



CABINET GUIDE 5: CABINET SUBMISSIONS: HOW TO WRITE SUBMISSIONS

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Government of South Australia
Department of the Premier
and Cabinet

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INTRODUCTION

Cabinet is the central decision-making body of the state and is the forum where the Premier and ministers meet to discuss and decide issues of importance to South Australia. Cabinet collectively decides the government's policy and strategic direction, especially in regard to legislation passed by the Parliament. Cabinet submissions are the way that matters are brought to Cabinet for discussion and approval.

Submissions should generally be prepared at the end of the policy development process and should reflect the research undertaken and evidence gathered during that process. They must provide Cabinet with enough information on the public value, costs, benefits, impacts, and risks of a proposal, and its alternatives, so that the decision-making process is meaningful and the consequences of a decision are known. Submissions must be informed by early, genuine engagement with stakeholders both inside and outside of government and set out the impacts, both positive and negative, on different groups.

This guide provides advice on how to draft a quality Cabinet submission that meets Cabinet's requirements, provides good advice to ministers, reduces the chances of a submission being delayed, and increases the chances that Cabinet will support the proposal. For more detail on what needs to go to Cabinet and on the specific requirements for certain types of business, see Cabinet Guide 4. For information on the policy development process, please see Cabinet Guide 2.

Confidentiality

Confidentiality is an essential principle of Cabinet's operation, and all documents and deliberations of Cabinet should be treated in strict confidence. Cabinet documents, both in draft and final form, must be shared only with those with the authority and the need to view them. While it may be necessary to consult internal and external sources on matters that will be considered by Cabinet, it is not permitted to provide access to Cabinet documents to unauthorised sources.

Physical and electronic Cabinet documents must be stored in secure locations, should be appropriately classified according to the government's information asset classification framework, and should not be emailed outside the government email network. It is the responsibility of chief executives and ministers to ensure that adequate measures are taken to secure Cabinet documents within their agencies, and ministers are responsible to the Premier for the safekeeping of their original Cabinet documents. Any breaches of security, whether deliberate or inadvertent, must be reported to your line manager in the first instance.

Cabinet document templates

All documents for Cabinet, Cabinet Subcommittee, and Cabinet committees and taskforces must be prepared using the correct templates, available from [Cabinet Coordination Online](#).

Further information

For further information, please contact the Manager, Cabinet Coordination, on 8429 5107 or at michael.brougham@sa.gov.au.

CABINET SUBMISSIONS: GENERAL REQUIREMENTS

Cabinet documents should allow ministers to discuss, analyse and resolve issues of fundamental importance to the state on their merits, and in ways conducive to effective implementation. They must approach issues through the framework of public value – explained further in the template – and should explain clearly why a proposal is needed, what its benefits are, and who in society it will impact upon.

The best available information must be placed before Cabinet and ministers. This information relates to the effective implementation of policy, proper risk assessment, and a clear understanding of the impediments likely to be encountered. This should be sourced through proper engagement with stakeholders and those affected. Government must receive a thorough analysis of issues, including those relating to implementation and the operational capacity to deliver the proposal, early in the decision-making process.

Proposals are necessarily developed by agencies from an agency perspective: to suit the needs of their own client groups. In their deliberations as members of Cabinet, ministers must take a broader view and consider the wider state interest. It is the role of Cabinet to consider the full implications of each proposal for the whole community. Cabinet must take a strategic view and balance the needs of particular interest groups with the needs of the community as a whole.

To assist Cabinet in this task, all Cabinet submissions must, in the development of the proposals, ensure consideration has been given to the interests of other agencies and relevant interested parties through proper consultation on potential regional, family, social, environmental, regulatory and business impacts. Where the initiatives are more than minor, assessments of their impact in these areas must be included in submissions. This Guide will help officers to decide when such assessments are required and how they should be carried out and reported.

Brevity and clarity

Those preparing Cabinet submissions need to keep in mind the heavy demands on ministers' time and the fact that they may not have a close knowledge of the subject matter. A balance must therefore be struck between the competing needs for information and brevity. Particular care must be taken to ensure that submissions sent to ministers for signature are clear and concise, so that they are an effective aid to decision making.

Take care to avoid repetition – repeating an earlier point (particularly by cutting and pasting text) adds little value to your argument, increases the length of your submission unnecessarily, and frustrates your readers. Your argument should be structured so that you avoid saying the same thing twice. If you need to refer to an earlier part of your discussion, simply cite the section where the discussion appeared, rather than repeating the material.

Length, layout, language and attachments

Good presentation can greatly assist ministers when they are considering a submission. Submissions should be no longer than six pages (plus a synopsis and any attachments), written in plain language (see the [Plain English Guide](#)), and well set out. The templates provided on [Cabinet Coordination Online](#) must be used.

All pages must be numbered. Paragraph numbering and indenting is not required. Attachments must be listed at the end and clearly labelled.

Lodgement requirements

Each submission must be stored in a separate submission file. Black and white Cabinet submission file covers are available from Cabinet Coordination for Premier's submissions and notes and from individual ministers' offices for all other submissions.

All submissions must be signed and dated by the responsible Cabinet minister and any other co-sponsoring minister.

At least 5cm clear space must be left at the bottom of the recommendations page of submissions for recording the Cabinet decision.

Electronic (.pdf) copies of signed submissions are lodged on the Electronic Cabinet Online (ECO) system with a certificate of authenticity given by the authorised lodging officer in the declaration section of the registration page. The original documents are retained by ministers' offices.

A copy of each submission is taken by Cabinet Office from ECO after it is lodged and is then prepared for tabling at the relevant Cabinet meeting.

All submissions require a DTF costing comment and a Cabinet Office comment before being lodged. The Cabinet Office comment enables Cabinet Office to scrutinise the proposal and identify any concerns with the proposal or with the submission itself. Cabinet Office will endeavour to issue Cabinet Office comments within 10 working days. The comment must be attached to the submission when it is lodged. Submissions for comment should be emailed to the DPC:DraftCabSubs mailbox (dpcdraftcabsubs@sa.gov.au).

Costing comments can be obtained through your finance section.

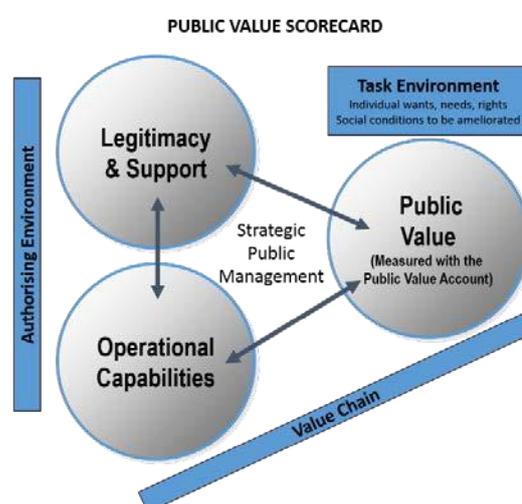
CABINET SUBMISSIONS: FORMAT AND CONTENT

Cabinet submissions must be in the template provided on [Cabinet Coordination Online](#). The template is based on the concept of public value, developed by Professor Mark Moore at Harvard University. Public value provides a framework to debate competing values and interests through a deliberative democratic process and establish what constitutes value, and to whom, in a particular context.

A public value approach to proposal development puts citizens at the centre, and requires agencies and ministers to engage in creative conversation, co-design, and co-production with a broad range of stakeholders. This supports the [Reforming Democracy](#) policy.

Applying this approach to proposal development, public value is created by aligning three actions in the *strategic triangle* or *public value scorecard*:

1. Public value (defining the public value outcomes that the proposal aims to achieve and for whom)
2. Legitimacy and support (building a coalition of stakeholders whose support is necessary to sustain action and ensuring formal authorising requirements are met), and
3. Operational capabilities (ensuring capacity and mobilising operational resources to implement proposals and achieve desired public value outcomes).



Professor Moore stresses that for public sector programs to be successful, **all three** elements of the scorecard must be present. To find out more about public value concepts, visit the [Better Together website](#).

Developing and articulating proposals using this framework will enable Cabinet to make focused decisions about the course of action, based on the degree to which proposals are:

- Valuable (what constitutes value, and to whom, is clearly articulated and aligns to the strategic priorities of government)
- Plausible (the link between proposed activity and public value outcomes is clear and logical – if we do these things, we will get the results we want and expect)
- Authorisable (there is evidence that a coalition of cross-sector stakeholders will provide the authority and support necessary to sustain action), and
- Doable (operational capacity is seen as sufficient to implement the proposal).

You do not need to have a thorough academic understanding of public value concepts to use this template. The template is designed to be a simple, common sense way to outline your proposals. If you have any concerns or questions about the use of the template, please contact Cabinet Office. You can find your portfolio contact at [Cabinet Coordination Online](#).

The requirements of each section of the template are detailed in the following sections. Do not delete headings from the template; if a section is not relevant to your proposal, simply identify this in the submission.

Synopsis

Describe the proposal briefly and accurately in **one page or less**. This section should act as a high-level summary of the main aspects of the proposal to allow Cabinet to quickly understand what it is being asked to approve and why. As a rule of thumb, the synopsis, taken together with the recommendations and the public value account, should provide Ministers enough information to support strategic debate in the Cabinet meeting.

Cabinet submissions should be a **maximum of six pages**, excluding the synopsis and attachments. Remember that your audience are not experts in the subject matter and have heavy demands on their time: write in plain English with minimal jargon, focussing on strategic issues and including only what a Minister needs to know to understand the proposal at a high level. Any **critical** further detail can be provided in an attachment.

Evidence, support and process matters are detailed in the remaining sections.

The synopsis must include a statement referring the reader to the public value account at attachment 1. This is included in the template.

Public value

This part of the submission asks for information about the public value aspect of your proposal. In the space under this heading, describe in one or two succinct paragraphs the effect of this proposal and why it represents public value, drawing on the public value account at attachment 1. The assessment of public value should be based on the broad effect of complex proposals rather than each individual aspect. This section can be left blank if the synopsis has already dealt with the public value of your proposal.

Data/evidence

Succinctly include supporting data, previous experience here or in other jurisdictions in Australia or globally, or pilots/trials/prototypes that show the evidence base for the proposal. Does the community have knowledge and qualitative data about the issue or the potential effectiveness of the proposal that the government does not?

An important component of public value is demonstrating the plausibility of a proposal – that the proposal will achieve what it is intended to. Similarly, it is important to demonstrate why a particular issue needs resolution. This is the section in which to do that.

Assumptions

Outline here any assumptions that the outcomes of this proposal are contingent on. For example, is your proposal based on research by a third party that you are assuming to be accurate? Do you have sound evidence in the section above, or are you assuming a particular action will lead to a desired outcome?

Impacts

You are required to self-assess if the proposal has any of the following impacts: family, social or community; business; regulatory; environmental; or regional. Further detail on each of these areas, as well as contacts you can speak to, can be found in the relevant sections later in this guide. If there are no specific impacts, just say so.

When considering the impact on individuals or groups, it may be helpful to consider the potential impact from different perspectives. If engagement has already taken place, refer to the outcomes and learnings. The following dot points outline some of these perspectives.

- Citizens (Would a disinterested citizen see this as important? Would they support the proposal even if they are not directly affected?)
- Taxpayers (Would taxpayers see this as value for money?)
- Clients (Does this affect service delivery to clients and what is their view on the change? Does it increase efficiency and ease of doing business with government?)
- Citizens who are being regulated (Professor Moore calls these ‘obligatees’ – people who are now obliged by government to act in a certain way; for example, obtain a licence, pay a tax or stop smoking in regulated areas. Where government is introducing or changing regulation, what is the view of those who are affected by this obligation? Is the regulation the minimum amount required to achieve the outcome? Are there other ways of achieving the same outcome without regulating? What are the costs of using the government’s authority to implement?)

Legitimacy and support

The sections of the submission grouped under ‘legitimacy and support’ ask for more information on the formal approval you need, what approval you already have, and what stakeholders think about this proposal. No text is called for under this heading, only under the subheadings.

Formal approval

What formal approval has this proposal had to date and what is now being sought or required from Cabinet? For example, are there previous Cabinet decisions, decisions at the Commonwealth level, or through other mechanisms such as the relevant board or committee?

Does Cabinet have the authority to make this decision? Does it require the exercise of ministerial authority as well as Cabinet?

Do other Ministers and affected State Government agencies support the proposal? Ministers and agencies with an interest must have ample opportunity to contribute to the development of the proposal and to resolve any differences before lodgement of the submission.

Other than Cabinet approval, what formal authority does this proposal require to be successful?

Is there a risk that formal authorisation may not be secured, and how is this risk being mitigated?

You need to consider:

- Does the proposal require legislation or regulatory change? If the proposal is to introduce draft or final legislation, summarise the policy problem and rationale for intervention that was dealt with in the original submission seeking Cabinet approval to proceed. Don't assume Cabinet will remember the detail, particularly where some time has elapsed since the original proposal was considered.
- Is it a legal issue that needs advice from the Crown Solicitor's Office?
- If you are designing new regulation or reviewing existing regulation, you should consult the [Better Regulation Handbook](#). This will also provide guidance on whether you need to complete a regulatory impact statement.
- Do you need a Regional Impact Assessment Statement (RIAS)? If the proposal is to implement significant changes to existing, or to introduce new, government services in regional areas, then a RIAS is required to be prepared and published prior to implementation. Consideration needs to be given to both the positive and negative impacts of the proposal. Economic, environmental, equity and social and community factors must be considered. Regions SA should be consulted early in the preparation of a RIAS. For further information, visit [Regions SA's website](#).
- Are there implications for inter-governmental relations? Does this need agreement from the Commonwealth or is it driven by policy or legislative changes initiated by the Commonwealth?
- Is this a procurement? Where a proposal includes government expenditure subject to the State Government's Industry Participation Policy – which covers procurement expenditure over \$4 million (or \$1 million in regional South Australia) and grants over \$2.5 million – the Office of the Industry Advocate must be consulted early in the decision-making process. This will assist in maximising the economic contribution of the expenditure to the state.
- Does the proposal comply with other requirements, e.g. State Procurement Board, Parliamentary Public Works Committee, Department of the Premier and Cabinet Circulars or Treasurer's Instructions?

Legal advice

Is there a legal issue that needs advice from Crown Solicitor's Office? Consider whether the legal position of their proposal is clear. If there is any doubt over the application or interpretation of relevant legislation, the advice of the Crown Solicitor must be sought before the proposal is put to Cabinet. The Crown Solicitor's advice should be addressed in the submission and a copy provided as an attachment.

Is Executive Council approval required?

State whether any elements of this submission require the approval of His Excellency the Governor in Executive Council following Cabinet approval. If they don't, leave this section blank. Discussion under this heading is in addition to the specific recommendations detailing action required of the Governor that must be contained in the recommendations section.

If you are unclear whether the Governor's approval is required, contact Cabinet Coordination.

Stakeholder and client support

In this section, provide a short summary of the stakeholder and client engagement, if any, that has already taken place, and the views of those involved. This should include:

- Details of the audience, including the impact on and/or views of affected or interested groups and individuals, such as key interest groups, industry groups, peak bodies, business, families, regional communities and Aboriginal communities
- Engagement methods used
- Details of how feedback was provided, the views of key groups and individuals, and how ideas and opinions submitted in the engagement phase have been used to shape the proposal, and
- How you will go back to the community to provide it with feedback on what has been decided in the first instance and then, later, what has been delivered.

Specific issues of opposition or issues of contention should be known by agencies and detailed here. Focus on advising Cabinet where there is conflict or tension between stakeholder views.

You should also advise Cabinet if you have not engaged with a community, or part thereof, that will be affected by the proposal.

This section is about consultation and engagement that has already taken place. If you plan to engage in consultation in the future, discuss that in section 4 of the template, 'Strategic communications and engagement planning'.

Operational capacity to deliver the proposal

The sections grouped together under this heading deal with the government's ability to deliver the proposal. No text is called for under this heading, only under the subheadings.

Operational capability

The focus of this section should be on 'can we do it?' and 'where are the resources?' and 'how do we mobilise these resources?'

Outline what skills and expertise are required to deliver on the proposal. Are these able to be sourced or developed, either by the agency or by using a third party such as a private or not-for-profit business?

What is the risk that appropriate skills will not be available to execute the proposal, and what is being done to mitigate this risk?

Outline the impact on operations (for an agency or for whole of government). Will policies and procedures need to be changed or new policies developed or implemented? Does it require new information and communication technology systems? How will the efficiency of operations be assured? What are the operational risks of the proposal?

What is the risk that appropriate policies, systems and procedures will not be able to be developed, and what is being done to mitigate this risk?

Output and outcomes

In this section, it is important to distinguish between outputs and outcomes and discuss how they relate to one another. Outputs are the specific deliverables – a new set of regulations, a submission to an inquiry, a new building or the purchase of new assets, and so on. Outcomes are the broader aims of government – the government’s economic priorities, for example, or the goals in SA’s Strategic Plan. This section asks what the outputs are, but also how these will contribute to the higher-level outcomes.

What quantity of outputs is expected and how will this be measured?

How will the quality of outputs and outcomes be measured? How will stakeholders participate in the evaluation? How does this map to desired results in the public value account, such as achievement of outcomes, client satisfaction and justice and fairness?

State what position/unit is accountable for delivering the outcomes. How will these measures be reported and how often (e.g. internal measurement provided to management, Data.SA, agency statements)?

Budget impact

This section summarises the key financial, staffing, legal, communications and other resource impacts of this proposal, including whether the proposal will have a material ICT component. A number of matters should be considered here.

General financial considerations

All submissions must comply with [Treasurer's Instruction No. 17](#). DTF provides advice and assistance to help agencies understand the requirements of Treasurer’s Instructions (see contacts section). As a general rule, however, DTF will not undertake evaluations on behalf of agencies. Consultation with DTF should take place at an early stage, so that agreement can be reached on an acceptable evaluation framework and methodology. For costing comments, submissions must be provided 10 working days in advance.

Where Cabinet is asked to make decisions that have resource implications, it is important that the full cost of proposals is estimated and established on as sound a basis as possible. In establishing an appropriate basis for calculation, expert advice from the DTF is essential and it must be sought.

Accurate costings should be available for all Cabinet submissions, but are particularly relevant in relation to:

- new initiatives or changes in policy
- changes in policy where the submission states that the cost will be absorbed within an agency’s budget (this is particularly important where resources allocated to an agency are being redeployed or where some under-expenditure is being reallocated; in these cases the quantification of the resources to be affected by the submission should be treated as a new initiative or variation in the settings previously approved by the government)
- initiatives or changes in policy where the submission states that the cost is already provided for in the forward estimates

- applications for Commonwealth Government grant funding (agencies need to adequately assess potential impacts on horizontal fiscal equalisation (HFE), GST revenues and the state budget when considering applying for Commonwealth Government grant funding, and the impact needs to be assessed and considered prior to lodgement of the application by an agency):
 - all applications which include a component of State Government funding which is not being met from within existing resources will require additional funding approval, have a budget impact and is therefore required to be considered by BPCC and/or Cabinet,
 - all applications for grants over \$10m require BPCC and Cabinet consideration
 - applications for grants between \$2m and \$10m are considered by a panel of officers from DTF and DPC to confirm that they are within the per capita share and do not have any broader policy implications; applications for grants less than \$2m are not required to be submitted for central review prior to submitting the application.

Advice and assistance in estimating potential budgetary impacts of grant funding applications can be obtained from the Manager, Budget Development and Coordination, Budget Branch, Department of Treasury and Finance (see contacts section).

Cabinet submissions seeking additional expenditure authority

All Cabinet submissions seeking additional expenditure authority must fully consider opportunities to fund new priority programs by reducing expenditure on existing, lower priorities. They must also provide options (either one or a number of alternative choices) to fully fund the new expenditure within existing resources, unless the new program is identified as the minister's lowest priority.

If a minister brings forward a submission seeking additional funding, the submission must explicitly identify whether there are any lower priority expenditures in the minister's portfolio. The submission must outline those lower priority programs and the consequences of reducing or terminating their funding to fully offset the cost of the new expenditure.

If a revenue option (for example, user charging) is put forward to support the introduction of a new program, this cannot be put forward without first identifying possible expenditure offsets. The revenue option should relate to revenues collected by an agency in the minister's portfolio.

If a recurrent priority is put forward, the minister must identify a recurrent program against which funding could be reduced. For capital proposals, a minister must identify a capital item that could be reduced.

In addition to the discussion in the body of the submission, the submission must include a specific recommendation to fund the new expenditure by redirecting resources from the lower priority programs.

If a minister does not consider that the funding for the lower priority programs should be reduced, the submission must include a specific recommendation or recommendations seeking Cabinet's approval to continue funding the lower priority programs.

These guidelines are designed to ensure that:

- high priority initiatives have greater opportunities to receive the funding they need
- greater consideration is given to funding new initiatives from existing resources, reducing pressures on the budget, and
- requests for additional expenditure authority are presented in the context of each minister's priorities within their area of responsibility.

Referral to the Budget and Performance Cabinet Committee (BPCC)

DTF determines the items to be referred to BPCC and indicates this in the costing comment. DTF may also determine that the matter be referred directly to Cabinet where the cost impacts are clear and the decision to approve additional expenditure authority is fundamentally a policy issue for Cabinet consideration.

Where a submission will have a clear negative budget impact, yet there is urgency surrounding the proposal, the Treasurer may sign a minute authorising the submission proceeding to Cabinet without BPCC approval.

In addition, BPCC has authority to note an item without approval where it considers that the item should be considered by Cabinet, notwithstanding that it does not approve the item.

Submissions will ordinarily be referred to BPCC for discussion prior to consideration by Cabinet in the following circumstances:

- where there is a negative budget impact and DTF are of the view that this impact cannot be managed within existing resources
- where DTF are of the view that the submission may reasonably have a negative impact on future budgets
- where the Cabinet submission seeks additional expenditure authority, whether or not the submission proposes additional offsetting revenue
- where a policy decision would result in a reduction in revenue
- where an application for Commonwealth Government grants is over \$10m
- where an application for Commonwealth Government grants is being lodged and includes a component of State Government funding not being met within existing resources
- where an application for Commonwealth Government grants is likely to be greater than per capita share, or
- where changes in dividend or tax equivalent payments are proposed or changes to community service obligation payments.

BPCC has the delegated authority of Cabinet to approve matters of up to \$10 million per annum (ex. GST) without referring these on to Cabinet for further approval.

DTF advice on cost assessments

In its costing comments, Treasury and Finance will review draft submissions to determine whether these guidelines have been adhered to. Cabinet Office may refer submissions that do not follow these guidelines back to the minister.

Even though the apparent level of resources involved in a submission is very small, advice about the basis of cost assessments must still be sought from Treasury and Finance. Experience suggests that many submissions which state that no additional resources or only a low level of resources are required may in fact require a significant commitment of public resources.

Agencies must approach the Department of Treasury and Finance (initial contact should be made with the relevant DTF account manager) to agree the basis of costing before Cabinet submissions are lodged with Cabinet Office. Internally, staff should first discuss costing issues with their own agency senior finance officer.

Agencies are encouraged to develop and put forward a reasoned and detailed costing which can be readily agreed as a reasonable calculation of the costs of the proposal or policy change. Where necessary, Treasury and Finance staff will discuss costing issues with agency representatives to understand the basis of the costing calculation and the assumptions made in the submission. Discussion is unlikely in cases of simple costing calculations, such as a straightforward assessment of FTE staffing costs.

Agencies must give Treasury and Finance sufficient time to confirm the basis of the cost assessments made in submissions. What constitutes sufficient time will depend on the nature of the proposal. To ensure that both agencies and Treasury and Finance are in the best possible position to advise ministers on budgetary impacts, hyperion journals (including any associated counterparty journals for other government entities) must be submitted at the same time as costing comments are sought. If journals are not provided, account managers will need to seek them from agencies prior to completing the costing comment. This could delay the provision of the costing comment and consideration of a submission by Cabinet.

After considering the submission a Treasury and Finance executive will sign a minute to the agency (the costing comment) explaining the department's view of the reasonableness of the cost assessment made in the submission.

The department's costing comment will look at the methodology applied in reaching the conclusions about the cost of proposals contained in the submission. It will clearly state whether all reasonable alternatives have been considered and discussed adequately in the submission and whether the proposal needs to be addressed outside of the budget process.

The minute will also indicate whether or not the submission needs to be referred to the BRCC before going to Cabinet.

A copy of this minute must be provided with the Cabinet submission when it is lodged and the submission must include a statement that:

The Department of Treasury and Finance agrees with the assessment of costs in this submission; see attached costing comment.

Budget impacts must be summarised in a table using the format in the full Cabinet submission template.

Staffing matters

If any proposals involve increases or decreases in the staffing level of an agency, either now or in future years, the expected changes must be fully described under a separate heading, including any impacts on agency FTE caps. Early consultation with the Commissioner for

Public Sector Employment is essential where proposals may have an impact on staff conditions of employment.

The submission should describe how this expected change might impact on office accommodation requirements, in particular the timeframe to procure and fit out new accommodation or the strategy to backfill or quit existing commitments.

ICT components

The Office for Digital Government (ODG) welcomes the opportunity to assist and support agencies in meeting their commitments under the Premier's *Digital by Default Declaration*.

The role of ODG is to support and strengthen agencies in delivering services that are simple, smart, secure and digital. ODG does this by providing digital leadership and assisting agencies to grow their *digital maturity*.

ODG will review any submission relating to new and renewed services against the Premier's Digital by Default Declaration, which states that services will:

- be available online, mobile-ready, easy to use and accessible
- be designed with our customers
- offer value for money
- be implemented so that, where appropriate, data can be made openly available in support of the Premier's *Declaration of Open Data*.

ODG will also advise agencies on how they can meet these commitments and has prepared a checklist and other tools to assist. These are available on the ODG website: <http://digital.sa.gov.au>.

To discuss your submission, please contact ODG via odgAssessments@sa.gov.au. One of the team will get back to you to discuss your needs and timelines within one business day.

Legal considerations

All agencies should consider the cost of the legal resources required to support their projects, particularly major projects, and should discuss their requirements with the Crown Solicitor before their project budgets are finalised. Where the legal services required for a project are out of the ordinary, provision should be made in the project budget for specific funding to enable the services to be provided.

Early consultation with the Crown Solicitor is essential. Where there are significant legal services costs, details of the arrangements made for the provision and funding of those services should be fully reported in each submission.

Strategic communications and engagement planning

Strategic communications and engagement is a key part of the current government's commitment to citizen-centric democracy. This section sets out how citizens will be informed of and included in government initiatives. No text is called for under this heading, only under the subheadings.

Strategic communications

Develop a simple communications narrative for the proposal based on the Public Value proposition in this Cabinet submission. It should be written as a short paragraph that answers these four questions:

- What is the problem we are trying to solve?
- Who is affected by this?
- How are they affected?
- What is the proposed solution and how will this help?

This information will guide communications planning and activity. For major projects, market research is likely to be required to help you identify the responses to these questions in a way that can be communicated to citizens.

Communication objectives and key audiences

Please outline the proposal's main objectives and the target audience/s.

For new or major projects, a [communications plan summary](#) must be lodged with this Cabinet submission and be underpinned by an existing full communications plan. Whether your proposal needs a communications plan summary attached is a matter of judgement – speak to your communications team early.

Both the summary plan and the full plan must be approved by the lead agency's most senior communications executive. Consultation with the Department of the Premier and Cabinet's central communications team is required. If a summary is required, indicate here that it is attached.

All communications activity proposed should align with at least one of the themes of the [South Australian Government Communications Plan](#), which coordinates government communications and marketing in relation to the following five themes:

- Transforming our economy
- Building safer, healthier communities
- Creating a fair and just society
- Reforming government, and
- Standing up for South Australia in the Federation.

If it is determined that a formal communications plan isn't required, please provide justification.

Strategic engagement

Strategic engagement means understanding how we can work openly with others inside and outside government to support achievement of the proposal.

Methods can include open decision-making (e.g. citizen juries), open innovation (e.g. challenges) and co-design.

For further information about community engagement, refer to the [Reforming Democracy](#) policy and the [Better Together](#) website.

The South Australian Government is committed to supporting a culture of effective stakeholder and community engagement to enhance decision-making processes, create and deliver public value, and enhance our democracy. This enables government to make better decisions by bringing the voices of citizens and stakeholders into government decision making.

For projects that significantly affect the community, an engagement strategy must be provided with the express intention of determining public value. For all major engagement strategies (those involving large groups of people or for issues with high public profile), advice should be sought from the Department of the Premier and Cabinet's central strategic engagement team, in the preparation of the strategy. The Reforming Democracy policy requires all significant engagements to be coordinated through the [YourSAy](#) website.

It may also be that further detailed engagement is planned for a future date. If this is the case, a commitment to engage and details of the appropriate stakeholders and timelines should be incorporated into the submission. Be clear about the scope and flexibility built into the proposal to change aspects dependent on feedback. It is strongly recommended that agencies make use of the community engagement planning tools available on the Better Together website.

You should advise Cabinet of any risks that some sections of the community will not support the proposal, and how that risk can be mitigated.

Any future engagement strategy should be linked to the communications plan above.

Recommendations

Recommendations are the focal point for discussion by ministers. They must clearly and unambiguously set out matters for decision so that there is no room for doubt about the scope or details of the proposals. They must be consistent with the proposals set out at the beginning of submissions. They must also provide a clear guide to the ministers and agencies who have to implement the decisions.

The recommendations are the only part of the submission that Cabinet specifically approves. No other matters contained within the body of the submission can be taken to have Cabinet approval. Recommendations must therefore set out the course of action to be followed in full, without the need to refer to any other document or section of the submission. Vague references to the text of the submission are not acceptable (for example 'approve the above course of action'). However, it is appropriate to ask Cabinet to approve 'attached drafting instructions' if the overall effect or expected outcome of the instructions (which can often be lengthy or complicated) is summarised in the recommendation section.

If necessary, Cabinet Office will refer a submission that contains unclear or incomplete recommendations back to the office of the originating minister.

As a rule, submissions should recommend a specific course of action, rather than ask Cabinet to decide between multiple options.

Recommendations may ask Cabinet to:

- Approve (a proposal or an action)
- Recommend (that His Excellency the Governor in Executive Council undertake an action), or
- Note (an action that a minister or agency intends to take, or has already taken).

Less commonly, submissions may ask Cabinet to:

- Invite (a minister to undertake certain action)
- Direct (an agency or official to undertake a certain action)
- Defer (a proposal), or
- Decline (a proposal).

Approval in principle

Recommendations seeking approval in principle should be **used** sparingly and must state the intended source **of authority for future action** – for example, that the matter will be referred back to Cabinet, to a Cabinet committee, or to a minister.

Submissions should not seek approval in principle for the whole of a major policy issue when further investigation or discussion is clearly needed before the government could consider entering into a substantive commitment. In such cases, a minister should seek approval for the specific action to be taken at that time (for example, to begin certain negotiations) and, if necessary, for Cabinet or a Cabinet committee to note that further action will need to be taken later.

Recommendations for further action

When Cabinet is asked to approve further action in relation to an issue and that action must be taken within a particular timeframe, the actual date by which that action is required should be specified in the recommendation.

For example, where an officials' committee is proposed, the agencies to be represented and the suggested convener should be included in the recommendation along with the timeline for establishing the committee. In addition, if further reports to Cabinet are required, the proposed reporting dates should be clearly stated.

Attachments

Public value account

The public value account is a mandatory attachment for all submissions apart from those seeking approval to make an appointment. The account summarises the public value of a proposal and aims to both draw out an agency's thinking and provide a snapshot of this thinking to Cabinet. The account is shown on the following page. Note that, as with the body of the submission, not all sections will be relevant to all proposals, and repetition should be avoided.

Public value account (cont.)

Use of public resources and associated costs	Achievement of economic, environmental or social outcomes
<p>Financial costs</p> <p>This section should detail all costs, including:</p> <ul style="list-style-type: none"> • Budget • Staffing • Use of infrastructure • Other resources, and • Opportunity costs associated with not doing something or foregoing one option for another. <p>It is important to capture all costs, that is, both those that have a budgetary impact or call for new funding and those that will be met from existing resources.</p>	<p>Intended outcome</p> <p>This section should cover the primary outcome of the proposal – that is, not just the output but its intended benefit at a higher level. Outline here the key value outcomes expected from the proposal, i.e. why you are proposing it. Make these measurable outcomes where possible. Some example are below.</p> <ul style="list-style-type: none"> • Industry support of \$xM to key eligible businesses, generating xx jobs in northern Adelaide • Banning smoking in outside eating areas will reduce smoking related deaths by xx per annum.
<p>Unintended negative consequences</p> <p>This section covers the drawbacks of a proposal (aside from the costs identified above). Identify any associated negative consequences that could eventuate from this proposal and note mitigation strategies. An example could be:</p> <ul style="list-style-type: none"> • Industry support could mask unviable business models. 	<p>Unintended positive consequences</p> <p>This section asks for the secondary benefits of a proposal, that is, the positive outcomes the proposal will achieve but which aren't the primary driver for it. This could include, for example:</p> <ul style="list-style-type: none"> • May increase the profits of establishments with outside dining areas as non-smokers may be more likely to patronise these businesses.
	<p>Client satisfaction</p> <p>Use this section to summarise improvement to the user experience, whether that is particular stakeholders or the community as a whole:</p> <ul style="list-style-type: none"> • Will this proposal improve the client experience, where government is providing a service to the public? How do you know this? • Have you considered whether new or existing initiatives really align with the authorising environment, i.e. are they what the public wants/needs? • Where the proposal will oblige someone to act a certain way, identify the range of likely public viewpoints.
<p>Social costs and impacts of regulation</p> <p>When government regulates activity, there is a potential cost to or impact on a specific region, community, business or environment. Outline that here.</p> <p>Also consider whether the government should have a role in this area, and the social cost of using the government's authority to implement a proposal – for example, you may need to consider use of authority in the context of use of force in policing or mental health, removing children from families, compulsory acquisition, etc.</p>	<p>Justice and fairness</p> <p>Does the proposal increase or decrease justice and fairness? How do you know? What does the community think? For example, the smoking proposal above increases justice and fairness at the individual level because it reduces the effect of smoking on innocent non-smokers – although smokers may argue it is unjust and unfair to them. It also could be argued that the community will benefit through a reduction in health costs, unfairly borne by all taxpayers on behalf of smokers.</p> <ul style="list-style-type: none"> • At individual level • At community level

Costing and Cabinet Office comments

As noted earlier, the costing comment – available through your finance section – and the Cabinet Office comment – available from DPC:DraftCabSubs – are both mandatory attachments. Submissions without these attachments will not be allowed to proceed to Cabinet.

Mandatory attachments

For certain types of submissions, there are documents that must be attached. For more information on specific types of submissions, see Cabinet Guides 4 and 8.

Other attachments

As noted earlier, you should write submissions to be as brief and as high-level as possible. Sometimes, however, there may be a lot of detail behind a proposal, and it can be useful for readers of submissions to have access to this detail. Background papers, business cases, reports, impact statements, and technical information may be included as an attachment if you think it would add value to a minister or an advisor who might want a deeper understanding of a proposal. The use of additional attachments should be sparing, however, as their inclusion creates an expectation that they need to be read.

IMPACT ASSESSMENT STATEMENTS

Section 1.3 of the template calls for a discussion of the impacts of a proposal. This discussion should be at a high level, but where there are significant impacts on a particular area, you are required to prepare an impact statement and submit it to the responsible agency for their consideration. Note that an agency's approval of your impact statement does not necessarily indicate support for your proposal – only for your methodology and the conclusions drawn from it.

It is up to the submitting agency to determine when an impact is significant, but you can of course seek advice from the relevant agency. There is, however, no requirement to send all submissions to all agencies – only consult with those affected by a proposal.

Requirements for specific impact statements are set out below.

Regulatory impacts

Any proposal that imposes regulations on the community (such as legislation or standards and codes) requires a regulatory impact statement (RIS) to evaluate its impact and assess its public value – that is, whether it balances justice and fairness against the social and financial impacts of regulation. More detail on the requirements of a RIS can be found in the [Better Regulation Handbook](#).

Advice on whether a RIS is needed can be sought by emailing DPC:Regulatory Impacts (DPCRegulatoryImpacts@sa.gov.au).

Business impacts

All Cabinet submissions that will have a significant impact on business must include a business impact statement and an assessment using the Commonwealth's regulatory burden measure, available at <https://rbm.obpr.gov.au/>. The regulatory burden measure provides a standardised methodology for policy makers to measure and analyse the compliance costs of policy options in an objective and consistent manner. If the use of the regulatory burden measure is not feasible, the submission should clearly state why.

Where proposals will have a significant regulatory impact the business impact assessment should be incorporated into a separate regulatory impact statement.

Preparation of a business impact statement involves a formal assessment of the impacts of regulatory and other policy proposals or measures on the business community. The aim is to help ensure that the compliance costs of future regulatory and other policy measures with an impact on business are fully considered in the policy-making process prior to Cabinet consideration and that the costs to business are kept as low as possible. You might consider whether the proposal will:

- affect the ability of businesses to innovate, adopt new technology, or respond to the changing demands of consumers. add significantly to business costs, directly or indirectly
- place South Australian businesses at a competitive disadvantage with interstate and overseas competitors
- alter the way the activities of a business, or group of businesses, are undertaken

- affect a significant number of businesses
- target a proportionately large number of businesses within a particular industry
- have immediate and longer term implications for the capacity and willingness of business to establish new activities or expand existing activities, including investment, production, employment and export from South Australia
- affect the efficiency of resource use and productivity levels
- affect the ability of business to access debt or equity finance
- affect the ability of business to access local, interstate and overseas markets
- affect the ability of business to tender for or make government contracts
- have a concentrated effect on a particular group, region or industry
- have a large aggregated impact on the South Australian economy
- impact disproportionately on the prospects for small businesses
- impose higher costs on a particular class of business or type of products or services
- create a disincentive to private investment, or
- affect the ability of businesses to innovate, adopt new technology, or respond to the changing demands of consumers.

The Department of State Development (DSD) has a mandate to review and assess the adequacy of business impact assessments and to provide comments and advice to agencies on the preparation of business impact statements and on the use of the regulatory burden measure. Submissions should be provided at least 10 working days in advance to allow this to occur. However, agencies are encouraged to consult the Department of State Development (DSDImpact@sa.gov.au) at an early stage in the development of any initiatives. DSD can provide more detailed requirements on the preparation of a business impact statement if required.

Family, community and social impacts

If the proposal meets any of the following criteria, an assessment of its impact on families would normally be required:

- the proposal will have significant economic consequences for families, individuals, particular communities or cultural groups (for example, Aboriginal communities) with an emphasis on those who are most disadvantaged
- the proposal is likely to impact significantly in housing, education, health, community services, recreation or on the safety and security of the population of South Australia or particular communities
- the proposal will affect cultural or religious beliefs or practices, or
- the proposal has significant implications for family relationships, autonomy or structure; or for the rights or functions of individual family members especially within disadvantaged families.

‘Communities’ refer to both physical communities and communities of interest. ‘Families’ refers to all types of family groups including nuclear families, single parent families, extended

families and family groups where the adults are of the same sex. When considering families, it is most useful to focus on the functions that families perform, rather than the structure of the group.

In assessing how a proposal will affect families and society, it is useful to consider that a proposal that appears to primarily affect one level may have a 'ripple effect' that creates impacts at all levels. On the other hand, the impact may be more limited, only affecting a particular group within society.

When considering the impacts of a proposal, always give priority to assessing how the decision will affect the most disadvantaged members of society, such as those with a low income. Proposals may also have a differential impact on people of varying age groups; this should be considered as part of your analysis.

The way in which a proposal may impact different genders should also be considered. Similarly, proposals may affect different cultural groups and Aboriginal people in ways that are not immediately obvious and are different from the impacts on the majority of the South Australian community. If a proposal impacts on child development outcomes, consultation should occur with the Department for Education and Child Development at an early stage.

The government also recognises it has an important social responsibility for supporting our volunteers and their organisations. This is reflected in the South Australian Strategic Plan 'volunteering' target (T24) and the volunteering partnership commitments (www.ofv.sa.gov.au). Therefore, the likely impact of proposals on volunteers, and the community and sporting groups to which they belong, should be considered. Consultation with the Office for Volunteers is recommended to help ensure people are not discouraged from volunteering and community groups are not unduly disadvantaged by regulatory requirements (see contacts section).

Help in deciding whether a family and social impact assessment is needed for a particular submission (and, if it is required, help in preparing a report for inclusion in a Cabinet submission) is available from the Department for Communities and Social Inclusion (cabinet@dcsi.sa.gov.au).

Gender-based analysis

The development and implementation of legislation, policy and programs is not a gender-neutral exercise. Men and women do not occupy equal positions in society and continuing differences in the responsibilities assumed by women and men in home, family and community life translate into vastly different life experiences.

It is important that reliable, gender disaggregated information is utilised in the development of proposals and that gender trends in the economy that may have an impact on a proposed policy, program or piece of legislation are understood. Consideration of gender issues should form part of all impact assessments. This will ensure that outcomes are fair and effective and achieve the anticipated results for all sections of the South Australian community.

The Office for Women is available to assist agencies to develop expertise in undertaking gender-based analysis (see contacts section).

Environmental impact

The government has adopted a whole-of-government approach to environmental protection and the management of natural resources, based on the following principles:

- decision-making processes should effectively integrate both long-term and short-term economic, environmental, social and equity considerations
- a precautionary approach must be used to avoid threats of serious or irreversible environmental damage
- intergenerational equity – that the present generation should ensure that the health, diversity and productivity of the environment is maintained or enhanced for the benefit of future generations, and
- the conservation of biological diversity and ecological integrity should be a fundamental consideration in decision-making.

Wherever relevant, all Cabinet submissions should include an assessment of environmental issues based on these principles. The environmental portfolio, including the Department for Environment, Water and Natural Resources, the EPA and Zero Waste SA (cabinet.environmentalimpact@sa.gov.au) can assist in identifying key issues.

The government has also endorsed the Urban Design Charter as whole-of-government policy. It will drive qualitative benefits in the use, enjoyment and sustainability of the state's urban environment by committing agencies to reporting on how the processes and principles of good urban design have been embodied in proposals. The Urban Design Charter is available from DPTI's website, www.dpti.sa.gov.au.

Regional impacts

The term 'region' is normally used to refer to geographical areas outside the Adelaide metropolitan area. Nearly all major policy developments have the capacity to impact positively or negatively on the state's regions.

Agencies should consider whether the initiatives or programs proposed in their submissions should be rolled out in regional areas. Investment decisions, including the provision and management of infrastructure, may offer substantial opportunities for regions. Changes in the provision or delivery of services can also have a significant impact.

A Cabinet submission should contain an assessment of the proposal's impact on regional South Australia when the proposal will:

- directly impact on a region or regions (for example, where changes in the way services are provided affects the ability of people in particular regions to access those services)
- indirectly impact on a region or regions (for example, where a reduction in services leads to fewer people coming into a regional town, causing a reduction in retail business)
- affect or relate to regional issues, or
- treat or affect regional and metropolitan areas differently.

Where significant changes to state government services – whether within or outside of the Cabinet submission process. Regional impact assessment statements are required to be made public and must be listed in the relevant agency’s annual report. A copy of each completed report must be forwarded to Regions SA.

The Minister for Regional Development is to be notified by the relevant minister when an agency is preparing a regional impact assessment statement. Further, if the Regions SA advises an agency that a statement should be prepared, it will inform the Minister for Regional Development who, in turn, will write to the relevant minister.

A proposal is likely to be significant if it: affects a proportionately large number of people; alters transport infrastructure; conflicts with local plans (such as development plans); affects community facilities; affects historic and community landmarks; affects town aesthetics or disrupts community cohesion.

Help in deciding whether an assessment of the impact of proposals on regional South Australia is needed for a particular submission and advice in preparing an assessment if it is required is available from Regions SA (see contacts section).

Information to assist agencies to prepare reports is available from the Regions SA website at www.pir.sa.gov.au/regions/regional_impact_assessment_statements.

APPENDIX: USEFUL CONTACTS

Department of the Premier and Cabinet

Boards and Committees	DPCBoardsandCommittees@sa.gov.au 8226 5557
Cabinet Office comments	DPCDraftCabSubs@sa.gov.au 8429 5111
Executive Council	8429 5114
Office for Digital Government	odgAssessments@sa.gov.au 8226 3383
Public Value	DPCPublicValue@sa.gov.au 8429 5117
Regulatory impact statements	DPCRegulatoryImpacts@sa.gov.au 8429 5113
Strategic Communications	8204 9175

Department of Treasury and Finance

Applications for Commonwealth grants	8226 3833
Budget Analysis and Performance	8226 9730

Department of State Development

Aboriginal Affairs and Reconciliation	8226 8900
Business impacts statements	DSDImpact@sa.gov.au 8303 2283

Department of Primary Industries and Regions SA

Regions SA	PIRSA.RegionsSA@sa.gov.au 8226 0375
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Department of Environment, Water and Natural Resources

Environmental impact statements	cabinet.environmentalimpact@sa.gov.au 8204 9325
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Department for Communities and Social Inclusion

Family impact statements	DCSICabinet@dcsi.sa.gov.au 8413 9016
Office for Women	8303 0959



Department for Education and Child Development

Business Services	DECD.Cabinet@sa.gov.au 8226 4281
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Department of Planning, Transport and Infrastructure

Government Employee Housing	8226 5430
Government Office Accommodation	8226 5240

SA Police

Executive Support	8732 3821
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Office of Parliamentary Counsel

Assistance with drafting legislation	pco@agd.sa.gov.au 8207 1000
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