



**NSW Ombudsman
Multicultural Plan 2021-22**

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Ombudsman's message

In the spirit of reconciliation the NSW Ombudsman's Office acknowledges the Traditional Custodians of country throughout NSW and their connections to land, sea and community. We pay our respects to elders past and present and extend that respect to all Aboriginal peoples today.

At the NSW Ombudsman's Office we aim to be an employer of choice whose workforce is diverse, highly engaged and capable, and bound together by shared values, purpose and culture. In collaboration with our Diversity and Inclusion Advisory Forum we are implementing a range of Diversity & Inclusion initiatives to promote greater inclusion and support diversity. We are also keen to ensure that members of the public, including people from culturally diverse communities, understand our role, can access our services, and have trust and confidence that we will help.

The aim of this Multicultural Plan is to demonstrate our commitment to people from culturally diverse backgrounds, and to show the actions we are taking in 2021-22 to improve our service delivery to culturally diverse communities across NSW and enhance the diversity and inclusivity of our work place.

1. About the NSW Ombudsman

The NSW Ombudsman is an independent integrity office that reports directly to the NSW Parliament. We have been handling complaints and investigating maladministration by NSW Government departments and agencies since 1975.

Our jurisdiction has evolved over time, and now includes:

- NSW Government departments and other NSW public sector agencies
- NSW local government authorities
- Community service providers funded by NSW Government departments
- Corrective services
- Statutory bodies established under NSW law, such as NSW public universities.

As a State Ombudsman we seek to safeguard the principles that underpin our democratic system of government: the Rule of Law; fairness, transparency, accountability and integrity in the exercise of public power and the use of public resources; respect for human rights and protection of vulnerable groups within our community.

We do this through handling complaints and conducting investigations, but also monitoring and assessing certain government programs, overseeing the NSW whistleblowing regime, conducting inquiries and reviews of systemic issues affecting the public and community sectors, and reviewing the deaths of children and other vulnerable groups in NSW with a view to preventing similar deaths occurring in the future.

We aspire to be a leader in complaint handling, investigations, reviews, and public and community sector monitoring and assessment. We seek to be trusted to hold the agencies we oversight to account and to make evidence-based recommendations that result in positive change.

| Our Values | |
|--|---|
|  Integrity | We are unfailingly ethical and honest. We apply to ourselves the same standards we demand of others. |
|  Impartiality | We are impartial. We operate independently from government and act in a non-partisan manner. We work only in the public interest. |
|  Fairness | We treat everyone fairly, and demand that others do the same. |



Transparency

We communicate openly, giving reasons for our decisions.
We report publicly wherever possible.



Respect

We respect diversity and promote inclusivity, appreciating the range and worth of human difference.

2. Cultural diversity in NSW

People in NSW are from a wide variety of linguistic, cultural and ancestral backgrounds. There is no single definition of culturally diverse people and communities. However, factors used by the Australian Bureau of Statistics and other agencies to capture data on cultural diversity include country of birth, main language other than English spoken at home and proficiency in English language. Other relevant indicators are ancestry, religious affiliation, year of arrival in Australia, first language spoken and country of birth of parents.¹ We recognise that these variables may impact on a person's ability to understand laws and processes, access information and services, and resolve issues and complaints.

It is important to recognise that people from culturally diverse backgrounds are not homogenous. There is considerable diversity within and between different cultural groups and some people have bi-cultural or multicultural heritage. In addition, many other factors—such as age, gender, sexuality, education, disability and life experiences, influence each person's identity.



The NSW community

- NSW Population in 2016: 7,480,228
- NSW is home to 33.6% of Australia's overseas-born population
- 27.6% of the NSW population was born overseas
- People from around 225 birthplaces have made NSW their home
- 21% of the NSW population is from a non-English speaking background
- Sydney has the largest overseas-born population of all the capital cities
- In NSW, we come from 207 ancestries, practice 146 religions and speak more than 215 languages.
- Between 1 July 2019 to 30 June 2020, more than eighty-four thousand people migrated to NSW.²

Multicultural NSW - [Communities](#) | [Multicultural NSW](#)

While there are common stressors with the migration experience, some people, including many refugees, face extraordinary challenges settling in a new country. This may include learning a new language, finding employment and accommodation, and learning about laws and administrative processes. This may occur in the context of financial hardship, separation from loved ones and experiences of trauma. Despite these challenges, most people from refugee backgrounds settle very successfully and go on to make significant contributions to their new country.³

Over the past five years, more than 24,000 humanitarian entrants have settled in NSW, comprising almost a third (32%) of the national total. The 24,000 humanitarian entrants who have settled in NSW over the past five years came from over 100 countries of origin.⁴

There are many benefits that arise out of a society which is inclusive, connected and socially cohesive. These include:

- greater community health and wellbeing, social and personal security, childhood outcomes, and upward mobility
- improved participation in community life and political engagement
- greater productivity and happier workplaces
- greater creativity and cultural achievement
- a stronger sense of community in local neighbourhoods, and
- more resilient communities in the face of natural or man-made disasters.⁵

In order for these outcomes to be achieved people from culturally diverse communities need to be respected and valued, have equitable access to public services, and have the knowledge, resources and support to access information, raise issues and make complaints.

3. Multicultural principles

Section 3(1) of the *Multicultural NSW Act 2000* outlines the multicultural principles as policy of the State. These principles are:

- (a) all individuals in NSW, irrespective of their linguistic, religious and ancestral backgrounds, should demonstrate a unified commitment to Australia, its interests and future,
- (b) all individuals in New South Wales should recognise the importance of shared values governed by the rule of law within a democratic framework,
- (c) the people of New South Wales are of different linguistic, religious and ancestral backgrounds who, either individually or in community with other members of their respective groups, are free to profess, practise and maintain their own linguistic, religious and ancestral heritage,
- (d) all individuals and institutions should respect and make provision for the culture, language and religion of others within an Australian legal and institutional framework where English is the common language,
- (e) all individuals in New South Wales should have the greatest possible opportunity to:
 - (i) contribute to, and participate in, all aspects of public life in which they may legally participate, and
 - (ii) make use of, and participate in, relevant activities and programs provided or administered by the Government of New South Wales
- (f) all institutions of New South Wales should recognise the linguistic and cultural assets in the population of New South Wales as a valuable resource and promote this resource to maximise the development of the State.

The Act requires each public authority to observe the multicultural principles in conducting its affairs, and the head of each public authority to implement the principles within the area of his or her administration.⁶

The Multicultural Policies and Services Program (MPSP) is the mechanism for agencies to show how they are planning effectively for people of culturally and linguistically diverse backgrounds, and to report on progress. The MPSP framework consists of four focus areas and nine outcomes in which agencies are expected to develop a set of specific targets.⁷

The MPSP Framework

| | |
|--|---|
|  <p>Service delivery</p> | <p>Mainstream services for everyone</p> <p>Targeted programs to fill the gaps</p> <p>People from culturally diverse backgrounds are aware of NSW Government (funded) services, programs and functions</p> |
|  <p>Planning</p> | <p>Strong plans to deliver services</p> <p>Evidence driven planning</p> |
|  <p>Leadership</p> | <p>Demonstrated leadership in culturally inclusive practices</p> <p>Increased recognition of the value of cultural diversity</p> |
|  <p>Engagement</p> | <p>Collaboration with diverse communities</p> <p>Understanding the needs of people from diverse backgrounds</p> |

4. Our commitment to people from culturally diverse backgrounds

The Ombudsman offers a mechanism that can help to redress the imbalance of power between individuals and government agencies and service providers. Because that imbalance tends to be greatest where a person is already in a position of vulnerability, much of our complaint-handling work will naturally be focused on vulnerable individuals and communities.

The NSW community encompasses Aboriginal people, people whose forebears or families have come from other countries but who have lived in Australia for much, if not all of their life, and those who have arrived from overseas more recently.

Due to the unique experience of Aboriginal people and communities in NSW, and their different needs (for example, in relation to healing, and revitalising, reclaiming and maintaining traditional languages) this Multicultural Plan is not intended to address NSW Ombudsman priorities, plans and programs to better meet the needs of Aboriginal people. The work we are doing in this space is led by our Deputy Ombudsman, Aboriginal Programs and includes:

- The establishment of an Engagement and Aboriginal Programs Division
- Monitoring of designated Aboriginal programs (in particular, the NSW Government Aboriginal affairs program – OCHRE)
- An office-wide cultural competency framework
- Provision of, and engagement in, Aboriginal cultural competency training
- Engaging with Aboriginal communities and service providers.

While not specifically directed to meeting the needs of Aboriginal people and communities, we hope that the initiatives and actions outlined in this plan will improve our service delivery to Aboriginal people and the broader NSW community, as well as culturally diverse people and communities.

5. Our workforce profile

Diverse and inclusive workplaces benefit from improved performance and productivity, more innovative problem solving, greater employee attraction and retention, and better customer service.

At the Ombudsman we are committed to fostering a diverse and inclusive workplace culture that embraces, values and represents the many communities, places and perspectives of the people we serve.

| | Number of Staff | Percentage of Staff |
|---|-----------------|---------------------|
| Total number of staff | 142 | 100% |
| Women | 99 | 69.72% |
| Aboriginal and/or Torres Strait Islander People | 8 | 5.63% |
| People whose first language spoken as a child was not English | 36 | 25.35% |
| People with a disability | 12 | 8.45% |
| People born overseas | 54 | 38% |

As at 5 February 2021.

6. Our work with culturally diverse people and communities

It is important that community members and service providers understand our role and functions, find our services accessible and that we meet the needs of those who contact us. While Covid-19 had an impact on our work, during 2020 we continued to build relationships with stakeholders, improve access to information about services and improve the way we work with people from diverse backgrounds. For example, we:

- delivered tailored information sessions about our services for people with disability from a culturally diverse background, as well as a session for Tamil refugee women
- provided training about our role and functions for staff at CORE Community Services, to ensure they have the knowledge and skills to support their clients from migrant and refugee backgrounds access our services and to make complaints
- developed a video to provide information about our services for people from culturally diverse backgrounds, specifically targeting students at the Adult Migrant English Program and students participating in the Skills for Education and Employment Program
- developed new fact sheets in Easy English about how to make complaints, which were distributed to multicultural services across the state
- implemented a new cultural competency training program to equip our staff with knowledge and skills on culturally inclusive practices
- continued to collaborate and strengthen our relationships with various organisations supporting migrants and refugees, including Multicultural Disability Advocacy Association, Multicultural NSW and Legal Aid.

We are committed to building on this work and our Strategic Plan 2020-2025 includes a range of initiatives to help us achieve our purpose and long-term mission. By progressively undertaking the initiatives outlined within the Plan we will contribute to our vision of a state where everyone receives the right services and fair treatment from those we oversight.

NSW Ombudsman Strategic Plan 2020-25

The NSW Ombudsman Strategic Plan 2020-25 includes a commitment to:

- Reviewing the demographic and geographic provision of our services to promote alignment to areas of greatest need and where our work can have the greatest impact
- Investing in improved customer and case management data collection, workflows and analytics capabilities, to improve end-to-end customer experience, drive efficiencies, enhance the early identification of systemic issues, improve accountability through better data reporting, and support the targeting of resources
- Strengthening links with other community bodies, and considering external collaborations, that will support our community engagement, particularly with vulnerable cohorts
- Reviewing and refreshing our branding and all communications, to ensure they are accessible and consistently in plain, courteous and non-bureaucratic English

- Developing and implementing a community engagement strategy that proactively reaches out to cohorts most in need of our services
- In collaboration with our Diversity and Inclusion Advisory Forum, implementing a range of Diversity & Inclusion initiatives to promote greater inclusion and support diversity, including Cultural Inclusion training, and a recruitment and retention strategy to promote the employment of Aboriginal people and diverse community members
- Developing a regular survey program for obtaining feedback on complainant and stakeholder experiences, outcomes and satisfaction surveys.

7. Our 2021-2022 priorities

In 2021-22 we plan to undertake a range of activities to enhance our staff diversity, develop a more inclusive workplace and improve the way we work with people from culturally diverse backgrounds. In particular, we undertake to do the following:

| 2021-22 Actions | MSPS Framework focus area |
|---|---------------------------------|
| Promote our Multicultural Plan to community members and staff, for example: <ul style="list-style-type: none"> • publishing it on our website • publishing it on our intranet, and via other means such as staff newsletters | Leadership |
| Recognise and celebrate key multicultural events by: <ul style="list-style-type: none"> • holding events within our office, together with culturally diverse community members and leaders • promoting community events to staff, for example in our staff newsletters | Leadership and Engagement |
| Develop and publish a community engagement strategy | Engagement |
| Utilise a range of communication formats and channels (including training and information sessions) to inform people from culturally diverse backgrounds about our role and functions, and to identify gaps in our delivery of services | Service Delivery and Engagement |
| Use existing demographic datasets (eg. Australian Bureau of Statistics) to inform our outreach activities and better tailor them to the needs of particular communities | Planning and Engagement |
| Engage in targeted consultation and engagement with culturally diverse communities, and services that support them, to: <ul style="list-style-type: none"> • improve community members' understanding about our purpose and functions • seek feedback about the accessibility of our services • improve our accessibility and service delivery | Service Delivery and Engagement |
| Review and update our office style guide to ensure our publications meet contemporary standards (eg. content is written in plain English) and are fit-for-purpose) | Service delivery and engagement |
| Review, in consultation with stakeholders, our information in community languages and work to make it more accessible | Service Delivery and Engagement |

| | |
|--|---|
| Ensure people who contact our office have access to an interpreter through Telephone Interpreting Services, as required | Service Delivery |
| Monitor our translation and interpreter tracking register to ensure we are identifying the language service needs of people who contact our office | Service Delivery and Planning |
| Continue to consult with Multicultural NSW about improvements to Language Services, including Telephone Interpreter Services | Service Delivery and Engagement |
| Review and update the register of people in our office who are accredited interpreters or translators (including AUSLAN interpreters) | Leadership and Service Delivery |
| Develop Language Services Guidelines for staff in our office to ensure they communicate effectively with people from culturally diverse communities | Planning, Leadership and Service Delivery |
| <ul style="list-style-type: none"> • Review the way we collect information about people who contact our office from culturally and linguistically diverse communities • seek advice about how we can sensitively and effectively improve how we collect such information, and use such information to improve our services | Leadership and Planning |
| Undertake preparatory work to ensure our proposed upgraded case management system will efficiently and effectively capture, record and track information about the contacts we receive from people in different geographic areas and demographic groups | Leadership and Planning |
| Develop and implement a refreshed Recruitment Strategy, including inclusive recruitment practices for culturally and linguistically diverse people | Leadership |
| Provide staff with cultural inclusion training and promote staff participation. | Leadership |
| Provide programs and support to enhance the wellbeing of employees from culturally diverse backgrounds and promote mutual respect and sense of belonging among all employees | Leadership |
| Ensure senior officers and the Diversity & Inclusion Forum regularly review demographic data about employees to assist in determining internal priorities and programs. | Leadership and Planning |
| Ensure senior officers monitor the delivery of projected outcomes in our Diversity and Inclusion Framework and in our Multicultural Plan. | Leadership |

8. Legislative and policy context

This NSW Ombudsman Multicultural Plan is informed by a range of legislation and policies, as well as the *Multicultural NSW Act 2000*, including:

| Commonwealth legislation |
|--|
| <i>Australian Human Rights Commission Act 1986</i> |
| <i>Disability Discrimination Act 1992</i> |
| <i>Racial Discrimination Act 1975</i> |
| NSW legislation |
| <i>Anti-Discrimination Act 1977</i> |
| <i>Carers (Recognition) Act 2010</i> |
| <i>Disability Inclusion Act 2014</i> |
| <i>Government Sector Employment Act 2013</i> |
| Government Sector Employment Regulation 2014 |
| Government Sector Employment (General) Rules 2014 |
| <i>Ombudsman Act 1974</i> |
| Policies |
| Multicultural NSW - NSW Multicultural Strategic Plan 2018-2021 |
| Public Service Commission guidelines: Respect, Reflect, Reset |
| NSW Ombudsman, Diversity and Inclusion Framework |
| NSW Ombudsman, Diversity and Inclusion Forum |
| NSW Ombudsman, Community Engagement Strategy |
| NSW Ombudsman, Code of Conduct. |

9. Reporting

As a 'small agency' the NSW Ombudsman is required to include information in our Annual Report on workforce diversity and our Multicultural Policies and Services Program every three years.⁸

Endnotes

- ¹ Australian Bureau of Statistics, Standards for Statistics on Cultural and Language Diversity, 1999, <[1289.0 - Standards for Statistics on Cultural and Language Diversity, 1999 \(abs.gov.au\)](#)>.
- ² Department of Home Affairs, *Settlement data reports, financial year 2019 to 2020*, 14 August 2020 < [settlement-data-reports-financial-year-2019-2020.xlsx | Resources | data.gov.au - beta](#)>.
- ³ Refugee Council of Australia, *Humanitarian Entrants in New South Wales: A resource for New South Wales government agencies*, 14.
- ⁴ Refugee Council of Australia, *Humanitarian Entrants in New South Wales: A resource for New South Wales government agencies*, 6-7.
- ⁵ Multicultural NSW, *Community Relations Report 2018-2019*, 9.
- ⁶ *Multicultural NSW Act 2000*, s 3(4)-(5).
- ⁷ Multicultural NSW, *Multicultural Policies and Services Program*, 2016.
- ⁸ NSW Treasury, *Annual Report Compliance Checklist* (updated October 2020), 2 & 4. For further information about our Annual Reporting obligations see *Annual Reports (Departments) Act 1986* and *Ombudsman Act 1974*, ss 30 and 30A.