



Australian Government

Migration Review Tribunal · Refugee Review Tribunal

TRIBUNALS PLAN

2011-2013

Our role and purpose

The Migration Review Tribunal and Refugee Review Tribunal (the tribunals) provide final independent merits reviews of visa-related decisions made by the Minister for Immigration and Citizenship and delegates of the Minister.

The tribunals are established under the *Migration Act 1958*. The tribunals' jurisdictions, powers and procedures are set out in the Act and the Migration Regulations 1994. The tribunals comprise members (decision makers who are statutory office holders appointed by the Governor-General under the Act) and staff. The tribunals operate as a single agency for the purposes of the *Financial Management and Accountability Act 1997* (the FMA Act) and the *Public Service Act 1999*.

Our outcomes

The Portfolio Budget Statements identify a single outcome for the tribunals¹:

To provide correct and preferable decisions for visa applicants and sponsors through independent, fair, just, economical, informal and quick merits reviews of migration and refugee decisions.

Our context

The strategic context is shaped by the jurisdictions, powers and procedures that the tribunals have under the Act, and the cost per case basis for delivering reviews set by annual appropriations.

Our reputation depends on professional, effective and courteous dealings with applicants and their representatives and on the quality, integrity, consistency and timeliness of our decision-making. The independence of members in decision-making, the quality of decision-making and the publication of decisions and other information are vital to retaining respect and credibility in relation to our review processes and decisions. The tribunals strive to maintain a culture that is respectful of people with whom we deal and to make decisions which achieve the correct or preferable outcome irrespective of representation or language, cultural or other barriers.

¹ Immigration and Citizenship Portfolio Budget Statements 2009-10.

To be successful, the tribunals' members and staff must be resilient, flexible and able to adapt work practices quickly to meet challenges and policy changes. We regard effective corporate governance as critical. This requires leadership across the organisation, effective risk management and reporting arrangements which hold us accountable for our performance.

Members and staff are highly skilled and experienced, and work together to contribute to the conduct of efficient, quality reviews. We look for ways to improve the efficiency and effectiveness of our work. We keep under review how effectively our information resources, technology, procedures, training and professional development contribute to fair reviews, quality processes and timely decisions.

As we look ahead there are likely to be changes in visa criteria, changes in jurisdiction, volatility in workloads and limits on resources. We need to be innovative and focused to ensure we continue to deliver our core work to high standards, in a timely manner and within the budget provided by Government. We will regularly review and assess our strategies, performance and priorities to ensure they remain appropriate.

Our core values and behaviours

- Fairness and professionalism
- Quality, consistency and independence of decision-making
- Courteous and respectful communication
- A strong sense of ethics
- A drive for results
- Accountability
- Collaboration internally and with key stakeholders

Our strategic agenda

Maintaining a reputation for delivering consistent, high quality and timely reviews continues to be fundamental to our success. This requires strong leadership across the organisation, an ongoing strategic focus around review and decision-making processes, innovative management of our caseload and resources and investment in our people.

The tribunals seek to recruit and retain high quality members and staff. We offer challenging, interesting and diverse work that requires a range of skills and knowledge. We are known for our competitive terms and conditions of employment for both members and staff. The tribunals will continue to invest in the development of members and staff and ensure that working for the tribunals is both stimulating and challenging. We seek to build an organisational culture that reflects our values.

Our analysis of our strategic context points us to four key strategic areas to which our thinking, direction, leadership and the management and allocation of resources need to be directed over the next three years. These are:

- Decision-making
- People
- Organisational capacity and governance
- Relationships

We understand the importance of, and we commit to, working collaboratively across all locations and functions to optimise our use of resources and to achieve consistency in the way we work and interact internally and externally. We recognise the need to keep reviewing the way we work and to make greater use of technology to achieve efficiencies.

The specific strategies and actions to underpin and support our strategic imperatives developed with input from members and staff of the tribunals are summarised in the following tables. The associated performance information will enable us to measure our success across the next three years.

Strategic agenda	Our strategic approach	Priority actions
<p>1. Our Decisions</p> <p><i>Our objective is to conduct fair hearings and to make quality, timely, consistent, just and independent decisions</i></p>	<p>1.1 Improve the extent to which reviews are fair, just, economical, informal and quick</p>	<ul style="list-style-type: none"> • Continually improve guidance, procedures, and information for applicants and representatives in relation to the conduct of reviews, via regular evaluation and taking into account the views of applicants, representatives and other stakeholders • Ensure members and staff have access to accurate, relevant and up-to-date legal and country information and advice • Ensure that members, applicants and representatives have access to all relevant case information, including all relevant information from the Department • Develop a practice manual which includes guidance on balancing quality decision-making and timely outcomes • Convene forums of members and senior managers to canvass issues impacting decision-making and case management
	<p>1.2 Improve the overall timeliness of reviews</p>	<ul style="list-style-type: none"> • Articulate clear productivity and timeliness expectations and monitor and report on performance • Encourage oral decisions and delivery of extempore reasons in appropriate cases • Encourage innovation in case management practices through regular review
	<p>1.3 Maintain effective case allocation and case management arrangements</p>	<ul style="list-style-type: none"> • Examine innovative ways of efficiently dealing with cases through task forces, batching of cases, specialisation and other means • Review administrative support to members to achieve optimal member productivity • Review allocation policies to ensure that while members may be allocated different ranges of cases there is a fair mixture of work and that allocation processes support members to efficiently deal with their caseloads
	<p>1.4 Ensure the review and decision-making processes of the tribunals are open and transparent</p>	<ul style="list-style-type: none"> • Publish at least 40% of decisions including decisions of particular interest and decisions across the range of matters dealt with by the tribunals • Publish country information products on a regular basis • Review, maintain and update published information about the operations of the tribunals, including meeting the requirements of the Information Publication Scheme

Strategic agenda	Our strategic approach	Priority actions
<p>2. Our People</p> <p><i>Our objective is to have skilled, motivated and adaptable members, managers and staff</i></p>	<p>2.1 Encourage a culture that values and respects collaboration, innovation responsiveness, participation and diversity</p>	<ul style="list-style-type: none"> • Explore opportunities to work collaboratively and encourage cross-skilling • Promote member and staff engagement, including participation by both members and staff on committees and in other activities • Promote member and staff values and codes of conduct • Review member code of conduct • Celebrate organisational achievements and recognise excellent individual and team performance
	<p>2.2 Ensure communication within the organisation is clear, regular and two-way</p>	<ul style="list-style-type: none"> • Develop an internal communications strategy which encourages greater participation and sharing of ideas • Communicate key decisions and reasons quickly to all members and staff • Conduct regular combined member and staff meetings
	<p>2.3 Regularly monitor and review the performance of members</p>	<ul style="list-style-type: none"> • Invest in professional development of members • Identify members’ professional development needs and implement individual development programs • Conduct annual performance reviews for all members (and 6 month updates) in accordance with the <i>Member Performance Review and Assessment Guidelines</i> • Review member professional development policy
	<p>2.4 Develop the performance management framework for staff to ensure it supports effective performance management and the building of capability</p>	<ul style="list-style-type: none"> • Provide leadership training for key staff that supports them to achieve corporate objectives • Review staff performance management framework and implement changes • Review guidelines for managing under performance to support effective staff management • Conduct annual performance reviews for all staff (with 6 month updates)
	<p>2.5 Develop a Strategic HR Plan, including recruitment and retention strategies that enable us to deliver our expected outcomes</p>	<ul style="list-style-type: none"> • Develop a workforce plan • Align learning and development activity with organisational priorities • Establish and maintain a career development framework and a succession management plan for key staff positions • Review and improve recruitment processes to achieve more streamlined outcomes • Develop and implement an online recruitment system

	2.6 Encourage innovation, a positive approach to new ideas, and good work	<ul style="list-style-type: none">• Encourage and recognise the involvement of staff and members and the adoption of new ideas• Acknowledge staff, member and team achievement through the introduction of an annual Principal Member's Award and external nominations in appropriate cases
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<p>3. Our Organisational Capacity and Governance</p> <p><i>Our objective is to ensure the tribunals have the capacity to plan, adapt and respond confidently and positively to changes in our environment</i></p>	3.1 Ensure the governance arrangements are appropriate for the needs of the MRT-RRT as an FMA Act agency	<ul style="list-style-type: none"> • Monitor and adjust management structures and responsibilities to ensure operations and corporate reporting and decision-making are effective
	3.2 Ensure our organisational structures and ways of working encourage agility and adaptability	<ul style="list-style-type: none"> • Monitor and adjust organisational structures to ensure flexibility and the provision of quality, consistent services
	3.3 Ensure we effectively identify and manage our risks	<ul style="list-style-type: none"> • Monitor compliance with and progress against strategic and operational risks identified in our Business Risk Assessment, Fraud Control Plan, Security, Disaster Recovery, Pandemic Influenza and Procurement plans • Develop a risk management plan to be considered regularly by the Audit and Risk Management Committee
	3.4 Ensure we meet our accountability and reporting obligations	<ul style="list-style-type: none"> • Monitor key reporting arrangements to ensure they fulfil our governance and reporting obligations
	3.5 Ensure the efficient, effective and economical allocation of resources to optimise outcomes for applicants and stakeholders	<ul style="list-style-type: none"> • Allocate available resources to meet key priorities and ensure the capability to meet caseload demands
	3.6 Lead and manage change effectively	<ul style="list-style-type: none"> • Establish a statement of change management principles including consultation and decision-making processes • Implement key projects by using project management methodologies
	3.7 Ensure we make decisions based on contemporary and reliable information	<ul style="list-style-type: none"> • Monitor data integrity, and arrangements for document verification, regularly • Enhance the Intranet and Internet capability to improve the management and accessibility of information
	3.8 Maximise use of technology to support productivity and to foster effective interactions with our stakeholders	<ul style="list-style-type: none"> • Establish an information technology governance committee (ITGC) and strategy aimed at maximising our effective use of information technology • Develop on-line enquiry, on-line lodgement and e-communication capabilities • Review key business systems through the ITGC to ensure they are meeting their stated objectives

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4. Our Relationships <i>Our objective is to establish relationships based on respect, openness, responsiveness and integrity.</i>	4.1 Provide clear information to clients about our service standards and what clients can expect when dealing with the tribunals	<ul style="list-style-type: none"> • Review the Service Charter and complaints policy every two years • Review application forms and guidance for applicants regularly • Examine how we might improve the understanding of applicants about the hearing process
	4.2 Provide timely, consistent and accurate information to applicants about the status of their cases	<ul style="list-style-type: none"> • Provide online access to information about case status and update applicants at key milestones about case progress • Review our information products and letters to ensure they take into account the diversity of our clients
	4.3 Ensure client and stakeholder interests and needs are considered in developing policies and procedures	<ul style="list-style-type: none"> • Conduct client and stakeholder surveys regularly to elicit feedback on client needs and on our performance • Seek input from key constituencies in developing policy and procedures
	4.4 Engage positively and effectively with key agencies and interest groups	<ul style="list-style-type: none"> • Review stakeholder engagement plan and consult stakeholders to improve understanding of the role of the tribunals • Maintain and enhance community liaison • Maintain links with national and international networks

Key Performance Indicators

The key performance indicators set out in the Portfolio Budget Statement are:

- Fewer than 5% of tribunal decisions set aside by judicial review
- 70% of bridging visa (detention cases) decided within 7 working days
- 70% of RRT cases decided within 90 calendar days
- 70% of MRT visa cancellation or revocation cases decided within 150 calendar days
- 70% of MRT cases decided within 350 days
- Fewer than 5 complaints received per 1,000 cases
- At least 40% of decisions published

In addition, we will know we are successful when:

- The feedback from clients, stakeholders and the community on our activities, including the quality and timeliness of decision-making, is positive
- We have reduced overall processing times and are meeting time standards
- We have reduced the number of active MRT and RRT cases.
- We achieve case decision targets within budget
- We are respected for strong corporate governance
- All members and staff have performance feedback at least every 12 months within an annual performance framework
- We maintain high levels of member and staff satisfaction over time
- Members and staff have key development opportunities including in decision-making, leadership and management
- We attract and retain members and staff who are highly skilled and promote and uphold our values
- We are known for effective communication: with applicants and representatives, the community, Government and internally