

Purpose

1. This document presents the functions and responsibilities of the Audit and Risk Committee (the Committee).
2. The Australian Statistician has established the Committee in accordance with Section 45 of the *Public Governance, Performance and Accountability Act 2013* (PGPA Act), and Section 17 of the *Public Governance, Performance and Accountability Rule 2014* (PGPA Rule).
3. Under the PGPA Rule the ABS must determine the functions of the Committee by written charter (subsection 17(1)).

Functions

4. Consistent with subsection 17(2) of the PGPA Rule, the functions of the Committee include reviewing the appropriateness¹ of the Australian Statistician's financial reporting; performance reporting; system of risk oversight and management; and system of internal control.

Financial Reporting

5. The Committee will review and provide written advice to the Australian Statistician on:
 - a. the appropriateness of the annual financial statements and their compliance with the PGPA Act, the PGPA Rule; the Accounting Standards and supporting guidance
 - b. their signing of the financial statements
 - c. ABS' financial statements supplementary reporting pack
 - d. processes and systems for preparing financial reporting information
 - e. financial record keeping
 - f. processes in place to allow the entity to stay informed throughout the year of any changes or additional requirements in relation to the financial reporting
 - g. ABS' financial reporting as a whole, with reference to any specific areas of concern or suggestions for improvement.

Performance Reporting

6. The Committee will review and provide written advice to the Australian Statistician on the appropriateness of:
 - a. performance information included in the Portfolio Budget Statements and the Corporate Plan
 - b. the framework for developing and reporting performance information and ABS' annual performance statement, consistent with the Commonwealth Performance Framework
 - c. the annual performance statement
 - d. ABS' performance reporting as a whole, with reference to any specific areas of concern or suggestions for improvement.

¹ For the purposes of the PGPA Act, PGPA Rule and this Charter, and consistent with rules of statutory interpretation, 'appropriateness' has its ordinary meaning of 'suitable or fitting for a particular purpose'.

System of Risk Oversight and Management

7. The Committee will review and provide written advice to the Australian Statistician on the appropriateness of:
 - a. ABS' enterprise risk management framework and internal controls for the effective identification and management of its risks, consistent with the Commonwealth Risk Management Policy
 - b. the approach to managing ABS' key risks, including those associated with projects, and program implementation and activities
 - c. ABS' fraud and corruption control arrangements to detect, capture and effectively respond to fraud and corruption risks consistent with the Commonwealth Fraud and Corruption Control Framework
 - d. ABS' system of risk oversight and management as a whole, with reference to the Commonwealth Risk Management Policy and Commonwealth Fraud and Corruption Control Framework, referring to any specific areas of concern or suggestions for improvement.

System of Internal Control

8. The Committee will review and provide written advice to the Australian Statistician on the appropriateness of ABS' system of internal control by reviewing the following items and advising of any specific areas of concern or suggestions for improvement:
 - a. **internal control framework:**
 - i) management's approach to maintaining an effective internal control framework
 - ii) whether relevant policies and procedures are in place, including Australian Statistician Instructions, delegations, and bullying or harassment policies; and whether there are appropriate processes to assess compliance with key policies and procedures.
 - b. **legislative and policy compliance:** the systems for monitoring ABS' compliance with other laws, regulations, and relevant government policies
 - c. **business continuity arrangements:** whether business continuity and disaster recovery plans are in place and have been periodically updated and tested
 - d. **security compliance:** the approach to maintaining an effective security system through review of Protective Security Policy Framework maturity, the ICT security policy; and maturity against the Essential Eight
 - e. **internal audit arrangements:** including:
 - i) internal audit program: ensuring coverage addresses key risks and recommending approval of the program by the Australian Statistician
 - ii) internal audit reports: reviewing and providing advice to the Australian Statistician on any major concerns identified
 - iii) internal audit recommendations: monitoring the implementation of agreed actions
 - iv) internal audit charter: reviewing to see that it includes appropriate authority, access, and reporting arrangements
 - v) internal audit service providers: periodically meeting privately with the internal auditors to gain any further insights.

- f. **ethical and lawful conduct:** the steps taken to embed a culture that promotes the proper use and management of public resources and the commitment to ethical and lawful conduct
- g. **procurement:**
 - i) review the agency's procurement framework including procurement risks and internal procurement controls
 - ii) review the approach to major procurements and the plans for contract extension or replacement taking into account the Commonwealth Procurement Rules.
- h. **parliamentary committee reports and external reviews:**
 - i) the mechanisms for reviewing relevant parliamentary committee reports, external reviews, and evaluations of ABS
 - ii) reviewing the implementation of any resultant recommendations.

Membership

- 9. The Committee will comprise a minimum of three members appointed by the Australian Statistician. One of the members will be appointed as the Chair by the Australian Statistician.
- 10. In accordance with section 17(4) of the PGPA Rule from 1 July 2021, all members of the Committee must be persons who are not officials of ABS, and a majority of the members must be persons who are not officials of any Commonwealth entity.
- 11. Members of the Committee are expected to understand and observe the legal requirements of the PGPA Act and are also expected to:
 - a. act in the best interests of the ABS
 - b. apply good analytical skills, objectivity, and good judgement
 - c. express opinions constructively and raise issues that relate to the Committee's responsibilities and pursue independent lines of enquiry
 - d. contribute the time required to meet their responsibilities.
- 12. Members of the Committee will be appointed for an initial period determined by the Australian Statistician. Members may be re-appointed after a review of their performance for further periods as specified by the Australian Statistician.

Advisors

- 13. The Chief Operating Officer and the Chief Audit Executive will attend meetings as permanent senior advisers to the Committee. Other senior executives may attend relevant meetings at the invitation of the Chair.
- 14. Representatives from the ANAO and ABS' internal audit service provider may attend relevant Committee meetings (in whole or in part) at the invitation of the Chair.

Independence

15. The Committee is directly accountable to the Australian Statistician for the performance of its functions. The Committee has no managerial responsibilities. It does not make decisions in relation to ABS' processes and functions. The Committee's role is to provide independent advice to the Australian Statistician.

Conflicts of Interest

16. Once a year, and when otherwise required, Committee members will provide written declarations of any potential or actual conflicts of interest they may have in relation to their responsibilities as members. Members should consider past employment, consultancy arrangements and related party issues when making these declarations and the Chair should be satisfied that there are sufficient processes in place to manage any real or perceived conflict of interest.

17. At the beginning of each Committee meeting, members will declare any real or perceived conflicts of interest. The remaining members will decide whether the member should be excused from the meeting or from the Committee's consideration of the relevant agenda item(s). Any interests declared by the members will be recorded in the minutes.

Authority

18. The Australian Statistician authorises the Committee, in performing its functions, to:

- a. seek any information it requires from any ABS official or associated external party
- b. request legal or other professional advice, subject to approval by the appropriate delegate
- c. require the attendance of any ABS official at meetings, as appropriate.

Administrative Arrangements

Meetings

19. The Committee will meet at least five times per year. Special meetings may be held to review ABS' annual financial statements and performance statement or to meet other specific responsibilities of the Committee.

20. The Chair will call a meeting if requested to do so by the Australian Statistician and may call a meeting if requested by another Committee member.

21. A quorum will consist of a majority of members for all Committee meetings.

Secretariat

22. ABS will provide secretariat services to the Committee. The Secretariat will ensure the Chair approves the agenda for each meeting; the agenda and supporting papers are circulated at least five business days before each meeting; and the minutes of each meeting are prepared in a timely way. Minutes must be reviewed by the Chair and circulated to each member prior to being included in the papers for the next meeting.

Reporting

23. The Chair will report regularly to the Australian Statistician. Any matter deemed of sufficient importance will be reported to the Australian Statistician as soon as practicable.
24. The Committee will, as often as necessary, and at least once a year, formally and in writing, report to the Australian Statistician on its operation and activities against the responsibilities outlined in this Charter.

Annual Work Plan

25. The Committee will develop an annual work plan detailing actions to be taken in order to perform the functions outlined in this Charter.

Review of Committee Performance

26. The Chair of the Committee will initiate a review of the performance of the Committee at least once every two years. The outcomes of this assessment will be reported to the Australian Statistician.

Review of Charter

27. At least annually, the Charter will be reviewed by the Committee and approved by the Australian Statistician with any recommended changes.

Approved

Australian Statistician

9 August 2024