.</li> <li>If possible, select more than one supplier at this point - additional suppliers will allow the Territory to select the most competitive price and help ensure value for money for the Territory.</li> </ul>	✓
<p><b>3. Prepare the Request for Quotation (RFQ) documentation</b></p> <ul style="list-style-type: none"> <li>While only one oral quotation is required, it is best practice to complete the <a href="#">Request for Quotation form</a> and obtain a written quotation, as this will provide accountability and an accurate record of the process.</li> </ul>	NA
<p><b>4. Obtain approval from the financial delegate to issue the RFQ</b></p> <ul style="list-style-type: none"> <li>The financial delegate must approve the issue of a <a href="#">Request for Quotation form</a> to the selected supplier/s.</li> <li>Do not progress the procurement past this point without delegate approval.</li> </ul>	✓
<p><b>5. Complete and issue the RFQ</b></p> <ul style="list-style-type: none"> <li>Ensure that all required sections of the <a href="#">Request for Quotation form</a> are completed. Note that a closing time for supplier quotations <b>must</b> be included.</li> <li>The Territory should issue the completed <a href="#">Request for Quotation form</a> to the selected supplier/s via email. This form includes standard terms and conditions.</li> </ul>	NA
<p><b>6. Evaluate the quotation</b></p> <ul style="list-style-type: none"> <li>Once the closing time for responses has elapsed, evaluate the quotation/s received by filling out the <a href="#">Quotation Recommendation form</a>.</li> <li>Check that the form contains all required information, clearly identifies the supplier (including their ABN, ARBN or ACN) and is signed.</li> <li>If more than one quotation was received, choose the one that best meets the Territory's needs and represents the best value for money to the Territory.</li> </ul>	NA
<p><b>7. Seek delegate approval of selected Supplier</b></p> <ul style="list-style-type: none"> <li>Provide the delegate with the completed <a href="#">Quotation Recommendation form</a> and supporting documentation for their approval and signature.</li> </ul>	NA
<p><b>8. Create purchase order</b></p> <ul style="list-style-type: none"> <li>Once the delegate has given approval, the <a href="#">Request for Quotation form</a> then becomes the purchase order.</li> </ul>	NA
<p><b>9. Inform selected Supplier</b></p> <ul style="list-style-type: none"> <li>Email the approved <a href="#">Request for Quotation form</a> (signed copy) to the successful Supplier.</li> </ul>	NA
<p><b>10. Inform unsuccessful Supplier (if considered necessary)</b></p> <ul style="list-style-type: none"> <li>If more than one quotation is received, the Territory may choose to send a <a href="#">Letter of Decline</a> to any unsuccessful Supplier/s.</li> <li>Upon request from unsuccessful Supplier/s, provide them with a debriefing. Goods and Services Procurement can assist in conducting this debriefing if required.</li> </ul>	NA
<p><b>11. Manage delivery of Supplies</b></p> <ul style="list-style-type: none"> <li>Identify a team member to monitor the delivery of the purchase order.</li> <li>Put any important dates in relation to the purchase order into a shared calendar, for example, delivery due dates or service milestones.</li> </ul>	✓

## Buying Goods and Services RISK QUESTIONNAIRE

### RISK – A SIMPLE APPROACH

**i** To help you consider and embrace the notion of risk in relation to your purchase Procurement ACT together with ACTIA (Insurance advisors) have created this simple questionnaire.

Please read each question and answer Yes, No or Unknown.

Depending on how you answer the questions you will either be provided with guidance on how you might wish to proceed and / or some comfort that your decisions are unlikely to trigger unanticipated consequences from proceeding with your purchase.

#### Questions

1.	<p>Is this an unusual (unique) purchase for your organisation?</p> <p><i>Consider: is the purchase something your organisation uses all the time? Has it been purchased before? Is it common?</i></p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  <input type="checkbox"/> Unknown
2.	<p>Does the purchase require a new or customized design?</p> <p><i>Consider: is it deemed innovative or non-standard?</i></p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  <input type="checkbox"/> Unknown
3.	<p>Are there any current probity concerns in relation to this purchase?</p> <p><i>Consider: is there a conflict of interest, bias or appearance of bias, fairness, impartiality or confidentiality concerns?</i></p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  <input type="checkbox"/> Unknown
4.	<p>Is COVID-19 likely to affect the supply?</p> <p><i>Consider: is the supply likely to be affected by timing or the supplier's location (e.g., overseas)?</i></p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  <input type="checkbox"/> Unknown
5.	<p>Does the purchase require any changes or additions to the ACT Government standard terms and conditions for contracts or requests for quote?</p> <p><i>Consider: do you need to consider additional clauses (above the standard) to cover topics such as intellectual property or privacy as part of the purchase?</i></p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  <input type="checkbox"/> Unknown
6.	<p>Will the Territory need to make up-front or "in advance" payments for this purchase?</p> <p><i>Consider: will the purchase require any payment before delivery of specific agreed tasks or outputs?</i></p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  <input type="checkbox"/> Unknown
7.	<p>Is there the potential for this purchase to be sensitive or subject to adverse publicity?</p> <p><i>Consider: the environmental or social impact of your purchase as well as any potential reputational risks. Does the Caretaker period add any additional risks / concerns?</i></p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  <input type="checkbox"/> Unknown

# Buying Goods and Services

## Summary

If you have answered “no” to all of the questions above, you should have some comfort that your purchase appears to be low risk\*.

If you have said “yes” or “unknown” to one or more answers it is recommended that you visit the [ACTIA website](#) and view the sections on Risk where you may wish to undertake some further assessments. You could also contact the Procurement ACT helpdesk ([GoodsAndServices@act.gov.au](mailto:GoodsAndServices@act.gov.au)) for advice.

Please note that a “yes” or “unknown” answer to one or more questions does not necessarily preclude you from continuing your task; It merely alerts you to the need for further consideration of the risk(s) potentially associated with your purchases and the action that might be appropriate to help you manage these.



*\*This simple assessment is not a substitute for a risk assessment process. If in doubt you should seek guidance and assistance on assessing and treating [Risk from ACTIA](#) or seek further information from [www.treasury.act.gov.au/actia/](http://www.treasury.act.gov.au/actia/)*

## Power, Leanne

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**From:** Power, Leanne  
**Sent:** Monday, 19 July 2021 9:03 AM  
**To:** Schedule 2.2(a)(ii)  
**Subject:** RFQ for ChooseCBR review  
**Attachments:** Choose CBR Review - Terms of Reference.pdf

OFFICIAL

Dear Mr Butler

I am assisting Kathy Leigh with your engagement to undertake the evaluation and review of the ChooseCBR program. Please find attached a copy of the Terms of Reference.

I would appreciate if you could provide your quote for undertaking the review.

I can be contacted on the numbers below if you need to discuss further.

Many thanks

Leanne

Leanne Power | Executive Branch Manager, Office of the Head of Service

Phone: 02 620 75990 | Mobile: Sch 2.2(a)(ii) | Email: [leanne.power@act.gov.au](mailto:leanne.power@act.gov.au)

Chief Minister, Treasury and Economic Development Directorate | ACT Government

Level 5, Canberra Nara Centre, 1 Constitution Avenue Canberra ACT 2601 | GPO Box 158 Canberra ACT 2601 | [www.act.gov.au](http://www.act.gov.au)

## Power, Leanne

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**From:** Power, Leanne  
**Sent:** Wednesday, 21 July 2021 5:13 PM  
**To:** David Butler  
**Subject:** RE: RFQ for ChooseCBR review

OFFICIAL

Thanks David  
I have received your quote and will be back in touch tomorrow.  
Many thanks  
Leanne

Leanne Power | Executive Branch Manager, Office of the Head of Service  
Phone: 02 620 75990 | Mobile: [Sch 2.2\(a\)\(ii\)](#) | Email: [leanne.power@act.gov.au](mailto:leanne.power@act.gov.au)  
Chief Minister, Treasury and Economic Development Directorate | ACT Government  
Level 5, Canberra Nara Centre, 1 Constitution Avenue Canberra ACT 2601 | GPO Box 158 Canberra ACT 2601 | [www.act.gov.au](http://www.act.gov.au)

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**From:** David Butler [Schedule 2.2\(a\)\(ii\)](#)  
**Sent:** Wednesday, 21 July 2021 2:12 PM  
**To:** Power, Leanne <[Leanne.Power@act.gov.au](mailto:Leanne.Power@act.gov.au)>  
**Subject:** Re: RFQ for ChooseCBR review

**CAUTION:** This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hello Leanne,

It was nice to speak to you this morning and to hear more about the planned Review and Evaluation of the Choose CBR initiative.

I have attached a quote for this work and I have also attached my BIO.

If I am offered this work, I would like to collect the relevant documentation on Wednesday 28 July 2021 at say 3.00 pm. I would prefer the interviews to be held on Monday 2 August 2021 and Tuesday 3 August 2021 if this is possible. If this is not suitable, I will also be available on Monday 9 August 2021 and Tuesday 10 August 2021.

I also wanted to confirm that I have Combined Professional Indemnity and General Liability insurance for the consultancy work I undertake.

I look forward to hearing further from you.

Kind Regards,

David Butler

[Schedule 2.2\(a\)\(ii\)](#)

On Mon, 19 Jul 2021 at 17:08, David Butler [Schedule 2.2\(a\)\(ii\)](#) > wrote:

Hello Leanne,

Thank you for your email and providing the Terms of Reference for the review of the Choose CBR programme.

I am away from Canberra at the moment and will be back tomorrow afternoon. I have read the Terms of Reference and have a couple of questions.

I will be in contact with you on Wednesday.

Kind Regards,

David

On Mon, 19 Jul 2021 at 9:02 am, Power, Leanne <[Leanne.Power@act.gov.au](mailto:Leanne.Power@act.gov.au)> wrote:

**OFFICIAL**

Dear Mr Butler

I am assisting Kathy Leigh with your engagement to undertake the evaluation and review of the ChooseCBR program. Please find attached a copy of the Terms of Reference.

I would appreciate if you could provide your quote for undertaking the review.

I can be contacted on the numbers below if you need to discuss further.

Many thanks

Leanne

**Leanne Power | Executive Branch Manager, Office of the Head of Service**

Phone: 02 620 75990 | Mobile: [Sch 2.2\(a\)\(ii\)](#) | Email: [leanne.power@act.gov.au](mailto:leanne.power@act.gov.au)

**Chief Minister, Treasury and Economic Development Directorate | ACT Government**

Level 5, Canberra Nara Centre, [1 Constitution Avenue Canberra](#) ACT 2601 | GPO Box 158 Canberra ACT 2601 | [www.act.gov.au](http://www.act.gov.au)

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This email, and any attachments, may be confidential and also privileged. If you are not the intended recipient, please notify the sender and delete all copies of this transmission along with any attachments immediately. You should not copy or use it for any purpose, nor disclose its contents to any other person.  
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## **Review and Evaluation of Choose CBR**

### **Quote:**

Quote for a Review and Evaluation of Choose CBR as set out in the Terms of Reference received on 19 July 2021.

This review will require reporting on the efficiency and effectiveness of the administration of the Choose CBR stimulus program, both the December 2020 pilot and the June 2021 full roll out. This is to include:

- selection of the voucher system and vendor and the onboarding and ongoing management of the vendor;
- internal review of, and application of lessons learnt from, the December 2020 trial;
- setting of program parameters for the December 2020 trial and the June 2021 full rollout;
- communications and promotion of the trial and full rollout;
- changes made in the parameters of the program and adjustments to the website application and its capability and capacity between the trial and the full rollout;
- stakeholder communication and engagement, including as to possible changes in the parameters of the program between the trial and the full rollout;
- technical issues associated with the full rollout and the measures taken to address them;
- the risk profile and risk management of the scheme, including the reporting and checking of transactions;
- resources and funding; and
- the stimulus outcome achieved, including its spread across businesses.

Following discussions with a senior staff member from the Chief Minister, Treasury and Economic Development Directorate, it is estimated that this review can be completed with eight full time equivalent days of consulting time. This estimate is based on there being ongoing support available at all stages of this review and all relevant documentation and information will be available at the commencement of the review.

### **Quote:**

Eight days at \$2,970.00 per day including GST = Total \$23,750.00

***David Butler Consulting***

***ABN 67 985 008 078***

## **David Butler - BIO**

David Butler provides consultancy services to a number of government organisations and individuals in Australia and New Zealand, drawing on his extensive experience as a former CEO and senior executive. He has been frequently engaged as a lead reviewer for Performance Improvement Framework Reviews of New Zealand government departments and has carried out a number of other reviews for Australian government departments and agencies.

David also facilitates Executive Learning Groups for senior Australian and New Zealand government officials and coaches and mentors senior executives.

David has lived and worked in four countries and was appointed to the position of Chief Executive and Commissioner of Inland Revenue in New Zealand for over six years (2001-07) and was also the head of the Tax Administration and Indirect Tax Division at the OECD in Paris, France (2007-08). Earlier in his career, David worked for Revenue Canada in Ottawa as part of an international interchange program.

In addition to holding senior positions overseas, David was a Senior Executive Service officer in the Australian Public Service for over 20 years, with the most recent being the statutory appointment of Second Commissioner of Taxation in the Australian Taxation Office (2008-12).

During his career David has successfully achieving sustainable organisational change and built strong and effective teams and relationships. He was able to turn around the performance of the Inland Revenue Department in New Zealand to make it one of New Zealand's most respected and admired government organisations.

In addition to many years of experience in program and project leadership, David also has considerable expertise in the delivery of information technology change. From 2008 to 2012, while in the Australian Taxation Office, David successfully led the implementation of one of the largest information technology programs ever implemented in Australia.

David holds a Bachelor of Laws degree, a Commerce Accounting Certificate and is admitted to practice as a Barrister and Solicitor. David has completed executive development programs at the Australian Management College; Queens University, Kingston Ontario, Canada; and the London Business School.

## Power, Leanne

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**From:** Power, Leanne  
**Sent:** Thursday, 22 July 2021 11:26 AM  
**To:** David Butler  
**Subject:** RE: RFQ for ChooseCBR review

OFFICIAL

Hello David

Thank you for your email. Kathy is happy to accept your quote to undertake the evaluation/review. I will send through a short form contract shortly.

I have asked for the documents to be ready by next Wednesday for you to pick up. There are quite a lot of documents - would you prefer hard copy in folders or electronic copy on a USB drive?

It would be timely if I can arrange for you to have a discussion with Kathy when you are onsite next Wednesday, however Kathy has meetings with Ministers until 4.30pm. Would you be able to push your arrival back to 4.30pm? I can arrange parking for you.

If you can't make 4.30pm I can arrange for another time when you are onsite.

I will liaise with the people on the list and get back to you about scheduling the interviews. In the event that we can't do face to face meetings due to the COVID situation, can I confirm if you have access to/use Webex or Zoom?

Many thanks

Leanne

Leanne Power | Executive Branch Manager, Office of the Head of Service  
Phone: 02 620 75990 | Mobile: [Sch 2.2\(a\)\(ii\)](#) | Email: [leanne.power@act.gov.au](mailto:leanne.power@act.gov.au)  
Chief Minister, Treasury and Economic Development Directorate | ACT Government  
Level 5, 220 London Circuit, Canberra ACT 2601 | GPO Box 158 Canberra ACT 2601 | [www.act.gov.au](http://www.act.gov.au)

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**From:** David Butler [Schedule 2.2\(a\)\(ii\)](#)  
**Sent:** Wednesday, 21 July 2021 2:12 PM  
**To:** Power, Leanne <[Leanne.Power@act.gov.au](mailto:Leanne.Power@act.gov.au)>  
**Subject:** Re: RFQ for ChooseCBR review

**CAUTION:** This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hello Leanne,

It was nice to speak to you this morning and to hear more about the planned Review and Evaluation of the Choose CBR initiative.

I have attached a quote for this work and I have also attached my BIO.

If I am offered this work, I would like to collect the relevant documentation on Wednesday 28 July 2021 at say 3.00 pm. I would prefer the interviews to be held on Monday 2 August 2021 and Tuesday 3 August 2021 if this is possible. If this is not suitable, I will also be available on Monday 9 August 2021 and Tuesday 10 August 2021.

I also wanted to confirm that I have Combined Professional Indemnity and General Liability insurance for the consultancy work I undertake.

I look forward to hearing further from you.

Kind Regards,

David Butler

Schedule 2.2(a)(ii)

On Mon, 19 Jul 2021 at 17:08, David Butler <Schedule 2.2(a)(ii)> wrote:

Hello Leanne,

Thank you for your email and providing the Terms of Reference for the review of the Choose CBR programme.

I am away from Canberra at the moment and will be back tomorrow afternoon. I have read the Terms of Reference and have a couple of questions.

I will be in contact with you on Wednesday.

Kind Regards,

David

On Mon, 19 Jul 2021 at 9:02 am, Power, Leanne <[Leanne.Power@act.gov.au](mailto:Leanne.Power@act.gov.au)> wrote:

OFFICIAL

Dear Mr Butler

I am assisting Kathy Leigh with your engagement to undertake the evaluation and review of the Choose CBR program. Please find attached a copy of the Terms of Reference.

I would appreciate if you could provide your quote for undertaking the review.

I can be contacted on the numbers below if you need to discuss further.

Many thanks

Leanne

Leanne Power | Executive Branch Manager, Office of the Head of Service

Phone: 02 620 75990 | Mobile: <Sch 2.2(a)(ii)> | Email: [leanne.power@act.gov.au](mailto:leanne.power@act.gov.au)

Chief Minister, Treasury and Economic Development Directorate | ACT Government

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This email, and any attachments, may be confidential and also privileged. If you are not the intended recipient, please notify the sender and delete all copies of this transmission along with any attachments immediately. You should not copy or use it for any purpose, nor disclose its contents to any other person.  
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## SHORT FORM CONTRACT

**DATE: 22/07/2021**

### PARTIES AND ADDRESSES FOR SERVICE OF NOTICES

Procurement Reference Number:	NA
Contract Number:	2105DGO

### Territory

Name:	<b>AUSTRALIAN CAPITAL TERRITORY</b> established under the <i>Australian Capital Territory (Self-Government) Act 1988</i> (Cth) represented by Chief Minister, Treasury & Economic Development Directorate ( <b>Territory</b> ).		
Address:	220 London Circuit Canberra		
Territory Contract Manager:	Leanne Power	Ph: 02 62075990	Email: Leanne.power@act.gov.au

### Supplier

Name:	David Butler Consulting ( <b>Supplier</b> )		
ABN/ACN/ARBN:	ABN 67 985 008 078		
Address:	NA		
Supplier Contract Manager:	David Butler	Ph: Schedule 2.2(a)(ii)	Email: Schedule 2.2(a)(ii)

### 1 – TERM

The commencement date is 28/07/2021. The term of this Contract is 4 calendar months from the commencement date. The term of this Contract may be extended for 2 calendar months by the written agreement of the parties, prior to the Contract expiration date. The maximum term of this contract is 6 months.

### 2 – THE SUPPLIES

#### Option A

The consultant will undertake the Choose CBR Evaluation and Review (**the supplies**) in accordance with the Terms of Reference at Attachment A.

### 3 – TIMING AND DELIVERY DATES

The consultant will deliver the report of the Choose CBR Evaluation and Review (**the supplies**) to the Head of Service within three months of the commencement date.

### 4 – DELIVERY LOCATION AND INSTRUCTIONS (FOR SUPPLIES THAT INCLUDE GOODS)

Not applicable.

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**5 – CONTRACT PRICE AND PAYMENT**

The Contract Price is \$23,750 (including GST). It is payable as a lump sum. Clause 2 of Attachment B - *General Conditions of Contract* applies.

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**6 – WARRANTY PERIOD (FOR SUPPLIES THAT INCLUDE GOODS)**

Not applicable.

---

**7 – CONFIDENTIAL TEXT under the Government Procurement Act 2001 (ACT)**

Not applicable.

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**8 – INSURANCE**

The Supplier must effect and maintain for the Term, all insurances required to be effected by it by law and the following insurances in the amounts stated:

1. Public Liability insurance.
2. For Supplies that include services, professional indemnity insurance.

SIGNED AS A CONTRACT ON..3 August 2021.....

SIGNED for on behalf of the  
AUSTRALIAN CAPITAL TERRITORY

[Redacted]  
Signature of Territory delegate

in the presence of:

[Redacted]  
LEANNE BWER

Print name

Signature of witness

Print name SARAH KALLESKE

SIGNED by of for and on the behalf of  
David Butler Consulting

Signature of director/authorised officer/individual

[Redacted]  
DAVID BUTLER

Print name

in the presence of:

Signature of director/secretary/witness

Signature Schedule 2.2(a)(ii)

SARAH KALLESKE  
Print name

[Redacted]  
Print name and position OWNER



**Note**  
Date: Must be dated on the date the last party signs the contract or, if signed counterparts of the contract are exchanged, the date of exchange. Also date the cover page.  
Company: Must be signed in accordance with section 127 of the *Corporations Act 2001* (Cth), for example, by 2 directors or a director and a secretary. Common seal must be affixed if required under the Supplier's constitution.  
Individual: Must be signed by the individual supplier and witnessed.  
Incorporated Association: As a minimum, two authorised officers must sign. Otherwise, the contract must be signed in accordance with the Supplier's constitution. Common seal must be affixed if required under the constitution.



## ATTACHMENT B – GENERAL CONDITIONS OF CONTRACT

### 1. Provision of Supplies

- 1.1 The Supplier must provide the Supplies according to the provisions of this Contract and to a standard of care, skill and diligence expected of a person who regularly acts in the capacity in which the Supplier is engaged.
- 1.2 Supplies that are goods must be new and unused, free from any security interest, defects in materials and workmanship, of acceptable quality and must conform to any specifications and descriptions set out in this Contract.

### 2. Contract Price

- 2.1 Except if otherwise stated in this Contract, the Contract Price is:
- (a) payable within 30 days of receipt by the Territory of an Invoice;
  - (b) inclusive of GST and all other taxes, duties and charges; and
  - (c) inclusive of all disbursements, including out of pocket expenses incurred by the Supplier.
- 2.2 An Invoice may be issued by the Supplier upon the satisfactory completion of each milestone set out in the Contract, or if no milestones are specified, on the satisfactory completion of all services and acceptance of all goods comprising the Supplies.

### 3. Delivery and Acceptance

- 3.1 Supplies that are goods must be delivered at the times and places detailed in the Contract, in good order and condition and marked with the relevant Reference Number and full delivery point details. Delivery will be free into store unless otherwise specified in the Contract.
- 3.2 The Territory may reject Supplies supplied incorrectly, damaged, in excess of or less than specified quantities or otherwise found not to be in accordance with the Contract.
- 3.3 If the Territory rejects any Supplies, the Supplier must, at no cost to the Territory and within any timeframe specified by the Territory, remove the Supplies (in the case of goods) and:
- (a) replace any rejected Supplies that are goods; and
  - (b) re-perform any rejected Supplies that are services; or
  - (c) refund any payment for the rejected Supplies.
- 3.4 If the Territory does not reject the Supplies within 14 days of receiving the Supplies, the Territory is taken to have accepted the Supplies.

### 4. Title and Risk

Risk of loss and damage and title in Supplies that are goods passes to the Territory on its acceptance of those goods.

### 5. Warranty

For Supplies that are goods, the Supplier must:

- (a) during any warranty period specified in the Contract, without delay and at no cost to the Territory, correct all defects in the Supplies by way of repair, replacement or such other means acceptable to the Territory; and
- (b) ensure, to the extent practicable and permitted by law, that the Territory receives the benefit of any warranty given by a third party with respect to any goods,

however:

- (c) this does not in any way relieve the Supplier of any obligation or warranty by it under this Contract; and
- (d) the Supplier is liable for all costs incidental to the discharge of any warranty under this Contract.

### 6. Ownership and use of material

6.1 Ownership of:

- (a) all Contract Material, including any intellectual property rights, vests on its creation with the Territory;
- (b) all Territory Material, including any intellectual property rights, remains with the Territory; and
- (c) all Support Material, including any intellectual property rights, remains the property of the Supplier.

6.2 The Territory grants to the Supplier a royalty-free, limited licence to use the Contract Material and Territory Material for the term specified in the Contract.

6.3 The Supplier:

- (a) grants to the Territory, a perpetual, royalty-free licence to use the Support Material to the extent necessary for the Territory to obtain the full benefit of the Supplies; and
- (b) warrants that the Territory's use of any Contract Material and Support Material under this Contract will not infringe the intellectual property rights of, or create any obligations in connection with, any third party.

6.4 The Supplier must safeguard and preserve Contract Material and Territory Material in its possession or control and deliver to the Territory all Contract Material and Territory Material on expiration or

termination of this Contract (other than copies that the Territory authorised the Supplier to retain).

#### **7. Supplier's Personnel**

The Supplier must, in providing the Supplies:

- (a) engage only persons who have the skills, training and expertise appropriate for the Supplies; and
- (b) comply with all reasonable requirements notified by the Territory regarding suitability and fitness of persons engaged for the provision of the Supplies.

#### **8. Non-disclosure of Territory Information**

The Supplier must:

- (a) use Territory Information held in connection with this Contract only for the purposes of fulfilling its obligations under this Contract;
- (b) not transfer Territory Information held in connection with this Contract outside the Territory, or allow any person (other than its authorised personnel) outside the Territory to have access to it, without prior written approval of the Territory;
- (c) notify the Territory immediately if the Supplier becomes aware that a disclosure of Territory Information may be required by law or any unauthorised disclosure of Territory Information has occurred; and
- (d) in respect of any Personal Information held in connection with this Contract:
  - (i) comply with the TPPs and any applicable TPP Code and must not (and procure that any subcontractor engaged by the Supplier does not) act or engage in a practice that breaches a TPP or a TPP Code; and
  - (ii) co-operate with any reasonable requests or directions of the Territory arising directly from, or in connection with, the exercise of the functions of the Information Privacy Commissioner under the Information Privacy Act.

#### **9. Confidential Text under the Procurement Act**

- 9.1 In giving effect to the principles of open and accountable government, the Territory may disclose documents and information unless it has otherwise agreed, or is otherwise required under law, to keep the information confidential.
- 9.2 Except as provided in this Contract, the Territory must not disclose confidential text specified in the Contract to any person without the prior written consent of the Supplier (which consent will not be unreasonably withheld) except to the extent that the confidential text:

- (a) is required or authorised to be disclosed under law;
- (b) is reasonably necessary for the enforcement of the criminal law;
- (c) is disclosed to the Territory's solicitors, auditors, insurers or advisers;
- (d) is generally available to the public;
- (e) is in the possession of the Territory without restriction in relation to disclosure before the date of receipt from the Supplier;
- (f) is disclosed by the responsible Minister in reporting to the Legislative Assembly or its committees; or
- (g) is disclosed to the ombudsman or for a purpose in relation to the protection of public revenue.

#### **10. Indemnity**

The Supplier indemnifies the Territory, its employees and agents against all liability in respect of all claims, costs and expenses in relation to all loss, damage, injury or death to persons or property caused by the Supplier, in connection with the provision of the Supplies, except to the extent that the Territory caused the relevant loss, damage or injury.

#### **11. Termination**

The Territory may terminate this Contract in part or whole, at any time by notice to the Supplier, if the Supplier:

- (a) enters, or in the Territory's absolute opinion, is likely to enter, into any form of external administration or makes any arrangement with its creditors or takes advantage of any statute for the relief of insolvent debtors;
- (b) fails to provide the Supplies within, or to meet any other, timeframes or milestones specified in this Contract; or
- (c) is otherwise in breach of a provision of this Contract, where that breach:
  - (i) if capable of being remedied, is not remedied within the period specified in a notice by the Territory, or
  - (ii) is not capable of being remedied.

#### **12. Conduct in Territory Premises**

The Supplier must, when using Territory premises or facilities, comply with all reasonable directions of the Territory.

#### **13. Notices**

Any notice or communication under this Contract will be effective if it is in writing, and delivered to the other party. A notice will be deemed to have been delivered:

- (a) if delivered by hand, on delivery;
- (b) if sent by prepaid mail, on the expiration of two business days;
- (c) if sent by facsimile, on the sender's facsimile machine recording that the facsimile has been

successfully and properly transmitted to the recipient's address; or

- (d) if sent by electronic mail, on the other party's acknowledgement of receipt by any means.

**14. Assignment and Subcontracting**

The Supplier must not assign or subcontract any of its rights or obligations under this Contract without the prior written consent of the Territory. If the Territory gives its consent, the Territory may impose any conditions.

**15. Survival**

Clauses 6, 7 and 8 of this Contract survive the termination or expiration of this Contract.

**16. Applicable Law**

The laws of the Australian Capital Territory apply to this Contract.

**17. Variation**

This Contract may be varied only by the written agreement of the parties prior to the expiration of the Contract.

**18. Entire Agreement**

This Contract constitutes the entire agreement of the parties in relation to the provision of the Supplies and all other agreements, warranties and representations are excluded.

**19. Definitions and Interpretation**

**"Contract Material"** means all material created, written or otherwise brought into existence as part of, or for the purpose of providing the Supplies including all reports (whether in draft or final form), documents, information and data stored by any means.

**"Information Privacy Act"** means the *Information Privacy Act 2014* (ACT).

**"Invoice"** means an invoice that:

- (a) if GST is payable in respect of the provision of the Supplies, is a valid tax invoice for the purposes of the *A New Tax System (Goods and Services Tax) Act 1999* (Cth);
- (b) clearly sets out details of the Supplies provided and of the amount that is due for payment, is correctly calculated and is in respect of Supplies provided in accordance with this Contract;
- (c) is accompanied by any other details or reports required under this Contract; and
- (d) is rendered at the time/s specified in clause 2.2.

**"Personal Information"** is information or an opinion about an identified individual or an individual who is reasonably identifiable:

- (a) whether the information is true or not; and
- (b) whether the information or opinion is recorded in a material form or not,

but does not include personal health information (as defined in the *Health Records (Privacy and Access) Act 1997* (ACT) about the individual.

**"Reference Number"** means the relevant, purchase order number, quote number or contract number for the provision of the Supplies.

**"Supplies"** means the goods and/ or services the subject of this Contract.

**"Support Material"** means the material specified as support material in the Contract (if any).

**"Territory Information"** means the kind of information that:

- (a) is or relates to documents, submissions, consultations, policies, strategies, practices and procedures of the Territory which are by their nature confidential;
  - (b) is notified (whether in writing or not) by the Territory to the Supplier as being confidential; or
  - (c) is Personal Information,
- but does not include information that:
- (d) is or becomes public knowledge other than by breach of this Contract;
  - (e) has been independently developed or acquired by the Supplier; or
  - (f) has been notified by the Territory to the Supplier as not being confidential.

**"Territory Material"** means any material provided by the Territory to the Supplier for the purposes of this Contract including documents, equipment, information and data stored by any means.

**"TPPs"** means the Territory Privacy Principles provided for in section 13 and set out in Schedule 1 of the Information Privacy Act.

**"TPP Code"** means a code of practice about information privacy which, having regard to section 21(1) and (3) of the Information Privacy Act, binds an agency that engages the Supplier in the provision of the Supplies.

## SPECIAL CONDITIONS

### Option A

Not used.

### Option B

The following Special Conditions apply to this Contract and will prevail to the extent of any inconsistency with any other provision of this Contract.

INSERT SPECIAL CONDITIONS

NOTE: Insert any Special Conditions required. Obtain advice if required.

A. Specified Personnel:

The Specified Personnel, as set out in Attachment A – Supplier’s Quotation, must provide the Supplies. The Supplier must provide replacement personnel acceptable to the Territory at no additional charge and at the earliest opportunity if the Specified Personnel are unable to provide any of the Supplies.

OR

The following Specified Personnel are to provide the Supplies:

Name	Position	Role

B. Hazardous substances

If the Supplies contain hazardous substances, the Supplier must provide material safety data sheets for those hazardous substances.

## Choose CBR Evaluation and Review

### Terms of Reference

Choose CBR was a business stimulus program, that was initially released on 9 June 2021. Following technical problems, the program was paused and restarted on 18 June 2021. The program, which made \$2m available to customers through a digital discounts scheme, aimed to stimulate local spending by attracting new customers to businesses and encouraging them to spend more as they redeemed the vouchers. The program was preceded by a pilot in December 2020.

On 22 June 2021 Tara Cheyne MLA, Assistant Minister for Economic Development, announced that the Government would conduct an evaluation of the Choose CBR program, which would include an independent and comprehensive review of the program design and implementation.

The Minister has stated that through the review process, the Government will analyse the spread of activity across businesses and consumers. The review will also evaluate the stimulus impact to determine if something similar would be appropriate in the event of a further economic downturn.

The Minister has stated that the findings from the review will be publicly released.

### **Terms of Reference**

The Head of Service is seeking to implement the Minister's commitment to conduct an evaluation of the ACT Government's Choose CBR program.

The consultant will report on the efficiency and effectiveness of the administration of the ChooseCBR stimulus program, both the December 2020 pilot and the June 2021 full roll out, including:

- selection of the voucher system and vendor and the onboarding and ongoing management of the vendor
- internal review of, and application of lessons learnt from, the December 2020 trial
- setting of program parameters for the December 2020 trial and the June 2021 full rollout
- communications and promotion of the trial and full rollout
- changes made in the parameters of the program and adjustments to the website application and its capability and capacity between the trial and the full rollout
- stakeholder communication and engagement, including as to possible changes in the parameters of the program between the trial and the full rollout
- technical issues associated with the full rollout and the measures taken to address them
- the risk profile and risk management of the scheme, including the reporting and checking of transactions
- resources and funding
- the stimulus outcome achieved, including its spread across businesses.

The consultant will undertake briefings with:

- Kareena Arthy, Deputy Director-General Economic Development

- Kate Starick, Executive Group Manager, Economic Development
- Bettina Konti, Chief Digital Officer
- Daniel Bray, Executive Branch Manager, Design and Strategy, Digital, Data and Technology Solutions
- Karen Stewart-Moore, Executive Branch Manager, Communications and Engagement, Economic Development
- Morgan Campbell, Senior Director, Strategic Policy, Economic Development.

The consultant will also have access to the user survey results.

A written report including recommendations will be provided by the consultant to the Head of Service within 3 months of commencing the engagement.

**Chief Minister, Treasury and Economic Development Directorate**

**To:** Minister for Business and Better Regulation

Tracking No.: CMTEDD2021/5621

**Date:** 16/11/2021

**CC:** DDG Economic Development

**From:** Kathy Leigh, Head of Service

**Subject:** ChooseCBR Evaluation and Review Report

**Critical Date:** 19/11/2021

**Critical Reason:** To enable the Assembly Business Paper to be lodged for Cabinet

**Recommendations**

That you:

1. Note the information contained in this brief;

**Noted / Please Discuss**

2. Note the ChooseCBR Evaluation and Review Report Attachment A; and

**Noted / Please Discuss**

3. Agree to lodge the Assembly Business Paper at Attachment 1 seeking Cabinet's endorsement to table the ChooseCBR Evaluation and Review Report in the Legislative Assembly during the December sittings, and.

**Agreed / Not Agreed / Please Discuss**

4. Agree to the Ministerial Statement at Attachment C to the Assembly Business Paper.

**Agreed / Not Agreed / Please Discuss**

Tara Cheyne MLA



18/11/21

Minister's Office Feedback

## Background

1. ChooseCBR was a business stimulus program that was initially released on 9 June 2021. Following technical problems, the program was paused and restarted on 18 June 2021. The program, which made \$2 million available to customers through a digital discounts scheme, aimed to stimulate local spending by attracting new customers to businesses and encouraging them to spend more as they redeemed the vouchers. The program was preceded by a pilot in December 2020 during which \$0.5 million in vouchers was made available.
2. On 22 June 2021 you announced in the Legislative Assembly that an evaluation of the ChooseCBR program would be conducted that would include an independent and comprehensive review of the program design and implementation.
3. David Butler Consulting was engaged to conduct the ChooseCBR Evaluation and Review (the review).
4. The Terms of Reference asked the consultant to report on the efficiency and effectiveness of the administration of the ChooseCBR stimulus program, both the December 2020 pilot and the June 2021 full roll out, including:
  - selection of the voucher system and vendor and the onboarding and ongoing management of the vendor
  - internal review of, and application of lessons learnt from, the December 2020 trial
  - setting of program parameters for the December 2020 trial and the June 2021 full rollout
  - communications and promotion of the trial and full rollout
  - changes made in the parameters of the program and adjustments to the website application and its capability and capacity between the trial and the full rollout
  - stakeholder communication and engagement, including as to possible changes in the parameters of the program between the trial and the full rollout
  - technical issues associated with the full rollout and the measures taken to address them
  - the risk profile and risk management of the scheme, including the reporting and checking of transactions
  - resources and funding
  - the stimulus outcome achieved, including its spread across businesses.



## Issues

5. A copy of the review report is at Attachment A.

## Key findings

6. In relation to the efficiency and effectiveness of the administration of the ChooseCBR program, the review found:
  - a. ChooseCBR was efficient and effective at delivering the Government's key objective of stimulating economic activity during a difficult period. Over 30,000 Canberrans were able to receive discounts with over 85,000 vouchers redeemed. Close to 800 small businesses benefited from the Scheme. On 18 and 19 June 2021, alone, \$4 million was spent in transactions where digital vouchers were redeemed. Over \$7 million was spent in local ACT businesses during the trial and the full rollout.
  - b. The technical issues experienced in the rollout could not have been predicted. There were issues related to the structure and design of the data base that, given the high volume of transactions that were immediately experienced when rollout commenced, impacted on the efficiency of each transaction, and slowed down performance. These issues were not experienced in the trial.
  - c. While it was disappointing for businesses and participants that the rollout had to be stopped, given the complexity of the technical issues faced, there was no other option. Once these technical issues were understood, changes made and tested, the web-based application performed very well, with a significant number of transactions being processed in a very short period.
  - d. There was no evidence of any systemic misuse of the scheme. Key design features of the ChooseCBR program related to limits on the number of vouchers available for each participant, the ability to use one voucher only in a store each day and the use of verified unique mobile numbers for participant registration, all added to the integrity of the scheme.
7. Some of the key points made in the review (in summary):
  - a. There were several examples of good governance practices evidenced during the development and implementation of the ChooseCBR program (pg.3).
  - b. A good risk management approach was utilised, and careful thought was given to the risks the program might face, including commissioning a major consulting firm during the pilot to carry out a high-level threat and risk assessment across the technology. Risks identified in this report flowed through the overall governance practices with risk mitigations or treatments actioned (pg.3).
  - c. Given the limited options available to deliver the economic stimulus in the timeframe, the decision making around the selection of the voucher system and vendor was sound (pg. 4-5).

- d. The approach to and analysis of the internal review and the application of the lessons learnt from the December 2020 trial were sound (pg.5). There was a thorough follow up of the key learnings and insights gained from the trial and several enhancements and improvements were made before the June rollout (pg.5).
- e. There were several design features in the ChooseCBR program that added to its ease of use but also strengthened its integrity (pg.6).
- f. Based on learnings from the myDarwin experience, effort was made to encourage registration by business and participation by the community, which was successful (pg.6).
- g. There was a comprehensive information and education program used to promote the program, which was successful (pg.8).
- h. The use of ANZSIC codes was a good way to determine which industries should be the focus of the stimulus program (pg.8).

#### Lessons learnt and recommendations

8. The review found some lessons learnt, for example:
  - a. accountability for the sign off of key aspects of the delivery of the web-based application was not clear, with strong reliance placed on the developer to determine an approach in some areas,
  - b. there were some late changes to scope of the web design and functionality, and
  - c. it is difficult to determine if further testing could have identified the root cause of the problems that materialised, however a high-level assessment of the broad fitness of purpose of the web-based application, like the threat and risk assessment undertaken on the technology, may have been useful..
9. The review makes three recommendations to improve the likelihood of successfully delivering future programs where there is a key dependency on a purpose-built web-based application, particularly if a program was originally designed for a smaller number of users. In summary these are:
  - a. Ensuring clear responsibilities between project roles, in particular the project manager is sufficiently empowered to make decisions and responsibilities are not devolved across members of the Project Board.
  - b. Ensuring Project Boards are aware of the importance of ongoing control of what is and what is not within the scope of project.
  - c. Recognising the importance of seeking early and independent verification of fitness for purpose of the technical aspects of an information technology program under consideration.
10. The Directorate has accepted the lessons learnt and recommendations.

11. You have committed that the findings from the review will be publicly released. An Assembly Business Paper seeking Cabinet's endorsement to table the ChooseCBR Evaluation and Review Report in the Legislative Assembly during the December sitting is provided at Attachment 1 including a proposed Ministerial Statement.

### **Financial Implications**

12. The cost of the review was \$27,350 including GST. The cost was met within the CMTEDD budget.
13. There are no costs associated with the findings of the review.

### **Consultation**

#### Internal

14. In accordance with the Terms of Reference, the consultant undertook briefings with:
- a. Kareena Arthy, Deputy Director-General Economic Development
  - b. Kate Starick, Executive Group Manager, Economic Development
  - c. Bettina Konti, Chief Digital Officer
  - d. Daniel Bray, Executive Branch Manager, Design and Strategy, Digital, Data and Technology Solutions
  - e. Karen Stewart-Moore, Executive Branch Manager, Communications and Engagement, Economic Development
  - f. Morgan Campbell, Senior Director, Strategic Policy, Economic Development.
15. Economic Development and Digital, Data and Technology Solutions had opportunity to review the draft report.

#### Cross Directorate

16. Cross-directorate consultation was not required.

#### External

17. External consultation was not required.

### **Work Health and Safety**

18. There are no Work Health and Safety considerations to be considered from the review.


### **Benefits/Sensitivities**

19. There are no benefits or sensitivities to be considered from the review.

### **Communications, media and engagement implications**

20. A proposed Ministerial Statement is included at Attachment 1 to the Assembly Business Paper.

OFFICIAL

Signatory Name: Kathy Leigh 

Phone: x50246

Action Officer: Leanne Power

Phone: x75990

**Attachments**

<b>Attachment</b>	<b>Title</b>
Attachment A	ChooseCBR Evaluation and Review Report
Attachment 1	Assembly Business Paper

**From:** "Starick, Kate"  
**Sent:** 26/10/2021 1:39 AM  
**To:** "Arthy, Kareena" <Kareena.Arthy@act.gov.au>  
**Subject:** Choose CBR - Evaluation and Review October 21 - Track changes\_  
**Attachments:** Choose CBR - Evaluation and Review October 21 - Track changes\_.docx

OFFICIAL

Hi I've made an additional change on p4. The changes are largely consistent with the discussion I had with Kathy  
Regards  
Kate

**From:** "Power, Leanne" <Leanne.Power@act.gov.au>  
**Sent:** 26/10/2021 12:15 AM  
**To:** "Starick, Kate" <Kate.Starick@act.gov.au>; "Arthy, Kareena" <Kareena.Arthy@act.gov.au>  
**Subject:** Choose CBR report  
**Attachments:** Choose CBR - Evaluation and Review October 21 - Track changes...docx

**OFFICIAL**

Hi Kate and Kareena

David Butler has made some final changes to the Choose CBR Review report – attached with tracked changes. Can you please let me know if you have any comments on these changes. If no comments, this will be accepted as the final report.

Happy to discuss if needed.

Many thanks

Leanne

Leanne Power | Executive Branch Manager, Office of the Head of Service

Phone: 02 620 75990 | Mobile: [Sch 2.2\(a\)\(ii\)](#) | Email: [leanne.power@act.gov.au](mailto:leanne.power@act.gov.au)

Chief Minister, Treasury and Economic Development Directorate | ACT Government

Level 5, 220 London Circuit Canberra ACT 2601 | GPO Box 158 Canberra ACT 2601 | [www.act.gov.au](http://www.act.gov.au)

**From:** "Power, Leanne" <Leanne.Power@act.gov.au>  
**Sent:** 08/10/2021 7:05 AM  
**To:** "Starick, Kate" <Kate.Starick@act.gov.au>; "Konti, Bettina" <Bettina.Konti@act.gov.au>  
**Cc:** "Allsop, Jean" <Jean.Allsop@act.gov.au>  
**Subject:** Choose CBR review - Final draft  
**Attachments:** Choose CBR - Evaluation and Review.docx

**OFFICIAL: Sensitive**

Hi Kate and Bettina

David has provided a revised draft of his report with track changes shown (attached), taking into account the comments made by you and the additional information provided by Economic Development on stimulus outcomes achieved.

David has mentioned that there is a reference in the report to further scrutiny being underway of any systemic misuse of the scheme. He does not know if this work is completed and he could leave this part of the report as it is written. However, if additional analysis is available, he would be happy to consider this and incorporate any changes as needed. David has included a note in the report to make it easier for you to find this reference.

If there are no further changes suggested or comments made, David would like to finalise this as the version to go to HoS.

Can you please let me know if you have further comments.

Many thanks  
Leanne

Leanne Power | Executive Branch Manager, Office of the Head of Service  
Phone: 02 620 75990 | Mobile [Sch 2.2\(a\)\(ii\)](#) | Email: [leanne.power@act.gov.au](mailto:leanne.power@act.gov.au)  
Chief Minister, Treasury and Economic Development Directorate | ACT Government  
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**From:** "Power, Leanne" <Leanne.Power@act.gov.au>  
**Sent:** 12/11/2021 5:34 AM  
**To:** "Starick, Kate" <Kate.Starick@act.gov.au>  
**Subject:** ChooseCBR review - draft brief to Minister Cheyne  
**Attachments:** Brief to Minister Cheyne.docx, Choose CBR - Evaluation and Review October 21 - Final.pdf

OFFICIAL

Hi Kate

Sorry for the delay – here is the first draft of the brief to Minister on the ChooseCBR review. I have also attached a copy of the final report.

I will send through the draft Assembly Business Paper shortly.

I suggested to Lee today to put the item on the Minister's agenda for Tuesday under Kathy's name.

When you send the docs back to me, I will provide a briefing for Kathy on Monday for Tuesday.

Happy to discuss

Thanks

Leanne



**Chief Minister, Treasury and Economic Development Directorate**

**To:** Assistant Minister for Economic Development Tracking No.: [Click here to enter text.](#)

**Date:** 12/11/2021

**CC:** [Click here to enter text.](#)

**From:** Kathy Leigh, Head of Service

**Subject:** ChooseCBR Evaluation and Review Report

**Critical Date:** 19/11/2021 <Indicate the date in **bold** by which the brief must be signed>

**Critical Reason:** To enable the Assembly Business Paper to be lodged by 22 November 2021

- DDG Economic Development .../.../...

**Recommendations**

That you:

1. Note the information contained in this brief;

**Noted / Please Discuss**

2. Note the ChooseCBR Evaluation and Review Report Attachment A; and

**Noted / Please Discuss**

3. Agree to lodge the Assembly Business Paper at Attachment B seeking Cabinet's endorsement to table the ChooseCBR Evaluation and Review Report in the Legislative Assembly during the December sittings, and.

**Agreed / Not Agreed / Please Discuss**

4. Agree to the Ministerial Statement at Attachment B to the Assembly Business Paper.

**Agreed / Not Agreed / Please Discuss**

Tara Cheyne MLA ..... /...../.....

Minister's Office Feedback

**Background**

1. ChooseCBR was a business stimulus program that was initially released on 9 June 2021. Following technical problems, the program was paused and restarted on 18 June 2021. The program, which made \$2m available to customers through a digital discounts scheme, aimed to stimulate local spending by attracting new customers to businesses and encouraging them to spend more as they redeemed the vouchers. The program was preceded by a pilot in December 2020.
2. On 22 June 2021 you announced in the Legislative Assembly that an evaluation of the ChooseCBR program would be conducted that would include an independent and comprehensive review of the program design and implementation.
3. David Butler Consulting was engaged to conduct the ChooseCBR Evaluation and Review (the review).
4. The Terms of Reference asked the consultant to report on the efficiency and effectiveness of the administration of the ChooseCBR stimulus program, both the December 2020 pilot and the June 2021 full roll out, including:
  - selection of the voucher system and vendor and the onboarding and ongoing management of the vendor
  - internal review of, and application of lessons learnt from, the December 2020 trial
  - setting of program parameters for the December 2020 trial and the June 2021 full rollout
  - communications and promotion of the trial and full rollout
  - changes made in the parameters of the program and adjustments to the website application and its capability and capacity between the trial and the full rollout
  - stakeholder communication and engagement, including as to possible changes in the parameters of the program between the trial and the full rollout
  - technical issues associated with the full rollout and the measures taken to address them
  - the risk profile and risk management of the scheme, including the reporting and checking of transactions
  - resources and funding
  - the stimulus outcome achieved, including its spread across businesses.

**Issues**

5. A copy of the review report is at [Attachment A](#).

Key findings

6. In relation to the efficiency and effectiveness of the administration of the ChooseCBR program, the review found:

- ChooseCBR was efficient and effective at delivering the Government's key objective of stimulating economic activity during a difficult period. Over 30,000 Canberrans were able to receive discounts, over 85,000 discounts were redeemed and close to 800 small businesses benefited. On 18 and 19 June 2021, alone, \$4 million was spent in transactions where digital vouchers were redeemed and the total spent during the trial and the rollout, when digital vouchers were redeemed, was over \$7 million.
- The technical issues experienced in the rollout could not have been predicted. There were issues related to the structure and design of the data base that, given the high volume of transactions that were immediately experienced when rollout commenced, impacted on the efficiency of each transaction, and slowed down performance. These issues were not experienced in the trial.
- While it was disappointing for businesses and participants that the rollout had to be stopped, given the complexity of the technical issues faced, there was no other option. Once these technical issues were understood, changes made and tested, the web-based application performed very well, with a significant number of transactions being processed in a very short period.
- There was no evidence of any systemic misuse of the scheme. Key design features of the ChooseCBR program related to limits on the number of vouchers available for each participant, the ability to use one voucher only in a store, the use of verified unique mobile numbers for participant registration, all added to the integrity of the scheme.

7. Some of the key points made in the review (in summary):

- There were several examples of good governance practices evidenced during the development and implementation of the ChooseCBR program (pg.3).
- A good risk management approach was utilised, and careful thought was given to the risks the program might face, including commissioning a major consulting firm during the pilot to carry out a high-level threat and risk assessment across the technology. Risks identified in this report flowed through the overall governance practices with risk mitigations or treatments actioned (pg.3).
- Given the limited options available to deliver the economic stimulus in the timeframe, the decision making around the selection of the voucher system and vendor was sound (pg. 4-5).
- The approach to and analysis of the internal review and the application of the lessons learnt from the December 2020 trial were sound (pg.5). There was a

thorough follow up of the key learnings and insights gained from the trial and several enhancements and improvements were made before the June rollout (pg.5).

- There were several design features in the ChooseCBR program that added to its ease of use but also strengthened its integrity (pg.6).
- Based on learnings from the myDarwin experience, effort was made to encourage registration by business and participation by the community, which was successful (pg.6).
- There was a comprehensive information and education program used to promote the program, which was successful (pg.8).
- The use of ANZSIC codes was a good way to determine which industries should be the focus of the stimulus program (pg.8).

#### Lessons learnt and recommendations

8. The review found some lessons learnt, for example:
  - accountability for the sign off of key aspects of the delivery of the web-based application was not clear, with strong reliance placed on the developer to determine an approach in some areas
  - there were some late changes to scope of the web design and functionality
  - a high-level assessment of the broad fitness of purpose of the web-based application, like the threat and risk assessment undertaken on the technology, would have been useful.
9. The review makes three recommendations to improve the likelihood of successfully delivering future programs where there is a key dependency on a purpose-built web-based application, particularly if a program was originally designed for a smaller number of users. In summary these are:
  - Ensuring clear responsibilities between project roles, in particular the project manager is sufficiently empowered to make decisions and responsibilities are not devolved across members of the Project Board.
  - Ensuring Project Boards are aware of the importance of ongoing control of what is and what is not within the scope of project.
  - Recognising the importance of seeking early and independent verification of fitness for purpose of the technical aspects of an information technology program under consideration.
10. The Directorate has accepted the lessons learnt and recommendations.
11. You have committed that the findings from the review will be publicly released. An Assembly Business Paper seeking Cabinet's endorsement to table the ChooseCBR Evaluation and Review Report in the Legislative Assembly during the December sitting is provided at Attachment B including a proposed Ministerial Statement.

### **Financial Implications**

12. The cost of the review was \$27,350 including GST. The cost was met within the CMTEDD budget.

13. There are no costs associated with the findings of the review.

### **Consultation**

#### Internal

14. In accordance with the Terms of Reference, the consultant undertook briefings with:

- Kareena Arthy, Deputy Director-General Economic Development
- Kate Starick, Executive Group Manager, Economic Development
- Bettina Konti, Chief Digital Officer
- Daniel Bray, Executive Branch Manager, Design and Strategy, Digital, Data and Technology Solutions
- Karen Stewart-Moore, Executive Branch Manager, Communications and Engagement, Economic Development
- Morgan Campbell, Senior Director, Strategic Policy, Economic Development.

15. Economic Development and Digital, Data and Technology Solutions had opportunity to review the draft report.

#### Cross Directorate

16. Cross-directorate consultation was not required.

#### External

17. External consultation was not required.

### **Work Health and Safety**

18. There are no Work Health and Safety considerations to be considered from the review.

### **Benefits/Sensitivities**

19. There are no benefits or sensitivities to be considered from the review.

### **Communications, media and engagement implications**

20. A proposed Ministerial Statement is included at Attachment B to the Assembly Business Paper.

Signatory Name: Kathy Leigh

Phone:

Action Officer: Leanne Power

Phone: X75990

**Attachments**

<Delete if not required>

<b>Attachment</b>	<b>Title</b>
Attachment A	ChooseCBR Evaluation and Review Report
Attachment B	Assembly Business Paper
Attachment C	

**From:** "Starick, Kate"  
**Sent:** 26/10/2021 10:40 AM  
**To:** "Power, Leanne" <Leanne.Power@act.gov.au>; "Arthy, Kareena" <Kareena.Arthy@act.gov.au>  
**Subject:** FW: Choose CBR - Evaluation and Review October 21 - Track changes\_  
**Attachments:** Choose CBR - Evaluation and Review October 21 - Track changes\_.docx

OFFICIAL

Hello Leanne  
Thank you for the opportunity to provide final comments. A minor amendment added to p4 of the report  
Kind regards  
Kate

---

**From:** Starick, Kate  
**Sent:** Tuesday, 26 October 2021 12:40 PM  
**To:** Arthy, Kareena <Kareena.Arthy@act.gov.au>  
**Subject:** Choose CBR - Evaluation and Review October 21 - Track changes\_

OFFICIAL

Hi I've made an additional change on p4. The changes are largely consistent with the discussion I had with Kathy  
Regards  
Kate

**From:** "Power, Leanne" <Leanne.Power@act.gov.au>  
**Sent:** 29/09/2021 8:12 AM  
**To:** "Starick, Kate" <Kate.Starick@act.gov.au>  
**Subject:** FW: initial draft Choose CBR report  
**Attachments:** Choose CBR - Evaluation and Review.docx

**OFFICIAL: Sensitive**

Hi Kate

For information – see below Bettina’s comments back to David Baber on the draft report. Bettina has copied these to Kareena.

Thanks

Leanne

Leanne Power | Executive Branch Manager, Office of the Head of Service  
Phone: 02 620 75990 | Mobile: [Sch 2.2\(a\)\(ii\)](#) | Email: [leanne.power@act.gov.au](mailto:leanne.power@act.gov.au)  
Chief Minister, Treasury and Economic Development Directorate | ACT Government  
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---

**From:** Konti, Bettina <Bettina.Konti@act.gov.au>  
**Sent:** Wednesday, 29 September 2021 8:14 AM  
**To:** Power, Leanne <Leanne.Power@act.gov.au>  
**Cc:** Arthy, Kareena <Kareena.Arthy@act.gov.au>; Bray, Daniel <Daniel.Bray@act.gov.au>  
**Subject:** FW: initial draft Choose CBR report

**OFFICIAL: Sensitive**

Hi Leanne

Sorry for taking so long with this. Dan and I have reviewed. Whilst we have not identified any errors of fact, we propose the following for David’s consideration:

1. We think more could be made of the fact that the pilot and the full rollout were not like for like. A scenario presented that the team had not encountered in the trial, nor expected, thus not considered they’d need to prepare nor test for, including the vendor.
  - a. Tens of thousands of users performing actions in the system concurrently, including signing up of users and businesses, and redeeming of vouchers, which revealed the technical limitations of the database design.
  - b. We were also expecting to see a numerical comparison of the demand between the trial and the full rollout, be that in dollars redeemed per hour, or day, or something to show just how different the two were.
2. We agree with all the comments on the role of the project manager. It would assist us in ACT government if the word “senior” could be added to the narrative so that in addition to the greater responsibility, it’s important that we have something we can point to, to say the role is a senior role. It will help us prevent people thinking that ASO6 and SOGC level staff can do project management.

Thanks Leanne

Bettina

---

**From:** Power, Leanne <[Leanne.Power@act.gov.au](mailto:Leanne.Power@act.gov.au)>  
**Sent:** Tuesday, 14 September 2021 12:08 PM  
**To:** Arthy, Kareena <[Kareena.Arthy@act.gov.au](mailto:Kareena.Arthy@act.gov.au)>; Konti, Bettina <[Bettina.Konti@act.gov.au](mailto:Bettina.Konti@act.gov.au)>  
**Subject:** initial draft Choose CBR report



**OFFICIAL: Sensitive**

Good afternoon Kareena and Bettina

David Butler has provided a first draft of his review of Choose CBR (attached) and asks if you can please review it with a view to identifying errors of fact.

David has noted that the first draft is only based on material he has seen to date and that he will need to look at how to provide comment on the ToR associated with the evaluation, given that this has been delayed because of the diversion of resources to the COVOD response.

David would appreciate if you could track change any amendments/ comments and then I will be guided by you if you would like a meeting arranged to discuss any comments.

David said he is cognisant of the priority for managing the current COVID situation and will be guided by you on the timing of your response.

Thanks

Leanne

**Leanne Power | Executive Branch Manager, Office of the Head of Service**

Phone: 02 620 75990 | Mobile: [Sch 2.2\(a\)\(ii\)](#) | Email: [leanne.power@act.gov.au](mailto:leanne.power@act.gov.au)

**Chief Minister, Treasury and Economic Development Directorate | ACT Government**

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**From:** "Power, Leanne" <Leanne.Power@act.gov.au>  
**Sent:** 29/09/2021 8:13 AM  
**To:** "Starick, Kate" <Kate.Starick@act.gov.au>  
**Subject:** RE: initial draft Choose CBR report

OFFICIAL: Sensitive

Sorry, I meant David Butler

Leanne Power | Executive Branch Manager, Office of the Head of Service  
Phone: 02 620 75990 | Mobile: [Sch 2.2\(a\)\(ii\)](#) | Email: [leanne.power@act.gov.au](mailto:leanne.power@act.gov.au)  
Chief Minister, Treasury and Economic Development Directorate | ACT Government  
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---

**From:** Power, Leanne  
**Sent:** Wednesday, 29 September 2021 6:12 PM  
**To:** Starick, Kate <Kate.Starick@act.gov.au>  
**Subject:** FW: initial draft Choose CBR report

OFFICIAL: Sensitive

Hi Kate  
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Thanks  
Leanne

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Phone: 02 620 75990 | Mobile: [Sch 2.2\(a\)\(ii\)](#) | Email: [leanne.power@act.gov.au](mailto:leanne.power@act.gov.au)  
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**Sent:** Wednesday, 29 September 2021 8:14 AM  
**To:** Power, Leanne <[Leanne.Power@act.gov.au](mailto:Leanne.Power@act.gov.au)>  
**Cc:** Arthy, Kareena <[Kareena.Arthy@act.gov.au](mailto:Kareena.Arthy@act.gov.au)>; Bray, Daniel <[Daniel.Bray@act.gov.au](mailto:Daniel.Bray@act.gov.au)>  
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OFFICIAL: Sensitive

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Thanks Leanne

Bettina

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**From:** Power, Leanne <[Leanne.Power@act.gov.au](mailto:Leanne.Power@act.gov.au)>

**Sent:** Tuesday, 14 September 2021 12:08 PM

**To:** Arthy, Kareena <[Kareena.Arthy@act.gov.au](mailto:Kareena.Arthy@act.gov.au)>; Konti, Bettina <[Bettina.Konti@act.gov.au](mailto:Bettina.Konti@act.gov.au)>

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Thanks  
Leanne

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**Sent:** 02/10/2021 10:12 PM  
**To:** "Starick, Kate" <Kate.Starick@act.gov.au>; "Arthy, Kareena" <Kareena.Arthy@act.gov.au>  
**Subject:** RE: initial draft Choose CBR report

OFFICIAL: Sensitive

Thanks Kate, I have let David know. Leanne

Leanne Power | Executive Branch Manager, Office of the Head of Service  
Phone: 02 620 75990 | Mobile: [Sch 2.2\(a\)\(ii\)](#) | Email: [leanne.power@act.gov.au](mailto:leanne.power@act.gov.au)  
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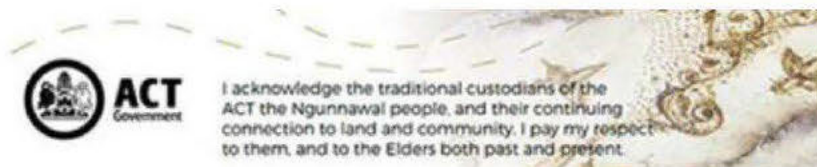
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**From:** Starick, Kate <Kate.Starick@act.gov.au>  
**Sent:** Saturday, 2 October 2021 3:12 PM  
**To:** Power, Leanne <Leanne.Power@act.gov.au>; Arthy, Kareena <Kareena.Arthy@act.gov.au>  
**Subject:** RE: initial draft Choose CBR report

OFFICIAL: Sensitive

Hi Leanne  
Thank you for forwarding . I support Bettina's comments below, and have no further comments to add at this time  
Regards  
Kate

Kate Starick | Executive Group Manager  
Economic Development  
Ph: +61 2 6205 9828 | M: [Sch 2.2\(a\)\(ii\)](#) | Email: [kate.starick@act.gov.au](mailto:kate.starick@act.gov.au)  
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Thanks Leanne

Bettina

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**Sent:** Tuesday, 14 September 2021 12:08 PM  
**To:** Arthy, Kareena <[Kareena.Arthy@act.gov.au](mailto:Kareena.Arthy@act.gov.au)>; Konti, Bettina <[Bettina.Konti@act.gov.au](mailto:Bettina.Konti@act.gov.au)>  
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David has noted that the first draft is only based on material he has seen to date and that he will need to look at how to provide comment on the ToR associated with the evaluation, given that this has been delayed because of the diversion of resources to the COVOD response.

David would appreciate if you could track change any amendments/ comments and then I will be guided by you if you would like a meeting arranged to discuss any comments.

David said he is cognisant of the priority for managing the current COVID situation and will be guided by you on the timing of your response.

Thanks

Leanne

Leanne Power | Executive Branch Manager, Office of the Head of Service

Phone: 02 620 75990 | Mobile: Sch 2.2(a)(ii) | Email: [leanne.power@act.gov.au](mailto:leanne.power@act.gov.au)

Chief Minister, Treasury and Economic Development Directorate | ACT Government

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**From:** "Arthy, Kareena" <Kareena.Arthy@act.gov.au>  
**Sent:** 29/11/2021 6:12 AM  
**To:** "Stewart-Moore, Karen" <Karen.Stewart-Moore@act.gov.au>; "Johnston, ClaireV" <ClaireV.Johnston@act.gov.au>; "Starick, Kate" <Kate.Starick@act.gov.au>  
**Subject:** Talking Points - ChooseCBR independent review - 30 nov  
**Attachments:** Talking Points - ChooseCBR independent review - 30 nov.docx

**OFFICIAL**

Hi – I have included a bit more about David – he was head of tax in NZ which is the most impressive thing on his CV. Otherwise, looks good to me. Cheers Kareena

*Date: 30 November*

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**SUBJECT:** ChooseCBR Independent Review

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**KEY MESSAGES:**

1. The review has found that ChooseCBR was efficient and effective at delivering the Government's key objective of stimulating economic activity during a difficult period.
2. Over 30,000 Canberrans were able to receive discounts, over 85,000 discounts were redeemed and close to 800 small businesses benefited.
3. The review found in relation to program administration that there were several examples of good governance practices during the development and implementation of the program that strengthened its integrity.
4. The review recommended in future the role of Project Manager could be strengthened, that Project Boards be aware the importance of ongoing control of scope and of seeking early and independent verification that ICT systems are fit for purpose.

**Talking points**

- The Terms of Reference asked the consultant to report on the efficiency and effectiveness of the administration of the ChooseCBR stimulus program, both the December 2020 pilot and the June 2021 full roll out.
- David Butler Consulting was engaged to conduct the review at a cost of \$27,350 including GST.
- David Butler was well placed to conduct the review. He was [Chief Executive and Commissioner of the Inland Revenue Department of New Zealand](#), a Second Commissioner of Taxation in the Australian Taxation Office and senior officer in the Australian Public Service.
- Mr Butler has considerable expertise in the delivery of information technology change and has been frequently engaged as a lead reviewer for Performance Improvement Framework Reviews of New Zealand government departments as well as several reviews for Australian government departments and agencies.
- The review found that ChooseCBR was efficient and effective at delivering the Government's key objective of stimulating economic activity during a difficult period.
- Over 30,000 Canberrans were able to receive discounts, over 85,000 discounts were redeemed and close to 800 small businesses benefited.
- On 18 and 19 June 2021, alone, \$4 million was spent in transactions where digital vouchers were redeemed and the total spent during the trial and the rollout, when digital vouchers were redeemed, was over \$7 million.



- The review advises that while it was disappointing for businesses and participants that the rollout had to be paused, given the complexity of the technical issues faced, there was no other option than to stop, assess what was happening and fix the problem.
- The review identifies that once the technical issues were understood, changes made and tested, the web-based application performed very well, with a significant number of transactions being processed in a very short period.

## Questions and Answers

- **Was the project governance adequate?**

The review found there were good governance practices with a cross-directorate Governance Committee established. This was used to guide the development and implementation of the program. It also found there were good risk management practices.

What it did find that in future the role of Project Manager could have had more defined decision-making authority, instead of responsibilities for different aspects of the project being disbursed across the Governance Committee.

It also found that the Governance Committee could have more ongoing control of the scope of the project.

These are recommendations we can learn from and integrate into future projects.

- **Was the myDarwin system fit for purpose?**

The review found that when selecting the web application, it made sense to follow the broad design aspects of a similar stimulus program and the MyDarwin application offered the best opportunity for re-use. The review found the decision-making around the selection of the application was sound.

As the review notes, it is difficult to say whether additional system testing would have revealed the root cause of the problems experienced in the full rollout.

The review suggests that a broader review of whether the system was fit for purpose may have revealed some of the technical issues we then experienced. We have learnt a lot through the rollout of ChooseCBR and will be able to integrate these learnings into future projects.

- **What was the result of the compliance activities and spot-checking process?**

The spot checks that were conducted following the trial found high levels of compliance with the requirements.

Spot checking following the full rollout included businesses that had redeemed a high number of vouchers or where there were unusual patterns of redemption. It found there was no evidence of systemic misuse of the scheme by businesses.

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**Action Officer: Karen Stewart-Moore**  
**Cleared By: Kate Starick**

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**From:** "Stewart-Moore, Karen"  
**Sent:** 29/11/2021 7:12 AM  
**To:** "Dynon, Kaarin" <Kaarin.Dynon@act.gov.au>  
**Cc:** "Johnston, ClaireV" <ClaireV.Johnston@act.gov.au>  
**Subject:** Talking Points - ChooseCBR independent review - 30 nov  
**Attachments:** Talking Points - ChooseCBR independent review - 30 nov.docx

OFFICIAL

Hi Kaarin  
Here's the TPs for Choose.  
Let me know if you need anything else or to hunt out previous talking points.  
Thanks  
Karen

*Date: 30 November*

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**SUBJECT:** ChooseCBR Independent Review

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**Action Officer: Karen Stewart-Moore**  
**Cleared By: Kate Starick**

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