TECH POLICY PROCESS

Step Four - Advice to Government

Australian National University | TECH POLICY DESIGN CENTRE

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4 Step Four
Advice to Government

PRINCIPLES

- Regulation should not be the default, consider all available options
  Choose the most proportionate and fit-for-purpose solution
  (remember: bad ideas do exist).

- Context matters, good tech policy is not designed in isolation
  Consider how proposed solutions will impact and interact with adjacent systems
  and jurisdictions (domestically and internationally).

- Designing tech policy is a journey, not a destination
  Just like technology, good tech policy is agile and constantly evolving.

- Good tech policy is responsive and timely, it creates clarity and certainty
  Effective communication is critical.

- Consultation is a theme, not a step
  When designing tech policy, consult often, transparently, and widely.

- Be responsive, foster feedback loops
  Tech policy can be contentious, consensus is not always possible, but demonstrate all
  voices have been heard and considered.

LEAD ACTORS

Australian Public Service (APS) lead policy department, in consultation with Ministerial Offices

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4 Step Four
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| ? QUESTIONS | 目 OUTPUTS |

☐ What Intra- and Inter-Departmental Committees need to approve the recommended option? Have approvals been given?

☐ Is budget approval required? If so, what cycle applies? Has budget been secured?

☐ How will the chosen option be implemented and evaluated?

☐ Does the decision require new legislation or regulatory instruments to implement? Does existing legislation already provide authority? Would other policy mechanisms suffice (grants process, codes, rules, guidelines)?

☐ How will the recommendation be communicated to stakeholders? Have stakeholders been advised as transparently as possible about the chosen option and the rationale behind the decision?

☐ Does any information gathered in Steps One - Four need to be protected (national security or commercial confidentiality)? The default should be disclosure. Have the reasons for non-disclosure been explained as transparently as practicable?

Can you answer each Question?

↑ If no, return and revisit Step Three

If yes, does the recommended option require Intra- or Inter-Departmental Approval?

A If yes, proceed to Intra- or Inter-Departmental Approval

If no, does the recommended option require new monies?

B If yes, proceed to Budget Process

→ If no, proceed to Step Four, Outputs

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Continue to Outputs

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4 Step Four
Advice to Government

QUESTIONS | **OUTPUTS**

☐ Obtain all necessary Intra- or Inter-Departmental Approval Approvals for the recommended option

☐ Secure Budget Approval for the recommended option

☐ Draft Advice to Government (for example, a Cabinet Paper that sets out the desired outcome is X, the problem or opportunity we are solving for is Y, government intervention is required because Z, the options we considered were A, B, C, the best option is D because [insert Option and Impact Analysis], it will cost E [absorb/new monies] and is supported/not supported by [Insert departmental and stakeholders views])

☐ Update stakeholders on advice to Government

Can you prepare each Output?

← If no, return and revisit Step 4, Questions

C If yes, proceed to Step 5