

Senate Finance and Public Administration Legislation Committee
ANSWERS TO QUESTIONS ON NOTICE
SENATE BUDGET ESTIMATES 2015

Prime Minister and Cabinet Portfolio

Department/Agency: Australian National Audit Office

Outcome/Program:

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

Senator: Senator Ludwig

Question reference number: 230

Type of question: WRITTEN

Date set by the committee for the return of answer: 10 JULY 2015

Number of pages: 2

Question:

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:
 1. Levels at which they are employed
 2. Immigration Status (Visa)
 3. Cultural Background
 4. Linguistic Background
 5. How many were hired to satisfy CALD targets?

Answer:

1. It is ANAO policy to engage Australian citizens.
2. The ANAO's Culturally and Linguistically Diverse (CALD) policy is contained within our Agency Multicultural Plan for 2013-15. The plan focuses on capability, specifically the Plan states: *The ANAO provides specialist audit services and reports to Parliament. To effectively perform its audit work program, the ANAO requires an appropriate understanding of the methods by which relevant government agencies engage with CALD communities. We will focus on promoting employee understanding of the access and equity needs of CALD communities as well as developing the appropriate diversity skills to inform our work.*
3. All ANAO staff are required to have a minimum baseline security clearance. As part of the security vetting process Australian citizenship must be verified.

4. The ANAO has engaged only staff who are Australian Citizens since the Federal Election in September, 2013.

Senate Finance and Public Administration Legislation Committee
ANSWERS TO QUESTIONS ON NOTICE
BUDGET ESTIMATES 2015

Prime Minister and Cabinet Portfolio

Department/Agency: Australian Public Service Commission

Outcome/Program: 1.1

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

Senator: Ludwig

Question reference number: 230

Type of question: Written

Date set by the committee for the return of answer: 10 July 2015

Number of pages: 1

Question:

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:
 1. Levels at which they are employed
 2. Immigration Status (Visa)
 3. Cultural Background
 4. Linguistic Background
 5. How many were hired to satisfy CALD targets?

Answer:

1. The Commission does not employ non-Australian citizens other than in exceptional circumstances.
2. The Commission does not have a culturally and linguistically diverse policy, but does have a Workplace Diversity Program which is an action plan to support and encourage participation of diverse workgroups in the Commission.
3. The Commission's recruitment processes require employees to confirm they are Australian citizens.
4. n/a

Senate Finance and Public Administration Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Budget Estimates Hearing May 2015

Prime Minister and Cabinet Portfolio

Department/Agency:	Office of the Inspector-General of Intelligence and Security
Outcome/Program:	Outcome 1
Topic:	Departmental Dispute Resolution
Senator:	Ludwig
Question reference number:	230
Type of question:	Written
Date set by the committee for the return of answer:	10 July 2015
Number of pages:	1
Question:	

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:
 1. Levels at which they are employed
 2. Immigration Status (Visa)
 3. Cultural Background
 4. Linguistic Background
 5. How many were hired to satisfy CALD targets?

Answer:

1. All OIGIS employees must hold a high level security clearance. The Australian Government Protective Security Policy Framework requires a person to hold Australian citizenship in order to be eligible for a security clearance.
2. OIGIS does not have a specific Culturally and Linguistically Diverse policy.
3. Applicants for employment with OIGIS are required to disclose whether they are an Australian citizen and the date citizenship was conferred. Proof of citizenship is required to be provided as part of the mandatory security clearance process that staff must undertake before commencing employment OIGIS.
4. No staff who were not Australian citizens have been hired by OIGIS since the Federal Election in September 2013.

Senate Finance and Public Administration Committee

Senate Finance and Public Administration Legislation Committee
ANSWERS TO QUESTIONS ON NOTICE
BUDGET ESTIMATES 2015-16

Prime Minister and Cabinet

Department/Agency: National Australia Day Council

Outcome/Program Group: All

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

Senator: Senator Ludwig

Question reference number: 230

Type of question: Written

Date set by the committee for the return of answer: 10 July 2015

Number of pages: 1

Question:

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:
 1. Levels at which they are employed
 2. Immigration Status (Visa)
 3. Cultural Background
 4. Linguistic Background
 5. How many were hired to satisfy CALD targets?

Answer:

1. Full time permanent NADC employees are Australian citizens. NADC is a company and could employ non-Australian citizens.
2. No – However we ensure that new key documents are accessible and have ensured that certain online 2014-15 documents have captions.
3. Application process – We do ask during any application process.
4. None (sub-questions are therefore N/a).

Senate Finance and Public Administration Legislation Committee
ANSWERS TO QUESTIONS ON NOTICE
ADDITIONAL ESTIMATES 2015-2016

Prime Minister and Cabinet Portfolio

Department/Agency: Office of the Commonwealth Ombudsman

Outcome/Program:

Outcome 1. Fair and accountable administrative action by Australian Government entities and prescribed private sector organisations, by investigating complaints, reviewing administrative action and statutory compliance inspections and reporting.

Topic: Diversity – Employing Non-Australian Citizens

Senator: Senator Ludwig

Question reference number: 230

Type of question: Written

Date set by the committee for the return of answer: 10 July 2015

Number of pages: 2

Question:

- (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:
 1. Levels at which they are employed
 2. Immigration Status (Visa)
 3. Cultural Background
 4. Linguistic Background
 5. How many were hired to satisfy CALD targets?

Answer:

(1) The Office of the Commonwealth Ombudsman (the Office) does not have an independent internal policy in relation to hiring non-Australian citizens. The Office is guided by the *Public Service Act 1999* in that a person being engaged in the APS will be an Australian citizen (subsection 22(8)).

(2) CALD communities have been acknowledged within the Office's Multicultural Plan with its vision being:

- that the Office is sensitive to, and aware of, the more particular needs and vulnerabilities of people from CALD backgrounds; and
- to endeavour to ensure that the services of the Commonwealth Ombudsman's Office is accessible and responsive, so as to ensure that people with CALD backgrounds are afforded the same rights and privileges as are other members of the Australian community.

Through the Office's Multicultural Plan, the Office will seek to closely engage with key stakeholders, such as the Federation of Ethnic Communities' Councils of Australia (FECCA), to ensure that evidence based CALD perspectives are brought to our staff's attention and incorporated into our workplace activities so that our services are delivered in accordance with access and equity principles.

(3) The recruitment process undertaken by the Office includes identification of people who are and are not Australian citizens. As a first step should an applicant identify as not being an Australian citizen then they are notified that they are ineligible to apply for the position.

Furthermore, progression through the recruitment process requires potential applicants to provide 100 points in identification.

It should be noted that the Office website includes information on how to apply for vacancies within the Office and advises that only Australian citizens can be engaged in the APS.

(4) Nil non-Australian citizens have been hired by the Office since September 2013.

Senate Finance and Public Administration Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Budget Estimates May 2015

Prime Minister and Cabinet Portfolio

Department/Agency: Office of National Assessments

Outcome/Program: 1

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

Senator: Senator Ludwig

Question reference number: 230

Type of Question: Written

Date set by the committee for the return of answer: 10 July 2015

Number of pages: 1

Question:

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?
5. 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?

ONA Response

1. ONA does not employ non-Australian citizens.
2. No.
3. Extensive checks are conducted as core part of the Top Secret (Positive Vetted) security clearance process for new recruits to ONA.
4. Nil.
5. N/A

Senate Finance and Public Administration Legislation Committee

Additional Estimates – May 2015

ANSWER TO QUESTIONS ON NOTICE

Prime Minister and Cabinet portfolio

Department/Agency: Office of the Official Secretary to the Governor-General

Program 1: Support for the Governor-General and Official Activities

Outcome 1: The performance of the Governor-General's role is facilitated through the organisation and management of official duties, management and maintenance of the official household and property and administration of the Australian Honours and Awards system.

Topic: Non Australian Citizens employed by the Department/Agency

Senator: Ludwig

Question reference number: 230

Type of Question: Written

Date set by the committee for the return of answer: 10 July 2015

Number of Pages: 2

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:
 1. Levels at which they are employed
 2. Immigration Status (Visa)
 3. Cultural Background
 4. Linguistic Background
 5. How many were hired to satisfy CALD targets?

Answer:

1. All employees of the Office must be Australian citizens.
2. The Office has an Agency Multicultural Plan and a Workplace Diversity Policy. These documents provide the following entitlements for people from culturally and linguistically diverse backgrounds:
 - access to translators/interpreters if required;
 - discretionary leave to allow employees to attend days of cultural, religious or ceremonial significance;

- respect and recognition of cultural, religious and ceremonial differences; and
 - access to and information on learning and development opportunities that support employees in identified groups to develop their careers.
3. The Office requires the employee to submit proof of identity – birth certificate, passport or Australian Citizenship papers.
 4. Nil.

Senate Finance and Public Administration Legislation Committee
ANSWERS TO QUESTIONS ON NOTICE
Budget Estimates Hearing 25-29 May 2015

Prime Minister and Cabinet Portfolio

Department/Agency: Department of the Prime Minister and Cabinet
Outcome/Program: Outcome 1: Prime Minister and Cabinet
Topic: Non-Australian Citizens Employed by the Department/Agency

Senator: Senator the Hon Joe Ludwig

Question reference number: 230

Type of question: Written

Date set by the committee for the return of answer: 10 July 2015

Number of pages: 2

Question:

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:
 1. Levels at which they are employed
 2. Immigration Status (Visa)
 3. Cultural Background
 4. Linguistic Background

How many were hired to satisfy CALD targets?

Answer:

1. In line with subsection 22(8) of the *Public Service Act 1999*, the Department's policy is that a person intended to be engaged by the Department must be an Australian citizen. This requirement can be waived at times, however is only done in exceptional circumstances.
2. Yes, this forms part of the Department's Agency Multicultural Plan. The Agency Multicultural Plan addresses the six dimensions of the broader Multicultural Access and Equity Policy—leadership, engagement, performance, capability, responsiveness and openness.
3. New starters to the Department are required to provide proof of citizenship which may include an Australian Birth Certificate, Australian Passport, certificate of Australian citizenship or a certificate of evidence of Australian citizenship, depending on when and where the new starter was born.

4. One non-Australian citizen has been hired since the Federal Election in September 2013. This employee was engaged on a short-term contract (three months) in a remote Indigenous community and has now ceased working with the Department.
 - 1) APS Level 5
 - 2) Special Category Visa which allows New Zealand citizens to live and work in Australia indefinitely
 - 3) New Zealand citizen
 - 4) English
5. No non-Australian citizens have been hired by the Department to satisfy CALD targets.