

Australian Government

COMMONWEALTH OMBUDSMAN

2019–20 CORPORATE PLAN

FINANCIAL YEARS 2019-20 TO 2022-23

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Commonwealth Ombudsman's Foreword

As the accountable authority of the Office of the Commonwealth Ombudsman (the Office), I am pleased to present the Office's 2019–20 Corporate Plan (the plan) for the period 2019–20 to 2022–23, as required under clause 35(1)(b) of the *Public Governance, Performance and Accountability Act 2013* (PGPA Act).

I look forward to the role that my Office can play in the year ahead to support service delivery and the implementation of government programs, for the benefit of the Australian people. As Ombudsman, my staff talk to people every day about problems with delivery and implementation. My goal is to ensure that, as much as possible, we not only identify issues but also help to resolve those issues—not just for aggrieved individuals but also in a wider systemic sense.

In doing so, the Office is likely to be challenged again this year by large volumes of complaints. As we strive to help resolve complaints, we need to continue to think strategically about the internal work processes and systems we use to assist complainants to finalise matters as easily as possible. We also need to work with agencies to build their complaint-handling capacity in the first instance.

In the year ahead, we also need to bed down new oversight functions in law enforcement and places of detention. To support this work, we have established a new performance framework to ensure we are measuring how effective we are in the work that we do. The new framework reflects our focus on maintaining the confidence of each of our main stakeholder groups—the public, the agencies and organisations we oversee, and parliament. This is discussed in more detail on page 4 of this plan. The executive team will regularly consider these indicators throughout the year and I will report publically on them for the first time in the Office's 2019–20 Annual Performance Statement.

I look forward to continuing to build our capacity to achieve systemic influence in public administration.

Michael Manthorpe PSM Commonwealth Ombudsman 31 July 2019

Purpose

The Office of the Commonwealth Ombudsman's purpose is 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:

- The public (including complainants and the general public).
- Agencies and organisations (being the 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).

Our 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."

During this period the Office will focus on maintaining the confidence of the public, agencies and parliament through:

- A particular focus on improving our service to people who contact the Office, which continues to grow in number and diversity of concerns.
- 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.

¹ Office of the Commonwealth Ombudsman, *Portfolio budget statements 2019–20*, Attorney-General's Department, Canberra, 2019.

Performance

Over the past year we carefully considered our performance framework as a response to our previous key performance indicators, which have focused on what we do but have not always demonstrated what we have achieved. Through this review we have developed 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.

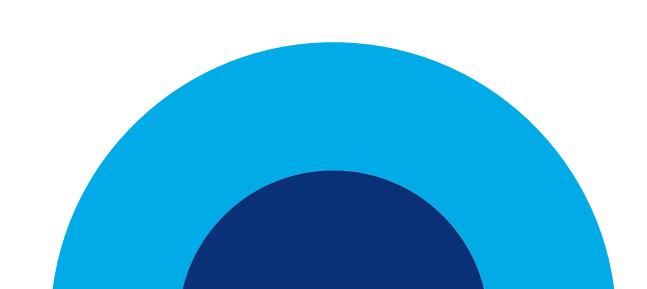
Performance criteria one to three measure our performance with respect to the public, through the quality of our service and our information.

Performance criteria four to six measure our performance with respect to agencies and organisations, through the effectiveness of our influence and our engagement.

The seventh performance criterion measures our performance with respect to 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 both the outcome and our 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 measures. For some measures, 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).



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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



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.



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.



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.



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.



Deliver capacity building programs under the Australian Aid arrangements to support ombudsmen and allied integrity bodies 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 will be overseen by the executive leadership and then reported in the annual performance statement. The following table outlines the performance criteria and the quantitative metrics applicable to each one. These metrics will complement analysis to determine our performance against each criteria.

Performance Criterion

We assist the public to resolve issues with agencies and organisations we oversee.

Percentage of people who contacted the Office providing a rating of 'satisfied' (or better) with our services in response to complainant satisfaction surveys.

Percentage of complainant satisfaction survey responses with a rating of 'satisfied' (or better) evaluating our independence.

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We are responsive to the public when they contact our Office.

Contacts with the Office will be finalised within our service standards. Each branch will finalise their contacts within their respective service standards. Having separate confidence intervals for different types of contact allows us to more accurately reflect and report on the nature of our different functions.



We improve public awareness of our role in influencing public administration and industry practice.

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.



We influence improvements in public administration and the practices of the agencies and organisations we oversee.

Target: 75 per cent of recommendations in public reports to be accepted by the agency or organisation.

Target: acceptance of 90 per cent of recommendations for Defence abuse reparation payments and VET Student Loan re-credits.



We are responsive in our dealings with agencies.

Target: 80 per cent of satisfaction survey responses from agencies to have a rating of 'satisfied' (or better) regarding the quality of our work.

Target: 85 per cent of responses to agencies within agreed timeframes or our service standards

Target: 90 per cent of feedback responses from participants in educational or other events to have a rating of 'satisfied' (or better).



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We effectively deliver our capacity building programs for the ombudsmen and allied integrity bodies under the Australian Aid arrangements.

Target: 80 per cent of outputs delivered under the Australian Aid arrangements.

We maintain the confidence of parliament.

Number of reports published.

Number of submissions made to, and appearances before, parliamentary committee processes.

Target: 100 per cent of reports delivered on time in accordance with legislative requirements and the Office's statutory obligations.

Target: 90 per cent of other reports delivered to parliament within the Office's service standards.

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Performance cri four years		teria: outcomes and projections over the next	and	projection	s ovel	the	next
Objective Primary	Performance	nance Applicable quantitative measures and	asures and	2019-20	2020-21	2021-22	202

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Objective	Primary confidence measure	Performance criterion	Applicable quantitative measures and targets	2019–20	2020-21	2021-22	2022-23
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.	Baseline to be established through a participant survey.	Analysis against 2019–20 results.	Analysis against 2020–21 results.	Analysis against 2021–22 results.
			Percentage of complainant satisfaction survey responses with a rating of 'satisfied' (or better) evaluating our independence.	Baseline to be established through a participant survey.	Analysis against 2019–20 results.	Analysis against 2020–21 results.	Analysis against 2021–22 results.
2 and 4	People	7	Contacts with the Office will be finalised within our service standards.	75%	80%	80%	85%
2 and 4	People	М	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.	Baseline to be established through a count of the total number of enquiries,	Count and analysis against 2019–20 results.	Count and analysis against 2020–21 results.	Count and analysis against 2021–22 results.
1 and 3	Agencies and organisations	4	Percentage of recommendations in public reports accepted by the agency or organisation.	vebsite hits. 75%	75%	75%	75%
			Percentage of recommendations accepted for Defence abuse reparation payments and VET Student Loan re-credits.	%06	90%	%06	%06

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Objective	Primary confidence measure	Perrormance criterion	Applicable quantitative measures and targets	07-6107	12-0202	77-1707	2022-25
1 and 3	Agencies and organisations	പ	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 responses to agency within agreed timeframes or our service standards.	85%	85%	85%	85%
			Percentage of feedback responses from participants in educational or other events demonstrating a rating of 'satisfied' (or better).	%06	%06	%06	%06
IJ	Agencies and organisations	Q	Percentage of outputs delivered under the Australian Aid arrangements.	80%	80%	80%	80%
1, 3 and 5	Parliament	7	Percentage of reports delivered on time in accordance with legislative requirements and the Office's statutory obligations.	100%	100%	100%	100%
			Percentage of other reports delivered to Parliament within the Office's service standards.	%06	%06	%06	%06
			Number of reports published.	Annual count	Analysis against 2019–20.	Analysis against 2020-21.	Analysis against 2021–22.
			Number of submissions made to, and appearances before, parliamentary committee processes.	Annual count	Analysis against 2019–20.	Analysis against 2020-21.	Analysis against 2021–22.

All of our branches have developed individual branch plans with activities and intended results, which the branches identify as a measure of their progress towards achieving the Office's objectives. Through regular reporting, the branches can track their progress and demonstrate their achievements towards their applicable performance criteria. The branch plans are developed annually.

Environment

Maintaining the confidence of the public, agencies and organisations, and parliament—in balance—is critical to our success. If we are seen as too close to agencies, members of the public will not bring their complaints to us. If we are not seen as impartial, our ability to influence change in agencies and organisations will diminish.

Our activities are important for maintaining confidence that the agencies we oversee display good public administration and integrity.

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 Australian Taxation Office). We also oversee a range of private sector organisations, such as:

- 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.

Factors within our control

Management of additional or expanding functions

In 2019–20, the Office will undertake three additional or expanding functions.

1. ACT Ombudsman—Inspector of the Integrity Commission

In 2019–20, the ACT Ombudsman will take on a new role as the Inspector of the new ACT Integrity Commission. This function has been established to ensure the Commission operates within their legislative power and that any intrusive powers are not abused.

The ACT Ombudsman will be funded by the Australian Capital Territory Government to:

- Assess and report on the Commission's compliance with the *Integrity Commission Act 2018* (the Act) under which it operates, including via an annual operational review report.
- Receive, investigate and assess complaints about the Commission and its staff.
- Make recommendations to the Commission or public bodies about practices or procedures in relation to the Act.

2. Introduction of a Commonwealth Integrity Commission

In December 2018, the Australian Government announced it will establish a Commonwealth Integrity Commission (CIC) with responsibility for handling matters of serious corruption in law enforcement and the Australian public sector. From 2020-21 the Commonwealth Ombudsman will be funded to:

- Inspect and report on the CIC's compliance when using certain covert and intrusive powers.
- Receive, assess, and where appropriate, refer matters of corruption to the CIC.

We will prepare to undertake this work during 2019-20.

3. Telecommunications and Other Legislation Amendment (Assistance and Access) Act 2018 In December 2018, the Australian Parliament passed the Telecommunications and Other Legislation Amendment (Assistance and Access) Act 2018. Among other things, the Act gave the Commonwealth Ombudsman additional powers and responsibilities to:

- Receive and analyse notifications from enforcement agencies about use of industry assistance powers (Part 15, *Telecommunications Act 1997*) and computer access warrants (s 46B, *Surveillance Devices Act 2004*).
- Inspect and report on enforcement agencies' use of industry assistance powers and computer access warrants.

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 funding. 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 professional service to members of the public. We are focused on timely resolution and providing regular, easy to understand information. We strive for continuous improvement in our services. 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 technological solutions for contact through our phone or our website, to improve the public user experience. 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.

Four year projection: by expanding our outreach and providing relevant information to our stakeholders, the Office looks to increase public confidence in the integrity of our processes. We will expand awareness of the purpose and objectives of the Office, through engagements across our diverse stakeholder base, robust planning, and the adaptation of our processes and allocation of resources. We will use our Diversity and Inclusion Strategy and our Reflect Reconciliation Action Plan to be responsive and accessible.

Reflect 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 Indigenous Strategy Team, which provides advice and support to staff handling complaints relating to Aboriginal and Torres Strait Islander people and communities. The Office is committed to ensuring Indigenous Australians have equal, open and transparent access to our complaint-handling services. Four year projection: the Office will continue to support and grow our Indigenous workforce, deliver culturally competent complaint services, and launch our first Innovate Reconciliation Action Plan.

Diversity and inclusion

Our Office's Diversity and Inclusion Strategy 2018–21 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 diversity and inclusion 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.

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 governments

Decisions made by the Commonwealth and ACT governments can impact our operating environment, including changes to our oversight responsibilities.

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 robust risk management planning and governance arrangements, to best position the Office to respond as necessary.

We are focused on timely resolution and providing regular, easy to understand information. We strive for continuous improvement in our services.

Risk Oversight and Management

Summary of risk oversight and management

The Office is committed to managing risk as part of good governance in delivering on our purpose. We recognise that engaging with risk is fundamental to the Office successfully delivering on our purpose and meeting our objectives.

We are building a positive risk culture which empowers our staff to build competency and skills to manage risk as a part of their day-to-day work. Our Risk Appetite Statement, which is reviewed annually, outlines our move towards a positive risk culture. We cannot investigate and report on every systemic issue that might arise across our broad area of jurisdiction, so we use our risk management framework, which outlines our risk management methodologies, and a strategic prioritising framework to target our resources at issues where we can have the greatest systemic impact.

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

The Office undertakes activities focused on effective risk management:

- Annual review of our risk management framework and Risk Appetite Statement.
- Regular strategic and operational risk reporting to the executive, with the Audit and Risk Committee providing independent oversight.

Risks to the Office include:

- Damage to the Office's reputation resulting in a loss of public and government confidence in the Office.
- Inability to effectively influence key external stakeholders.
- Ineffective delivery of services to complainants and agencies.
- Ineffective implementation of new business functions.
- Cyber security threats targeting internal agency services and information, as well as external services such as websites.

Four year projection: the Office anticipates these risks will remain current over the four year reporting period. Four of the above identified risks were noted in our 2018–19 Corporate Plan– the risk of cyber security threats is a new risk on our list.

> We are building a positive risk culture which empowers our staff to build competency and skills to manage risk as a part of their day-to-day work.

Capability

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

People

Workforce Planning

The Office's Strategic Workforce Plan captures and addresses the workforce risks, gaps and areas of focus by:

- Aligning with strategic and business planning processes.
- Identifying high-level risks and developments that affect the workforce capability required to deliver on our priorities.
- Detailing actionable strategies and activities required to mitigate workforce risks and gaps.

The current Strategic Workforce Plan will end in December 2019. Work has begun on drafting the 2020–23 Strategic Workforce Plan.

Learning and Development Strategy 2018–20

The Office's Learning and Development Strategy 2018–20 supports the development of a skilled, capable and high-performing workforce.

The Strategy sets a framework that:

 Delivers greater clarity and shared understanding of our learning and development investment priorities.

- Is linked to the Office's Strategic Workforce
 Plan to ensure employees have the necessary
 capabilities to support the delivery of the
 Office's purpose and objectives (as articulated
 in this plan), now and into the future.
- Is flexible and responsive in addressing learning and development needs in a dynamic and diverse environment.

The Strategy focuses on the following priority areas:

1. Core corporate capabilities (mandatory requirements for new starters and existing employees).

These are the core corporate 'foundation' skills that are considered essential for employees at all levels within our Office.

2. Functional/role based capabilities (Office critical capabilities).

These are the Office critical capabilities identified for the 2019–20 reporting period.

The capabilities listed against priorities one and two will be reviewed and updated on a regular basis, as the core corporate capabilities are embedded across the Office and business priorities and requirements change. This will ensure the strategy remains flexible and responsive in addressing critical learning and development activities.

Addressing current and future workforce capability requirements

The links between the Strategic Workforce Plan, the Learning and Development Strategy and other documents ensure the Office is flexible, responsive and continues to achieve its purpose and strategic objectives. These are set out below.

Link to workforce capability	How future capability is identified and addressed
Branch plans	
 Branch business plans contain: Workforce analysis information which outlines potential workforce gaps for each branch. Potential impacts. Potential mitigation actions. Branch plans: Are reviewed and updated where significant changes are made to branch priorities and functions. New branch plans are developed each financial year. 	 The Workforce Plan contains a summary of this information for all branches, together with the relevant supporting strategy, guidelines and processes in place to address the issues identified. The Workforce Plan is updated regularly to inform action to address any relevant changes to branch plans.
Workplace Diversity and Inclusion Strategy 2018–21	
 The Workplace Diversity and Inclusion Strategy recognises diversity and inclusion as key business enablers, which are central to supporting the Office to achieve its purpose and strategic objectives. Actions plans under the Workplace Diversity and Inclusion Strategy are reviewed and updated on a regular basis to ensure the objectives of the Strategy are being met and maintained. 	 The Workforce Plan has direct links to the Diversity and Inclusion Strategy. The Workforce Plan reports key data on the diversity profile of our workforce, which is reviewed and updated quarterly
Enterprise Agreement 2017–20	
• The Enterprise Agreement and supporting policies and guidelines provide a contemporary and flexible employment framework. This enables the Office to attract, recruit and retain high-performing employees.	• The Enterprise Agreement is a pillar of the Office's employment framework which supports the objectives of the Workforce Plan by helping the Office to attract, build and maintain a capable and adaptive workforce.
Learning and Development Strategy 2018–20	
 The Learning and Development Strategy 2018-20 supports high-quality and relevant learning within the Office, by strengthening capabilities that: Are aligned to both core corporate and functional/role-based requirements. Address skills and knowledge gaps, enhance competencies and develop future skills requirements. Enhance technical competencies to sustain a capable, confident and innovative workforce. 	• The existing and future workforce capability requirements are identified through the workforce planning process, which informs the learning and development requirements to be addressed in the Learning and Development Strategy.

These documents are regularly reviewed to ensure:

- They remain contemporary and aligned with our purpose and objectives.
- Workforce gaps and risks are identified and addressed.
- Existing and future workforce capability requirements are identified and developed.

Future reporting periods

The following table provides a snapshot of the review timeline for key documents over the current and future reporting periods of this Corporate Plan.

2019–20 reporting period	2020–21 reporting period	2021–22 reporting period	2022–23 reporting period	
	Workfo	rce Plan		
Current plan	New 2020	-23 workforce plan to be	developed.	
	Branch bus	iness plans		
2019–20 (in development)	2020-21	2021-22	2022-23	
	Workplace Diversity a	nd Inclusion Strategy		
Workplace Diversity a 2018-21	01	New 2021–23 strategy to be developed		
	Enterprise Agreement			
Enterprise Agreement 2017-20 (current)	New 2020-23	lew 2020-23 enterprise agreement to be negotiated.		
Learning and Development				
Learning and Development Strategy 2018-20 (current)	New 20)20–23 strategy to be dev	eloped.	

Technology

The Office's ICT strategic plan for 2019–22 is in development. The plan will outline the ICT direction of the Office, under five strategic pillars that optimise our technology investment for the benefit of the public and our staff.

1. Security

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 accessibility

Anticipate public demand for digital engagement and self-service through accessible portals, user-friendly online forms, and email.

4. Digital records

Ensure our digital record-keeping supports staff mobility and helps employees to work productively and innovatively. Over the next three years we aim to improve our internal systems, improve our storage systems and use secure information-sharing systems with other government agencies.

5. Business intelligence

Use our systems to support our core business. Provide a robust and trusted data source for business intelligence and analysis to support informed decisions and actions across the agency.