

**Submission  
No 4**

**FOLLOW UP OF THE AUDITOR-GENERAL'S  
PERFORMANCE AUDITS APRIL 2012 – AUGUST  
2012**

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# Premier & Cabinet

2013-499911

Mr Jonathan O'Dea MP  
Chair  
Legislative Assembly Public Accounts Committee  
Parliament House  
Macquarie Street  
Sydney NSW 2000

**11 NOV 2013**

Dear Mr O'Dea

I write in response to your letter of 27 September 2013, regarding the Auditor-General's 2012 Performance Audit Report 'Settling Humanitarian Entrants in New South Wales' (the Report).

As you would be aware, the Department of Premier and Cabinet (DPC) and the Community Relations Commission (CRC) provided a joint response to the Report. This response highlighted a number of concerns including that:

- The Report's findings misrepresented the role of NSW in the settlement of humanitarian entrants.
- The Report did not satisfactorily differentiate between planning for humanitarian settlement (a Commonwealth responsibility) and delivery of services to humanitarian entrants (a shared Commonwealth and State responsibility).
- A number of its findings were not supported by recent evaluations and literature.
- Data was not well presented and detrimentally misrepresented humanitarian settlement outcomes in NSW, which are generally acknowledged within the literature to be positive in comparison to other overseas jurisdictions.
- There appeared to be a logical gap between the findings of the Report and its recommendations.

As a result of these concerns, the Response noted that DPC and the CRC did not support the general direction of the Report's recommendations.

However, DPC and the CRC did undertake to review the composition of the NSW Government Immigration and Settlement Planning Committee and its Terms of Reference. The stated purpose of this review was to ensure that the Committee has the responsibility and authority to be the central point for developing and implementing settlement policy and planning in NSW.

This review is now complete. Draft Terms of Reference have been developed for the Committee, to position it to monitor and respond strategically to migrant and asylum seeker settlement issues. These are attached for your information. The composition of the Committee has been expanded and the seniority of its membership increased, to ensure that it is able to drive strategic, collaborative planning of government service delivery relevant to settlement in NSW. In addition, the Committee has been recognised as the conduit for Commonwealth consultations with NSW Government agencies on immigration and settlement issues. Nominations to the reconstituted Committee are currently being sought, and it is expected that the first meeting of this group will be held in December this year. DPC and the CRC are working together to develop a draft work plan for the Committee ahead of this meeting.

I understand that the CRC has separately written to you to outline its response to the Report. I am concerned that the information they have provided may be misleading, in that it either 'accepts' or provides a status update against some recommendations which the formal response to the Report did not accept. While the CRC may be considering these recommendations when performing related work, I wish to confirm that the Report's recommendations were not supported.

I note that as well as seeking information on DPC's response to the Report, you have also asked for feedback on the effectiveness of the audit process and the benefit of the audit to program delivery. I would like to use this opportunity to reiterate the concerns that DPC and the CRC highlighted in their joint response to the Report.

While these concerns were raised with the Auditor-General's Office following review of the draft Report, the final Report remained substantially unchanged. This meant that neither my Department nor the CRC were able to accept the general direction of the Report's recommendations, detracting from the ability of the Report to help improve performance in this area.

If the audit had been more rigorous, built on a stronger evidence base and focused on the proper role of the State in the settlement process, it would have been of much more value to NSW in identifying improvements to how we manage what is a challenging issue. I would suggest that the Auditor-General's Office focus on these as key areas of improvement to ensure that it is able to generate meaningful and useful reports going forward.

Thank you for taking the time to write to me.

Yours sincerely



Chris Eccles  
Director General

# NSW Government Immigration and Settlement Planning Committee

## Terms of Reference

### Purpose

The purpose of the NSW Government Immigration and Settlement Planning Committee is to monitor and respond strategically to migrant settlement issues in NSW. The Committee provides a forum through which NSW Government Agencies, in consultation with the Commonwealth and local government, can collaborate on planning and coordinating the delivery of government services for migrants and asylum seekers in NSW. The Committee also acts as a conduit for Commonwealth consultations with NSW Government agencies on immigration and settlement issues.

The Committee will foster a coordinated, whole of government approach to immigration and settlement in NSW.

### Definition of migrants

For the purpose of the NSWGISPC, the term 'migrant' includes:

- **Permanent migrants** (people coming under a range of visa subclasses under the Humanitarian Program or under the Skill, Family and Special Eligibility streams of the Migration Program) and
- **Longer term temporary entrants** (people who come to Australia for a specific purpose and a set length of time for example visa subclasses for international students, workers and business people).

### Definition of Asylum Seekers

For the purpose of the NSWGISPC, the term 'asylum seeker' refers to people seeking protection in Australia under the Refugee Convention, including people on Temporary Protection Visas (TPVs).

### Definition of settlement

Settlement refers to the adjustment period migrants require to become established, integrated and independent in the community.

### Objectives

1. To monitor and assess the impact of migrant settlement in NSW.
2. To drive the strategic, collaborative planning of government service delivery relevant to migrant settlement in NSW.
3. To coordinate the development of positions on settlement issues and provide advice to Government.
4. To strengthen and increase the effectiveness of formal partnerships with the Commonwealth, NSW local government organisations and other relevant stakeholders.

### Meetings

The Committee meets quarterly.

## **Membership**

The following NSW Government Agencies provide Executive Level representation:

- Community Relations Commission For a multicultural NSW
- Department of Premier and Cabinet
- Department of Education and Communities
- Department of Family and Community Services
- Department of Trade and Investment, Regional Infrastructure and Services
- Division of Local Government
- Ministry of Health
- NSW Police Force
- NSW Treasury

Senior representatives from the following Commonwealth agencies are invited to attend:

- Department of Education
- Department of Employment
- Department of Health
- Department of Social Services
- Department of Immigration and Border Protection

The Community Relations Commission For a multicultural NSW chairs the Committee and provides secretariat support.