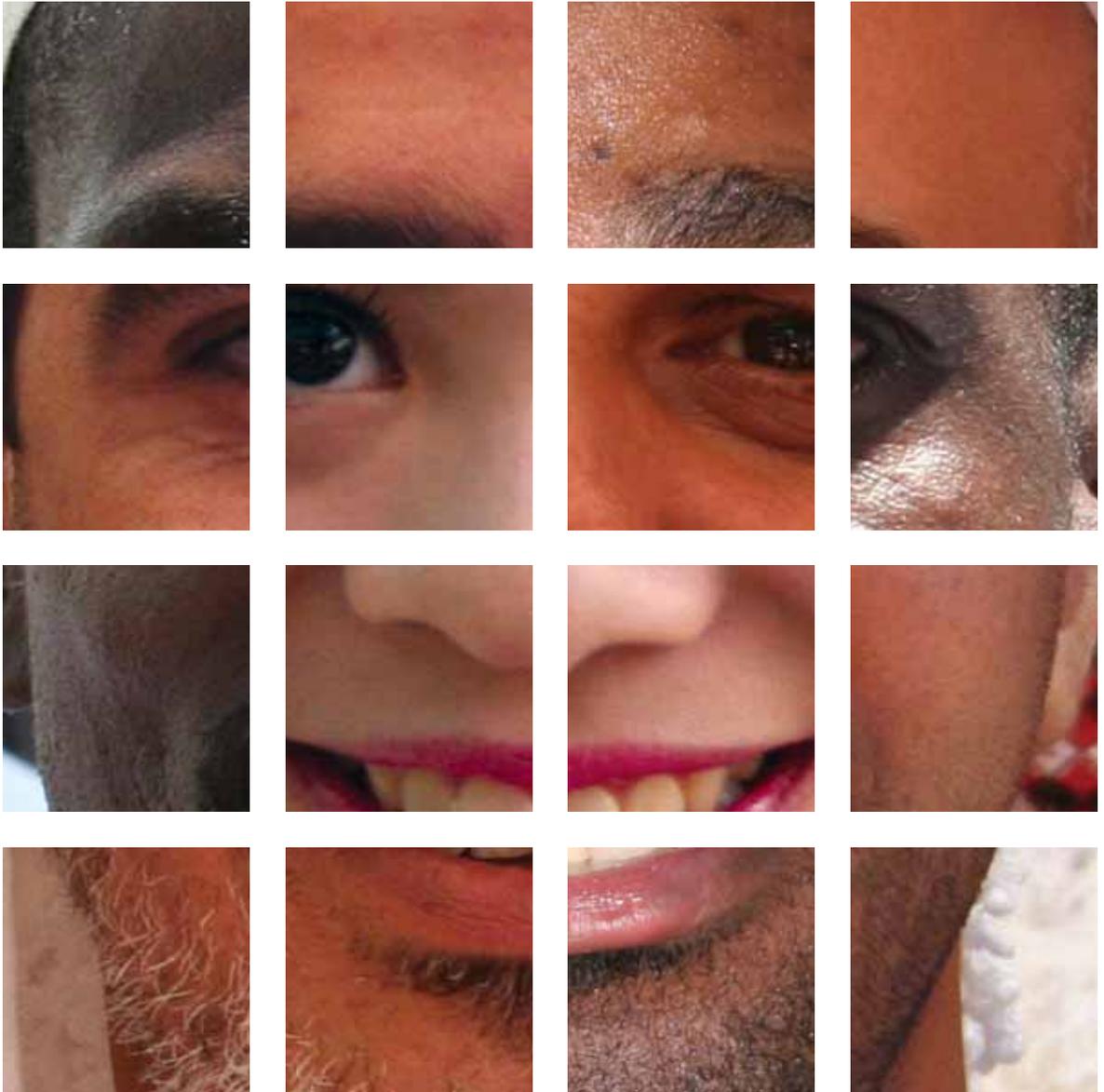


# Access & Equity

for a multicultural Australia



Inquiry into the responsiveness of Australian Government services  
to Australia's culturally & linguistically diverse population

**Access and Equity Inquiry Panel**  
**June 2012**

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# Executive Summary

## Context

This Inquiry flows from the Australian Multicultural Advisory Council report, *The People of Australia*, which provided the basis for Australia's Multicultural Policy announced by the Australian Government in 2011.

Based on concerns expressed in the Advisory Council's report relating to accessibility of Australian government programs and services for Australians of culturally and linguistically diverse (CALD) backgrounds, the then Parliamentary Secretary for Immigration and Multicultural Affairs, Senator the Hon Kate Lundy, in November 2011, announced the establishment of an Access and Equity Inquiry Panel to examine the issue.

The terms of reference were to:

1. inquire into the Australian Government's current approach to Access and Equity and its implementation; and
2. provide prioritised recommendations to the government for improving the responsiveness of Australian government services to a culturally and linguistically diverse population.

Access and Equity policy, which originated in the late 1970s in response to rapid diversification of the migration program, gives effect to the principle that Australian government services should be accessible to all Australians who are eligible for them, be responsive to their needs and deliver equitable outcomes. While this principle is applicable to all Australians, this Inquiry focuses on the interaction between the Australian Government and Australia's CALD population.

Portfolio Ministers and Parliamentary Secretaries in the Immigration and Citizenship portfolio have had oversight responsibility for the policy since 1996, supported by the Department of Immigration and Citizenship in its various forms. All Australian government agencies are required to implement Access and Equity policy which is currently expressed through an Access and Equity Strategy and Framework.

In conducting the Inquiry, the Panel made a broad public call for submissions, held face-to-face consultations in a small number of selected locations and undertook face-to-face meetings with senior officials from key Australian government agencies. Some 136 submissions were received from a wide variety of sources, including Australian government agencies, state and territory government agencies, local government agencies, peak bodies, community organisations and individuals.

## Diverse Australia

The need for an effective Access and Equity policy is closely related to the fabric of Australian society.

Australia, based on many underlying Indigenous cultures and its more recent status as a country of immigration, is already a culturally and linguistically diverse nation. This diversity has brought many social and economic benefits to the country and provided it with a more sophisticated level of connection to the world. Diversity is likely to increase in the future and will help Australia make its place in the Asian Century.

Australia's resident population of 21.5 million people includes about 5.3 million people born overseas. Some 47 per cent of Australians were born overseas or have at least one overseas-born parent. Australians identify with more than 300 ancestries.

Eight of the top 10 countries of birth of Australia's overseas born population are countries whose first language is not English (the 10, in order, are United Kingdom, New Zealand, China, India, Italy, Vietnam, Philippines, South Africa, Malaysia and Germany).

Over 260 different languages are spoken in Australia today, including Indigenous languages, and this linguistic diversity has brought many benefits. Some 19 per cent of the total population speak a language other than English at home. However, 17 per cent of these cannot speak English well or at all.

Current permanent and temporary entry programs are running at, or near, record levels and source countries, whose first language is not English, are becoming even more prominent. For example, looking at permanent additions to Australia's population in 2010–11, China ranks first, India third and the United Kingdom fourth. Similar trends are reflected in temporary entry programs which have grown rapidly over the last decade.

In practice, many migrants to Australia, past and present, from CALD backgrounds have strong English-language skills and are able to interact with Australian government agencies within the standard approaches that those agencies apply in the interacting with the broader community. However, there needs to be a greater level of Australian government agency responsiveness to the particular circumstances of some migrants—for example, migrants with low levels of English proficiency; refugees and humanitarian entrants; visibly different migrants; newly arrived communities and individuals with low levels of knowledge of the Australian system; and other migrants experiencing difficulties in accessing services based on age, gender, disability, youth, or their origin in collectivist cultures. These groups are the targets of Access and Equity policy.

Responsiveness to their particular circumstances and needs speeds full participation into Australian society; lack of responsiveness leads to exclusion and frustration—poor employment, education, health and family outcomes—possibly for generations.

## Responsiveness of Australian government agencies

Submissions to the Inquiry gave a good insight into the responsiveness of the Australian Government in its interactions with people from CALD backgrounds through 20 departments of state and around 90 smaller agencies.

They highlighted the fact that, in the current administrative environment, services are less likely to be delivered directly by Australian government agencies and more likely to be delivered through funding partnerships with state and territory governments or through contracted service providers.

The strong message the Panel received from the submissions process and face-to-face meetings was that Access and Equity policy remained an important driver for achieving responsiveness to specific needs within Australia's CALD population.

However, contributors felt that much of the impetus of the policy has faded, possibly losing priority amongst a number of subsequent social policy agendas. Commitment, and actual performance, across Australian government agencies was assessed as highly variable. A small number of agencies were seen to be performing relatively well in implementing Access and Equity and to have strong infrastructure to support this; others were seen to be performing weakly or to be uninterested. This variable commitment flows through to bodies delivering services on behalf of the Australian Government.

Poor agency communication with CALD communities and clients was frequently cited as a central feature in lack of agency responsiveness. Contributors complained of lack of effective engagement strategies, poor or ineffective approaches to use of languages other than English in websites and written material, and also insufficient use of interpreters.

The problems underlying this variable performance were seen as flowing from the lack of clarity of policy and its application, lack of clarity of what agencies are required to do, weak whole-of-government guidelines supporting Access and Equity action and lack of commitment arising from insufficient governance and accountability arrangements.

The solutions put forward centred on reinvigoration of Access and Equity through clarity of policy, strengthened implementation arrangements, clear performance indicators for agencies and strengthened governance and accountability, including independent audits of performance.

The Panel agrees with contributors that Access and Equity needs to be rejuvenated and strengthened and proposes improvements to the policy itself, its implementation and accompanying governance and accountability arrangements.

The Panel considers it essential that the Australian Government engage effectively with, and be responsive to, cultural and linguistic diversity both in the national interest and in the interests of the communities and individuals concerned. Delivering on Access and Equity policy shows

that the Australian Government respects the diversity of its citizenry, as contemplated by the *Australian Citizenship Act 2007*, and meets its duties under international conventions to eliminate racism and promote understanding among races. Moreover, as a country pursuing an active immigration policy now and into the future, there is a strong national interest in ensuring full social and economic participation of migrants through a responsive national administration.

**Policy** In terms of policy, the Panel considers that the Australian Government should reaffirm its commitment to Access and Equity as the primary vehicle for ensuring responsiveness. At the same time, greater clarity is needed for Australian government agencies. It needs to be made clear that the focus of the policy is Australia's CALD communities. The policy should be re-named 'Multicultural Access and Equity Policy' to reinforce this. The policy also needs to be recast in the form of a clear set of 'obligations' which agencies are required to implement. The activities covered should be all interactions with Australia's CALD communities and not just service delivery.

**Implementation** A more structured approach to implementation is required across the Australian Government to ensure that the intended benefits of Access and Equity policy are fully delivered.

This is necessary so that agencies have certainty of what is required of them. It is also necessary to deal with issues identified in submissions relating to poor collection of data by agencies on the CALD clients with whom they interact, poor engagement and communication by agencies and lack of cultural competency skills amongst their staff. In some cases, this involves renewal of whole-of-government guidelines to ensure these issues are included in the standards to be observed by all agencies.

The Panel proposes that the Australian Government adopt a set of core minimum obligations for its agencies in relation to Access and Equity.

Each agency should be required to prepare a biennial Agency Multicultural Plan with a number of key elements such as assigning a clear senior point of responsibility within the agency for Access and Equity; provision for collection of ethnicity data; an engagement strategy to understand CALD clients' interaction with the agency; provision for responsiveness of policy, program design and service delivery; a language and communication plan for CALD communities; a set of key performance indicators relating to engagement with, and outcome of services to, CALD clients; provision for incorporation of Access and Equity requirements in funding agreements with service deliverers; cultural competency training for staff and appropriate feedback mechanisms for CALD clients on agency performance.

For the sake of transparency, agencies should publish these plans on their websites and report actual performance against key performance indicators in annual reports.

For those agencies that already have a strong infrastructure for implementation of Access and Equity, compliance with a more structured approach should be relatively straightforward; others will require the support of the Department of Immigration and Citizenship to provide materials that outline best practice in these areas.

Some whole-of-government guidelines and practices will need to be updated to better reflect Access and Equity needs in the current administrative environment: standards and guidelines on data collection reflecting cultural and linguistic diversity, content of funding partnerships and agreements with states and territories and contractual arrangements for outsourced service delivery.

The Panel considers that particularly close attention is needed in the area of communication with CALD communities and clients. It proposes development of a whole-of-government policy on communication and delivery of its services in languages other than English; incorporation of Access and Equity considerations into whole-of-government communication and advertising guidelines; and upgraded whole-of-government guidelines incorporating Access and Equity considerations into the use of the Internet as a communication tool by agencies.

The Panel also supports the upgrading of cultural competency skills on the part of Australian government staff through the development and delivery of training packages for that purpose.

**Governance and accountability** Upgraded governance and accountability arrangements are needed to support the new arrangements and ensure their effectiveness.

The Australian Government has decided that the Australian Multicultural Council should have a role in monitoring Access and Equity performance of government agencies. The Panel proposes that the Department of Immigration and Citizenship retain responsibility for coordination of Access and Equity policy and overseeing its implementation, subject to review and oversight by the Australian Multicultural Council. The Council should have the opportunity to comment on both Agency Multicultural Plans at the time of their preparation and subsequent performance reports.

To achieve better engagement with CALD communities and clients, agencies should also review the accessibility of their complaints mechanisms to ensure they are effective for this group.

To ensure completely independent and thorough scrutiny of performance, the Australian Government should request the Auditor-General to undertake periodic performance audits of selected agencies' performance in meeting their Access and Equity obligations.

Access and Equity performance reporting should be put before the Australian Cabinet at the same time as biennial reporting flowing from Social Inclusion policy so that performance of the policy can be considered by government in a strategic context.

## Alignment with other social policies

Access and Equity must operate, in the context of, and in concert with, social policies adopted by governments from time to time to deal with the needs of specific groups in the community or specific social issues.

The Panel considered the relationship with the Australian Government's Social Inclusion Agenda and National Disability Strategy. Contributors noted that these policies, while potentially very beneficial for CALD clients, could be seen to lose effectiveness in the implementation phase, because the particular needs of this client group were not sufficiently incorporated into policy and program design. The Panel considers it important that Access and Equity considerations and implementation strategies be incorporated into all Australian government 'whole of community' or issue-specific social policy initiatives in order to build effective linkages and ensure that the circumstances of CALD clients are specifically addressed.

## Recommendations

The Panel has made 20 recommendations aimed at rejuvenating the Access and Equity policy, implementation and practices. The Panel's terms of reference require prioritisation of recommendations. The Panel considers that its 20 recommendations form an integrated whole, collective implementation of which is necessary in order to achieve a fully effective Access and Equity policy. Within the 20 recommendations, recommendations 1 to 4 and 6 to 14 are of core importance.

## List of recommendations

### The Panel recommends:

#### Policy

1. That the Australian Government reaffirm its commitment to Access and Equity policy as the primary vehicle for ensuring responsiveness of the Australian Government to Australia's culturally and linguistically diverse (CALD) population.
2. That Access and Equity policy encompass not only responsiveness in service delivery, but require all Australian government agencies, whether or not performing service delivery activities, when they engage and communicate with the broader community, to also ensure that they include effective communication and engagement with Australia's CALD population.
3. That the key focus of Access and Equity policy be made more transparent by renaming it Multicultural Access and Equity Policy and by the introduction of an explanatory 'byline' which highlights some key elements of the policy—'Respecting Diversity. Improving Responsiveness'.
4. That the existing Access and Equity Strategy and Framework be updated and recast in the form of a set of firm commitments and implementation obligations on the part of agencies to Australia's CALD population (covering engagement, communication, policy, program design and service delivery) as set out at Attachment 5.
5. That Access and Equity policy considerations be incorporated into all Australian government social policy initiatives, such as the Social Inclusion Agenda, Disability Strategy and policy on homelessness.

#### Implementation

6. That the Australian Government disseminate updated Access and Equity policy and associated obligations to all of its agencies, together with a toolkit of resources and better practice guidelines prepared by the Department of Immigration and Citizenship.
7. That the Department of Immigration and Citizenship work closely with the Australian Bureau of Statistics in dissemination and practical implementation of updated *Standards for Statistics on Cultural and Linguistic Diversity* being developed by the Bureau.
8. That the Australian Government incorporate Access and Equity considerations and obligations into funding partnerships and agreements with states and territories and into whole-of-government guidelines on tender specifications and contractual arrangements for outsourced service delivery by its agencies.

9. That the Australian Government develop a whole-of-government policy on communication by its agencies in languages other than English, including use of interpreters and translators.
10. That the Australian Government incorporate Access and Equity considerations and obligations into its whole-of-government communication and advertising guidelines.
11. That the Australian Government incorporate Access and Equity considerations and obligations into upgraded whole-of-government guidelines on the use of the Internet as a communication and service delivery tool by its agencies.
12. That the Australian Government assess or develop training packages on Access and Equity policy and cultural competency and incorporate them into Australian Public Service Commission sponsored courses and individual agency training on leadership, policy development and service delivery.

### Governance and accountability

13. That the Department of Immigration and Citizenship retain responsibility for coordination of Access and Equity policy, monitoring of implementation and consolidated performance reporting across all Australian government agencies, subject to review and oversight by the Australian Multicultural Council.
14. That the Australian Government request the Auditor-General to undertake periodic performance audits of selected groups of agencies' performance in meeting their obligations under Access and Equity policy.
15. That Australian government agencies review the accessibility of their complaints mechanisms to CALD communities and adjust them as necessary, in consultation with CALD communities.
16. That the Department of Immigration and Citizenship continue to commission the Federation of Ethnic Communities' Councils of Australia to provide structured feedback from CALD communities on their perceptions of agencies' Access and Equity performance within the new arrangements.
17. That Access and Equity reporting prepared by the Department of Immigration and Citizenship and the Australian Multicultural Council, together with any available reports by the Auditor-General, be considered by the Cabinet at the same time as biennial reporting flowing from Social Inclusion policy.
18. That the Australian Government explore, in conjunction with states and territories, the use of the Report on Government Services (RoGS) process to gain a better understanding of Access and Equity performance in relation to CALD clients.
19. That the Australian Government consider adequacy of current provision for research, including national research priorities, on the practical outcomes of the migration program. This





assessment should particularly include research on interactions between the Australian Government and Access and Equity target groups and interactions with temporary entrants.

#### Other issues

20. That the Australian Government ensure that agencies give clear and coordinated, whole-of-government advice to long-term temporary entrants to Australia, particularly New Zealand citizens contemplating long-term temporary residence in Australia, both before and after arrival, on their entitlements.

## Attachment 5: Multicultural Access and Equity: Recommended Approach

# Multicultural Access and Equity

Respecting diversity. Improving responsiveness.



## Multicultural Access and Equity Agency Obligations



## Multicultural Access and Equity Agency Obligations

### Core elements of each Agency Multicultural Plan are to be:

#### Leadership

1. **Executive accountability:** Agency to assign a Senior Executive Officer to be responsible for implementation of Multicultural Access and Equity obligations in the agency.
2. **Agency commitment:** Agency leadership to ensure that staff understand and are committed to Multicultural Access and Equity implementation.

#### Engagement

3. **Stakeholder engagement:** Agency to have an engagement strategy to understand CALD communities' interaction with agency.
4. **Language and communication:** Agency to have a language and communication plan for CALD communities, including on the use of languages other than English and incorporating the use of interpreters and translators.

#### Performance

5. **Performance indicators and reporting:** Agency to develop a set of KPIs relating to engagement with, or outcomes of services to, CALD clients.
6. **Feedback:** Agency to have arrangements to ensure affected CALD communities are able to provide feedback on agency Multicultural Access and Equity performance.

#### Capability

7. **Cultural competency:** Agency to have training and development measures to equip staff with cultural competency skills.
8. **Research and data:** Agency to collect ethnicity data on the CALD groups with which the agency engages and to which it delivers services directly or indirectly.

#### Responsiveness

9. **Standards:** Any whole-of-government standards and guidelines developed by the agency must address Multicultural Access and Equity considerations.
10. **Policy, program and service delivery:** Provision to ensure that policies, programs, community interactions and service delivery (whether in-house or outsourced) are effective for CALD communities.
11. **Outsourced services:** Provision for incorporation of Multicultural Access and Equity requirements in funding agreements with states or third-party service deliverers.

#### Openness

12. **Publishing:** Agency to publish AMPs on agency website and performance reports against agency KPIs for CALD in agency annual reports.
13. **Data:** Agency to make CALD data available to other agencies and the public.

# Multicultural Access and Equity

## Governance and Accountability

### Department of Immigration and Citizenship (DIAC)

- DIAC to lead the coordination of Multicultural Access and Equity with the Australian Government.
- DIAC to arrange for the biennial monitoring report to be tabled in Parliament and to Cabinet.
- DIAC to support the AMC.

### Australian Multicultural Council

- The Australian Multicultural Council (AMC) to consider and provide feedback on Agency Multicultural Plans.
- AMC, in conjunction with DIAC, to monitor agencies' performance.

### Auditor-General

- The Auditor-General to undertake periodic performance audits of agencies' compliance with Multicultural Access and Equity obligations.

### Federation of Ethnic Communities' Councils of Australia (FECCA)

- FECCA to provide independent feedback from CALD communities on their experiences of government service delivery.