

Management and accountability

An open and accountable organisation

Fair and reasonable dealings with clients

Well trained and supported staff

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Governance

During 2008–09 the department continued its commitment to good governance at all levels.

The department's governance system emphasises the following key principles:

- leadership
- strategic direction
- accountability
- performance
- controls and assurance.

These elements support the department's strategic themes of being an open and accountable organisation, having fair and reasonable dealings with clients and having well trained and supported staff.

The department has in place a three-year strategic plan which details how the department intends to manage its policies, programs and service delivery, and work with stakeholders and the community. The plan is reviewed annually to ensure it continues to reflect government priorities.

The plan's strategic themes have been enhanced to reflect increased attention to humanity in the department's dealings; evidence-based policy and decision making; and high performance in its service delivery. The department's commitment to accountability has been strengthened in the plan by putting in place a corresponding measure for each key action. The plan also identifies specific work groups to lead and take responsibility for ensuring each action is completed. Division and service delivery plans as well as branch and section plans set out how the department will deliver on priorities and day-to-day business.

Major areas of focus during the next three years include:

- positioning migration, both permanent and temporary, as one of the keys to Australia's prosperity and social cohesion

- creating a simpler and more responsive client focused migration and humanitarian system
- maintaining public confidence in border management
- enhancing the delivery of humanitarian settlement, Australian citizenship and cultural diversity programs
- continuing to develop a highly productive, performance-focused workforce
- managing the department's resources strategically and with integrity.

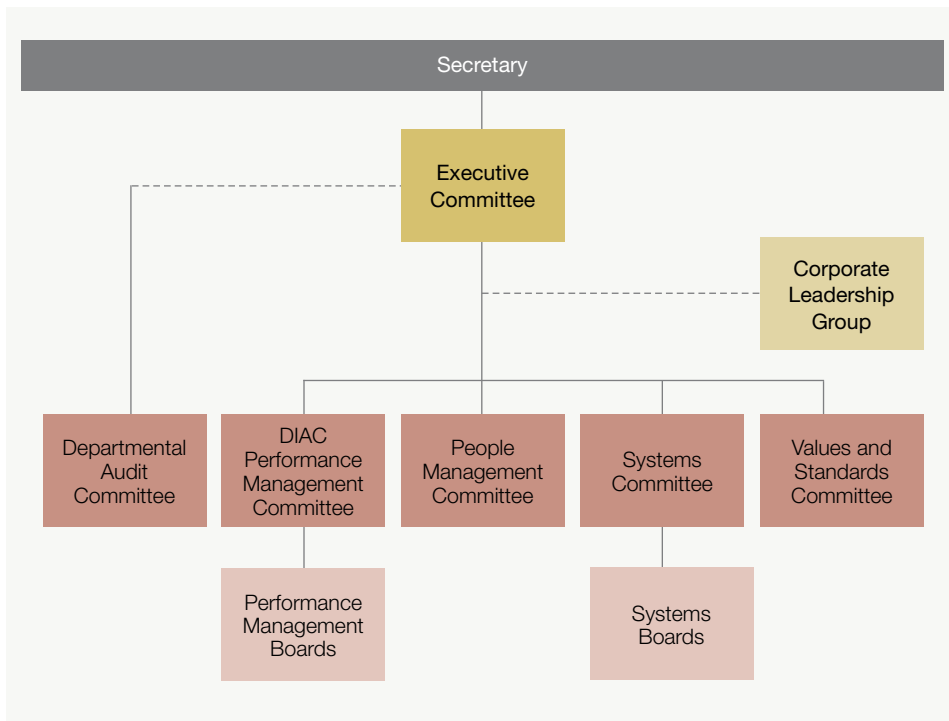
The department aims to ensure staff have a good understanding of the department's governance system. People in leadership roles have the further responsibility of ensuring that those in their teams are clear about the policies, procedures and business rules that govern their work and that all staff should participate fully in departmental performance management, planning, accountability and assurance processes.

National Office is taking a stronger policy and direction-setting role, and the Client Service and Network Performance Division has responsibility for improving national consistency and for ensuring service delivery is considered early in policy development.

Key governance committees

The departmental governance committee framework is an important element of the department's arrangements for managing its business, strategic priorities and risks. The committees work within the department's organisational structure to ensure effective decision making, management and oversight of the department's operations and performance.

Figure 27: Structure of the department's key governance committees 2008–09



They are an integral part of the department's governance framework and provide a crucial source of assurance to the secretary.

Figure 27 shows the department's 2008–09 key governance committee framework.

The Executive Committee is the most senior governance committee. It provides advice to the secretary and leadership and is a key forum to guide cross-portfolio issues. The Executive Committee is not the primary decision maker in terms of day-to-day business—this remains the responsibility of departmental line managers, as appropriate.

In December 2008, Ms Elizabeth Proust's report: *Evaluation of the Palmer and Comrie Reform Agenda—including Related Ombudsman Reports* was released.

The report (page 33), included references that noted 'concern that senior people spend a great deal of time in numerous committee meetings...it may be time to revisit the number of committees and their membership' and 'there could be an opportunity to improve the conduct of meetings to ensure they support efficient and effective outcomes'.

With this reference in mind, the department is examining its existing governance arrangements with a view to improving them and increasing the efficiency of its governance committees.

Leadership and governance

During 2008–09, the Prominent Speaker Program continued. This program invites prominent individuals from the public, private, academic and community sectors to address the senior leadership group on a range of topics.

The program aims to develop and strengthen the leadership group's appreciation of its central role in promoting good governance and leadership throughout the organisation.

The theme of the ongoing program is to support the department in building a high performance culture, with a particular focus on issues such as leadership, teamwork, integrity and engagement with staff.

The program has been well supported by senior officer attendance and is recognised as an avenue for knowledge building, information sharing and networking. In 2008–09 the program included presentations by:

- Mr Michael L'Estrange, Secretary Department of Foreign Affairs and Trade
- Ms Lisa Paul, Secretary Department of Education, Employment and Workplace Relations
- Dr Ken Henry, Secretary to the Treasury
- Ms Felicity Hand, Deputy Secretary Department of Immigration and Citizenship.

Risk management

The department continued to integrate risk management practices into a range of governance activities, including business planning, contracts and change management during 2008–09. All divisions, state and territory offices and overseas regions had risk management plans in place in 2008–09. They reported every six months on any new risks, realised risks and the status of planned controls. From this information, a departmental risk register has been developed.

A corporate/strategic risk profile was compiled from interviews held with a range of senior staff, including staff from the minister's office and the parliamentary secretary's office. It was reviewed by the Departmental Audit Committee and endorsed by the Executive Committee.

The profile provides a high-level view of the department's risks and is a tool for prioritising and managing these risks. The profile also provides an opportunity for senior executives to review key risks and document future activities to reduce the likelihood or consequence of the risk occurring as part of divisional business planning. The profile is also used in developing the department's audit program.

The department provides training and distributes promotional material to raise awareness and knowledge among staff of risk management principles and the risk management framework. Training includes modules in both the compliance and investigation courses run by the College of Immigration. In 2008–09 the department also developed an e-learning training package which can be accessed by all staff, both onshore and offshore.

A network of risk management contacts in the department meets regularly to discuss risk management issues. A help desk is also available to assist staff with risk management issues.

Implementation of recommendations from the *2007 Risk Management Framework Review* continued during 2008–09.

The department has a business continuity framework, and business continuity plans covering its operations in all states and territories of Australia and in its overseas network. Additionally, the risk associated with potential pandemics is addressed through the department's pandemic planning process.

Fraud control measures

The Departmental Audit Committee (DAC) oversees the department's obligations under the *Commonwealth Fraud Control Guidelines 2002*.

The objective of the DAC is to provide independent assurance and assistance to the secretary and the Executive Committee on the department's risk profile, fraud control plan, control and compliance framework and external accountabilities.

In 2008–09, the Governance, Planning and Assurance Branch had overarching responsibility for developing the framework and governance for fraud prevention, detection and investigation within the department, and improving links with business planning, risk management and financial management. Since 1 July 2009 the chief lawyer has been responsible for this function.

Fraud control responsibilities include strategic planning, providing policy advice and support, providing fraud awareness training, enhancing fraud analysis and reporting consistent with Chief Executive Instruction 14—Fraud Control and Stakeholder Engagement.

To ensure that the department meets its Commonwealth Fraud Control Guidelines accountabilities, key actions for 2008–09 included:

- developing the *DIAC Fraud Control Plan 2008–10*. The fraud control plan was officially launched to all staff by the secretary in March 2009. To better understand the fraud risks faced by the department, fraud has been grouped into three broad categories, based upon the supporting legislation of each category: visa and citizenship; financial; and administrative fraud. The plan identifies a number of action items to address specific fraud risks. The plan additionally documents fraud prevention, detection, investigation, reporting and data collection processes to meet the requirements of the guidelines
- undertaking a number of fraud risk assessments. This included several program fraud risk assessments as

well as a wide-ranging assessment of administrative fraud risks, covering fraud in many of the core areas listed in the *Commonwealth Fraud Control Guidelines 2002*. Fraud risk assessments have been incorporated into the department's business planning process and a timetable of program fraud risk assessments for 2009–10 has been developed and endorsed by the DAC

- establishing a centralised fraud risk register
- developing and delivering an education and training program including an e-learning fraud awareness package. The e-learning package is still under development and will be launched in the first half of 2009–10. The e-learning package will be available to all staff
- providing annual fraud data to the Australian Institute of Criminology.

Departmental Audit Committee

The Departmental Audit Committee (DAC) was established in compliance with section 46 of the *Financial Management and Accountability Act 1997*. The DAC provides independent assurance and assistance to the secretary and the Executive Committee on the department's risk management, quality assurance and fraud control frameworks, and its external accountability responsibilities.

In 2008–09 the DAC considered an annual audit plan and a rolling three-year internal audit program based on key corporate risks. A Financial Statements Sub-Committee is responsible for overseeing the preparation of the annual financial statements, including facilitating resolution of any identified issues in a timely manner. The DAC reviews and clears the annual financial statements before submission to the secretary.

The department works cooperatively with the Australian National Audit Office (ANAO) to coordinate overall audit activity within the department and to ensure there is no duplication of the audit effort. The ANAO is invited to attend meetings of the DAC and Financial Statements Sub-Committee.

Internal audit and quality assurance

The internal audit function is managed by the department's Internal Audit Section which reports to the secretary and operates under the authority of the Internal Audit Charter. The internal audit program is primarily delivered by the department's primary provider, Ernst & Young, with additional capabilities in audit, risk management, fraud control and business continuity management sourced through a panel of secondary providers.

In line with recommendations by the Institute of Internal Auditors (Australia), the department has a strategic three-year internal audit plan and has brought annual expenditure on internal audit back to Australian Public Service benchmarks.

Drawing on the National Quality Assurance Framework, the department has continued to provide quality assurance training, advice and guidance on consistent standards in the design and review of quality assurance processes, enabling program managers and the DAC to identify trends and emerging portfolio-wide risks.

A quality assurance plan for 2009 was approved by the DAC in February 2009. The plan focuses on strengthening quality assurance capability across the department and on risk profiling. Work is ongoing across divisions in integrating quality assurance as a management assurance tool.

External scrutiny

Judicial decisions and decisions of administrative tribunals

The Migration Act provides for comprehensive merits reviews of decisions about visas. The Migration Review Tribunal (MRT) can review most visa decisions. The Refugee Review Tribunal (RRT) reviews decisions relating to protection visas. The Administrative Appeals Tribunal (AAT) can review certain business visa cancellation decisions and character related refusal and cancellation decisions, other than decisions made personally by the minister. The AAT also has jurisdiction to review decisions relating to registration of migration agents and decisions under the *Australian Citizenship Act 2007* and the *Freedom of Information Act 1982*.

The following significant decisions were made in 2008–09:

- *Sales v MIAC (No.2)* (17 July 2008). The Federal Court held that the minister could not cancel certain types of visas under section 501 of the Migration Act because the visas had been conferred by operation of law and had not been 'granted' as mentioned in section 501. This outcome limited the capacity of the minister to cancel visas held by non-citizens with serious criminal records. The parliament subsequently passed legislation which restored the minister's power to cancel the affected visas and validated past cancellation decisions.
- *SZHK v MIAC* (5 August 2008). This Federal Court decision, in essence, establishes that an applicant is generally entitled to a hearing by the tribunal member who decides the case. In addition, it establishes that more than one hearing may be required if new issues arise during the review process.
- *MIAC v Kumar* (11 March 2009). The High Court, upholding the minister's appeal, confirmed that the Migration Act provides a high level of protection to confidential information provided by members of the public about alleged breaches of migration law. The High Court emphasised the importance to the administration of the Migration Act of the capacity to protect information provided by members of the public on a confidential basis.
- *Sok v MIAC* (16 October 2008). The High Court, overturning a decision of the Federal Court, agreed with the minister's argument that the MRT can deal with claims of domestic violence by spouse visa applicants, even if those claims were not previously made to the department. The High Court also held that the MRT must offer the applicant an oral hearing before the MRT can refer the domestic violence claims to an 'independent expert'. Referral to an independent expert is required if the MRT is not satisfied that the domestic violence occurred.

Civil litigation

At 30 June 2009, there were 34 civil compensation claims before the courts, including six matters involving members of the 247 cases that were referred to the Ombudsman in 2005 for events occurring between December 1998 and March 2006.

During 2008–09, the department reached out of court settlements involving the payment of compensation in 32 of the 247 Ombudsman referred cases. There were a further five non-247 formal claims that were finalised without the payment of compensation.

Reports by the Auditor-General

The Australian National Audit Office (ANAO) has published the following reports of performance audits conducted in the department during 2008–09.

Audit Report No. 35, 2008–09: Management of the Movement Alert List

The objective of the audit was to assess the effectiveness of the department's management of the Movement Alert List (MAL).

The ANAO noted that the department has managed an extended period of growth in the numbers of records in MAL. The ANAO further noted that while work had been done to improve data quality and an accountability structure had been implemented, further work was required to ensure the completeness, quality and accuracy of MAL records.

The ANAO found that during the past four years the department had successfully managed the development and implementation of the new version of MAL, the Central Movement Alert List (CMAL). The introduction of CMAL has improved management control over the department's MAL operations and provided a basis for the department to enhance its quality assurance of MAL data and of the operation of the system as a whole.

The ANAO made five recommendations aimed at increasing the efficiency and effectiveness of the department's management of MAL, which the department has accepted.

Audit Report No. 36, 2008–09: Settlement Grants Program

The objective of the audit was to assess the effectiveness of the management of the Settlement Grants Program (SGP). The ANAO found that an effective framework had been developed to support the program (including strategic risk management) and that the program has been implemented in a manner consistent with government policy.

The ANAO made six recommendations aimed at developing and implementing an effective performance management framework, improving settlement needs information, ensuring that key decisions are adequately documented, and evaluating the program.

The department accepted the recommendations and has already put in place a number of measures which address the issues raised. Other initiatives will be implemented progressively.

Audits in progress

ANAO audits which started during 2008–09 and are in progress are:

- Senate Order No. 11—to assess the appropriateness of the use of confidentiality provisions in selected Australian Government contracts and whether selected agencies had compiled internet listings of contracts, as required by the Senate Order and agreed to by the government
- Australian Customs and Border Protection Service—Illegal Foreign Fishing in Australia's Northern Waters.

Other ANAO audit activity

The ANAO has also published reports on the following cross-agency audits in which the department participated during 2008–09:

- Protective Security Audit (Security Clearances and Vetting)
- Senate Order for Departmental and Agency Contracts (No.10)
- Australian Government Agencies Management of their Websites
- Cross Portfolio Audit on Green Procurement and Sustainable Office Management
- Construction of the Christmas Island Immigration Reception and Processing Centre
- Management of the Australian Government's Action Plan to Eradicate Trafficking in Persons.

Reports by parliamentary committees

There have been three reports by parliamentary committees relating to the department during 2008–09.

Senate Standing Committee on Legal and Constitutional Affairs—November 2008: Inquiry into the Migration Legislation Amendment (Worker Protection) Bill 2008

On 14 October 2008 the Senate, on the recommendation of the Selection of Bills Committee, referred the provisions of the Migration Legislation Amendment (Worker Protection) Bill 2008 (the Bill) to the Senate Standing Committee on Legal and Constitutional Affairs for inquiry and report by 7 November 2008.

The Bill sought to:

- provide the structure for better defined sponsorship obligations for employers
- improve information sharing across all levels of government

- expand powers to monitor and investigate possible non-compliance by sponsors
- introduce meaningful penalties for sponsors found in breach of their obligations.

The committee received 24 written submissions and held a public hearing in Sydney on 31 October 2008. The final report dated 10 November 2008 made two recommendations:

- that a review of the Act's operation be conducted within three years of commencement
- that the Senate pass the Bill without amendment.

The Bill was subsequently passed by both Houses of Parliament, and received the Royal Assent on 18 December 2008. The *Migration Legislation Amendment (Worker Protection) Act 2008* has been proclaimed to commence on 14 September 2009.

Joint Standing Committee on Migration—December 2008: Immigration detention in Australia: A new beginning—criteria for release from immigration detention

On 1 December 2008, the Joint Standing Committee on Migration tabled the first of three reports on its inquiry into immigration detention. The first report addresses criteria for release from immigration detention. The majority report contained 18 recommendations. A dissenting report by Mr Petro Georgiou MP, Senator Dr Alan Eggleston and Senator Sarah Hanson-Young contains two recommendations.

The majority report focuses on the criteria that should be applied in determining:

- release from detention
- review mechanisms for ongoing detention
- removals and detention changes.

The department has been providing advice to the minister on possible content of a government response to the recommendations of the Joint Standing Committee on Migration. As at 30 June 2009 the government had not responded to the report.

Joint Standing Committee on Migration—May 2009: Immigration detention in Australia: Community-based alternatives to detention

On 25 May 2009, the Joint Standing Committee on Migration tabled its second report on its inquiry into immigration detention. The report focused on community based alternatives to detention and contained 12 recommendations.

Mr Petro Georgiou MP produced a dissenting report. Senator Concetta Fierravanti-Wells and Senator Sarah Hanson-Young made additional comments and Dr Sharman Stone MP produced a minority report.

At 30 June 2009 the government had not responded to the committee report.

Ministerial, parliamentary and cabinet business

The department handles a consistently high volume of ministerial, parliamentary and cabinet-related business, as shown in Table 86.

Table 86: Handling of ministerial, parliamentary and cabinet business

Type of statistical material	2005–06	2006–07	2007–08 ¹	2008–09
Ministerial correspondence, submissions and briefs				
Correspondence	38 049	25 459	27 853	23 498
Submissions	3 150	4 989	4 257	2 401
Function and meeting briefs	464	464	353	274
Parliamentary				
Possible minister's questions	988	862	563	582
Estimates questions on notice	722	548	192	232
Parliamentary questions on notice	149	131	52	52
Cabinet documents				
Exposure drafts	90	72	37	63
Final submissions/ memoranda	68	68	50	91
Minutes	138	108	101	235

1. Numbers affected by 2007 Federal election and preceding caretaker period.

Commonwealth and Immigration Ombudsman

The department received 516 complaints from the Commonwealth and Immigration Ombudsman in 2008–09, a decrease of 9.3 per cent on the previous year.

Of the 516 new complaints, 380 were resolved. Of these finalised complaints, administrative deficiency was identified in 28 cases, or approximately 7 per cent of cases.

In all, 581 complaints were brought to resolution in 2008–09. Of these, 380 were from this financial year and 201 had been carried over from previous years.

A total of 105 finalised complaints were reported as administratively deficient in 2008–09—the 28 from this financial year and 77 which had been carried over from previous years.

The most common causes for such findings were unreasonable delays in visa processing, factual errors, inadequate advice provided and various procedural deficiencies.

In April 2009, the Ombudsman started to refer complainants to the department's global feedback unit. This change is a response to the department's enhanced complaints handling mechanisms.

Australian Human Rights Commission (formerly the Human Rights and Equal Opportunity Commission)

The department received 21 new complaints from the Australian Human Rights Commission (AHRC) in 2008–09 compared to seven in the previous year, 16 in 2006–07 and 24 in 2005–06.

Of these 21 complaints, nine were closed in the period, two complaints were withdrawn, two were resolved through conciliation and five were terminated by the AHRC.

The most common issues raised in the complaints related to visas and detention.

Reports by external bodies

In July 2008 the Ombudsman published an own motion investigation report on The Safeguards System—a system designed to assist departmental decision makers when processing visa applications. The report found the system to be a useful tool, however, the Ombudsman identified several areas for improvement and made five recommendations. These related to improving transparency of the safeguards system, strengthening quality assurance processes, regularly reviewing safeguards profiles, improving consistency in record keeping and, as a matter of priority, updating the Risk Factor List.

The department accepted all recommendations. In May 2009, the minister replaced the Risk Factor List with comprehensive safeguards profiles, which will be updated every six months. These new profiles to guide decision makers contain current information on local and political circumstances as well as risk profiles based on compliance statistics.

In March 2009 the Ombudsman published his report *Use of Interpreters—AFP, Centrelink, DEEWR and DIAC*. This report made a number of positive references to the department's use of interpreters against eight best practice principles. It also identified the need for the department to improve its policies and staff training. The department responded to the Ombudsman's single recommendation and agreed to take a lead role in promoting interagency cooperation and consistency in the use of interpreter services.

In April 2009 the Ombudsman released the abridged report *Detention Arrangements: The Case of Mr W*. The Ombudsman conducted a review of Mr W's case in response to a request from the secretary of the department in July 2008.

The investigation found that while Mr W had not been unlawfully detained, the department failed to consider whether community detention arrangements would have been more appropriate for him, given his claim to be a survivor of torture and trauma. The report also found that the department could have done more to provide mental health care for Mr W throughout its dealings with him. The report made eight recommendations addressing various administrative deficiencies. The department agreed to all recommendations and has acted quickly to address Mr W's particular circumstances.

The AHRC published the *Immigration Detention Report: Summary of observations following visits to Australia's immigration detention facilities* in January 2009. The department was already actively addressing many of the matters raised in the AHRC report.

The New Directions in Detention Policy, announced by the minister on 29 July 2008, outlined significant reforms in Australia's immigration detention system. The new policy provides for seven key immigration detention values to guide detention policy and practices into the future.

The AHRC also tabled a report in March 2009 entitled *Complaints by immigration detainees against the Commonwealth of Australia*. This report identified certain breaches of detainees' human rights relating to a visit by an invited delegation from the People's Republic of China in 2005. The department undertook to compensate these clients and provide each of them with a formal apology.

The government's response to the Senate Standing Committee on Foreign Affairs, Defence and Trade's report *The removal, search for and discovery of Ms Vivian Solon* was tabled in the Senate on 27 November 2008. The government accepted all of the committee's recommendations and they have been implemented.

Freedom of Information

In line with its commitment to operate in an open and accountable manner, the department has continued to improve the way in which it processes requests for information and meets its statutory obligations under the *Freedom of Information Act 1982*.

In 2008–09, the department improved its business processes to promote the government's new Freedom of Information (FOI) direction by implementing a range of strategies, including:

- establishing two FOI processing centres in Sydney and Melbourne, with training being provided to staff to ensure they have a sufficient understanding of the FOI Act to make appropriate decisions
- reducing the number of unnecessary FOI requests received by improving staff understanding of what information can be released or amended under the *Privacy Act 1988*. The FOI processing centres are referring requests to business areas so they can be processed under the Privacy Act
- providing information and leadership to staff through messages from the secretary, an outreach training program, the development of FOI and Privacy eLearning packages, training for inductees, updated advice to client contact areas and web information to drive cultural change on access to information in the department
- introduction of electronic FOI processing in Sydney, Melbourne and National Office. This has enabled files to be handled and processed more efficiently and provided greater opportunities to release information more quickly to clients via email and CD ROM.

At 30 June 2009, the department had 211 overdue requests on hand (out of a total of 966) and a compliance rate of 70 per cent. This compares to 310 overdue requests as at 30 June 2008 and a compliance rate of 70 per cent. This is in spite of an increase in the number of requests received, from almost 8000 in 2007–08 to over 10 500 in 2008–09.

Client service excellence

Providing award winning, responsive client service

In 2008–09, the department continued its ongoing commitment to ensuring that clients' needs remain central to the development and implementation of client service improvements. This focus builds on the work initially established by the Client Service Improvement Program and the Client Service Charter in 2006.

Client service improvement

The department continues to ensure that research and feedback are used to inform client service initiatives and further develop its understanding of clients' characteristics, needs and expectations. In November and December 2008, a Client Service Intercept Poll was conducted by the University of Queensland's Social Research Centre with 2725 clients surveyed. Key results were:

- 86 per cent of clients reported being satisfied with the service provided by the department, an increase of 4 per cent over the previous year
- 98 per cent of clients reported being treated courteously by staff when visiting the department's state and territory offices
- 99 per cent of clients reported being treated courteously by staff when calling the department
- 94 per cent reported that they were satisfied with the department's telephone service.

The poll also identified a need for further development of the department's online service channel for its clients.

In addition, the department organised regular meetings of Client Reference Groups (consultations with clients and stakeholders) throughout its service delivery network.

Client feedback

A comprehensive communication strategy continues to be implemented to ensure the feedback system is visible and accessible to clients and to accomplish the departmental goals of 'fair and reasonable dealings with clients' and 'being an open and accountable organisation'.

The department is committed to ensuring its clients are aware of their right to complain and informs clients about its feedback system and access points, including the Compliments and Complaints link on the department's website. In addition, leaflets, posters, comment cards, information brochures for client service areas and airports and information on the feedback-handling processes are provided with client correspondence and decision records.

To assist staff to deal with feedback, the department has also developed a web-based feedback handling toolkit.

Global Feedback Unit

The department's centralised feedback system, the Global Feedback Unit, continues to provide valuable support to clients through the Client Feedback Line, web feedback form and a feedback mailing address.

The Global Feedback Unit has enhanced its data collection processes over the past 12 months, enabling even better tracking and management of client feedback.

The department is now better able to identify systemic issues and trends and service shortfalls and overcome barriers to achieving good client service outcomes within established service standards.

Quarterly statistical and performance reporting is provided to all business areas and the Commonwealth Ombudsman.

Monthly reports are provided to overseas posts and state and territory offices to assist with the provision of improved client service models.

The level of client feedback received by the department has increased during 2008–09, with 15 372 cases recorded, compared to 12 760 in the previous year. Included in the 15 372 cases were 4518 compliments, 7696 complaints and 1548 suggestions. This compares with 1742 compliments, 7620 complaints and 599 suggestions in 2007–08. The remainder included enquiries, provision of information or calls related to other agencies.

Client service excellence initiatives

By actively seeking, measuring and analysing client feedback, the department continues to pursue opportunities to enhance its services and increase community confidence in its operations.

Key activities in 2008–09 included:

- finalising the External Client Service Standards and implementing them across the department to guide service delivery planning
- launching the Visa and Citizenship Wizards in September and December 2008 respectively. These online self-service tools simplify the process of obtaining information about visas and citizenship and recently won the e-Awards for Excellence in e-Government for 2009
- refreshing the department's website in December 2008, providing a new look, improved navigation and greater access to information and online services
- holding the annual Secretary's Client Service Challenge for the second time to acknowledge teams delivering outstanding client service. The three winners were Migration Visa Policy Helpdesk in National Office (for excellence in helpdesk service); the Brisbane Global Processing Centre and Queensland Seaports Team (for their collaborative working relationship which resulted in clients and stakeholders receiving exemplary levels of service); and the New Delhi post (for excellence in processing large numbers of visa applications and consistently meeting service standards)
- continuing the Secretary's Awards for Client Service Excellence (ACSE) which embed client service excellence and promote and recognise outstanding staff efforts. Between 2005 when the awards were introduced and June 2009, there have been 44 winners of the client service excellence award from various areas of the department, including case management, executive support and policy development.

Managing people

The department is committed to ensuring that it has a well trained and supported workforce by attracting, recruiting and retaining motivated staff and by creating opportunities for rewarding value-added work.

At 30 June 2009, the department employed 7027 ongoing and non-ongoing staff. There were 2890 staff in National Office, 3985 in state and territory offices, 152 staff providing services overseas including 124 Australia-based staff at overseas posts, 18 Airline Liaison Officers, seven employees on short term missions and three employees in Papua New Guinea. The department employed an additional 1016 locally-engaged employees (LEE) in overseas locations, who are administered by the Department of Foreign Affairs and Trade (DFAT) on the department's behalf.

The department has a younger age profile and a higher percentage of female staff than the Australian Public Service average.

During 2008–09, the department had a retention rate of approximately 91 per cent and staff survey results indicated employees were overwhelmingly committed to the organisation.

Staff survey

Following a competitive tender process in 2006, the department commissioned Hinds Workforce Research to administer the 2008 DIAC Staff Survey.

Results of the survey showed:

- the overall 'performance improvement target' for 2008 was substantially exceeded

- six of the seven drivers of employee motivation measured showed a significant improvement, with the department also comparing well with Australian benchmarks
- commitment levels were considerably above the public sector mean.

The survey results also showed employees were:

- clear about what was expected of them and how their work contributed to the overall business of the department
- proud to work in the department
- of the view they had reasonable access to training and development opportunities
- highly satisfied with the support provided by their immediate managers.

Employees felt a greater sense of optimism and pride in working for the department and more empowered to do their jobs. Staff reported being less overworked and under pressure than in the previous survey.

In response to the survey results, each branch prepared action plans to address staff concerns and identify areas for improvement.

Workforce composition

At 30 June 2009, the department had 8043 employees, including locally engaged employees (who are administered by DFAT on the department's behalf), representing a decrease from 2007–08. Details of the department's staffing profile are shown in Tables 88, 89, 90, and 91.

Table 87: Staffing levels by location (headcount)

Location	As at 30 June 2008	As at 30 June 2009
National Office	2 978	2 890
New South Wales	1 386	1 350
Victoria	974	967
Queensland	437	446
South Australia	466	460
Western Australia	406	438
Tasmania	142	152
Northern Territory	59	67
ACT and regional offices	103	105
Overseas (Australia-based staff)	137	124
Overseas (other)	18 ¹	28 ²
Australia total	7 106	7 027
Overseas ³ (locally engaged employees)	1 000	1 016
Total	8 106	8 043

1. Figure includes 18 Airline Liaison Officers.

2. Figure includes 18 Airline Liaison Officers, seven employees on short term missions located overseas, and three employees in Papua New Guinea.

3. Locally engaged employees are staff administered by DFAT on behalf of the department.

Table 88: Staffing levels by classification (as at 30 June 2009)

Classification	Ongoing as at 30 June 2009						Non-ongoing ¹ as at 30 June 2009						Overall result ²
	Full time			Part time			Full time			Part time			
	Male	Female	Result	Male	Female	Result	Male	Female	Result	Male	Female	Result	
Cadet	1	1	2										2
Graduate	18	33	51										51
APS Level 1	3	2	5	7	3	10		1	1				16
APS Level 2	12	2	14	5	3	8	13	36	49				71
APS Level 3	207	400	607	17	112	129	52	121	173	8	13	21	930
APS Level 4	474	792	1 266	15	183	198	15	37	52	1	6	7	1 523
APS Level 5	412	672	1 084	21	160	181	10	12	22		2	2	1 289
APS Level 6	502	684	1 186	18	147	165	5	3	8	1	2	3	1 362
Exec Level 1	487	493	980	13	135	148	13	6	19	4	1	5	1 152
Exec Level 2	177	173	350	3	20	23	3	3	6	1	1	2	381
Medical Officer 2	5	2	7	2	4	6							13
Medical Officer 3	1	1	2	1	1	2							4
Medical Officer 4	1	1	2										2
Public Affairs Officer 1	1	2	3				1	1	2				5

Table 88: Staffing levels by classification (as at 30 June 2009) *continued*

Classification	Ongoing as at 30 June 2009						Non-ongoing ¹ as at 30 June 2009						Overall result ²		
	Full time			Part time			Full time			Part time					
	Male	Female	Result	Male	Female	Result	Male	Female	Result	Male	Female	Result			
Public Affairs Officer 2	7	5	12												12
Public Affairs Officer 3	5	8	13		2	2									15
Senior Public Affairs Officer	1	2	3												3
Legal Officer	9	7	16		1	1	1	2	3						20
Senior Legal Officer	20	29	49	1	6	7	2		2						58
Principal Legal Officer	4	9	13		2	2									15
SES Band 1	47	31	78		1	1						1		1	80
SES Band 2	10	7	17				1		1			1		1	19
SES Band 3	2	1	3												3
Secretary	1		1												1
Total	2 407	3 357	5 764	103	780	883	116	222	338	17	25	42			7 027

1. Non-ongoing figures include irregular/intermittent staff.

2. Results exclude Locally Engaged Employees.

Note: Figures are actual classification which includes people acting as at 30 June 2009.

Table 89: Staffing levels by classification (as at 30 June 2008)

Classification	Ongoing as at 30 June 2008						Non-ongoing ¹ as at 30 June 2008						Overall result ²
	Full time			Part time			Full time			Part time			
	Male	Female	Result	Male	Female	Result	Male	Female	Result	Male	Female	Result	
Cadet		1	1										1
Graduate	16	29	45										45
APS Level 1	3	1	4				2	14	16	13	19	32	52
APS Level 2	5	5	10		2	2	19	31	50	10	6	16	78
APS Level 3	176	346	522	13	92	105	113	254	367	3	35	38	1 032
APS Level 4	471	784	1 255	6	151	157	20	33	53	6	5	11	1 476
APS Level 5	398	645	1 043	17	139	156	6	14	20	1		1	1 220
APS Level 6	492	717	1 209	20	153	173	1	6	7	1		1	1 390
Exec Level 1	503	545	1 048	9	103	112	3	3	6	4	3	7	1 173
Exec Level 2	192	175	367		14	14	2		2	1	1	2	385
Medical Officer 2	3	1	4	3	3	6							10
Medical Officer 3	1	1	2										2
Medical Officer 4	1	1	2										2
Public Affairs Officer 1	1	3	4										4

Table 89: Staffing levels by classification (as at 30 June 2008) *continued*

Classification	Ongoing as at 30 June 2008						Non-ongoing ¹ as at 30 June 2008						Overall result ²	
	Full time			Part time			Full time			Part time				
	Male	Female	Result	Male	Female	Result	Male	Female	Result	Male	Female	Result		
Public Affairs Officer 2	9	5	14				1							15
Public Affairs Officer 3	5	8	13		1	1								14
Senior Public Affairs Officer	1	2	3											3
Legal Officer	11	12	23		1	1								24
Senior Legal Officer	14	22	36	2	9	11	1				1			48
Principal Legal Officer	5	8	13		2	2								15
SES Band 1	50	39	89		4	4					1		1	94
SES Band 2	12	5	17											17
SES Band 3	2	3	5											5
Secretary	1		1											1
Total	2 372	3 358	5 730	70	674	744	168	355	523	40	69	109	7 106	

1. Non-ongoing figures also include irregular/intermittent staff.

2. Overall results exclude locally engaged employees.

Note: includes people acting in higher positions as at 30 June 2008.

Table 90: Senior Executive Service as at 30 June 2008

Actual classification	Male	Female	Total
SES Band 1	51	43	94
SES Band 2	12	5	17
SES Band 3	2	3	5
Total	65	51	116

Note: Figures include people acting on the above date, including two acting deputy secretaries (SES Band 3). Ordinarily at this time the department had three deputy secretaries, one female and two male.

Table 91: Senior Executive Service as at 30 June 2009

Actual classification	Male	Female	Total
SES Band 1	48	32	80
SES Band 2	12	7	19
SES Band 3	2	1	3
Total	62	40	102

Note: Figures include people acting on the above date.

People management initiatives

Workforce planning

In 2008–09, business units developed operational workforce plans as part of the department’s business planning process. The *DIAC Workforce Plan 2008–09* was also developed to establish stronger linkages between business, budget and workforce planning, and to support the achievement of business outcomes and sustainability. It considered the workforce implications of known changes to the business environment to forecast the department’s workforce needs over a three-year period. The plan contained a risk assessment of workforce issues and proposed a range of strategies to mitigate identified risks. As a result, the department:

- continued to improve HR systems and reporting to develop a better evidence-based understanding of the factors driving various workforce issues within the department, and to evaluate the effectiveness of HR strategies

- adopted a three-year planning period (updated annually) for future strategic plans
- continued to implement initiatives in the *DIAC People Plan 2008–11*.

Workplace diversity

In July 2008, the department launched its *Workplace Diversity Plan 2008–10*. The aim of the plan is to increase representation in the department’s workforce of people with disabilities, mature-aged workers, Indigenous Australians and people who will contribute to its cultural and linguistic diversity.

The plan details specific recruitment and retention strategies to support employment and other initiatives including:

- establishing a register of independent committee members to participate in departmental selection processes
- acquiring accreditation as a breastfeeding friendly workplace by the Australian Breastfeeding Association

- promoting National Reconciliation Week and NAIDOC Week celebrations
- maintaining the Community Language Allowance register and encouraging employees to maintain their second languages
- providing pre-retirement seminars to employees nearing retirement age as part of the strategy to employ mature-aged workers
- establishing a working group to assist in finalising development of the Reconciliation Action Plan.

Learning and development

Learning and development activities in the department continue to contribute to the development of staff capabilities and skills through a broad range of learning options. These learning options include:

- training for sensitive operational roles through the College of Immigration
- graduate and leadership development programs
- induction and code of conduct training
- externally provided capability development programs, including those offered through the Australian Public Service Commission
- informal workplace learning obtained through coaching, mentoring, peer learning and on-the-job experience
- specialist training to staff undertaking offshore postings.

All departmental staff have been provided with a range of eLearning opportunities including access to virtual classroom technology and corporate and specialist training programs.

A new eLearning platform, introduced in 2008–09 has broadened the range of online training opportunities and streamlined the delivery of training courses.

The department has evaluated its learning and development activities to ensure learning is effective and continuously improves. Streamlined evaluation methods have made this a more efficient and cost effective process.

The department is also continuing to develop an evidence-based learning and development strategy, an action identified in the department's strategic plan. The strategy will guide and inform the department's capability development which is a key element in building and maintaining a high-performing workforce.

College of Immigration

The College of Immigration is responsible for delivering learning and development programs with a focus on the development of individuals for sensitive operational roles.

The college continued to work in partnership with the department's business areas to develop and deliver robust role-based learning and development that is subject to external validation and, where appropriate, accreditation and/or internal certification. During the year, college programs were delivered to staff in compliance, case management, border entry, investigations, removals and detention services areas.

The college also provides a broader range of courses to operational staff including topics on duty of care, mental health awareness, migration legislation, and privacy and freedom of information legislation. A training needs analysis to inform the development of a broader integrated curriculum for the college was also undertaken.

Senior management committees

People Management Committee

The People Management Committee (PMC) contributes to organisational effectiveness by strengthening the department's understanding of strategic human resource management. The PMC's membership includes senior line managers, as well as human resources and learning and development professionals. It meets four times a year.

The PMC provides advice to the secretary and the departmental executive to ensure that planning on human resource issues is consistent with government objectives and the department's business directions. The PMC also provides guidance to the executive on:

- leading the change agenda with a focus on people support, capability and training, leadership and culture
- ensuring a consistent approach to people management and workforce planning across the department
- setting and overseeing the department's people management strategies as an integral part of regular business and departmental planning processes.

During 2008–09, the forward work agenda of the PMC focused on the implementation of the *DIAC People Plan 2008–11*, as well as considering a number of items required under legislation. The PMC was also closely involved in overseeing the implementation of the departmental restructure from July 2008. The restructure aimed to better align the department's organisation to meet government priorities, to fund the efficiency dividend and pay increases under the Collective Agreement.

The PMC also contributed to the development of the Learning and Development Strategy, *DIAC Workforce Plan 2008–09*, Performance Management Strategy, the Job Analysis and Design suite of tools and the Flexible Working Arrangements Strategy.

College of Immigration Oversight Group

The College of Immigration Oversight Group (COG) was formed in April 2006 to oversee the establishment of the College of Immigration. The COG provides advice to the secretary on the operation of the college and oversees the development and operation of the college's curricula. Specifically, the COG provides guidance to assist the college to meet its objectives by:

- overseeing the scope and quality of the training provided by the college
- ensuring programs are aligned with the business needs of the department
- ensuring specific recommendations made in the Palmer and Comrie reports are addressed.

The COG also provides advice on management and leadership program needs and opportunities.

The COG includes two independent external members who provide significant experience and subject matter expertise in learning and development. In addition to contributing to the continuous improvement process for the college, during 2008–09, the COG contributed to the development of the department's Learning and Development Strategy and the broadening of the college curricula.

National Staff Consultative Forum

The National Staff Consultative Forum (NSCF) is constituted under the terms of the department's *Collective Agreement 2007–2010*. It is the department's peak consultative body of union, employee and management representatives on significant organisational change and employment issues.

The NSCF provides an opportunity to consult on matters such as conditions of employment and the implications of legislative, funding, organisational, technological and procedural changes for employees. It meets at least three times per year, with additional meetings convened when necessary.

Values and Standards Committee

The Values and Standards Committee was established to help implement the department's cultural reform agenda. Its role includes:

- advising and influencing leadership
- ensuring embedded values are consistent with the APS Values and Code of Conduct
- promoting a positive, client-focused culture
- ensuring training activities include a focus on both APS Values and clients.

Since the committee's establishment in 2006, it has contributed to cultural reforms through:

- the staff surveys undertaken in 2005, 2007 and 2008, including analysis of results and development of strategies to address issues raised in the surveys. Recent reports on the department show:
 - our culture is more client-focused, open and accountable (*Evaluation of the Palmer and Comrie Reform Agenda – including Related Ombudsman Reports* by Elizabeth Proust 2008)

- there is strong stakeholder engagement (*State of the Service Report 2008*)

- championing the Immigration Dilemmas: Ethics, APS Values and Leadership (IDEAL) strategy to enhance awareness of APS Values, and ensure ethical behaviour is embedded across the department
- enhancing leadership through SES leadership programs
- monitoring and providing advice on code of conduct matters
- monitoring and providing advice on client and stakeholder feedback
- advising on ways of enhancing client service and national consistency.

The committee has four external members: two from other public service agencies and two independent community members. The external committee members bring significant experience, subject matter expertise and a whole-of-government perspective.

Health and safety committees

In line with legislative requirements to consult with staff and their representatives on occupational health and safety (OHS) issues, the department convenes quarterly meetings of health and safety committees in all national, state and territory offices.

Key OHS issues are referred to the National OHS Committee, which met four times during 2008–09.

Ethical standards

The department has a clear set of values and ethical standards which are set out in the *DIAC Strategic Plan 2009–12*. They include:

- having fair and reasonable dealings with clients
- being an open and accountable organisation
- having well trained and supported staff.

The work of the department is supported by a strong governance framework and oversight mechanisms, including the Values and Standards Committee which reviews and provides assurance to the secretary on the ethical 'health' of the department.

Values and conduct

The Values and Conduct Section (VCS) has a key role in the overall management of the department's ethical standards and has responsibility for the development and implementation of policies related to the APS Values and Code of Conduct under the *Public Service Act 1999* and related legislative framework. VCS also provides advice and assistance to departmental employees on these matters.

VCS is responsible for the prevention, detection and investigation of allegations of fraud and criminal behaviour, and breaches of the APS Values and Code of Conduct by departmental employees. In 2008–09, the VCS received 303 allegations relating to the conduct of departmental employees.

Values and Code of Conduct induction and refresher training was delivered to approximately 2962 employees in 2008–09. Training was also provided to employees participating in the Overseas Training, Airport Liaison Officer and Fundamentals of Supervision courses. Specifically-tailored training was also provided to locally engaged employees at overseas posts.

The Immigration Dilemmas: Ethics, APS Values and Leadership (IDEAL) program was implemented across the department in November 2006 to assist all staff, especially managers, to model positive leadership, ethical behaviours and sound decision-making skills.

IDEAL provides staff with an opportunity to discuss ethical issues drawn from real life scenarios.

New hypothetical scenarios are introduced to IDEAL on a regular basis to maintain staff engagement with the program. It has been integrated as part of training across the department, for example, as a component of the Overseas Training Course, Values and Conduct training and Induction training.

Workplace relations arrangements

Collective Agreement 2007–2010

The *DIAC Collective Agreement 2007–2010* is an important part of the department's attraction, retention and development strategy. The collective agreement nominally expires on 27 March 2010.

Appendix 1 provides details of the department's classifications and salary rates.

Senior Executive Service remuneration

SES remuneration and conditions of employment are determined by the secretary in accordance with section 24(1) of the *Public Service Act 1999*. All SES employees are required to have a comprehensive individual agreement, which typically provides for salary, superannuation, performance based pay, access to a motor vehicle (or equivalent cash out) and other applicable allowances.

Individual agreements

A breakdown of employees on individual agreements is shown in Table 92.

Tables 93, 94, 95 and 96 provide a breakdown of employees by:

- salary ranges
- the number of employees who received performance payments
- average and range of performance payments
- aggregate amount of performance payments.

Table 92: Number of departmental staff on individual agreements (Australian Workplace Agreement (AWA) or section 24(1) determination under the Public Service Act 1999) as at 30 June 2009 (nominal)

Classification	On an AWA	On a S24(1)	Total
APS Level 3	12	0	12
APS Level 4	14	7	21
APS Level 5	23	8	31
APS Level 6	16	8	24
Exec Level 1	79	38	117
Exec Level 2	135	40	175
SES ¹	66	17	83
Total	345	118	463

1. Does not include the secretary.

Table 93: Salary ranges for employees as at 30 June 2009

Classification ¹	Range of salaries ²
APS Level 1	\$22 208–\$41 051
APS Level 2	\$41 890–\$46 597
APS Level 3	\$47 712–\$51 855
APS Level 4	\$53 177–\$63 036
APS Level 5	\$59 314–\$81 000
APS Level 6	\$65 657–\$83 000
Exec Level 1	\$82 044–\$107 000
Exec Level 2 ³	\$94 597–\$213 000
SES Band 1	\$131 875–\$169 054
SES Band 2 / SES Band 3	\$160 000–\$224 700

1. Classifications such as Medical Officers, Public Affairs Officers and Legal Officers have been reported under the relevant APS classification in accordance with the Public Service Classification Rules, 2000.

2. Salary ranges reflect the department's Collective Agreement and employees on individual agreements.

3. The Executive Level 2 classification category also includes salaries for the relevant Medical Officer classification as per the Public Service Classification Rules, 2000.

Table 94: Employees by classification who received performance based pay (nominal)

Classification	Number of employees who received performance pay ¹
APS Level 3	9
APS Level 4	17
APS Level 5	29
APS Level 6	21
Exec Level 1	84
Exec Level 2	158
SES Band 1	62
SES Band 2 / SES Band 3	18
Total	398

1. Numbers relate to employees who were paid a performance bonus for the appraisal period 1 July 2008 to 30 June 2009.

Table 95: Average bonus payment and range of payments by classification level (nominal)

Classification	Average payment	Range of payments
APS Level 3	\$4 336	\$1 757–\$6 555
APS Level 4	\$3 328	\$1 163–\$7 495
APS Level 5	\$4 436	\$1 675–\$13 000
APS Level 6	\$4 872	\$1 395–\$8 300
Exec Level 1	\$7 049	\$556–\$15 000
Exec Level 2	\$9 982	\$1 330–\$24 790
SES Band 1	\$12 283	\$2 306–\$23 980
SES Band 2 / SES Band 3	\$15 616	\$3 573–\$28 088

Table 96: Aggregated amount of performance payments by classification level (nominal)

Classification	Aggregated amount of performance pay ¹
APS Level 3	\$69 381
APS Level 4	\$56 581
APS Level 5	\$128 653
APS Level 6	\$102 303
Exec Level 1	\$592 087
Exec Level 2	\$1 577 211
SES Band 1	\$761 548
SES Band 2 / SES Band 3	\$281 089
Total	\$3 568 853

1. Payments relate to the appraisal period 1 July 2008 to 30 June 2009.

Other non-salary benefits

The range of benefits, other than base salary, provided to employees under the department's collective agreement and individual agreements include:

- flexible working arrangements including flextime, flexible time off arrangements, variable working hours, part time employment, job sharing and home-based work
- leave flexibilities, such as maternity leave, adoption leave, parental leave, family leave, purchased leave, annual leave, half pay annual leave, ceremonial leave, sick and personal leave, compassionate leave, defence reserve leave, emergency duty with state emergency services leave, jury leave and study leave
- carer's rooms
- employee assistance program
- salary packaging
- a range of allowances including:
 - community language allowance
 - first aid officer allowance

- volunteer allowance to recognise responsibilities as a Health and Safety Representative, Harassment Contact Officer or Emergency Control Volunteer
- Departmental Liaison Officer (DLO) allowance for employees performing DLO duties.

Rewards and recognition

Providing positive feedback to staff and recognising their achievements is an important part of the department's culture and business practice. The department's Reward and Recognition Scheme provides a framework to acknowledge and reward employees for achieving corporate goals.

Individual and team achievements are also recognised through a number of internal and external awards. These include the secretary's citations, Australia Day awards, Award for Client Service Excellence and external awards such as the Order of Australia and the Public Service Medal.

Australia Day awards within the department recognise the outstanding achievements of staff in leadership roles and staff who improve the quality of departmental services, working environment and management. The bi-monthly Secretary's Award for Client Service Excellence recognises a member of staff or a team for service excellence on the basis of positive client feedback.

Health and safety

Occupational Health and Safety

The department is committed to providing a safe and healthy work environment for staff, contractors and visitors. This commitment is reflected in the department's Health and Safety Management Arrangements, developed in consultation with staff and their representatives as required under the *Occupational Health and Safety Act 1991* (the OHS Act) and endorsed by the secretary on 14 September 2008.

Injury prevention

In line with the department's commitment to reduce work related injury and illness and promote health and safety, a three-year planning cycle for strategically managing health and safety in the workplace has been implemented. The *Injury Prevention and Management Plan 2006–09* adopts Occupational Health and Safety (OHS) performance targets issued by the Safety, Rehabilitation and Compensation Commission. The plan received executive endorsement in 2007 and work is continuing to achieve the plan's broad range of targets.

Health, safety and wellbeing

To promote health, safety and wellbeing, the department provides employees and contractors with a range of services and activities including:

- a national influenza vaccination program, with more than 2000 staff vaccinated nationally

- health and well-being promotion during DIAC Safe Work Australia Week that included displays in departmental offices nationally and a national 'fun walk'
- the annual departmental Health and Safety Awards
- rehabilitation services with the aim of reducing the human and financial costs of work related and non-work related injury and illness
- eyesight testing for screen-based activities
- Employee Assistance Program and support services which provide employees confidential and professional counselling assistance
- ergonomic workstation assessments and ergonomic office furniture
- training for all new health and safety representatives
- first aid kit refreshers and training for first aid officers.

Health and safety outcomes

During 2008–09, there was a decrease in lost time injuries and prescribed incapacity. Early intervention and rehabilitation strategies continue to reduce the time lost due to injury.

The department's Comcare premium was reduced by almost \$3 million in 2008–09. Acknowledging this significant cut, Comcare awarded the department a further \$44 146 premium reduction for performance in successfully managing claims and return to work processes associated with injury and illness.

These results reflect a reduction in the department's 'claims frequency'—the number of claims per \$ million of payroll. In 2007 the department's claims frequency was almost halved to 0.23 compared to 0.42 in 2006, a result directly attributed to the success of targeted OHS risk management strategies and the early intervention framework.

The department has also adopted active, targeted approaches to high cost and/or complex claims and implemented a range of strategies underpinned by the *Injury Prevention and Management Plan 2006–09* to prevent injury and effectively manage return to work.

Health and safety representatives

Under the provision of section 24 of the *Occupational Health and Safety Act 1991*, designated work groups have been established, or are in the process of being established, where the department has moved into new office locations. The health and safety representative selection process for designated work groups has been reviewed as part of the Health and Safety Management Arrangement development process.

Occupational Health and Safety training

Occupational Health and Safety (OHS) training was provided as part of induction courses for all staff in the service delivery network and National Office. Specialised OHS and rehabilitation training was also provided as a component of various role-based training sessions in the department including compliance officer training, 457 visa monitor training and investigator training.

Section 29 (Provisional Improvement) Notices

There was one Provisional Improvement Notice issued under section 29 of the *Occupational Health and Safety Act 1991*, relating to the department's Tasmanian State Office. The notice was cancelled by the issuing health and safety representative within the prescribed seven day period as per paragraph 29(13)(a) of the OHS Act.

Section 45 (Workplace Not Be Disturbed) Directions

There were no 'do not disturb' directions issued under section 45 of the *Occupational Health and Safety Act 1991*.

Section 46 (Prohibition) Notices

There were no Prohibition Notices issued under section 46 of the *Occupational Health and Safety Act 1991*.

Section 47 (Improvement) Notices

There were no Improvement Notices issued under section 47 of the *Occupational Health and Safety Act 1991*.

Section 68 (Notification and Reporting of Accidents and Dangerous Occurrences)

'Notifiable fatality' refers to any work-related death of an employee, contractor or member of the public. In 2008–09, the department notified Comcare of five work related fatalities. All five notifications were made following the handing down of findings from the coronial inquest into the loss of the *Malu Sara* on 12 February 2009. The deaths relate to the loss of the immigration response vessel *Malu Sara* on 15 October 2005.

A 'serious personal injury' refers to a work-related incident resulting in a person requiring emergency treatment by a registered medical practitioner, or treatment in a hospital as a casualty or admission to a hospital. In 2008–09, the department notified Comcare of 32 serious personal injuries.

A 'prescribed incapacity' refers to a work-related incident causing an employee to be incapacitated for 30 or more successive working days or shifts. In 2008–09, the department notified Comcare of three prescribed incapacities.

A 'dangerous occurrence' is an incident with the potential to cause serious personal injury, prescribed incapacity or death. The department reported 27 dangerous occurrences to Comcare during 2008–09.

Mechanism of injury

The department, in consultation with Comcare, identifies actions, events and exposures that cause serious injury and disease. The mechanism of injury descriptors are based on the national type of occurrence classification system

which assists with identifying injury trends and setting injury prevention performance targets.

Workers' compensation premiums

The primary 'drivers' of our compensation premium are claim frequency and time lost. Time lost is the biggest driver of total costs. During 2008–09, the department's premium decreased in terms of total dollar premium and as a percentage of payroll.

Table 97: Three-year summary of mechanism of injury for accepted claims

Accepted claims	2006–07	2007–08	2008–09
Falls, trips and slips	35	17	13
Hitting objects	7	6	3
Being hit by moving objects	12	4	0
Sound and pressure	0	0	0
Body stressing	58	52	22
Heat, electricity and other environmental	0	0	2
Chemicals and other substances	0	0	1
Biological factors	0	1	0
Mental stress	16	4	0
Other or unspecified	22	0	2
Totals	150	84	43
Total (Australia-based staff)	6 818	7 106	7 027

Table 98: Three-year summary of incapacity for accepted claims

	2006–07	2007–08	2008–09
Lost time injuries ¹	123	55	51
Prescribed incapacity ²	63	40	34
Total weeks incapacity ³	1 597.48	1 589.34	1 510.84
Total (Australia-based staff)	6 818	7 106	7 027

1. 'Lost time injuries' represent the number of accepted claims with incidents resulting in one or more working days incapacity.
2. 'Prescribed incapacity' refers to the number of accepted claims with incidents resulting in incapacity for 30 or more successive working days or shifts.
3. 'Total weeks incapacity' represents the total weeks lost for claims with incapacity determined in the financial year.

Table 99: Three-year summary of Comcare premiums

	2006–07	2007–08	2008–09
Premium	\$5 525 030	\$9 269 058	\$6 437 473
Percentage of payroll	1.93	1.82	1.44
APS-wide average percentage of payroll	1.77	1.55	1.36

Commonwealth Disability strategy

Disability support for staff

The department's *Workplace Diversity Plan 2008–10* addresses ways in which the department can attract, recruit and retain people with disabilities.

It includes a strategy for the employment of people with disabilities, developed in line with the *Disability Discrimination Act 1992*. The strategy demonstrates the department's commitment to the elimination of disability discrimination.

The department ensures its workplace environment complies with OHS legislation and provides additional services beyond those requirements. Specific initiatives for people with disabilities which are either complete or underway, include:

- completion of two successful internships for people with disabilities
- ongoing accessibility and usability testing with users of assistive technology for every product
- adjustments to the workplace including ergonomic equipment and aids
- appointment of a senior manager to champion the inclusion of people with disabilities
- access to flexible working arrangements
- provision of access to a rehabilitation case manager for staff members who experience health issues affecting their ability to function at optimal capacity in the work environment. The case manager works with the staff member, managers and appropriate support agencies to facilitate the employee's ongoing participation and contribution in the workplace.

Disability support for clients

The department seeks to provide appropriate support to clients with disabilities.

For Humanitarian entrants, settlement service providers are made aware of client needs before arrival and appropriate care plans are put in place, such as ensuring accommodation is wheelchair accessible, where required. Humanitarian entrants are met upon arrival in Australia and linked with mainstream and specialist support services, including disability support services as needed.

Settlement service providers have strong networks with state and local governments and community, social and mainstream services to ensure clients' needs are identified and addressed appropriately.

The Translating and Interpreting Service may be used by visually impaired persons who are not sufficiently proficient in English.

The department works toward ensuring its web content is accessible to people with disabilities. The website supports the Australian Government usability and accessibility guidelines and users can employ different assistive technologies such as read aloud, text magnification, screen reading and speech recognition software. The website does not rely on colour to convey information, text is resizable and the site is structured to enhance navigation.

All permanent visa applicants to Australia undergo medical screening where their health needs can be assessed. An outcome of the visa system is to prevent non citizens who pose a health risk from entering Australia. In this way, the department protects the Australian community from public health risks, minimises health cover and community service costs, and contains access to services in short supply.



Achieving significant progress through business transformation

Systems for People—the department's four year business transformation program plays a critical role in supporting the department's operations and providing better services for clients by making improvements in information and communication technology.

This year, new features were introduced in the Compliance, Case Management and Detention Portals which support the New Directions in Detention policy and reflect the principle of 'one client, one case, many services'. High on the list of this year's achievements were the award winning visa and citizenship wizards and the eVisitor service as well as the successful introduction of the new Superyacht Crew visa.

The health assessment portal was also established which enabled case officers to electronically determine health requirements for temporary visa applicants.

The Client Search Portal—which contains more than 110 million name records—and other business portals were better integrated to ensure a single and complete view of the client. In addition the Central Movement Alert List system, the Border Security Portal and the department's biometric capabilities were also enhanced.

The successful delivery of the Security Referral Service marked the end of almost two years of design, analysis and development, and improved the way visa information is referred to other government agencies for security checks. This has resulted in faster visa processing times in some areas and provided robust auditing and reporting capacity enabling better record keeping. More than 500 staff were involved in the delivery of the referral service and in a first for the department, 1500 staff were trained using virtual classroom technology.

Photo: An information communication technology program is transforming department systems

Asset management

The department manages non-current assets with a gross book value of \$1.2 billion (net value of \$0.9 billion).

The main asset classes represented are land and buildings; infrastructure, plant and equipment; and intangible assets (software).

During the 2008–09 financial year, the gross book value of assets increased by \$115 million, which is primarily due to:

- continued delivery of the *Systems for People* program
- the completion of fitouts to new offices in Belconnen, ACT, and the regional office in Perth
- data network and voice over internet protocol (VOIP) phone system assets acquired under finance lease from Optus.

The department manages its assets through an annual capital plan reflecting government priorities and ongoing business requirements and ensuring compliance with the government's financial management framework. The department monitors the management of this capital plan on a monthly basis.

The department undertakes an annual stocktake of assets which is used to update and verify the accuracy of asset records, as well as review the condition and ongoing utility of the assets held. This resulted in a write-off of the Working Holiday Maker System of \$6.25 million. The review includes depreciation rates, useful lives and residual values. The outcomes of this process are considered by the Australian National Audit Office in forming an overall opinion on the financial statements of the department.

Assets are maintained through specific maintenance programs, including those leased under contract from our various service providers.

Additional information on the value, acquisition and disposal of assets can be found in the financial statements in this report.

Purchasing

The department's procurement policies are consistent with the provisions of the *Financial Management and Accountability Act 1997* and the Commonwealth Procurement Guidelines (CPGs). The Procurement and Contracts Branch (PCB), Financial Strategy and Services Division, provides specialist advice and assistance to all areas of the department engaged in procurement, through:

- a dedicated help desk for procurement and contracting advice across the department
- in-house legal and probity advice and the management of external legal advice in relation to procurement
- services to provide hands-on support for larger tender processes to ensure value for money and compliance with legal and policy requirements
- development and maintenance of policy documentation and guidance including procurement and contracting templates
- the coordination of the department's procurement reporting responsibilities
- the provision of internal and external procurement and contracting training throughout the department.

The department makes use of AusTender in its procurement activities. To help in the effective monitoring and reporting of its contracting activities, the department maintains a contracts register. It also publishes an Annual Procurement Plan on AusTender, in accordance with the requirements of the CPGs and the relevant guidelines.

Consistent with the commitment to ensuring that the department has well trained and supported staff, a series of government procurement and contract management education and training courses has been delivered to a range of departmental staff, including staff posted overseas.

These courses range from fundamentals to more advanced topics for officers regularly engaged in purchasing and contract management. Training was conducted for all SES officers in government procurement as part of the Financial Essentials for Senior Executives program.

Purchaser/provider arrangements

The department has purchaser arrangements with the Department of Foreign Affairs and Trade (DFAT) and Austrade for the purchase of management services at overseas posts.

The Service Level Agreements (SLAs) remove duplication of administrative services supporting an efficient, whole-of-government use of resources overseas. They detail the provision of management services, agency responsibilities, performance indicators and cost recovery arrangements for the term of the agreement. Management services include personnel, office, property and financial services.

The department signed a new purchaser agreement with DFAT on 1 September 2007. The new SLA applies from 1 September 2007 to 30 June 2010 and may be extended annually. The department's purchaser agreement with Austrade expired on 30 June 2009. The agreement is being extended on a month-by-month basis while a new agreement is being finalised.

The department pays global service fees to cover the costs to DFAT and Austrade for delivering the services. The fees are calculated on the basis of locally engaged staff salaries, the time spent by those staff delivering management services for the department and the number of departmental A-based and/or locally engaged employees at post. The total SLA fees for 2008–09 were \$4 540 896 (DFAT) and \$461 506 (Austrade).

Consultants and consultancy services

The department's policy on selection and engaging consultants is in accordance with the Commonwealth Procurement Guidelines, based on the core principle of value for money.

Annual reports contain information about actual expenditure on contracts for consultancies. Information on the value of contracts and consultancies is available on the AusTender website www.tenders.gov.au

During 2008–09, the department entered into 90 new consultancy contracts, involving total actual expenditure of \$7.44 million. In total, 125 ongoing consultancy contracts were active during 2008–09, involving total actual expenditure of \$32.95 million.

Table 100 shows consultancy services of \$10 000 or more in value, entered into during 2008–09.

Selection processes

Open tender is a procurement procedure in which a request for tender is published inviting all businesses that satisfy the conditions for participation to submit tenders.

Select tender is a procurement procedure in which the procuring agency selects potential suppliers to submit tenders in accordance with the Commonwealth Procurement Guidelines.

Direct sourcing is a procurement process in which an agency may contract a single potential supplier or suppliers of its choice. Where procurement is valued above the thresholds set out in the Commonwealth Procurement Guidelines, direct sourcing is available only under certain defined circumstances. Conditions for direct sourcing apply under the mandatory procurement procedures.

Justification for decisions

- A. need for independent research or assessment
- B. need for specialised or professional skills
- C. skills currently unavailable within agency.

Exempt contracts

Details of all contracts that have a value of \$10 000 or more have been published on AusTender in accordance with the reporting requirements of the Commonwealth Procurement Guidelines. The department did not let any contracts in excess of \$10 000 which were exempt from being published on AusTender during the year.

Table 100: Consultants and consultancy services

Consultant name	Description	Selection process	Justification	Contract price (GST inclusive)
Access Macquarie Ltd	Research project on Muslim political participation in Australia	Select	A, B, C	\$88 000
Adelaide Research and Innovation Pty Ltd	Social and civic contributions of first and second generation Humanitarian entrants	Select	A	\$199 056
AFS Computer Forensics	IT forensic expert services	Direct	B, C	\$21 214
Allen Systems Group Inc	Rochade software enhancements	Direct	C	\$50 000
Australian Survey Research Group Pty Ltd	Analysis of litigation pathways of clients in immigration and community detention	Select	A	\$118 979
Australian Survey Research Group Pty Ltd	Settlement outcomes of new arrivals to Australia	Select	A	\$199 717
Booz & Company (Australia) Pty Ltd	Impact analysis of the Visa Services Transformation Project	Direct	A	\$48 840
Booz & Company (Australia) Pty Ltd	Overlaps and overheads review benchmarking	Direct	A, B, C	\$88 550
Booz & Company (Australia) Pty Ltd	Risk tiering and analytics consultancy services	Direct	B	\$162 932
Booz & Company (Australia) Pty Ltd	Consultancy services	Direct	B	\$614 163
Broadleaf Capital International Pty Ltd	Risk and liability services	Select	B	\$43 120
Butler Group Asia Pacific	Information communication technology reports and analysis	Direct	A, B	\$33 000
Centre for Multicultural Youth	AMEP and IHSS tender engagement of professional advisory services	Direct	B, C	\$15 310

Table 100: Consultants and consultancy services *continued*

Consultant name	Description	Selection process	Justification	Contract price (GST inclusive)
Centre for Public Management Pty Ltd	Appointment of code of conduct investigator	Select	A, B	\$50 000
City of Stirling	Facilitation of the Mirrabooka Multicultural Centre and subsequent feasibility study	Direct	B	\$66 116
Cogent Business Solutions Pty Ltd	Financial consulting	Direct	B	\$21 800
Cogent Business Solutions Pty Ltd	Financial advisor for IHSS contract management	Open	A	\$21 800
Cogent Business Solutions Pty Ltd	Financial advice services	Select	B	\$33 365
CPT Global Ltd	Independent review services	Direct	A	\$50 000
CSC Australia Pty Ltd	Central Movement Alert List	Open	B	\$4 134 281
Cubit Media Research Pty Ltd	Contract for media positioning analysis	Direct	A	\$27 775
Cultural Perspectives Pty Ltd	Research project on the civic and social participation of Muslim men in Australian society	Select	A, B, C	\$110 000
Deakin University	Learning and Development research services: Learning and career pathways	Select	A	\$36 970
Deakin University	Learning and Development research services: Leadership, management and succession management	Select	A	\$43 790
DLA Phillips Fox	Adult Migrant English Program and Integrated Humanitarian Settlement Strategy tenders probity advice	Open	B	\$140 000
Environmental Resources Management Australia Pty Ltd	Environmental planning services	Select	A, B	\$68 469

Table 100: Consultants and consultancy services *continued*

Consultant name	Description	Selection process	Justification	Contract price (GST inclusive)
Ernst & Young	Costings of Humanitarian Program (DIAC component only)	Select	B	\$32 999
Ernst & Young	AMEP fraud risk assessment	Open	A	\$35 701
Ernst & Young	Internal audit services	Select	A	\$36 297
Ernst & Young	Student visas fraud risk assessment	Open	A	\$42 350
Ernst & Young	Internal audit services	Select	A	\$42 716
Ernst & Young	Development of DIAC evaluation framework	Select	B	\$65 000
Ernst & Young	Defined research projects	Select	A	\$68 549
Ernst & Young	AMEP quality assurance services (under provision of internal audit and risk management services)	Select	A	\$86 821
Executive Coaching	Executive coaching	Direct	B, C	\$16 500
Gartner Australasia Pty Ltd	Analysis services	Direct	A	\$577 405
Global Foresight Network Pty Ltd	Staff training services	Open	B	\$12 980
Honeywell Ltd	Detailed energy study	Direct	A	\$13 555
Hugh Watson Consulting Pty Ltd	Services to conduct a review to evaluate the efficiency and effectiveness of the department's National Communications Branch	Select	A	\$40 755
Ian V Johnsen	Professional supervision services	Select	B	\$20 520
Interaction Consulting Group Pty Ltd	National induction project	Open	B	\$48 813
KPMG	Transition scoping study	Open	A	\$29 920
KPMG	Supplementary panel for audit, risk management and fraud control services	Open	A	\$80 419

Table 100: Consultants and consultancy services *continued*

Consultant name	Description	Selection process	Justification	Contract price (GST inclusive)
Leaf Software Engineering Pty Ltd	Maintenance and enhancements to property management database	Direct	B	\$10 329
Lloyds Register Rail Ltd	Immigration EOC roster development	Select	B	\$11 620
National Institute of Labour Studies Incorporated	Long-term physical implications of net overseas migration	Select	A	\$249 964
Oakton Services Pty Ltd trading as Oakton	Administrative fraud risk assessment	Select	B	\$56 595
Oakton Services Pty Ltd trading as Oakton	AMEP IHSS tenders probity audit	Select	A, B	\$137 700
Oakton Services Pty Ltd trading as Oakton	Probity audit services in relation to SITS extension	Open	B	\$22 950
Organising Principles Group	Research project on refugee settlement and employment linkages	Direct	A	\$54 865
Orima Research Pty Ltd	Visa subclass 457 visa sponsor focus groups	Select	A	\$66 902
Pricewaterhouse Coopers	Probity services in relation to SITS contract	Open	B	\$37 437
Pricewaterhouse Coopers	Business advice services in relation to detention health services contracts	Open	B	\$59 760
Pricewaterhouse Coopers	Business and financial advice	Open	B	\$124 288
Profmark Consulting Pty Ltd	Legal services panel review	Select	A	\$12 390
Profmark Consulting Pty Ltd	Survey of legal division stakeholders	Select	A	\$32 380
Protiviti Pty Ltd	Supplementary audit and business continuity panels	Open	A	\$46 930

Table 100: Consultants and consultancy services *continued*

Consultant name	Description	Selection process	Justification	Contract price (GST inclusive)
Protiviti Pty Ltd	Supplementary audit and business continuity panels	Open	A	\$70 435
Protiviti Pty Ltd	Supplementary audit and business continuity panels	Open	A	\$71 500
Protiviti Pty Ltd	Supplementary audit and business continuity panels	Open	A	\$77 000
Refugee Council of Australia Inc	Report writing and research services (preparation of a submission representing RCOA's views on the 2009–10 Humanitarian Program)	Direct	A	\$79 674
Refugee Council of Australia Inc	Literature review: Economic, social and civic contribution of humanitarian entrants	Select	A	\$26 400
Right Management Consultants Pty Ltd	2008 staff survey—free text analysis	Open	B	\$33 255
Right Management Consultants Pty Ltd	2008 staff survey—free text analysis	Open	A, B, C	\$34 299
RPV Consultants Pty Ltd	Information technology services	Open	B	\$75 000
SAP Australia Pty Ltd	SAP ramp up coach	Direct	B, C	\$36 000
SMS (Total Learn)	Scoping study for the implementation of an LMS, PDS and 360 degree feedback	Open	B	\$46 200
Technology Partners International Inc	Information technology services	Open	A	\$186 257
Technology Partners International Inc	Independent value for money assessment	Open	A	\$261 830

Table 100: Consultants and consultancy services *continued*

Consultant name	Description	Selection process	Justification	Contract price (GST inclusive)
Technology Partners International Inc	Analysis and advisory services	Direct	B	\$33 865
The Boston Consulting Group Pty Ltd	Independent review of Visa Transformation Services program	Direct	A	\$350 000
The Boston Consulting Group Pty Ltd	Periodic assurance reviews of the progress of the SfP program	Direct	A	\$941 592
The Nous Group	360 degrees feedback	Open	B	\$24 112
The University of Queensland Social Research Centre	Survey into the student visa class	Select	A	\$84 404
The University of Queensland Social Research Centre	Factors which may or may not influence skilled migrants to locate to developing regional areas	Select	A	\$90 935
Trade Aid Pty Ltd trading as Qp3 Consulting	Probity advice services for security guarding and security vetting	Open	B	\$50 000
University of Canberra	Dynamic modelling consultancy and training services for the visa services transformation project	Select	A	\$229 900
University of New South Wales	Research project on the needs of marginalised Muslim and migrant families	Select	A, B, C	\$87 593
University of Newcastle	Research project on the job readiness of Muslim jobseekers and the relative effectiveness of employment support services in Australia	Select	A, B, C	\$88 000
University of South Australia	Research project on information and communication technologies (ICT) use by Muslim, migrant and second generation Australian youth	Select	A, B, C	\$88 000

Table 100: Consultants and consultancy services *continued*

Consultant name	Description	Selection process	Justification	Contract price (GST inclusive)
University of Technology, Sydney	Research project on the voices shaping the perspectives of young Muslim Australians	Select	A, B, C	\$82 500
VIC Foundation for Survivors of Torture and Trauma	Budget for vulnerability indicator study	Select	B	\$80 000
Walter Turnbull Pty Ltd	Procurement of assurance services for the set up of the Office of Migration Agents Registration Authority	Open	B	\$105 300
Walter Turnbull Pty Ltd	Auditing services	Direct	A	\$22 726
Walter Turnbull Pty Ltd	Review of financial management within International Cooperation Branch	Open	B	\$34 589
Walter Turnbull Pty Ltd	Independent review services	Under parent contract	B	\$113 318
Walter Turnbull Pty Ltd	Citizenship fraud risk assessment	Open	A	\$41 548
Wizard People	Independent merits review of refugee status assessments	Direct	A, B	\$50 465
Workplace Research Associates Pty Ltd	Learning and development—research services for sensitive operational roles	Open	A	\$54 560
Workplace Research Associates Pty Ltd	Learning and development research services: Evaluation of learning and development	Open	A	\$86 000
Total				\$12 399 914

ANAO access provisions

The department's standard contract templates include provisions allowing the Australian National Audit Office (ANAO) to access a contractor's premises. There are, however, a limited number of contracts that do not contain the ANAO access provisions.

These include, for example, cases where specific industry-based standard contracts have been used rather than the department's standard contract template or where there is an international contract.

Table 101: Contracts in excess of \$100 000 that do not contain the Australian National Audit Office access provisions

Name of contractor	Description	Value
Australian Survey Research Group Pty Ltd	Analysis of litigation pathways of clients in immigration and community detention	\$118 978
Australian Survey Research Group Pty Ltd	Settlement outcomes of new arrivals in Australia	\$199 717
D'Arcy Consulting Group	Staff training services	\$139 260
National Australia Day Council	Sponsorship: Australian of the Year Awards	\$188 760
National Australia Day Council	Sponsorship: Australia Day	\$286 000
Spinifex IT Pty Ltd	Software purchase, support and maintenance	\$103 720