

Access and Equity

Inquiry into the responsiveness of
Australian Government services to
Australia's culturally and linguistically diverse population
December 2011

Discussion paper

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Foreword

Egalitarianism is a deeply held and enduring Australian value. We would all agree that it is right that all Australians are treated equitably in their interaction with government. However, working to make this a reality for people living in Australia is also imperative if we are to have a future where society is not segmented according to class or race, or marked by generational disadvantage; but a future where everyone belongs, contributes and benefits.

One of the key pieces of architecture for this future is the Access and Equity policy.

Access and Equity policy conveys the message that Australians from all cultural and language backgrounds are full members of the community and entitled to equitable access to Australian Government services and programs. Australian Government services require awareness, responsiveness, flexibility and innovation in their design, delivery, monitoring and evaluation to ensure they meet the needs of all Australians.

In November 2011, the Parliamentary Secretary for Immigration and Multicultural Affairs, Senator the Hon Kate Lundy, announced the establishment of an independent panel to conduct an inquiry into Australian Government services to ensure they are responsive to the needs of Australia's culturally and linguistically diverse population.

The Terms of Reference of the Access and Equity Inquiry (the Inquiry) are to:

- Inquire into the Australian Government's current approach to Access and Equity and its implementation
- Provide prioritised recommendations to the Australian Government for improving the responsiveness of Australian Government services to a culturally and linguistically diverse population.

The focus of the Inquiry is on the Australian Government departments and agencies.

In conducting this Inquiry, I am joined by fellow Panel members:

- Mr Pino Migliorino, Chair of the Federation of Ethnic Communities' Councils of Australia;
- Ms Maria Dimopoulos, member of Australian Lawyers for Human Rights and International Commission of Jurists and recipient of an Amnesty International Human Rights Award;
- Ms Jatinder Kaur, a cultural diversity consultant; and
- Judge Rauf Soulio, Chair of the Australian Multicultural Council, an ex officio member of the panel.

We have provided this paper to stimulate discussion about the issues already drawn to our attention which the Inquiry will consider. It is not meant to be a detailed discussion of all of the issues, but rather, an overview of key issues, accompanied by a series of questions.

We invite your written submissions in response to this paper. As key stakeholders and interested parties, your feedback and insights about Australian Government service provision to Australia's culturally and linguistically diverse communities will be greatly valued by the Panel.

The Inquiry is being conducted from November 2011 to June 2012 when our final report providing recommendations to the Australian Government on how existing Australian Government services could be improved will be presented.

Peter Hughes PSM
Chair, Access and Equity Inquiry Panel

Submissions Invited

The Access and Equity Inquiry Panel invites your written submissions via post, email or online. Submissions close **24 February 2012**.

Post: To provide your submission by post, please send to:

Access and Equity Inquiry Secretariat
Multicultural Policy Section
Department of Immigration and Citizenship
PO Box 25
BELCONNEN ACT 2616

Email: To provide your submission by email send as an attachment to:
accessandequity@immi.gov.au

Online: To provide your feedback online see
www.immi.gov.au/accessandequityinquiry

You are welcome to address the specific questions asked in this paper, or to put forward views and ideas that have not been canvassed. Early responses would be appreciated, if possible.

For anyone who wishes to use it, a response template is available on request. If you would like a response template, please use the request function at www.immi.gov.au/accessandequityinquiry or send an email to accessandequity@immi.gov.au.

Submissions received may be used to inform the panel's recommendations to the Australian Government.

Submissions will not be treated as confidential unless they are clearly marked confidential. They will not be routinely published or publicly attributed. However, in the interest of informed public debate, submissions may be made available upon request.

This discussion paper is supplemented by a paper with Questions for Communities and Clients ([Attachment A](#)) which will be translated into community languages, which are selected on the basis of objective accessibility criteria.

For further information about the Inquiry go to:
www.immi.gov.au/accessandequityinquiry

1 Introduction

What is Access and Equity?

Access and Equity policy is based on the notion that all Australians should be able to access Australian Government programs and services, and should be able to expect equitable outcomes, regardless of their cultural or language backgrounds.

Access means that Australian Government services should be available to all Australians who are entitled to receive them. Equity means that the Australian Government should respond to and cater for the diversity of clients' needs to achieve equitable outcomes. Equity recognises that cultural diversity principles should be incorporated into the design and implementation of program and service delivery.

Access and Equity is primarily about existing Australian Government programs and services adapting to the needs of all Australians, rather than about providing special and separate services to clients from culturally and linguistically diverse backgrounds. Access and Equity applies to all Australian Government-funded services, irrespective of whether they are delivered by Australian Government agencies, community organisations or commercial enterprises.

Australia's Cultural Diversity

Since 1945, Australia has successfully settled seven million people from more than 200 countries, including more than 750 000 people in humanitarian need.

Australians speak more than 260 languages, including Indigenous Australian languages; identify with more than 270 ancestries and observe a wide variety of cultural and religious traditions.

Around 27 per cent of Australians were born overseas and over 44 per cent of all Australians were either born overseas or had at least one overseas-born parent.

Development and evolution of 'access and equity'

A timeline of the evolution of access and equity policy can be found at [Attachment B](#).

2 The current Access and Equity Strategy

The Australian Government's Access and Equity Policy is currently implemented through an Access and Equity Strategy.

The current Access and Equity Strategy encourages and supports Australian Government departments and agencies; state and territory governments; and local governments to design, deliver, monitor and evaluate their programs and services. The Strategy and its Framework provide a tool for building cultural diversity considerations and service delivery principles into the strategic planning, policy development, budget and reporting processes of service delivery.

The whole-of-government Access and Equity Strategy forms a vital part of the Australian Government's suite of multicultural policies and programs. The Access and Equity Strategy is also connected to the Australian Government's Social Inclusion Agenda contributing to positive outcomes for disadvantaged Australians who might also be culturally and linguistically diverse.

The Access and Equity Strategy consists of two components: the Access and Equity Framework and the Access and Equity Report.

Access and Equity Framework

The Access and Equity Framework (at [Attachment C](#)) has four principles. Each principle has three subordinate strategies, which help agencies address key areas of responsibility for the Australian Government. The principles are:

- Responsiveness—Australian Government programs and services should be accessible, fair and responsive to the needs of their clients
- Communication—communication with clients should be open, effective and use appropriate channels
- Accountability—reporting and review mechanisms should be accessible, transparent and effective
- Leadership—Australian Government agencies should work together, emphasise responsibilities to partners, and encourage participation in our society by all.

Access and Equity Report

The Access and Equity Report is the second component of the Access and Equity Strategy. It features examples of how Australian Government agencies are responding to the needs of Australia's multicultural society.

The Department of Immigration and Citizenship (DIAC) has coordinated the Report since 1996. The Report has been tabled in both Houses of Parliament since 1993. The latest Report, for 2008–10, is available at <http://www.immi.gov.au/about/reports/access-equity/2010/>.

3 Future direction of Access and Equity

Concepts of 'access' and 'equity'

'Access and equity' is well-known as an Australian Government brand. However, the concepts may not be well understood across the Australian Government or by CALD clients. For example, the term 'access' has been misunderstood by some to refer to physical access (as may impact on people with disabilities seeking to gain entrance to a building). Likewise, the term 'equity' is often associated with equality of opportunity.

1. Is there a clear understanding of what the concepts 'access' and 'equity' mean in delivering services to people from culturally and linguistically diverse backgrounds?
2. Is there a need to communicate the meaning of access and equity better to Australian Government agencies and/or the community? How would that be best done?

Authority for Access and Equity

The current Access and Equity Strategy and Framework has no formal basis in legislation but has been endorsed by the Australian Government and thus applies to all Australian Government departments and agencies.

3. Is the level of authority for the access and equity strategy (i.e. endorsement by the Australian Government) adequate?
4. Should stronger authority for access and equity be considered? What mechanisms would be most feasible?

Access and Equity Strategy and Framework

The Australian Government's current Access and Equity Strategy encourages and supports Australian Government departments and agencies to design, deliver, monitor and evaluate their programs and services. The Strategy contains a framework and a reporting mechanism for all Australian Government agencies.

The Access and Equity Framework ([Attachment C](#)) guides departments and agencies in incorporating access and equity considerations in their policies, programs and services. By including access and equity considerations at the planning stage, it is expected that there would be no need to 'patch up' or provide separate services for culturally and linguistically diverse clients.

In *The People of Australia – Australia's Multicultural Policy*, the Australian Government announced that the Australian Multicultural Council will manage the access and equity strategy from 2012 to help strengthen the independence of access and equity reporting from the Australian Government and provide for a more robust reporting framework. Further discussion on reporting is provided later in this document.

5. How should Australian Government departments and agencies best ensure that their policies, programs and services are accessible and equitable to clients from culturally and linguistically diverse backgrounds?
6. What support do agencies need from DIAC in implementing access and equity?
7. Is the current Access and Equity Strategy and Framework appropriate to guide access and equity implementation by departments and agencies?
8. Is there a need for clearer performance standards for agencies?
9. Should access and equity put more focus on core services such as employment, health, welfare and education instead of the full suite of policy and services provided by the Australian Government?

Alignment with other Australian Government policies

Access and Equity Strategy is part of the Australian Government's suite of policies that support social inclusion outcomes for disadvantaged Australians. It is linked to other Australian Government initiatives such as the Social Inclusion Agenda.

10. How does the Access and Equity Strategy align with the Australian Government's Social Inclusion Agenda? Does it need to be better integrated? How?
11. What opportunities are there to align the Access and Equity Strategy with other Australian Government strategies?

Service Delivery, Contracts and Contract Management

Access and equity applies to all Australian Government funded policies, programs and services, irrespective of whether they are delivered by Australian Government agencies, community organisations or commercial enterprises.

12. How well are access and equity obligations transmitted to contracted service providers?
13. Are access and equity obligations in contracts effectively monitored and managed by departments and agencies?

Standards/performance measures

Over the life of access and equity reporting, a number of frameworks have guided agencies' input into the Access and Equity Report. Previously, reporting was based on self-assessment against performance indicators. The current reporting against the Access and Equity Framework principles and standards is based on self-reporting but no longer includes quantifiable metrics against which agencies measure their performance.

14. Are clearer and more measurable performance standards required to measure Australian Government agencies' performance in providing accessible and equitable services? If so, should they be uniform across the Australian Government or more tailored to individual agencies?
15. What standards should agencies meet to effectively implement the Australian Government's Access and Equity Strategy?
16. Does the current Access and Equity Framework provide adequate standards for measuring performance?
17. Is the current 'self-reporting' adequate or should there be some independence in the assessment of departments' and agencies' performance? How?
18. Should all agencies report against specific measures? (for example, against ethnicity data for planning and service usage; resource and expenditure on interpreting and translating; increasing cultural competence etc.)

Access and Equity Report

The Australian Government's Access and Equity in Government Services Report includes good practice examples of Australian Government policy, program and service initiatives for all Australians from culturally and linguistically diverse backgrounds. Currently, the report is published every two years but there is no legislative requirement to report at certain intervals.

In early days, the Access and Equity Report was a report to the Australian Government on its activities and had a compliance/ performance/ assessment focus. In more recent years, the audience of the report has perhaps shifted to the Australian public more generally.

19. Is reporting on Australian Government access and equity initiatives necessary?
20. If reporting is considered necessary, what should be the form of reporting and reporting frequency?
21. What should be the purpose of access and equity reporting? (to showcase best practice? measure agency performance in delivering access and equity to clients? improve Australian Government services? communicate Australian Government achievements within government / to community?)
22. How could better performance reporting be achieved?

Focus of access and equity reporting

All Australian Government departments and a large number of Australian Government agencies contribute to the Australian Government's Access and Equity Report. On occasion, reports have focussed on a particular topic, for example women or youth, but generally reports cover the full range of Australian Government policies, programs and services.

The Federation of the Ethnic Communities' Councils of Australia (FECCA) undertakes annual community consultations on behalf of the Australian Government on the accessibility of Australian Government services to diverse client groups.

23. Should the Access and Equity Report have an annual theme? What implications, if any, would this have for the reporting?
24. Should examples from each department or agency be included in the report or should the report include only good practice examples? If the latter, what should be done with the excluded input?
25. How should the input of FECCA be presented in the report? How should the report respond to this input?

Location of Access and Equity Policy and Reporting Responsibility

The administration of the Access and Equity policy and coordination of the reporting was first undertaken by the Office of Multicultural Affairs in the Department of the Prime Minister and Cabinet. Since 1996, DIAC has taken on these roles.

26. Is DIAC the appropriate agency to administer the Access and Equity Policy and Strategy and coordinate the Access and Equity Report? Is any agency better placed to do these tasks?

Attachment A:

Access and Equity

for people from all cultures and language backgrounds

Questions for Communities and Clients

Access and Equity is the policy that requires that all Australians have equal access to Australian Government services for which they are eligible, no matter what their cultural background is or what language they speak.

It applies to both Australian Government agencies and to other organisations funded by the Australian Government to deliver services, such as language services or helping people find a job.

Some of the key Australian Government agencies are: the Department of Human Services, which includes Medicare Australia and Centrelink; the Department of Families, Housing, Community Services and Indigenous Affairs; the Department of Health and Ageing; the Department of Immigration and Citizenship; the Department of Education, Employment and Workplace Relations and the Australian Taxation Office.

Access and Equity means that these organisations should think about the needs of people from diverse cultural and language backgrounds and change the way they do things to help clients access the services these organisations deliver.

We want to hear from you

The Australian Government has set up an Inquiry Panel to find out if Access and Equity is working in practice. The Panel wants to have views from you and your community on whether Australian Government services are responding to the needs of people from all cultures and language backgrounds and how access to services can be improved.

The inquiry is happening now.

We want to find out about the good and bad experiences with Australian Government services that you and your community have had, and ways that these services can be improved.

Please tell us

Some questions you might want to think about are:

1. What Australian Government services do you and your community use most (for example: employment, health, welfare)?
2. Have you or your community found it easy or difficult to use these services?
3. In your experience, do Australian Government services adapt to the needs of people from your cultural or language background?
4. If you or your community have had problems, what were they? Did they get resolved?
5. If you or your community have had good experiences, what services worked best for you? Why do you think they worked so well for you?
6. What are the best ways for the Australian Government to tell you about its services and how to access them?
7. Are there ways Australian Government services could be improved to help you or your community access them better?
8. Most Australian Government services have standards about how they deliver services to you. Do you think there should be specific standards to make sure culture or language doesn't make it harder for people to get the help they need?

How to have your say

Submissions close **24 February 2012**, and may be provided by post, email or online.

Post: To provide your submission by post, please send to:

Access and Equity Inquiry Secretariat
Multicultural Policy Section
Department of Immigration and Citizenship
PO Box 25
BELCONNEN ACT 2616

Email: To provide your submission by email send as an attachment to accessandequity@immi.gov.au

Online Form: To provide you feedback online see:
www.immi.gov.au/accessandequityinquiry

Attachment B: History of the Australian Government's Access and Equity Strategy

From the mid-1970s to the early 1980s, multicultural policy remained focused on equality of opportunity and cultural maintenance. However, during this period, the issue of sensitivity of mainstream services to migrant needs arose.

In this context, the Galbally Committee, headed by prominent Melbourne lawyer Frank Galbally, was established in 1977 and given the task of reviewing post-arrival programs and services for migrants, to examine their changing needs and to make sure that these were being effectively met.

In 1978 this resulted in the watershed document *Migrant Services and Programs: Report of the Review of Post Arrival Programs and Services for Migrants* (commonly referred to as the Galbally Report). The report recognised for the first time the need for comprehensive data on the participation of migrants in all relevant programs as a prerequisite to monitoring and evaluating the effectiveness of all Commonwealth programs and services used by migrants.

1979: The *Australian Institute of Multicultural Affairs Act 1979* established the Australian Institute of Multicultural Affairs (AIMA) in accordance with recommendation 49 of the Galbally Report.

1982: In July AIMA conducted an evaluation of programs and services. This reiterated the need for migrants to have equal access to general programs and services irrespective of their cultural or linguistic background.

1986: In April the report to parliament *Access and Equity in the Delivery of Federal Government Services and Programs to Migrants* was released. In effect, this was the first Australian Government access and equity report.

1987: In March the Commonwealth established the Office of Multicultural Affairs (OMA) in the Department of the Prime Minister and Cabinet, replacing AIMA.

1988: *A Fair Go, A Fair Share: Access and Equity for a Multicultural Australia, Access and Equity Report No. 1* was released—the first official access and equity report.

1989: Adoption of the National Agenda for a Multicultural Australia ... Sharing our Future extended the Access and Equity Strategy focus to all groups that might face barriers of race, religion, language or culture, including Aboriginal and Torres Strait Islander people; Australian children of non-English speaking background; and women from these groups, who may face a double disadvantage.

1992: An evaluation of the Access and Equity Strategy found that while access and equity principles were increasingly visible in performance reporting and literature, they were not yet permeating the core cultures and practices of Australian Government departments.

The Australian Government endorsed the evaluation report and all of its 43 recommendations, including that the OMA coordinate an access and equity review report to be tabled in parliament each year.

1993: All Australian Government departments and agencies began contributing to the annual access and equity report. The report was tabled in both houses of parliament for the first time.

1996: In January *A Fair Go For All: Report on Migrant Access and Equity* was released. It is the report of the first federal parliamentary inquiry into the extent to which access and equity principles were being applied in the delivery of services to migrants.

1998: The Charter of Public Service for a Culturally Diverse Society was formally launched.

2002: The then Department of Immigration and Multicultural and Indigenous Affairs initiated a review of annual reporting arrangements for cultural and linguistic diversity. The review made a number of recommendations for access and equity, including mainstreaming access and equity reporting.

2005: The Access and Equity Strategy had its 20th anniversary and the Multicultural Australia: United in Diversity policy was evaluated (including the Access and Equity Strategy). The evaluation suggested greater ownership and accountability of agencies in ensuring that their programs are fair and equitable.

2006: A new framework, Accessible Government Services for All, was developed to replace and simplify the charter. While retaining key principles, it simplified the language used and aligned performance indicators with the principles. It also streamlined agency reporting, sharing of good practices and key performance challenges.

2006: It was decided that agencies would continue to provide annual contributions to the access and equity reports, but they would be published every two years rather than yearly.

2009: In March the first two-yearly Access and Equity Report was tabled in parliament.

2011: In February the Australian Government launched *The People of Australia—Australia's Multicultural Policy*. One of the recommendations of the policy was for the new Australian Multicultural Council to manage the Access and Equity Strategy to help strengthen the independence of access and equity reporting from the Australian Government and provide for a more robust Access and Equity Framework .

Attachment C: Access and Equity Framework

| Principle or performance indicator | Responsiveness Extent to which programs and services are accessible, fair and responsive to the individual needs of clients | Communication Open and effective channels of communication with all stakeholders | Accountability Effective and transparent reporting and review mechanisms | Leadership Broad approaches to management of issues arising from Australia's cultural and linguistic diversity |
|------------------------------------|--|---|--|--|
| Strategies | <ol style="list-style-type: none"> 1. Developing and delivering fair programs and services that are based on a sound knowledge of the needs, circumstances and cultural and other characteristics of clients and assess the direct impact on the lives of people 2. Drawing on cultural diversity to improve efficiency and effectiveness of agency programs and to support innovation and success of Australian enterprises: <ul style="list-style-type: none"> • auditing and raising the profile of staff cultural skills • providing appropriate staff training • taking steps to recruit culturally diverse employees, volunteers, grantees, contractors • supporting Australia's competitive business advantage arising from the diverse backgrounds, skills and networks of its workforce and population 3. Identifying and responding quickly to emerging issues affecting particular population groups or arising from Australia's cultural diversity | <ol style="list-style-type: none"> 1. Providing information in a timely manner, in appropriate media, publications, formats and languages 2. Recruiting and training staff who have appropriate linguistic and cultural skills or using interpreting services to ensure effective communication with clients, as necessary 3. Consulting appropriately with diverse communities and client groups about the development of policy, legislation and regulations, the implementation of programs, and the delivery of services | <ol style="list-style-type: none"> 1. Establishing mechanisms to encourage feedback from people of all cultural backgrounds and allow them to register complaints and raise concerns about the performance of policy developers, program implementers and service providers (including outsourced services) 2. Responding to concerns raised by clients to improve agencies' performance 3. Reporting to appropriate audiences of community concerns about agency programs and agency responses to those concerns | <ol style="list-style-type: none"> 1. Collaborating within and between agencies and with other partners to identify and address issues relating to cultural diversity, through publicising good practices, sharing information, coordinating programs or collaborating on projects 2. Working with state, territory or local governments, non-government and community organisations, and contractors, raising their awareness of their responsibilities and encouraging improvement in their responses to cultural diversity 3. Contributing to the broader goals of cultural diversity policy: <ul style="list-style-type: none"> • strengthening the settlement prospects of migrants • enhancing the ability of all to achieve self-reliance, encouraging social, economic and educational participation for people from diverse backgrounds • including issues relating to social cohesion and participation in programs and policies. |