



Australian
Human Rights
Commission

Australian Human Rights Commission Agency Multicultural Plan

2013-15

**MULTICULTURAL ACCESS AND EQUITY POLICY:
RESPECTING DIVERSITY. IMPROVING RESPONSIVENESS**

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Acronyms used in this document

- AMP – Agency Multicultural Plan
- CEE Working group – Community Education and Engagement Working Group
- CET – Community Engagement
- CALD – Culturally and Linguistically Diverse
- CT - Communications Team
- DAP – Disability Action Plan
- HR – Human Resources
- HRBA – Human rights based approach
- ICS – Investigation and Conciliation Service
- RAP – Reconciliation Action Plan
- RDT – Race Discrimination team

1 Introduction

A key recommendation of the Access and Equity Inquiry was for all Australian Government agencies to develop a two-yearly Agency Multicultural Plan (AMP) to address their obligations under the Policy. AMP's should:

- set out the key **actions** your department or agency plans to take over the next 2 years
- assign **responsibility** and **timeframes** for each action
- set measurable **targets** for the achievement of each action.

The AMP will facilitate a more structured approach to implementation and reporting at a department and agency and whole-of-government level. The aim of the AMP process is for departments and agencies to develop a plan of action for implementation over a two-year period. It is about building momentum over time in a planned and considered way that supports and aligns with department and agency structures and priorities. While departments and agencies are required to have a plan in place by July 2013, they have two years to focus on the implementation of, and reporting on, the actions themselves. Departments and agencies can further build on their achievements in subsequent AMPs.

Departments and agencies must aim to cover the minimum Policy obligations as well as any additional specific actions to support them.

All departments and agencies under the FMA (Financial Management and Accountability) Act, excluding the Departments of the Parliament, are required to have an AMP in place.

The Commissions' AMP is an individual agency plan under the Attorney-General's portfolio.

2 Our vision for the Multicultural Access and Equity Policy

The Commission's vision for Multicultural Access and Equity is fully articulated in our submission to the 2012 Access and Equity Inquiry¹. In this submission the Commission advocates a human rights-based approach to multiculturalism, access and equity and reconciliation.

Our policy vision is encapsulated in Recommendation 1 of the submission which advocates; that a human rights-based approach is adopted through the Access and Equity Strategy – acknowledging the importance of the principles of non-discrimination, equality, participation and inclusion. A **human rights-based approach (HRBA)** integrates the norms, principles, standards and goals of national and international human rights law into all decision making processes, law and policy development and project implementation. It requires that the content and process of all our actions are informed by human rights principles of participation, accountability, equality, empowerment and law:

¹ Access and Equity: Inquiry into the responsiveness of Australian Government services to Australia's culturally and linguistically diverse population, 24 February 2012, <http://www.humanrights.gov.au/subject-index-submissions-commonwealth-parliament>

- *Participation* - Everyone has the right to participate in decisions that directly affect their lives in any way, including through the development of laws, policies and projects.
- *Accountability* - Everyone has a right to know what those responsible for human rights are doing. This requires proper accountability and transparency from Government.
- *Equality* - Everyone has the right to equality. This requires that attention is paid to ensure that laws, policies and projects benefit everyone and will result in substantive non-discrimination and equality for everyone.
- *Empowerment* - Everyone has the right claim their human rights. Empowerment is the difference between wanting to act and being able to. Education, training and establishing structures that enable decision making to be shared are important.
- *Law* - Human rights obligations must be the basis of all laws, policies and projects. This requires analysing which human rights are relevant and the best ways to ensure those rights.

Under this approach access and equality are human rights principles that relate directly to the core business of Australia's Human Rights Commission.

3 Our core business

The Commission was established in 1986 by the federal Parliament as an independent statutory organisation charged with protecting and promoting the human rights of all people in Australia.

We operate under the Australian Human Rights Commission Act 1986 (Cth) as well as federal laws that protect people from discrimination such as on the basis of their age, disability, race or sex.

Access and equity is at the heart of human rights and our core business is to find practical and long-term solutions to the human rights issues facing people in Australia and to build greater understanding and respect for human rights in our community.

4 How our work impacts on CALD communities

Australia's rich, cultural diversity is one of our greatest strengths as a nation. Despite this, many individuals from culturally and linguistically diverse (CALD) backgrounds experience unfair treatment and racism because of their race.

The [Racial Discrimination Act 1975](#) (Cth) gives effect to Australia's [commitments](#) under the International Convention on the Elimination of All Forms of Racial Discrimination and promotes equality between people of different backgrounds.

The Act protects people from unfair treatment on the basis of their colour, descent, national or ethnic origin, immigrant status in different areas of public life. It also makes racial vilification against the law. People who experience direct or indirect discrimination can [complain](#) to the Commission and we can investigate and resolve these complaints.

We also undertake activities to build awareness about the rights and responsibilities that individuals and organisations have under the Racial Discrimination Act.

This includes delivering policy advice and advocacy on issues, resource development, promotion campaigns, research projects and education programs to tackle racism. We also work in partnerships with governments, business, community partners, education providers and the media.

5 How our AMP supports our core business

The multicultural access and equity policy provides a *policy framework* that complements the Commission's mission to protect and promote the human rights of all people² in Australia. The AMP then provides an *action framework* that facilitates the practical application of a HRBA to multicultural access and equity issues.

The AMP provides the Commission with an opportunity to model and improve our access and equity practice in our programs, services and operations with and for CALD communities and stakeholders.

6 Our AMP

The Commission's AMP is internally overseen by the Commission's Executive Director. It was developed in consultation with our Policy, Investigation and Conciliation Service (ICS), Communications, Legal and Human Resources Teams. Our AMP seeks to improve the access and equity of our services and programs by:

1. Modelling an agency HRBA to access and equity.
2. Systematising the coordination and reporting of our access and equity activities.
3. Providing a framework to oversight the access and equity processes across our Reconciliation, Disability and CALD access and equity initiatives.

Focus area (optional)

The Commission will focus on internal leadership, specifically using the AMP as an opportunity to strengthen and improve the coordination of our CALD, Reconciliation, and Disability access and equity initiatives.

² The Commission notes the focus of the Multicultural Access and Equity Policy and the AMP process is Culturally and Linguistically Diverse (CALD) communities—excluding other disadvantaged groups such as Indigenous peoples and hearing and sight impaired communities. Our core business includes tackling the inequalities experienced by all these groups.

AMP Areas

1. Leadership

In 2012 the Commission stated³ that it is critical that an authoritative governance mechanism exists within the Australian Public Service to ensure that the Access and Equity Strategy successfully permeates the work of the Australian Government as an effective policy framework. Leadership at all levels is the key to ensure the access and equity principles that the Commission advocates for and actively promotes become embedded in the attitude and culture of our own organisation and all Australian Government departments and agencies.

1.1 Actions

Minimum obligations

1.1 Executive accountability: Department or agency to assign a Senior Executive Officer to be responsible for implementation of multicultural access and equity obligations.

1.2 Department or agency commitment: Department or agency leadership to ensure that staff understand and are committed to multicultural access and equity implementation.

	Action	Responsibility	Timeline	Target
1.1	Executive accountability			
	1.1.1 We will appoint an SES champion responsible for implementation our access and equity policy obligations	Executive Director	July 2013	Established within timeframe
1.2	Department or agency commitment			

³ Access and Equity: Inquiry into the responsiveness of Australian Government services to Australia's culturally and linguistically diverse population, 24 February 2012, Section 7 para 59 <http://www.humanrights.gov.au/subject-index-submissions-commonwealth-parliament>

	<p>1.2.1 The SES champion will actively promote the access and equity priorities under our AMP and lead activities to strengthen our internal access and equity processes and organisational culture.</p> <p>Including holding a staff launch event to raise staff awareness of our AMP, ensuring internal reporting on our AMP is included in key formal internal reporting mechanisms, adding AMP milestone updates to the Exec Dir. internal newsletter 'NED' (news for the Exec. Dir.)</p>	Executive Director	Dec. 2013	Internal report established and AMP launched to staff.
	<p>1.2.2 We will explore the feasibility of establishing a staffed support role to work across all our access and equity forums.</p>	Executive Director	Oct 2013	Feasibility process undertaken and agreed staff support staff are identified with the role reflected in performance management and individual work plans.
1.3	<p>Other actions We will use the AMP as an opportunity to strengthen all our access and equity initiatives: DAP, RAP and actions under our AMP.</p>			
	<p>1.3.1 We will establish an AMP Committee and develop a more integrated coordination process to support the performance of all our access and equity forums (AMP/DAP/RAP).</p>	Executive Director	Oct 2013	<p>An AMP Committee is recruited.</p> <p>Members of our AMP, DAP and RAP Committees have been engaged in creating the new processes.</p>

2. Engagement

As the body with a statutory responsibility to ensure the observance of human rights in Australia, successful engagement with people from CALD backgrounds is already an integral part of our work. We recognise that, through engagement, CALD communities benefit from more relevant human rights work and the development of a more inclusive community that works together to address complex human rights issues. Engagement can foster a sense of belonging, ownership of solutions and empowerment which improves individual and communal wellbeing. The Commission also supports the realisation of the right to participate in public affairs under article 25 of the International Covenant on Civil and Political Rights⁴.

The Commission benefits from accessing a diverse range of skills, experiences and knowledge from within the community. This in turn enables us to:

- develop clearer understanding of community priorities and needs in order to facilitate effective learning, change and commitment on human rights, and
- broaden our reach beyond our traditional partners which will result in a stronger human rights culture in the community.

Our commitment to engagement is structurally reflected in several processes which we will seek to maintain and improve through the AMP:

1. *Community Education and Engagement (CEE) Strategy* and CEE Working Group (led by our ICS). This group monitors, and facilitates equitable access to our Complaint Information and Investigation and Conciliation Service by:
 - ensuring resources and website materials are in accessible plain English,
 - developing strategies to outreach and consult with CALD communities,
 - providing information about the services in a range of relevant community languages,
 - providing access to interpreters and translators to facilitate access to the services,
 - implementing guidelines for working with interpreters,
 - monitoring the language needs of our service users and developing relevant translated resources.

⁴ <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CCPR.aspx>

2. *Community Engagement Guidelines* which outline a HRBA to participation. They elaborate on the entire spectrum of community engagement: inform, consult, involve, collaborate and empower. We use the guidelines to inform our work with all communities including CALD—trying wherever possible to engage at the highest level of the spectrum. Our *planning monitoring and evaluation framework* ensures that we plan and then evaluate the quality of our HRBA and engagement with CALD communities.

For example, to ensure our National Anti-Racism Partnership Strategy was informed by the needs and concerns of those affected by racism, a substantive consultation process was undertaken. Translating and interpreting needs to support the consultation were identified and resourced. Copies of the discussion paper were translated into 26 community languages.

2.1 Actions

Minimum obligations

2.1 Stakeholder engagement: Department or agency to have an engagement strategy to understand culturally and linguistically diverse communities' interactions with department or agency.

2.2 Language and communication: Department or agency to have a language and communication plan for culturally and linguistically diverse communities, including on the use of languages other than English and incorporating the use of interpreters and translators

	Action	Responsibility	Time-line	Target
2.1	Stakeholder engagement			
	2.1.1. We will review our existing strategies and guidelines* to identify any improvements. * <i>Community Education and Engagement Strategy and Community Engagement Guidelines, Planning, Monitoring and Evaluation Toolkit</i>	Director of ICS, Director of Policy and Programs.	Nov 2013.	A review is undertaken and any required changes are made and communicated to staff within 3 months.
2.2	Language and communication			
	2.2.1 We will develop a Language and Communication Plan	Executive	By	LCP developed and approved on

	(LCP) to provide a monitoring, review and improvement framework for our current activity which includes: <ul style="list-style-type: none"> • Providing information about the Commission, its services and relevant program materials in community languages. • Providing access to interpreters, translators and translated information facilitating access to the enquiry, investigation and conciliation services. 	Director	June 2014	time.
	2.2.2 Increase our resources to support staff in using and applying plain English in their work.	Director of CT	By June 2014	2008 Written <i>Communications Guidelines</i> are reviewed and updated.
		Manager of HR	By Dec 2014	Plain English training is sourced and introduced into the staff training program.
2.3	Other actions (optional)			
	2.3.1 Develop and periodically review an agreed list of languages into which we should translate materials.	Director of ICS/Principal Advisor RDT	Annual	Language list is reviewed and updated.
	2.3.2 Ensure our website meets Level AA of the Web Content Accessibility Guidelines 2.0 (WCAG 2.0)	Director of CT	Dec 2014	We are accredited with Level AA under the Web Content Accessibility Guidelines 2.0 (WCAG 2.0)

3. Performance

Our HRBA includes the principle of accountability. Accountability requires that we are transparent, that people know what our activities are, and how effective they are. Measuring our performance is a necessary part of reaching this accountability objective. In doing so we need to demonstrate there is equitable access to our programs and services and, if not, to be accountable for improving this.

The Commission has existing feedback, performance and accountability strategies which include our strategic planning, monitoring and evaluation framework and our Investigation and Conciliation Service’s Charter of Service and associated Key Performance Indicators (KPIs) which include standards and measures relating to accessibility of service delivery. Emphasis on evaluation and improvement is promoted as part of our learning approach and integrated into our program planning and delivery. This regularly involves community consultation, to ensure that projects are driven by stakeholder needs, and evaluation to systematically examine how well we have implemented a project and what difference it has made.

Our Charter of Service provides a clear service commitment to professional, accessible, fair and timely service and is an avenue through which clients can raise concerns about service delivery. We also regularly undertake a Service Satisfaction Survey which provides a further avenue for service feedback and enables data collection in relation to issues such as accessibility of the service

3.1 Actions

Minimum obligations

3.1 Performance indicators and reporting: Department or agency to develop a set of KPIs relating to engagement with, or outcomes of services to, culturally and linguistically diverse clients.

3.2 Feedback: Department or agency to have arrangements in place to ensure affected culturally and linguistically diverse communities are able to provide feedback on department or agency multicultural access and equity performance.

	Action	Responsibility	Time-line	Target
3.1	Performance indicators and reporting			
	3.1.1. Build on the KPIs developed by our ICS to develop program and project indicators (relating to engagement with, or outcomes of services to, CALD communities).	Executive Director	Dec. 2013	The development of indicators is discussed by the AMP/ cross forum group. They are provided to staff in via <i>The Planning Monitoring and Evaluation Toolkit</i> .
	3.1.2. Internal reporting on our AMP is included in key internal reporting mechanisms. <i>Overlaps with 1.2.1</i>		Oct 2013	The October Commission meeting includes reporting on the AMP. Internal AMP, RAP and DAP stakeholders can

	3.1.3. Ensure our 2014-18 Strategic Plan reflects our AMP, DAP and RAP indicators.		June 2014	see their indicators reflected in the 2014-18 Strategic Plan
3.2	Feedback			
	3.2.1 Undertake a regular review of the process to collect feedback from parties involved in the complaint process and the feedback provided in relation to accessibility of written and oral information provided by the Commission.	Director of ICS	Annually By Sept.	Annual review undertaken and any required improvements are implemented within 3 months.
	3.2.2 Undertake a review of how our evaluations assess our access and equity strategies i.e. our HRBA with CALD audiences. <i>Overlaps with 3.3.1</i>	Director of Policy and Programs	Dec 2013	Review undertaken and any improvements to process are updated in the <i>Planning, Monitoring and Evaluation Toolkit</i> and communicated to staff.
3.3	Other actions (optional)			
	3.3.1 Undertake a review of how our projects accessibly engage specific groups (including CALD) during planning and implementation and evaluation. <i>Overlaps with 3.2.2</i>	Director of Policy and Programs	Dec 2013	Review undertaken and any improvements to process are updated in the <i>Planning, Monitoring and Evaluation Toolkit</i> and communicated to staff.

4. Capability

Recent Commission research conducted with the African Australian and Arab and Muslim Australian communities has identified two major issues regarding the accessibility of government-funded programs and services: language and cultural competency.⁵

As the body with a statutory responsibility to ensure the observance of human rights in Australia we consider that cultural competency should be an organisational priority. We note the benefit that the responsiveness of departmental and agency staff will affect the applicability and effectiveness of policies and services to the community at large.⁶

Cultural competency begins with respect and acceptance of diversity as an integral part of our own workplace. Diversity in our staff is one of our greatest assets and assists us to meet our organisational objectives. Workplace diversity strategies help to build the Commission's relationship with the community, enhance the contribution of our staff and improve the quality of our programs and services.

4.1 Actions

Minimum obligations

4.1 Cultural competency: Department or agency to have training and development measures to equip staff with cultural competency skills.

4.2 Research and data: Department or agency to collect ethnicity data on the culturally and linguistically diverse groups with which the department or agency engages and to which it delivers services directly or indirectly

⁵ Australian Human Rights Commission, *In Our Own Words - African Australians: A review of human rights and social inclusion issues*. At: <http://www.humanrights.gov.au/africanaus/review/index.html> (viewed 15 February 2012); Australian Human Rights Commission, *Ismaξ – Listen: National consultations on eliminating prejudice against Arab and Muslim Australians* (2004). At: http://www.humanrights.gov.au/racial_discrimination/isma/report/index.html (viewed 15 February 2012).

⁶ Access and Equity: Inquiry into the responsiveness of Australian Government services to Australia's culturally and linguistically diverse population, 24 February 2012, Section 8, p13-16 <http://www.humanrights.gov.au/subject-index-submissions-commonwealth-parliament>

	Action	Responsibility	Time-line	Target
4.1	<p>Cultural competency</p> <p>4.1.1. Strengthen our current strategies to build a culturally competent workforce by introducing face to face cultural competency training into our training program across the Commission We will also continue to ensure that all new staff completes the established online cultural awareness training program.</p>	Manager of HR	By Dec 2014	<p>Face to face cultural competency training is sourced and introduced into our staff training program.</p> <p>All new staff undertakes online cultural awareness training in order to complete their probation process.</p>
4.2	<p>Research and data</p> <p>4.2.1 Review the potential of our policy programs to provide additional information (and how to promote this information) about access and equity issues.</p> <p><i>For example those faced by asylum seekers and refugees, or by older people from culturally and linguistically diverse backgrounds seeking or receiving home or residential aged care services.</i></p> <p>4.2.2 Review our process to:</p> <ul style="list-style-type: none"> • collect demographic information relating to complainants (e.g. country of origin, languages spoken). • record the use of interpreters 	<p>Director of Policy and Programs</p> <p>Director of ICS</p>	<p>Jan 2014</p> <p>Annually Sept.</p>	<p>Review undertaken and any improvements to process are updated in the <i>Planning, Monitoring and Evaluation Toolkit</i> and communicated to staff.</p> <p>Annual review undertaken and any required improvements implemented within 3 months.</p>
4.3	<p>Other actions (optional)</p> <p>4.3.1 Expand our current ICS policy on working with interpreters to a Commission-wide policy (in line with the Commonwealth Ombudsman recommendation)</p> <p>4.3.2 We will review our policy and processes annually to ensure our workplace</p>	<p>Executive Director</p> <p>Manager of HR</p>	<p>June 2014</p> <p>Annually by June</p>	<p>A Commission-wide policy on working with interpreters is developed and communicated to staff within the timeframe.</p> <p>Annual review undertaken and agreed improvements made within 3 months.</p>

	<p>recruitment and policies continue to excel in attracting CALD staff*. Including ensuring our employment website continues to reflect our positive approach to culture and diversity.</p> <p>4.3.3 We will monitor and report on the diversity of our workforce annually to ensure no unforeseen barriers and review employment policy where necessary.</p> <p><i>* Our 2012-13 workplace diversity data indicates 17% of our staff is from CALD backgrounds, whereas our Aboriginal and Torres Strait Islander staff levels are at 3-4%. For this reason we currently focus our recruitment activities on attracting Indigenous staff.</i></p>	<p>Manager of HR</p>	<p>Annually by June</p>	<p>We currently exceed APS targets for workplace diversity.</p> <p>Annual data collection undertaken and reported and agreed improvements made within 3 months.</p> <p><i>We note that agencies are not required to report on their workforce diversity programs, as they are already covered under separate reporting requirements</i></p>
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5. Responsiveness

Ensuring that our work is inclusive requires a responsive approach to the needs of all our audiences and stakeholders. Responsiveness’ is fundamental to the HRBA principles of participation and empowerment.

We also advocate for and facilitate increased responsiveness in other government departments, NGO bodies, businesses and other sectors to the needs of people from CALD backgrounds. For example, we created *Principles*⁷ to promote and protect the human rights of international students, as a guide for all organisations and government agencies that provide services to international students.

Through our monitoring and evaluation framework we assess the effectiveness of our HRBA—a process that provides data on where we have implemented the approach well and where we can improve our community engagement and responsiveness. Our ICS feedback mechanisms also ensure collation of information to improve responsiveness to the needs of CALD communities

⁷ Principles to promote and protect the human rights of international students, 2012. <http://www.humanrights.gov.au/international-students>

5.1 Actions

Minimum obligations

5.1 Standards: Any whole-of-government standards and guidelines developed by the department or agency must address multicultural access and equity considerations.

5.2 Policy, program and service delivery: Provision to ensure that policies, programs, community interactions and service delivery (whether in-house or outsourced) are effective for culturally and linguistically diverse communities.

5.3 Outsourced services: Where relevant, provision for incorporation of multicultural access and equity requirements into contracts, grant agreements and related guidance material of which the department or agency has carriage.

	Action	Responsibility	Timeline	Target
5.1	Standards			
	5.1.1 Ensure our core business to develop guidelines providing advice on addressing access and equity considerations of all disadvantaged communities (including CALD communities) continues to provide high quality and effective guidance.	Director of Policy and Programs/ Accountable Program managers	Continuous process as part of core business	Evaluations of these projects demonstrate positive benefit to the guideline audiences
5.2	Policy, program and service delivery			
	5.2.1 Review our current processes to ensure that our programs consider inclusion of CALD stakeholders in relevant participation activities (e.g. reference/ advisory groups) as part of project design, implementation and evaluation. <i>Overlaps with 3.3.1</i>	Director of Policy and Programs.	Dec 2013	<i>Our Community Engagement Guidelines and Planning, Monitoring and Evaluation Toolkit</i> are reviewed and updated within the timeframe
	5.2.2 Review our process to collect feedback from parties to the complaint process and the feedback provided in relation to accessibility of written and oral information provided by the Commission. <i>Overlaps with 3.2.1</i>	Director of ICS	Annually Sept 2013	Annual review undertaken and any required improvements are implemented within 3 months.
5.3	Outsourced services			

	5.3.1 We will explore how to incorporate clauses/ provisions in our procurement documents and processes to reflect inclusion of multicultural access & equity requirements	Legal Section	Nov 2013	Where feasible our procurement documents and processes are refined in the timeframe
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6. Openness

Increased openness and accountability encourages us to go beyond highlighting one-off initiatives aimed at relevant communities. It supports the:

- development of more strategic access and equity approaches, and in turn more accessible and equitable policies, programs and services.
- identification of challenges, use of lessons learnt and actions to assist in meeting performance standards in the future,

Openness will encourage access and equity principles to be embedded into the culture and structure of Australian Government departments and agencies, through their respective reporting frameworks, regardless of whether they directly programs and services, or whether they are involved in policy development.

For the Commission our HRBA requires that we must be accountable and transparent to our stakeholders, clients and the broader Australian community. Everyone has a right to know what those who are responsible for human rights are doing.

6.1 Actions

Minimum obligations

6.1 Publishing: Department or agency to publish AMPs on department or agency websites and performance reports against KPIs for culturally and linguistically diverse clients in department or agency annual reports.

6.2 Data: Department or agency to make culturally and linguistically diverse data available to other departments or agencies and the public.

	Action	Responsibility	Timeline	Target
6.1	Publishing			
	6.1.1 Publish an accessible web version of our AMP on our website and reference relevant and existing documents that align with our AMP.	AMP secretariat	Aug. 2013	The plan (accessible) is posted on the Commission website.
	6.1.2 Include an integrated report on our AMP activity and other cross forum outcomes in our regular Commission reporting system—the public record of the Commission’s work.	Executive Director/AMP secretariat.	From Oct. 2013	Reports are submitted.
	6.1.3 Ensure our multicultural access and equity activity is integrated into our Annual Report’s current section on ensuring our policies programs and services are accessible and equitable.	Executive Director/ Communications Team	Sept. 2014.	Our next Annual Report includes information on our AMP outcomes.
6.2	Data			
	6.2.1 Review the feasibility of increasing the availability of the CALD data that we collect (relating to complainants) to appropriate external parties e.g. to other government agencies via AMP processes.	Director of ICS	Oct 2014	Feasibility review undertaken and actioned.
6.3	Other actions			
	6.3.1 Undertake a 6 monthly review of the AMP	Executive Director	From Jan 2014	Agreed revisions and improvements are made within 3 months of review.