



Australian Government
Digital Transformation Agency

A large, abstract graphic composed of various geometric shapes like circles, squares, and rectangles in shades of green, blue, orange, and white, arranged in a complex, overlapping pattern.

Digital Experience Policy Exemption Guide

Embodying a commitment to the Digital Experience
Policy and accompanying standards

Version 1.0

Digital Transformation Agency



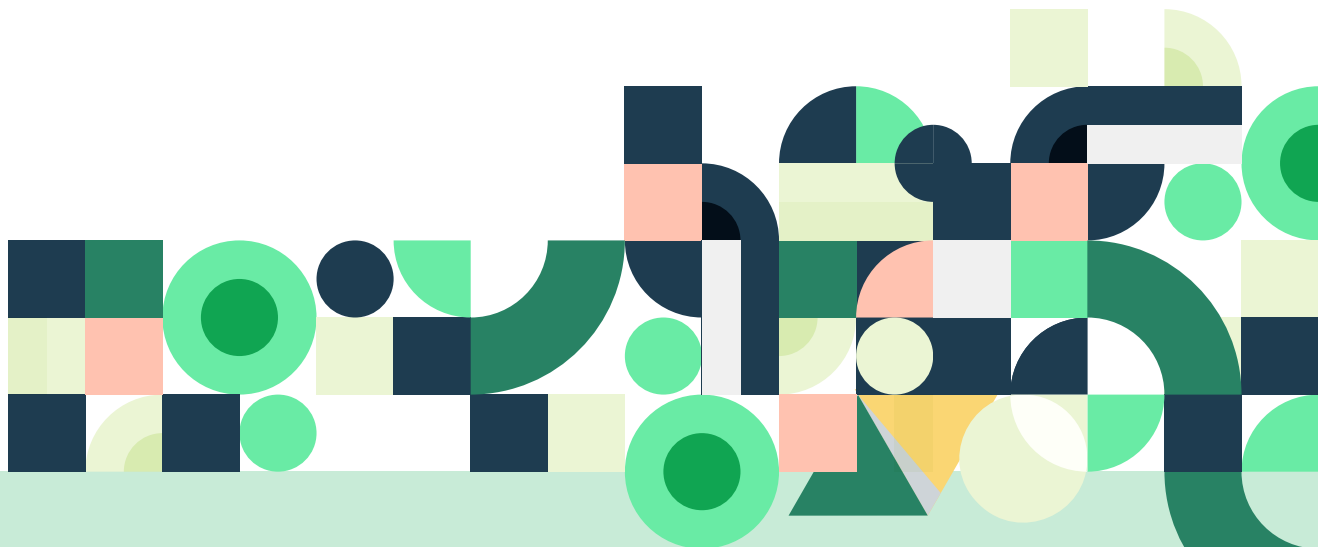
© Commonwealth of Australia (Digital Transformation Agency) 2024

With the exception of the Commonwealth Coat of Arms and where otherwise noted, this product is provided under a Creative Commons Attribution 4.0 International Licence. (<http://creativecommons.org/licenses/by/4.0/legalcode>)

The Digital Transformation Agency has tried to make the information in this product as accurate as possible. However, it does not guarantee that the information is totally accurate or complete. Therefore, you should not solely rely on this information when making a commercial decision.

Digital Transformation Agency is committed to providing web accessible content wherever possible. If you are having difficulties with accessing this document, please email: communications@dta.gov.au.

Version: 1.0



Contents

Introducing the Exemption Guide	1
The Digital Experience Policy	1
Services covered by the Digital Experience Policy	2
Informational services.....	2
Transactional services	3
Availability of exemptions for my service	4
Digital Service Standard.....	5
Digital Inclusion Standard	6
Digital Access Standard	7
Digital Performance Standard	8
What to consider when applying for an exemption	9
How to apply for an exemption.....	10
Roles and responsibilities.....	11
Digital Transformation Agency	11

Introducing the Exemption Guide

The DTA recognises that government may face challenges in applying the requirements of one or more of the standards mandated by the Digital Experience Policy to their digital service/s.

The Exemption Guide provides information on when an exemption might be appropriate, how to apply for an exemption, and agency responsibilities.

The Digital Experience Policy

The Digital Experience Policy sets a whole-of-government focus on improving the experience for people and businesses interacting digitally with government information and services. It strengthens government's Investment Oversight Framework (IOF) by implementing a centralised approach to measuring digital experiences to support a targeted approach to investments. It also uplifts the digital service experience by providing clear guardrails for agencies to design, deliver, and improve digital services with greater consistency, aligned to best practice that leave no-one behind.

The Digital Experience Policy includes a suite of standards and guidance that support the government to deliver more cohesive and consistent digital experiences, aligned to the Data and Digital Government Strategy.

The Digital Experience Policy's suite of standards includes the:

- Digital Service Standard, which ensures consistent and high-quality digital service delivery across government.
- Digital Inclusion Standard, which ensures services are designed to be inclusive, leaving no one behind
- Digital Access Standard, which aims to improve service discoverability and ease of access points for all users.
- Digital Performance Standard, which sets criteria for monitoring and reporting on the performance of digital services.

Services covered by the Digital Experience Policy

The Digital Experience Policy is effective from 1 January 2025 and applies to Corporate and Non-Corporate Commonwealth Entities, as defined by the Public Governance, Performance and Accountability Act 2013.

It is expected that agencies in scope of the Policy Digital Experience Policy, review and understand each standard to determine which services are in scope of the requirements set out in those standards.

Informational services

Informational services provide information, such as reports, fact sheets or videos, to users. They may include:

- government agency websites
- smart answers and virtual assistants
- e-learning
- publications
- multimedia

Transactional services

Transactional services lead to a change in government-held records, typically involving an exchange of information, money, licences or goods.

Examples of transactional services include:

- submitting a claim
- registering a business
- updating contact details
- lodging a tax return

The Digital Experience Policy does not cover services such as state and territory services, however agencies may still choose to apply the policy and standards to improve a quality digital experience for their users.

Each standard should be consulted individually to determine if, and when, it will apply to your entity's planned or existing digital services.

Availability of exemptions for my service

The DTA acknowledges that some agencies may be unable to meet the requirements due to a range of circumstances.

Exemptions will not apply at a Whole of Policy level. This means your service will not be made exempt from complying with the Digital Experience Policy in its entirety. Instead, exemptions may be granted for one or more of the criteria set out by the standards mandated by the Digital Experience Policy, depending on the circumstances.

Exemptions being sought for new or transformation of existing services being brought forward through the budget process can be raised through the most appropriate state of the Investment Oversight Framework. Exemptions being sought against the Digital Service Standard requirements for existing services (applicable after 1 July 2025) should be made in writing to: standard@dta.gov.au.

Exemptions could vary in nature, being permanent, temporary, partial or full and may apply to one or more criteria or the entire standard. This will be assessed on a case-by-case basis and must be applied for through the DTA.

The Compliance and Reporting Framework sets out the requirements and thresholds for reporting under the Digital Experience Policy. To reduce the administrative burden on agencies, the DTA will only assess exemption requests that fall within the scope identified in the Compliance and Reporting Framework.

Guidance about the exemption requirements for each standard are highlighted below. If you believe your service won't be unable to meet the requirements for a reason not listed below, please contact the DTA by sending an email to: standard@dta.gov.au.

On request, the DTA will work with agencies to consider exemption eligibility and support them through the exemption process.

Digital Service Standard

Under the Digital Experience Policy, the Digital Service Standard is mandatory and applies to digital services that are:

- owned by non-corporate Commonwealth entities
- informational and transactional
- new public or staff facing (from 1 July 2024)
- existing public facing (from 1 July 2025)

Agencies may seek an exemption from the Digital Service Standard due to a range of circumstances. These circumstances may include, but are not limited to:

- legacy technology barriers that cannot be reasonably overcome
- substantial financial burden caused by changing a service to meet criteria.

Example:

Agency X owns and operates an existing digital grants system using technology that doesn't support easy interoperability with other systems. Agency X understands that the new Digital Service Standard is applicable to existing services from 1 July 2025. They assess their system and believe they can meet all criteria of the Digital Service Standard except criterion 4, without significant investment due to the technology barriers.

Agency X applies for an exemption from criterion 4 of the Digital Service Standard. In their request, Agency X provides information and evidence to demonstrate how their system is unable to meet criterion 4.

After reviewing the exemption request and accompanying information and evidence, the DTA grants an exemption from criterion 4. In their response, the DTA highlights that any enhancements or changes made to the system in the future would need to be reconsidered and to apply the Digital Service Standard requirements or seek a separate exemption from the Digital Service Standard criteria.

Digital Inclusion Standard

Under the Digital Experience Policy, the Digital Inclusion Standard is mandatory and applies to digital services that are:

- owned by non-corporate Commonwealth entities
- informational and transactional
- new or existing public facing (from 1 January 2025)
- new staff facing (from 1 January 2026)

Agencies may seek an exemption from the Digital Inclusion Standard due to a range of circumstances. These circumstances may include, but are not limited to:

- legacy technology barriers that cannot be reasonably overcome
- substantial financial burden caused by changing a service to meet criteria.

Example:

Agency X operates an informational website about their suite of services available to the public. Agency X understands that the new Digital Inclusion Standard is applicable to for existing services from 1 January 2026. The agency does not believe they will meet the deadline for compliance, without significant investment and risk to other priority programs.

Agency X applies for an exemption from the requirements and requests an additional 6 months to allow the agency to complete some minor system upgrades and meet the Digital Inclusion Standard's criteria. Agency X provides the DTA with evidence of their system upgrades and their expected completion dates.

After reviewing the exemption request and accompanying information and evidence, the DTA grants an exemption from relevant Digital Inclusion Standard criteria for a period of 6 months. In their response, the DTA highlights that Agency X has been granted a limited exemption noting that once their system upgrades have been completed, they would then need to reconsider and apply the Digital Inclusion Standard requirements or seek a separate exemption from the Digital Inclusion Standard criteria.

Digital Access Standard

Under the Digital Experience Policy, the Digital Access Standard is mandatory and applies to digital services that are:

- owned by non-corporate Commonwealth entities
- informational or transactional
- authenticated or unauthenticated
- new or replacement of existing services that are public facing

Agencies may seek an exemption from the Digital Access Standard due to a range of circumstances. These circumstances may include, but are not limited to:

- legacy technology barriers that cannot be reasonably overcome
- substantial financial burden caused by changing a service to meet criteria.

For services being considered for integration into myGov these circumstances may include, but are not limited to:

- Lack of user access to myGov, ineligibility for a myGov account or where it does not make sense for users to have a myGov account.
- Legislative or regulatory barriers preventing the service from being delivered via myGov.
- Circumstances where Services Australia has indicated that it is unable to onboard the service onto myGov.

Example:

Agency X is replacing an existing digital platform where tourists can apply for tax refunds for some goods bought in Australia that are then taken out of the country with the traveller on a plane or ship. Agency X understands that the new Digital Access Standard is applicable to new and replacement services suitable for myGov from 1 January 2025. The Agency applies the decision-making framework under criterion 4 of the Digital Access Standard. The target users of the replacement service are tourists visiting Australia on a temporary basis, even though the service targets individuals, myGov is not considered the best place to locate access to the service.

Agency X applies for an exemption under criterion 4 of the Digital Access Standard. In their request, Agency X provides information and evidence to build a case that their system is unsuitable to be onboarded onto myGov. After reviewing the exemption request and accompanying information and evidence, the DTA grants an exemption from the relevant Digital Access Standard criteria.

Digital Performance Standard

Under the Digital Experience Policy, the Digital Performance Standard is mandatory and applies to digital services that are:

- subject to the requirements of the Investment Oversight Framework
- considered during, and after the 2025-26 Budget process and thereafter
- new or replacement public-facing services.

Agencies may seek an exemption from the Digital Performance Standard due to a range of circumstances. These circumstances may include, but are not limited to:

- legacy technology barriers that cannot be reasonably overcome
- substantial financial burden caused by changing a service to meet criteria.

Example:

Agency X provides a digital service that supports users that are experiencing extreme circumstances. The agency may feel it is not appropriate to ask customers for feedback on the digital service at the time of transaction.

Agency X applies for an exemption from criterion 4 of the Digital Performance Standard. In their request, Agency X provides information and evidence to demonstrate how it would not be reasonable for their system to meet criterion 4.

After reviewing the exemption request and accompanying information and evidence, the DTA grants an exemption from criterion 4. In their response, the DTA highlights that any enhancements or changes made to the system in the future would need to be reconsidered. If enhancements or changes apply, the agency must meet the Digital Performance Standard requirements or seek a separate exemption from the Digital Performance Standard criteria.

What to consider when applying for an exemption

Exemptions should only be sought where there are genuine barriers in applying the standards, as listed above.

Agencies must outline which criteria they are seeking an exemption from, why they are unable to apply the criteria and provide evidence to support their request.

Any agency who believes that they are unable to fully comply with a standard are encouraged to apply for an exemption, noting that this does not guarantee the request will be approved.

Exemptions will be tracked by the DTA in a Digital Experience Policy Exemption Register to make sure agencies are not inadvertently reported as non-compliant. This register will be managed internally to the DTA and will not be reported publicly.

How to apply for an exemption

Exemptions for new services going through the budget process can be raised through the most appropriate state of the Investment Oversight Framework.

Exemptions for existing services against the Digital Service Standard and Digital Inclusion Standard should be made in writing to standard@dtg.gov.au (applicable after 1 July 2025 and 1 January 2026 respectively).

Exemptions for new and existing services need to include:

- which standard the exemption applies to
- which criterion of the standard/s the exemption applies to
- the reason why the agency cannot comply with the standard, including any evidence that supports this reasoning
- appropriate contacts to discuss the exemption, if required.

If an exemption is granted, agencies must:

- formally advise the DTA if further changes apply to their service that may make their exemption invalid
- plan how they will achieve compliance within a set timeframe, if relevant.

Roles and responsibilities

Digital Transformation Agency

The DTA is the owner of the Digital Experience Policy and accompanying standards. This includes managing and overseeing the exemption process.

The DTA will support agencies through the exemption process by:

- reviewing and assessing applications for exemption by agencies
- providing support and ongoing engagement with agencies to understand their exemption obligations
- setting the exemption terms and conditions and communicating it to agencies
- advising of any reporting requirements for agencies
- keeping a register of exemptions
- reviewing exemptions periodically to make sure the register remains current and applicable.

The DTA will regularly review the Exemption Guide as government service delivery and digital services mature. We will make improvements to the guide in line with agency application and feedback.

Agencies in scope of the Policy

Agencies in scope of the Digital Experience Policy will be responsible for maintaining their services and meeting the requirements set out in the standards.