



Australian Government



COMMONWEALTH  
**OMBUDSMAN**

# CORPORATE PLAN 2020–21

FINANCIAL YEARS 2020–21 TO 2023–24

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# Commonwealth Ombudsman's foreword



As the accountable authority of the Office of the Commonwealth Ombudsman, I am pleased to present the Office's 2020–21 Corporate Plan for the period 2020–21 to 2023–24, as required under clause 35(1)(b) of the *Public Governance, Performance and Accountability Act 2013* (PGPA Act). The plan is the Office's primary planning document, guiding how we will deliver on our purpose.

As this Corporate Plan (the plan) is being finalised, this Office and the whole of Australia, continues to grapple with the dual economic and health challenges posed by the Covid-19 pandemic. Planning in this environment is proving hard for all concerned, yet remains a critical activity.

In some ways, COVID-19 presents new challenges for our Office. We have had to adapt how we do our work, most of our staff are now working from home, and some of our physical inspection work of law enforcement activities and immigration detention centres, having been suspended for a short period are now re-commencing but in a modified form. We have had to curtail our international

program and the content of some of our complaint work has been about the government's COVID-19 related initiatives. We are also developing new ways to engage with stakeholders in the new environment.

That said, living and working through a global crisis also reminds us of the importance of the enduring values that the Ombudsman's Office seeks to uphold. As we enter a potential global recession, we can anticipate that more people than ever before will need government services, payments and forms of support. More people will be vulnerable to the risks posed by poor administration, particularly if the implementation of programs borne of crisis is

rushed. For these reasons our capacity to help people who are negatively impacted by administrative action, to influence agencies who we oversee in the interests of good administration, and to give the Parliament confidence in the effectiveness of our oversight, are important. These concepts are at the heart of the performance measures and strategies outlined in this plan.

A handwritten signature in blue ink, appearing to read 'Michael Manthorpe', written over a light blue horizontal line.

**Michael Manthorpe PSM**  
Commonwealth Ombudsman  
7 August 2020

# Purpose

## The Office of the Commonwealth Ombudsman's (the Office) outcome is:

*'Fair and accountable administrative action by Australian Government entities and prescribed private sector organisations, by investigating complaints, reviewing administrative action and statutory compliance inspections and reporting.'*<sup>1</sup>

We deliver this outcome through our purpose to:

- Provide assurance that the Australian Government entities and prescribed private sector organisations that the Office oversees act with integrity and treat people fairly.
- Influence enduring systemic improvement in public administration in Australia and the region.

The Office delivers on our purpose through complaint handling, conducting investigations, performing audits and inspections, encouraging good public administration practices and discharging specialist oversight tasks. The Office influences improvement in public administration in the Pacific region and Indonesia through collaboration with partner entities.

In fulfilling our purpose, we strive to maintain the confidence of three main groups:

- Members of the public who contact us to complain, report or otherwise seek our help.
- Government agencies and private sector organisations we oversee.
- Parliament (and as we are both the Commonwealth Ombudsman and the ACT Ombudsman, this means both the Commonwealth Parliament and the Australian Capital Territory Legislative Assembly).

During 2020–21 and over the next four years, the Office will focus on maintaining the confidence of the public, agencies and parliament through:

- Responding to feedback from the public and agencies about our service, with a particular focus on the ease of access to our service, timeliness of our service and the clarity of our communications.
- Delivery of critical oversight functions to ensure public confidence in the manner in which law enforcement and other agencies exercise certain intrusive and coercive powers.
- Careful identification of areas of administration where our critical but discretionary activities should be dedicated, in the form of own motion or other investigation and reporting work, in order to optimise our influence on the wider system.

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<sup>1</sup> Office of the Commonwealth Ombudsman, Portfolio Budget Statement 2019–20, Attorney-General's Department, Canberra, 2019.

# Performance

We measure our success in maintaining the confidence of the public, agencies and parliament through the following seven performance criteria:

1. We assist the public to resolve issues with agencies and organisations we oversee.
2. We are responsive to the public when they contact our Office.
3. We improve public awareness of our role in influencing public administration and industry practice.
4. We influence improvements in public administration and the practices of the agencies and organisations we oversee.
5. We are responsive in our dealings with agencies.
6. We effectively deliver our capacity building programs for the ombudsmen and allied integrity bodies under the Australian Aid arrangements.
7. We maintain the confidence of parliament.

Performance criteria one to three measure our performance with respect to maintaining the confidence of the public, through the quality of our service and our information. Performance criteria four and five measure our performance with respect to maintaining the confidence of agencies and organisations we oversee, through the effectiveness of our influence and our engagement. Performance criterion six measures the delivery of our international obligations. The seventh performance criterion measures our performance with respect to maintaining the confidence of parliament, through the quality and responsiveness of our advice.

While we have many functions, our performance of each function is measured by the above performance criteria. Our focus on fulfilling each outcome and delivering each service is critical. Similarly, our ability to influence improvement requires clear, evidence-based recommendations, delivered in a timely manner.

Our performance against each of the criteria will be demonstrated through a combination of qualitative analysis and quantitative metrics. For some metrics, setting a target (such as a target that 75 per cent of recommendations in public reports will be accepted by the agency or organisation) is appropriate. For other measures, our aim is to improve our performance compared to previous years (for example, measuring an increase in the total number of enquiries, complaints and website hits).

## COVID-19

The outbreak of COVID-19 and the subsequent state and territory government restrictions have impacted our operations.

We carefully considered which functions and activities could be paused or scaled back, and which needed to be performed differently.

We have maintained our performance criteria at a level similar to the level we established prior to the COVID-19 outbreak. We acknowledge that a level of uncertainty exists about what our future operating environment will look like. However at the time of preparing this plan, most of our work is being performed normally and plans are being developed to undertake all of our activities, albeit in a modified way for certain functions.

As restrictions change we will adjust our operations accordingly, in a safe and measured way in line with government advice.

## Objectives

The Office identified five objectives to guide us towards our purpose. Each objective is linked to one or more of our seven performance criteria. The following table outlines the links between our purpose, objectives and performance criteria.

# OUR PURPOSE

Provide assurance that the Australian Government entities and prescribed private sector organisations that the Office oversees act with integrity and treat people fairly. Influence enduring systemic improvement in public administration in Australia and the region.

## OBJECTIVE 1

Influence Australian and Australian Capital Territory Government entities to improve public administration and complaint handling systems through public reports, recommendations and direct engagement.

- We influence improvements in public administration and the practices of the agencies and organisations we oversee.
- We are responsive in our dealings with agencies.
- We maintain the confidence of parliament.

## OBJECTIVE 2

Provide an efficient, effective and accessible government complaint handling service.

- We assist the public to resolve issues with agencies and organisations we oversee.
- We are responsive to the public when they contact our Office.
- We improve public awareness of our role in influencing public administration and industry practice.

## OBJECTIVE 3

Undertake oversight and assurance activities relating to the integrity of Australian Government entities, Australian Capital Territory Government entities and prescribed private sector organisations.

- We influence improvements in public administration and the practices of the agencies and organisations we oversee.
- We are responsive in our dealings with agencies.
- We maintain the confidence of parliament.

## OBJECTIVE 4

Provide effective and impartial industry complaint handling services and provision of consumer information.

- We assist the public to resolve issues with agencies and organisations we oversee.
- We are responsive to the public when they contact our Office.
- We improve public awareness of our role in influencing public administration and industry practice.

## OBJECTIVE 5

Deliver capacity building programs under the Australian Aid arrangements to support ombudsmen and allied integrity bodies to improve governance and accountability.

- We effectively deliver our capacity building programs for the ombudsmen and allied integrity bodies under the Australian Aid arrangements.
- We maintain the confidence of parliament.

# Quantitative metrics

In turn, each of the performance criteria will be assessed using a combination of qualitative analysis and measurement against particular quantitative targets. These targets are overseen by the Senior Leadership Group and then reported in the annual performance statement. The following table outlines the performance criteria and the quantitative metrics applicable to each one, to be complemented by qualitative analysis, noting the quantitative metrics only tell part of our performance against each criteria.

## Performance criteria: outcomes and projections over the next four years

Performance criterion	Objective	Primary confidence measure	Applicable quantitative measures and targets	2020–21	2021–22	2022–23	2023–24
1	2 and 4	People	Percentage of people who contacted the Office providing a rating of 'satisfied' (or better) with our services in response to complainant satisfaction surveys.	65%	Analysis against 2020–21 results	Analysis against 2021–22 results	Analysis against 2022–23 results
			Percentage of complainant satisfaction survey responses with a rating of 'satisfied' (or better) evaluating our independence.	65%	Analysis against 2020–21 results	Analysis against 2021–22 results	Analysis against 2022–23 results
2	2 and 4	People	User satisfaction with the privatehealth.gov.au website.	75%	75%	75%	80%
			Percentage of service standards met	90%	90%	90%	90%
3	2 and 4	People	Increase in the total number of enquiries, complaints and website hits compared to the previous reporting period, after taking into account changes due to new jurisdictions.	1,311,792	Count and analysis against 2020–21 results	Count and analysis against 2021–22 results	Count and analysis against 2022–23 results
4	1 and 3	Agencies and organisations	Percentage of recommendations in public reports accepted by the agency or organisation.	75%	75%	75%	75%
			Percentage of recommendations accepted for Defence abuse reparation payments and VET Student Loan re-credits.	95%	95%	95%	95%
5	1 and 3	Agencies and organisations	Percentage of satisfaction survey responses from agencies demonstrating a rating of 'satisfied' (or better) with the quality of our work.	80%	80%	80%	80%
			Percentage of feedback responses from participants in educational or other events demonstrating a rating of 'satisfied' (or better).	90%	90%	90%	90%
6	5	Agencies and organisations	Percentage of outputs delivered under the Australian Aid arrangements.	80%	80%	80%	80%
7	1, 3 and 5	Parliament	Number of reports published.	Annual count	Analysis against 2020–21	Analysis against 2021–22	Analysis against 2022–23
			Number of submissions made to, and appearances before, parliamentary committee processes.	Annual count	Analysis against 2020–21	Analysis against 2021–22	Analysis against 2022–23
			Percentage of reports delivered within statutory timeframes.	100%	100%	100%	100%

Each branch has developed an individual branch plan with activities and intended results which measure progress towards achieving the Office's objectives. Through regular reporting, branches track their progress and demonstrate their achievements towards their applicable performance criteria. The branch plans are developed annually.

# Environment

Our role, as an independent oversight agency is to ensure that people are treated fairly, respectfully and lawfully, and receive clear and transparent communication in their dealings with government agencies. The confidence we maintain with the parliament and the agencies we oversee is based on our continued integrity and focus on good public administration.

Our jurisdiction is broad. As a result, we work across a diverse environment. We oversee commonwealth entities and their contracted service providers, subject to some specific statutory exclusions (such as the intelligence agencies and the Australian Taxation Office). We also oversee a range of private sector organisations including:

- private health insurers
- some postal operators
- some providers of education services.

We need to be continually aware of this diversity and any factors influencing the effectiveness of our role and the fulfilment of our purpose.

Our governing legislation provides the power to require the production of information or documents, to examine witnesses, including under oath or affirmation, and the power to enter premises for the purposes of our functions. However, our preferred approach is that agencies and organisations we oversee cooperate with us in the performance of our functions without the need to exercise these formal powers, and in our experience this generally occurs.

This includes agencies and organisations about whom we have received a complaint, who cooperate with our requests for information, as well as immigration detention managers and law enforcement agencies who cooperate with our requests to access and inspect facilities and records. Working cooperatively with these agencies sets the tone for genuine and constructive engagement as to potential improvements to public administration, while also

avoiding the more resource-intensive process of invoking formal powers.

We work closely with the Department of Defence in delivering the Defence Abuse Reporting program. The cooperation enables us to achieve the outcomes of the program including, where appropriate, having our recommendations for reparation payments accepted and facilitating restorative engagement conferences.

We work with the Department of Foreign Affairs and Trade to deliver aid-funded partnership programs with ombudsman and integrity agencies in the Indo-Pacific region.

Finally, we seek to liaise and cooperate with other regulatory and oversight bodies, to reduce duplication and maximise effectiveness of oversight. We also cooperate with state and territory ombudsman and information commissioners, both to ensure a coordinated national approach to issues where appropriate and to identify opportunities to learn from others to improve our own practices.

## Factors within our control

### Management of additional or expanding functions

As an independent oversight agency we have considerable discretion to set our priorities and utilise our resources to deliver systemic improvement in public administration. Our enduring purpose has as much contemporary value as ever, and our functions have expanded in recent years as a result.

Over the next year we will bed down the additional functions of recent years including the National Preventative Mechanism (NPM) and NPM Coordinator under the United Nations Optional Protocol for the Convention against Torture and other Cruel, Inhuman or Degrading

Treatment or Punishment (OPCAT). We will also fulfil a new oversight role with respect to the National Disability Insurance Scheme Participant Service Guarantee and expand our capability to initiate additional law enforcement oversight pursuant to the passage of relevant legislation.

Over the next four years, we anticipate that our Office will continue its enduring oversight role of good public administration, particularly in relation to agency responses to factors such as COVID-19.

**Four year projection**—informed by recent experience and internal structure and governance changes, the Office is well placed to take on further complementary activities with appropriate resources. Any additional or expanded functions are a policy decision for government.

## Service to the public

The Office is committed to providing a high quality and customer focussed service to members of the public. We are focused on providing outcomes for individuals and the broader community that are timely and we are committed to providing regular, easy to understand information to the general public. We strive for continuous improvement in our services with a focus on customer centred design.

We have adjusted some of the ways we deliver certain services as a result of the outbreak of COVID-19, to protect the health of both our staff and members of the public. During the height of the restrictions we decided not to conduct face-to-face meetings, restricted the number of hours during which telephone contact could be made and focused on an increased delivery of our services through online channels.

We will continue to follow the advice of government and medical authorities to determine both when and how to return to a level of service comparable to that delivered prior to COVID-19.

**Four year projection**—the Office has streamlined some of its processes using lean management techniques, enabling a more efficient service for those who contact our Office. We are prioritising the public user experience by looking at new and innovative technological solutions for ways to contact our Office. We will consider the results of

internal reviews and independent expert advice, combined with the results of feedback surveys, to identify further opportunities to improve the services we provide.

## Stakeholder engagement

Through the provision of outreach and education, the Office works towards improving complaint handling processes in the agencies we oversee, and influence improvements in their public administration and practice.

We have adjusted the way we undertake our outreach and education functions, postponing some events and changing the delivery channels for others as a result of restrictions in place to manage the outbreak of COVID-19. We are exploring ways to provide digital options for delivery of education products, and we will continue our digital outreach through regular social media posts.

We also stopped undertaking international travel that would normally be associated with our international engagement with regional ombudsmen.

We will continue to follow the advice of government and medical authorities to determine both when and how to return to a level of service comparable to that delivered prior to COVID-19.

**Four year projection**—through expanding our education and outreach we look to build the capability of the agencies we oversee and public knowledge of our function thereby increasing confidence in the integrity of our processes.

## Reconciliation Action Plan

Our vision for reconciliation is to acknowledge, value, respect and affirm the history and cultural richness of Aboriginal and Torres Strait Islander peoples. We will do this in our daily interactions and in our work to influence enduring systemic improvement in public administration.

Our Office has a dedicated Manager, Indigenous Coordination and an Aboriginal and Torres Strait Islander Employee Network, who provide advice and support to staff handling complaints relating to Aboriginal and Torres Strait Islander peoples

and communities. The Office is committed to ensuring we deliver complaint handling services to Australia's First People that are equal, open and transparent.

**Four year projection**—the Office will continue to support and grow our Aboriginal and Torres Strait Islander workforce, deliver culturally competent complaint services, and launch our first Innovate Reconciliation Action Plan.

## Diversity and inclusion

Our Office's Diversity and Inclusion Strategy 2018–2021 provides a framework for diversity and inclusion across the Office. It supports a workforce that reflects the diversity of our stakeholders, partners, and the community we serve.

**Four year projection**—we will begin work on our next strategy in 2021.

## Geographic diversity

Commonwealth Ombudsman staff are spread across Canberra, Sydney, Brisbane, Melbourne, Adelaide and Perth. Information and communications technology (ICT), such as video conferencing, is used by the Office to ensure continuity of purpose and collaboration between the various locations. Our remote working capability and video conferencing functions were increased as a result of COVID-19. We look to maintain our flexible remote working technology.

**Four year projection**—we will continue to provide service across the country and improve the connectivity of the offices through ICT capability.

## Factors outside of our control

### Decision-making by agencies we oversee

While the Office seeks to influence the agencies we oversee, their decision-making is largely outside of our control. This is an important driver of the volume and complexity of approaches, complaints and own motion investigations that the Office receives or initiates.

A large part of our work is engagement with public and private sector organisations. We acknowledge that organisations may encounter their own constraints in their dealings with our Office and we endeavour to work with each organisation towards a common outcome.

We have mechanisms in place, such as our risk management framework, governance arrangements (in particular our Strategic Policy Board), workforce planning and ICT strategies, to direct our resourcing to manage our workload.

## Commonwealth and Australian Capital Territory Government

Decisions made by the Commonwealth and ACT Government can impact our operating environment, including changes to our oversight responsibilities and levels of our resourcing.

## COVID-19

The outbreak of COVID-19 was an event that was beyond our control as were the restrictions put in place by governments to manage the spread of the virus. We will continue to work within the government restrictions and seek innovative ways to continue to deliver on our purpose and outcome.

While the initial responses to the COVID-19 crisis were largely focussed on minimising the health impact of the pandemic in Australia, at the time of writing it is becoming apparent that the economic and budgetary impact arising from the pandemic will be significant and potentially long lasting.

This has significant implications for the Office and our work. It is likely that more people will be reliant on government services and support. This may generate complaints to the Office or otherwise involve us taking on an increased role in the oversight of the management of new government support and services.

**Four year projection**—the Office anticipates the factors outside of our control will persist over the four year reporting period. These factors will be monitored through our risk management planning and governance arrangements, and responded to as necessary.

# Risk oversight and management

## Summary of risk oversight and management

Effectively engaging with and managing risk enables the Office's successful delivery of its strategic and operational objectives.

We promote a shared understanding of risk consistent with the functions and objectives of an integrity oversight agency, including:

- a high standard of complaint handling, investigations, audit and inspections, encouraging good public administration practices and discharging specialist oversight tasks
- well informed decision-making
- proper use of public resources
- better performance outcomes
- fostering a positive risk culture that is aligned to these functions and objectives.

We accept that risk is inherent to our functions and will be considered acceptable, providing that the function is:

- consistent with our strategic outcomes described in the Portfolio Budget Statement and this plan
- a proper use of public resources, for which the Office is responsible
- subject to appropriate performance and conformance measures.

We will use our Risk Appetite and Tolerance Statement to quantify our risk appetite and tolerance to enable monitoring and review against the following enterprise risk categories:

- strategic
- program
- operational
- compliance.

The risk types within the enterprise risks are categorised as external and internal and fall into the following categories:

- External
  - the public
  - agencies and organisations we oversee
  - the parliament–Commonwealth and ACT.
- Internal
  - finance, facilities and assets
  - people and culture
  - core business systems.

Our risk oversight and management tools include our Risk Management Framework, Risk Appetite and Tolerance Statement, Audit and Risk Committee, and Business Continuity Plan.

We undertake the following activities focused on effective risk management:

- annual review of our Risk Management Framework and Risk Appetite and Tolerance Statement.
- regular strategic and operational risk reporting to the executive, with the Audit and Risk Committee providing independent oversight.

**Four year projection**—the Office anticipates our enterprise risk and internal and external risk types will remain current over the four year reporting period.

# Capability

To deliver on our purpose and outcome, the Office continues to focus on enhancing two organisational capabilities—our people and ICT.

## People

Achieving and delivering on our purpose is dependent on our people and their qualities and capabilities. Our continued success is reliant on attracting and developing a highly skilled workforce that remains adaptive, dynamic and engaged.

## Leadership

Effective leadership is a critical driver of organisational performance. We encourage the exercising of leadership at all levels. We will continue to focus on the development of leadership skills in middle management and in our emerging leaders to ensure effective organisational succession and strong leadership foundations exist across the Office. Our senior executive and staff at all levels will work together to achieve the targets set out in this plan.

## Workforce planning

Planning a workforce for the future is critical to ensuring there are sufficient numbers of appropriately trained and skilled employees to deliver on our purpose.

We undertake regular integrated business and workforce planning activities to ensure we continually consider our workforce needs in rapidly changing environments. We are currently developing a Workforce Management Strategy to identify the steps to be taken to ensure we have the skills and capabilities so the Office can continue to achieve its purpose and strategic objectives.

Particular strategies include:

- rewarding high performance
- integrating branch plans with our organisational capability strategies, including our workforce plans, learning and development, diversity and inclusion and recruitment strategies
- encouraging employee mobility across the agency, the APS and within the portfolio
- supporting the flexible deployment of staff and strategic recruitment to ensure we have the right people in the right place at the right time
- providing a flexible work environment through a variety of initiatives, including increasing home based work and teleworking initiatives
- supporting managers to plan for succession, recruitment and learning and development needs in a strategic way
- actively participating in Australian Public Service Commission initiatives to increase capability.

## Learning and development

We identify and foster staff talent at all levels and will continue to build employee capabilities and create career opportunities for our staff.

We value 'on-the-job' learning through exposure to others who have the required expertise. We offer learning opportunities that build and strengthen management and technical skills that are critical to our current and future workforce.

The Learning and Development Strategy supports high-quality and relevant learning within the Office by strengthening capabilities that support our purpose. We adapt to the external environment linking individual development needs to core Office skills.

## Diversity and inclusion

The diversity and inclusion strategy promotes inclusiveness and diversity, accelerates gender equality and embraces the unique skills of staff.

Valuing diversity and inclusion are integral to our goals and ensuring our staffing profile is reflective of the Australian values of fairness and equality. Our Disability Action Strategy, Reconciliation Action Plan, Aboriginal and Torres Strait Islander Employee Network, Cultural and Linguistic Diversity and LGBTIQ+ networks and other measures have driven cultural change in the Office and opened up new ways of working. They are helping staff to reach their full potential and enhance productivity and increased our relevance to our stakeholders. Our measure of success is an inclusive workplace where all staff feel valued and able to contribute to the best of their ability.

*“Valuing diversity and inclusion are integral to our goals and ensuring our staffing profile is reflective of the Australian values of fairness and equality.”*

# Technology

The need for our workforce to be able to work in a mobile and secure manner has been emphasised in recent times.

We learned lessons from the COVID-19 outbreak about the importance of flexible working and the ability to work remotely when responding to a business continuity event. It has also provided the opportunity for us to capitalise on the positive aspects of a mobile workforce and for flexible working to become more normalised.

It is critical that the information we store on behalf of the people who contact us and the agencies we oversee is secure.

We are seeking opportunities through technology to make engaging with our Office easier while being able to answer queries and resolve issues faster. To guide the technology requirements we have undertaken research to identify how we can most effectively communicate with the public.

The Office's technology strategy is built on five pillars to optimise our technology. These pillars are set out below.

## 1. Security and Reliability

Ensure we provide robust, reliable and resilient ICT services across our agency as part of a whole-of-government response to increased security threats and cyber threats in particular. This will be a principal design and delivery consideration for all ICT projects, system designs and upgrades.

## 2. Mobility

Ensure our workforce can productively work anywhere and at any time across and beyond the Office, using fit-for-purpose technology solutions.

## 3. Digital Records and Information Sharing

Ensure our digital record-keeping supports staff mobility and helps employees to work productively and innovatively. Improve our internal systems and storage systems and use secure information-sharing systems with other government agencies.

## 4. Digital Accessibility

Anticipate public demand for digital engagement and self-services through accessible portals, user-friendly online forms, and channels tailored to their needs. Ensure both customer and staff experience and needs are considered in the design and implementation of solutions.

## 5. Business Intelligence

Invest in business systems that support inter-operability and on-demand, dynamic analytics. Build robust and trusted data sets. Harness quality data and analytic know-how to deliver rich insights, foster better collaboration with the agencies we oversight and to support trust in our reputation.

*“We are seeking opportunities through technology to make engaging with our Office easier while being able to answer queries and resolve issues faster.”*



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