

Senate Standing Committee on Environment and Communications

Answers to Senate Estimates Questions on Notice

Budget Estimates Hearings May 2015

Communications Portfolio

Australian Communications and Media Authority

Question No: 137(e)

Program No. Australian Communications and Media Authority

Hansard Ref: Written, 17/6/2015

Topic: Non-Australian Citizens Employed by the Department/ Agency

Senator Ludwig, Joe asked:

1. What is the Department/Agency's policy with regard to hiring non-Australian citizens?
2. Does the agency have a Culturally and Linguistically Diverse (CALD) policy? If yes, please provide a summary.
3. How does the Department/Agency determine whether a person is a non-Australian citizen?
4. How many staff who were not Australian Citizens have been hired by the Department/Agency since the Federal Election in September, 2013? Please break the numbers down by:
 - a. Levels at which they are employed
 - b. Immigration Status (Visa)
 - c. Cultural Background
 - d. Linguistic Background
 - e. How many were hired to satisfy CALD targets?

Answer:

1. The ACMA's policy regarding hiring non-Australian citizens is outlined in our Recruitment and Work Opportunities People Management Instruction. The Instruction specifies:

*There is a general expectation that a person who is engaged as an APS employee will be an Australian citizen. In the ACMA, Australian citizenship is a condition of **ongoing** engagement. **Non-ongoing** employees are not required to hold Australian citizenship, but must be in Australia under a legal arrangement that includes the right to work for at least the period of proposed employment.*

While there is a requirement for Australian citizenship for all ongoing employees, from time to time the Chair, in exceptional circumstances, may determine that this condition does not apply when advertising a vacancy or vacancies in a particular job stream. This decision should be made before the vacancy is advertised and the changed condition for citizenship included in the advertising. In this situation, the Chair will consider the exercise of this discretion on a case-by-case basis and where this occurs may give approval to the ongoing engagement of a non-citizen if:

 - *the nominated person is eligible for and actively seeking Australian Citizenship, and would obtain it within a specified period of time*
 - *the nominated person has permanent resident status, or*
 - *it would be in the ACMA's interests to engage the nominated person, having regard to their skills, qualifications and experience and the availability of similarly skilled Australian citizens.*

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2. The ACMA has in place an 'Agency Multicultural Plan for 2013-15: Multicultural Access and Equity Policy' (AMP). In summary:
 - The ACMA is committed to ensuring that its communications and services are accessible by all Australians. The ACMA aims to be responsive to the needs of citizens and consumers of Culturally and Linguistically Diverse (CALD) backgrounds to enable delivery of equitable outcomes to the diverse Australian community.
 - The ACMA Agency Multicultural Plan (AMP) assists the ACMA in its mission to make communications and media work in Australia's public interest by providing strategies and tools responsive to the needs of Australia's CALD communities.
 - The AMP identifies a range of actions to assist the ACMA to make communications and media work for all Australians by delivering on its mandated outcomes, discharging its statutory obligations and transforming itself into a resilient, learning organisation that is responsive to the numerous pressures for change.
 - The ACMA will use its AMP to inform its policy development, program delivery and regulatory decision-making in areas where multicultural access and equity is a necessary consideration. The AMP will also be used to set out a range of objectives to make ACMA staff aware of the needs of CALD citizens and consumers.
 - Commitment statements, actions and targets are outlined in these specific areas:
 - Leadership
 - Engagement
 - Performance
 - Capability
 - Responsiveness
 - Openness.
3. As outlined in our Recruitment and Work Opportunities People Management Instruction, evidence of appropriate visa and work entitlements/citizenship is a condition of employment. The HR team confirm the evidence of appropriate visa and work entitlements and citizenship on the commencement of new employees.
4. No non-Australian citizen employees have been hired since the Federal Election in September, 2013.
 - a. Not applicable.
 - b. Not applicable.
 - c. Not applicable.
 - d. Not applicable.
 - e. Not applicable.