



National Anti-Corruption Commission

Corporate Plan

2024–28

Acknowledgement of Country

In the spirit of reconciliation, the National Anti-Corruption Commission acknowledges the Traditional Custodians of Country throughout Australia and their connections to land, sea and community. We pay our respect to their Elders past and present and extend that respect to all Aboriginal and Torres Strait Islander peoples today.

Further information

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Corporate Plan 2024–28*

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Commissioner's foreword

Integrity in the Commonwealth public sector is critical to ensuring that public power is exercised honestly, impartially and in the public interest. It is also essential to ensuring that programs that are intended to deliver benefits to the people do so and are not eroded by the diversion of resources along the way for improper purposes.

In this context, integrity involves making decisions and giving advice honestly and impartially, on the evidence and the merits, in the public interest and without regard to personal interest; accepting responsibility for it, including for mistakes; and reporting honestly.

The National Anti-Corruption Commission (Commission) was established to provide independent assurance to the people of Australia that corrupt conduct involving Commonwealth public officials is prevented, detected, investigated and responded to appropriately. To generate those effects, we have adopted as our mission: to enhance integrity in the Commonwealth public sector, by deterring, detecting, and preventing corrupt conduct involving Commonwealth public officials, through education, monitoring, investigation, reporting and referral.

In this Corporate Plan, our second, published as we mark the first full year since our establishment, we describe our 2 main lines of operation to achieve that mission: deterring corrupt conduct through detection, investigation and exposure; and preventing corrupt conduct through education and engagement. We also describe our strategic priorities, plans and aspirations for the coming 4 years.



**The Hon Paul Brereton
AM RFD SC**

National Anti-Corruption
Commissioner

The first line of operations involves the detection, investigation and exposure of serious and systemic corrupt conduct.

We will continue to receive, triage and assess referrals of corrupt conduct, in order to help us decide what to investigate.

Referrals from the public are important to the Commission because they provide information which can help the Commission identify issues of serious or systemic corruption, which it has the mandate to investigate. However, the Commission receives numerous referrals, and it cannot investigate all of them. The Commission's function is to investigate issues of serious or systemic corruption in the Commonwealth public sector, not to adjudicate on individual complaints and referrals. The Commission is not under any duty to consider whether to deal with any individual referral, and may decide to take no action in relation to a referral.

Although there are other considerations, to provide a coherent basis for how we prioritise matters, we have adopted 6 strategic corruption priorities, namely:

- corruption at the Australian border
- corruption in complex procurements
- corruption in senior public official decision-making
- corruption involving contractors and consultants
- corruption affecting the environmental sector
- corruption affecting vulnerable people.

These are discussed in more detail on page 14.

While the intake, triaging and assessment of referrals has been our main effort in our first year, this will increasingly shift to the conduct of investigations, with the consequence that we anticipate an increasing number of investigation reports as investigations commenced in our first year mature.

The second line of operations includes our outreach and prevention activities, to engage with and educate the Australian public sector, in order to build resistance to corrupt conduct, to encourage and facilitate reporting of it, and to instil a culture in which it is anathema.

In our first 12 months we cemented foundations for the agency and embarked on our operations. We remain a new agency, of which there are high expectations. While much has been done to educate stakeholders and partners about our role, there remains a challenge to highlight the distinction of the function of an anti-corruption commission concerned with serious or systemic corrupt conduct involving Commonwealth public officials, from those of organisations such as the Commonwealth Ombudsman or the Administrative Appeals Tribunal which are concerned with addressing individual grievances.

Moving into our second year, we will continue to grow our workforce, to provide additional critical and niche capabilities, and to increase efficiency in handling the high volume of work in both our lines of operation. This plan also enunciates a refined set of performance measures to ensure the Commission's impact is tangible and effective.

A handwritten signature in blue ink, appearing to read 'P. Brereton', followed by a period.

The Hon Paul Brereton AM RFD SC
National Anti-Corruption Commissioner

Introduction

As the Chief Executive Officer and Accountable Authority of the National Anti-Corruption Commission, I am pleased to present the Commission's 2024–28 Corporate Plan as required under section 35(1)(b) of the *Public Governance, Performance and Accountability Act 2013* (Cth) (PGPA Act).

This plan is prepared for the financial year 2024–25 and covers the 4 year period 2024–28.

The plan identifies the purpose, priorities, legislated responsibilities and operating context of the Commission for the next 4-years. It details the opportunities and challenges we face and how the Commission's performance in achieving its purpose will be measured and assessed.

The reporting period will be a significant phase for the Commission as we further expand our workforce and capability, and shift from key establishment activities to executing our core functions in line with our performance measures. We play an important role in the oversight of Commonwealth public officials, including contractors and consultants providing services to or on behalf of the Commonwealth. Our focus as an organisation will be on delivering on our priorities effectively, embedding systems to support continual improvement, and remaining responsive in an ever-changing operating environment.



Mr Philip Reed
Chief Executive Officer

A handwritten signature in blue ink, appearing to read 'Philip R', written in a cursive style.

Mr Philip Reed
Chief Executive Officer

Purpose

The National Anti-Corruption Commission is an independent Commonwealth entity established under the *National Anti-Corruption Commission Act 2022* (NACC Act) to provide independent assurance to the Australian community that corrupt conduct involving Commonwealth public officials is prevented, detected, investigated and responded to appropriately.

Under the NACC Act, the Commission is able to investigate alleged corrupt conduct involving Commonwealth public officials.

Public officials include ministers, parliamentarians and their staff, and staff members of Commonwealth agencies. Staff members of Commonwealth agencies include individuals employed by or engaged in assisting the agency, and contracted service providers under Commonwealth contracts administered by the agency.

The Commission can investigate any person, even if they are not a public official, if they do something that might cause a public official to carry out their official role other than honestly or impartially.

The Commission's mission is to enhance integrity in the Commonwealth public sector by deterring, detecting and preventing corrupt conduct involving Commonwealth public officials through education, monitoring, investigation, reporting and referral.

The Commission is not able to investigate concerns relating to state, territory or local government officials. Each state and territory has a similar integrity or anti-corruption commission that may be able to investigate those matters.

To investigate a corruption issue, the Commission must have information raising the possibility that a person has done or could do something that:

- involves, or could involve, a public official
- is, or could be, corrupt conduct under the NACC Act
- could involve serious or systemic corrupt conduct.

The NACC Act does not define serious or systemic corrupt conduct. Under section 279 of the NACC Act, the Commissioner has issued guidance to assist public officials with the operation of the Act, which is available on the [Commission's website](#).

Serious corrupt conduct is corrupt conduct that is significant, more than negligible or trivial and does not have to be severe or grave.

Systemic corrupt conduct is corrupt conduct that involves more than an isolated case, involves a pattern of behaviour, or affects or is embedded in a system. It can occur in one or multiple agencies, and can involve one or multiple individuals, and does not have to be coordinated.

Guiding principles

The Commission's guiding principles inform how it operates and makes decisions. These are:

1. Independent
2. Value adding
3. Evidence based
4. Data driven
5. People focused

Independent

The Commission operates independently of Government and impartially, to maintain the trust of the Australian public. This means that no-one can tell the Commission what to investigate or what to decide.

Value adding

The Commission focuses on matters where it is best positioned to add value in the public interest by deterring or preventing corruption in circumstances where other agencies are less well-equipped to do so. This means that the Commission will be less likely to investigate a matter where another agency has done, or is well capable of doing so.

Evidence based

The Commission acts on evidence. This means Commission decisions are based on evidence, not on speculation or on popularism.

Data driven

The Commission is informed by data. This means the Commission uses data to form insights and identify current trends and emerging risks and issues.

People focused

The Commission cares for people: above all our staff, but also those who engage with us and are affected by our operations. This means the Commission invests in and cares for its workforce to ensure they have the skills, knowledge and capability to succeed.

It also means we endeavour to mitigate the inevitable distress that many dealing with or affected by the Commission's operations will sometimes suffer.

Key activities

To achieve its purpose and execute its mission, the Commission has 2 main lines of operation. These are:

1. deterrence through detection, investigation and exposure
2. prevention through engagement and education.

These lines of operation are reflected in the Commission's 5 key activities included in Portfolio Budget Statement 2024–25:

1. detecting corruption and enhancing the Commonwealth public sector's capabilities to detect corruption
2. receiving and assessing referrals of alleged corrupt
3. conducting NACC investigations into corruption issues that could involve serious or systemic corrupt conduct. These investigations may be undertaken jointly with other Commonwealth agencies or with state or territory agencies
4. referring allegations of corrupt conduct to other Commonwealth agencies for investigation
5. creating and disseminating information and education to enhance the effectiveness and maturity of approaches to corruption prevention and build a strong integrity culture across the public sector.

Detecting corruption

The Commission detects corruption through a variety of methods, including:

- voluntary referrals made by a person through the Commission's online web form, by calling the Commission or by post
- mandatory referrals from agency heads who become aware of a corruption issue concerning a staff member of their agency which could involve serious or systemic corrupt conduct
- information received by the Commission in other ways (including media reports)
- strategic intelligence and data analysis by the Commission
- information obtained during a Commission investigation that identifies another corruption issue.

The Commission is in the process of designing a monitoring and auditing function which will ascertain compliance with mandatory reporting obligations, evaluate agencies' integrity structures and processes, and identify corruption vulnerabilities and issues in agencies.

Receiving and assessing referrals

The Commission assesses referrals to ascertain whether they are within jurisdiction (that is, they relate to a Commonwealth public official), whether they appear to raise a corruption issue, whether they could involve serious or systemic corrupt conduct, and if so whether and how to deal with them.

If there is not enough information, the Commission may ask the person who made the referral to provide more information. The Commission may also conduct a preliminary investigation to obtain more information and determine if there is a corruption issue and how to deal with the issue.

The Commissioner can decide not to take any action in relation to a referral. The Commission does not have to consider or respond to every referral it receives. However, as a matter of courtesy, the Commission usually provides a response to each person who makes a referral, if they provide contact details.

If a referral raises a corruption issue, the Commission may deal with it in one or more of the following ways:

- if the issue could involve serious or systemic corrupt conduct, investigate the issue alone or jointly with a Commonwealth agency or a state or territory government entity
- refer the issue to the Commonwealth agency the issue relates to for them to investigate
- refer the issue to a Commonwealth agency or state or territory government entity for them to consider
- take no action.

The Commissioner may, at any time, reconsider whether or how to deal with a corruption issue.

Preliminary investigations

The Commissioner may conduct a preliminary investigation to decide:

- whether a referral raises a corruption issue
- whether a corruption issue is serious or systemic
- if so, whether or how to deal with the issue.

A preliminary investigation helps the Commission find out more information about the referral. The Commission can use some of its investigatory powers under the NACC Act in a preliminary investigation, such as compelling persons to provide certain information, documents or materials.

Conducting investigations

The Commission's investigation teams investigate corruption issues and gather information to prove or disprove them. They do this by obtaining documents and records, analysing information and interviewing witnesses.

The Commission has extensive information-gathering powers under the NACC Act and other relevant legislation. For example, the Commission can:

- compel the production of documents or other things
- compel individuals to provide information, which could involve participation in a hearing
- obtain search warrants and warrants to intercept telecommunications and use surveillance devices.

Commission hearings

Under the NACC Act, the Commissioner has the power to summon a person to attend a hearing to give evidence or produce a document or other thing relevant to a corruption investigation.

Hearings are held in private, except in exceptional circumstances. Decisions about public hearings will be made on a case-by-case basis.

Finalising an investigation

The Commissioner can decide at any time during an investigation that no further action should be taken and discontinue the investigation.

At the completion of an investigation, the Commissioner must prepare a report on the investigation for the Attorney-General. In the event that the Attorney-General's conduct was under investigation, this report would be made to the Prime Minister.

The report must set out:

- the Commissioner's findings or opinions on the corruption issue. This can include a finding that a person has engaged in corrupt conduct. This is an administrative finding of fact, and not a finding of criminal guilt
- a summary of the evidence and other material on which those findings or opinions are based
- any recommendations the Commissioner sees fit to make and the reasons for those recommendations. If the Commission finds evidence of a criminal offence, it may send a brief of evidence to the Commonwealth Director of Public Prosecutions for them to consider whether there is sufficient evidence for charges to be laid.

If the Commission has held a public hearing, the report must be tabled in Parliament. The Commissioner can publish reports if satisfied it is in the public interest to do so.

Referring allegations to other Commonwealth agencies for investigation

The Commissioner may deal with a corruption issue by referring the corruption issue to the agency the issue relates to, if satisfied the agency has the capability to investigate the issue. The Commissioner can decide to oversee or manage the agency's investigation, or leave the agency to undertake the investigation independently.

The agency may be required to provide periodical reports and/or a final report to the Commissioner.

The Commissioner may make comments or recommendations on the investigation, its outcome and/or preventive measures that have been or could be put in place to address ongoing corruption risks and vulnerabilities.

Creating and disseminating corruption prevention information and education

The Commission educates public officials, the public sector and the public about corruption risks and vulnerabilities to enhance the effectiveness and maturity of approaches to corruption prevention and to build a strong integrity culture. The purpose of these activities is to build resistance to corrupt conduct, to encourage and facilitate reporting of it, and to instil a culture in which it is anathema.

The Commission provides guidance and information to help public officials who are mandatory reporters understand their obligations to report suspected serious or systemic corrupt conduct concerning staff of their agencies, and how they are able to do so.

The Commission provides guidance and information to help public officials understand the importance of integrity in governance, and to address vulnerabilities to corruption within their agencies.

The Commission takes opportunities to speak at symposiums and other events to explain and promote the role of the Commission and the concept of integrity to a wider audience, including members of the business community and the public.

It also publishes corruption prevention and integrity resources on its website to build public understanding.

To provide transparency and operate as a deterrent to corrupt conduct, the Commission issues media alerts to inform the public about its activities.

The Commission can conduct public inquiries into corruption risks and vulnerabilities, and measures to prevent corruption in Commonwealth agencies and programs. For example, the Commission may conduct a public inquiry into risks and vulnerabilities, not involving a specific allegation of corruption, in a program in which contractors are used by a government agency to deliver benefits intended for members of the public.

Operating context

Operating environment

One year on from its commencement, the Commission continues to operate under high public scrutiny and expectation.

The Commission must engage with other Commonwealth agencies to perform its corruption prevention and education function, but still be able to independently investigate corruption issues pertaining to them. This produces complexity.

The Commission recognises the importance of exposing and making the public aware of corrupt conduct. It is also conscious that its work should be subject to public scrutiny and that it needs to operate with as much transparency as it can. Yet much of the Commission’s work is necessarily secretive and there are constraints on what can permissibly or properly be done openly. The Commission will conduct public hearings in accordance with the legislation, when the circumstances and the public interest justify an exception to the general rule that they be held in private.

Environmental scanning and intelligence gathering

The Commission utilises environmental scanning, intelligence sharing and corruption referrals to monitor the integrity landscape. Referrals received by the Commission are a very important part of gaining insights into perceptions of the nature and level of corruption within the Commonwealth.

Strategic corruption priorities

To assist in prioritising its resources effectively and efficiently, the Commission has established 6 Strategic Corruption Priorities (SCPs), depicted in Figure 1.

These priorities assist in focussing the Commission’s investigative functions and provide direction to its prevention and detection activities.

The current strategic corruption priorities are:

- corruption at the Australian border
- corruption in complex procurements
- corruption in senior public official decision-making
- corruption involving contractors and consultants
- corruption affecting the environmental sector
- corruption affecting vulnerable people.

Figure 1: Strategic corruption priorities



Corruption prevention priorities

The Commission has so far identified 3 dominant domains in which both perception and actuality of corrupt conduct is evident. These are procurement, recruitment and the public-private interface. In all 3 domains, the mechanisms include the preferring of family, friends and associates; and the misuse of official information to gain an advantage.

The Commission has adopted 3 corruption prevention priorities.¹ These are:

1. conflicts of interest involving public officials
2. ethical decision making by public officials
3. corruption risks associated with elections.

Oversight

The Commission is overseen by the Parliamentary Joint Committee for the National Anti-Corruption Commission (PJC-NACC) and the Inspector of the National Anti-Corruption Commission (the Inspector).

PJC-NACC

The PJC-NACC's functions include:

- considering recommendations for certain appointments
- examining reports tabled in Parliament relating to the Commission and the Inspector
- examining trends and changes in corruption, and reporting to Parliament on desirable changes to the functions, powers, procedures, structure and staffing of the Commission or Inspector
- reviewing the sufficiency of the Commission's budget and finances and reporting on the outcome of that review.

The PJC-NACC cannot review operational decisions, methods or activities.

The Inspector

The Inspector is an independent officer of the Parliament. The Inspector's functions include to:

- investigate allegations of serious or systemic corrupt conduct within the Commission
- investigate complaints of maladministration about the Commission
- audit the operations of the Commission to monitor its compliance with Commonwealth laws and detect agency maladministration and officer misconduct.

The Inspector can conduct joint investigations with the Commissioner, and with the Australian Federal Police (AFP) or a police service of a state or territory.

Commonwealth Ombudsman

In addition to above mentioned oversight bodies, the Commission's use of intrusive powers is subject to regular inspection by the Office of the Commonwealth Ombudsman. This covers the Commission's use of:

- telecommunications interception, telecommunications data and stored communications (under the *Telecommunications (Interception and Access Act) 1979*)
- controlled operations (under Part 1AB of the *Crimes Act 1914*)
- surveillance devices (under the *Surveillance Devices Act 2004*).

The Commonwealth Ombudsman also conducts regular 'health checks' of the Commission's compliance culture.

The Commission is also required to report annually to the Attorney-General on the use of the powers listed above. After the cessation of each surveillance device or telecommunications interception and access warrant, the Commission also provides the Attorney-General with reports on each warrant obtained and its usefulness.

¹ [Corruption prevention priorities for 2024 | National Anti-Corruption Commission \(NACC\)](#)

As a Commonwealth entity, the Commission is within the jurisdiction of the Auditor-General, and the Australian National Audit Office provides annual auditing of the Commission's financial statements.

Integrity partners

The Commission is committed to taking a leading role in promoting integrity in governance. It does this by:

- participating in the Integrity Agencies Group, whose mission is to ensure that integrity is at the centre of the work of the public sector and that the Australian Public Sector (APS) approach to integrity is integrated, capable, agile and transparent, and whose membership includes a subset of the Commonwealth integrity agencies
- contributing to broader Commonwealth integrity initiatives, including the APS Reform Agenda. Priority 1 of the APS Reform Agenda relates to an APS that embodies integrity in everything it does, implementation of the APS Integrity Taskforce Action Plan, the new Commonwealth Fraud and Corruption Control Framework, and the review of the Public Interest Disclosure scheme.

As a member of the Integrity Agencies Group and the Criminal Justice and Law Enforcement Forum, the Commission consults regularly with partner integrity agencies.

The Commission's participation in these forums supports knowledge-sharing and best practice in integrity policy, programming and agency operations.

Commonwealth integrity agencies

The Commission's jurisdiction overlaps with that of other Commonwealth integrity agencies, including:

- Commonwealth Ombudsman (and related Ombudsman appointments)
- Australian Public Service Commissioner (APSC)
- Merit Protection Commissioner
- Auditor-General
- AFP Commissioner
- Parliamentary Service Commissioner
- Parliamentary Service Merit Protection Commissioner
- Australian Information Commissioner
- CEO of the Australian Crime Commission
- Inspector-General of Intelligence and Security (IGIS)
- Inspector-General of Taxation
- Chief Executive Officer of the Tertiary Education Quality and Standards Agency
- Inspector-General of Biosecurity
- Inspector-General of Live Animal Exports
- Inspector-General of Water Compliance
- Inspector-General of the Australian Defence Force.

Functions of the Commission include overseeing investigations into corruption issues conducted by other Commonwealth agencies.

The Commission's approach is guided by the principle of complementarity. Unless there is reason for supposing that an integrity agency is unable or unwilling to conduct an independent and impartial investigation, the Commission will not lightly investigate corruption issues that have already been investigated by an integrity agency, and will be inclined to refer corruption issues within the jurisdiction of other integrity agencies to them.

However, the Commission may intervene if there is a perception that the other agency might lack independence or capacity, or if the additional powers of the Commission would be of advantage.

The Commission may investigate corruption issues jointly with another integrity agency if the investigation would benefit from the specialist knowledge of the other agency and the special powers of the Commission.

Intelligence agencies

The Commission's jurisdiction includes intelligence agencies and overlaps with that of the IGIS. If the Commission becomes aware that a corruption issue relates in any way to a security matter, the Commission must consult with the head of Australian Security Intelligence Organisation.

If the Commission intends to exercise a power to require an IGIS official to give information or produce a document or thing that originated from, was collected by, or concerns the activities of an intelligence agency, the Commission must first consult the head of the intelligence agency and must consider, but is not bound by, the views of that head.

The Commission has sought to negotiate an arrangement with heads of agencies within the National Intelligence Community, as required by section 239(1) of the NACC Act, relating to obtaining, storing, accessing, using or disclosing intelligence information relating to an intelligence agency, and is awaiting a response from the National Intelligence Community.

Australian Parliament

The Commission engages with the Parliament to:

- inform parliamentarians and their staff of their rights and obligations under the NACC Act
- enhance understanding of integrity issues
- negotiate a Memorandum of Understanding in respect of parliamentary privilege.

Attorney-General's Department

The Commission will continue to work cooperatively with the Attorney-General's Department in relation to the Department's role in developing domestic policy on anti-corruption and engagement in a range of international anti-corruption forums.

Department of Foreign Affairs

As required by the NACC Act, the Commission must consult with the Secretary of the Department of Foreign Affairs (DFAT) if a corruption investigation or a public inquiry relates to:

- a foreign official
- conduct in a foreign country of a person who is not an Australian citizen or permanent resident.

It will do so via an already established process and points of contact, and mindful of the wider national interests potentially at stake in that context.

The Commission recognises that corruption is a transnational issue that does not respect national boundaries, and accordingly contributes to global anti-corruption efforts through engagement with other national anti-corruption agencies, and participation in regional and international anti-corruption forums. In this respect, the Commission is particularly focussed on cooperation with and anti-corruption capacity building in Pacific Island countries. It will continue to work cooperatively with DFAT in these forums.

State and territory integrity agencies

The Commission regularly engages with integrity and anti-corruption commissions in Australian states and territories through the Commissioners Forum and the Prevention Practitioners Forum. The Commission's participation in these forums supports knowledge-sharing and the development of best practice in integrity policy, programming and agency operations.

Capability

Workforce

The number, capability, skills and experience of its staff is critical to the Commission’s ability to perform its key functions and to fulfil its purpose efficiently and effectively.

The Commission continues to build its workforce in line with the staffing budget provided in the Portfolio Budget Statements 2024–25. The organisational structure of the Commission is shown in Figure 2.

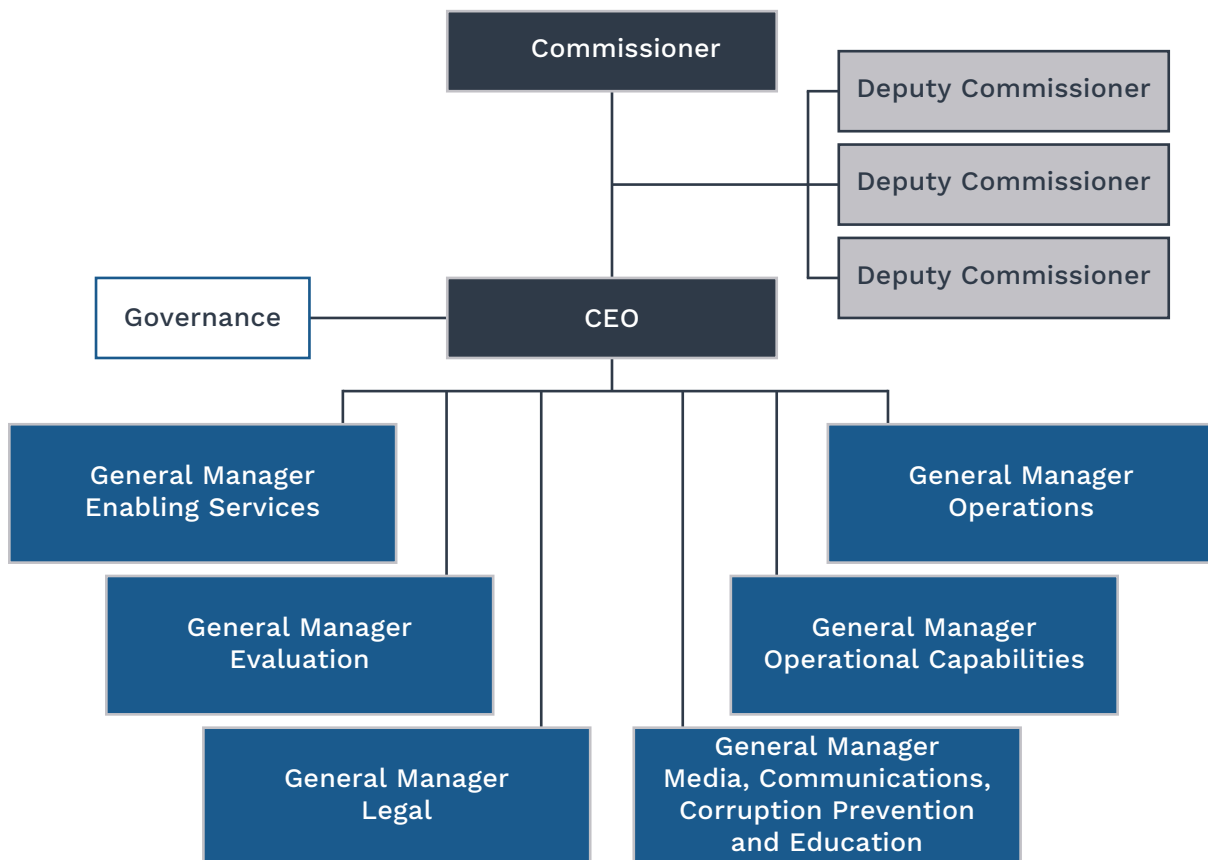
The CEO and 3 Deputy Commissioners report to the Commissioner. General Managers of 6 branches report directly to the CEO. The branches are: Enabling Services; Evaluation; Legal; Media, Communications, Corruption Prevention and Education; Operational Capabilities; and Operations. The Governance team also reports directly to the CEO.

The Commission is focused on attracting and retaining highly skilled and motivated staff to ensure it has the capacity to effectively undertake its functions and achieve its purpose.

The Commission is committed to maximising utilisation of in-house resources and minimising outsourcing to contractors and consultants.

However, it will retain a limited number of outsourcing arrangements for some elements of its core work, particularly in the ICT sector. With a competitive labour market and skills shortages, it is not currently possible for the Commission to reduce outsourced work and bring these roles in-house, in line with the APS Strategic Commissioning Framework.

Figure 2: Organisational structure



The Commission will implement a learning and development framework, ensuring that all employees develop and maintain the necessary skills to deliver business outcomes. This framework will include a mandatory induction program for all new employees and an ongoing essential learning program to ensure the Commission complies with and maintains its obligations to employees, contractors, the government, and the Australian public.

The Commission offers initiatives to support staff in the workplace and promote their physical and mental wellbeing, including generous flexible work provisions, access to an employee assistance program and access to an annual health and wellbeing reimbursement.

The Commission aspires to generate and retain corporate knowledge in the long term through retaining staff and providing pathways for internal progression: for example, from intake and triage officer, to assessment officer, to investigator or analyst.

Information and communications technology (ICT)

In 2023–24, the Commission assumed full and independent control of its secure ICT system. In 2024–28, the Commission will continue to mature its ICT systems and introduce contemporary capabilities to support the agency to operate efficiently, effectively and securely.

Technical surveillance capability

The availability of contemporary technical surveillance capabilities is critical to the Commission's ability to perform its key functions and to fulfil its purposes efficiently and effectively.

The Commission works in cooperation with other law enforcement agencies to ensure that it has access to the technical capabilities needed to conduct its own investigations.

The Commission prioritises working with state and territory law enforcement and integrity agencies, so as to minimise reliance on jurisdictional agencies. During the life of this plan, the Commission will consider the efficiency of these technical capabilities being provided by third parties and, where it is appropriate to do so, will consider bringing capabilities in-house.

Risk oversight and management

The Commission takes a strategic, consistent and structured approach to managing all types of risk, including enterprise, fraud and corruption, work health and safety, and business disruption risks.

The Risk Management Policy and Framework (the Framework) sets out an approach to risk oversight, management and internal control that reflects best practice.

The Framework ensures the Commission satisfies its obligations under section 16 of the PGPA Act, while also supporting appropriate systems of governance. It is supported by the following suite of procedural and operational resources.

Australian Government

Commonwealth Risk Management Policy 2023

The 9 principles and mandatory requirements that are the fundamental elements of effective risk management and control under section 16 of the PGPA Act, to embed risk management into the culture and operations of Commonwealth entities, for all staff and officials at all levels.

Implementing the Commonwealth Risk Management Policy (Resource Management Guide 211)

A non-mandatory, best-practice guide to assist the practical implementation and operationalisation of the Commonwealth Risk Management Policy 2023.

Internal

Accountable Authority Instructions

Legislative instrument under section 20A of the PGPA Act that instructs Commission staff on expected standards of behaviour while performing their duties, specifically ss 1.1 and 1.2 for risk and fraud/corruption.

Risk Appetite Statement

Documents the Commission's approach to risk, current performance and operating limits for risk-taking.

Audit and Risk Committee

Provides independent advice and assurance to the CEO on the Commission's accountability and control framework, including risk.

Risk Management Guide

Procedure manual for conducting risk management, including risk scoping and identification, analysis and evaluation, treatment, monitoring and reporting.

Fraud and Corruption Framework

Reflects the NACC Act, Commonwealth Fraud Rule, Fraud Policy, and best practice while setting out the Commissioner's expectations for preventing, detecting, investigating and responding to fraud or corruption at the Commission.

Risk and Treatment Register

Records pertinent outcome information from risk assessments, to support ongoing management and monitoring of the risk.

Associated guides, tools and reference material

The Commission takes a measured approach to risk and this is articulated in its risk appetite statement:

The Commission acknowledges risk as an unavoidable, natural part of business that when actively managed at all levels, enables the Commission to achieve its objectives. However, the Commission has no appetite for risks associated with the safety of our people and witnesses, or inadequate integrity standards within the NACC, including corruption, or conduct contrary to our standing as an independent anti-corruption commission.

The Commission's organisational risks are principally addressed under 10 specific areas as enterprise risks. These areas of risk reflect the newness of the Commission as an establishing and growing entity:

Legislation and compliance

The Commission fails to establish and implement legislatively compliant processes and activities.

Efficient and effective

The Commission fails to establish and grow operational and organisational cadence and achieve Commission outcomes.

Engagement

The Commission fails to establish and build effective relationships.

Security

The Commission fails to maintain control or security of its cyber, physical and information assets.

Workforce capability

The Commission fails to attract, retain, or maintain sufficient workforce capability.

Organisational capability

The Commission fails to establish organisational systems of control.

Wellbeing and safety

Excessive or serious instances of preventable physical or wellbeing injuries to our people or those who interact with the Commission.

Financial sustainability

The Commission does not have an ongoing sustainable funding and resource model to meet its statutory requirements in the medium and long term.

Community trust

The Commission fails to provide independent assurance to the Australian community that corrupt conduct involving Commonwealth public officials is prevented, detected, investigated and responded to appropriately.

Technologies

The Commission fails to maintain awareness of, and seek solutions to, technological changes which impact its ability to collect evidence and intelligence as part of its investigations.

The Commission's procedures for managing these and all risks are set out in its Risk Management Guide, overseen by the Chief Risk Officer.

The Commission's governance structure provides a framework to identify, prevent, mitigate and report on enterprise and operational risks and promotes active engagement in the risk management process.

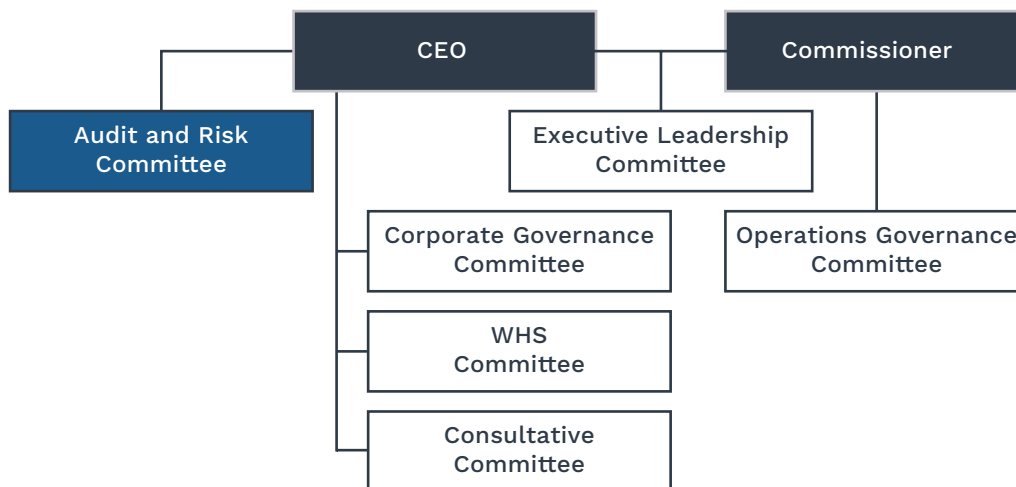
While it is not possible to have a completely risk-free operating environment, the Commission is focused on further embedding the framework and growing the Commission's risk culture and maturity.

The Governance structure (outlined in Figure 3) comprises of 2 streams covering corporate and operational governance.

The Executive Leadership Committee provides strategic oversight of the Commission's corporate and operational governance frameworks. The Commissioner chairs the Executive Leadership Committee and the Operations Governance Committee.

The CEO chairs the Corporate Governance Committee and has established the WHS Committee and Consultative Committee in line with his responsibilities as accountable authority. The Audit and Risk Committee provides independent assurance and advice to the CEO as the accountable authority.

Figure 3: Governance structure



Performance

Performance measures and targets

The Commission has 3 key performance indicators (KPIs) for 2024–25 included in its Portfolio Budget Statement. These KPIs are linked to the Commission’s key activities.

Baseline data from the Commission’s performance in 2023–24 has informed the establishment of targets for these measures across the life of this Corporate Plan.

Table 1: KPI 1.1: Percentage of referrals assessed within 90 days of receipt

Target	80% for 2024–28
Key activity	2. Receiving and assessing referrals of alleged corrupt conduct.
Type of measure	Efficiency
Target rationale	Efficiently actioning concerns from the public and progressing these, where appropriate, to investigation in a timely manner.
Methodology	The result is calculated by taking the number of referrals assessed within 90 days of receipt as a percentage of the total number of referrals assessed during the reporting period.
Changes from the previous year	2023–24 was used to establish a baseline for the average time for assessment of referrals. From this baseline, the performance measure has been updated to evaluate the percentage of assessments completed in this timeframe.

Table 2: KPI 1.2: Percentage of investigations finalised within 2 years

Target	60% for 2024–28
Key activity	3. Conduct investigations into corruption issues that could involve serious or systemic corrupt conduct.
Type of measure	Efficiency
Target rationale	Progressing investigations in an efficient manner and supporting the Commission’s purpose to investigate serious or systemic corruption in the Australian Government.
Methodology	The result is calculated by taking the number of investigations finalised within 2 years during the reporting period as a percentage of the total number of investigations finalised during the reporting period.
Changes from the previous year	2023–24 was used to establish an understanding of how long Commission investigations would take. The performance measure has been updated to reflect this.

Table 3: KPI 1.3: Number of corruption prevention and education products and engagements

Target	100 for 2024–28
Key activity	5. Create and disseminate information and education to support corruption prevention.
Type of measure	Productivity
Target rationale	In line with the Commission’s purpose, this activity aims to ensure the Commission is providing sufficient materials and support to the other government agencies and the public.
Methodology	The result is a count of products created and engagements during the reporting period.
Changes from the previous year	This is a new measure.

NACC Act reporting requirements

The NACC Act specifies reporting requirements on the performance of the Commissioner's functions. These requirements provide a measure of the Commission's activity and output.

In accordance with the *National Anti-Corruption Commission Regulations 2023* (NACC Regulations), these requirements are outlined in Table 4.

The Commission monitors its performance against these through regular reporting.

Quarterly reports on the progress against the external facing performance measures and the requirements outlined in the NACC Act are provided to the Corporate Governance Committee, Executive Leadership Committee and Audit and Risk Committee.

The results for these performance measures from the financial year will be published in the Commission's Annual Report.

Table 4: NACC Act reporting requirements

No.	Requirement	Legislative reference
1	Number of voluntary referrals received	NACC Act: s 271(2)(a)(i) NACC Regulations: s 27(a)
2	Number of mandatory referrals received	NACC Act: s 271(2)(a)(i) NACC Regulations: s 27(b)
3	Total number of corruption issues dealt with (decisions under s 41(1) and s 41(6))	NACC Act: s 271(2)(a)(ii) NACC Regulations: s 28(1)
4	Number of corruption issues investigated by the Commission (decisions under s 41(1)(a))	NACC Act: s 271(2)(a)(ii) NACC Regulations: s 28(2)(a)
5	Number of corruption issues investigated jointly by the Commission and a Commonwealth agency or a state or territory government entity (decisions under s 41(1)(b))	NACC Act: s 271(2)(a)(ii) NACC Regulations: s 28(2)(b)
6	Number of corruption issues referred to a Commonwealth agency for investigation (decisions under s 41(1)(c))	NACC Act: s 271(2)(a)(ii) NACC Regulations: s 28(2)(c)
7	Number of corruption issues referred to a Commonwealth agency or a state or territory government entity for consideration (decisions under s 41(1)(d))	NACC Act: s 271(2)(a)(ii) NACC Regulations: s 28(2)(d)
8	Number of corruption issues where the decision is to take no action (decisions under s 41(6))	NACC Act: s 271(2)(a)(ii) NACC Regulations: s 28(2)(e)
9	Number of s 41(2) investigations completed	NACC Act: s 271(2)(a)(iii) NACC Regulations: s 29(a)

No.	Requirement	Legislative reference
10	Number of s 41(2) investigations ongoing at the end of the reporting period (including any commenced prior to the reporting period)	NACC Act: s 271(2)(a)(iii) NACC Regulations: s 29(b)
11	Number of corruption issues referred to a Commonwealth agency for investigation (decisions under s 41(1)(c)), that were referred, investigated and completed during the reporting period	NACC Act: s 271(2)(a)(iv) NACC Regulations: s 30(a)
12	Number of corruption issues referred to a Commonwealth agency for investigation (decisions under s 41(1)(c)) where there is oversight by the Commissioner	NACC Act: s 271(2)(a)(iv) NACC Regulations: s 30(b)
13	Number of public inquiries completed	NACC Act: s 271(2)(a)(v) NACC Regulations: s 31(1)(a)
14	Number of public inquiries ongoing at the end of the reporting period (including any commenced prior to the reporting period)	NACC Act: s 271(2)(a)(v) NACC Regulations: s 31(1)(b)
15	Number of s 235 certificates issued by the Attorney-General	NACC Act: s 271(2)(a)(vi) NACC Regulations: s 32(1)
16	Number of s 236 (international relations) certificates issued by the Attorney-General	NACC Act: s 271(2)(a)(vii) NACC Regulations: s 32(2)
17	Extent to which corruption investigations have resulted in prosecution of persons for offences	NACC Act: s 271(2)(e)
18	Extent to which corruption investigations have resulted in confiscation proceedings	NACC Act: s 271(2)(f)
19	Number and type of applications made for judicial review	NACC Act: s 271(2)(g)(i)
20	Outcomes of applications made for judicial review	NACC Act: s 271(2)(g)(i)
21	Number of other court proceedings involving the Commissioner	NACC Act: s 271(2)(g)(ii)
22	Outcomes of other court proceedings involving the Commissioner	NACC Act: s 271(2)(g)(ii)
23	A description of the kinds of corruption risks, corruption vulnerabilities or measures to prevent corruption into which the public inquiry or inquiries were conducted	NACC Act: s 271(2)(a)(v) NACC Regulations: s 31(2)
24	A description of the corruption investigations conducted by the Commissioner during that year that the Commissioner considers raise significant issues for, or reflect developments in, Commonwealth agencies	NACC Act: s 271(2)(b)
25	A description of any patterns or trends, and the nature and scope of corruption in Commonwealth agencies or by public officials that have come to the Commissioner's attention during that year	NACC Act: s 271(2)(c)
26	Any recommendations for changes to the laws of the Commonwealth or administrative practices of Commonwealth agencies that the Commissioner, as a result of performing the Commissioner's functions during that year, considers should be made	NACC Act: s 271(2)(d)



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