



Work Order

Between

The Commonwealth of Australia represented by

The Office of the Commonwealth Ombudsman

ABN 53 003 678 148

And

FLXBL Legal Solutions Pty Ltd (trading as Adaptabl Legal)

ABN 23 629 764 825

Regarding the supply of services under the
Privacy Services Providers Panel – SON3575876

OCO Contract Number C00556

This Order is made in accordance with the Deed of Standing Offer for Privacy Services Providers Panel – SON3575876 and needs to be read in conjunction with that document, including the Default Terms and Conditions or, where relevant, any attachments to this Order.

Reference Number	Contract number: C00556 Deed of Standing Offer (SON3575876)
Agency Representative	Name: Suseela _____, Director, ACT Strategy and FOI Telephone: Email: _____@ombudsman.gov.au
Address for Notices	Physical Address: Level 5 14 Childers Street CANBERRA ACT 2600 Postal Address: GPO Box 442 Canberra City ACT 2600
Address for Invoices	Email _____@ombudsman.gov.au
Supplier Representative [Adaptabl to check]	Name: s 47F _____ Adaptabl Legal Telephone: Email: _____@adaptbl.com.au
Supplier Address for Notices [Adaptabl to check]	Physical Address: 125 Wattle Street O'Connor ACT 2602 Postal Address: As above Email: _____@adaptbl.com.au
Description of goods and/or services	Labour Hire as detailed at Attachment A, including relevant background material.
Commencement Date And Term	The contract commences on 24 August 2020 and ends on 24 December 2020
Extension Option/s	Possibility for extension
Timeframes/ Milestones	As directed
Specified Personnel	s 47F _____
Subcontractors	No Subcontractors

Location	The Services are to be delivered at: Office of the Commonwealth Ombudsman (OCO) Level 3, 4 Allsop Street Canberra ACT 2600										
Provision of Facilities	The OCO will provide facilities necessary for the delivery of the services.										
Fees, Charges and Disbursements	<p>The total Contract Fees will not exceed an amount of \$80,000 (GST inclusive).</p> <p>(a) Variable Contract Fees</p> <table border="1" data-bbox="552 613 1501 853"> <thead> <tr> <th data-bbox="552 613 762 730">Personnel</th> <th data-bbox="762 613 1027 730">Estimated work effort (specify hours/days)</th> <th data-bbox="1027 613 1179 730">Daily rate (GST exc)</th> <th data-bbox="1179 613 1353 730">GST Component</th> <th data-bbox="1353 613 1501 730">Total Fees (GST inc)</th> </tr> </thead> <tbody> <tr> <td data-bbox="552 730 762 853">s 47F</td> <td colspan="4" data-bbox="762 730 1501 853" style="text-align: center; vertical-align: middle;">S 47</td> </tr> </tbody> </table> <p>Maximum estimated variable Contract Fees for Services is \$80,000 (GST inclusive).</p> <p>(b) Allowances</p> <p>The Contractor must perform its obligations under this Contract at its own cost and expense.</p> <p>The Agency will not reimburse the Contractor for any expenses (including travel, accommodation and taxi travel) under this Contract.</p>	Personnel	Estimated work effort (specify hours/days)	Daily rate (GST exc)	GST Component	Total Fees (GST inc)	s 47F	S 47			
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Commonwealth Material	Not Applicable										
Existing Material	Not applicable										
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Confidential Information	Agency Confidential information	Period of Confidentiality
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	The Service Provider Confidential information	Period of Confidentiality
	[to be completed by Adaptabl]	

Additional Security requirements	<p>Risk Management AS/NZS ISO 31000:2009 and Australian Standards HB 167:2006</p> <p>Australian Government Information Security Manual - guidance for agencies and Service Providers for managing the risks arising from greater sharing and exchange of information - see https://acsc.gov.au/infosec/ism/ for further information</p> <p>The Trusted Digital Identity Framework (TDIF) which provides a standard for digital identity in Australia. Available at https://www.dta.gov.au/what-we-do/policies-and-programs/identity/.</p> <p>Australian Government Guidelines on Reporting Incident and Conducting Security Investigations. Available at https://www.protectivesecurity.gov.au/governance/Documents/Reporting-incidents-and-conducting-security-investigations-guidelines-v1.2.pdf</p> <p>Australian Government Cyber-Security Strategy 2016 available at https://www.homeaffairs.gov.au/nationalsecurity/Documents/australia-cyber-security-strategy.pdf</p>										
Insurance Requirements	<table border="1"> <thead> <tr> <th data-bbox="576 943 986 981">Type</th> <th data-bbox="1011 943 1546 981">Coverage</th> </tr> </thead> <tbody> <tr> <td data-bbox="576 981 986 1014">Public liability insurance</td> <td data-bbox="1011 981 1546 1014">\$10,000,000</td> </tr> <tr> <td data-bbox="576 1014 986 1048">Product liability insurance</td> <td data-bbox="1011 1014 1546 1048">\$10,000,000</td> </tr> <tr> <td data-bbox="576 1048 986 1081">Professional indemnity insurance</td> <td data-bbox="1011 1048 1546 1081">\$5,000,000</td> </tr> <tr> <td data-bbox="576 1081 986 1160">Workers compensation insurance</td> <td data-bbox="1011 1081 1546 1160">As required by Law</td> </tr> </tbody> </table>	Type	Coverage	Public liability insurance	\$10,000,000	Product liability insurance	\$10,000,000	Professional indemnity insurance	\$5,000,000	Workers compensation insurance	As required by Law
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Other Requirements	<p>Proposed Personnel performing the Services will be required to sign a Deed and acknowledgements relating to confidentiality, security, moral rights, intellectual property and other relevant matters as required by the Agency. Any Contract will be conditional on this occurring.</p>										

ATTACHMENT A: DESCRIPTION OF THE GOODS AND/OR SERVICES TO BE PROVIDED

To provide case officer support to the ACT FOI team as directed. The role is to assist the ACT Ombudsman with the implementation of its functions under the *Freedom of Information Act 2016*. Duties will be at the APS 5 classification level and may include assisting with:

- case managing applications for review of access decisions made by ACT agencies and Ministers
- undertaking legal research to identify the correct or preferable outcome in review matters
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- preparing and managing correspondence, file notes and other documentation relating to allocated matters
- taking responsibility for the timely progression of allocated matters to short timeframes, and
- engaging with stakeholders and members of the public, including drafting factsheets and other guidance material
- other tasks as directed.

Duties are to be performed under broad direction from the ACT Strategy and FOI Director and in accordance with the APS Values, Code of Conduct, and the Commonwealth Ombudsman's values of independence, impartiality, integrity, accessibility, professionalism and team work.

Signed for and on behalf of
Commonwealth of Australia
as represented by the Office of the
Commonwealth Ombudsman ABN
53 003 678 148 by its duly authorised
delegate in the presence of:

Signature of Witness

Signature of Delegate

Louise Macleod

Name of Delegate

Name of Witness

Senior Assistant Ombudsman

Position of Delegate

Date :

Signed for and on behalf of FLXBL Legal
Solutions Pty Ltd (trading as Adaptabl
Legal) ABN 23 629 764 825 by its duly
authorised Officer in the presence of:

Signature of Witness

Signature of Authorised Officer

Name of Authorised Officer

Name of Witness

Position of Authorised Officer

Date :



Work Order

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Address for Notices	Physical Address: Level 5 14 Childers Street CANBERRA ACT 2600 Postal Address: GPO Box 442 Canberra City ACT 2600
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Supplier Representative	Name: s 47F Adaptbl Legal Telephone: Email: @adaptbl.com.au
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Signed for and on behalf of
Commonwealth of Australia
as represented by the Office of the
Commonwealth Ombudsman ABN
53 003 678 148 by its duly authorised
delegate in the presence of:

Signature of Witness

Signature of Delegate

Louise Macleod

Name of Delegate

Name of Witness

Senior Assistant Ombudsman

Position of Delegate

Date :

Signed for and on behalf of FLXBL Legal
Solutions Pty Ltd (trading as Adaptbl
Legal) ABN 23 629 764 825 by its duly
authorised Officer in the presence of:

s 47F

Signature of Witness

s 47F

Signature of Authorised Officer

s 47F

Name of Witness

s 47F

Name of Authorised Officer

Sole Director and Company Secretary

Position of Authorised Officer

Date : 17 August 2020

Contractor and Position Information Form

Manager to complete

1. Contractor & Position Information

Surname:	Other Names: ^{s 47F}
Email address:	Phone number:
Contract Start Date: 24 August 2020	Contract End Date: 24 December 2020
Classification: ^{s 47}	Branch/Team: PDB
Contractor Reports To: Anika	Office Location: Canberra (Level 3)

2. Restrictions on Employment

Access Requirements	Email <input checked="" type="checkbox"/> Objective <input checked="" type="checkbox"/> Resolve <input checked="" type="checkbox"/> Security Clearance <input checked="" type="checkbox"/> - Please Specify: They have baseline Other <input type="checkbox"/> - Please Specify:
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3. Manager Information

Have you obtained all approvals to engage, including s23? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> I certify that the details I have provided are true and correct. Name: Suseela <div style="text-align: center; font-size: 2em; color: red; font-weight: bold;">s 47F</div> Signature: Dated: ...18../.08...../.2020.....

4. HR to Complete

Resolve Number:	Aurion Upload:	Work Order Provided for file: Yes <input type="checkbox"/> No <input type="checkbox"/>
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Chief Operating Officer

**REQUEST FOR APPROVAL TO ENGAGE A CONTRACTOR
UNDER A LABOUR-HIRE ARRANGEMENT**

I am seeking approval to commence the process of engaging with a recruitment agency to procure the services of a contractor under a labour-hire arrangement.

Details of vacancy

Branch	Program Delivery Branch
Team	ACT Strategy and FOI
Position Title	Review officer
Classification	s 47
Location of position	Canberra
Period of contract	31 August 2020 - 31 December 2020
Required security clearance level (if any)	Baseline
Job profile	See attached
Reasons for this request	Staff movements leaving a gap in FOI team
Impact if the position is not filled	The team may be unable to meet strict legislative timeframes for FOI reviews and to complete projects and strategy work that we have committed to
Reasons for not filling the position with an ongoing or non-ongoing employee	Legal and FOI experience required for this position – currently we do not have an available ongoing or non-ongoing staff member with these skills to fill this role
List any special requirements/attributes required for the role	Law degree required

Approvals

REQUESTING OFFICER	
Name: Anika	Title: Assistant Director
Signed: S 47F	Date: 28/7/2020

SENIOR ASSISTANT OMBUDSMAN	
Supported / Not Supported	
Name:	
Signed:	Date:

CORPORATE			
Team	Cleared (Y/N)	Name and Signature	Date
Finance			
Property			
IT			
HR			

CHIEF OPERATING OFFICER	
Approved / Not Approved	
Name:	
Signed:	Date:

Checklist

Once approval to engage a contractor under a labour-hire arrangement has been given follow the below checklist to ensure all Corporate requirements are met prior to the commencement of a contractor.

Step	Detail	Check
<p>Finding a contractor and labour-hire firm</p>	<p>Contact recruitment agencies in your area and ask to be sent the resumes of job seekers on their books who meet the requirements of the position. Send them a copy of the job profile for their information.</p> <p>Arrange to meet with, or contact by phone, any who seem suitable.</p> <p>Once an ideal job seeker has been identified advise the recruitment agency and enquire about their fees.</p> <p><u>NOTE:</u> We are encouraged to engage contractors through recruitment agencies who are party to a Standing Offer/Panel arrangement for the provision of recruitment services.</p> <p>If you are seeking a quote from a recruitment agency through a Panel arrangement, you must ask for the quote to be provided under the Panel conditions, otherwise the rates can be significantly higher.</p> <p>If you have identified an individual to refer to the recruitment agency, you must also only use a firm under a Standing Offer/Panel arrangement for the provision of recruitment services.</p> <p>If you have referred an individual to a recruitment agency, you should also include a clause that the Office will not pay a fee if the individual is engaged on a non-ongoing or ongoing arrangement. You should seek to remove any clause providing that the individual cannot be employed directly by the Office for any period (often referred to as a 'withholding period').</p> <p>If you have any concerns, or require assistance, consult with the Procurement Team</p>	
<p>Spending approvals</p>	<p>Once the fees of the recruitment agency are known complete the Public Governance, Performance and Accountability (PGPA) Act 2013 section 23 – rule 18 approval template. Check the delegations for the correct delegate based on the expected expenditure.</p> <p><u>TIP:</u> Ensure you include at least a 10% contingency into the PGPA approval, as any expenditure over the approved amount is a breach of the Commonwealth Procurement Rules.</p>	

<p>Work order</p>	<p>Once you have received the above approval, you can complete a work order.</p> <p>Contact the Procurement Team and ask:</p> <ol style="list-style-type: none"> 1. whether you need to complete an Instrument of Acceptance with the recruitment agency (and if so, provide a copy) 2. for a Work Order template to complete for the engagement. <p>Once you have completed the Instrument of Acceptance (if necessary) and the Work Order, provide these to the Procurement Team for review.</p> <p><u>TIP:</u> There are some mandatory terms for some sections of the Work Order – the Procurement Team can guide you on these.</p> <p>Once the Procurement Team has reviewed the Instrument of Acceptance (if necessary) and the Work Order, email them to the recruitment agency for consideration.</p> <p><u>TIP:</u> Ask the recruitment agency to provide any amendments in track change, otherwise to sign and provide you with a scanned copy.</p> <p><u>TIP:</u> Once you have received a signed version of the Instrument of Acceptance (if applicable) and the Work Order, check the document to ensure that there have not been any inadvertent amendments.</p> <p><u>REMEMBER:</u> The Commonwealth signs after all other parties to the agreement have signed.</p> <p><i>If you have any concerns about the contract you can speak with the Legal Team.</i></p>	
<p>Prior to contractor commencement</p>	<p>A copy of the following signed documents are to be provided to both the Procurement and HR Teams:</p> <ol style="list-style-type: none"> 1. Request for approval to engage a contractor under a labour-hire arrangement, 2. PGPA Act approval, and 3. Instrument of Acceptance (if applicable) and Work Order. <p>Upon receiving all of the above HR will send an email with all the required new starter paperwork the contractor will need to complete and return prior to commencement.</p> <p>Once all the new starter paperwork is returned HR will advise IT of the contractors' commencement. HR will also email the Director a Manager's</p>	

	<p>Checklist for New Starters which will need to be completed and returned to HR within the first 6 weeks of commencement.</p> <p><u>NOTE:</u> There is a minimum of 5 working days from the date HR receives all the completed new starter paperwork before the contractor can start.</p>	
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APS 5 FOI team position description

The Services which the Contractor must provide and perform consist of the following:

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The Office of the Commonwealth Ombudsman

ABN 53 003 678 148

And

FLXBL Legal Solutions Pty Ltd (trading as Adaptabl Legal)

ABN 23 629 764 825

Regarding the supply of services under the
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OCO Contract Number C00708

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Reference Number	Contract number: C00708 Deed of Standing Offer (SON3575876)
Agency Representative	Name: Adele Director, ACT Strategy and FOI Telephone: Email: @ombudsman.gov.au
Address for Notices	Physical Address: Level 5 14 Childers Street CANBERRA ACT 2600 Postal Address: GPO Box 442 Canberra City ACT 2600
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Additional Security requirements	<p>Risk Management AS/NZS ISO 31000:2009 and Australian Standards HB 167:2006</p> <p>Australian Government Information Security Manual - guidance for agencies and Service Providers for managing the risks arising from greater sharing and exchange of information - see https://acsc.gov.au/infosec/ism/ for further information</p> <p>The Trusted Digital Identity Framework (TDIF) which provides a standard for digital identity in Australia. Available at https://www.dta.gov.au/what-we-do/policies-and-programs/identity/</p> <p>Australian Government Guidelines on Reporting Incident and Conducting Security Investigations. Available at https://www.protectivesecurity.gov.au/governance/Documents/Reporting-incidents-and-conducting-security-investigations-guidelines-v1.2.pdf</p> <p>Australian Government Cyber-Security Strategy 2016 available at https://www.homeaffairs.gov.au/nationalsecurity/Documents/australia-cyber-security-strategy.pdf</p>										
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Other Requirements	Proposed Personnel performing the Services will be required to sign a Deed and acknowledgements relating to confidentiality, security, moral rights, intellectual property and other relevant matters as required by the Agency. Any Contract will be conditional on this occurring.										

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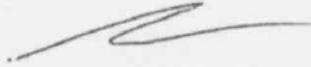
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Signed for and on behalf of
Commonwealth of Australia
as represented by the Office of the
Commonwealth Ombudsman ABN
53 003 678 148 by its duly authorised
delegate in the presence of:

s 47F **47F**
Signature of Witness

Adele
Name of Witness

Date: 30/6/2021



Signature of Delegate

Symone Andersen
Name of Delegate

A/g Senior Assistant Ombudsman,
Program Delivery Branch
Position of Delegate

Signed for and on behalf of FLXBL Legal
Solutions Pty Ltd (trading as Adaptabl
Legal) ABN 23 629 764 825 by its duly
authorised Officer in the presence of:

s 47F
Signature of Witness

s 47F
Name of Witness

Date: 30/6/2021

s 47F
Signature of Authorised Officer

s 47F
Name of Authorised Officer

Client Solutions Manager
Position of Authorised Officer



Work Order

Between

The Commonwealth of Australia represented by

The Office of the Commonwealth Ombudsman

ABN 53 003 678 148

And

FLXBL Legal Solutions Pty Ltd (trading as Adaptabl Legal)

ABN 23 629 764 825

Regarding the supply of services under the
Privacy Services Providers Panel – SON3575876

OCO Contract Number C00556

This Order is made in accordance with the Deed of Standing Offer for Privacy Services Providers Panel – SON3575876 and needs to be read in conjunction with that document, including the Default Terms and Conditions or, where relevant, any attachments to this Order.

Reference Number	Contract number: C00556 Deed of Standing Offer (SON3575876)
Agency Representative	Name: Suseela Director, ACT Strategy and FOI Telephone: Email: @ombudsman.gov.au
Address for Notices	Physical Address: Level 5 14 Childers Street CANBERRA ACT 2600 Postal Address: GPO Box 442 Canberra City ACT 2600
Address for Invoices	Email: @ombudsman.gov.au
Supplier Representative	Name: s 47F Adaptabl Legal Telephone: Email: @adaptbl.com.au
Supplier Address for Notices	Physical Address: 125 Wattle Street O'Connor ACT 2602 Postal Address: As above Email: @adaptbl.com.au
Description of goods and/or services	Labour Hire as detailed at Attachment A, including relevant background material.
Commencement Date And Term	The contract commences on 4 January 2021 and ends on 30 June 2021.
Extension Option/s	Possibility for extension
Timeframes/ Milestones	As directed
Specified Personnel	s 47F
Subcontractors	No Subcontractors

Location	The Services are to be delivered at: Office of the Commonwealth Ombudsman (OCO) Level 3, 4 Allsop Street Canberra ACT 2600										
Provision of Facilities	The OCO will provide facilities necessary for the delivery of the services.										
Fees, Charges and Disbursements	<p>The total Contract Fees will not exceed an amount of \$55,000 (GST inclusive).</p> <p>(a) Variable Contract Fees</p> <table border="1" data-bbox="568 611 1433 831"> <thead> <tr> <th data-bbox="568 611 756 719">Personnel</th> <th data-bbox="756 611 1002 719">Estimated work effort (specify hours/days)</th> <th data-bbox="1002 611 1139 719">Daily rate (GST exc)</th> <th data-bbox="1139 611 1294 719">GST Component</th> <th data-bbox="1294 611 1433 719">Total Fees (GST inc)</th> </tr> </thead> <tbody> <tr> <td data-bbox="568 719 756 831">s 47F</td> <td colspan="4" data-bbox="756 719 1433 831">s 47</td> </tr> </tbody> </table> <p>Maximum estimated variable Contract Fees for Services is \$55,000 (GST inclusive).</p> <p>(b) Allowances</p> <p>The Contractor must perform its obligations under this Contract at its own cost and expense.</p> <p>The Agency will not reimburse the Contractor for any expenses (including travel, accommodation and taxi travel) under this Contract.</p>	Personnel	Estimated work effort (specify hours/days)	Daily rate (GST exc)	GST Component	Total Fees (GST inc)	s 47F	s 47			
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Commonwealth Material	Not Applicable										
Existing Material	Not applicable										
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Signed for and on behalf of
Commonwealth of Australia
as represented by the Office of the
Commonwealth Ombudsman ABN
53 003 678 148 by its duly authorised
delegate in the presence of:

s 47F

Signature of Witness

Nicole
Name of Witness

Date: 9/12/20

lmacleod
Signature of Delegate

Louise Macleod
Name of Delegate

Senior Assistant Ombudsman
Position of Delegate

Signed for and on behalf of FLXBL Legal
Solutions Pty Ltd (trading as Adaptabl
Legal) ABN 23 629 764 825 by its duly
authorised Officer in the presence of:

s 47F

Signature of Witness
s 47F

s 47F

Name of Witness

Date: 10/12/2020

s 47F

Signature of Authorised Officer

s 47F

Name of Authorised Officer

DIRECTOR
Position of Authorised Officer