Australian Government

acma Australian Communications and Media Authority

Corporate plan
2020–21

For the period
2020–21 to 2023–24

Contents

Chair's introduction

Dear Minister,

As the accountable authority of the Australian Communications and Media Authority (ACMA), I present the *Corporate plan 2020–21,* covering four 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).

The communications and media sector is critical to our economy and society. Australians rely on communications networks, broadcasting and online media, and digital technologies to access information and essential services. With interconnectivity and communications mobility also integral to the lives of all Australians, there is demand for larger amounts of data and faster, more reliable internet connections, requiring significant, ongoing infrastructure investments by telecommunication companies.

Alongside this is a growing concern about the significant power and influence of digital platforms. As boundaries between traditional broadcast media and digital platforms increasingly blur, attention is turning to the appropriate regulatory framework for content delivered over all platforms.

In assessing our environment, including the impact of the COVID-19 pandemic and the 2019–20 bushfires, we considered whether our purpose, vision, mission and strategic priorities continue to be relevant in guiding our work and the benefits we aim to deliver. These significant events have resulted in major changes in the communications and media environment. While we consider that our priorities continue to be relevant at this time, we will review the relevance of this plan and how we measure our performance over its life, and adapt as needed. Our priorities continue to be:

> enabling public confidence in communications and media services through safeguards, information and advice

> providing effective and efficient spectrum management that benefits all Australians

> maintaining a regulatory framework that anticipates change by monitoring our environment and mediating regulatory responses.

Reflecting on the varied portfolio of activities outlined in this plan, we continue to recognise that our people are our greatest asset. It is only with the commitment and dedication of ACMA staff that we can achieve our purpose. The agility and resilience of the Authority and staff shown in the first few months of the COVID-19 pandemic are likely to be key features of our operating environment in 2020–21 and beyond.

We look forward to bringing this plan to life over the next four years. I will report on our performance against the plan in our Annual Performance Statement in the ACMA's annual report.

Nerida O'Loughlin PSM
Chair

Our environment

Australia's communications and media landscape continues to undergo exponential change. In the past decade, developments in digital products and services have reshaped business models, global markets, as well as consumer experience and expectations. The ACMA, along with regulators around the world, is responding to this transformation in ways that both enable innovation and protect consumers and audiences.

Some of the changes we expect in the next four years include:

The impact of COVID-19 and ACMA's response

We will continue to play a critical role in maintaining the confidence of Australian consumers, industry and governments in the effective delivery of media and communications services over the course of the COVID-19 pandemic.

We remain responsive and adaptable to supporting stakeholder requirements during the pandemic and through the recovery period, by ensuring that:

> Australian industry, consumers and audiences are protected and supported through the COVID-19 pandemic and recovery in areas that remain vital at this time—such as the availability of accurate news and support for consumers who may be experiencing financial hardship or may otherwise be vulnerable.

> Organisations that are prevented from complying with their regulatory responsibilities due to factors beyond their control, including the inability to access products and services from suppliers, are provided with the opportunity to request regulatory relief, particularly in the short term. Any relief considered will be balanced against the potential risk of consumer harm, the seriousness of any breach of law and the efforts of organisations to comply.

> Australians are protected from scam activity. We will do this by working closely with industry and across government to disrupt or prevent malicious scam activity and address emerging threats in areas such as illegal online gambling activity.

> ACMA staff are engaged, agile and productive in a new work environment.

Fundamental shifts in the industries we regulate

> The emergence of digital platforms has reduced consumer consumption of traditional forms of news media. The disruption caused by the greater uptake of content consumed on digital platforms has been compounded by the COVID-19 pandemic. As a result of the pandemic, broadcast audience numbers increased as consumers became hungry for reliable and timely news content, but new challenges emerged such as disruptions to production, the reduction in the availability of live sports content and a significant fall in direct advertising revenues. These events have particularly impacted regional media.

> Meanwhile, predominantly global digital platforms continue to gain advertising market share and revenue. However, until recent times, these platforms have been largely unregulated, both in terms of protecting their users from harms (such as misinformation online) and contributing to the production of social goods (such as local content).

> The telecommunications industry also continues to be in a state of transition as price competition amongst providers increases, particularly in the small business and consumer market segments as they migrate to the NBN. As the NBN rollout is finished, telecommunications companies are seeking to increase their profitability through efficiencies and investing in segments with higher margins that take advantage of increased broadband capacity. Providers are looking to acquire and merge with other telecommunications providers to find synergies, enter new markets and bundle their telecommunications services with energy products or content services.

> COVID-19 has provided further pressure on the telecommunications networks as it has accelerated users moving to online and digital platforms. This acceleration has not necessarily translated into higher revenues.

Changing consumer expectations

> Increasing interconnectivity, mobility and data sharing are all driving changes in consumer behaviour and expectations. Consumers will continue to demand faster and more robust internet connections across devices. The ACMA *Communications report 2018–19* shows that over the four years to 2018, the volume of data downloaded almost tripled over fixed-line services and increased five-fold over mobile networks. While the longer term impact of the pandemic is as yet unknown, modelling completed in 2020 prior to the spread of COVID-19 suggests that household fixed-line data downloads will continue to grow as people spend more time online and from the use of data-rich applications.[1] Mobile data traffic is also expected to increase in the coming years.[2] Findings from the communications report show the mobile phone is the most common device used to access the internet at 87 per cent of adult internet users, followed by the laptop at 69 per cent then the tablet at 56 per cent. Seventy-two per cent of online Australian adults used their mobile phone multiple times a day to access the internet.

> Australians' passion for streaming continues to thrive with ACMA research showing 71 per cent of Australians with a TV set in the home used at least one paid video streaming service in 2019. One in 10 Australians had four or more subscription services in the home in 2019, up from just four per cent in 2017. Overall, 83 per cent of Australian internet users reported viewing either paid or unpaid video content online in the past six months.

> Emerging technologies have also resulted in increased consumer expectations to have unhindered access to those technologies and services, and to be appropriately safeguarded from harms while using them.

> > The ability of communications networks to provide continuity of services to support Australia's economic and social life is of increasing importance, particularly their ability to withstand environmental events such as fires, floods and cyclones.

> > The quality, reliability and affordability of services and the need for fit-for-purpose regulation is vital to ensure telecommunication providers provide good customer service and deal appropriately with, and address the causes of, consumer complaints.

> > Consumers have increasing expectations that they retain control over, and can be assured of, the privacy of their data and information on connected digital platforms. Consumers expect that complaint mechanisms are efficient and service-focused, and that government regulations and interventions to prevent harm are serious and impactful, including where malicious actors are involved, for example, in cases of scam activity and misinformation.

> > There is growing understanding that a platform-neutral regulatory framework is needed as communications platforms, particularly digital search engines, social media platforms and digital content aggregators, increasingly influence consumer understanding, sentiment and opinion on issues of public interest.

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[1] Bureau of Communications and Arts Research, *Demand for fixed-line broadband in Australia*, working paper, July 2020

[2] Global Data, *Australia Mobile Operator KPI Forecast*, May 2020. Forecast includes the impact of COVID-19.

Effect of digital platforms on regulatory responses and frameworks

> The regulatory framework, which largely pre-dates ubiquitous internet connectivity, is under increasing pressure to deliver outcomes that more effectively balance industry and consumer interests.

> There has been growing community and government concern that the regulatory frameworks within which over-the-top (OTT) service providers operate are no longer fit for purpose. These concerns have been brought into sharp focus with the increased use of digital platforms. Regulatory concerns have also been raised internationally around competition issues, the impact of digital platforms on the news industry, the spread of misinformation and breaches of individuals' privacy, and foreign interference via social media.

> To be effective in holding such large global companies to account for the content distributed on their services, regulatory responses will need an international dimension.

> The shift in revenue from traditional communications businesses to OTT services and digital platform providers continues to highlight the regulatory asymmetry between these businesses and the more traditional media industry.

> We are working closely with the Department of Infrastructure, Transport, Regional Development and Communications (the Department) to help shape regulatory responses and reform opportunities, including working with digital platforms to oversee the development of voluntary codes on misinformation and news quality. Designing and implementing outcome-focused regulation will be central to achieving public interest objectives in this environment of new and emerging technologies.

Demand for data-driven technologies will reshape the communications and media sector

> In the next four years, a suite of new technologies including 5G, software-defined networks, artificial intelligence and machine learning will redefine how individuals engage with each other and how business is done. Australians will be increasingly and continuously connected through Internet of Things (IoT) devices, which must be supported by robust, reliable and secure communications networks.

> We expect 5G and satellite technologies will significantly boost productivity, efficiencies and opportunities for innovation. These developments are informing demand for access to spectrum managed by the ACMA.

> The future technology pathways for broadcasting will also need to be considered, in light of changing consumer behaviours and new technologies. In the past year we have consulted with the radio broadcasting industry about the future delivery of radio in Australia. A key outcome of our engagement with the radio industry is a new framework for the ACMA's radio broadcast planning, priority-setting and decision-making. The plan will identify planning priorities in relation to AM-FM conversions, coverage enhancements, digital radio channel planning and supporting trials of new radio broadcasting technologies.

> Consumer demand for more data is driving significant investments in underlying infrastructure by industry and government. However, returns on investment for telecommunications companies are becoming less certain, with large capital expenditures necessary for 5G services, and the growing uptake of OTT services and emerging micro-satellite technologies bypassing traditional operators' networks.

Collaboration between regulators to achieve public policy objectives

> Collaboration with other Australian Government agencies and industry is integral to developing effective approaches to achieving better regulatory outcomes. This includes illuminating changes and challenges in the contemporary media and communications landscape.

> The globalised nature of key market operators, including digital platforms, within the communications and media environment makes international regulatory collaboration and cooperation important. Key drivers for collaboration include the global, multi-jurisdictional nature of issues being faced in relation to the proliferation of misinformation on digital platforms, and rising scam activity over telecommunications networks. Cross jurisdictional partnerships, including within established regulatory networks and through bi-lateral arrangements, will be key to developing effective mechanisms to reduce the spread of harmful and illegal content and to support other shared public policy.

The ever-increasing demand for spectrum

> Demand for new spectrum and changes to existing arrangements for licensees continues to evolve and increase. International trends driving demand for spectrum include the appetite for wireless broadband, particularly in the context of 5G services, ongoing commercialisation of IoT applications, advances in broadcasting technology, and rapid innovations in satellite technologies and services. Ongoing innovation in radiocommunications technologies continues to support more efficient spectrum use.

Our purpose

In response to our analysis of the future environment, we have developed:

> a statement of purpose, which sets out our strategic objective over the reporting period
> a vision statement, which encapsulates what we wish to achieve
> a mission statement, which sets out how we will go about achieving our vision.

We have also determined three key priorities for the term of the plan and related strategies. The activities we will undertake under these strategic priorities and how we will measure our performance in delivering against them is outlined in the *Our performance* section of this plan.

Environment Factors that shape our work	**Purpose** To maximise the economic and social benefits of communications and media for Australia
	▼
	Vision A connected, informed, entertained Australia
	▼
	Mission We engage with consumers, industry and government to shape and apply the regulatory framework

Key priority 1 Spectrum management benefits all Australians	**Key priority 2** Public confidence in communications and media services	**Key priority 3** A regulatory framework that anticipates change in dynamic communications and media markets
Strategy 1 We will manage spectrum efficiently and effectively	**Strategy 2** We will provide regulatory safeguards, information and advice	**Strategy 3** We will monitor the environment and influence regulatory responses

Capabilities
Activities that enable delivery of our purpose

Note: While the ACMA's 2020–21 priorities remain consistent with those in 2019–20, the ordering has been amended to provide alignment with the Portfolio Budget Statements.

Our culture and values

Our culture and values support us in achieving our strategic priorities 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 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.

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. We adapt quickly to changing expectations and priorities by being agile and flexible.

We contribute to a positive and professional workplace where we 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 creating 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, 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

Capability

Governance framework

The ACMA is a statutory authority established by the ACMA Act.

The Authority is a collegiate regulatory decision-making body of between three and nine members including the Chair and Deputy Chair. Recognising the need for sectoral and economic regulators to work closely together, the Authority also has associate members, including two appointed under cross-appointment arrangements with the Australian Competition and Consumer Commission (ACCC).

Members are appointed by the Governor-General and Associate Members are appointed by the Minister. Members other than the Chair and Deputy Chair may be appointed on a full-time or part-time basis.

At 1 July 2020, the members of the Authority were:
> Nerida O'Loughlin (Chair)
> Creina Chapman (Deputy Chair)
> Fiona Cameron
> James Cameron
> Chris Jose
> Anita Jacoby (Associate Member)
> Cristina Cifuentes (ACCC Associate Member)[3]
> Delia Rickard (ACCC Associate Member).

The ACMA Chair also serves as Agency Head, with powers, functions and accountabilities under the PGPA Act, the *Public Service Act 1999* (PSA) and various other pieces of legislation.

The Authority is advised, guided and assisted by agency staff, who are (generally) employed under the PSA. Staff are ultimately accountable through their line managers and General Managers to the Chair.

Authority Code of Conduct

In March 2020, the ACMA published an updated Code of Conduct for Authority Members and Associate Members.[4] The Code will be reviewed on a regular basis to ensure its currency. The Code sets out the Authority's strategic intent, approach to business, duties, responsibilities and culture and values to guide its work over the years ahead.

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 four 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.

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[3] Cristina Cifuentes stood down from her role as ACCC Commissioner and Associate Member of the ACMA on 3 July 2020.
[4] https://www.acma.gov.au/publications/2019-06/publication/authority-code-conduct

Audit and Risk Committee

The Audit and Risk Committee (ARC) helps the ACMA to comply with legislative obligations 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 critical input to the assurance of the ACMA's financial activities, business planning, risk management and performance reporting. The ARC meets five times a year.

On 27 February 2020, in response to the Independent Review into the operation of the PGPA Act and PGPA Rule, September 2018, the Department of Finance registered the *Public Governance, Performance and Accountability Amendment (2020 Measures No. 1) Rules 2020* (the Amending Rule). The Amending Rule identified changes to membership of an audit committee for a non-corporate Commonwealth entity, which will apply on and after 1 July 2021. It requires that all audit committee members must not be officials of the entity and a majority of the members must not be officials of any Commonwealth entity. We will review our Committee composition to ensure it meets these new requirements from 1 July 2021.

As at 1 July 2020, members of this committee were:

> Ian McPhee AO, Committee Chair
> Jeremy Chandler, External Member
> Karen Toole, External Member
> Allan Major, Internal Member
> Patrick Belton, Internal Member.

Management and staff committees

The National Consultative Forum (NCF) is our principal body for formal consultation and discussions on workplace relations of national focus or significance. The NCF meets three 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 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 three times each year.

Culture and values network

In 2019, we established a culture and values network that continues to embed culture and values throughout the agency. The network is co-chaired by the General Manager, Content and Consumer Division and the Executive Manager, Spectrum Allocations, Communications Infrastructure Division, and also includes members in each office location. The network plays a part in fostering a strong and positive culture and promoting action plans that support our three organisational values—purposeful, curious and questioning, and collaborative.

Major project boards

During 2019–20, we established an Enterprise Project Governance (EPG) Committee designed to support the EMC. This committee meets monthly and is chaired by the Deputy Chair (as Chief Executive Officer). The EPG Committee will provide a key governance oversight function and monitor the effectiveness of our major projects to ensure they are consistent with the organisation's strategic direction and deliver the agreed outcomes and benefits.

Workforce

ACMA staff are highly dedicated and committed to delivering the best communications and media outcomes for the Australian community. As a result of the COVID-19 pandemic, our workforce has become more flexible, innovative and agile in how we work. A continued emphasis on strong connectivity and collaboration is key, as we face ongoing change in the workplace and in our external environment.

Over the course of this plan, we will continue to focus on ensuring that we have the right mix of skills and capabilities to meet the future demands of our changing environment. Our priorities for developing our broader workforce capabilities are set out below.

Independent Review of the Australian Public Service

The Independent Review of the Australian Public Service (the Review) recommended the APS establish areas of focus targeted at greater accountability and capability for APS leaders. In its response to the Review, the government has announced two APS professional streams—human resources, and digital and data—that will build capability and expertise across the service by applying the 'professions model' and creating centres of excellence. We will remain connected and engaged in this reform work and will contribute to the centres of excellence to support government-wide initiatives.

To align ourselves with the Australian Government reform agenda for the APS—delivering for Australians—we will look to develop deeper technological expertise, digital capability, diversity and inclusion in the way we work. We will increase our focus on building our leadership capability to support our workforce to be more flexible, innovative, collaborative and agile.

Building capability for the future

Building the foundations for strategic workforce planning will be a high priority in 2020–21. This work will include formalising our people strategy and workforce plan, finalising our inclusion strategy, and preparing our workforce practices to better align to the APS-wide initiatives, following the APS Review.

Capability review

The outcomes of the ACMA Capability Review continue to be implemented throughout the ACMA. The capability implementation plan is reviewed quarterly and discussed by the EMC. Throughout the forward years, we will continue to improve our capability in the areas of leadership, delivery and strategy as defined in our capability review model.

Leadership

Our leaders will promote 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 will be given the tools to access data in real time to assist them in workforce management and provide them with greater insights and confidence to have quality and regular performance conversations.

In 2020–21, our focus will be on developing a fit-for-purpose leadership program for each layer of management in the agency, which is relevant, informative and provides them with the capability to lead the agency into the future.

Graduate recruitment

Following the success of the graduate recruitment program to date, we will broaden our graduate program in 2021 to support our critical, essential and emerging capability requirements, including engineering, data and analytics, research, policy, regulatory, finance, digital and technology services, and human resources. We will continue to partner with the Australian Public Service Commission to employ Indigenous graduates and to collaborate through the APS Graduate Development Programs. We will also leverage off whole-of-government graduate programs being developed in other agencies. The graduate program is a key step to improving our demographic structure and diversity profile, and support our longer-term succession planning.

Critical capabilities

We will continue to develop and invest in the critical capabilities identified in our people strategy. These include expertise in engineering, regulatory skills, research and analysis, digital dexterity, citizen-centric design and delivery, leadership and people management.

Engineering

Engineering is one of our most critical capabilities. Each year, we explore additional and flexible options for recruiting more engineers into the ACMA. To meet our future skills requirement, we will continue to invest in cadetships, internships and student work experience placements, together with our graduate program and technical traineeships.

Regulatory skills

Our remit encompasses all the layers of the communications and media sector, including infrastructure, transport, devices, content and applications. We will continue to strengthen our strategic and regulatory capabilities so that the ACMA is well placed to drive and lead the development of new regulatory frameworks in response to emerging technologies, business models and consumer behaviours and expectations. In this context, key regulatory capabilities include understanding and contributing to the broader policy frameworks, utilisation of the full range of tools and methods available, and ensuring our strategies, governance and culture are appropriate to achieve regulatory objectives.

Data literacy and data analytics

We are also continuing to focus on maturing our digital, data and analytics capability to facilitate continuous improvement and effective data-driven decision-making across the agency. This will be achieved through the delivery of our Data Strategy and Governance Framework and data and analytics projects.

Our data strategy aligns our data, research and analytics activities for the next four years to our key agency functions, priorities and strategies. This includes agency-wide enabling initiatives focused on:

> people—by enhancing our data literacy

> governance—by improving the discoverability, usability and safety of ACMA data

> technology—by building an enterprise data analytics platform solution to support an enhanced data and analytics capability

> data action projects—by applying analytics to business problems.

The ACMA's Data Strategy and Governance Framework will support the delivery of our data strategy through enhancing our core data assets to ensure our decisionmaking is based on high quality data and well-managed assets.

Understanding our charging environment

The Department conducted its five-yearly Portfolio Charging Review (PCR) in 2019, with high-level findings reported to government through the 2020–21 Budget process. The PCR reviewed the ACMA's existing and potential charging activities, evaluated the performance of charging activities, identified opportunities to amend or discontinue specific charging activities, and assessed the effectiveness of stakeholder engagement strategies and opportunities for improvement. Over the duration of this plan, we will seek to implement the opportunities and improvements identified in the PCR.

Risk management

The complex regulatory framework in which the ACMA operates comes with a corresponding risk environment that needs to be carefully managed. A major uplift of the ACMA Risk Management Framework during 2019–20 will continue to be implemented during 2020–21 through training and review of business and decision-making processes. Enhancing our understanding of risk, and embedding risk as part of our culture, will be key steps towards enhancing our compliance with the Commonwealth Risk Management Policy.

Agile project management

We will continue to embed agile project management methodologies into business processes across the organisation. We will continuously improve through successes and lessons learnt and be responsive to changes as they develop. We will work collaboratively with stakeholders and in multi-disciplinary teams to deliver the best outcomes.

ICT and digital services

The ACMA's Information and Communications Technology (ICT) and digital vision is to deliver, maintain and enable quality digital technology solutions and services to support the agency in achieving its organisational objectives.

Following the ICT core infrastructure assessment undertaken last year and the development of ICT strategic infrastructure options, this year we will work on the architecture, design and establishment of contemporary cloud and technology platforms that deliver modern business capabilities as well as increased resilience and availability.

We will:

> deliver digital services that provide consumers with an improved service experience

> provide data services that inform decision-making through actionable insights from the analysis of our data assets

> enable greater staff productivity by connecting people and information, encouraging collaboration through a secure and robust cloud platform

> manage information and cyber security risks through improved cyber protection, detection and response to cyber security threats.

Risk oversight and management

Risk appetite statement

We recognise not all risks we face will be within our control, and we accept this as an unavoidable reality of our operating environment. However, we seek to monitor and understand these risks to enable the ACMA to respond quickly when incidents occur. In terms of risk, we are:

> **Averse**—We have no appetite for actions that will threaten the safety and wellbeing of our staff, stakeholders or the public. Our actions ensure we meet our legal obligations. We will take steps to prevent any activity that may lead to fraud or negligence in the use of public resources.

> **Controlled**—We encourage the exploration of more efficient methods of compliance while maintaining public confidence in the system of rules and regulations. We are conscious of the need to retain the respect and trust of our stakeholders as they are vital to the achievement of our objectives.

> **Engaged**—We encourage and seek out opportunities to improve program delivery, regulatory practice and operational efficiency. Where there is uncertainty, we take action to prepare for and take advantage of changing circumstances. In the pursuit of our objectives, we will utilise evidence and the ACMA values to make risk-aware decisions.

Our risk management framework

Our risk management framework enables effective decision-making that supports our strategic plans and objectives. This is achieved through a shared understanding of the agency's risks and plans to mitigate them.

The framework is designed to support staff to embed risk management in a transparent and systematic way into business processes. We also use this framework to proactively manage our strategic risks, including:

> a reduction in public confidence in communication and media services we regulate

> not realising the maximum economic and social benefit of communications and media for Australia.

We regularly review and improve our governance systems, with our internal auditors supporting the ARC in providing advice to the Chair on matters including risk management. We remain informed about better practice through consultation with stakeholders, and other Commonwealth entities, particularly those with regulatory responsibilities.

Cooperation with others

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

We will 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 domestic and international consultative frameworks.

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.

The ACMA also works 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.

We continue to have strong relationships with international spectrum and telecommunications regulators. 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 the online gambling laws and working to reduce telecommunications scams.

Stakeholders

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 addition, we work with organisations to monitor and review co-regulatory approaches to delivering communications and media regulation.

Transformative technologies driving new markets and business models are redefining the needs and expectations of existing consumers and spectrum users, and giving rise to new groups of stakeholders. This requires a greater focus on active and regular engagement so that we remain informed about current trends and issues and continue to be effective in influencing behaviours and outcomes.

Our published whole-of-agency compliance priorities for 2020–21 enable us to test how well our regulatory frameworks and current laws are working, particularly as new technologies and markets emerge. These priorities communicate to stakeholders our key areas of focus, encourage compliance with the regulatory framework and laws, and boost public confidence in the industries we regulate.

Our Authority Code continues to provide a focus on transparency, timeliness, clarity of decision-making and the role of Authority members in actively engaging with our stakeholders. Authority members each lead an area of the ACMA's work and chair internal committees aligned with their relevant skills and expertise:

> Content Committee—Creina Chapman

> Telecommunications and Consumer Committee—Fiona Cameron

> Spectrum Committee—James Cameron

> Compliance and Enforcement Committee—Chris Jose.

Our performance

The following tables set out key activities that we will undertake over the plan's reporting period 2020–21 to 2023–24, and their intended benefits, in relation to our priorities and strategies. The performance measures are the basis for assessing the contribution of these activities towards meeting our purpose and will be reflected in our Annual Performance Statement in the following financial year.

The ARC provides advice and assurance to the Chair on the appropriateness of our performance reporting.

Key priority 1 Spectrum management benefits all Australians		
Strategy 1 We will manage spectrum efficiently and effectively		
Performance measures	**Targets**	**Benefits**
Activity 1.1 Plan the availability of Australia's radiofrequency spectrum to optimise its value to the Australian community		
Effectively represent, promote and support Australia's spectrum interests at international spectrum meetings and through treaty arrangements	> Participate in the preparatory meetings for the WRC-23 cycle including: > International Telecommunication Union (ITU) Study Group meetings > International Telecommunications Working Party meetings > Asia-Pacific Telecommunity (APT) Conference Preparatory Group for the WRC-23 (APG23-1).	Spectrum planning balances the needs and interests of stakeholders and the broader community. Australia's needs and interests are addressed in international harmonisation processes.
Method: Provide technical expertise for Australian engagement in international spectrum management forums through domestic and international consultative frameworks. Undertake informal bilateral and multilateral engagement with peer regulators around the world to coordinate international activities and share information on matters of common interest. *Data sources: Feedback from participants, information from industry representatives, research in preparation for each meeting/forum/conference.*		
Spectrum planning priorities are transparent and take account of stakeholder input	> Release draft five-year spectrum outlook (FYSO) and the annual spectrum work program for consultation in final quarter of the financial year and publish final FYSO and annual spectrum work program in the first quarter of the financial year. > The annual spectrum work program is informed by stakeholder consultation. > Six-monthly progress reports are prepared and published on the ACMA website.	
Method: Seek and use stakeholder input and publish FYSO, work program and six-monthly progress reports. *Data sources: Consultation on draft FYSO and annual spectrum work program, stakeholder input referenced in work program and six-monthly progress reports published to track work program deliverables.*		

Performance measures	Targets	Benefits
Activity		
1.2 Allocate and license access to the radiofrequency spectrum, using both administrative and market-based methods, ensuring adequate provision for defence, public safety and community purposes		
Effective and efficient preparation and delivery of major spectrum band allocations **Rights to access spectrum are developed and revised according to user needs** **Spectrum pricing promotes efficient use by being transparent and taking account of market developments** **Effective and efficient international satellite coordination services** **Effective and efficient licence administration and allocation arrangements**	> The FYSO and annual spectrum work program align with current spectrum uses that will maximise the overall benefits for the Australian community. > Licence administration and allocation arrangements are efficient and meet published performance indicators. > Evidence of stakeholder engagement, monitoring developments and transparency: 　> implementation of the Spectrum Pricing Review work program 　> publish all determined charges and taxes 　> process timelines published in FYSO and the annual spectrum work program are met.	Spectrum access terms and conditions are responsive to changing demand and spectrum value. Sufficient spectrum can be accessed for defence, public safety, law enforcement and community use.
Method: Deliver major spectrum band allocations in response to changing needs. Re-plan bands to take account of international and domestic developments. Stakeholder engagement. Monitor markets to ensure transparency of spectrum prices published targets and processing times for licence administration. *Data sources: Band planning options and decision papers, auctions and administrative allocation consultations, annual review and consultation on apparatus licence taxes, and licensing data.*		
Activity		
1.3 Manage the risk of interference and other harms through investigation and other compliance and enforcement activities and education programs		
Annual compliance priorities: > **address regulatory needs** > **developed within broader compliance program** > **widely understood by stakeholders** **The ACMA takes compliance and commensurate enforcement action where appropriate**	> Annual priority compliance areas are developed and published. > Complaints are received and acted upon in accordance with the ACMA's compliance and enforcement policy.	Compliance and enforcement activities are commensurate with risk and harm and are supported by targeted information and advice.
Method: Review and identify compliance priorities, assess awareness raising activities and develop appropriate actions, review compliance activities to ensure they are appropriate. *Data sources: Complaints data, priorities published, stakeholder information campaign. Reporting on compliance activities, including investigations and enforcement action, information provision and public awareness activities.*		

Key priority 2 Public confidence in communications and media services		
Strategy 2 We will provide regulatory safeguards, information and advice		
Performance measures	**Targets**	**Benefits**
Activity **2.1 Deliver safeguards that meet the needs of Australians using media and communications services**		
Online gambling advertising rules are effective in protecting children	> Effectiveness of the online content rules for gambling advertising is monitored.	Appropriate and relevant safeguards are available to Australians consuming content and using media and communications services.
Method: Monitor online platforms for compliance with rules for gambling advertising, reviewing complaints data. *Data sources: Audits and complaint data.*		
NBN consumer experience rules assist consumers to move seamlessly to the NBN	> Effectiveness of the NBN consumer experience rules are reviewed. > Compliance with the NBN consumer experience rules is monitored.	
Method: Conduct public and industry consultation, monitor compliance. *Data sources: Submissions compliance audits, complaints data.*		
Evidence of telecommunications consumer experience informs advice to government and rule-making processes	> Consultative and stakeholder forums are held. > Regular and frequent engagement with consumer advocacy organisations and Australian and overseas agencies responsible for 'essential service' regulation. > Report on telco consumer experience survey results is published. > Consumer vulnerability strategy is developed and implemented.	
Method: Publish research. Engage consumers and industry stakeholders to obtain insights into the consumer experience. Enhance interactive performance reporting dashboard to enable diagnostic analysis. *Data sources: Survey, feedback from consultative and stakeholder forums. Engagement with consumer advocacy organisations and agencies responsible for 'essential service' regulation.*		

Performance measures	Targets	Benefits
Research and development of voluntary code on misinformation and news quality	> Expectations of the code are communicated. > A reporting and monitoring framework is developed and communicated. > Digital platforms are supported during the code development process. > An initial report on the adequacy of measures and impacts of misinformation is provided to government by June 2021.	
Method: Release public position paper, consult with Australian and other regulators and platforms. Develop and implement measurement framework to monitor the effectiveness of codes and the impacts of misinformation. *Data sources: Public position paper, stakeholder meetings and workshops, public release of framework and data received from platforms and other sources.*		
Providing consumers with an option to self-exclude from engaging with licensed interactive wagering service providers in Australia	> 2020–21: Develop a National Self Exclusion Register (NSER) under outsourced arrangements. > 2021–22: Implement new safeguards to allow Australians to register on the NSER.	
Method: Consult with state and territory regulators, industry and consumers and advocacy groups on the development and implementation of the NSER. Monitor the development of the NSER including analysing data supplied under procurement and contractual arrangements, complaints received, and stakeholder feedback. *Data sources: Stakeholder feedback, including the outcomes of consultation with industry and consumers. Information supplied under procurement and contractual arrangements. Complaints and audit information.*		

Performance measures	Targets	Benefits
Activity **2.2 Promote compliance with communications and media safeguards and public interest outcomes through compliance monitoring, complaints-handling, investigating, enforcement and program delivery**		
Consumers and audiences have effective and efficient avenues for complaints	> Avenues for making complaints are available and accessible to consumers and audiences. > Complaints are handled within published timeframes.	Compliant businesses, confident consumers and assured audiences. Australians can easily opt-out of unwanted telemarketing calls.
Method: Monitor and prioritise timeframes for responding to complaints. Monitor regulated industry for compliance. Complaint web forms available at least 99 per cent of the time. *Data sources: Complaints received.*		
Annual compliance priorities: > **address regulatory needs** > **are developed within broader compliance program** > **are widely understood by stakeholders** **The ACMA takes compliance and commensurate enforcement action where appropriate**	> Annual compliance priorities for online gambling, telecommunications, unsolicited communications, regulatory frameworks are developed, published and acted upon.	
Method: Identify and publish priorities, monitor compliance. *Data sources: Analysis of complaints data, stakeholder feedback, consumer research, compliance activity report and investigations and enforcement actions report. Assessment using a prioritisation matrix.*		
Effective and efficient investigations and enforcement outcomes	> Investigations and enforcement outcomes are delivered within target timeframes and according to the ACMA's compliance and enforcement policy.	
Method: Monitor investigation performance targets and ensure the timeframe is fewer than six months, with an average of fewer than four months. Publication of enforcement outcomes that address compliance issues. *Data sources: Internal reports of timeframes.*		
Contractual service levels are met	> Contractual service levels for Do Not Call Register are met. > Contractual service levels for Numbering System are met.	
Method: Monitor and report on service provider delivery of contractual milestones. *Data sources: Data supplied under contractual arrangements and/or complaints.*		

Performance measures	Targets	Benefits
Efficient and effective delivery of the Regional and Small Publishers Innovation Fund grants[5]	> The 2020 round Regional and Small Publishers Innovation Fund grants program is implemented, with grants made within published timeframes.	Innovation by public interest journalism businesses is promoted.
Method: Monitor program milestones, grants made within published timeframes. *Data sources: Progress reports against milestones in agreements. Post-grant evaluation reports.*		
Activity **2.3 Build consumer, audience and industry understanding of risks, rights, responsibilities and safeguards**		

Information is made available to consumers and audiences about their rights and available safeguards
 	
Information is made available to businesses about their responsibilities
	> Accessible and timely information is available about:
	  > rights of consumers and audiences
	  > safeguards available to consumers and audiences
	  > responsibilities of businesses.
	> Investigation and enforcement outcomes are transparent.
	> Raise consumer awareness of illegal interactive gambling services and the risks of using them:
	  > rollout of consumer awareness raising campaigns and media associated with website blocking activities.
	> Telecommunications scam reduction activity:
	  > level and impact of scam activity perpetrated on Australian telecommunications channels decreases.
		Targeted advice and information is provided to consumers, audiences and regulated entities in a clear and timely manner.

Method: Implement the combating scams action plan. Implement and monitor consumer awareness-raising campaigns associated with website blocking activities. Maintain website and other stakeholder information sources. Publish investigation and enforcement outcomes. *Data sources: Complaints data, stakeholder feedback, industry feedback, media agency reports, ACMA website traffic. Complaints to regulators, law enforcement, the TIO and industry. Stakeholder feedback.*		
Consumer choice is informed by visibility of telco performance	> Enhancing consumers' awareness of telco performance by streamlining, enriching and expanding the existing public reporting on complaints-handling performance. > Raise awareness of telco performance to inform consumer choice.	
Method: Maintain and enhance the interactive performance reporting dashboard to support comparison of individual telco performance. Publish outcomes of investigations of telcos where breaches are found. *Data sources: Project reporting and consumer research. Consumer feedback. Project milestones. ACMA media releases and website content.*		

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[5] The Regional and Small Publishers Innovation Fund is applicable for 2020–21 only.

Key priority 3 A regulatory framework that anticipates change in dynamic communications and media markets		
Strategy 3 **We will monitor the environment and influence regulatory responses**		
Performance measures	**Targets**	**Benefits**
Activity **3.1 Conduct qualitative and quantitative research to enhance the ACMA's understanding of consumers and audiences**		
Research the effectiveness and efficiency of existing regulation	> Develop and deliver the annual research program by September each year.	The ACMA, the government and the community are informed about communications and media markets and issues relevant to public interest objectives.
Method: Plan, publish and deliver on annual research program. *Data sources: Documentary evidence of research program published, and projects delivered.*		
Research and develop strategic and regulatory analysis of the evolving communications and media environment	> Work plan aligns with government and community information requirements about developments in the communications and media market. > Research as required to support code changes.	
Method: Scope work plan, consult with stakeholders. Research current communications and media environment. *Data sources: Complaints data, compliance and enforcement data, ACMA communications data, commissioned research, desktop analysis and research, purchased data sets, academic journals and published industry data.*		
Commission annual consumer survey	> Annual consumer survey conducted.	
Method: Research and monitor trends in community behaviours and attitudes towards media and communications services in Australia. *Data sources: Final report produced.*		
Prepare reporting on the communications and media sector	> Publish annual data on media and communications sector developments.	
Method: Publish communications report data and content online. *Data sources: Survey, industry performance data.*		

Performance measures	Targets	Benefits
Activity		
3.2 Build ACMA capacity for data analysis to enable improved understanding of regulatory and market developments		
Data management and analytical expertise and skills are embedded **Data governance program is established and implemented** **Data sharing is enhanced**	> Improved data and analytics capability through hub and cross-functional data action project teams. > Data governance structures and processes are developed. > Support data action projects and initiatives through systems and tools.	The ACMA has the capacity to make optimal and safe use of data to inform evidence-based regulatory analysis and action.
Method: Deliver the Data Strategy and Governance Framework, project reporting on data action projects. *Data sources: Documented evidence on delivery of the Data Strategy and Governance Framework, project artefacts prepared for data action projects, project reporting.*		
Activity		
3.3 Engage with stakeholders and government to support regulatory frameworks and obligations that are fit for purpose now, and as markets evolve		
Consultations and stakeholder forums, as well as the biennial stakeholder survey, inform rule-making	> Conduct stakeholder consultations. > Host or attend stakeholder forums including the Consumer Consultative Forum. > Administer and participate in the Scam Telecommunications Action Taskforce.	ACMA engagement supports regulatory frameworks to evolve with contemporary markets and consumer and audience needs.
Method: Gather evidence and inform rule-making through consultation and attendance at forums. *Data sources: Outcomes of stakeholder engagement consultations.*		
Authoritative advice is provided to reviews of communications and media regulatory frameworks	> Australian content options paper. > Provide advice and implementation support to government as required.	
Method: Develop supporting information on industry practices and regulatory issues, monitor stakeholder submissions to the consultation process. *Data sources: Outcomes of stakeholder consultation.*		

Performance measures	Targets	Benefits
Activity		
3.4 Improve regulatory practices to reduce regulatory burden, increase transparency and timeliness, and ensure actions are proportionate to risks		
Improvements to stakeholder interactions with the ACMA are informed by annual customer service user satisfaction survey	> Achieve an overall satisfaction rating of 70% or higher as measured in the customer satisfaction survey. > Conduct survey annually.	Regulation administered by the ACMA does not impose unnecessary burden on industry or the community.
Method: Conduct annual customer service user satisfaction survey. *Data sources: Results of annual customer satisfaction survey.*		
Improvements to regulatory practice are informed by annual Regulator Performance Framework (RPF) assessment process	> Annual Regulator Performance Framework: Performance assessment report is validated by stakeholders and published by 31 December each year. > Conduct survey annually.	
Method: Assess the ACMA's performance against the six KPIs related to the efficiency and effectiveness of regulatory activities. Stakeholder validation of self-assessment report against RPF KPIs. *Data sources: Stakeholder validation survey results. Statistical information on the ACMA's performance.*		