DOCUMENT RELEASE BY ADMINISTRATIVE RELEASE ARRANGEMENT (FREEDOM OF INFORMATION)-

Cover note:

- **Document attached include:**
  - **Copy of Environmental Scan paper**

- **A further explanatory note regarding the document:**
  - **the 'OFFICIAL: Sensitive' marking noted on the document relates to the original document only. The redacted copy provided here is classified as 'OFFICIAL' for the purpose of this administrative access release.**

The Bureau
of Meteorology

Environmental Scan

September 2023

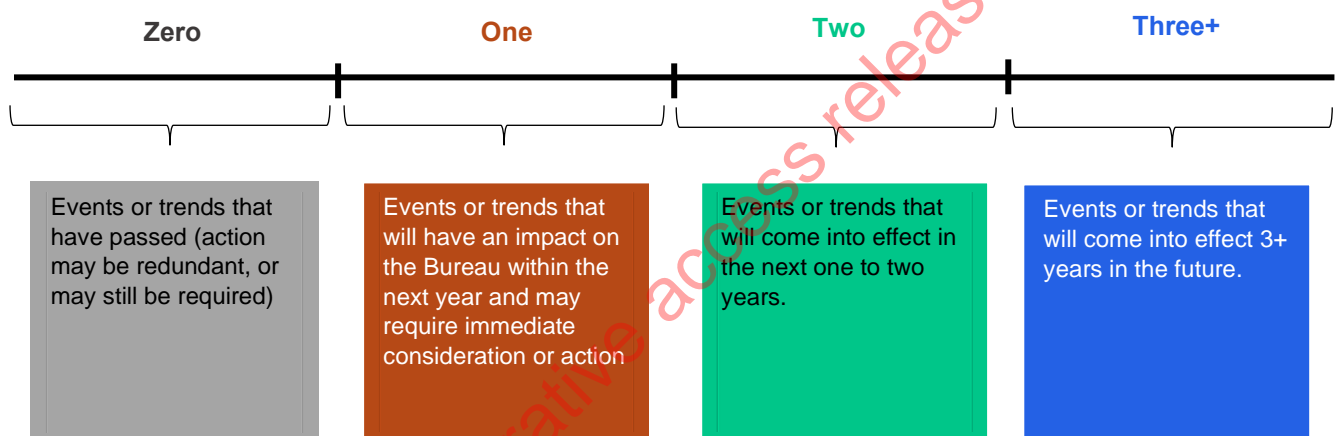# Table of contents

List of Tables

Overview

This Environmental Scan has been produced in accordance with the Bureau's Strategic Foresight Framework (the framework), originally approved by the Executive Team (ET) in May 2019 and updated in May 2021.

Process and Sources

This environmental scan was compiled by the Strategic Policy team, informed by a combination of desktop research, Group insights, contextual observations, and a SLT survey. Significant developments in the Bureau's internal and external operating environments were consolidated, analysed, and explored to identify impacts and opportunities for the Bureau.

Time horizons

Key developments in the Bureau's operating environment are explored in this scan. All developments have been categorised according to the following time horizons:

Zero	One	Two	Three+
Events or trends that have passed (action may be redundant, or may still be required)	Events or trends that will have an impact on the Bureau within the next year and may require immediate consideration or action	Events or trends that will come into effect in the next one to two years.	Events or trends that will come into effect 3+ years in the future.

Figure 1: Time horizons

Developments covered in this scan may already be addressed through existing work programs. Other developments may warrant individual or immediate response, or further consideration through a strategic foresight investigation. Any implications or recommended response(s) are highlighted in the scan.

Risk ratings

Risk consequence and likelihood ratings are provided in this report to reflect the scale of 'change' each trend presents, and the cost of not proactively responding. Ratings have been sighted by the Bureau's Risk Team and are presented in Annex 1.

Introduction

This scan canvasses three topics: ██ ██ and the Robodebt Royal Commission.

██
██
██
██

████████████ Australian Governments need to be supported by a strong and effective Australian Public Service that works with professionalism and integrity, for the wellbeing of all Australians and a prosperous future for our nation.

Topic Summaries

5

Topic 3: The Robodebt Royal Commission: A call for reflection

Time horizon: One

Risk rating:

On 7 July 2023, the Report of the Royal Commission into the 'Robodebt Scheme' (the Scheme) was released. The Commission made 57 recommendations. This scan topic will consider recommendations relevant to all Australian Public Service (APS) agencies, including those on staff obligations to uphold professional standards and values, the importance of robust and evidence-based New Policy Proposals (NPPs), and adherence to proper process. The scan will also consider impacts of recommended changes to key central government legislation and guidelines such as the Public Service Act, the Commonwealth Cabinet Handbook, and the Budget Process Operational Rules.

TOPIC 3: The Robodebt Royal Commission: A call for reflection

Time horizon: One

Risk rating: ▓▓▓

What: summary of the issue

- On 7 July 2023, the Report of the Royal Commission into the 'Robodebt Scheme' (the Scheme) was released.
  - The Commission made 57 recommendations, many of which are applicable to all Australian Public Service (APS) agencies and staff.
- The Robodebt Scheme involved automatic calculation of welfare payment debts, by applying a fortnightly average of annual employer reported Pay As You Go (PAYG) records, to assume a consistent fortnightly income for social security payment recipients.
- The scheme was adopted in 2015-16 and was estimated to achieve savings for the Government in the order of $1 billion over four years.
- The scheme was later deemed to be unlawful, after years of operation amongst perceived legal ambiguity.
- The Royal Commission explored and made recommendations in response to the policy, legal and administrative processes that enabled the scheme.
- The Royal Commission found the following contributing factors:
  - Inaccurate and unlawful assumptions.
  - Pressure applied by Ministers and Senior Executives to find budget savings and "just get it done".
  - A culture that allowed problem minimisation and actions that obscured advice.
  - Failure to deliver frank and fearless advice to decision-makers.
  - Ineffective institutional checks and balances, including lacking provisions in the Budget Process Operational Rules and Cabinet processes.
  - Poor record keeping.

How do we know / where have insights come from?

- SPP desktop research and reflections
- Organisational Resilience insights

So what: implications for the Bureau

- Some of the public administration shortcomings identified by the Royal Commission could occur, without any malicious intent, in any government agency.
- The Royal Commission findings provide opportunity for all agencies to proactively correct any potential for public administration failings to eventuate.
- Beyond discrete recommendations, the Royal Commission report highlights how critical it is for public servants to provide frank, fearless, and accurate advice.
  - At its most extreme, failing to provide frank and fearless advice can mean misleading decision-makers.
  - More commonly, failure to provide frank and fearless advice looks like problem minimisation or 'greenwashing'.
  - It is important that organisations drive a culture of professional and technical excellence, and honesty, openness, and responsibility in the face of unintended errors or delivery challenges.

- As a service delivery agency that holds large volumes of government data, delivers services direct to the Australian public, and provides policy advice to Government, the following recommendations are relevant to the Bureau.
  - Recommendation 10.1 is to design policies and processes with emphasis on the people they are meant to serve and recommendation 23.3 requires a customer centric focus, with specific testing to ensure customers are at the forefront of each new initiative.
    - The Bureau's customer focus embedded in Strategy 2022-27 represents best practice, but more can be done to comprehensively consider how Bureau services support vulnerable groups.
    - New services or current service improvements must address accessibility for a range of users, including those with low literacy or digital access and people from Culturally or Linguistically Diverse (CALD) groups.
  - Recommendations 17.1 and 17.2 recommend legislative reform, regulation and an oversight body to manage automated decision-making in Australian Government services.
    - Caution must be applied to data matching and automation in service delivery, particularly where assumptions cannot be proven.
    - Human oversight must remain front and centre in important decision-making processes, particularly as the adoption of Artificial Intelligence accelerates.
  - Recommendation 23.8 calls for standards for documenting important decisions and discussions and supporting training.
    - Different record keeping standards are applied in different parts of the Bureau. Improved consistency in best practice record keeping is critical for good public governance and transparency.
  - Recommendation 15.5 deals with documenting assumptions for Budget measures.
    - Rigorous adherence to Budget Process Operational Rules (BPORs) and New Policy Proposal checklist requirements will continue, with greater emphasis on capturing non-cost assumptions.
  - Recommendation 23.3 suggests improved education on the obligations of public servants.
    -
  - Recommendations 15.1-15.4 and 19.1-19.13 deal with legal advice and legal services arrangements.
    - It is critical that APS lawyers are aware of their duties and responsibilities under the Legal Practice Standards and supported in environments that do not pressure them to compromise their integrity or professional independence.

Risks

The Bureau's Risk Management Policy broadly categorises risk to the Bureau. The table below outlines examples of potential risks that could be considered in the Bureau in the context of the issues raised by the Robodebt royal commission report. These potential risks are shown to indicate the scale of change, and as such have not been assessed against risk likelihood and consequence criteria.

Table 3: Topic 3 Risks

Risk Category	Potential risks or opportunity
Workforce Risk	The report is a sensible prompt to ensure all staff understand their obligations and duties as public servants.

Legal & Regulatory Risk	The report presents an opportunity for the Bureau to reflect on its legal practices and ensure good practice is encoded in policy, process and procedure.
Reputational Risk	Public trust in the Bureau reflects our commitment to transparent public records.
Customer Impact & Value risk	
Security risk	Nil immediate risks or opportunities identified.
Systems & Assets risk	
Health & Safety risk	
Financial risk	

Connection to Strategy 2022-2027:

- **Strategic Action 1.3** Enable all Australians to more easily access, customise and utilise our products and services.
- **We will not** deliver products and services that fail to consider our customers' changing needs.
- **We will not** avoid honest reflection of our performance and our accountability to each other and our customers
- **Our values and behaviours:** Integrity, Customer Focus, Passion and tenacity, Responsibility and Humility

Connection to / impacts from transformation agenda:

Nil identified.

What next – proposed actions:

- It would be valuable for the Executive Team to explicitly consider the following questions and task any corrective actions:
  - Are contributing factors identified by the Royal Commission also present in the Bureau – particularly problem minimisation and poor decision record-keeping?
  - What mechanisms do we rely on to ensure staff can provide frank and fearless advice to us as leaders, and to Ministers?
  - Do we have appropriate integrity oversight mechanisms, including clear mechanisms for staff to raise integrity concerns?
  - Do Bureau staff adequately recognise and understand their public administration obligations as Australian Public Servants, and are they properly equipped to discharge these obligations?
  - Do we have appropriate frameworks to govern automation?
- Strategy and Performance and Organisational Resilience will monitor any changes to:
  - BPORs and Cabinet processes that could affect how we develop and manage policy proposals.
  - Legal services and requirements that affect how we identify, manage and advise on legal matters.
  - Record keeping requirements.
- Strategy and Performance is developing improved internal checks and balances for policy proposal development and implementation, to ensure Bureau policy advice and proposals are rigorous and balanced.
- Organisational Resilience is taking action to ensure:

OFFICIAL: SENSITIVE

- o Bureau lawyers aware of their core functions and duties, including the duty to avoid compromise to their integrity and independence.
- o Current processes and procedures support Bureau lawyers to exercise these functions and duties and these are sufficiently robust to mitigate against the risk of not meeting standards or core duties.
- o Bureau lawyers include appropriate statutory and case authority references in their work.
- o Practices for finalising draft advice are formalised and followed.
- o Bureau Lawyers are aware of any changes to Legal Services Directions or their obligations.

Administrative access release