



Australian
Communications
and Media Authority

ACMA

Corporate plan

2021–22

For the period
2021–22 to 2024–25

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Written enquiries may be sent to:

Manager, Editorial Services
PO Box 13112
Law Courts
Melbourne VIC 8010
Email: info@acma.gov.au

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Chair's introduction



Dear Minister,

As the accountable authority of the Australian Communications and Media Authority (ACMA), I present the Corporate plan 2021–22, covering 4 reporting periods as required under paragraph 35(1)(b) of the Public Governance, Performance and Accountability Act 2013 (PGPA Act) and the Australian Communications and Media Authority Act 2005 (ACMA Act).

Australia, like the rest of the world, is now more than 18 months into dealing with the COVID-19 pandemic. The seismic disruption to the communications and media sectors of early 2020 has settled to a degree but some changes appear more permanent.

Communications services have proved themselves essential in keeping Australians informed and connected with their families, friends and workplaces during difficult times of economic disruption and social isolation. They have also underpinned the rapid shift in the digital delivery of government services such as telehealth and education and supported millions of Australians – including those in the ACMA – to work from home.

These changes look to be creating a new normal in how communications services are used and the expectations of those who use them.

In the meantime, industry is still recovering from the disruptions to supply chains, the impact of travel limitations and business shutdowns experienced in 2020. Regulatory forbearance by the ACMA and government actions to reduce regulatory burden and provide direct funding has aimed to assist industry in its recovery.

Longer-term structural changes to, for example, media advertising markets and the incessant technological advances that are inherent in the sector add to the dynamic and challenging environment in which the sectoral regulator must operate.

In response, this year we undertook a comprehensive review of our corporate plan. We have reaffirmed our vision, developed a renewed statement of purpose, reset our key activities, revised our performance measures and identified the capabilities we will need in the future.

Our key activities for the next 4 years are to:

- > support an efficient and reliable communications infrastructure
- > build consumer trust in the use of communications content and services
- > use research, data and stakeholder feedback to inform, develop and deliver effective, risk-based regulation.

The specialised expertise, dedication and professionalism of our people is fundamental to the successful delivery of the wide range of functions and responsibilities we administer. A continued focus on our workforce and capabilities, as outlined in this plan, will be integral to achieving our purpose. As will be us living the culture and values that we have set for the ACMA and the continuing resilience and agility that COVID-19 has required of us all.

We look forward to delivering this plan over the next 4 years, and I will report on our success in achieving our purpose against this plan in our Annual Performance Statement.

Nerida O'Loughlin PSM
Chair

Our environment

Australia's communications and media landscape continues to undergo significant change. Over the past decade, developments in digital products and services have reshaped business models, global and domestic markets, consumer experience and expectations. Along with regulators around the world, the ACMA is responding to enable industry innovation while protecting consumers and audiences. We have considered how this environment may shape the future to 2025 and beyond and have developed this corporate plan in the context of these evolving environmental factors.

COVID-19

Continued COVID-19 impacts

The impacts of COVID-19 have been – and remain – widely felt across Australia and around the globe. The Australian communications and media sectors have experienced challenges resulting from disrupted supply chains, lockdown arrangements and rapidly changing consumer preferences. While there are signs of recovery, with revenues increasingly returning to pre-pandemic levels, the challenges are expected to continue over the coming years.

COVID-19 has highlighted that, more than ever, reliable communications and media services are critical to consumers, businesses and governments. Telecommunications networks have kept Australians connected during COVID-19, particularly as social distancing, isolation and quarantine arrangements disrupt usual ways of interacting. These critical networks have also been at the centre of Australia's ability to move to home-based work, telehealth, and schooling arrangements while continuing to support economic activity across the country.

ACMA research – conducted in the first half of 2020 – highlighted a number of trends around how Australian adults are increasingly using telecommunications services, for example:

- > 99% had accessed the internet – up from 90% in 2019
- > 77% had used an app to communicate via messages, voice or video calls in the past 6 months, up from 67% in 2019
- > 72% had used an app for social networking, up from 63% in 2019
- > 42% had used the internet to work from home, and 36% engaged in telehealth consultations.

Through the pandemic, Australians are also now accessing news and media at a higher rate, with television and radio being seen as important sources for important information and guidance on COVID-19 developments.

Communication industries will continue to face revenue pressures due to a reduction in the levels of international roaming from ongoing international travel restrictions, along with changing costs and market structures. At the same time, companies are making significant investments in spectrum and communications infrastructure to deliver 5G and the next generation of communications services to businesses and households.

In the content sector, the pandemic has pushed even more consumers to online, streaming, and catch-up services, coinciding with more services entering the Australian market. Interruptions to Australian sporting events are still impacting a significant source of advertising revenue. There has been a return to content production in Australia although some productions are delayed due to the increasing costs of providing a COVID-safe working environment.¹

Australia has also become a highly attractive location for big-budget international productions, given our highly skilled content workforce and the prolonged production shutdowns internationally.

¹ Screen Australia, [The Drama Report 2019/20](#), Screen Australia website, accessed 7 July 2021.

More broadly, COVID-19 has seen an increase in scam activity, with scammers using the pandemic to target Australians. For example, online misinformation about COVID-19 has increased rapidly and has the potential to impact our nation's ambitions for maximum vaccine take-up in rapid timeframes. There has also been an increase in reports and losses from other scam activities including phishing, identity theft and impersonation scams. These have resulted in financial and other harms to many consumers.

Internationally, the ongoing prevalence of the COVID-19 pandemic has the potential to create ongoing economic and social volatility, extending the effects into the Australian sector over the life of this corporate plan.



Communications infrastructure

Australians will continue to depend on reliable and secure communications infrastructure, with individuals, households and businesses expecting faster, more secure and robust connections supporting multiple devices. They also expect communications services to be resilient and able to be restored quickly even when infrastructure is impacted by natural disasters such as floods and fire.

Supporting business and consumer data growth is driving significant investments in communications infrastructure by industry and government. This includes completion of the National Broadband Network and planned upgrades that provide consumers with better communications services along with the nation-wide deployment of 5G wireless broadband and satellite communications infrastructure.

New low earth orbit satellite constellations are also entering the Australian market, providing new broadband service offerings, particularly in rural and regional Australia.

International trends are also driving demand for spectrum, including the appetite for wireless broadband, particularly in the context of 5G services, enterprise-based network developments, ongoing commercialisation of internet of things (IoT) applications, advances in broadcasting technology, and rapid innovations in satellite technologies and services. We are also seeing a rapid evolution of drones and remotely-piloted aircraft being deployed across private, commercial and government uses.

In the immediate term, we see that over the next 5 years, data growth will inform continued investment in 5G networks and complementary technologies are likely to further spur spectrum demand.²



Content and services

The Australian content sector is continuing to experience significant change. Time spent watching free-to-air television continues to fall³ – a trend expected to continue in the coming years. Conversely, more Australians are watching online video content. Over a 7 day period, in June 2020, over half (55%) of Australian adults watched content on online subscriptions services, up from 32% in 2017.

The subscription video on demand (SVOD) market is maturing and increasingly reaching saturation levels in the Australian market. While time spent watching these services is expected to grow, the number of available service offerings means greater competition for consumers' attention. The number of new entrants in the Australian SVOD market will likely be fewer than we have seen in recent years, with the market also expected to contract through exits or mergers.

² Australian Communications and Media Authority, [Internet of Things in media and communications occasional paper](#), July 2020, pp. 7–8.

³ Australian Communications and Media Authority, [Communications and media in Australia: How we watch and listen to content](#), 23 June 2021, accessed 2 July 2021.

While radio listening continues to remain popular, audio trends are also evolving. Over a 7-day period, in June 2020, nearly two-thirds (63%) of Australian adults listened to a music streaming service, up from 37% in 2017. Around 1 in 5 listened to at least one podcast in the same period.

Commercial broadcasters have experienced declines in advertising revenue as more advertising spending is moves online. Commercial broadcasters are responding by providing content on digital channels (including broadcast video on demand) enabling broadcasters to find new revenue streams by leveraging off increased audiences and new forms of advertising.

Digital platforms in Australia continue to grow in popularity. For example, among the increasing number of Australians using social media, two-thirds reported that Facebook is the social networking site used most often.⁴ There continues to be ongoing debate and public interest in regulatory and competition issues relating to digital platforms, including the impact of digital platforms on the news industry, the spread of misinformation, breaches of individuals' privacy, and foreign interference via social media.

Again on the digital front, in the 6 months to June 2020, 1 in 5 internet users (22%) participated in some form of online gambling, with some internet users increasing their online gambling activity with the introduction of COVID-19 social and physical distancing restrictions.



Regulatory reforms

Several major government reforms or reviews are underway which may influence our environment over the next 4 years.

The Australian Competition and Consumer Commission's Digital Platforms Inquiry, and the government's response to it, provide a framework for broad media and content regulatory reform and harmonisation.

The 2020 updates to the Australian Content and Children's Television standards, which provide commercial broadcasters with flexibility in the mix of drama, documentary and children's programs they broadcast to meet their Australian content obligations were a critical early deliverable in this program of work. The release of the government's *Media Reform Green Paper* in 2021 was another, with more reform anticipated over the years to come, including consideration of the longer-term technology pathways for Australia's free-to-air television industry.

The government's response to the Digital Platforms Inquiry also includes the current review of the *Privacy Act 1988*. This review seeks to bring Australia's privacy laws into the digital era and strengthen privacy protections for consumers and their data.

In terms of communications consumer protection, the ongoing Consumer Safeguards Review reflects the evolving environment where communications services are now essential to modern life. Consumer expectations of their service providers, understandably, reflect that criticality of service.

The ACMA will also contribute to the government's deregulation agenda aimed at modernising regulation and processes and reducing costs to business.

⁴ This figure excludes other sites owned by Facebook, such as WhatsApp and Instagram.



ACMA's role in this changing environment

The ACMA continues to respond to the rapidly evolving communications landscape delivering and implementing regulation that supports communications infrastructure, content and services to all Australia.

Access to efficient, reliable and secure communications infrastructure and services is more critical than ever as more Australians work from their homes. We will continue to support the sector in their growth ambitions and ensure consumers can access the services they need, particularly in regional Australia or for those in vulnerable circumstances.

With the ongoing uncertainties of the pandemic, and what it will mean for the sectors we regulate and for consumers, we will maintain a focus on being responsive to emerging threats and ready to seize on opportunities. For example, supply chain disruptions caused by COVID-19 have created weaknesses that scammers can exploit. We will continue to work across industry and government to disrupt or prevent scam activity.

Likewise, opportunities for the spread of misinformation and disinformation are emerging rapidly, with new technologies and innovations, more sophisticated perpetrators of misinformation distribution and increased reliance by Australians on digital platforms for access to news and information. We will continue our work with platforms and across government to develop innovative and adaptive industry responses and, where appropriate, provide advice to government on potential regulatory interventions.

We will also look for opportunities to proactively collaborate with stakeholders. This includes continuing to collaborate with newer sectors and market entrants to understand their business models and explore appropriate responses to emerging challenges.

Spectrum management will also remain a key focus, and we will continue to monitor and respond to changes to the spectrum environment. As Australia's spectrum manager, the ACMA is responsible for managing the radiofrequency spectrum to promote the long-term public interest derived from its use. We are continuing to undertake extensive planning, allocation and licensing activities to support the ongoing deployment of 5G services in Australia and are working with a range of spectrum users as their needs evolve.

Our purpose

The ACMA's purpose is to maximise the economic and social benefits of communications infrastructure, services and content for all Australia by:

- > maintaining, enforcing and improving regulation to drive industry performance and protect consumers
- > managing public resources to enable industry to deliver existing and new services
- > understanding the changing communications sector to inform decision-making.

We have identified 3 key activities for the period of this corporate plan which will, collectively, deliver on our purpose. We have also included an externally-focused vision statement to describe what we want to achieve through our work.

Our performance framework is illustrated below.



Our culture and values

Our culture and values support us to achieve our purpose, now and into the future. They shape how we work with each other and our stakeholders, and how we approach the opportunities and challenges in our environment. We are committed to the Australian Public Service (APS) values of being impartial, committed to service, accountable, respectful and ethical. We embrace diversity and celebrate inclusion. These values underpin our role as an independent decision-maker, responsible for balancing sometimes competing public interest objectives and informed by a deep knowledge of the sectors we regulate. Complementing the APS values, we have developed our own ACMA-specific values outlined below. Over the reporting period, we will continue to embed our culture and values in all our priorities and activities.

We are purposeful

Our commitment to delivering tangible and significant benefits to all Australians provides direction and drives our work. We are committed to maintaining and enhancing our expertise and our contribution to the work of the APS. We are outcomes-focused and strive for high performance. We are timely, measured and transparent. We engage with and manage risk and adapt quickly to changing expectations and priorities by being agile and flexible.

We contribute to a positive and professional workplace that encourages us to do our best work. We appreciate and support each other and take time to recognise, celebrate and communicate our accomplishments.

We are curious and questioning

We look around us and into the future to explore new ways of addressing ongoing challenges and maximising opportunities. We look deeply into issues from the various perspectives of our stakeholders to develop new understandings.

We ask astute questions and interrogate the implications of matters relevant to our work. We gather and analyse data from multiple sources. We value critical thinking and analysis to support rigorous and innovative approaches to our work.

We value and invest in learning and opportunities for professional development. We seek out information and learn from international research and the experiences of other jurisdictions.

We are collaborative

We collaborate within the ACMA, with the Department of Infrastructure, Transport, Regional Development and Communications (the Department), other regulators and relevant agencies as well as across all levels of government. We engage proactively and creatively with industry and the community, demonstrating a clear understanding of their issues and challenges. In doing so, as with all our work, we maintain the highest levels of integrity.

We articulate and promote the work of the ACMA to maximise awareness of what we do. We seek out and value diverse perspectives and ideas. We are respectful and share knowledge generously.

Our operating context



Decision making and advisory framework

The Authority

The ACMA is a statutory authority established by the ACMA Act. The ACMA Chair serves as Agency Head, with powers, functions and accountabilities under the PGPA Act, the *Public Service Act 1999* (PSA), *Safety, Rehabilitation and Compensation Act 1988*, *Fair Work Act 2009* and various other pieces of legislation.

The Authority is a collegiate regulatory decision-making body of between 3 and 9 members including the Chair and Deputy Chair. The Authority also has associate members, including 2 appointed under cross-appointment arrangements with the Australian Competition and Consumer Commission (ACCC), to support collaboration between the sectoral and economic regulators.

Members are appointed by the Governor-General and associate members are appointed by the Minister for Communications, Urban Infrastructure, Cities and the Arts. Members other than the Chair and Deputy Chair may be appointed on a full-time or part-time basis.

At 1 July 2021, the members of the Authority were:

- > Nerida O'Loughlin (Chair)
- > Creina Chapman (Deputy Chair)
- > Fiona Cameron
- > James Cameron
- > Chris Jose
- > Anita Jacoby (Associate Member)
- > Delia Rickard (ACCC Associate Member)
- > Anna Brakey (ACCC Associate Member).

Authority Members may lead an area of the ACMA's work and chair internal committees aligned with their relevant skills and expertise. Current internal committees are:

- > Content Committee: Creina Chapman
- > Telecommunications and Consumer Committee: Fiona Cameron
- > Spectrum Committee: James Cameron
- > Compliance and Enforcement Committee: Chris Jose.

Our Authority is advised, guided and assisted by agency staff, who are employed under the PSA. Staff are ultimately accountable through their line managers and general managers to the Chair.

Authority Code of Conduct

In May 2021, the ACMA updated its Code of Conduct for Authority members and associate members.⁵ The code sets out the Authority's strategic intent, approach to business, duties, responsibilities, and the culture and values that guide its work. The code is reviewed regularly by the Authority.

⁵ www.acma.gov.au/publications/2019-06/publication/authority-code-conduct

ACMA's regulatory functions

The ACMA's regulatory functions are set out in Part 2, Division 2 of the ACMA Act. The ACMA is responsible for the regulation of broadcasting, radiocommunications, telecommunications and some online content, in accordance with four principal acts – the *Radiocommunications Act 1992*, *Telecommunications Act 1997*, *Telecommunications (Consumer Protection and Service Standards) Act 1999* and *Broadcasting Services Act 1992*. There are other Acts that confer regulatory jurisdiction on the agency or are otherwise relevant to the ACMA, such as the *Spam Act 2003*, the *Do Not Call Register Act 2006* and the *Interactive Gambling Act 2001*. The ACMA may make regulatory instruments in areas where it is specifically delegated under legislation and may, in certain circumstances, be directed by the minister to do so.

Advisory committees

Part 7 of the ACMA Act enables the ACMA to establish advisory committees to assist us in performing our functions. We currently have 2 such advisory committees established:

- > the Consumer Consultative Forum – chaired by Authority member Fiona Cameron
- > the Numbering Advisory Committee – chaired by Authority member Chris Jose.

Each advisory committee comprises representatives for consumers, industry bodies and regulatory and government bodies and generally meets twice yearly.

Executive Management Committee

The Executive Management Committee (EMC) consists of the ACMA's senior leadership team – the Chair (as Agency Head), Deputy Chair (as Chief Executive Officer) and the 4 Senior Executive Service (SES) Band 2 general managers. The EMC's core responsibility is to support the Chair in discharging her statutory roles in relation to the operations of the ACMA.

Audit and Risk Committee

The Audit and Risk Committee (ARC) helps the ACMA to comply with legal requirements and provides a forum for communication between the ACMA Chair, senior managers and the internal and external auditors of the agency. The ARC also provides assurance to the Chair on the appropriateness of the ACMA's financial reporting, business planning, risk management, internal controls and performance reporting.

On 27 February 2020, the PGPA Amendment (2020 Measures No.1) was registered, amending the PGPA Rule 2014 to provide direction on the composition of audit and risk committees. This took effect from 1 July 2021 and, under subsection 17(4), provides that members of audit and risk committees must not be officials of the entity and that the majority of members must not be officials of any Commonwealth entity.

This new requirement is reflected in the composition of our committee. At 1 July 2021, members of the ARC were:

- > Ian McPhee AO, Committee Chair
- > Jeremy Chandler, External Member
- > Karen Toole, External Member.

The ARC meets 5 times a year.

Management and staff committees

The National Consultative Forum (NCF) is the ACMA's principal body for formal consultation and discussions on workplace relations of national focus or significance. The NCF meets 3 times each year and is chaired by the Chair as Agency Head.

The National Work Health and Safety Committee (NWHSC) provides a consultative forum for the identification and consideration of broad workplace health and safety issues that may need to be addressed at an organisational level. The NWHSC is chaired by the General Manager, Corporate and Research Division and meets 3 times each year.

Culture and values network

The Culture and Values Network is co-chaired by the General Manager, Content and Consumer Division and the Executive Manager, Spectrum Allocations, Communications Infrastructure Division. The network has members in each office location and plays a part in fostering a strong and positive culture. It promotes action plans that support our 3 organisational values – purposeful, curious and questioning, and collaborative.

Major project boards

The Enterprise Project Group (EPG) is chaired by the Deputy Chair (as Chief Executive Officer) and supports the EMC by providing key governance oversight of our major projects to ensure they align with our strategic direction and deliver agreed outcomes and benefits efficiently and effectively. The EPG meets monthly.

In addition to the EPG, significant projects, such as the National Self Exclusion Register project, the Data and Analytics project and any major ICT projects each have a project board to oversee, guide and govern their work. These project boards report to the EPG on a regular basis.



Workforce capability

Our staff are highly dedicated and committed to delivering best practice regulatory outcomes that effectively balance the needs of industry and the community. As a result of the COVID-19 pandemic and associated lockdowns, our workforce has become more flexible, innovative and agile in how we work. Strong connectivity and collaboration is emphasised within the ACMA, and is also carried over to our stakeholders, such as the Department and other regulators.

Over the course of this corporate plan, we are committed to maintaining and enhancing our expertise and our contribution to the work of the APS and we will continue to focus on ensuring we have the right mix of skills and capabilities to meet the future demands of our environment. Our priorities for developing our broader workforce capabilities are set out below.

Aligning to APS initiatives

The ACMA contributes to broader APS initiatives by aligning our own people strategies and practices with the objectives of the APSC's APS Workforce Strategy 2025 and the outcomes of the APS Hierarchy and Classification Review.

We are refocusing our learning and development program to support the one-APS capability identified in the APS Workforce Strategy 2025 and will endeavour to be an early adopter of the learning and development activities provided by the APS Academy, which commenced operations on 1 July 2021.

We are also collaborating with the APS Centre of Excellence for Workforce Planning as one of 2 pilot agencies working on an initiative supporting the APS Workforce Strategy 2025.

Professional streams

In the last 18 months, the Australian Public Service Commission (APSC) has established several professional streams for critical disciplines or functions where there is an identified need to address critical workforce capability gaps within the broader APS. We will continue to actively engage with the human resources, digital, and data professional streams to support uplifting our capability in these areas and contributing to the development of broader APS skillsets.

Workforce planning

Building the foundations for operational workforce planning will be a high priority in 2021–22. In 2020–21, we released our *People Strategy 2021–24*. This sets out how we will mature our workforce planning approach, inclusion and diversity initiatives and organisational learning culture.

Our operational and strategic workforce planning will include approaches that more closely align with our business planning needs, so we can better identify workforce issues requiring attention, including succession, risk and capability gaps.

In 2021–22, the ACMA will partner with the Australian Public Service Commission's Centre of Excellence for APS workforce planning capability with the aim to develop robust workforce planning approaches and capability.

Capability Review

The ACMA Capability Review 2019 (the review) provided the impetus for a whole of agency change management process across our leadership, strategy, and delivery capabilities. Having now delivered on the recommendations of the review, there have been tangible results in our leadership development processes and programs, our business planning and governance activities, as well as improved staff collaboration and a much greater understanding of the work of the Authority. All these improvements have been validated through the Australian Public Service Census where our results against leadership, communication and change, performance and culture have all risen significantly since 2018.

Leadership

Our leaders model the culture and values to which we aspire and foster employee engagement by promoting innovation, empowerment, accountability and a safe, high-performing and inclusive workplace. Our leaders have access to real-time staff information, supporting them to manage their people and engage in quality and regular performance conversations. In 2021–22, we will continue to build on our leadership capability with focused learning programs that support each level of management.

Graduate recruitment

Our graduate program supports our critical capability as outlined below. Our graduate program is key to improving our demographic structure and diversity profile and supporting our longer-term succession planning. In 2020–21, the graduate program accounted for approximately 2% of our staff and this is anticipated to grow over the life of this plan.

In 2020–21, for the first time, we used the APS professional streams graduate recruitment program to source and access high-quality graduates. We will continue to leverage off whole-of-government graduate programs. We will also continue to partner with the APSC to seek to employ First Nations graduates and to collaborate through the APS Graduate Development Programs.



Critical capabilities

We will continue to develop and invest in the critical capabilities identified in our people strategy. These include expertise in engineering, regulatory management and decision making, digital and technology services, data and project management.

Engineering

Engineering is one of our most critical capabilities. Modelling the approach taken by the APS Professional Streams, we have established an SES-level Head of Engineering Profession to assist in providing leadership and stewardship across the ACMA and developing engineering capabilities in our staff.

Each year we explore innovative options for recruiting more engineers and we will continue to invest in cadetships, internships, and student work experience placements, together with our graduate program and technical traineeships to support this critical capability.

Regulatory capability

Our key regulatory capabilities include understanding, contributing to, and implementing broader policy and regulatory frameworks using the full range of regulatory tools and methods available. We will continue to strengthen our strategic and regulatory capabilities so that we are well-placed to drive and lead the development of new regulatory frameworks in response to emerging technologies, business models and consumer behaviours and expectations.

We provide a range of learning and development opportunities for staff to embed regulatory best practice across our workforce.

Digital and ICT skills

The ACMA's digital and ICT program has been established to design and develop contemporary cloud and technology platforms that deliver modern business capabilities as well as increased resilience and security. We are developing and maturing our digital and ICT capability to deliver digital and data services with a citizen-centric design and business delivery focus.

Over the coming years, our digital and ICT workforce will be supplemented with IT industry partners to uplift our capability, transition skills and provide job rotation opportunities for staff to develop new skills.

We will also leverage whole-of-government initiatives, as led by the Digital Transformation Agency, to inform the delivery of our digital and ICT program including the APS Digital Professional Stream to develop our digital and data talent and skills. In particular we will participate in the Women in IT Executive Mentoring program to increase our representation of women in digital leadership roles.

The Cross Portfolio Chief Information Officer group will continue to provide a useful forum to collaborate across the APS to discuss and share common digital and ICT topics including skills and workforce requirements.

Data literacy and data analytics

The delivery of our data strategy and governance framework, and several inflight data and analytics projects are increasing the maturity of our digital, data and analytics capability across the agency. The framework will enhance our core information assets to ensure decision-making is based on high-quality data.

Data capability is a focus for many government agencies and available resources are limited. To address this shortage we are seeking to build internal data capability by enhancing our data literacy, improving the discoverability, useability and safety of our data, by building an enterprise level data analytics platform solution to support enhanced data and analytics capability, and by applying data analytics to business problems.

As we build our data and analytics capability, we will continue to collaborate across the APS including with the data professional stream and the Data Champions Network.

Project management

Project management methodologies continue to be embedded into our business processes across the organisation, including the use of agile frameworks. By identifying successes and lessons learnt at the end of projects, we are responsive to changes as they develop. We work collaboratively with stakeholders and in multi-disciplinary teams to deliver the best outcomes, when developing our project management capabilities.



Understanding our charging environment

We collect revenue on behalf of the Australian Government through broadcasting, radiocommunications and telecommunications taxes, levies, fees and charges. The taxes we collect include radiocommunications licences purchased through spectrum auctions (spectrum access charge) and taxed using the apparatus licence tax (ALT) and spectrum licence tax (SLT), the Telecommunications Industry Levy and the recently implemented Regional Broadband Scheme.

We also operate within the Australian Government Charging Framework for the regulatory activities we cost-recover from industry including the Annual Carrier Licence Charge and Do Not Call Register access-seeker fees. All charges, levies and taxes the ACMA collects from industry are returned to the government's Consolidated Revenue Fund.

During the period of this plan, our focus will continue to be on the efficiency and refinement of cost attribution processes. In addition to consulting annually on each of the cost recovered activities that we administer, we will continue to seek independent assurance of our cost allocation systems to ensure alignment with the government's charging principles and that only the minimum efficient costs are passed on to industry.



Risk oversight and management

Our risk oversight and management framework facilitates effective decision-making and creates a shared understanding of our risks and the plans to mitigate them. The framework is designed to identify our risks in a transparent and systematic way.

The ACMA framework is in accordance with section 16 of the PGPA Act and the Commonwealth Risk Management Policy, with the ARC regularly providing advice to the Chair on our risk management.

Risks are identified through our business planning processes as we aim for a risk management culture that supports decisions consistent with our risk appetite and we regularly review our risk appetite and framework so it remains relevant as our operating environment continues to evolve.

In 2020–21, we updated our risk appetite statement. It recognises that not all risks are within our control and reflects our approach of actively monitoring, managing and mitigating risk, as shown in the following diagram.



Our strategic risks are regularly reviewed by the EMC and actively managed under our framework:

Key risk	How risk will be managed
A reduction in public confidence in the communications and media services we regulate	<ul style="list-style-type: none"> > Actively monitoring and researching industry and consumer behaviours to inform decision-making > Continuous improvement of regulation to respond to market changes and emerging harms > Actively pursuing compliance and enforcement actions in proportion to harms caused by non-compliance
Unable to complete critical tasks due to the COVID-19 pandemic	<ul style="list-style-type: none"> > The ACMA's COVID-19 Incident Response Team continues to coordinate planning and action > Corporate communications to inform all staff on evolving situation, impacts on the ACMA and changes to workplace settings > Clear communication of expectation of individual responsibility to maintain a safe working environment
Loss or degradation of critical ICT infrastructure	<ul style="list-style-type: none"> > Cybersecurity enhancement project to meet essential government controls > Internal intrusion testing > Investment in ICT infrastructure



Cooperation with stakeholders and others

Successful achievement of our purpose would not be possible without cooperation with industry and other government agencies and regulators.

International collaboration

We have strong relationships with international spectrum and telecommunications regulators. We will continue to participate in the work of the Asia-Pacific Telecommunity and the International Telecommunication Union on preparatory activity supporting the World Radiocommunication Conference 2023 and other international spectrum matters. We will provide technical expertise for Australian engagement in international spectrum management forums and through international consultative frameworks.

The increasingly global nature of our work also means we need to continue to find new and innovative approaches to collaborate with overseas regulators and organisations, for example, in giving effect to Australia's online gambling laws and working to reduce telecommunications scams.

Domestic collaboration

Our relationships also extend to other government agencies and regulators. We work closely with the Department in progressing improvements to the regulatory framework within which we operate and with other government regulators and agencies, including the Office of the eSafety Commissioner, to address issues as they arise in our operating environment. We continue to develop formal understandings with other regulators to facilitate information sharing and collaboration, such as with the Office of the Australian Information Commissioner and the Australian Securities and Investments Commission.

We also work closely with the ACCC and the Australian Cyber Security Centre to examine technological solutions to protect consumers from the use of communications and media technologies that cause harm. Our work and cross-appointment arrangements provide an example of how collaboration between agencies can better serve the interests of our broader stakeholder base and benefit decision-making.

Our work with the Department of the Prime Minister and Cabinet, particularly through our membership of the Regulator Leadership Cohort is supporting progress on the government's program to identify, share and embed regulator best practice, covering performance, capability and culture.

We continue to enter into national and international memorandums of understanding (MoU) with other government agencies. In March 2021, we established a MoU with the Australian Financial Crimes Exchange to enable the exchange of relevant data and other information around unauthorised mobile number porting in June 2021, we established a MoU with the Australian Space Agency to support the growth and transformation of Australia's space industry and coordinate civil space matters across government. In May 2021, we established a MoU with the United States of America's Federal Communications Commission which will allow Australia and the US to work together to combat unlawful robocalls, unsolicited texts and phone scams.

We work to achieve outcomes that are in the long-term interests of all our stakeholders, including the millions of Australians who use and rely on communications and media networks, devices and services, together with the businesses that supply them. Our work also supports defence, security, emergency and law enforcement services in their use of spectrum.

We work closely with industry and industry bodies in performing our functions, including our annual consultation with government and industry on the development of our annual five-year spectrum outlook. We also recently engaged with the Digital Industry Group Inc. on the development of the voluntary industry code of practice on disinformation and misinformation.

Our performance

Our performance framework expresses how we will achieve our purpose and measure our success through:

- > **key activities** – which describe significant areas of work that we undertake in achieving our purpose.
- > **performance measures** – that provide a basis by which we will assess our success in delivering our key activities and, ultimately, our purpose.
- > **targets** – which provide an unbiased assessment of our success in achieving our performance measures.
- > **methodologies** – that describe how we will monitor ourselves against the targets.

To strengthen the clarity of our framework and ensure a clear line of sight we have also included a description of each key activity and performance measure, as well as details of how each performance measure supports our programs in the 2021–22 Portfolio Budget Statements (PBS) and the regulator principles as described in the newly released Regulator Performance Guide.⁶

Our comprehensive review of this corporate plan was undertaken after publishing the PBS. We will report on our success in achieving our purpose and outcomes against this plan in our Annual Performance Statement.

The following diagram sets out the key activities we will undertake during the reporting period to achieve our purpose:



⁶ <https://ministers.pmc.gov.au/morton/2021/deregulation-budget-package-and-regulator-performance-guide>

Key activity 1: Support an efficient and reliable communications infrastructure

We manage Australia’s Radiofrequency Spectrum Plan and the Telecommunications Numbering Plan to make spectrum and numbers available for existing and new communications services. We license and authorise communications infrastructure providers to operate and set and enforce rules that reflect contemporary standards.

The ACMA’s spectrum allocation decisions supports the rollout of new communications technologies, bringing benefits to Australians using communications services. Our licensing, authorisations, rule-making and compliance and enforcement activity underpins reliable communications networks. Efficient management of numbering allows telecommunications providers to supply services to new customers and promotes competition.

Performance measure 1: Plan and allocate communications infrastructure resources		
<p>Our spectrum planning and allocation will be transparent and efficient, consistent with our international obligations, and will address changing demand to support innovative communications services.</p> <p>The five-year spectrum outlook (FYSO) and associated annual spectrum work program will be informed by industry demand, government policies and the implementation of radiocommunications reforms resulting from the commencement of the <i>Radiocommunications Legislation Amendment (Reform and Modernisation) Act 2020</i>.</p>		
Targets		Reporting period
1.1	Spectrum planning and allocation activities are delivered in accordance with the FYSO and annual work program.	2021 – 2025
1.2	Australia's interests are considered in World Radiocommunication Conference (WRC) and preparatory meeting attendance and delegation briefs.	2021 – 2025
Methodology		
1.1	Analysis of timeliness of spectrum planning and allocation activities through the FYSO, annual work program and 6-monthly updates.	
1.2	Qualitative analysis of delegation briefs for WRC and preparatory meetings shows that Australian interests are protected and promoted.	
PBS links		
Outcome 1, Program 1.1 Communications regulation, planning and licensing.		
Regulator performance principles		
Continuous improvement and building trust, collaboration and engagement.		

Performance measure 2: Efficient numbering allocation		
Our numbering services will be available and efficiently allocated.		
Targets		Reporting period
2.1	Numbering services are available 99% of the time and 99.9% of numbering transactions are processed within 5 seconds.	2021 – 2025
Methodology		
2.1	Analysis of system performance data for availability and processing times.	
PBS links		
Outcome 1, Program 1.1 Communications regulation, planning and licensing.		
Regulator performance principles		
Continuous improvement and building trust.		

Performance measure 3: Authorisation and licensing of communications infrastructure providers and individuals		
Our licensing and authorisation activities are efficient and effective and support innovation in communications services. Infrastructure providers and licensees have confidence that they are appropriately authorised to provide communications services.		
Targets		Reporting period
3.1	Licensing and authorisation policies are updated to support technology and service innovation.	2021 – 2025
3.2	Radiocommunications and telecommunications licences: 90% actioned within 30 days of application.	2021 – 2025
3.3	The spectrum licensing system is enhanced to improve the licensees' experience.	2021 – 2025
Methodology		
3.1	Qualitative analysis of the annual work program and consultations on timeliness and transparency of transparent decision making.	
3.2	Analysis of timeliness reports from radiocommunications licensing systems, broadcasting licensing records and customer enquires database.	
3.3	Conduct of user experience research to inform system design and post-implementation review of improvements to the spectrum licensing system.	
PBS links		
Outcome 1, Program 1.1 Communications regulation, planning and licensing.		
Regulator performance principles		
Collaboration and engagement, continuous improvement and building trust.		

Performance measure 4: Compliance and enforcement with communications infrastructure rules

To ensure that communications infrastructure and services operate efficiently, we will take a risk-informed approach to our compliance and enforcement activities. Our approach will take into account the public interest and be proportionate to harms caused by non-compliance.

Targets		Reporting period
4.1	Investigations are informed by risk assessments and are completed within an average of 90 days.	2021 – 2025
4.2	Enforcement action is commensurate with realised or potential harm and incentivises improved compliance.	2021 – 2025

Methodology		
4.1	Internal analysis of investigation briefs for evidence that risk is considered in the decision to open an investigation. Internal review of licensing records and the customer enquiries database to determine the average completion time of investigations.	
4.2	Internal analysis that risk, potential harm and reviews of entity compliance history, as recorded in previous licensing records and customer enquiries database, is considered in enforcement decisions.	

PBS links
Outcome 1, Program 1.1 Communications regulation, planning and licensing.

Regulator performance principles
Continuous improvement and building trust, risk-based and data-driven.

Key activity 2: Build consumer trust in the use of communications content and services

We undertake compliance and enforcement of rules relating to content and services delivered over communications infrastructure. We educate consumers on the protections they can expect, and industry on their obligations. This contributes to consumer confidence in industry's performance in delivering communication content and services.

During the reporting period, we will also establish a National Self Exclusion Register and maintain the Do Not Call Register. These registers provide Australians with the option to exclude themselves from interactive gambling and telemarketing services and protect themselves from the harm they may cause.

Performance measure 5: Compliance and enforcement of communications content and services rules		
We will administer our compliance and enforcement activities efficiently and consider areas of risk and potential harm for consumers and seek to incentivise compliance within industry.		
<i>Targets</i>		<i>Reporting period</i>
5.1	Decisions to open investigations are informed by risk assessments and consideration of potential harm to consumers.	2021 – 2025
5.2	Enforcement action is commensurate with realised or potential harm and incentivises improved compliance.	2021 – 2025
5.3	95% or more of investigations are completed within 6 months and all investigations within an average of 4 months.	2021 – 2025
<i>Methodology</i>		
5.1	Internal analysis of investigation documentation that demonstrates decisions to open the investigations, considered risks and potential harms.	
5.2	Internal analysis of investigation and enforcement documentation that shows risks, potential harms and the entity's compliance history are considered when making enforcement decisions.	
5.3	Analysis of investigation timeframes from records in investigation databases.	
<i>PBS links</i>		
Outcome 1, Program 1.2 Consumer safeguards, education and information.		
<i>Regulator performance principles</i>		
Risk-based and data-driven, continuous improvement and building trust.		

Performance measure 6: Establish and maintain the National Self Exclusion Register

We will develop a National Self Exclusion Register (NSER) for users of licensed interactive wagering services to provide consumers with the option to self-exclude from licensed interactive wagering services in Australia.

Targets		Reporting period
6.1	By end of 2021–22, Australians are able to register on the NSER.	2021 – 2022
6.2	The NSER data checking service is available to the wagering industry 99.95% of the time during each month.	2022 – 2025
6.3	Other components of the NSER solution are available 99.5% of the time during each month.	2022 – 2025
Methodology		
6.1	The NSER is signed off at a 'go live' milestone and available to the public.	
6.2	Analysis of performance reporting and data from the NSER operator.	
6.3	Analysis of performance reporting and data from the NSER operator.	
PBS links		
Outcome 1, Program 1.2 Consumer safeguards, education and information.		
Regulator performance principles		
Collaboration and engagement, continuous improvement and building trust.		

Performance measure 7: Maintain the Do Not Call Register

We will continue to provide consumers with an accessible option to opt out of receiving unwanted telemarketing calls.

Targets		Reporting period
7.1	The Do Not Call Register (DNCR) service centre and website are available to the Australian public 99.5% of the time.	2021 – 2025
7.2	80% of calls to the DNCR are answered within 20 seconds.	2021 – 2025
Methodology		
7.1	Analysis of data from the DNCR operator on meeting service level standards.	
7.2	Analysis of data from the DNCR operator on meeting service level standards.	
PBS links		
Outcome 1, Program 1.2 Consumer safeguards, education and information.		
Regulator performance principles		
Continuous improvement and building trust.		

Performance measure 8: Educate consumers on content and service protections and industry on their obligations.

We will support consumers to be informed about their rights and protections in relation to content and services and ensure that industry has access to information to help it comply with their content and service obligations.

Targets		Reporting period
8.1	Updated information on consumer rights and protections is available on our website to coincide with the commencement of any changes in those rights and protections.	2021 – 2025
8.2	Updated information on content and service obligations is available on our website to coincide with the commencement of any changes in those obligations.	2021 – 2025
8.3	Finalised investigation or enforcement outcomes are published on the ACMA website within 45 days unless it is not in the public interest to do so.	2021 – 2025
Methodology		
8.1	Analysis of availability of ACMA website relevant pages.	
8.2	Analysis of availability of ACMA website relevant pages.	
8.3	Internal analysis of timeframes to publish and records documenting decisions not to do so.	
PBS links		
Outcome 1, Program 1.2 Consumer safeguards, education and information.		
Regulator performance principles		
Collaboration and engagement.		

Key activity 3: Use research, data and stakeholder feedback to inform, develop and deliver effective, contemporary risk-based regulation

We undertake research, data analysis, and domestic and international environmental scanning to inform our approach to regulation and regulatory development. We are improving our data capability to improve decision-making and in line with government expectations.

We actively engage with our stakeholders and collaborate with other regulators and seek feedback on our own performance to improve the delivery of our services.

Seeking multiple inputs from stakeholders, research, data and other regulators can improve our decision-making and our approaches to effectively address issues in a dynamic and challenging environment.

Performance measure 9: Deliver an annual research program		
Our research capability will enhance our understanding of the industries that we regulate and the regulatory environment to support better decision-making.		
Targets		Reporting period
9.1	The ACMA is informed by research and environmental scanning.	2021 – 2025
9.2	Deliver an annual program of research.	2021 – 2025
Methodology		
9.1	Internal monthly scanning of industry and market developments and quarterly scanning of the domestic and internal regulatory environment are distributed internally.	
9.2	Assessment of completed research and its alignment to the annual research program.	
PBS links		
Outcome 1, Program 1.1 Communications regulation, planning and licensing; Program 1.2 Consumer safeguards, education and information.		
Regulator performance principles		
Risk-based and data-driven.		

Performance measure 10: Use data to inform regulatory development and decision making

Our data capability will enhance our understanding of the industries that we regulate and the regulatory environment leading to better decision-making, improved processes and a better understanding of industry performance and consumer’s concerns.

Targets		Reporting period
10.1	Data visualisation tools are delivered annually.	2021 – 2025
10.2	Use of data to support decision making is enhanced.	2021 – 2025

Methodology

10.1	Review of the ACMA data visualisation tools to identify those delivered each year and their availability.
10.2	Internal post implementation reviews demonstrate that data tools are supporting improved regulatory development and decision making.

PBS links

Outcome 1, Program 1.1 Communications regulation, planning and licensing;
Program 1.2 Consumer safeguards, education and information.

Regulator performance principles

Risk-based and data-driven.

Performance measure 11: Inform stakeholders about our regulatory approach

Our published annual compliance priorities reflect market and consumer issues, and our advice supports risk-based regulation.

Targets		Reporting period
11.1	Annual compliance priorities are developed, informed by consultation with stakeholders and environmental scans and published by 30 April.	2021 – 2025
11.2	New or amended regulation is informed by cost/benefit analysis.	2021 – 2025
11.3	ACMA advice is provided to government to inform policy development and risk based regulatory approaches.	2021 – 2025

Methodology

11.1	Analysis of feedback from public consultation and environmental scans is included in compliance priorities presented to the Authority and analysis of the publication data on the ACMA website.
11.2	Analysis of regulatory impact assessments performed and published on the PM&C website.
11.3	Analysis of the use of advice provided by the ACMA in government decisions on policy development and regulation.

PBS links

Outcome 1, Program 1.1 Communications regulation, planning and licensing;
Program 1.2 Consumer safeguards, education and information.

Performance measure 11: Inform stakeholders about our regulatory approach

Regulator performance principles

Continuous improvement and building trust, collaboration and engagement, risk-based and data-driven.

Performance measure 12: Engagement with stakeholders and other regulators

Seeking feedback on our interactions with regulated entities, the public and other stakeholders and engaging regularly with other regulators will ensure that we are effective in the services we deliver.

We will also measure our efficiency in responding to enquiries and complaints to build trust with the Australian community.

<i>Targets</i>		<i>Reporting period</i>
12.1	Stakeholder satisfaction of 60–70% obtained.	2021 – 2022, 2023 – 2024
12.2	An overall customer service user satisfaction rate 70–80% is obtained.	2021 – 2025
12.3	Enquiries and complaints are actioned in accordance with our Client Service Charter.	2021 – 2025
12.4	Industry is consulted on regulatory approaches, instruments and cost recovery arrangements.	2021 – 2025
12.5	ACMA will meet with Australian and overseas regulators throughout the year.	2021 – 2025
12.6	The Authority will meet with industry stakeholders throughout the year.	2021 – 2025

Methodology

12.1	Assessment of the biennial stakeholder survey results and actions presented to EMC.
12.2	Assessment of satisfaction rate and stakeholder feedback received on an annual customer user service satisfaction survey.
12.3	Analysis of the report on timeliness of complaints and enquiry-handling received through the Customer Service Centre compared to the Customer Service Charter.
12.4	Assessment that consultations were undertaken on revised regulatory approaches, instruments implemented or amended and cost recovery arrangements.
12.5	Records kept on the number of meetings held.
12.6	Records kept on the number of meetings held.

PBS links

Outcome 1, Program 1.1 Communications regulation, planning and licensing;
Program 1.2 Consumer safeguards, education and information.

Regulator performance principles

Continuous improvement and building trust.

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