



Australian Government



TAX PRACTITIONERS BOARD
CORPORATE PLAN
2023–24

Introduction from our Chair

I am pleased to present the Tax Practitioners Board (TPB) corporate plan for 2023–24. This plan outlines our key activities and the performance measures we will apply as we continue to deliver on our purpose, supporting public trust and confidence in the integrity of the tax profession and the tax system. The Board members and staff of the TPB have an exciting schedule of improvements planned for the years ahead.

Our focus is in two areas: support for Tax Practitioners and ensuring the integrity of the Tax system.

Support for tax practitioners

Tax practitioners represent most taxpayers in their dealings with the tax system – approximately 64% of individuals and small businesses and 95% of entities (partnerships, trusts and companies) use tax practitioners. With such a large influence on taxpayers, it makes sense for the TPB to have a focus on improving tax professional performance and ethical conduct. We will continue to do this through our continuing professional education (CPE) program, educational webinars, newsletters, information and guidance provided on our website, and direct contact and assistance.

We will continue to take strong and targeted action against misconduct, including by the highest risk and unregistered tax practitioners, to protect consumers from harm and to maintain trust and integrity in the tax system. This includes targeted action in the Federal Court of Australia, seeking civil penalties and/or injunctions. When we take enforcement action, we will be transparent about why we have done so.

Tax practitioners must ensure that their businesses are providing a high standard of tax agent and business activity statement (BAS) agent services to the public. The TPB's compliance program will address misconduct by tax practitioners, including failure to address obligations of confidentiality, conflict management and integrity.

We will focus on identifying opportunities to streamline our processes through data capture, analytics, improved intelligence and targeted risk assessment. This will drive efficiency and improve the user experience for tax practitioners.

Collaboration and consultation with our stakeholders, including our regulatory partners, enables our combined success. We value our stakeholders' input and support, and we will continue to work closely with them. We will continue to directly consult with our stakeholders, including the professional associations, in regular forums and working groups.

Ensuring the integrity of the tax profession and the tax system

In the 2022–23 October Budget, we were entrusted with implementing a program to enhance the integrity of the tax system and tax professionals by proactively addressing higher-risk tax practitioners who are driving non-compliance, including tax avoidance and evasion, profit shifting by large multinationals, and shadow economy activities.

This program (which we call the Expanded Compliance Program) is budgeted to run until 30 June 2027. We will use new, data analysis tools to better identify practitioners who are engaged in fraud, tax avoidance and tax evasion. This program will deliver improved tax compliance and raise industry standards.

The TPB will continue to focus on large, and sometimes complex, tax practitioner entities such as partnerships and franchises. In particular, the behaviour of tax practitioners within large consulting firms remains under scrutiny, especially following the much-publicised PwC case. Tax practitioners within these firms have a duty to report any unethical and inappropriate behaviour of their colleagues and peers, and their suitability to remain as registered tax practitioners will be examined if they do not.

We will communicate more clearly our full range of compliance actions, to increase public confidence and ensure that tax practitioners are in no doubt about the full range of behaviour that the TPB encourages or, where necessary, deters.

Introduction from our Chair (continued)

Additional 2023–24 budget measures

It is pleasing that the Australian Government has recognised the contribution we make to the wellbeing of Australian society and has shown its confidence in us by increasing our funding for compliance actions against high-risk tax practitioners and unregistered preparers over the next four years. In addition, the government is proposing further legislative changes to increase our independence and effectiveness.

We will continue to work closely with the ATO to manage our finances through shared services. The Board recognises and appreciates the important role that the ATO plays in supporting the management of staff and resources of the TPB as well as assisting with our governance.

The decisions we make are informed by open and transparent communication with tax practitioners, the public and our stakeholders. I thank the Government and stakeholders for their continued support for the TPB. This includes co-regulatory partners, professional associations, and the majority of tax practitioners who are committed to client service and high professional standards.

I am proud of the efforts and achievements of the TPB team over the past few years and excited by the opportunities that the next years will bring to all of us. Tax practitioners, consumers, the public, and our stakeholders can all be assured that we are united by our desire to work together and do the best for the Australian community.

Peter de Cure AM

Why we do what we do

We build trust and transparency, so that consumers can confidently engage with tax practitioners.

Our purpose

The role of the TPB is to ensure that tax practitioner services are provided to the public in accordance with appropriate standards of professional and ethical conduct.

Our vision

The TPB is a leading, independent, government regulator that drives reform and uses best-practice methodologies to ensure that the tax profession is worthy of our community's trust.

Our values

The TPB is impartial, committed to service, accountable, respectful, and ethical.

Our organisation

Governance

The TPB is the national body responsible for the registration and regulation of tax agents and BAS agents (collectively referred to as ‘tax practitioners’).

The TPB is an independent statutory body created under the *Tax Agent Services Act 2009* (TASA) and consists of a Board appointed by the Assistant Treasurer. The Assistant Treasurer also appoints one Board member to be the Chair.

The Board is supported by staff on secondment from the ATO, who are made available by the Commissioner of Taxation.

Role

Our role is to ensure that tax practitioner services are provided to the public in accordance with appropriate standards of professional and ethical conduct.

We protect consumers of taxation services by regulating tax practitioners, thereby strengthening the integrity of the tax profession.

We are responsible for ensuring that tax practitioners comply with the TASA, including its Code of Professional Conduct. This is achieved by:

- administering a system of registration
- addressing conduct that may breach the TASA
- imposing sanctions for breaches of the TASA
- issuing guidance to support tax practitioners
- supporting the Australian Government's areas of focus and reform
- building organisational capability and culture.

Vision for our future

We share a vision to be a leading, independent, government regulator that drives reform and uses best-practice methodologies to ensure that the tax profession is worthy of our community's trust.

We strive for excellence, not just sufficiency.

These three principles guide everything that we do:

- 1.** Continuous improvement and building trust. We adopt a whole-of-system perspective, continuously improving our performance, capability and culture to build trust and confidence in Australia's regulatory settings.
- 2.** Risk based and data driven. We manage risks proportionately and maintain essential safeguards while minimising regulatory burden and leveraging data and digital technology to support those we regulate to comply and grow.
- 3.** Collaboration and engagement. We are transparent and responsive communicators, implementing regulations in a modern and collaborative way.

Our environment

Supporting tax practitioners

Through their knowledge, expertise and skills, tax practitioners provide valuable assistance to individuals, businesses and the Australian Government. We continue to evolve the ways in which we support tax practitioners to provide professional and ethical services to their clients.

Like many professionals, registered tax practitioners are working in an environment which requires an increasing reliance on technology, hybrid and remote work practices, and changing methods to engage with new and existing clients. We are dedicated to making it as easy as possible for tax practitioners to register, comply and practice, giving them more time to focus on supporting their clients.

TPB guidance and educational materials will support continuous improvement and professional conduct. The TPB Register guides the public who are seeking the services of a registered tax practitioner.

Professional standards are enhanced in firms with high levels of transparency, governance, quality assurance, supervision and control. The TPB encourages firms to improve their own risk management and reporting frameworks. Tax practices involving large and opaque structures, including some franchise arrangements, increase the risk of poor-quality services and misconduct. The TPB will continue its focus on these higher risk tax practices.

As the scope and nature of tax practitioner services and legal frameworks evolve, it is vital that tax practitioners keep their knowledge and skills up to date. Continuing Professional Education plays a crucial role in assisting tax practitioners to stay on top of such changes. Our CPE policy is designed to encourage all registered tax practitioners to invest in their ongoing education.

We also help to improve tax practitioner standards and integrity through education and guidance. We provide information via webinars, newsletters, press releases, social media, and messages sent to tax practitioners directly and through their professional associations. Our website holds a wealth of useful information, including resources such as policy and guidance material.

We have a whole-of-government mindset and support the work and interests of other regulators, especially the ATO. We collaborate with other government regulators and our stakeholders to address shared risks and opportunities including to support and shape government reforms and to ensure effective regulation of tax practitioner services.

Harnessing technology

The rapid pace and growth of technological advancements in recent times has seen the emergence of a range of innovations that give rise to new ways of working and doing business. These innovations have numerous applications and implications for the tax profession and the TPB.

Over the coming years, data analytics and artificial intelligence are expected to have a growing impact on our society and economy. Tax practitioners will also be increasingly engaged by clients to provide advice on adopting new financial technologies to service their needs. Modernisation, government policy and client demands create pressure for tax practitioners to use data more efficiently, effectively, and with integrity.

As client demands continue to evolve, we recognise the need to provide an improved digital experience. Members of our community – the public and tax practitioners – expect our interactions with them to be fast, easy and digital. We strive to make applying for registration and renewing registration a quick and easy process.

Our community also expects us to share relevant data in an appropriate manner, subject to privacy, to reduce reporting obligations. This requires:

- up-to-date data sharing and access arrangements with relevant government agencies
- secure data-handling processes to maintain integrity and trust
- contemporary technology systems to assist us to support our community.

We work to continuously improve our technology solutions, which form the backbone of our service delivery and key activities.

Our capability

People

Our staff are critical to our success as a regulator, and we continue to invest in our people through skills development.

We are conducting a training needs analysis to determine and bridge any gaps that exist in our workforce capability. This will be crucial for all our services and especially for the success of our Expanded Compliance Program, which will also require scaled-up recruitment over the period of the program.

We recognise a need to increase our data analysis and data management skills so we can understand, harness and use the information available to us. Investment in the development of these skills will enable us to identify and assess trends, measure the impact of our work, and work more efficiently.

To be effective, our people need to be up to date and informed regarding legislative and technological developments. Our staff are encouraged to develop and learn new skills to meet changing business needs.

Technology

We create contemporary technology solutions and processes to continue to improve our regulation activities and support tax practitioners.

A fundamental priority is significantly investing in technology so that we can be a digitally enabled and data-informed regulator. We are improving our data analytics capability, subject to human verification, including the utility of our risk and measurement tools. We will use the new data-driven risk engines to identify practitioners who are engaged in fraud, tax avoidance and tax evasion and those providing tax practitioner services while unregistered.

We develop our technology solutions with the aim of streamlining our interactions with tax practitioners to ensure that they are efficient and easy to use, while also providing a reliable and secure computing environment for our staff. We are building new technology solutions to manage reporting and consideration of instances of tax practitioners employing disqualified entities.

We are also focused on using our technology to hone our compliance action so that we can focus on dealing with the greatest risks to the community and tax system, supporting the public, the tax profession and our economy.

Structure

Our capability underpins our ability to ensure that tax practitioner services are provided to the public in accordance with appropriate standards of professional and ethical conduct.

Our organisational strategies and structure will transform over the coming years as we expand our compliance and data analysis teams to meet changing requirements.

We expect to add a total of 52 non-ongoing, full-time staff during the four-year period of our Expanded Compliance Program funding.

We will also increase our governance, human resources and financial management capability, to improve our performance, reporting and accountability.

Our risk management

Approach

Our approach to risk management aligns with the requirements of the *Public Governance, Performance and Accountability Act 2013* and the *Commonwealth Risk Management Policy*.

This includes oversight from the audit and risk committees of the ATO and the TPB. Review of business performance and risk management is an ongoing leadership task, especially through weekly executive meetings, monthly Board meetings, and quarterly performance reporting.

Our risk management processes help us to clarify our goals and strategic objectives, determine what must go right (our strategies), consider what may go wrong (potential risks), and look to prioritise, mitigate and manage key risks.

Key risks

We have identified the following key risks, and ways to mitigate them, for 2023–24.

- Co-regulator collaboration limited by differing priorities, reducing the effectiveness of our compliance outcomes and the efficiency of our service delivery. We manage this by proactive engagement with co-regulators. When appropriate, we enter into agreements to facilitate cooperation.
- System enhancements that are delayed or unsuitable for our use, adversely impacting service delivery and consumer confidence. This is managed by ensuring that system enhancements are fit for purpose, paying attention to how projects are prioritised for delivery, improving staff capability to ensure the quality of builds, and ensuring adequate operations engagement and involvement.
- Inadequate resourcing is managed having regard to prioritisation, improving services and strategies targeting highest risks and opportunities.
- Timely implementation of the recommendations of the 2019 review of the TPB and TASA (James Review). TPB data driven insights into system operation and options for improvement are shared with Government, via the Treasury, to ensure our legal regime is fit for purpose.
- Cyber security/technology breach or failure resulting in systems and data being accessed by unauthorised parties and/or loss of data. We are mitigating this risk by using industry best-practice cyber monitoring suites, performing weekly cyber risk reviews, and implementing the Australian Cyber Security Centre Essential Eight mitigation strategies.

We will continue to monitor, evolve and adjust our understanding and management of these risks, while also scanning for new risks and opportunities.

Our cooperation

Stakeholders

We are committed to listening to and understanding stakeholder needs, educating tax practitioners to make it easy for them to comply, and transparently explaining our decisions.

In turn, our stakeholders provide input and feedback to improve our regulatory practice and help us respond to changes in our operating environment.

We frequently engage with tax practitioners directly through public consultation, webinars, and publications such as the *TPB eNews* newsletter. We also foster open and consultative relationships with professional associations, particularly in the development of policy and guidance.

Each year, we receive over 1,000 complaints and referrals from members of the public, registered tax practitioners and other interested parties. We welcome and value these insights into what is happening on the ground, and use the information to make our regulation of the industry effective.

We continue to explore new approaches to develop productive relationships that contribute to the effective operation of the tax system. We are enhancing our program to support clients of tax practitioners whose registrations have been suspended or terminated. We will notify the clients, guide them to the TPB Register to source a compliant, registered tax practitioner, and describe any risks we have identified in relation to the suspended or terminated practitioner, so that they can review their own tax affairs and take any action required.

Government partners

We build relationships with other government agencies and bodies in order to improve our compliance programs and achieve our vision.

Our relationships with the ATO and other regulators are an essential part of our ability to serve the community and tax practitioners. We lawfully share data and information to deliver improved services and target behaviors of concern.

We work closely with the Treasury and provide insights to support the design of the legislative and policy framework that impacts tax practitioners.

Collaborating with bodies such as the Australian Securities and Investments Commission, the Inspector-General of Taxation and Taxation Ombudsman, the Australian Transaction Reports and Analysis Centre, and the Professional Standards Council – including through the establishment of memorandums of understanding – is also integral to our success. It is imperative that we take collective, well-coordinated action to achieve our aims.

As part of our focus on the greatest risks to the community and the tax system, including our commitments to enhancing compliance and combatting the shadow economy, we seek information from and work with Australian Government taskforces and state and federal law enforcement partners.

Consultation mechanisms

Our consultations with tax practitioners, professional associations and government bodies are fundamental to our ability to deliver our strategic plans. They ensure that our regulatory practice meets the needs of, and remains responsive to, the tax profession.

The Tax Practitioner Governance and Standards Forum was established to ensure that any significant proposals affecting tax practitioners are made with appropriate consultation. The forum is co-chaired by the TPB and a representative from a professional association. Through it, our engagement with tax practitioners continues to grow and thrive.

Consultation occurs within an environment of trust and integrity, balancing transparency with confidentiality, always acting in the public interest.

Our strategic approach

Our strategic planning sets out the roadmap for the next four years. It focuses on four key areas for improvement – our Strategic pillars – as outlined below. Our key activities and performance measures for 2023–24 directly link to our strategic objectives for the next four years.

Strategic pillars

1 Ready our people, technology, and culture for the future

Continue to invest in our people and technology to ensure we deliver regulatory excellence.

1



Key activities



2

2 Foster opportunities to collaborate and partner

Explore new ways to contribute to the effective operation of the tax system in an ever-changing environment.

3 Make it easy for tax practitioners to work with us

Streamline our interactions with the tax profession and enhance our profile.

3



4

4 Strengthen our regulation practice

Drive reform, understand tax practitioner behaviour to better target our compliance activities, and increase confidence through transparency.

Our key activities and performance measures

We will undertake seven key activities to achieve our purpose in 2023–24. We will measure our performance in achieving our purpose as an organisation using the performance measures and targets for each activity.

Key activity 1: Collaborate with our stakeholders to support and shape government reforms

We work with our stakeholders to improve our sphere of influence in the tax system.

Performance measure	Performance assessments	Performance targets
1.1 The number and quality of TPB submissions that enhance our regulatory role and government coordination	1.1 The number of TPB submissions that are relevant to the TPB's regulatory role	1.1 The TPB will provide timely and valued submissions

Key activity 2: Streamline registration to support new and existing tax practitioners

We strive to make applying for registration and renewing registration a quick and easy process.

Performance measures	Performance assessments	Performance targets
2.1 Our internal service standards results	2.1 Service standards results for processing times for new and renewal applications	2.1 80% of new and renewal applications are processed within 30 days and 95% of new and renewal applications are processed within 60 days
2.2 Our quality assurance results	2.2 Quality assurance results	2.2 The TPB will conduct quality assurance checks quarterly
2.3 Tax practitioner satisfaction with reduction in red tape	2.3 Biannual survey results	2.3 71% of tax practitioners are satisfied

Our key activities and performance measures (continued)

Key activity 3: Improve tax practitioner standards and integrity with support and guidance

We provide support and guidance to assist tax practitioners do their job well and to help them to understand our expectations of them.

Performance measures	Performance assessments	Performance targets
3.1 The number and quality of guidance products published	3.1 The number and quality of guidance products/ instruments (final and draft) issued	3.1 The TPB will support the tax profession by publishing regular guidance material.
3.2 The number and quality of education opportunities offered	3.2 The number and quality of education opportunities offered	3.2 The TPB will support the tax profession by offering regular education opportunities.
3.3 Tax practitioner feedback	3.3 Analyse tax practitioner feedback via biannual surveys	3.3 The TPB considers and analyses Tax practitioner feedback via biannual surveys

Key activity 4: Protect consumers through a risk-based compliance program

We target our compliance activities based on the risk posed to consumers, the tax profession and the tax system.

Performance measures	Performance assessments	Performance targets
4.1 The number of completed risk assessments	4.1 The number of completed complaints and case leads	4.1 >2,700 completed complaints and case leads
4.2 The number and types of completed compliance cases	4.2 The number and types of completed compliance cases	4.2 >850 compliance cases are completed
4.3 Sanctions are appropriate	4.3 The number of positive court and tribunal outcomes	4.3 The TPB is committed to pursuing positive Court and Tribunal outcomes.
4.4 Tax practitioner satisfaction with TPB compliance effectiveness	4.4 Biannual survey results	4.4 62% of tax practitioners are satisfied

Our key activities and performance measures (continued)

Key activity 5: Support our people to build organisational capability, culture and leadership

Our people are our most important resource and strongest asset, we support them to deliver their best.

Performance measures	Performance assessments	Performance targets
5.1 Our staff wellbeing and engagement	5.1 Our Australian Public Service (APS) Census wellbeing and engagement scores are higher than the APS average	5.1 Our APS Census results are >75% for wellbeing and >78% for engagement
5.2 Our staff satisfaction with TPB workplace culture, skills development and leadership	5.2 Staff survey results	5.2a 76% of staff are satisfied with workplace culture
		5.2b 77% of staff are satisfied with skills development
		5.2c 81% of staff are satisfied with leadership

Key activity 6: Support and safeguard our performance through a technology work program

We will continue to improve our technology solutions which form the backbone of our service delivery.

Performance measures	Performance assessments	Performance targets
6.1 Our system availability	6.1a System availability during reporting period	6.1a System availability is >95%
	6.1b Staff survey results	6.1b 83% of staff are satisfied with system availability
6.2 Our system reliability	6.2a Reduction in incident/support calls to IT helpline	6.2a >5% reduction in incident/support calls
	6.2b Staff survey results	6.2b 80% of staff are satisfied with system reliability

Our key activities and performance measures (continued)

Key activity 7: Enhance TPB performance through data science and systems

We develop analytical solutions to generate actionable insights and to support decision making.

Performance measures	Performance assessments	Performance targets
7.1 Improved data analytics capability, including utility of data analysis tools	7.1 Delivery of data analysis tools including revenue effect model, risk evaluation tool and business self-service tools	7.1 The TPB will improve its data analytics capability

Our regulatory performance

We are focused on lifting regulatory performance, capability and culture. To achieve these improvements and comply with best practice, we have developed tailored performance monitoring and reporting processes.

Our key activities and performance measures directly support the accomplishment of the three principles of regulator best practice.

Performance measures	Principles of regulator best practice		
	Continuous improvement and building trust	Risk-based and data-driven	Collaboration and engagement
1.1 The number and quality of TPB submissions that enhance our regulatory role and government coordination	●		●
2.1 Our internal service standards results	●		
2.2 Our quality assurance results	●	●	
2.3 Tax practitioner satisfaction with reduction in red tape	●		●
3.1 The number and quality of guidance products published			●
3.2 The number and quality of education opportunities offered		●	
3.3 Tax practitioner feedback	●		●
4.1 The number of completed risk assessments		●	
4.2 The number and types of completed compliance cases	●	●	
4.3 Sanctions are appropriate	●		●
4.4 Tax practitioner satisfaction with TPB compliance effectiveness	●		●
5.1 Our staff wellbeing and engagement	●		●
5.2 Our staff satisfaction with TPB workplace culture, skills development and leadership	●		●
6.1 Our system availability	●		●
6.2 Our system reliability	●		●
7.1 Improved data analytics capability, including utility of data analysis tools	●	●	