



**Professional Advisory Services**

# Corporate Capability 2016 Probity Advice and Auditing Services



**CourtHeath**  
Consulting

COVERING EVERY ANGLE WITH INTEGRITY

Our probity audit and advisory services help clients meet government probity standards, especially regarding:

**Conflict of interest**

**Confidentiality**

**Ethical conduct**

**Corruption risks**

# About us

**CourtHeath Consulting provides expert probity advice to government and not-for-profit organisations. We specialise in the public sector in Victoria and have worked on some of the State's most important projects. Our probity audit and advisory services help clients meet government probity standards especially regarding conflict of interest, confidentiality, ethical conduct and corruption risks. Mindful that the community expects transparency, accountability and high standards of commercial conduct, CourtHeath protects public sector clients from reputational damage. Our expertise is providing probity advice that contributes directly to managing risks.**

CourtHeath has an impressive track record in providing probity-focused procurement solutions from the simple to the complex, including end-to-end procurement process management. We know how to streamline processes while maintaining the highest standards of conduct and without compromising integrity.

Our probity advisory work strengthens organisational capability and builds understanding – we work collaboratively with agency staff to ensure that they develop an understanding of probity issues and risks, enabling them to embed within their organisations the integrity standards expected in public service.

To support ongoing probity management, we customise tools, templates and training to the individual circumstances of each agency.

CourtHeath Consulting is a proud participant in the United Nations Global Compact. We join over 8,700 corporate organisations in 170 countries committed to universal standards in the areas of:

- human rights
- labour rights
- environmental sustainability
- anti-corruption.

Adopting these internationally recognised best-practice principles reinforces our commitment to transparency in business and government, as well as our focus on anti-corruption.

Our probity consultants have undertaken relevant training including the Values of Government and Procurement and the Chartered Institute of Procurement and Supply Ethical Procurement training. Several of our consultants are accredited probity services practitioners. Through professional development and networks, they have up-to-date knowledge of best practice and latest information relating to probity issues.



Our consultants  
communicate with clarity  
to **provide targeted advice**  
through regular dialogue  
and structured assistance.

# Our probity consultants

**Our consultants have worked extensively with the Victorian Government for many years, providing probity and procurement services. Outside government, our consultants have provided probity services to the not-for-profit sector and other organisations that receive government funding.**

We have a wealth of experience across a range of industry sectors. This probity experience includes:

- probity auditing
- probity advisory roles at a project or whole-of-program level
- governance and process advice
- probity oversight of government grant and tender processes
- conflict of interest management
- preparation and review of probity plans and documentation associated with a competitive process
- effective response to reviews and criticisms from Boards of Inquiry and Commissions including IBAC
- training.

The CourtHeath probity team is committed to high quality, responsive and ethical service delivery.

We provide probity advice that is highly practical, targeted and relevant to the particular circumstances including the industry sector, nature of the market and the type of procurement that is being undertaken.





## Pauline Bernard

Pauline is an expert probity practitioner with more than 20 years' experience in probity and government procurement, and with a background in construction and contract law.

Over the last 14 years, Pauline has led many of CourtHeath's probity assignments. Prior to that she was an in-house probity advisor and the procurement solicitor in the Department of Infrastructure providing probity and process advice and developing best practice guidance for conduct of departmental procurement processes.



## Andrew Smale

Andrew is a management consultant specialising in strategic procurement, probity and asset management. Andrew has senior executive experience in policy development, project delivery and management. He has led business units in excess of 200 staff, and with budgets of \$30 million recurrent and \$250 million capital. He has wide knowledge of resource management obtained through study and application, as well as knowledge of government procurement policies, standards and codes. Andrew provides practical probity strategies and solutions to ensure defensible outcomes and best value for money.



## Helen Stewart

Helen is an experienced member of CourtHeath's probity practice with expertise in government procurement and probity. Prior to joining CourtHeath in 2015, Helen worked for five years as a probity and procurement consultant. During this time Helen was the primary support advisor working with Pauline in the probity practice. Helen previously worked for 12 months in the Department of Infrastructure Contract Services Group providing procurement and internal probity advice and undertaking research. For 10 years prior to that, Helen worked in private sector law firms as a property lawyer.



## Phillip Weiss

Phillip has a wealth of experience working for private firms and for government organisations including Victorian government departments and agencies where he worked as an internal probity advisor. He is very experienced as a probity practitioner, procurement consultant and lawyer. He has a broad educational background with a Diploma of Electronics, a Bachelor of Arts, an Honours Law Degree and a Master of Laws specialising in commercial law. In his Master's degree in Government Contracting and Tendering, Phillip focussed on the legal basis and relevant case law that forms the basis for probity.



## Antony McCloy

Antony McCloy is a management consultant with 20 years' experience in procurement, probity and property services. Specialising in business process reviews and change management, Antony prepares benefits and risk assessments and major project business cases.

With a background as a Certified Practising Accountant, Antony brings expertise in management accounting, complex costing and financial modelling. Spanning a wide range of industries and organisational categories, Antony has provided probity advice and procurement support for many projects.



## Alf Zarro

Alf is a highly experienced procurement and probity consultant with a background in Victorian public sector ICT procurement (especially software licensing) and professional services. He has led software audits and reviews resulting in significant cost savings. Alf brings to CourtHeath his experience undertaking audit reviews of procurement; providing probity advice on associated transactions; overseeing evaluation processes and contract negotiations; and contributing to the probity component of business cases. This experience makes Alf a valuable asset who understands the world of probity and its demands.



## Jenny Gotz-Papillo

Jenny is an experienced management consultant with a background in auditing and financial governance having worked for a Tier One consulting firm and other smaller private sector enterprises. Her work has involved forensic reviews, reviews of internal controls and segregation of duties, and financial reviews and analysis. Jenny brings to CourtHeath her consulting skills from large and small scale organisations, as well as formal financial auditing experience. With Jenny's highly developed communication skills and consulting expertise, she is able to provide authoritative guidance that strengthens defensibility of processes.



## Rod Varker

Rod is a highly skilled procurement professional with extensive experience in providing in-house probity, procurement and contract advice across multiple disciplines within the local government sector. He held senior roles at the City of Melbourne from 2005 to 2015, providing advice about conflict of interest disclosures and management, dealing with bid and contract processes, and overseeing the procurement of services for the City. Rod's strategic service reviews resulted in significant savings for the City, and he developed and implemented a new corporate contract management system.



## Philippa O'Donnell

Philippa is a skilled writer and respected journalist. She was the ABC's State political reporter, radio manager and content director for many years before joining CourtHeath's procurement team in 2015. Philippa has well-developed communication and negotiation skills and can operate to tight deadlines in stressful situations. Philippa's skills have provided value in supporting consulting assignments that require planning, record-keeping, engagement with stakeholders and research. Her support in preparing probity materials ensures that they are presented in clear language.



## Amy Clay

Amy has a strong background in project management and customer service, and is experienced in setting business objectives, executing goals and meeting consumer expectations. With eight years of business management experience and five years of running a strong team of employees, she is able to confidently develop, implement and manage events and projects. Amy has managed a range of projects from inception to delivery, focussing on customer relationships and marketing. She brings to CourtHeath her knowledge of public relations and business development.

## Carol Dale

Carol has more than 35 years' experience in probity and procurement, including a mix of military logistics and procurement, outsourcing, category management, probity and strategic sourcing, for government and private enterprise.

Carol's speciality is services procurement and strategic sourcing. She has procured services as wide ranging as aircraft research and development activities, to facilities management services, such as cleaning and waste management.

She has undertaken major outsourcing projects for Government and the private sector, and has provided guidance and assistance to SMEs tendering for Government work.

## David Hartley

David is a management consultant specialising in strategic sourcing, procurement and governance frameworks.

As a subject matter expert and process advisor for facility-related procurement, David adds considerable value through his experience and ability to understand client needs and market drivers. His experience includes consulting to a wide variety of sectors, such as State and Federal governments, and private companies, including those in technology, banking and shipping.

David's background includes advising public sector organisations and working for corporations as Vendor & Outsourcing Manager and Contracts Portfolio Manager.

# What is probity?

Probity is about  
**integrity, fairness and honesty.**

In the procurement sector, probity focuses on proper and **ethical conduct**, and propriety in dealings with the market. Businesses and the community expect that government will operate to high probity standards, especially in its commercial dealings.



# The principles of probity reflect the values of the public sector:

## **Integrity, impartiality and actions against corruption**

Integrity relates to honesty, openness and transparency in dealings as well as management of conflicts of interest. In the public sector, integrity requires staff to use powers responsibly and to strive to earn a high level of public trust. To achieve this, we help organisations set clear standards of conduct about matters like acceptance of gifts and disclosure of personal interests.

To address corruption risks, organisations need processes in place to encourage reporting, protect whistle-blowers and deal with wrongdoing. A zero-tolerance approach is expected towards serious wrongdoing such as bribery and corruption. We have assisted clients to develop policies and procedures relating to whistleblower protection, acceptance of gifts and hospitality, disclosure and management of conflicts of interest.

Impartiality is particularly important in procurement. Decisions must be made based on merit —without bias, caprice, favouritism or self-interest. Public

sector organisations must act fairly by objectively considering all relevant facts and applying fair criteria. Our advice about these matters enables clients to demonstrate high standards of behaviour and to conduct a defensible process.

We are experts on approaches that agencies can take to mitigate fraud and corruption risks. IBAC has recognised that agencies are vulnerable to corruption throughout the procurement process, from the time of drafting the specification and the initial bidding stage right through to contract management including payment and variations.

CourtHeath provides expert probity advice and support for high probity standards that assists to mitigate these vulnerabilities.

CourtHeath is a participant in the United Nations Global Compact, the world's largest corporate social responsibility initiative. Like 8,700 corporate organisations across 170 countries, we have made commitments to universal sustainability standards – as outlined in the UN Global Compact's Ten Principles in the areas of human rights, labour rights, environmental sustainability and anti-corruption.





## Competition and market equality

CourtHeath helps clients to conduct competitive processes in a way that treats all prospective tenderers fairly and equitably, making sure they have access to the same information. Particular care is required when there is an incumbent provider competing against other tenderers. Fair and equitable treatment of prospective tenderers assists the development of a genuinely competitive procurement process.

So that our clients' procurement processes have the requisite capacity and capability, we check that staff and systems are available for each element of the procurement process. Where necessary, we can provide training for staff members.

## Consistent and transparent processes

So that our clients can demonstrate that their procurement processes are conducted consistently, CourtHeath provides advice on development of the evaluation plan. We also assist clients to ensure that the documented process is observed in practice and that this can be demonstrated. If there does need to be a change to the process or project scope, we help clients to ensure it's done in a way that doesn't unfairly preference any bidder, and additional costs are minimised. We advise on appropriate records to keep throughout the process providing enough information to enable independent review – a process won't be defensible if it's not auditable.

Transparency and fairness are important throughout the procurement cycle, not just during evaluation.

## Confidentiality and information security/ secure and confidential market engagement information

Working closely alongside our clients, CourtHeath consultants ensure that arrangements are in place to keep supplier information confidential – especially intellectual property. This means our clients understand how to keep written and electronic tender information securely so that information is not leaked from one tenderer to another. Where appropriate, we help clients design special processes allowing for confidential dialogue to encourage prospective tenderers to offer innovative solutions in the procurement process.

## Conflicts of interest

Our consultants assist clients to establish and apply procedures that identify and address actual and perceived conflicts of interest.

This requires open disclosure of relationships that may give rise to perception about bias or conflict of interest. When matters are disclosed, it's important to record all action taken to manage the situation and our consultants are expert in encouraging clients to do this.

## Capability matched to all elements of the procurement process

So that our clients' procurement processes have the requisite capacity and capability, we check that staff and systems are available for each element of the procurement process. Where necessary, we can provide training for staff members.

## Resources

To assist clients to understand and manage probity risks in procurement, CourtHeath has developed Guidance Notes covering issues such as:

- Conducting an Industry Briefing Session
- Debriefing Meetings
- How to Treat an Incumbent
- Interactive Tenderer Meetings
- Invitation to Supply documents
- Negotiations
- Site Visits
- Tender Evaluation Plan
- Tips for Tender Evaluators



# Our recent clients



Australian Catholic University



Care Connect



City of Melbourne



Department of Economic Development, Jobs, Transport and Resources - Victoria



Department of Education and Training - Victoria



Department of Environment, Land, Water and Planning - Victoria



Department of Health and Human Services - Victoria



Environment Protection Authority Victoria



Greater Melbourne Cemeteries Trust



Melbourne Market Authority



Sustainability Victoria



VicRoads



Victorian Managed Insurance Authority



Victoria Police

*“The integrity of our process had to be flawless, within extremely tight timelines. We contracted CourtHeath to ensure the process was thorough and the probity assured. They were terrific, guiding us through the government policies and processes in a manner that impressed even our internal experts. CourtHeath has the ability to manage the client in a way that generates confidence in the integrity of each and every step. I would certainly recommend CourtHeath to the public sector for probity and procurement services.”*

Andrew Williamson



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