



Australian Government

**AUSTRALIA'S FIRST OPEN
GOVERNMENT NATIONAL
ACTION PLAN 2016-18**

Australia's first Open Government National Action Plan 2016-18

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Ministerial Foreword



As the Minister responsible for co-ordinating Australia's involvement in the Open Government Partnership on behalf of the Prime Minister, I am proud to release Australia's first ever Open Government National Action Plan.

The Australian Government understands the importance in a democracy of open government to a strong and fair society. Open government also fundamentally supports the Government's goal for Australia to become a more agile, innovative and collaborative nation. That is why one of the Prime Minister's first acts was confirming Australia's commitment to the Open Government Partnership and starting the process of preparing our first National Action Plan.

This National Action Plan promises ambitious action across a broad spectrum of important areas for government. The Plan commits to:

- more transparency and accountability in business, including better legislative protections for whistle-blowers that report misconduct in the tax and corporate sectors;
- better access to government-held information and data, with release of high-value datasets and reforms to our information access laws;
- strengthening our national integrity and anti-corruption framework;
- undertaking a Joint Standing Committee on Electoral Matters inquiry into political donations and other electoral matters; and
- improving the way the Commonwealth engages with the public on policy development, service delivery and decision-making.

These commitments complement and build upon the considerable action the Government has already undertaken, particularly in promoting open data and digital transformation of government.

Australia already starts from a high base, and this Plan is an opportunity for the Government and civil society to work together to build upon Australia's long tradition of openness and transparency.

Thank you to everyone who participated in the development of this Plan and in particular, the members of the Interim Working Group.

The launch of this National Action Plan represents the start of the process of delivering more open government. The Government recognises it must keep lifting the bar to ensure we meet the high expectations of Australians, who rightly expect Australia to be a leader in promoting transparency, integrity and public engagement, and to be at the forefront of technological innovation.

Open, transparent and accountable government will always be a cornerstone of Australia's democracy. The Government is committed to strengthening our approach to open government into the future, in partnership with civil society.

A handwritten signature in blue ink, appearing to read 'M Cormann', is positioned above the printed name.

Senator the Hon Mathias Cormann

Minister for Finance

1 Introduction

Australia is a successful and stable democracy, with relatively low levels of corruption and a range of institutions and laws which promote open and accountable government.

In 2015, we were ranked 13th in Transparency International's Corruption Perceptions Index and 9th in The Economist Intelligence Unit's Democracy Index. We are a relatively high performer on the world stage, but as other nations intensify their efforts, it is important Australia also continually improve to become more open, transparent and accountable, and improve public engagement.

Delivering more open government is in our national economic, environmental and social interest, and is crucial as we seek to:

- build a better and fairer society for all Australians and be more responsive to the expectations of the community;
- stimulate economic growth and innovation;
- foster collaboration between government, business, academia, non-government organisations and the community; and
- continue efforts to address issues of corruption, fraud and misconduct.

Governments worldwide are moving towards more open and transparent ways of working, with 70 countries – including Australia – now signed up to the Open Government Partnership.

What is the Open Government Partnership?

The Open Government Partnership is a multilateral initiative established in 2011 that aims to secure concrete commitments from governments to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance.

Membership requires governments to work with civil society to 'co-create' a National Action Plan every two years, with independent reporting on progress. Civil society is a term used by the Partnership to broadly refer to people and organisations outside of government, including non-government organisations, business, academia, community groups and the public.

Importantly, the Open Government Partnership doesn't prescribe standards that countries should follow – rather it aims to bring governments and citizens of each country together to define their own priorities for reform.

The Australian Government confirmed its membership of the Open Government Partnership in November 2015. Further information can be found at www.opengovpartnership.org.

This National Action Plan sets out the initial steps the Government will take in pursuit of the aim to improve and build confidence in Australian institutions and strengthen our democracy, by upholding the principles in the Open Government Declaration to:

- promote transparency, fight corruption, empower citizens, and harness the power of new technologies to make government more effective and accountable;
- uphold the value of openness in our engagement with citizens to improve services, manage public resources, promote innovation, and create safer communities; and
- embrace principles of transparency and open government with a view toward achieving greater prosperity, well-being, and human dignity in our own country and in an increasingly interconnected world.

The Plan sets out an agenda for the next two years across a broad range of important areas:

- Transparency and accountability in business
- Open data and digital transformation
- Access to government information
- Integrity in the public sector
- Public participation and engagement

This our first National Action Plan and the first step in an ongoing process towards more open government in Australia. One of the great strengths of the Open Government Partnership is that it promotes an iterative and continual process of improvement. The Plan provides a foundation to continue engaging with civil society to identify new initiatives and strengthen our efforts over time. There is also an opportunity going forward to work with state, territory and local governments to improve transparency and integrity at all levels of government.

2 Efforts to date

While the focus of this National Action Plan is squarely on future reforms to improve open government and address gaps in Australia's current approach, the commitments in the Plan build on other actions the Australian Government has taken in recent years.

Open data and digital transformation of government services are high priorities for the Government and considerable progress has been made in a short space of time.

- The **Public Data Policy Statement**, released in December 2015, commits Australian Government entities to release non-sensitive data as open by default. Since 2013, the number of discoverable resources on data.gov.au has grown from approximately 500 to over 20,000.
- The **Digital Transformation Agency** (formerly the Digital Transformation Office) has been established to lead the transformation of government services, and provide an integrated policy and strategic capability for whole of government ICT, ICT procurement and digital. The Digital Transformation Agency will implement wide scale change in digital capability across government departments, benefiting the public and other users of government services.

There have been several initiatives to improve accountability and integrity both within and outside of government.

- The Government commissioned an **independent review of the parliamentary entitlements system** in August 2015, and has given its in-principle support to all of the recommendations of the review.
- The **Royal Commission into Trade Union Governance and Corruption** reported in December 2015. The Government has introduced legislation to improve the governance and accountability of registered organisations (unions and employer organisations).

Steps have been taken to make government ICT procurement more transparent, and to encourage innovation by making it easier for start-ups and innovative small businesses to sell services to government.

- The National Innovation and Science Agenda committed to establish a new **Digital Marketplace** for procuring ICT products and services, and seeking innovative solutions to policy and service delivery "challenges" through the **Business Research and Innovation Initiative**.
- A public **ICT dashboard** is being developed to improve transparency around Government ICT performance and progress on major new investments.

The Australian Government has also been active (and in many cases a leader) in international anti-corruption and tax avoidance / transparency efforts.

- Australia is a member of the **G20 Anti-Corruption Working Group**, and led the development of the G20 Anti-Corruption Action Plan and the subsequent 2015-16 Anti-Corruption Implementation Plan. The G20 High Level Principles on Beneficial Ownership Transparency are also a legacy item of Australia's 2014 G20 presidency.
- Australia was also a participant in the **UK's international Anti-Corruption Summit** in London in May 2016. At the meeting, the Government endorsed the Global Declaration against Corruption and announced a range of new measures, including joining the Extractive Industries Transparency Initiative and holding an annual Government Business Roundtable on Anti-Corruption.
- In December 2015, the Australian Taxation Office published the first annual ***Report of Entity Tax Information***, which included the Australian total income, taxable income and tax paid of large public and private companies operating in Australia.
- The **Voluntary Tax Transparency Code**, announced as part of the 2016-17 Budget, is a set of principles and minimum standards to guide medium and large businesses on public disclosure of tax information. Adoption of the Code is voluntary, and is designed to encourage greater transparency within the corporate sector.

These new measures build on other actions taken over the last decade to improve access to government information and promote transparency and integrity at the federal level:

- Whistle-blower protections in the public sector were improved by the *Public Interest Disclosure Act 2013*, which commenced in January 2014.
- Freedom of information laws were reformed in 2010, and included the introduction of the Information Publication Scheme (IPS), which requires Australian Government agencies to publish a broad range of information on their websites.
- The Office of the Australian Information Commissioner was established in 2010 to promote access to government information.
- The *Archives Act 1983* was amended in 2010 to reduce the period before which government information and Cabinet documents are released. A Digital Transition Policy and Digital Continuity 2020 Policy have also been established, requiring government information to be created and managed digitally.
- Creative Commons licensing was adopted in 2010 to accommodate access to government information and bring consistency to licensing arrangements.

State, territory and local governments have also undertaken a range of initiatives to promote transparency, integrity and access to information at a sub-national level.

3 Developing this plan

The National Action Plan has been drafted through consultation and collaboration between government, non-government organisations, the public and the private sector. Over the past year, the Government undertook a number of consultation activities.

- **Raising awareness:** public meetings were held in four capital cities in late 2015 (Sydney, Melbourne, Brisbane and Canberra) to raise awareness of Australia's membership of the Open Government Partnership and the process to develop Australia's first National Action Plan. Additional awareness raising activities were undertaken through social media, government websites, teleconferences and webinars, and email mailing lists. More needs to be done to continue lifting public awareness going forward.
- **Seeking ideas:** a formal consultation process (using online and offline mechanisms,) ran from December 2015 to April 2016 to seek suggestions on potential commitments for the National Action Plan. The process was led by a specialist consultation and engagement consultancy (engage2). It included a formal submission process, teleconferences with stakeholders and a workshop with over 60 participants in April 2016 to help prioritise potential commitments for the Plan. All timeframes for consultation and submissions were published online.
- **Drafting the National Action Plan:** an Interim Working Group, comprising equal representation of government officials and non-government members, was established in August 2016 to provide input and help inform the drafting of the National Action Plan, building on earlier consultations. Non-government members of the working group were selected through an open expression of interest process. The Plan was released online for public consultation for approximately three weeks in November 2016, along with public meetings in five capital cities (Sydney, Melbourne, Brisbane, Perth and Canberra) and an online webinar.

This engagement has helped shape the National Action Plan and the open government priorities for the next two years. More details about engagement are at **Appendix A**.



Image 1 – Interim Working Group Workshop

4 Commitments

This National Action Plan consists of an ambitious package of 15 commitments. Taken together, these actions will advance transparency, accountability, public participation and technological innovation in Australia over the next two years.

The Government will continue to engage publicly to identify new opportunities to promote open government, including through a new ongoing multi-stakeholder forum (commitment 5.1). New commitments may be considered by the multi-stakeholder forum and potentially added to this National Action Plan, or considered for potential inclusion in our second National Action Plan due in 2018.

Stay involved! [Sign up](#) to our mailing list to keep up to date on progress and find out about opportunities to get involved in future consultations.

THEMES	NO.	TITLE
i. Transparency and accountability in business	1.1	Improve whistle-blower protections in the tax and corporate
	1.2	Beneficial ownership transparency
	1.3	Extractive industries transparency
	1.4	Combating corporate crime
ii. Open data and digital transformation	2.1	Release high-value datasets and enable data-driven innovation
	2.2	Build and maintain public trust to address concerns about data sharing and release
	2.3	Digitally transform the delivery of government services
iii. Access to government information	3.1	Information management and access laws for the 21 st century
	3.2	Understand the use of freedom of information
	3.3	Improve the discoverability and accessibility of government data
iv. Integrity in the public sector	4.1	Confidence in the electoral system and political parties
	4.2	National Integrity Framework
	4.3	Open contracting
v. Public participation and engagement	5.1	Delivery of Australia's Open Government National Action Plan
	5.2	Enhance public participation in government decision making



Transparency and accountability in business

***We will enhance Australia's strong reputation
for responsible, transparent and accountable
business practice.***

Commitment 1.1: Improve whistle-blower protections in the tax and corporate sectors

Objective and description:

Australia will ensure appropriate protections are in place for people who report corruption, fraud, tax evasion or avoidance, and misconduct within the corporate sector.

We will do this by improving whistle-blower protections for people who disclose information about tax misconduct to the Australian Taxation Office. We will also pursue reforms to whistle-blower protections in the corporate sector, with consultation on options to strengthen and harmonise these protections with those in the public sector.

Status Quo:

The prevention of corruption, waste, tax evasion or avoidance and fraud relies upon appropriate protections for people who report these wrongdoings.

Australian public servants who act as whistle-blowers have some protection under the *Public Interest Disclosure Act 2013 (PID Act)*. While there are also protections available to corporate whistle-blowers, those protections lag behind the PID Act and protections available to whistle-blowers in other countries (such as the *Dodd-Frank Wall Street Reform and Consumer Protection Act 2010* in the United States, and the *Public Interest Disclosure Act 1998* (amended in 2013) in the United Kingdom). Current protections in the corporate sector are overly narrow and make it unnecessarily difficult for those with information to qualify for protections.

In the 2016-17 Budget, the Government also announced it would introduce whistle-blower protections for people who disclose information about tax misconduct to the Australian Taxation Office.

A research project into public interest whistleblowing, *Whistling While They Work 2*, is currently being led by Griffith University and is looking into improvements across the public and private sectors. The project is partly funded by the Australian Research Council, and its initial survey of organisational processes and procedures is now available at www.whistlingwhiletheywork.edu.au.

Ambition:

To reduce corruption, waste, tax evasion or avoidance, and fraud by ensuring protections are in place for people who report such activities.

Relevance: This commitment will advance the OGP values of **public accountability** and **transparency** by:

- encouraging, protecting and compensating whistle-blowers whose information reveals artificial tax structures and misconduct; and
- reducing other forms of corruption, fraud and misconduct by ensuring corporate whistle-blowers are also encouraged, protected and compensated.

COMMITMENT DETAILS			
OGP Grand Challenge		Increasing Corporate Accountability More Effectively Managing Public Resources	
Timeframes		December 2016 – June 2018	
Lead agency		Treasury (whistleblowers@treasury.gov.au)	
Other actors involved	Government	Australian Taxation Office, Australian Securities and Investments Commission, Australian Prudential Regulation Authority, Attorney-General's Department, Department of the Prime Minister and Cabinet and other relevant agencies, state and territory governments, Parliament of Australia	
	Non-government	Corporations, peak industry bodies (including Law Council of Australia, tax advisors, other law and accounting bodies), non-government organisations (including Australian Open Government Partnership Network, Transparency International Australia, Accountability Round Table), Board of Taxation, academia, and whistle-blowers	
NO.	MILESTONE	START DATE	END DATE
1	Establish Parliamentary inquiry.*	No later than 30 November 2016	30 June 2017

NO.	MILESTONE	START DATE	END DATE
2	Treasury to release a public consultation paper covering both tax whistle-blower protections and options to strengthen and harmonise corporate whistle-blower protections with those in the public sector.	December 2016	March 2017
3	(i) Development and public exposure of draft legislation for tax whistle-blower protections (informed by consultation). (ii) Recommendation to Government on reforms to strengthen and harmonise whistle-blower protections in the corporate sector with those in the public sector (informed by consultation).	May 2017	July 2017
5	Finalise and introduce legislation for tax whistle-blower protections.	August 2017	December 2017
6	Introduce legislation to establish greater protections for whistle-blowers in the corporate sector, with a parliamentary vote no later than 30 June 2018.	By December 2017	By 30 June 2018

* Amendments were moved to the *Fair Work (Registered Organisations) Amendment Bill 2014* in November 2016 which significantly strengthen whistle-blower protections for people who report corruption or misconduct in unions and employer organisations. The Government has committed to supporting a Parliamentary inquiry (Inquiry) to examine the Registered Organisations Commission whistle-blower amendments with the objective of implementing the substance and detail of those amendments to achieve an equal or better whistle-blower protection and compensation regime in the corporate and public sectors. It should be noted that the timetable for review and consultation set out above in this National Action Plan is shorter than the timetable that will apply to the Inquiry process.

Commitment 1.2: Beneficial ownership transparency

Objective and description:

Australia will improve transparency of information on beneficial ownership and control of companies available to relevant authorities.

As part of this, we will consult with the corporate sector, non-government organisations and the public on the details, scope and implementation of a beneficial ownership register for companies, as well as other options to improve beneficial ownership transparency.

Status Quo:

Improving transparency around who owns and benefits from companies is critical to protecting the integrity of our financial system and preventing the misuse of corporate structures for corruption and criminal activity. A beneficial ownership register shows who ultimately owns and benefits from the activities of companies.

Australia currently has tracing powers for beneficial ownership of listed companies and investment schemes, but there is room to strengthen transparency across all companies.

Australia has committed to the G20 Principles on Beneficial Ownership. The Principles state that countries should ensure that relevant authorities (including law enforcement and prosecutorial authorities, supervisory authorities, tax authorities and financial intelligence units) have timely access to adequate, accurate and current information regarding the beneficial ownership of legal persons (companies).

Ambition:

To ensure that adequate, accurate and timely information on beneficial ownership and control is available to relevant authorities in Australia to address issues of tax evasion, money laundering, corruption and terrorist financing.

To improve regional and international cooperation on taxation, including strengthening information sharing between tax authorities and sharing learnings to increase the transparency of beneficial ownership information. We will use outcomes of the work by the Financial Action Task Force (FATF) and the Global Forum on Transparency and Exchange of Information for Tax Purposes to help develop proposals to improve implementation of relevant international standards on transparency, including on the availability and exchange of companies' beneficial ownership information.

Relevance: This commitment will advance the OGP values of **transparency** and **accountability in business** by:

- improving the effectiveness of our legal, regulatory and institutional frameworks;
- preventing the misuse of corporate structures for illicit purposes such as corruption, tax evasion and money laundering;
- protecting the integrity of the financial system; and
- increasing growth through private sector investment.

COMMITMENT DETAILS	
OGP Grand Challenge	Increasing Corporate Accountability
Timeframes	Recommendation to Government on improving transparency of information on beneficial ownership of companies available to relevant authorities by end 2017
Lead agency	Treasury (beneficialownership@treasury.gov.au)
Other actors involved	Government Attorney General's Department , Australian Securities and Investment Commission, G20, Australian Taxation Office, Office of the Australian Information Commissioner, regional partners and Australian Accounting Standards Board, state and territory governments
	Non-government Companies, peak bodies (including Law Council of Australia), non-government organisations (including Australian Open Government Partnership Network, Publish What You Pay Australia and Transparency International Australia), reporting entities under the <i>Anti-Money Laundering and Counter-Terrorism Financing Act</i> , FATF, Global Forum, international tax partners

NO.	MILESTONE	START DATE	END DATE
1	Treasury to release a public consultation paper seeking views on the details, scope and implementation of a beneficial ownership register for companies. The consultation will also consider the use of nominee shareholdings to conceal beneficial ownership.	February 2017	April 2017
2	Recommendation to Government on the details, scope and implementation of a beneficial ownership register for companies (informed by public consultation).	July 2017	July 2017
3	Begin work to implement Government decision on transparency of beneficial ownership of companies.	August 2017	Expected to continue for the duration of this Plan

Commitment 1.3: Extractive industries transparency

Objective and description:

Australia will enhance disclosure of company payments and government revenues from the oil, gas and mining sectors.

We will do this by implementing the Extractive Industries Transparency Initiative (EITI) Standard (including working to enhance company disclosure of payments to governments for the sale of petroleum and minerals) and by continuing to support the application of EITI principles around the world.

Status Quo:

The sustainable development of natural resources (oil, gas and minerals) requires transparent and accountable management of revenue received from these industries, including taxes, royalties and other payments.

The EITI is a global standard to promote the open and accountable management of natural resources. The Australian Government has been a major supporter of the EITI, committing more than A\$20 million since 2007.

Australia announced its intention to seek EITI compliance on 6 May 2016, following a pilot to test the applicability of EITI rules and principles to Australian conditions between 2011 and 2014. State and territory governments support the Australian EITI and will participate directly in the implementation process. The EITI Standard will require companies and governments to report annually on governance and payments in the oil, gas and mining sectors. It will also require enhanced transparency of beneficial ownership information (related to commitment 1.2).

The oil, gas and mining industries face increasing scrutiny. Our commitment to the EITI Standard will help to build the public trust necessary for an enduring and sustainable industry.

Ambition:

To enhance transparency and accountability in the extractive industries sector.

Relevance:

This commitment will advance the OGP values of **access to information** and **public accountability** by:

- providing timely, reliable, publicly available and independently verified data on the extractives industries' contribution to the Australian economy;
- encouraging EITI adoption in resource-rich countries and support a level playing field for Australian companies seeking to invest in those markets;

- demonstrating Australia’s commitment to global transparency, anti-corruption and tackling tax avoidance; consistent with current domestic and international trends; and
- supporting the extractive industries’ social licence to operate, demonstrating its commitment to transparent and accountable operations.

COMMITMENT DETAILS			
OGP Grand Challenge		Increasing Corporate Accountability More Effectively Managing Public Resources	
Timeframes		September 2016 – Mid 2019	
Lead agency		Department of Industry, Innovation and Science (eiti@industry.gov.au)	
Other actors involved	Government	Department of Foreign Affairs and Trade, Department of the Prime Minister and Cabinet, Treasury, Australian Taxation Office, state and territory governments	
	Non-government	Non-government organisations (including EITI International, Australian Open Government Partnership Network, Transparency International Australia, Publish What You Pay Australia) and private sector (including Minerals Council of Australia, Australian Petroleum Production and Exploration Association and extractive industries companies)	
NO.	MILESTONE	START DATE	END DATE
1	Establish a Multi-Stakeholder Group (representing industry, non-government organisations and government) to oversee the implementation of the EITI Standard in Australia (including working to enhance company disclosure of payments to governments for the sale of petroleum and minerals).	Commenced	Ongoing

NO.	MILESTONE	START DATE	END DATE
2	Submit a formal application for EITI candidacy.	March 2017	June 2017
3	Produce Australia's first EITI report.	Mid 2018	End 2018
4	Commence validation to become EITI compliant (at discretion of EITI Secretariat).	Early 2019	Mid 2019

Commitment 1.4: Combating corporate crime

Objective and description:

Australia will strengthen its ability to prevent, detect and respond to corporate crime, particularly bribery of foreign public officials, money laundering, and terrorism financing.

We will do this by pursuing reforms to relevant legislative frameworks, which will involve a process of public consultation.

Status Quo:

Australia has strong laws in place to deal with corporate crime.

We are a party to the OECD Anti-Bribery Convention, and are due to be reviewed again under this Convention in 2017. The *Criminal Code Act 1995* makes it an offence to bribe a foreign public official and sets out tough penalties for individuals and companies. While we have two sets of foreign bribery prosecutions underway, it is a challenging offence to enforce as the offending typically occurs overseas and can be difficult to proactively detect.

We also have a strong regime to fight money laundering and terrorism financing under the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006*. A statutory review of this legislation was tabled in Parliament in April 2016 and the Government is considering its response.

We are also exploring new responses to corruption and corporate crime. In March 2016, we released a public discussion paper on a possible deferred prosecution agreement (DPA) scheme in Australia. An effective DPA scheme could help encourage companies to self-report criminal behaviour and provide enforcement and prosecutorial agencies with a new tool to identify and bring corporate offenders to justice.

Ambition:

We will ensure that our laws applying to the bribery of foreign public officials, money laundering and terrorism financing are strong and there are no unnecessary barriers to effective prosecution.

We will consult publicly on the implementation of recommendations from the statutory review of the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006* and associated Rules and Regulations.

We will respond to the public consultation into whether a DPA scheme would facilitate more effective and efficient responses to bribery and corporate corruption by encouraging companies to self-report.

We will review the enforcement regime of the Australian Securities and

Investments Commission (ASIC), to assess the suitability of the existing regulatory tools available to it to perform its functions adequately.¹

Relevance: This commitment will advance the OGP values of **public accountability** by:

- strengthening Australia’s ability to prevent, detect and respond to bribery of foreign public officials, and meet its international obligations;
- improving the effectiveness of legislation to fight money laundering and terrorism financing; and
- encouraging companies to self-report criminal behaviour.

COMMITMENT DETAILS			
OGP Grand Challenge		Increasing Corporate Accountability More Effectively Managing Public Resources	
Timeframes		December 2016 – 2019	
Lead agency		Attorney-General’s Department (CriminalLaw@ag.gov.au)	
Other actors involved	Government	ACLEI, Australian Federal Police, Australian Securities and Investments Commission, Commonwealth Director of Public Prosecutions, Treasury and Department of the Prime Minister and Cabinet	
	Non-government	Industry, peak bodies (including Law Council of Australia), non-government organisations (including Australian Open Government Partnership Network, Accountability Round Table) and international partners	
NO.	MILESTONE	START DATE	END DATE
1	AGD to review laws applying to foreign bribery and consult publicly on possible reform options.	December 2016	March 2017
2	Respond to the consultation on a possible	December 2016	July 2017

¹ <http://kmo.ministers.treasury.gov.au/media-release/095-2016/>

NO.	MILESTONE	START DATE	END DATE
	Australian DPA scheme and consult on possible models.		
3	Consult publicly on the recommendations from the statutory review of the <i>Anti-Money Laundering and Counter-Terrorism Financing Act 2006</i> and associated Rules and Regulations, and implement legislative reforms.	Commenced	2019
4	Review ASIC's enforcement regime.	Commenced	2017



Open data and digital transformation

We will advance our commitments to make government data open by default and to digitally transform government services.

Commitment 2.1: Release high-value datasets and enable data-driven innovation

Objective and description:

Australia will continue to make more public data openly available and support its use to launch commercial and non-profit ventures, conduct research, make data-driven decisions, and solve complex problems.

As part of this, we will work with the research, not-for-profit and private sectors to identify the characteristics of high-value public datasets, and to promote innovative use of data to drive social and economic outcomes.

Status Quo:

Public data² is a valuable national resource and its use and reuse can help grow the economy, improve service delivery and transform policy outcomes.

While significant progress has been made to advance the public data agenda within Australia, further work needs to be done to harness the full value of this resource.

The Australian Government's *Public Data Policy Statement* requires Australian Government entities to make non-sensitive data open by default. While government agencies will continue to release non-sensitive data, priority should be given to releasing, curating and streamlining access to datasets which have the greatest potential to deliver social and economic outcomes for the country. Ongoing engagement with non-government stakeholders is required to identify the characteristics of high-value datasets (such as format, accessibility, metadata and attributes), and discover barriers to accessing and sharing data.

The public, research, not-for-profit and private sectors can innovate with this data in order to generate new business, develop new products and services, and create social value. It is of the utmost importance though that the release of data not compromise people's privacy and personal details.

The Government has provided some support to date, including through the Open Data 500 Australia³ and the DataStart initiative.⁴ There is now the opportunity to build and expand on these pilot initiatives to encourage the

²Public data is data that government collects, produces, stores and/or procures in developing and delivering services. Data comprises raw, unorganised material such as characters, text, words, numbers, pictures, sound or video. It is different to information, which is derived from data after it has been processed and presented in context.

³ See: www.opendata500.com/au

⁴ See: www.datastart.com.au

use of public data for social and economic outcomes.

In the Government's policy for *Better and More Accessible Digital Services*,⁵ the Government committed to working with research, not-for-profit and private sectors to identify high-value public datasets for release. This will be supported by a public registry of significant non-sensitive datasets yet to be published on data.gov.au. The Government is also establishing a \$50 million *Smart Cities and Suburbs Program* to incentivise local councils to open up their data and collaborate with communities, local business, not-for-profits and research institutes to create innovative solutions to urban problems.⁶

The Productivity Commission has released a draft report⁷ on data availability and use that seeks to identify the characteristics (and provide examples) of public datasets that would provide high-value to the public, research and private sectors, as well as the community.

Ambition: To develop an open dialogue between government and non-government sectors to identify characteristics of high-value data and to stimulate greater use and re-use of public data in innovative ways.

Relevance: This commitment will advance the OGP values of **access to information**, **technology and innovation** and **public participation** by:

- identifying and prioritising high-value datasets for priority release;
- understanding how Australian businesses and not-for-profits are using public data;
- stimulating use and re-use of public data in innovative ways;
- encouraging the use of public data to create social value;
- identifying and addressing barriers impeding the sharing of and access to data; and
- fostering a dialogue on how public data can be made more useful.

⁵ The Government's policy for [Better and More Accessible Digital Services](#), June 2016

⁶ The Government's policy for [Smart Cities](#), June 2016

⁷ <http://www.pc.gov.au/inquiries/current/data-access/draft>

COMMITMENT DETAILS

OGP Grand Challenge		More Effectively Managing Public Resources Improving Public Services
Timeframes		December 2016 – July 2018
Lead agency		Department of the Prime Minister and Cabinet (data@pmc.gov.au)
Other actors involved	Government	Commonwealth Government agencies, Office of the Australian Information Commissioner, and state and territory and local governments
	Non-government	Non-government organisations (including Australian Open Government Partnership Network, Open Knowledge Foundation, Electronic Frontiers Australia, Australian Privacy Foundation), research, not-for-profit and private sectors

No.	Milestone	Start date	End date
1	<p>Consultation to assess barriers to using data, identify the characteristics of 'high-value' data and help inform the development of the High-Value Dataset Framework, including:</p> <ul style="list-style-type: none"> Roundtable discussions with the research, private and not-for-profit sectors Undertake the second round of the Open Data 500. Broader public consultation through surveys, social media and blog posts Undertake regular meetings of the Government Open Data Community Forum for public servants from federal, state and territory, and local government to share experience and discuss their ongoing open 	<p>Commenced</p> <p>January 2017</p> <p>Commenced</p> <p>Ongoing</p>	<p>April 2017</p> <p>July 2017</p> <p>October 2017</p> <p>Ongoing</p>

COMMITMENT DETAILS

	data work.		
2	Identify and release high-value data:		
	<ul style="list-style-type: none"> Develop the High-Value Dataset Framework (informed by public consultation). 	April 2017	December 2017
	<ul style="list-style-type: none"> Develop and release a public registry of significant non-sensitive datasets yet to be published on data.gov.au 	December 2017	July 2018
	<ul style="list-style-type: none"> Release non-sensitive data by default, with a focus on releasing high-value datasets. 	Ongoing	Ongoing
3	Stimulate innovative use and re-use of public data:		
	<ul style="list-style-type: none"> Review and publicise the outcomes from the pilot DataStart initiative 	Commenced	Early 2017
	<ul style="list-style-type: none"> Expand the DataStart initiative. 	July 2017	July 2018
	<ul style="list-style-type: none"> Provide support and mentoring at GovHack events 	Ongoing	Ongoing

Commitment 2.2: Build and maintain public trust to address concerns about data sharing and release

Objective and description:

Australia will build public trust around data sharing and release.

We will do this by actively engaging with the public regarding how open data is being used to better communicate the benefits and understand public concerns, and we will improve privacy risk management capability across government.

Status Quo:

In an increasingly complex and interconnected world, effective policy responses require investment in joined-up data that can provide a strong evidence-base for policy decisions.

However, as the volume of data and technical capability to use it increases, we need to better inform the public about the risks and benefits of data sharing and release, and address public views and concerns, including attitudes towards privacy.

It is essential that people's privacy and personal information is protected in using and sharing data. In some cases it is not appropriate to publish or share certain datasets. The *Privacy Act 1988* (Privacy Act) underpins the open data agenda and helps build public trust in data-sharing activities, but there is a need to improve capacity within government agencies to manage privacy risks when releasing data.

In October 2016 the Government introduced separate pieces of legislation to amend the Privacy Act to:

- make it an offence to deliberately re-identify personal information from open government data;⁸ and
- introduce mandatory data breach notification provisions requiring Australian Government agencies, private sector organisations and certain other entities regulated by the Privacy Act that suffer data breaches to notify individuals whose personal information has been compromised.⁹

Data literacy across the APS is also critical. In August 2016, the Department of

⁸ [Privacy Amendment \(Re-identification Offence\) Bill 2016](#)

⁹ [Privacy Amendment \(Notifiable Data Breaches\) Bill 2016](#)

the Prime Minister and Cabinet released *Data Skills and Capability in the Australian Public Service*¹⁰ to help build skills and knowledge in publishing, linking and sharing public data. The Government will also improve whole-of-government de-identification processes by releasing guidance on publishing sensitive data.

The Productivity Commission's inquiry into data availability and use will also consider privacy safeguards and consumer rights over their data. The Government will respond to the recommendations in the Productivity Commission's report and continue to work with the public to grow the social licence for data to empower citizens and increase transparency over government activities.

Ambition:

To build trust about the use of integrated data and actively respond to public concerns about data sharing. To comply with international best practice on open data principles and participate in global fora on data.

Relevance:

This commitment will advance the OGP values of **transparency** and **public participation** by:

- providing greater transparency on how government is using the data it collects and protecting personal information;
- enabling the public to engage with government and raise issues of concern;
- enabling experts outside of government to inform public debate; and
- providing more targeted and effective policy, service delivery and program evaluation.

¹⁰ <https://www.dpmc.gov.au/sites/default/files/publications/data-skills-capability.pdf>

COMMITMENT DETAILS

OGP Grand Challenge		Improving Public Services Increasing Public Integrity
Timeframes		December 2016 – July 2018
Lead agency		Department of the Prime Minister and Cabinet (data@pmc.gov.au), Australian Bureau of Statistics and Office of the Australian Information Commissioner (enquiries@oaic.gov.au)
Other actors involved	Government	Attorney General’s Department, Treasury, Fair Work Ombudsman, Australian Institute of Health and Welfare, Department of Social Services, Department of Industry, Innovation and Science and Department of Health, Department of Human Services, Australian Taxation Office and Australian Federal Police, state and territory governments
	Non-government	Non-government organisations (including Australian Open Government Partnership Network, Open Data Institute Queensland, Open Knowledge Foundation, Electronic Frontiers Australia, Australian Privacy Foundation, other privacy groups, digital rights organisations), library associations and the public

NO.	MILESTONE	START DATE	END DATE
1	<p>Develop an ongoing and collaborative conversation with the public about the risks and benefits of data sharing and integration:</p> <ul style="list-style-type: none"> Establish an expert panel to advise government and to help communicate: value and utility of data sharing and integration; how government is using the data it collects; and how government is protecting personal information. Develop and implement a public 	<p>Early 2016</p> <p>December 2016</p>	<p>Mid 2017</p> <p>December 2017</p>

COMMITMENT DETAILS

	<p>engagement process to demonstrate public-value examples and enable an ongoing dialogue with the public.</p>		
2	<p>Improve privacy and personal information protections in using and sharing data:</p> <ul style="list-style-type: none"> Publicly release a process for government agencies to determine whether sensitive data can be made sufficiently confidential to enable open publication. 	End 2016	Early 2017
	<ul style="list-style-type: none"> Work with the Office of the Australian Information Commissioner to improve privacy risk management capability across the Australian Public Service. 	Commenced	July 2018 (ongoing)
	<ul style="list-style-type: none"> Respond to the Productivity Commission's recommendations on consumer rights and safeguards for data. 	March 2017	September 2017
3	<p>Comply with international best practice on open data principles and participate in global fora on data:</p> <ul style="list-style-type: none"> Adopt the International Open Data Charter and develop a high-level public statement with public consultation. 	December 2016	March 2017
	<ul style="list-style-type: none"> Participate in the International Open Data Stewards Group. 	Ongoing	Ongoing

Commitment 2.3: Digitally transform the delivery of government services

Objective and description:

Australia will continue to invest in digital technologies to make government services simpler, faster and cheaper, making it easier for the public to work and interact with government.

We will do this by preparing a digital transformation roadmap, and establishing public dashboards to improve transparency around the performance of government services.

Status Quo:

The Digital Transformation Agency is an executive agency within the Prime Minister's portfolio. Its mission is to lead the transformation of government services to deliver a better experience for Australians.

Innovative use of digital technologies supports the open government agenda, through the provision of faster, cheaper and more accessible government services. While some progress has been made, there is an opportunity to seize the benefits of the digital revolution to improve the way government interacts with the public.

The Australian Government's *Digital Service Standard* requires that services are designed to ensure accessibility to all users, regardless of their ability and environment. It requires that people who use the digital service can also use the other available channels (face-to-face and telephony) if needed, without repetition or confusion.¹¹

Ambition:

To use digital technologies to promote transparency and public participation in government service delivery, engaging early and often with users throughout, so that government services meet the needs of the people who use them.

The Digital Transformation Agency will work with government agencies to deliver a roadmap for the digital transformation of government services with clear milestones, including delivery timelines and key performance indicators. It will also continue to work with Australian Government agencies to use dashboards to transparently measure the performance of services as required under the *Digital Service Standard*, and which will be benchmarked against

¹¹ www.dta.gov.au/standard/

best practice in the private sector.

Relevance: This commitment will advance the OGP values of **technology and innovation** and **transparency** by:

- increasing public access to government services;
- making government services more efficient and cheaper; and
- increasing transparency around performance of government services.

COMMITMENT DETAILS

OGP Grand Challenge		Improving Public Services
Timeframes		December 2016 – Ongoing
Lead agency		Digital Transformation Agency (policy@digital.gov.au)
Other actors involved	Government	Department of the Prime Minister and Cabinet
	Non-government	Non-government organisations (including Australian Open Government Partnership Network), private sector and the public

NO.	MILESTONE	START DATE	END DATE
1	Deliver a whole-of-government digital transformation roadmap.	Commenced	Early 2017
2	Release agency-level digital transformation roadmaps.	Early 2017	Late 2017
3	Release and promote a beta version of the Digital Marketplace for ICT procurement.	Commenced	Ongoing
4	Release and promote a live dashboard measuring the performance of government services, with user satisfaction being one of the key performance indicators.	Commenced	Ongoing



Access to government information

*We will improve and modernise the way
in which the public accesses government
information.*

Commitment 3.1: Information management and access laws for the 21st century

Objective and description:

Australia will ensure our information access laws, policies and practices are modern and appropriate for the digital information age.

As part of this, we will consider and consult on options to develop a simpler and more coherent framework for managing and accessing government information that better reflects the digital era, including the *Freedom of Information Act 1982* (FOI Act), the *Archives Act 1983* (Archives Act) and, where relevant, the *Privacy Act 1988* (with primary focus on the Archives Act and FOI Act), which is supported by efficient and effective policies and practices.

Status Quo:

In 2010, the Australian Government passed reforms to the FOI Act as part of a broader plan to improve transparency and to encourage public engagement in decision making. The 2010 reforms also included the introduction of the Information Publication Scheme, which requires agencies to provide a broad range of information on their websites, and amendments to the Archives Act to reduce the open access period for Commonwealth records from 30 to 20 years over a 10 year period.

There have since been a number of reviews recommending changes to the FOI Act, including Dr Allan Hawke's *Review of Freedom of Information Laws* and the *Belcher Red Tape Review*. Among other things, the *Belcher Red Tape Review* recommended the Attorney-General's Department "begin work with relevant entities to scope and develop a simpler and more coherent legislative framework for managing and accessing government information during its life-cycle in a digital environment through staged reforms, commencing with legislation regulating archives."

The core frameworks of Australia's information access laws (in particular the FOI Act and the Archives Act) have not been substantially altered since enacted in the early 1980s, when government operated in a paper-based environment. It is therefore appropriate to consider how access to government information is best managed into the future within the context of digital government.

The implementation of Australia's information access laws is overseen by the National Archives of Australia and the independent Office of the Australian Information Commissioner (OAIC). The Government is committed to ensuring the adequate resourcing of the OAIC to discharge its statutory functions, and

provided funding for this purpose over the next four years in the 2016-17 Budget.

Ambition: To develop a simpler and more coherent legislative framework for managing and accessing government information within the context of digital government, supported by efficient and effective policies and practices.

Relevance: This commitment will advance the OGP values of **access to information** and **public accountability** by:

- ensuring government information access laws are modern and capable of meeting the demands of the digital age;
- increasing awareness of public access rights to government information; and
- improving efficiency of processing access to information requests.

COMMITMENT DETAILS	
OGP Grand Challenge	Increasing Public Integrity Improving Public Services
Timeframes	January 2017 – July 2019
Lead agency	Attorney-General’s Department (informationframeworks@ag.gov.au)
Other actors involved	Government The National Archives of Australia, the Office of the Australian Information Commissioner and the Department of the Prime Minister and Cabinet
	Non-government Non-government organisations (including Australian Open Government Partnership Network, Accountability Round Table, and Australian Privacy Foundation), peak bodies (including Law Council of Australia, Australian Press Council, Media Entertainment and Arts Alliance), archivists, academics and researchers, journalists, and state/territory information commissioners

NO.	MILESTONE	START DATE	END DATE
1	AGD undertake work with a range of stakeholders (government and non-government) to better understand how current information frameworks operate in practice and identify issues.	January 2017	March 2017
2	AGD develop, in consultation with stakeholders, a range of options for reform to information access laws, policies and practices, including consideration of oversight mechanisms.	March 2017	June 2017
3	AGD conduct broad public consultation on options for reform to information frameworks.	July 2017	August 2017
4	Recommendation to Government, informed by consultation outcomes, on preferred reforms to deliver a coherent and simpler framework for information management and access, supported by effective and efficient policies and practices, that is appropriate for the digital information age.	September 2017	December 2017
5	Implementation of Government decision on reforms to information access laws, policies and practices.	2018	By July 2019

Commitment 3.2: Understand the use of Freedom of Information

Objective and description:

Australia will better measure and improve our understanding of the public's use of rights under freedom of information laws.¹²

We will do this by working with states and territories to develop uniform metrics on public use of freedom of information access rights, and by collecting and publishing this data.

Status Quo:

The right of citizens to access government held information promotes transparency of government actions and decision making.

The Commonwealth, states and territories collect data and produce statistics about applications to access government information in each jurisdiction. For example, the Office of the Australian Information Commissioner currently releases statistics on access requests under the *Freedom of Information Act 1982* through data.gov.au. Such information is important for measuring the effectiveness of freedom of information laws, including for benchmarking our performance internationally.

However, the data collected is not uniform across jurisdictions, making it difficult to compare and analyse how freedom of information rights are used across the country. It also varies in its consistency with international measurements of open government, including the World Justice Project's *Open Government Index*.

The development of consistent metrics aligned with the Open Government Index would assist in building a more complete picture of freedom of information rights in Australia and could help governments improve processing of information access requests. Metrics could include the type of applicant, application rates per capita, release rates, review rates and refusal rates.

Ambition:

To facilitate an assessment of the effectiveness of Australia's right to information laws across jurisdictions, and raise awareness about the public's rights to access government information. This will improve understanding of the public's utilisation of access rights, government processes and practices, and allow for international benchmarking, including against the World

¹² Freedom of information is used generally to cover legislated public access right to information schemes across all jurisdictions. For example, in New South Wales the relevant legislation is the *Government Information (Public Access) Act 2009* (NSW).

Justice Project's Open Government Index

Relevance:

This commitment will advance the OGP values of **access to information** and **public accountability** by:

- increasing awareness of public access rights to government information;
- enabling comparison of freedom of information access rights across jurisdictions and internationally; and
- improving freedom of information access practices and efficiency of processing access to information requests.

COMMITMENT DETAILS

OGP Grand Challenge		Increasing Public Integrity
Timeframes		September 2016 - December 2017
Lead agency		Australian Information Commissioners and Ombudsmen (enquiries@oaic.gov.au)
Other actors involved	Government	Office of the Australian Information Commissioner
	Non-government	N/A

NO.	MILESTONE	START DATE	END DATE
1	Information Commissioners and Ombudsman to agree and publish metrics on information access rights, aligned with the Open Government Index.	September 2016	December 2016
2	Undertake pilot for data collection and validation for the 2014/15 financial year.	January 2017	June 2017
3	Data collection and validation for the 2015/16 financial year.	July 2017	November 2017
4	Publicly release dataset on 2015/16 metrics.	December 2017	December 2017 (subject to jurisdictions reporting)

Commitment 3.3: Improve the discoverability and accessibility of government data and information

Objective and description:

Australia will make it easier for the public to find, access and use government data and information.

We will do this by making greater use of central portals, digital platforms and other tools to improve discoverability and accessibility.

Status Quo:

The creation, preservation, management and public use of government information is fundamental to open and transparent government. The availability of government records and data improves public access to information, while also driving efficient business outcomes by facilitating use and reuse of these valuable resources.

It is not enough just to make these resources open; information and public data must be easy to find and accessible in order for it to be useful. The National Library of Australia's 'Trove' is an example of a highly used and successful central portal. Some specific examples of areas where the government is seeking to improve public access to information include:

- **Public data:** Data.gov.au is the Australian Government's open data platform. It has enabled the open release of over 20,000 public resources used to grow the economy, improve service delivery and transform policy outcomes for the nation. As the number of datasets on data.gov.au grows, Australia's public data infrastructure needs to be upgraded to meet the demands of data users. This includes improving search and discovery, enhancing support for collaboration, developing a quality framework to assist publishers, and developing more robust publishing processes.
- **Grants:** There is no central point to identify and apply for Australian Government grant opportunities and find consolidated information about grants awarded. The Department of Finance is building GrantConnect, a central whole-of-government system that will forecast and publish grant opportunities, automatically notify public users of grant opportunities of interest, and publish information on grants awarded.
- **Corporate and administrative reporting:** Corporate and administrative reporting information is currently located on individual agency

websites or in hard copy, making it difficult to compare and contrast documents. The Department of Finance is working to make reporting information more discoverable and accessible through the digitisation of this information.

- **Archived records:** The most significant records of the Australian Government are held by the National Archives of Australia. To facilitate citizens' access to these records through digital and online channels, the Archives will continue to lead the transition from paper to digital information practices in Australian Government agencies, digitise paper records of high research value and increase the number of records available for public access.
- **Environmental information:** The Department of the Environment and Energy compiles significant data to produce its State of the Environment report and meet its other responsibilities (such as research into the impacts of coal and coal seam gas developments on ground water). The Department will make the State of the Environment 2016 report and its underlying data more accessible through SoE Digital (an innovative and interactive online platform) and data.gov.au. It will use data visualisation tools to help publish the results of its coal and coal seam gas bioregional assessments.

Ambition:

To make it as easy as possible to find, access and use government information and data. This will include making greater use of centralised, easy to access portals for information (e.g. for grants, and corporate / administrative reporting),, proactively publishing more information and data online, and keeping up to date with the latest technological developments.

Relevance:

This commitment will advance the OGP values of **access to information** and **technology and innovation** by:

- promoting a consistent approach to information governance across Australian Government entities;
- increasing transparency of government decision-making and policy development;
- enabling information and data reuse for economic and social benefits;
- protecting the rights and entitlements of Australians to access government information;
- increasing the accessibility, usability and discoverability of public data;

and

- improving the quality of data.

COMMITMENT DETAILS		
OGP Grand Challenge		Improving Public Services Increasing Public Integrity More Effectively Managing Public Resources
Timeframes		Mid 2016 – Mid 2018
Lead agency		Department of the Prime Minister and Cabinet (PM&C: data@pmc.gov.au), Department of Finance (Finance: accountabilityprojects@finance.gov.au), National Archives of Australia (Archives: archives@naa.gov.au) and Department of the Environment and Energy (DoEE)
Other actors involved	Government	All Commonwealth entities
	Non-government	Data61, organisations outside of government (including Australian Library and Information Association, National Libraries of Australia and New Zealand, and Australian Policy Online)

NO.	MILESTONE	START DATE	END DATE
1	PM&C to upgrade and improve data.gov.au:		
	<ul style="list-style-type: none"> • work with Data 61 to conduct research and discovery into data consumption (to better understand user behaviours and needs) and publishing (to improve quality, timeliness and value of published data). 	Commenced	Mid 2017
	<ul style="list-style-type: none"> • work with Data61 to create, circulate and gather feedback on design concepts and prototypes for improved search functionality and user experience on the data.gov.au platform. 	Late 2016	Late 2017

NO.	MILESTONE	START DATE	END DATE
	<ul style="list-style-type: none"> • deliver live platform elements for data.gov.au, including integration with NationalMap to provide a more efficient workflow for the publishing and discovery of spatial data. • design and prototype further data.gov.au platform capabilities, including: functionality to promote examples and collaboration using public data; and integration with other platforms for open data projects and third party open data platforms. 	<p>Early 2017</p> <p>Early 2017</p>	<p>Late 2017</p> <p>Mid 2018</p>
2	<p>Finance to implement Phase One of the GrantConnect platform to enable public users to:</p> <ul style="list-style-type: none"> • register to receive notification on grant opportunities that match their self-defined profiles; • watch forecast opportunities as they move from planning to requests for applications; and • access grant guidelines for each opportunity and be notified about changes to grants processes. 	<p>Late 2016</p>	<p>Late 2017</p>
3	<p>Finance to launch the pilot of the digital corporate and administrative reporting platform.</p>	<p>Late 2016</p>	<p>Late 2017</p>
4	<p>National Archives of Australia to modernise and improve access to archived records:</p> <ul style="list-style-type: none"> • lead transition to digital information practices in Australian Government agencies and report progress to the Prime Minister in 2018; • increase number of archival records available in digital formats, including World War II service and passenger arrival records; and 	<p>Commenced</p> <p>Commenced</p>	<p>Late 2018</p> <p>Late 2018</p>

NO.	MILESTONE	START DATE	END DATE
	<ul style="list-style-type: none"> make additional groups of archival records of high research interest available for public access. 	Commenced	Mid 2018
5	<p>DoEE to improve the discoverability and accessibility of environmental information:</p> <ul style="list-style-type: none"> launch a map-based tool to visualise Bioregional Assessment results; and publish the State of the Environment 2016 report through an online information publishing and reporting platform and release the underlying data on data.gov.au. 	Early 2017	June 2017
		Commenced	February / March 2017



Integrity in
the public
sector

***We will improve transparency and integrity
in public sector activities to build public
confidence and trust in government.***

Commitment 4.1: Confidence in the electoral system and political parties

Objective and description:

To enhance integrity and confidence in Australia's electoral system.

We will do this by working with the Parliament and the public to investigate the conduct of the 2016 election, use of technology in elections and the framework of donations to political parties and other political entities.

Status Quo:

The Government has asked Parliament's Joint Standing Committee on Electoral Matters (JCSEM) to investigate a range of matters relating to the conduct of the 2016 federal election, with particular attention to:

- the potential application of new technology to casting, scrutinising and counting votes, and whether current authorisations requirements could be applied to all forms of communication; and
- donations to political parties and other political entities, including the extent of donations being received from foreign sources and the options available to Parliament to regulate these types of donations. JCSEM will also be asked to look at the current donations disclosure regime.

A range of matters and areas for potential improvement were raised by civil society regarding this commitment during the public consultation period, particularly in regards to political donations. The Department of the Prime Minister and Cabinet has transmitted these civil society comments to the JCSEM for consideration as part of its inquiry.

Ambition:

To ensure that public confidence in Australia's electoral system continues to be strong.

Relevance:

This commitment will advance the OGP values of **accountability, transparency** and **access to information** by:

- reducing the risk of undemocratic behaviour and conduct, which leads to the perception or reality of corrupt behaviour by politicians and political parties; and
- increasing public confidence in Australian democracy.

COMMITMENT DETAILS

OGP Grand Challenge		Increasing Public Integrity
Timeframes		September 2016 – 2017
Lead agency		Department of Finance and Australian Electoral Commission
Other actors involved	Government / Parliament	Joint Standing Committee on Electoral Matters and the Parliament of Australia Committee Secretariat contact: em@aph.gov.au
	Non-government	The Parliamentary Committee is anticipated to engage with political parties, non-government organisations and the public

NO.	MILESTONE	START DATE	END DATE
1	JSCEM inquiry and report.	Commenced	2017 (subject to Committee reporting)
2	Government considers recommendations.	2017	2017 (subject to Committee reporting)
3	Parliament and other relevant stakeholders address Government decisions.	2017	Ongoing

Commitment 4.2: National Integrity Framework

Objective and description:

Australia will strengthen its ability to prevent, detect and respond to corruption in the public sector.

We will do this in collaboration with the corporate sector, non-government organisations, academia and the public, including by holding the first Government Business Roundtable on Anti-Corruption in 2017.

We will review the jurisdiction and capabilities of the Australian Commission for Law Enforcement Integrity (ACLEI) and the Australian Federal Police (AFP)-led Fraud and Anti-Corruption Centre (FACC) with the development of each National Action Plan to ensure they can focus on protecting Commonwealth agencies from risks of corruption.

Status Quo:

The Australian Government takes tackling corruption seriously. We have strong laws and a robust, multi-agency approach to combating corruption, under which a range of agencies play a role in preventing, detecting and responding to corruption (an approach the Government believes is preferable to creating an entirely new anti-corruption agency).

Key agencies responsible for responding to public sector corruption include:

- ACLEI, which is responsible for preventing, detecting and investigating corruption within the high-risk agencies within its jurisdiction.
- The AFP-hosted FACC, which brings together a range of Commonwealth agencies to respond to serious fraud and corruption matters, including across Commonwealth services, programmes and employees. The Government provided an additional \$15 million to the FACC in April 2016.

In 2012, Australia was found fully compliant following a review of our implementation of the United Nations Convention against Corruption (UNCAC). Our next review under UNCAC is scheduled to occur in 2017-18.

ACLEI's jurisdiction was reviewed earlier this year by the Joint Committee on the ACLEI. The Committee recommended the Government extend ACLEI's jurisdiction to include the entire Department of Agriculture and Water Resources, and examine the feasibility of including the Australian Taxation Office. The Government is considering the recommendations.

Ambition:

To aim to improve Australia's score on Transparency International's Corruption

Perceptions Index by strengthening the Australian Government’s ability to prevent, detect and respond to bribery and corruption, and better communicating our national integrity framework.

To achieve this, we will consult closely with industry, non-government organisations, academia and the public to ensure that our laws, policies and frameworks for responding to corruption are effective, including through holding the first Government Business Roundtable on Anti-Corruption in 2017.

We will strengthen the national integrity framework as it applies to the public sector. This will include reviewing the jurisdiction and capabilities of ACLEI and FACC every two years with the development of Australia’s National Action Plans under OGP, and extending these on an as-needs basis.

We will also improve whistle-blower protections (see commitment 1.1).

Relevance:

This commitment will advance the OGP values of **public accountability** by:

- improving the effectiveness of our legal, regulatory and institutional frameworks; and
- protecting the integrity and transparency of the execution of public policy and management.

COMMITMENT DETAILS	
OGP Grand Challenge	Increasing Public Integrity
Timeframes	2016 – July 2018
Lead agency	Attorney-General’s Department (anticorruption@ag.gov.au)
Other actors involved	Government ACLEI, Australian Federal Police, Commonwealth Director of Public Prosecutions and Department of the Prime Minister and Cabinet
	Non-government Industry, peak bodies (including Law Council of Australia) non-government organisations (including Australian Open Government Partnership Network) and international partners

NO.	MILESTONE	START DATE	END DATE
1	Respond to the recommendations of the Parliamentary Joint Committee on ACLEI's inquiry into the jurisdiction of ACLEI.	Commenced	Early 2017
2	Hold the first Government Business Roundtable on Anti-Corruption, to improve cooperation and consultation on anti-corruption work, and identify areas for reform.	By July 2017	By July 2017
3	Respond to recommendations for reform and improvement arising from the Roundtable.	July 2017	August 2017
4	Review the jurisdiction and capabilities of ACLEI and FACC in consultation with the public in the context of developing Australia's second National Action Plan.	Early 2018	Mid 2018

Commitment 4.3: Open contracting

Objective and description:

Australia will ensure transparency in government procurement and continue to support the Open Contracting Global Principles.

As part of this, we will publicly review the Australian Government's compliance with the Open Contracting Data Standard.

Status Quo:

The Open Contracting Data Standard sets out key documents and data that should be published at each stage of government procurement and is seen as the international benchmark.

The Standard enables disclosure of data and documents at all stages of the contracting process by defining a common data model. It was created to support organisations to increase contracting transparency, and allow deeper analysis of contracting data by a wide range of users.

In line with the *Commonwealth Procurement Rules*, Australian Government entities are required to report all procurement contracts with a value of \$10,000 or more on AusTender. However, there has not been a formal assessment of the extent to which current practice meets the requirements of the Open Contracting Data Standard.

At the UK Anti-Corruption Summit in May 2016, the Australian Government stated its support of the Open Contracting Data Standard and noted the role that the Standard could play in encouraging machine-readable open data formats across all areas of government.

Ambition:

To enhance transparency and accountability of public money in delivering public contracts.

Relevance:

This commitment will advance the OGP values of **access to information** and **public accountability** by demonstrating transparency and accountability in relation to the procurement of goods and services on behalf of the Government.

COMMITMENT DETAILS

OGP Grand Challenge		Increasing Public Integrity More Effectively Managing Public Resources
Timeframes		February 2017 – August 2017
Lead agency		Department of Finance (procurementagencyadvice@finance.gov.au)
Other actors involved	Government	All Commonwealth entities
	Non-government	Non-government organisations (including Transparency International Australia and Publish What You Pay Australia)

NO.	MILESTONE	START DATE	END DATE
1	Undertake review of compliance with the Open Contracting Data Standard.	February 2017	April 2017
2	Publish review.	May 2017	May 2017
3	Receive public comment on the review.	May 2017	May-June 2017
4	Implement agreed measures to improve compliance with the Open Contracting Data Standard.	June 2017	August 2017

V

Public
participation and
engagement

*We will improve the way the Australian
Government consults and engages with
the Australian public.*

Commitment 5.1: Delivery of Australia's Open Government National Action Plan

Objective and description:

Australia will ensure that our Open Government National Action Plan is a platform for ongoing dialogue, collaboration and open government reform.

We will do this by establishing a permanent dialogue mechanism with civil society, which includes a multi-stakeholder forum and transparent reporting and accountability mechanisms.

The multi-stakeholder forum will at a minimum track the implementation of commitments, ensure commitments continue to be relevant and ambitious, inform the drafting of future National Action Plans and raise awareness about open government in the broader community.

Status Quo:

OGP countries are required to establish a multi-stakeholder forum to consult with the public and organisations outside of government on the implementation of the commitments included in their National Action Plan. Detailed guidance on establishing a multi-stakeholder forum is outlined in the OGP's handbook.¹³

OGP countries have taken different approaches to establishing their multi-stakeholder forum. Some models adopted in other countries include:

- Civil society network: Coalition of non-government organisations and individuals.
- Single forum: Convenes government, the public and organisations outside of government in one formally established, central committee for co-ordination.
- Hub-and-spoke: Network of smaller forums (broken down by sector, thematic area or commitments etc.), which may be coordinated by a central committee.

The Government will work in partnership with civil society to determine the structure, role, governance and membership of the OGP multi-stakeholder forum. It will also include reporting and accountability mechanisms, and procedures around decision-making. The Interim Working Group will continue as an oversight body for the implementation of this National Action Plan until

¹³ See: <http://www.opengovpartnership.org/node/9907>

the permanent multi-stakeholder forum is established.

Membership of the forum will need to be broad given the diverse interests in open government. Stakeholders have noted through the public consultation that the existing Interim Working Group does not have representation from local government, the disability sector, privacy sector, Indigenous community, and industry/business groups. The forum will also need to facilitate broader engagement with the general public.

It is also important that Australia's commitments remain relevant and ambitious throughout the National Action Plan cycle. This will be achieved through ongoing review of milestones, with updates made (as necessary) in partnership with civil society. The Government will also work with the public to identify any additional commitments that could be included in the National Action Plan over the two year cycle.

Ambition: To identify, develop and implement ambitious open government commitments through ongoing partnership with civil society. This will include transparent reporting on progress of implementing commitments in this National Action Plan.

Relevance: This commitment will advance the OGP values of **public participation** and **accountability** by:

- ensuring commitments remain relevant and ambitious throughout the National Action Plan cycle;
- keeping government accountable for the implementation of National Action Plan commitments;
- raising awareness about the Open Government Partnership and open government matters in Australia and the region; and
- ensuring participation by a broad and diverse range of organisations and the public in the development of National Action Plan commitments.

COMMITMENT DETAILS

OGP Grand Challenge		All Grand Challenges addressed
Timeframes		December 2016 – July 2018
Lead agency		Department of the Prime Minister and Cabinet (ogp@pmc.gov.au)
Other actors involved	Government	All Commonwealth entities
	Non-government	Non-government organisations (including Australian Open Government Civil Society Network), private sector, peak bodies (including Law Council of Australia) and the public

NO.	MILESTONE	START DATE	END DATE
1	Establish the OGP multi-stakeholder forum by partnering with civil society to determine its structure, role, governance and membership, including reporting and accountability mechanisms for this National Action Plan.	December 2016	March 2017
2	<p>Operation of the multi-stakeholder forum, with (at a minimum) the following responsibilities:</p> <ul style="list-style-type: none"> inform the co-creation of future National Action Plans; track and report on implementation of National Action Plan commitments; facilitate broader community engagement and conduct awareness activities that foster informed participation, including face-to-face meetings and events; and document decisions and publish reports. 	Early 2017	July 2018 (ongoing)
3	Review the National Action Plan and update	December 2016	July 2018

NO.	MILESTONE	START DATE	END DATE
	milestones and commitments (as necessary) to provide further clarity and ambition for plan.		

Commitment 5.2: Enhance public participation in government decision making

Objective and description: Australia will work towards improving public participation and engagement to enhance policy and service delivery outcomes for Australians.

We will do this by establishing a new Australian Government framework for public participation and engagement.

Status Quo: Government is comprised of a diverse range of organisations, with approaches to participation varying considerably across different departments and agencies. High barriers to participation and piecemeal or unpredictable approaches to consultation can lead to an inefficient and dissatisfying experience. The current mechanisms for consultation often do not fully meet the Government's practical requirements for policy and program development. In addition, current mechanisms can be ineffective in enabling 'co-design'.

Numerous reviews have highlighted scope for improvement in the way the Australian Public Service engages with the public when developing policies and programs. For example, Peter Shergold's *Learning from Failure* recommended that "the APS should promote new forms of civil participation, including digital and deliberative democracy techniques, in order to enhance consumer-directed care, improve customer service, encourage greater public engagement and inform the public economy".

There is a need to identify and disseminate information on good practices and help peer exchange between government agencies and across different levels of government. Digital technologies also open up new opportunities for engagement and there are a range of innovative techniques that could be further explored at the Commonwealth level (e.g. policy hacks, online challenge platforms and citizen juries). In addition, there has been a lack of investment in social media and on-line tools relevant to public participation in government decision-making.

The *Public Governance, Performance and Accountability Act 2013* also requires Commonwealth entities to work cooperatively with others to achieve common objectives, where practicable.

Ambition: To design and adopt a whole-of-government framework that embeds meaningful, open, public and multi-stakeholder participation into the

business of policy development and service delivery.

Relevance:

This commitment will advance the OGP values of **transparency, accountability** and **public participation** by:

- facilitating informed public participation;
- improving policy development and service delivery;
- enhancing transparency around government decision making;
- encouraging an ongoing sharing of information and views across interest groups that builds consensus on broad policy directions; and
- creating more engaged private and community sectors, and public.

COMMITMENT DETAILS			
OGP Grand Challenge		Improving Public Services	
Timeframes		Late 2016 – July 2018	
Lead agency		Department of Industry, Innovation and Science	
Other actors involved	Government	All Commonwealth entities (including the Australian Charities and Not-for-Profits Commission)	
	Non-government	Research sector, non-government organisations (including Australian Open Government Partnership Network, IAP2 and the Australasian Facilitators Network), private sector and the public	
NO.	MILESTONE	START DATE	END DATE
1	Undertake and publicly release a stocktake of current approaches to public participation to determine best practice activities (including international and domestic examples, user experience research, methodologies to encourage adoption, and relevant standards, such as IAP2	January 2017	July 2017

NO.	MILESTONE	START DATE	END DATE
	values).		
2	Work with government agencies, the public and organisations outside of government to develop and implement a whole-of-government framework (with guidance / principles and potential public participation initiatives) for improving public participation and engagement across the Commonwealth.	July 2017	December 2017
3	Undertake pilot public participation initiatives, including working with the Digital Transformation Agency to more effectively use digital channels for engagement.	December 2017	Mid-2018 (ongoing)
4	Review processes and iterate as necessary.	Ongoing	Ongoing

5 Australia's leadership internationally

This National Action Plan focuses on domestic initiatives, but Australia also plays an important role in promoting more effective governance in the Indo-Pacific region and beyond.

We will continue to support countries in our region to build institutions that promote stability, inclusive economic growth, poverty reduction and gender equality. We will also maintain our support for strengthened dialogue between governments, non-government organisations, the public and the private sector, so that they can make legitimate demands of their governments.

Australia's development cooperation program supports a diverse range of countries, from highly populous Indonesia to the micro-states of the Pacific. Australia therefore tailors its cooperation to address the varied economic, political and social factors constraining effective governance in each country context, including through:

- reducing opportunities for corruption by strengthening checks and balances, access to information and complaints processes;
- assisting partner governments to reform tax policy and administration and improve public financial management;
- strengthening regulatory and legal environments so that businesses have greater certainty and predictability;
- supporting the public and businesses to resolve disputes through formal legal systems, alternative mechanisms or institutions that combine both;
- promoting gender equality and enhancing women's voice in decision-making, leadership and peace-building; and
- building coalitions and opportunities for discussion across government, business, non-government organisations and the public to improve public policy and government accountability.

Australia is committed to the 2030 Agenda for Sustainable Development, which includes the Sustainable Development Goals (SDGs) and the Addis Ababa Action Agenda on Financing for Development. The National Action Plan will support the achievement of the SDGs in Australia and globally, in particular Goal 16 on peaceful and inclusive societies, access to justice and effective institutions (which includes targets directly related to a range of commitments in this Plan, such as promoting the rule of law, substantially reducing

corruption and bribery, and ensuring public access to information). Australia strongly advocated for this goal, which will be critical for the success of the entire 2030 Agenda.

Australia will also endorse the *Joint Declaration on Open Government for the Implementation of the 2030 Agenda for Sustainable Development*. This commits us to transparency, openness and accountability in our domestic and international implementation of the 2030 Agenda for Sustainable Development. It also commits us to look for opportunities in future National Action Plans to progress implementation of the SDGs.

As a member of the Open Government Partnership, we also note our responsibility to work globally to fight corruption, empower citizens and enhance transparency and integrity. We will continue to work with other countries to help achieve these goals, including through our support for the effective implementation of the UN Convention against Corruption and the Extractive Industries Transparency Initiative in Australia, our region and beyond. Australia will also continue to participate actively in forums such as the G20 Anti-Corruption Working Group and OECD Development Assistance Committee networks on governance, conflict and fragility.

6 Next Steps

The Government's focus is now on implementing all of the commitments in this Plan. This includes, as a priority, establishing mechanisms for an ongoing dialogue with civil society (including the multi-stakeholder forum), as well as reporting and accountability arrangements.

In 2017, our focus will also turn to delivering the Government's first OGP [self-assessment report](#). We will also start the process for developing our second National Action Plan, which will build and improve on the process for this Plan, including engagement with state, territory and local governments.

The commitments in this Plan are just the start. Our second National Action Plan is due in 2018 and we will be working with civil society to identify further commitments for reform.

A range of ideas have already been submitted by civil society through the public consultation on the draft National Action Plan (all published online), such as:

- improving transparency of beneficial ownership information for entities other than companies;
- improving disclosure of extractive industry company payments to governments overseas (such as mandatory payment disclosure laws);
- how data can be used to promote greater transparency and accountability in government (e.g. publishing ABN/ACN information for certain datasets);
- improving access to government information for people with a disability;
- continuing efforts on improving transparency of Australia's international aid and development program; and
- improvements to Parliamentary scrutiny processes

We look forward to hearing even more new and innovative ideas from civil society as we work together to develop and prioritise commitments for our next National Action Plan.

Appendix A: Consultation and engagement activities

Consultation and engagement on the National Action Plan commenced in November 2015. *engage 2* (a professional stakeholder engagement consultancy) was engaged by the Department of the Prime Minister and Cabinet to help design and lead the consultation process up until April 2016.

A summary of the consultation and engagement activities is provided below. A more detailed report on engagement activities is available on the OGP Australia blog (ogpau.govspace.gov.au).

Public meetings and other awareness raising activities

- Four public information sessions were held in November 2015 to provide an overview of the Open Government Partnership and the process to develop Australia's first National Action Plan. The sessions, held in Sydney, Melbourne, Brisbane and Canberra, were attended by a total of 162 people, with a further 45 people watching the livestreams online.
- The OGP Australia blog and an email distribution list were established to provide public updates on progress and to inform stakeholders of engagement opportunities.
- The hashtag #OGPau was created to discuss the project on social media, including through the Department of the Prime Minister and Cabinet's Twitter account.

Seeking ideas for the National Action Plan

- A wiki (ogpau.wikispaces.com) was created to provide an interactive and collaborative forum for stakeholders to suggest commitments that could be included in the National Action Plan. Almost 1000 people visited the wiki between February and May 2016, and around 200 suggestions were put forward (all available online on the wiki and blog, including a summary).
- On 12 April 2016, a workshop was held in Canberra to discuss and prioritise the suggested commitments put forward by stakeholders. The workshop was attended by 63 people, with a mix of government, civil society, OGP Support Unit and other participants.
- 14 commitment templates were drafted during the workshop, covering areas such as open data, anti-corruption, whistle-blower protection, beneficial ownership, public participation and the Extractive Industries Transparency Initiative. The templates were further considered within government and informed the drafting of the National Action Plan.

Government engagement

An Inter-Departmental Committee was established to ensure the interests of Australian Government agencies were considered in the development of the National Action Plan. This Committee was chaired by the Department of the Prime Minister and Cabinet with participation from high level officials from the following agencies:

Attorney-General's Department	Department of Foreign Affairs and Trade
Australian Bureau of Statistics	Department of Health
Australian Commission for Law Enforcement Integrity	Department of Human Services
Australian Electoral Commission	Department of Immigration and Border Protection
Australian Institute of Health and Welfare	Department of Industry, Innovation and Science
Australian Public Service Commission	Department of Infrastructure and Regional Development
Department of Agriculture and Water Resources	Department of Social Services
Department of Communications and the Arts	Department of the Prime Minister and Cabinet
Department of Defence	The Treasury
Department of Education and Training	Department of Veterans' Affairs
Department of Employment	Digital Transformation Agency
Department of the Environment and Energy	National Archives of Australia
Department of Finance	Office of the Australian Information Commissioner

The Committee met four times and also considered material out-of-session, including the suggested commitments put forward by stakeholders. Government ministers were also briefed on commitments that fall within their area of responsibility and on the Open Government Partnership more broadly.

Interim Working Group

An Interim Working Group was established in August 2016 to provide input and help inform the drafting of the National Action Plan. This followed a pause in the consultation process, due to the 2016 federal election and the associated caretaker period. The Group comprised equal representation of senior government officials and stakeholder representatives:

- Dr Steven Kennedy (co-chair): Deputy Secretary, Department of the Prime Minister and Cabinet;
- Ms Fiona McLeod SC (co-chair): President-elect of the Law Council of Australia;
- Dr Stein Helgeby: Deputy Secretary, Department of Finance;
- Mr Iain Anderson: Deputy Secretary, Attorney-General's Department;
- Mr Timothy Pilgrim: Australian Privacy Commissioner and Acting Australian Information Commissioner;
- Ms Meghan Quinn: Division Head, Financial System Division, the Treasury;
- Ms Anne Lyons: Assistant Director-General, National Archives of Australia;
- The Hon. Dr Ken Coghill: Deputy Chair and Treasurer of the Accountability Round Table;
- Ms Maree Adshead: CEO of Open Data Institute Queensland;
- Mr Peter Timmins: Interim Convenor of the Australian OGP Civil Society Network;
- Mr Mark Zirnsak: Director of Justice and International Mission, Synod of Victoria and Tasmania, Uniting Church in Australia; and
- Ms Katherine Szuminska: Co-Founder and Director of the OpenAustralia Foundation.

The NSW Information Commissioner, Ms Elizabeth Tydd, also sat as a non-voting jurisdictional member, reflecting the Commonwealth's desire to build stronger relationships with the states on open government matters.

The group worked together to identify and explore in detail the potential commitments for the National Action Plan, building on ideas put forward from earlier consultations (including previous online submissions and the April workshop). The group also considered the text of other parts of the National Action Plan, and the approach to broader consultation and engagement on the draft Plan. Members also facilitated targeted consultation with their wider networks throughout the process.

In addition to regular teleconferences and email correspondence, the Group held three face-to-face meetings in Canberra, and a workshop in Sydney, which included an hour discussion with the Assistant Minister for Cities and Digital Transformation, the Hon Angus Taylor MP.

Agenda papers, meeting minutes and the outcomes of discussions with the Group have been posted regularly on the OGP Australia website.