Guidelines for Cabinet Submissions

GENERAL

The purpose of a Cabinet submission is to obtain Cabinet's approval for a course of action. Ministers may not have extensive technical knowledge of the subject matter - and may have competing calls on their time. It is, therefore, important that Cabinet submissions are presented in a consistent format and issues are explained concisely to facilitate effective decision making.

10 pages or fewer

- The Cabinet submission including the cover page must have fewer than 10 pages (this does not include attachments)
- Be concise – stick to key points
- Avoid long, complicated sentences and paragraphs
- Use everyday language
- Avoid technical terms, jargon and extensive descriptions of process
- Build arguments step by step
- Do not repeat information

Follow the template

- the template must not be altered in any way and headings must not be deleted
- If a section is not relevant to your submission, write 'Not applicable'
- include all standard tables – and do not delete tables. (The exception is where there is no financial impact. If this is the case the Total Financial Implications table in section 7 should be removed.)
- use section 8 'other impacts' to create additional subsections

Formatting

- Prepare the submission in Microsoft Word only
- top and bottom page margins = 2 cm
- left and right page margins = 2.5 cm
- header = 1 cm
- footer = 1.25 cm
- font: Arial size 11 font for body text, Arial size 14 for headings and Arial size 12 for analytical sub-headings
- number on each page and paragraph, except for paragraphs on the cover sheet.

List Style

Use the correct list styles:

For a recommendation use:

1.

    a.

Elsewhere use:

2.1

3.1

3.1.1

-

Avoid overly complex lists. Use a sub-paragraph (e.g. 2.1.1.) instead of a bullet point where appropriate. Introduce the list with a proper introductory clause and make sure that:

- full sentences are grammatically correct
- in a list sentence fragment, the verb agrees with that used in the introductory clause (for example: “At the end of the project pilot phase, the steering committee must: (a) provide an account of the number of homes insulated during the pilot phase; (b) calculate the cost of insulating each home during the pilot phase; and (c) develop a business case for the full project to be completed in the remainder of the State”.

COVER PAGE OF SUBMISSION

Title

- Be concise and specific:
  - Good example: ‘Sydney Cargo Terminal Site - Government= Response’
  - Bad example: ‘The NSW Government’s Response to the= Legislative Council’s Select Committee report and= Recommendations for the future use of the Sydney Cargo= Terminal site’
- Use a title that is not the same as, or very like, another= proposal (as in separate proposals to amend the same= legislation).
- To amend existing legislation, include the principal Act in the= submission title:

***Local Court Act 2007* = Amendments to …**

If there is no principal Act, use ‘Miscellaneous amendments’ in the title:

Courts Legislation - Miscellaneous amendments to …

Cabinet / Committee

If the submission is being prepared for Cabinet, simply state Cabinet. If the submission is being prepared for a Committee, use the Committee’s short name (such as Expenditure Review Committee).

Minister

Use this format for the Minister’s name:

- Hon <First name> <Last name> MP or MLC
- Enter portfolio after Minister’s name (only use the portfolio relevant to the submission)

If it is a joint submission, list first the Minister with prime responsibility.

Agency

Enter the full name of the agency responsible for the submission.

Date of submission

Enter the date this version of the submission is uploaded to eCabinet.

Do not enter the date of the scheduled meeting.

Status

Identify if the submission is ‘Draft’ or ‘Final’.

Relationship to previous decisions

Enter the:

- date
- reference number
- title of any related Cabinet decisions.

Specify how your submission relates to those decisions, such as:

- ‘Implements previous decision to …’
- ‘Supplements previous decision to …’
- ‘Reverses previous decision to …’

If there are no related decisions, put 'Not applicable'.

Priority

Give the priority using one of these six options:

Legislative

A	Minister considers legislation must be passed in the current or upcoming parliamentary session
B	Minister would like legislation passed in the current or upcoming parliamentary session
C	Minister would like legislation passed in next 6–12 months

Non-legislative

A	Time critical
B	Minister would like matter considered in next 2 months
C	Minister would like matter considered in next 6 months

Specify any critical deadline and briefly outline why.

Financial impact

Use 'Yes' or 'No'.

Legislative change

Use 'Yes' or 'No'.

Regulatory impact

Choose one of these options:

- 'Increased (Justified)'
- 'Decreased'
- 'Not quantified'
- 'No impact'.

Submission type

Identify the submission type from the options given.

If the options on the cover sheet do not exactly describe your submission, choose the most relevant ones.

Contact

Give the name, position and phone number of the agency contact officer who is available to answer any questions about the content of the submission from across the sector.

Give the name of the contact officer in the Minister's Office.

Recommendation(s)

Follow the template

Start with either:

- 'It is recommended that Cabinet: …'
  or
- 'It is recommended that the Cabinet Committee on <topic>…'

Start a Bill submission with:

'It is recommended that Cabinet approve the introduction of the <short title of Bill>, which will …'

Use the following style list:

For a recommendation use:

1.

    a.

Be concise

The wording of the recommendation forms the draft Cabinet decision.

Recommendations should seek approval from Cabinet or a Committee, not endorsement or agreement. Noting recommendations may be used in limited circumstances. Recommendations should give an action for Cabinet to take: '… that Cabinet:

- Approve …
- Note…(used sparingly and only where necessary)

Focus on the main elements

Cover significant matters of principle, but not the minor or technical detail. For instance, if proposing new legislation, include significant policy issues but not mere machinery or consequential provisions.

Write stand-alone recommendations

Recommendations need to be read and understood as a stand-alone section. An approved recommendation forms a Cabinet decision.

Do not write a recommendation that wholly refers the reader to another part of the Cabinet submission or any other document, for example to an attachment. Always ensure the essential policy decisions are captured in the text of the recommendations.

If seeking approval for a Bill to be prepared, include enough detail to authorise the Parliamentary Counsel to draft the Bill consistent with Cabinet approval. When preparing a submission to approve legislation, avoid prescribing the way particular sections or clauses of legislation should be drafted. Only set out the actual policy effect of changes. It is important to provide Parliamentary Counsel flexibility to draft legislation to give effect to a Cabinet decision. If seeking approval to introduce a Bill already drafted into Parliament, use the Bill submission introduction.

If the Bill has not been drafted in line with Cabinet's earlier approval, then seek approval for the variation(s).

Purpose of the Submission

Provide a succinct summary

In **half a page or less**, summarise:

- the main purpose
- the reasons for the proposal
- why it is a government priority.

Get to the point immediately (for example: "This Submission seeks approval to ")

Avoid telling the story by reference to process (for example: "In 2014, a steering committee was established to investigate…"

Emphasise what is new about the policy and what it is designed to do.

Consider moving content to another section if it is more than half a page.

Proposal

Give a clear evidence-based outline

Outline the proposal with supporting analysis. State concisely:

- the problem to be addressed, describing how the proposal will address it
- other options considered, explaining why the preferred option is the most effective and/or gives best value for money
- the key steps, deliverables and timeframes in implementing the proposal, with the governance arrangements
- any consequences if action is deferred or not taken.

Explain why the matter is a priority

Briefly explain why the matter is a government priority.

Include links to or departures from previous Cabinet decisions or directions.

Meet any ERC requirements

If the Cabinet Committee on Expenditure Review (ERC) will consider the proposal, show how it complies with both:

- Treasury business case needs
- *NSW Government Evaluation Framework* evaluation planning needs (NSW Government Evaluation Framework)

Strategic Merit

Briefly justify the strategic merit of the proposal, with reference to categories in the table below.

Will the proposal contribute to a Premier's Priority target?	Report 'Yes' or 'No' as appropriate. If 'Yes', identify the relevant Premier's Priority and briefly explain how the proposal will contribute to the priority's target.
Will the proposal help to deliver on another Government objective, election or charter letter commitment or statutory requirement?	Report 'Yes' or 'No' as appropriate. If 'Yes', identify the relevant objective, election or charter letter commitment or statutory requirement, as appropriate. Briefly explain how the proposal will help to deliver on the objective, commitment or statutory requirement. For example, other Government objectives might include: aspects of Government strategy, published policy, a previous Cabinet decision or direction, or statutory requirements might include delivery of a law enforcement or regulatory function.

Consultation

External stakeholders

Identify external stakeholders who have been consulted or are known to have a view.

Outline their position and briefly describe how any issues are addressed.

External stakeholders include:

- the public, including community groups
- industry
- the Australian Government
- other jurisdictions.

Consult with NSW Government agencies

Draft submissions must also:

- identify agencies consulted to date
- outline each agency's position
- briefly describe how any issues are addressed.

Consult with DPC, Treasury and directly affected agencies. Also consult with the Department of Justice if the proposal involves legal policy issues or new offences, penalties or enforcement powers.

Final submissions must highlight major issues that agencies raised during any draft submission stage and specify how they were resolved.

You can use the template's standard table style to show this.

Risks and mitigation

Do a clear risk analysis

Identify and assess key risks or challenges, particularly if relevant to these areas:

- assets
- business continuity
- compliance and regulation
- contracts
- finance
- governance
- ICT
- implementation
- legal
- management and administration
- resources including human resources
- safety and security
- stakeholder relations.

Complete the risk table (do not remove the table)

Do not leave any cells blank – use 'Nil' or '0' as needed.

You may also wish to note risks and challenges of alternative options

Description of risk	Risk rating	Mitigation strategies
Briefly describe the risk.	Rate the risk as High, Medium or Low. If ERC will consider the proposal, you must: ▪ estimate the dollar value ▪ assess the likelihood and consequence of the risk occurring. You can also include this in all submissions.	Specify strategies or controls to mitigate the risk, especially for a High or Medium rating.

Financial impact

Detail financial resources, impacts and risks

In the numbered paragraphs, identify:

- the resources needed to implement the recommendations
- how costs will be accommodated within the agency or agency budget.

Analyse the financial impacts and include:

- impacts on the government and the community
- any disproportionate impact on particular groups of people.

Include information about significant financial impacts beyond the forward estimates, contingent liabilities and whether the proposal is fully offset.

Note any significant risks with costings.

The information needed will depend upon the nature and scope of the proposal. You should seek Treasury advice about this.

[NSW Government Evaluation Framework]

If you propose a new government program or to reform an existing one, specify the quarantined evaluation budget.

The NSW Government Evaluation Framework requires this.

Answer all mandatory questions

Use 'Yes' or 'No' in the mandatory question table.

For supplementary funding, put 'Yes' if total costs cannot be met from additional revenue or agency budgets.

Treasury must agree the costings of any financial impact before the final submission is circulated for consultation. Please contact the Treasury if you require further guidance on financial impacts. Report 'Yes', if Treasury has agreed to the costing and 'No', if Treasury has not yet agreed or there has been no consultation as yet with the Treasury.

However, the originating agency and minister are responsible for the accuracy of costs — if these are higher, it is at the agency's risk.

ERC has to consider a spending, revenue or tax expenditure proposal before Cabinet approves it, unless otherwise agreed by the Premier, Deputy Premier and Treasurer.

Is supplementary funding required?	Yes / No
Has Treasury agreed the costings?	Yes / No
Is ERC consideration required?	Yes / No

Complete the table (if required)

Complete the Total Financial Implications table only if there is an impact on the total budget result or net lending. For example, if supplementary recurrent or capital funding is needed.

If there is no financial impact, the Total Financial Implications table should be removed.

Generally, ERC considers all funding decisions for recurrent and capital proposals in the Budget process.

Complete a separate Financial Implications table for each affected agency.

Your agency Chief Financial Officer can help you complete the table and must review this section before the draft submission is provided for consultation.

Do not leave any cells blank – use 'nil' or '0' as needed.

Total Financial Implications	Current year ($m)	Current year + 1 ($m)	Current year + 2 ($m)	Current year + 3 ($m)	Current year + 4 ($m)	Ongoing ($m)
Revenue	+/-0.0	+/-0.0	+/-0.0	+/-0.0	+/-0.0	+/-0.0
Expenses	+/-0.0	+/-0.0	+/-0.0	+/-0.0	+/-0.0	+/-0.0
Total Budget Result Impact	**+/-0.0**	**+/-0.0**	**+/-0.0**	**+/-0.0**	**+/-0.0**	**+/-0.0**
Capital Expenditure	+/-0.0	+/-0.0	+/-0.0	+/-0.0	+/-0.0	+/-0.0
Total Net Lending Impact	**+/-0.0**	**+/-0.0**	**+/-0.0**	**+/-0.0**	**+/-0.0**	**+/-0.0**
Does the proposal require ongoing funding?		Yes / No – proposal ends on: dd/mm/yyyy				

Notes for Chief Financial Officers

Make sure:

- financial impacts of a proposal are compared against the last published set of forward estimates (either Budget or Half-Yearly Review)
- numbers are presented on an uneliminated, unescalated basis
- proposals seeking capital funding also show the impact on operating expenses
- Total Budget Result Impact shows the difference between expenses and revenue
- Total Net Lending Impact shows the sum of the Total Budget Result Impact and Capital Expenditure, with adjustments for depreciation and asset sales as appropriate. This represents the extent to which government has to borrow from financial markets to cover expenditure activities
- if there is an impact on existing Control Limits, a Control Limits table is included as an attachment for ERC.

A positive (+) indicates an increase/improvement in the budget result or net lending; and a negative (-) indicates a decrease/worsening of the budget result or net lending.

Other impacts

Include at least two sections

Add other subsections if there are more than the two core impacts as follows.

Impact on and opportunities for regional and rural communities

Make Cabinet aware of any impact on regional areas or rural communities.

Clearly describe the potential economic, environmental or social impacts on particular communities.

If the proposal relates to a public sector closure or downsizing, specify:

- the significant regional impacts
- the steps being taken to manage the impacts.

Consider the impact on border communities of any proposed changes to regulation or service delivery.

You must include this section. If there are no impacts, use ‘Not applicable’.

Regulatory impact

[Guide to Better Regulation]

[Guidelines for estimating savings under the red tape reduction target]

Show how the Better Regulation Principles apply for all new and regulatory amendment proposals using the template table.

You must include this section. If there is no regulatory impact, write ‘Not applicable’ in each table row do not remove the table.

Attach a separate Better Regulation Statement to a proposal with a significant regulatory impact. The *Guide to Better Regulation* gives the principles and requirements for a statement.

Complete the impacts table

Can stakeholders other than the government address the problem?	Specify if non-government stakeholders like the market or an industry association could address the problem. Explain why or why not.
What are the quantified benefits of the proposal?	Include any red tape savings if the proposal is approved. Follow the *Guidelines for estimating savings under the red tape reduction target*. If benefits are not quantified, explain why not and give the qualitative benefits
What are the quantified costs on businesses and the community?	If costs are not quantified, explain why not and give the qualitative costs.
What alternatives were considered?	Include any alternatives and explain why they were not chosen.

Attachments

Follow the order of referencing

List attachments in the order they are referenced in the submission. If there are no attachments, write ‘None’.

Ensure that the attachment title corresponds with what is listed.

Keep attachments to a minimum.

If an attachment is large, consider attaching only an executive summary instead to convey the most important information.

Include electronic or hard copy attachments

You can add attachments in Word, Excel or PDF formats, please ensure they are not password protected.

If an electronic version is not available, check with Cabinet Secretariat for how many hard copies you need to include.

Cabinet submission checklist

	Recommendations
Yes / No	Are recommendations clear and non-contradictory?
	Proposal
Yes / No	Is the proposal in line with government priorities and the government's general policy framework?
Yes / No	Does the proposal acknowledge Cabinet's previous decisions and directions?
Yes / No	Have a range of options been considered?
Yes / No	Are implementation arrangements adequate given the scope of the proposal?
Yes / No	If relevant, is an evaluation proposed for completion within the program lifecycle in line with the *NSW Government Evaluation Framework*?
	Strategic Merit
Yes / No	Have you identified any links to Government priorities or other objectives?
	Consultation
Yes / No	Have relevant stakeholders in the community, industry, Commonwealth and other jurisdictions, and NSW Government agencies (including DPC and Treasury) been consulted?
Yes / No	Does the submission adequately address stakeholder comments?
	Risks and mitigation
Yes / No	Have key risks and challenges been identified?
Yes / No	Do risk ratings and controls appear reasonable?
	Financial and other impacts
Yes / No	Has the financial impact been adequately analysed?
Yes / No	Has Treasury reviewed financial impact costings?
Yes / No	Does it meet the *Guide to Better Regulation* requirements?
	General
Yes / No	Is the submission clear and succinct? Is it less than 10 pages?
Yes / No	Is there sufficient evidence to support the recommendations?
Yes / No	Are the supporting arguments logical and internally consistent?
Yes / No	Has a communications strategy been considered?