2016–17 Regulator Performance Framework Self-Assessment

Department of Home Affairs

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Introduction

The Government introduced the Regulator Performance Framework (RPF) in October 2014. The RPF proposes a range of common performance measures and public reporting and engagement requirements to assess and audit the performance of regulators on an annual basis.

The RPF aims to encourage regulators to undertake their functions with the minimum impact necessary to achieve regulatory objectives and to effect positive ongoing and lasting cultural change within regulators. The Framework allows regulators to report on the outcomes of their efforts to administer regulation fairly, effectively and efficiently.

This report covers functions of the former Department of Immigration and Border Protection, which now sit with the Department of Home Affairs (the Department) for the reporting period 1 July 2016 to 30 June 2017. For this period, the Department evaluated its operation as a regulator against the following regulatory functions:

- Delivery of visitor, temporary resident, migration and citizenship programs

- Delivery of humanitarian and refugee programs

- Facilitation of travel

- Facilitation of trade and customs.

The Regulator Performance Framework

2016–17 Self-Assessment

The 2016–17 report contains an assessment of regulatory performance against each of the six mandatory Key Performance Indicators (KPIs) under the RPF. The Department's overall assessment was positive, with a rating of 'Effective' against each KPI. This is **comparable** to the Department's performance in the 2015–16 reporting period.

Key activities that support this rating have been outlined against each KPI in the report.

To improve readability, the Department focused on examples that show *change* in its effectiveness as a regulator, rather than focus on business as usual activities. This reduces the risk of duplicating baseline information that was contained in the 2015–16 report.

The 2016–17 RPF Self-Assessment KPIs and Performance Measures

KPI	Performance Measures
KPI 1 – Regulators do not unnecessarily impede the efficient operation of regulated entities	1. We understand the operating environment of our clients and the current and emerging issues that affect them. 2. We act to minimise unintended negative impacts of regulatory activities.
KPI 2 – Communication with regulated entities is clear, targeted and effective	1. We provide guidance and information that is up-to-date, clear, accessible and concise through media appropriate to the target audience. 2. We consider the impact on regulated entities and engage with industry groups and representatives of affected stakeholders before changing policies, practices or service standards. 3. Our decisions and advice are provided in a timely manner, clearly articulating expectations and the underlying reasons for decisions. 4. Our advice is consistent and supports predictable outcomes.
KPI 3 – Actions undertaken by regulators are proportionate to the regulatory risk being managed	1. We apply a risk-based, proportionate approach to compliance obligations, engagement and regulatory enforcement actions. 2. We regularly reassess and amend our strategies and activities to address regulatory risk in response to new and evolving threats, without reducing certainty or impact. 3. We recognise the compliance record of our clients and grant earned autonomy where appropriate.
KPI 4 – Compliance and monitoring approaches are streamlined and coordinated	1. Our information requests are tailored and necessary to secure regulatory objectives while minimising the impact on stakeholders. 2. Information collection is minimised and coordinated with similar processes. 3. We use and share existing client data to reduce information requests, where possible.
KPI 5 – Regulators are open and transparent in their dealings with regulated entities	1. Our risk-based frameworks are publically available in a clear, understandable and accessible format. 2. We are open and responsive to requests from our clients. 3. We publish our performance measurement results in a timely manner.

KPI	Performance Measures	
KPI 6 – Regulators actively contribute to the continuous improvement of regulatory frameworks	1. We establish cooperative and collaborative relationships with stakeholders to promote trust and improve the efficiency and effectiveness of the regulatory framework.	
	2. We engage stakeholders in the development of options to reduce compliance costs.	
	3. We regularly share feedback with stakeholders to improve the operation of our regulatory frameworks and administrative processes.	

The Department's revised methodology for measuring its performance as a regulator includes the addition of a rating scale to enable a more effective approach to baselining performance between reporting periods. The rating scale that underpins the 2016–17 assessment is as follows:

Not applicable	Absent	Ineffective	Work in Progress	Effective	Very Effective
KPI is not applicable	Performance is critically weak or not evident against this KPI	Performance is weak in relation to the KPI	Performance is improving (from an ineffective base) in relation to the KPI	Performance is good in relation to the KPI	Performance is clearly very strong/exemplary in relation to the KPI

The role of external stakeholders

As part of the Regulatory Reform Agenda, the Government tasked each portfolio to identify a Ministerial Advisory Council or an equivalent stakeholder consultation mechanism to consider regulation reform and the RPF. The then Minister for Immigration and Border Protection agreed for the Ministerial Advisory Council on Skilled Migration (MACSM) and the National Committee on Trade Facilitation (NCTF) to fulfil this role.

MACSM is a tripartite body comprising industry, union and government representatives, which provides advice to the Minister and Assistant Minister for Home Affairs on Australia's temporary and permanent skilled migration programs and associated matters.

The National Committee on Trade Facilitation (NCTF) provides a forum for the discussion of strategic issues affecting Australian Industry stakeholders in the international trade environment. The NCTF will discuss opportunities for reform and improvements to the international trade environment. The NCTF will fulfil the obligations required by the World Trade Organization's Agreement on Trade Facilitation, and serve as the Department of Home Affair's Ministerial Advisory Committee on Deregulation for trade facilitation issues. Within the NCTF, the Regulatory Reform Working Group (RRWG) was established to undertake the duties associated with validating the Department's performance under the RPF.

External Validation

External stakeholders from MACSM and RRWG were invited to review the 2016–17 RPF Self-Assessment Report, prior to its publication, and provide feedback on the Department's self-rating.

As a whole, both MACSM and RRWG agreed with the Department's rating of effective against each of the KPIs. External members also provided additional feedback, including areas of challenge, future improvement opportunities and areas they have seen improvements. The Department continues to use this feedback to inform its thinking and future regulatory priorities.

KPI 1—Regulators do not unnecessarily impede the efficient operation of regulated entities

For this KPI the Department measured its effectiveness by determining if it engaged sufficiently with stakeholders in order to understand their operating environments. The Department also measured its effectiveness in taking action to minimise unintended negative outcomes from regulatory activities, as a result of this understanding.

> The Department performed **effectively** against this KPI during the 2016–17 year.
>
> This performance is **comparable** to performance in the 2015–16 year.

Measure 1.1 – We understand the operating environment of our clients and the current and emerging issues that affect them.

Working with Industry

During the reporting period, the Department continued to engage and collaborate with industry through a number of forums to develop its understanding of the operating environments of stakeholders.

The Department consulted with businesses on the changes to the Harmonized System of Tariff Classification and the implementation of the Expanded Information Technology Agreement. This work included several Department of Immigration and Border Protection Notices (DIBPNs) and discussions with industry in relevant forums. The Department engaged with stakeholders during its Licencing Review, including holding a stakeholder roundtable in late November 2016, and releasing the Licensing Review Issues Paper for comment in December 2016.

The Department attended meetings with the Australian Taxation Office-led Petroleum and Alcohol Stakeholder Groups and the Tobacco Stakeholder Group. These forums provided an opportunity to discuss issues important to the relevant industry sectors.

Through the Office of the Migration Agents Registration Authority (OMARA), the Department met with the Independent Reference Group comprising representatives of the business, legal, education, consumer and professional sectors regarding the ongoing implementation of the recommendations stemming from the 2014 Independent Review of the OMARA. It also chaired the Education and Visa Consultative Committee, to engage with key stakeholders to share information and discuss policy matters regarding student visas, and engaged with the Refugee Council of Australia on the Australian Citizenship Programme.

Managing Asbestos Imports

The Department continued engagement with Commonwealth, State and Territory regulators through the Heads of Workplace Safety Authorities Imported Materials with Asbestos Working Group. The Working Group was established to share information and respond to incidents where products have been identified as containing asbestos and there is concern that products may cross/have crossed state lines. It also co-chaired meetings of the Asbestos Inter-departmental Committee (IDC), which provided a forum for relevant Commonwealth agencies to identify and coordinate proposals to address asbestos policy and regulatory risks.

In conjunction with the Department of Employment, the Department co-chaired an asbestos Inter-departmental Committee (IDC) to identify and coordinate proposals to address asbestos policy and regulatory risks. The IDC was established in September 2016 and is attended by government agencies with responsibilities including public health, workplace health and safety, consumer safety, environment and trade. The IDC met five times in 2016–17 and its work is ongoing.

Work to date includes:

- engaging with the National Association of Testing Authorities and the Australian Industry Group to explore opportunities to better manage asbestos issues

- agreeing to a stakeholder engagement plan to seek views from a broader range of stakeholders, including Unions and the Commonwealth Scientific and Industrial Research Organisation

- agreeing to a forward work plan to consider:
  - if penalties and offences for unlawful asbestos imports are appropriate
  - facilitating voluntary compliance across the supply chain
  - if sampling and testing processes are sufficient and consistent.

Case study – Industry Summit

The Department held its second annual Industry Summit (Summit) in October 2016, under the theme 'Partnering at the Border'.

The event brought together over 300 leaders from the trade, traveller and migration sectors, peak bodies and Government to discuss how the Department could improve collaboration at the border.

The Summit included panel discussions on the future of migration planning, improving the visa system to meet the needs of the Australian economy and opportunities for more effective government and industry partnership to support regional communities and business.

The Department conducted eight workshops with Summit delegates discussing key issues and opportunities, the future of border management, and how industry and government could work together to strengthen outcomes for business and Australia.

Through interactive discussion, Summit delegates identified new ways of engaging to focus on attracting and retaining migrants who are committed to supporting Australia's long-term prosperity. Industry identified areas and means of collaboration with the Department for issues such as mitigating risks at the border while streamlining clearance of cargo, reducing red tape and recognising the benefits of facilitated trade as a whole-of-government approach.

In the travel space, delegates and the Department recognised the opportunities that new technologies would bring to the border of the future.

The Summit outcomes are publically available at www.homeaffairs.gov.au.

Working with the community

Through the Department's Ethnic Liaison Officers (ELOs), the Department engaged with key communities around Australia to discuss departmental policies and programs and to explore community sentiment and dynamics. Throughout 2016−17, ELOs were the trusted connection between communities and the Department discussing migration, status resolution, border clearance procedures, citizenship, social cohesion and whole-of-government priorities such as countering violent extremism. Community engagement also occurred through events such as Refugee Week 2016, information sessions for pilgrims travelling for Hajj, Australia's response to the Syrian and Iraqi humanitarian crisis, and regional director morning teas.

Managing feedback

The Department maintains an open and accountable client feedback culture that is fair, lawful and reasonable, and recognises and values feedback as a valuable tool for understanding the operating environment and issues that affect stakeholders. The Global Feedback Unit (GFU) oversees client feedback for the whole Department. The feedback received is communicated to the responsible business areas as a mechanism to improve the client experience.

During the reporting period the Department captured client feedback and satisfaction data on the use of the Online Appointment Booking Service and queue management system, which resulted in system enhancements enabling better triaging and referral of clients attending departmental offices.

The Department's translating and interpreting service (TIS National) provided a comprehensive feedback system to determine areas for improvement and to assist in achieving TIS National service standards. The Department also engaged actively with the interpreting industry through representation on the Regional Advisory Committee of the National Accreditation Authority for Translators and Interpreters, a collaborative forum that included representatives from federal and state government agencies, higher education and vocational education providers working in the translating and interpreting field, and other service providers.

Key Engagement Forums 2016–17	
Australian Council for Private Education and Training Western Australia roundtable	Illicit Tobacco Industry Advisory Group
Australian Trusted Trader Reference Group	Migration Institute of Australia hot issues forums & conferences
Aviation Industry Working Group	National Committee on Trade Facilitation and associated working groups
Compliance Advisory Group	National Passenger Facilitation Committee and associated working groups
Council of International Students WA annual conference and other forums	National Sea Passenger Facilitation Committee and associated working groups
Education and Regulators Immigration Committee	Senior Migration Officials Group
Education and Visa Consultative Committee	Tourism Visa Advisory Group
Entertainment Visa Centre annual stakeholder forum	Western Australia Universities Education Services for Overseas Students reference group

Measure 1.2 – We act to minimise unintended negative impacts of regulatory activities.

Engaging to reduce impact

The Department worked closely with stakeholders to understand and reduce the regulatory impact of changes to the visa programs. In April 2017, the Department circulated an exposure draft of Schedule 1 of the Migration Amendment (Regulation of Migration Agents) Bill 2017 to key external stakeholders in the migration advice industry to ensure that the Bill did not contain any practical implementation issues and would ensure a smooth transition for those affected. The Department conducted extensive public consultations with the release of the discussion paper *Introducing a temporary visa for parents*, receiving 158 written submissions from individuals, organisations and community groups. This feedback, along with input from key stakeholder sessions, was used to inform the final settings of this new visa arrangement.

During the reporting period the Department introduced changes to the Temporary Activity Visa Framework which reduced red tape for business, industry and individuals by removing sponsorship and nomination requirements for specific short-stay activities. The Department also implemented streamlined re-registration

for migration agents in August 2016, an initiative designed to save migration agents time when applying for re-registration each year.

Improvements to processes

During the reporting period the Department began the staged national roll-out of the citizenship Q-flow ticketing system. This provides clients with the ability to re-schedule appointments to a time that suits them better, improving rescheduling processes.

In October 2016, the Department launched a new Industry Hub web page and new subscription service, designed to provide industry stakeholders with up-to-date news and information of interest. The Department also launched the Visa Finder Beta tool in November 2016, allowing clients to identify appropriate visa options based on key information provided. In addition, a redesign of visa web pages and content was completed in June 2017 following extensive user research and testing in line with the Digital Transformation Office—Digital Service Standards.

The Department reduced the requirements for clients to attend its offices in person to lodge applications, and made associated improvements to its ImmiAccount services, making it easier to submit applications online and reset passwords without calling the Department. Metrics and reporting were captured regarding the performance of the Department's onshore Service Centre, including average wait time, call time and handling time, along with quality assurance on calls answered by departmental staff. This information was used to assist the service centre to improve phone enquiry services to better support stakeholders.

KPI 2—Communication with regulated entities is clear, targeted and effective

For this KPI the Department measured its effectiveness by considering how it has communicated guidance, information, decisions and advice to clients and whether this advice was consistent and supportive of predicable outcomes. The Department also measured its effectiveness against its ability to consider the impact of changes to policies, practices and service standards on clients by engaging with stakeholders.

> The Department performed **effectively** against this KPI during the 2016–17 year.
>
> This performance is **comparable** to performance in the 2015–16 year.

Measure 2.1 – We provide guidance and information that is up-to-date, clear, accessible and concise through media appropriate to the target audience.

During the reporting period the Department's website provided up-to-date information on visa, citizenship and trade requirements and processes. Continuous improvement activities are in place and aim to enhance the user experience for online tools, content and services. The Department has a robust web content publishing process and is continuously improving processes to ensure the currency of digital information across client facing channels. The Department provides popular forms online in a variety of languages to support client accessibility and understanding.

Languages other than English

The Department's clients include non-English speakers from a range of language backgrounds. The Department provides targeted information for these clients in a number of ways, such as publishing contact details in the Yellow Pages and a range of community directories in English and in the top ten community languages. The Department's TIS National website also provides information on its services in 18 languages.

TIS National communicates with its contract interpreter panel in a variety of ways. The Department's Deed of Standing Offer (the Deed) which underpins the provision of interpreting services is published on the online interpreter portal – a key communication tool. Among other things, the Deed provides guidance on:

- the Australian Institute of Interpreters and Translators Code of Ethics and Conduct
- the Department's Code of Ethics and Conduct
- the Operations Manual
- the Service Quality Framework.

The online interpreter portal allows us to publish alerts in real time, notifying contract interpreters about matters of immediate importance.

The Department's Citizenship website page also provides client information on eligibility requirements, with the citizenship test resource book providing information in 37 different languages.

The Department worked with relevant partners to ensure that information conveyed to Illegal Maritime Arrivals was clear, targeted and effective, including providing letters and written and audio web content in key community languages such as Tamil, Hazaragi and Rohingyan. The Department refined the structure of refusal decision records to ensure they are shorter, clearer, focused on the reason the visa is refused, and include less legal jargon.

Tailoring communication styles

Throughout the implementation of the New Zealand pathway to permanent residence, the Department frequently reviewed its website to ensure content was current and relevant in preparation for delivery on 1 July 2017.

The Department regularly updated information about the introduction of a temporary sponsored parent visa on its website throughout the year.

Following the 1 July 2016 commencement of the new Simplified Student Visa Framework, the Department provided student processing and evidentiary requirements (streamlined or regular) in public guidelines to education providers, migration agents and prospective students.

Stakeholder engagement

During the reporting period, OMARA used a range of communication strategies and media, including email, website and an agent telephone 'hotline' to engage with stakeholders.

The OMARA website provides:

- a current register of migration agents, enabling consumers to verify an agent's registration
- an online complaints form
- consumer information in 34 languages
- information about registration requirements for new and repeat registration applicants
- guidance material for agents such as the Code of Conduct and practice guides, an Ethics Toolkit and a Client Monies toolkit
- updates on the implementation of the recommendations from the 2014 Independent Review of the OMARA.

To support communication efforts, the Department's Ethnic Liaison Officers Network briefed communities, non-government organisations and other stakeholders on all new processes and regulatory changes through face-to-face meetings and various media.

For regular users of the Temporary Work (Skilled) (subclass 457) visa program and external stakeholders, a new communications strategy was implemented including a more pro-active level of stakeholder engagement. The strategy also considered future options to broaden the scope of those interactions. A newsletter is now distributed to over six thousand registered migration agents. Feedback has been extremely positive, with agents finding the newsletter helpful and informative, and improving their level of engagement with the Department.

An enhanced International Airports Operators' guide was released in 2016 to better inform airport operators of their infrastructure and accommodation obligations to border agencies when offering international flights. The Department also updated all of its references to Advance Passenger Processing, the Passenger Movement Charge and Incoming Passenger Cards.

Clear and accessible communication approaches

The Working Tariff and Tariff Concession Orders were released electronically, allowing for easy search functionality on specific tariff data, replacing scanned documents. This allows industry brokers and traders to quickly search and locate relevant information.

Under the Refugee and Humanitarian Programme, the Department used a multi-model approach to communicate with clients. The Department's case officers and support staff engaged with clients, their representatives and other stakeholders during various visa-processing phases, relying on technological advances including video conferencing.

Changes were made to ImmiAccount to enhance the client experience, including simplification of the layout and changes to make navigation easier. Continued improvements were made to client messaging across ImmiAccount to ensure consistent advice about systems outages, maintenance and current issues impacting a client's ability to complete their transaction.

Measure 2.2 – We consider the impact on regulated entities and engage with industry groups and representatives of affected stakeholders before changing policies, practices or service standards.

The Department invited industry stakeholders to provide feedback on the reforms to Australia's temporary and employer sponsored skilled migration programs and make submissions to a review of the skilled occupation lists. The Department's engagement with industry and other stakeholders included:

- eight roundtables held across Melbourne, Sydney and Canberra, attended by a broad range of non-government sectors, including universities, industry and legal peak bodies and migration agents
- more than 30 bilateral stakeholder meetings
- more than 400 items of correspondence and 125 submissions from industry groups, businesses and individuals.

Case Study – Temporary Parent visa

In September 2016, the Department sought stakeholder views on the introduction of a temporary visa for parents via a public discussion paper. The paper provided a profile of parent migrants, information on the current visa options for parents, explained the intention of the proposed visa and suggested questions targeting key issues that people might like to address in a written submission.

By 31 October 2016 the Department had received more than 150 written responses that were used to guide the development of this visa prior to implementation. The Department continues to maintain active dialogue with parties who have a vested interest in the commencement of this new visa arrangement.

The Department conducted public consultation sessions with stakeholders on the changes to the Temporary Activity visa framework in Perth, Melbourne, Brisbane and Sydney from 23 to 30 September 2016.

Measure 2.3 – Our decisions and advice are provided in a timely manner, clearly articulating expectations and the underlying reasons for decisions.

The Department engaged regularly with industry through discussion papers, meetings, presentations and emails to articulate clear expectations and reasons for decisions.

The Department updated and streamlined website communications about legislative requirements to lawfully import firearms and weapons into Australia. The Department provided communications material to industry associations to remind importers of their legal obligations when importing firearms into Australia. Information about the requirements for importation of motor vehicles and the Wine Equalisation Tax was also updated on the Department's website.

The OMARA continued to provide a written statement of reasons for all adverse decisions and published disciplinary decisions and the Code of Conduct on the OMARA website. The Department invited feedback on the draft revised Code of Conduct and this feedback will inform future iterations.

The Department amended the *Commerce (Trade Descriptions) Act 1905* to modernise wording and references within the text. The Department replaced the sunsetting *Commerce (Imports) Regulations 1940* with the *Commerce (Trade Descriptions) Regulation 2016* to remove redundant provisions and align the regulation with the country-of-origin labelling for food reforms. The Department provided guidance to importers on the interpretation of labelling requirements in the Act and Regulations.

Measure 2.4 – Our advice is consistent and supports predictable outcomes.

Following the 1 July 2016 commencement of the new Simplified Student Visa Framework, the Department provided individual education provider risk ratings in a consistent format to all registered education providers through an online tool.

Website information on skilled visas was regularly updated to improve subclass 457 visa information for clients and to ensure that external clients were provided with up-to-date information regarding ongoing skilled visa changes, following the Government's reform announcement.

New communications initiatives, including migration agent roadshows and a regular newsletter, were introduced to enhance stakeholder relations with the migration advice industry. These initiatives aim to improve agent performance and help to ensure lodgement of complete applications.

Migration agents were also provided with a newsletter and interim policy guidelines within hours of the Government announcement on 18 April 2017 of reforms to the subclass 457 visa – with positive feedback received from the Migration Institute of Australia.

KPI 3—Actions taken by regulators are proportionate to the regulatory risk being managed

For this KPI, the Department determined if obligations on stakeholders and clients were clear and accessible and if risk and compliance tiering mechanisms were in place. The Department also considered if it had mechanisms for identifying and understanding risks (including the use of data), and what options existed for earned autonomy.

The Department performed **effectively** against this KPI during the 2016–17 year.

This performance is **comparable** to performance in the 2015–16 year.

Measure 3.1 – We apply a risk-based, proportionate approach to compliance obligations, engagement and regulatory enforcement actions.

Use of risk tiering in programs

The impact on stakeholders and clients engaging with the Department's visa programs is minimised by focusing efforts on high risk areas through risk tiering.

The Simplified Student Visa Framework changes implemented on 1 July 2016 consolidated visa subclasses, introduced more sophisticated risk settings and introduced an online lodgement facility. These changes effectively streamlined services and improved visa application processing. The immigration risk ratings for education providers and source countries were updated in March and September 2017. These ratings inform the evidentiary requirements of visa applicants and avoid the unnecessary provision of irrelevant material in support of visa applications.

In the context of the Temporary Work (Skilled) (subclass 457) visa, the Department introduced new streamlined nomination processing arrangements for lower-risk (accredited) sponsors, and revised the sponsorship accreditation characteristics. This reduced processing times for 17 per cent of the caseload and assisted sponsors with filling genuine short-term skilled vacancies. More broadly, the Department also revised the risk tiering arrangements to streamline processing of lower risk applications which allows departmental officers to focus on higher risk cases.

The OMARA continued to use responsive and proportionate disciplinary action to manage agent non-compliance with the Code of Conduct. Registered Migration Agents assessed as low risk were provided with a streamlined annual registration process.

Measure 3.2 – We regularly reassess and amend our strategies and activities to address regulatory risk in response to new and evolving threats, without reducing certainty or impact.

Ongoing monitoring and reviewing

During the reporting period the Department regularly monitored the Refugee and Humanitarian programme activities to assess the extent to which the program met Government priorities, to identify any risks and integrity issues that would adversely affect the program, and to put in place appropriate strategies to address them. The Department's engagement with internal and external stakeholders is key to this approach and ensures timely and consistent outcomes. All departmental decisions were considered against the relevant legislative and policy requirements prior to a decision being finalised. The Department actively consulted across the Department to mitigate the risks and ensure legally sound outcomes.

Within the subclass 457 visa program, the Department's policy settings and processes are subject to ongoing improvement to ensure that risks are balanced effectively. During the reporting period the Department revised

policy guidelines and developed new processing guidelines for staff to appropriately target risk, revising departmental risk tiering arrangements to streamline processing of lower risk applications and allowing officers to focus on higher risk cases.

Analysis and risk management

The Department developed the Advance Passenger Processing (APP) Cooperative Compliance Framework (CCF) in conjunction with industry. The CCF is a principles-based document outlining the Department's approach to working with airlines to manage infringements and compliance rates. It outlines how the Department will take an open, flexible and reasonable approach to infringements, including the provision of support to airlines when they fail to meet their reporting obligations in a consistent manner.

A range of assurance activities was implemented during 2016–17 in the Australian Citizenship Programme, to ensure decision makers complied with legislative requirements and obligations. A nationally consistent approach to the identification of risks and their treatment was introduced, using a case prioritisation tool and accompanying consistent risk treatment guidelines. Analysis of immigration data was also used to identify risks within temporary and permanent employer sponsored skilled migration programs, as part of the review of Australia's skilled occupation lists. These activities were used to design targeted policy solutions to the Citizenship Programme.

Measure 3.3 – We recognise the compliance record of our clients and grant earned autonomy where appropriate.

Identifying compliance in visa programs

The Simplified Student Visa Framework (SSVF), implemented on 1 July 2016, consolidated visa subclasses, introduced more sophisticated risk settings, and provided online lodgement. Under the SSVF, each country and education provider registered with the Commonwealth Register of Institutions and Courses for Overseas Students is allocated an immigration risk rating. Education provider and source country immigration risk ratings are then combined to guide financial and relevant information requirements for student visa applicants.

Greater autonomy in the form of streamlined evidence requirements was made available for education providers who obtained the lowest immigration risk rating. Education providers with the highest immigration risk rating were able to access streamlined evidence requirements for students from the lowest immigration risk countries. The immigration risk ratings for providers and countries was updated in March 2017.

A risk-based approach to compliance is also used in the subclass 457 visa program. Sponsorship accreditation characteristics were updated during the reporting period. Sponsors who qualify for accredited status receive benefits, including priority allocation of nomination and visa applications, and streamlined processing of lower-risk nominations.

Recognising compliance in industry

The Australian Trusted Trader (ATT) Programme was implemented on 1 July 2016. ATT offers increased efficiency at the border whilst ensuring supply chain security and trade compliance remain in place. ATT has changed the way the Department and the ABF manage risk at the border. ATT enables entity-based risk management, rather than assessing risk on a transactional basis. This approach enables better targeting of high-risk trade and entities (that are not Trusted Traders).

For ATT businesses, ATT reduces administrative burden and increases their economic competitiveness. ATT rewards accredited businesses with a range of trade facilitation benefits, including but not limited to: a dedicated Account Manager, priority trade services, differentiated examinations, use of the ATT logo and Mutual Recognition Arrangements (MRAs).

MRAs are formal arrangements between customs administrations that recognise supply chain security programs, and provide reciprocal benefits to the other country's trusted partners. In July 2016, the Department signed its first MRA with the New Zealand Customs Service, with further MRAs signed with Canada, Hong Kong and Korea in July 2017. The Department continues to negotiate and finalise new MRAs.

ATT benefits are also continuously being developed and implemented to provide greater trade facilitation and improved international market access for Trusted Traders.

KPI 4—Compliance and monitoring approaches are streamlined and coordinated

For this KPI, the Department measured the extent to which it was able to tailor and minimise requests for information from clients by reusing existing client information, combining requests with other processes and taking into account the circumstances and operational needs of stakeholders.

> The Department performed **effectively** against this KPI during the 2016–17 year.
>
> This performance is **comparable** to performance in the 2015–16 year.

Measure 4.1 – Our information requests are tailored and necessary to secure regulatory objectives while minimising the impact on stakeholders.

Utilising inter-agency collaborative efforts to support industry

During the reporting period, the Department co-sponsored, with the Department of Foreign Affairs and Trade (DFAT), a feasibility study into digitising and exchanging origin data with China Customs Service to fulfil China-Australia Free Trade Agreement obligations. Using this study, the Department will consider how to implement an origin data exchange that facilitates trade with China. The study will report in the first quarter of 2017–18 year.

In response to recommendations from the Australian National Audit Office Audit *Managing Compliance with the Wildlife Trade Provisions of the Environment and Biodiversity Conservation Act 1999* (report number 7 of 2015–16), the Department consulted with the Department of the Environment and Energy to progress improvements to wildlife trade data for compliance and regulatory purposes.

Facilitating streamlined industry engagement

A public review of all customs licensing regimes under the *Customs Act 1901* commenced in November 2015. The review's final report was completed in March 2017, and published on the Department's website in May 2017. The review found that the licensing regime be retained for customs brokers, depots and warehouses, but that these arrangements could be improved. The report made 15 recommendations, focused on strengthening integrity and streamlining processes underpinning the licensing regime for the Department, industry, and other government agencies that also license customs brokers, depots and warehouses (for example, the Australian Taxation Office). The acting Comptroller-General of Customs endorsed the review's recommendations in late-July 2017. The Department is committed to working with stakeholders during the implementation of these recommendations.

Facilitating streamlined community engagement

The Department has made improvements to the Temporary Activity Visa Framework to make it easier to apply for visas through online lodgement. As well as minimising the regulatory burden to applicants, these improvements have also reduced red tape for business, industry and individuals by removing sponsorship and nomination requirements for specific short stay activities.

The Department introduced dynamic document checklist functionality to the 457 visa and Temporary Activity visa online forms to reduce requests for information from clients. This increased the use of quality assurance processes to better target requests for information.

New and revised subclass 457 visa processing guidelines were also published to increase the consistency of decision-making processes, and give staff the confidence not to request information unnecessarily.

Measure 4.2 – Information collection is minimised and coordinated with similar processes.

The Department undertook a Single Inbound Screening Trial at Canberra Airport with the Department of Agriculture and Water Resources. This collaborative effort identified and evaluated potential improvements that could effectively streamline processes across the agencies. It also provided an opportunity to share inter-agency information and capability.

To improve the Department's monitoring of visa applicants the Department re-instated an integrity working group to improve coordination and information sharing with other agencies and stakeholders. The working group includes:

- regional certifying bodies
- the Australian Federal Police
- the Department of Education
- the Department of Jobs and Small Business
- the Department of Industry
- the Northern Territory Government
- the Senior Migration Officials Group.

To reduce the frequency of client contact, the Department regularly included supplementary information requests within other required correspondence letters. The Department is exploring use of push notification technology to provide targeted messaging to clients that will be delivered at a time more relevant to their needs.

Measure 4.3 – We use and share existing client data to reduce information requests, where possible.

Leveraging inter-agency collaboration

The Department continues to provide state and territory regulators with import data for certain building products to assist with domestic compliance and enforcement activities.

The Department engages more regularly with Trades Recognition Australia, a skills assessment service provider, to share information and promote more efficient processing of the Graduate Work stream of the Temporary Graduate visa (subclass 485) programme. It has also increased information sharing with the Fair Work Ombudsman to improve investigations of working holiday maker exploitation.

Utilising system capacity

The retirement of the outgoing passenger card on 1 July 2017 means that most information previously gathered via paper-based outgoing passenger cards will now be collated from existing passenger data.

Re-using data in this way reduces the burden on citizens and visitors to provide the same information multiple times.

The Mobile Boarding Pass Trial was launched on 31 August 2016 and examines ways to align the manual processing at airports with the automated gates. It does so by using flight numbers from information already collected from airlines rather than from the passenger's boarding pass.

Work is continuously being undertaken to streamline processes to minimise touchpoints for travellers with multiple agencies in the traveller pathway.

Snapshot—Translating and Interpreting Service (TIS National)

The Department provides a translating and interpreting service (TIS National) for persons who do not speak English and for agencies and businesses that need to communicate with their non-English speaking clients.

The TIS National Deed of Standing Offer (the Deed) clearly sets out the obligations of contract interpreters. The Deed is regularly reviewed and amended to address changes in the operating environment and to respond to evolving risks. It clearly states a range of possible breaches and uses a risk-based approach to applying commensurate sanctions. Where a serious breach is contested, an additional level of scrutiny is applied. The matter is referred for investigation by contracted external investigators before a decision is made. The responses to non-compliance can range from an informal verbal reminder or warning email from the Department, through to temporary suspension or termination of an interpreter's Deed.

Through TIS National the Department provides access to the online National Accreditation Authority for Translators and Interpreters interpreter directory which shares accreditation information in relation to interpreters. This helps to reduce the number of information requests to interpreters.

TIS National has comprehensive, bespoke IT systems that store information required for service provision, including information about clients and contract interpreters. The Department's systems allow clients to self-manage their account information online and information is shared across Departmental systems to ensure data only needs to be captured once. Information is also shared with the easySAP business system to facilitate payment of interpreters.

TIS National continuously monitors performance against its service standards in order to identify and drive improvements. After a review of staff-to-call ratios, the Department commenced recruitment of casual workers in March 2017. This was designed to supplement Australian Public Service (APS) staffing in TIS National contact centre and alleviate performance degradation. There are now 60 casual workers, resulting in grade of service and abandonment rates improving significantly. These improvements are expected to continue into the new financial year and contribute significantly to an enhanced experience for clients contacting the centre, with reduced wait times for connection to an operator and interpreter.

The Department expanded the number of languages accessible through its automated phone interpreting service from 18 to more than 50 languages, providing access to quicker and cheaper interpreting services for clients in these languages. It also implemented a system that automatically recognises the language of non-English speaking callers and provides messages in their language whilst they wait to be connected to an interpreter. This is a significant improvement in client experience and contributes to lower call abandonment rates and higher levels of client satisfaction.

KPI 5—Regulators are open and transparent in their dealings with regulated entities

For this KPI the Department determined if it published appropriate information on its website about the performance of activities and programs; if it provided clear information about risk frameworks, and if it had mechanisms in place to ensure that it dealt with client feedback and queries in a timely and appropriate fashion.

The Department performed **effectively** against this KPI during the 2016–17 year.

This performance is **comparable** to performance in the 2015–16 year.

Measure 5.1 – Our risk-based frameworks are publically available in a clear, understandable and accessible format.

Engaging with Industry

The Department worked with industry partners to ensure that its risk frameworks were accessible. During the reporting period it chaired the Education and Regulators Immigration Committee, a forum for regulatory bodies within the international education sector to meet and discuss frameworks, share information and develop whole-of-government approaches to any risks or issues which arise.

The Department also engaged with the National Customs Brokers Licensing Advisory Committee to develop and publish guidance material for customs broker applications and provide online contact facilities to improve transparency and accessibility.

Publication of risk frameworks

The OMARA's complaints handling risk matrix is included in its policy and procedural instruction, which is published on LEGENDcom, the Department's interactive legislative database.

From April 2017, caveats were introduced to restrict the scope of some occupations eligible for skilled migration visas. These caveats were published on www.homeaffairs.gov.au to provide clear guidance on what occupations are considered skilled and appropriate for skilled migration.

Following the 1 July 2016 commencement of the new SSVF, the Department continued to provide information to support consistent, predictable outcomes. This included making individual education provider risk ratings available in a consistent format to all registered education providers through an online tool which is updated on a monthly basis.

Measure 5.2 – We are open and responsive to requests from our clients.

The Department receives a high volume of requests for information from clients. In 2016–17, it processed 25,750 items of ministerial correspondence and prepared 3,202 responses for both the Minister and Assistant Minister's signature. In the quarter ending June 2017, the GFU recorded a total of 21,255 feedback items.

Snapshot: The Global Feedback Unit (GFU)

The GFU deals with client feedback on departmental services in an open, transparent and responsive manner. The centralised feedback management undertaken by the GFU promotes comprehensive analysis and reporting of client concerns across all aspects of the Department's work and establishes a consistent and highly accountable feedback system for the Department.

The GFU compiles and distributes quarterly client feedback reports to service delivery and processing areas as part of the Department's commitment to continuous improvement in performance and client satisfaction. Periodical and adhoc reporting is also provided on request.

During 2016–17, the GFU implemented a number of initiatives to better meet the needs of clients by channelling their enquiries appropriately. This included the introduction of a dynamic webform that directs clients to the Department's website to self-source their information where possible, and the use of interactive voice response technology to direct phone calls to the appropriate area for response.

Where self-sourcing of information is not possible, the GFU aims to respond to queries directly. During 2016–17, this occurred in 46.9 per cent of cases. Where cases were referred to business areas for investigation, the Department was highly responsive and successfully resolved 98.2 per cent within published timeframes.

Measure 5.3 – We publish our performance measurement results in a timely manner.

Requirements under the *Public Governance, Performance and Accountability Act 2013*

The Department's Annual Report 2016−17, developed in accordance with the *Public Governance, Performance and Accountability Act 2013*, was tabled in Parliament on 19 October 2017.

The Annual Report provides an overview of the Department's performance against strategic performance measures and underpinning Key Performance Indicators outlined in the *Corporate Plan 2016–17*, and outcomes in *Portfolio Budget Statements 2016–17* and *Portfolio Additional Estimate Statements 2016–17*. The report also analyses the factors that contributed to the Department's performance during 2016–17 against the following strategic performance measures:

- Australia contributes to the global management of refugees and displaced populations
- Australia's visa programs are responsive to the needs of the economy
- Australia's visa programs provide a strong foundation for social cohesion
- Australian citizenship is valued
- Collaboration with partners within and outside Australia improves border security
- Effective partnerships both within and outside Australia build a strong economy
- Seamless border management facilitates the flow of legitimate travellers and goods
- The border is strengthened through the control and surveillance of the maritime domain
- The collection of border revenue is managed and enhanced
- The integrity of visa programs is strengthened by effective regulatory and enforcement activities
- Threats are detected before, at and after the border.

The report describes the Department's financial performance, and provides information about the Department's governance framework, fraud and risk management arrangements, external scrutiny, workforce planning, human resources and purchasing.

Additional publication of data

During 2016–17 the Department renewed and revised the Federal Airport Corporation reports. These provide passenger flow information to airport corporations to support better planning and allocation of resources to allow smoother passenger facilitation. The Department also provided aggregated data to groups such as the United Nations High Commissioner for Refugees on the Refugee and Humanitarian Programme outcomes and various processing stages.

The OMARA's performance information was published biannually in the *Migration Agent Activity Report*, available on the OMARA website. Disciplinary decisions were published on the OMARA website in the interest of consumer protection.

Case study: Improving Client Access to Information

On 14 March 2017, visa and citizenship service standards were removed from the Department's website and replaced with current global visa and citizenship processing times that are updated monthly.

This initiative seeks to improve client information by publicising a more transparent and current indication of how long it takes to process a particular visa or citizenship matter. It is also reflective of changes and pressures in the operating environment.

The Department engaged extensively with external stakeholders, including through other agencies such as DFAT, the Department of Education and Training, the Department of Industry, Innovation and Science and Austrade, as well as forums such as the Education Visa Consultative Committee, the Tourist Visa Advisory Group, the Law Council of Australia and the Skilled Migration Officials Group. Stakeholders have expressed keen interest in and support for this initiative, as it provides greater transparency of the Department's processes and more current information for clients.

The Department's Facebook post on processing times, published on 14 March 2017, reached 336,950 people, and received 3,820 reactions, comments and shares in the week following publication. Responses were largely positive.

KPI 6—Regulators actively contribute to the continuous improvement of regulatory frameworks

In measuring the Department's effectiveness against this KPI, it identified a number of significant initiatives that demonstrate its continuing efforts to establish strong relationships with stakeholders, reduce compliance costs for clients and improve its regulatory framework and processes.

The Department performed **effectively** against this KPI during the 2016–17 year.

This performance is **comparable** to performance in the 2015–16 year.

Measure 6.1 – We establish cooperative and collaborative relationships with stakeholders to promote trust and improve the efficiency and effectiveness of the regulatory framework.

Working with industry

During the reporting period the Department continued a Mobile Boarding Pass trial. During the trial, airlines issued electronic boarding passes to departing international passengers which could be displayed on mobile phones or other devices.

The Department streamlined the requirements that Australian manufacturers need to satisfy in order to object to the making or revocation of a Tariff Concession Order under the Tariff Concession System (TCS). The changes to the TCS reduce the regulatory burden on Australian manufacturers by simplifying the test they need to satisfy in order to prove that their goods are produced in Australia.

Improving the delivery of services to the community

The Department implemented a trial of an online-only ten-year validity Frequent Traveller stream of the Visitor visa for Chinese passport holders. This reduces red tape for those with plans for frequent short-term travel. Further Visitor visa program initiatives included a trial of a 'fast track' service for the priority consideration of visitor visa applications, and the continued expansion of online visitor visa lodgement to additional countries.

In the Refugee and Humanitarian Programme, the Department implemented and commenced a number of reforms, including:

- the review and reform of the Immigration Advice and Application Assistance Service (IAAAS) Programme
- the publication of a request for tender to seek a national provider of IAAAS services
- the implementation of a national processing and allocations model
- the electronic lodgement of visa applications under the offshore component of the Programme.

The Department added a special education factor to the General Skilled Migration points test to recognise specific skills in science, technology, engineering, mathematics, and information and communications technology. The Department also delivered a new Entrepreneur visa stream to support the Government's National Innovation and Science Agenda.

The Department has worked towards implementing the recommendations of the 2014 Independent Review of the Office of the Migration Agents Registration Authority by:

- proposing the removal of lawyers working as agents from the regulatory scheme and ending dual regulation

- seeking to raise the knowledge requirement for applicants wishing to register as migration agents (involving consultation with a range of Australian universities to develop a new course of education) with implementation proposed for 1 January 2018

- implementing streamlined registration for low-risk registered migration agents

- developing a streamlined Continuing Professional Development Framework for registered migration agents with implementation expected in January 2018.

Supporting international collaborative efforts

Snapshot: Work and Holiday visas

The Department implemented reciprocal complementary work and holiday arrangements with the following countries:

- Hungary
- Luxembourg
- San Marino
- Singapore
- Vietnam

The Department also implemented an option for Work and Holiday visa holders to apply for a second Work and Holiday visa if they work for three months in agriculture, tourism or hospitality in northern Australia.

To complement these arrangements, the Department increased information sharing with the Fair Work Ombudsman to assist with investigating suspected cases of working holiday maker exploitation.

Measure 6.2 – We engage stakeholders in the development of options to reduce compliance costs.

Simplifying processes to improve stakeholder engagement

The Department's service delivery partners have 'Pop-up Visa Application Centres' in four locations in New Zealand and two locations in Peru, enabling clients in these locations to access departmental services at more convenient locations.

The Department has also radically simplified the Interactive Voice Response (IVR) for the Sydney Service Centre to better manage the flow of calls to agents, saving time for clients.

The Department regularly reviews and updates client-facing systems in order to improve functionality. As an example, the Department established a voice biometrics project which allows clients and contract interpreters to log into their accounts more easily using voice commands, instead of entering client or ID numbers. This has also improved the security of interpreting services by providing biometric authentication and verification of both clients and interpreters.

On 1 July 2016, the Australian Government integrated Norfolk Island into the Australian migration zone for the purpose of the *Migration Act 1958*. Residents of Norfolk Island were transitioned to an appropriate Australian visa. Passenger movements between the Australian mainland and Norfolk Island are now considered domestic travel.

The SSVF, implemented on 1 July 2016, reduced the number of student visa subclasses from eight to two and a new Entrepreneur visa stream was delivered to support the Government's National Innovation and Science Agenda.

At the ABF Cargo Clearance counters, the Department implemented a pilot project to remove the receipt of cash, cheques and money orders to promote the use of online payment methods, removing the need for brokers to present in person to provide payments.

The Department continued to expand the services available via ImmiAccount which reduced the cost of compliance for clients. This included the uploading of documents for specified visa applications, validating email addresses to ensure clients receive correspondence from the Department and creation of a client profile to support future initiatives to reduce the need for clients to re-enter data for subsequent applications.

Measure 6.3 – We regularly share feedback with stakeholders to improve the operation of our regulatory frameworks and administrative processes.

Communicating improvements to frameworks and processes to stakeholders

On 20 April 2017, the Government announced program and policy changes to strengthen the requirements for Australian citizenship. In relation to these changes the Australian Government published a discussion paper titled *Strengthening the test for Australian Citizenship*. The Australian Government encouraged the public to provide feedback on the proposed changes through submissions to a dedicated email address. The Department provided extensive presentations on these proposed changes were also provided to key stakeholders and non-governmental organisations.

The Department published the outcomes of the industry summit, migration statistics, feedback from stakeholders and its own responses and performance information on its website.

Improving administrative operation capacity

During the reporting period the Department worked to improve the passenger experience at air and sea ports as well as progressing the implementation of outward APP to cruise ships to improve traveller reporting capability.

The Department conducted and progressed recommendations arising from two distinct licensing reviews—one internal and one external. The internal review—a 'deep dive'—was established to identify any threats, risks and vulnerabilities associated with licensed brokers and depot and warehouse operators. As a result, the Department is enhancing the customs broker licensing process.

The external review focussed on customs licensing regimes under the *Customs Act 1901*. It included the licensing of customs brokers, depots and warehouses (including for providores, catering bonds, duty free stores and excise equivalent goods) and associated integrity issues.

Improving regulatory integrity

On 19 November 2016, the Department simplified the definition of 'member of the family unit' (MoFU). This was achieved by clarifying who are eligible family members for inclusion in visa applications. This amendment created a consistent approach to identifying a MoFU with arrangements available to Australian citizens and permanent residents.

During the reporting period, the Department implemented the first stage of reforms to temporary and employer sponsored skilled migration. These reforms will be completed by March 2018 and include the abolition of the 457 visa and the creation of the Temporary Skill Shortage visa. In April 2017 occupation lists were renamed and condensed, and visa validity for some occupations was shortened. Complementary reforms to the Employer Nomination Scheme and the Regional Skilled Migration Scheme were put in place on 1 July 2017. Further reforms will be implemented from July to December 2017. The final reform phase will occur in March 2018 when the subclass 457 visa is abolished.

On 19 November 2016, the Department introduced changes to the Skilled Migration and Temporary Activity Framework to reduce red tape for business, industry and individuals by making the process of applying, or sponsoring a visa applicant, simpler to navigate. The changes to the framework included reducing seven visa subclasses to four and reducing six sponsorship classes to one, a flat pricing structure and access to online applications. The Department implemented a national practice for protection visa decision making. This will assist with maintaining high-quality and consistent decision making while increasing the efficiency with which the applications are processed.

Receiving, reviewing and incorporating feedback

The Department uses feedback received from clients and client experience data gathered through the GFU to continuously improve its performance framework. The Department regularly engages and collaborates with the call centre industry through an APS-based community of practice to identify emerging issues and share improvement initiatives.

Glossary

ABF – Australian Border Force

APP – Advance Passenger Processing

APS – Australian Public Service

ATT – Australian Trusted Trader

CCF – Cooperative Compliance Framework

DFAT – Department of Foreign Affairs and Trade

DIBPN – Department of Immigration and Border Protection Notices

ELO – Ethnic Liaison Officer

GFU – Global Feedback Unit

IAAAS – Immigration Advice and Application Assistance Service

IDC – Inter-Departmental Committee

KPI – Key performance indicator

MACSM – Ministerial Advisory Council on Skilled Migration

MoFU – Member of the family unit

MRA – Mutual Recognition Arrangements

NCTF – National Committee on Trade Facilitation

OMARA – Office of the Migration Agents Registration Authority

RPF – Regulator Performance Framework

RRWG – Regulatory Reform Working Group

SSVF – Simplified Student Visa Framework

TCS – Tariff Concession System

TIS – Translating and interpreting service

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