



Komesina o Sulufaiga



# **Office of the Ombudsman**

## Strategic Plan 2016-2020



"Dignity, Protection, Equality and Fairness for All"

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#### **MESSAGE FROM THE OMBUDSMAN**



The Office of the Ombudsman is an independent national institution which seeks to foster integrity in governance and encourage dignity and respect in Samoan society so that each and every person can enjoy their rights in full. This is not only important for the protection and promotion of human rights butit isan investment in our future prosperity, development and well-being.

The Office also seeks to cultivate a society aware of its responsibilities towards one another and build upon the

dignity and respect that has evolved out of *Fa'a Samoa*, recognizing thatprinciples of *Fa'a Samoa*, good governance and human rights align and that implementing them in concert will make a stronger and more harmonious society. We have a wide jurisdiction across many functions and activities of the State with an increased role in providing an independent and impartial check on state administrative conduct. Ultimately through improved decision making across our state agencies, we are improving state sector capacity and services provided to the public. The further development of Samoa's National Human Rights Institution allows us to build upon our individual and society's wellbeing and become a worthy example to the world in how we can live in peace and dignity, yet prosper and develop at the same time.

The reality remains however that while we may have a wide jurisdiction, we have finite resources to carry out our mandates so therefore we need to be more careful in targeting our interventions and prioritizing our efforts under this Strategic Plan.

The key priority areas we will focus our efforts on are: improved corporate services, enhanced good governance, achieving greater protection and promotion of human rights and an increasing oversight of agencies exercising the coercive powers of the State

These four key outputs for the Office continue from the previous plan but represent a reorganization and increased alignment so that the Office can continue to be influential and responsive to its mandate and best promote a fair and equal society for all its citizens.

The Office of the Ombudsman is well-positioned to continue to improve outcomes across our priority areas and in turn uphold our critical role of supporting public agencies and promoting dignity, protection, equality and fairness for all; reflected in every law passed, every case heard and every administrative decision made at any level.

I encourage you to be part of this journey.

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Maiava Iulai Toma Ombudsman of Samoa

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#### WHO WE ARE AND WHERE WE ARE GOING

The Office operates with mandates for the promotion of good governance, for the promotion and protection of human rights and to oversee the conduct of Police officers, Prison officers and other disciplined forces. The expanded mandate reinforces a sense of confidence of the Government of Samoa in our role and ongoing contribution we can make towards a fair and just society and ongoing development.

We are led by the following authorities:

- Constitution of Samoa 1960
- Ombudsman (Komesina o Sulufaiga) Act 2013
- International Human Rights Norms, including the Paris Principles for National Human Rights Institutions (NHRIs)
- National and Sectoral Plans

#### Our VISION is:

*"The promotion of integrity in governance, the protection and promotion of human rights in Samoa and equal and fair treatment of people"* 

#### Our **MISSION** is:

- To provide good leadership, management of systems, processes, efficient support and coordination for the successful implementation of the Office's Work Programme.
- To enhance the lawful delivery of State Agency mandates to the reasonable satisfaction of members of the public.
- To promote and protect human rights and freedoms as the National Human Rights Institution (NHRI).
- To provide effective oversight and address misconduct of agencies exercising the coercive powers of the State and to conduct special investigations as may be authorized.

To be successful in our Mission we will have:

- A capable and engaged workforce and an effective Human Resources Management System
- An effective Financial Management System and compliance with accounting procedures and reporting
- Robust and transparent Monitoring and Evaluation of the implementation of projects and budget targets
- > Efficient coordination and logistical support for the Office
- Effective outreach and education programmes
- Best practice in administration and conduct
- > A culture of continuous improvement
- Effective complaints handling mechanisms

- > Effective monitoring of domestic and international human rights law
- Reporting on human rights abuses
- Best practice protection and promotion of human rights
- A well-managed referral system to deal with complaints and monitoring that encourages increased compliance of performance standards of policing

#### Our CORE VALUES:

Our work will be constantly guided by a set of Core Values that we are committed to, that foster integrity in governance and encourage the promotion of human dignity and an underlying respect for *Fa'a Samoa*. These include:

- Honesty, Integrity and Impartiality
  - We are ethical, honest and law-abiding in everything we do.
  - We respond to complaints without bias and we do not take sides.
  - We provide impartial advice without fear or favour and make decisions on their merits.
  - We are independent.
- Ethics, Fairness and Dignity
  - We have the highest ethical standards.
  - We treat people equitably.
  - We value respect and diversity.
- Accessibility, Accountability and Transparency
  - We are accessible to all people.
  - We are transparent and accountable for our actions.
- Efficiency and Effectiveness
  - We make efficient use of our resources.
  - We achieve good results in an economic way.
- Consistency, Responsiveness and Diligence
  - We respond to complaints quickly. If we cannot help, we will explain why and, if possible, suggest another action.
  - We produce timely and high quality work.
  - We develop our skills to improve service and become a catalyst for change in promoting good governance and human rights.
- Culture and Rule of Law
  - We respect and value *Fa'aSamoa*.
  - We operate within the laws of the Independent State of Samoa.

To meet the expectations inherent in the *Ombudsman (Komesina o Sulufaiga) Act 2013* the Office must have a fit for purpose structure, skilled management of its people and its financial and other resources, robust internal policies, procedures and processes, which are recognised internally and externally as best practice. This structure and corresponding responsibilities must be agile and responsive to the changing needs of Samoa and our continuously growing mandate and responsibilities.

OUR STRATEGIC DIRECTION			
KEY OUTPUT AREAS: The Office's key strategic priorities and related areas of work to deliver our mandate.			
Output 1: Corporate	Output 2: Good	Output 3: Human Rights	Output 4: Special
Services	Governance		Investigations Unit
<b>INPUTS:</b> The strategic factors w	hich the Office must possess to	be successful in delivering our m	andate.
A capable and engaged workforce and an effective Human Resources Management System. An effective Financial Management System and compliance with accounting procedures and reporting. Sound M&E of the implementation of projects and budget targets. Efficient coordination and	Best practice in administration and conduct. A culture of continuous improvement. Effective complaints handling mechanisms. Effective consultations with agencies on public dissatisfaction with service delivery. Effective and productive stakeholder relationships.	Effective monitoring of domestic and international human rights law. Reporting on human rights abuses. Best practice protection and promotion of human rights. Effective outreach and education programmes.	A well-managed referral system to deal with complaints and monitoring that encourages increased compliance of performance standards of policing. A well-established Special Investigations Unit. Capability and standby capacity to conduct authorised special investigations.
logistical support.			-
To provide good leadership, management of systems, processes, efficient support and coordination for the successful implementation of programmes.	To enhance the lawful delivery of State Agency mandates to the reasonable satisfaction of members of the public.	on in line with its roles and func To promote and protect human rights and freedoms in Samoa as the National Human Rights Institution (NHRI).	To address misconduct in agencies exercising the coercive powers of the State and to conduct special investigations as may be authorized.
An office with the necessary capacity to fulfil its mandate. An aligned organisational structure delivering on its mandates and		term, and are measured by the i Enhanced awareness and understanding of human rights, the role of and access to the office. Violations of human rights are	An office that ensures effective and independent resolution of complaints against the police, other prescribed forces and any
responsibilities. Sound financial management systems and reporting. Regular updating of Strategic Plans and Team and Individual Performance Plans using robust Monitoring and Evaluation reporting.	independently. The fair treatment of people and improved decision making and public administration by and within State Agencies. An effective and accountable Professional Standards Unit.	investigated and reported on effectively and efficiently. Improved compliance of domestic legislation, policy and practice with international human rights standards.	other matters that may be defined by law or regulations. An informed Public on the scope and functions of this Unit. The Special Investigation Unit has the necessary capacity to deliver its services.
An organization that is well supported by a relevant and responsive Information and Communications System. Establishment & maintenance of an effective records & information management programme/system.			An open and transparent relationship with the police and other prescribed forces.

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	our work and represent the pre the Operational Framework of t	eferred strategic interventions fo	r implementation of work
Human Resources Management. Budget and Finance. Monitoring implementation of staff workplans. Office and Records Management.	Outreach and Education. Complaints Handling. Government Consultations. Own motion investigations. PSU Oversight	Legislative and Policy Review. Regional and international engagement and reporting. Coordination and application of human rights. Detention inspections. Thematic Investigations. State of Human Rights report. Awareness raising, promotion & outreach. Public education.	Ongoing establishment of Special Investigations Unit. Active case consultations with the Police's Professional Standards Unit (PSU). Outreach and Awareness Building Independent police force investigations. Other disciplinary force investigations.
KEY PERFORMANCE MEASURES Improved management & efficient support for service delivery. Ensure adequate human resource efficiency and development of staff. Improved Organisational Performance. Maintain efficient systems & processes. High levels of budgetary control and adherence to Treasury Instructions. Simple Strategic Plan easily understood by staff and external audience. Monitoring and Evaluation framework that is easily implemented. Improved business operations & ready access to applications and information. Provision of adequate coordination and logistics for efficient programme delivery. Best practice records management that addresses the needs of staff.	Effective and efficient investigations and resolution of complaints Effective working arrangements with Government Agencies to realize principles of good governance and administration. Increased reach and relevance of the role of the Office. Improved complaints handling within the Police. Critical good governance issues are investigated and reported on effectively and efficiently Effective analysis of State agency complaint Management Systems	re our success in achieving our of Increased understanding and acceptance of the value of human rights in Samoa. Critical human rights issues are investigated and reported on effectively and efficiently. Informativeyearly reporting on human rights issues. Improved compliance of domestic legislation and policy with international human rights standards. Increased Government consideration of treaty ratification. Informative timely reports submitted to international treaty bodies and mechanisms. Increased partnerships, cooperation and information sharing with regional and international bodies. Office capacity built to deliver Amicus Curiae function. Improved coordination of human rights across government, civil society and the private sector. Standards of detention facilities are improved in line	Independent, credible and effective dischargeof the functions of the Special Investigations Unit. Effective engagement with the Public on the functions of the Special Investigations Unit. An adequately resourced SIU with capable staff able to adequately deliver all SIU functions. Improved PSU case handling.

#### ROLE, PURPOSE AND OUTCOMES

The traditional role of the Ombudsman is to investigate and resolve complaints about the administrative actions, decisions or omissions of Samoan government ministries and agencies. It is an independent and impartial institution that fosters good governance. The *Ombudsman (Komesina o Sulufaiga) Act 2013* vests the Ombudsman with functions related to the promotion and protection of human rights in Samoa. It also allows the Ombudsman to establish a Special Investigations Unit within the Office of the Ombudsman to receive complaints and investigate misconduct in any disciplinary force of the state; and to carry out any other authorised special investigations.

The Office of the Ombudsman is part of the Samoa Law and Justice Sector. The Sector Visionis *"Justice for a Safe and Stable Samoa"*. The Law and Justice Sector's long-term outcomes focus on social cohesion and national safety and stability and connect to national priorities. The Office's work, as outlined in this strategic plan directly contributes to the achievement of a number of the goals of **the Law and Justice Sector Plan 2012-2016**:

- Goal 2 seeks to improve access to justice. The Office of the Ombudsman contributes to this by providing an avenue for justice in relation to administrative and human rights matters and by continually seeking to improve its accessibility to the public.
- Goal 3 seeks to recognize Community Based Justice and incorporate it into the formal Justice System. By understanding, working within and affirming the strong links between human rights, good governance and Fa'a Samoa the Office of the Ombudsman contributes to this.
- Goal 4 seeks to promote integrity and good governance principles and practices in formal and customary processes and services. The Plan itself recognises that this Office of the Ombudsman plays a direct role in the achievement of this goal.
- Goal 5 seeks to build sector agency capacity and improved service coordination. In response to this goal the Office of the Ombudsman has introduced the key output of corporate services to its strategic plan to ensure that its human resource capacity is optimised and its organization and management systems are responsive and relevant to meet performance targets and desired impacts.

By directly contributing to the achievement of the **Law and Justice Sector Plan 2012-2016** the Office of the Ombudsman is also contributing to the broader achievement of the **Strategy for the Development of Samoa 2012 – 2016**. We also see ourselves playing a part of global efforts in achieving the **Sustainable Development Goals**, which seek to end poverty, protect our environment, and ensure prosperity for all. Our work will contribute to a number of the **17** goals.

The Office is well positioned to add value through its independent arm and be a voice of reason and influence. However, we are realistic to our constraints and have identified four key Output Areas that will drive our Programme of Work across the next four years. These are:

Output 1:Corporate ServicesOutput 2:Good GovernanceOutput 3:Human RightsOutput 4:Special Investigations Unit

To ensure its outputs are effective, the Office will need to monitor progress across a number of critical outcomes aligned to key Projects and related activities. The following sections describe each output, why they are important in the achievement of the Office's mandate; presenthow the Office will achieve these and explain how the Office may demonstrate success.

### **OUTPUT 1: CORPORATE SERVICES**

Description of the Output	<ul> <li>The Corporate Services Output seeks to provide good leadership, management of systems, processes, efficient support and coordination for the successful implementation of the Office's Work Programme through: <ul> <li>An office with the necessary capacity to fulfil its mandate</li> <li>An aligned organisational structure delivering on its mandates and responsibilities</li> <li>Well managed staff who deliver their KPIs and constantly strive to improve</li> <li>Sound financial management systems and reporting</li> <li>Regular updating of Strategic Plans and Team and Individual Performance Plans using robust Monitoring and Evaluation reporting</li> <li>An organization that is well supported by a relevant and responsive Information and Communications System</li> <li>Establishment &amp; maintenance of an effective records management programme/system</li> </ul> </li> </ul>
What are we seeking to achieve?	<ul> <li>A capable and engaged workforce and an effective Human Resources Management System</li> <li>An effective Financial Management System and compliance with accounting procedures and reporting</li> <li>Sound Monitoring and Evaluation of the implementation of projects and budget targets</li> <li>Efficient coordination and logistical support</li> </ul>
What will we do to achieve this?	<ul> <li>We have identified four key projects or modes of implementation that will be linked to the Operational Framework of the Office. They are:</li> <li>Human Resources Management</li> <li>Budget and Finance</li> <li>Monitoring implementation of staff workplans</li> <li>Office and Records Management</li> </ul>
How will we demonstrate success in achieving this?	<ul> <li>Improved management &amp; efficient support for service delivery</li> <li>Ensure adequate human resource efficiency and development of staff.</li> <li>Improved Organisational Performance</li> <li>Maintenance of efficient systems &amp; processes</li> <li>High levels of budgetary control and adherence to Treasury Instructions</li> <li>Simple Strategic Plan easily understood by staff and external audience</li> <li>Monitoring and Evaluation framework that is easily implemented</li> <li>Improved business operations &amp; ready access to applications and information</li> <li>Provision of adequate coordination and logistics for efficient programme delivery</li> <li>Best practice records management that addresses the needs of staff</li> </ul>

## **OUTPUT 2: GOOD GOVERNANCE**

Description of the Output	<ul> <li>The Office envisages the following results areas as critical to enhance the lawful delivery of State Agency mandates to the reasonable satisfaction of members of the public: <ul> <li>Individuals are empowered to resolve complaints with State Agencies</li> <li>Complaints are investigated and reviewed effectively and independently</li> <li>An accountable Office with a capable workforce</li> <li>An effective and accountable Professional Standards Unit</li> <li>The fairer treatment of people and improved decision making and Public Administration by and within State Agencies</li> </ul> </li> </ul>
What are we seeking to achieve?	<ul> <li>Effective outreach and education programmes</li> <li>Best practice in administration and conduct</li> <li>A culture of continuous improvement</li> <li>Effective complaints handling mechanism</li> </ul>
What will we do to achieve this?	<ul> <li>These projects will be linked to the Operational Framework of the Office.To</li> <li>implement them requires government agencies and communities, civil society and</li> <li>the private sector to work together.</li> <li>Outreach and Education</li> <li>Complaint handling</li> <li>Complaint Analysis &amp; Resolution</li> <li>Government Consultations</li> <li>Quarterly review and report</li> <li>Own motion investigations</li> </ul>
How will we demonstrate success in achieving this?	<ul> <li>Customer satisfaction with the complaint and resolution process</li> <li>Effective working arrangements with Government Agencies to realize principles of Good Governance and Administration</li> <li>Increased reach and relevance of the role of the Office</li> <li>Improved complaints handling within the Police</li> </ul>

## **OUTPUT 3: HUMAN RIGHTS**

Description of the Output	<ul> <li>The Human Rights output includes the following key result areas to promote and protect human rights and freedoms in Samoa as the National Human Rights</li> <li>Institution (NHRI): <ul> <li>Enhanced awareness and understanding of human rights, the role of and access to the office</li> <li>Violations of human rights are investigated and reported on effectively and efficiently</li> <li>Improved compliance of domestic legislation, policy and practice with international human rights standards</li> </ul> </li> </ul>
What are we seeking to achieve?	<ul> <li>Effective monitoring of domestic and international human rights law</li> <li>Reporting on human rights abuses</li> <li>Best practice protection and promotion of human rights</li> </ul>
What will we do to achieve this?	<ul> <li>These projects will be linked to the Operational Framework of the Office.To implement them requires effective engagement and citizens increasingly advocating for their rights and respecting the human dignity of others.</li> <li>Legislative and Policy Review</li> <li>Regional and international engagement and reporting</li> <li>Coordination and application of human rights</li> <li>Detention inspections</li> <li>Thematic Investigations</li> <li>State of Human Rights report</li> <li>Awareness raising, promotion &amp; outreach</li> <li>Public education</li> </ul>
How will we demonstrate success in achieving this?	<ul> <li>Increased understanding and acceptance of the value of human rights in Samoa</li> <li>Critical human rights issues are investigated and reported on effectively and efficiently</li> <li>Informative yearly reporting on human rights issues</li> <li>Improved compliance of domestic legislation and policy with international human rights standards</li> <li>Increased Government consideration of treaty ratification</li> <li>Informative timely reports submitted to international treaty bodies and mechanisms</li> <li>Increased partnerships, cooperation and information sharing with regional and international bodies</li> <li>Office capacity built to deliver Amicus Curiae function</li> <li>Improved coordination of human rights across government, civil society and the private sector</li> <li>Standards of detention facilities are improved in line with human rights standards</li> </ul>

## **OUTPUT4: SPECIAL INVESTIGATIONS UNIT**

Description of the Output	<ul> <li>The Office envisages the following results areas as critical to addressing misconduct in agencies exercising the coercive powers of the Stateand to conduct special investigations as may be authorized: <ul> <li>An Office that ensures effective and independent resolution of complaints against the police, other prescribed forces and any other matters that may be defined by law or regulations</li> <li>An informed Public on the scope and functions of this Unit</li> <li>The Special Investigation Unit has the necessary capacity to deliver itsservices</li> </ul> </li> </ul>
What are we seeking to achieve?	<ul> <li>A well-managed referral system and own motions process to deal with complaints and monitoring that encourages increased compliance of performance standards of policing</li> <li>A well-established Special Investigations Unit</li> </ul>
What will we do to achieve this?	<ul> <li>These projects will be linked to the Operational Framework of the Office:</li> <li>Police force investigations</li> <li>Ongoing establishment of Special Investigations Unit</li> <li>Other disciplinary force investigations</li> </ul>
How will we demonstrate success in achieving this?	<ul> <li>Independent, credible and effectivedischarge of the functions of the Special Investigations Unit.</li> <li>Effective engagement with the Public on functions of the Special Investigations Unit.</li> </ul>

#### MEASURING OUR PERFORMANCE

The Government has set a clear focus on Managing for Results and the Office is confident in linking Activities to key Outputs and Outcomes and connecting them to corresponding Performance Financing Frameworks. Funding is channelled through the Ministry of Finance (MOF). Quarterly expenditure reports and annual audited statements of receipts and expenditure need to produced and provided to Treasury. This funding framework sets the landscape for both the National Assessment Systems and Budgets Assessments systems.

We operate in an environment where our stakeholders have high expectations and an ever changing demand for our services. Our functions and mandate have progressively expanded over the last few years, with the Office becoming Samoa's National Human Rights Institute. This requires an increased focus on interventions relating to the protection and promotion of human rights. Our performance will be measured by our responsiveness to the needs and expectations of Samoans, the willingness of our people to be engaged positively with humanrights and our ability to meet ongoing reporting obligations.

Our performance is also measured by our ability to improve good governance and administrative practice in State Sector agencies through fair and impartial interventions, which are not inappropriately burdensome. These agencies expect effective advice and guidance on areas relevant to our role and their circumstances. We therefore need to encourage an ethos of continuous improvement in decision making; that is well reasoned, persuasive and has the ability to effect improvements and uphold the credibility and reputation of the Office.

Our mandate has also expanded to become Samoa's de facto Independent Police Conduct Authority, tasked with the specific oversight of the Police and other disciplinary forces. This role helps to ensure that people subjected to the coercive powers of the State are treated fairly and humanely. Ensuring this will lead to increased fairness and greater accountability within the Police and other disciplinary forces, and ultimately gain public confidence and trust.

The Parliament of the day expects us to act robustly, independently and impartially; and provide timely and reliable reports on the administrative conduct of State Agencies.

The public needs to know or easily find out about us, what we do, and how and when to approach us. The public needs to be aware also of what the Office cannot do so we can maximize our ability to achieve the outcomes and impacts we have identified in our Strategic Direction. We need to continuously identify barriers that may impact accessing our services and make information available to reach diverse audiences.

Complainants expect a fast, fair, responsive and accessible service, which effectively resolves their concerns. We must also be trusted to safely and securely manage sensitive and confidential information.

#### OPERATING ENVIRONMENT AND ORGANISATIONAL CAPABILITY

Government expects all public sector agencies, including our Office to deliver better results and improved services for the public, and with greater efficiency. To be effective we must be capable of influencing and be recognized for our expertise in delivering our role and responsibilities.

The successful and effective implementation of this Strategic Plan will depend also on the effectiveness of the monitoring and evaluation mechanisms in measuring progress and assessing the overall impact of the Plan for all our stakeholders, and its overall contribution to identified areas of the Law and Justice Sector Plan and Samoa's National Development Strategy. An information management and monitoring system will need to be in place to support planning, implementation and monitoring and evaluation. All operating performance systems need to appreciate issues of sustainability and how future Organization needs and budget will be met. To report on progress and determine future strategic priorities a midterm review of this Strategic Plan should be conducted.

The monitoring and evaluation framework will focus on:

- Compilation, processing and analysing key Output data and performance indicators;
- Identification and reporting on issues and lessons learned to help inform ongoing strategic direction and planning development;
- Reporting on Office performances, and any constraints and challenges;
- Reporting on key outputs, projects and related activities and progress towards outcomes;
- Assessing impacts of our interventions; and
- Assessing overall developmental impacts and reporting on contributions by the Office to specific National Development goals.

The Office recognises that the current environment requires all agencies, including ourselves to lift productivity, be smart in our use of resources, demonstrate value for money and find innovative ways of delivering our mandate and services.

We cannot make gains across our key output areas on our own. We need to collaborate closely when required, be clear about the results that constitute success and how to achieve them. We need to ensure resources are focused on major issues while continuing "business as usual" well and effectively. We will remain focused on our key outputs and project areas, while still remaining agile to respond to new challenges and emerging issues.

Our operating model is dependent on an effective, skilled and agile workforce, with staff supported to move seamlessly between key priority projects. The ability of our staff and leadership to be proactive and responsive is critical to its operating model. We are successfully building a skilled and talented workforce that can apply its knowledge across the four key outputs; complemented by access to specialized skillswhen neededthrough ongoing generous assistance from regional and international agencies; such as the Asia Pacific Forum for NHRIs, the Pacific Ombudsman's Alliance, the Office for the High Commissioner for Human Rights, the United Nations Development Programme, the Australian Department of Foreign Affairs and Trade's Volunteer Program and the United States Department of State Fulbright Program.

We are mindful of the need to continuously:

- Align our staff development more closely with our Strategic Direction;
- Attract, develop and retain a high performing workforce;
- Set priorities to grow and improve our workforce productivity and capability; and
- Reviewour Human Resource systems and processes for further improvement.

The Office culture is one of a highly trusted and respected team with a strong external stakeholder focus. The leadership approach is to give its staff opportunities to develop the knowledge, skills and awareness needed to achieve the Office's Strategic Direction.

We remain committed to ongoing business improvement, looking for efficiency savings, taking advantage of technical assistance where available and identifying smarter and more productive ways of working. We will continue to review and analyse cost-effective options for all areas of expenditure.

In terms of Risk Management, our leadership will regularly identify, monitor and mitigate strategic and operational risks that could compromise the achievement of the Office's Strategic Direction, including its contribution to Sector and Government priorities.