Australian Government
Department of Finance

November 2025

Regulatory Foundations Checklist

A Resource to support the Regulator Maturity Model

© Commonwealth of Australia 2025

The content of this document is licensed under the Creative Commons Attribution 4.0 International – CC BY 4.0 licence with the exception of:
- the Commonwealth Coat of Arms
- the Department of Finance logo
- images
- content supplied by third parties, as identified.

Material used must be attributed to this department as:
© Commonwealth of Australia, Department of Finance
Regulatory Foundations Checklist: A Resource to support the Regulator Maturity Model 2025

Use of the Coat of Arms
The terms under which the Coat of Arms can be used are detailed on the Department of the Prime Minister and Cabinet website.

Introduction

The Department of Finance developed the Regulator Maturity Model (the Model) and Self-Assessment Tool to help Commonwealth regulators evaluate and improve their regulatory capability at the enterprise level, as well as measure changes to their capability over time.

As Commonwealth regulators have varying levels of maturity and are at different stages of their capability development, the Regulatory Foundations Checklist (the Checklist) has been developed to complement use of the Model and the Tool. The Checklist identifies the regulatory foundations that Commonwealth regulators are expected to establish and build upon throughout their maturity journey. Assessing whether the regulatory foundations are established helps to identify fundamental capability gaps requiring uplift.

What are the regulatory foundations?

The regulatory foundations are the fundamental capabilities that Commonwealth regulators should establish to support and guide their regulatory activities. They align with the 12 capability domains of the Model which are linked to the Regulatory Policy, Practice and Performance Framework's (the Framework) 6 principles for regulation. Each capability domain addresses the expectations and behaviours for regulators described by the Framework and Resource Management Guide 128.

Who should use the Checklist?

The Checklist has been designed to be relevant to all Commonwealth regulators. Commonwealth regulators are Commonwealth officials that perform regulatory functions, including standalone regulators and areas within policy departments undertaking regulatory functions. Regulatory functions include educating, administering, monitoring, driving compliance, and enforcing regulation. This includes regulators involved in technical, economic, and policy-making areas.

How to use the Checklist

When using this Checklist, we also encourage you to undertake a maturity assessment using the Model and the Self-Assessment Tool, which will give you a more in-depth understanding of your regulatory maturity needs.

The Checklist prompts a 'yes' or 'no' answer and includes resources to support you in addressing capability needs. The Checklist is intended for Commonwealth regulators to use at the entity level. However, you may choose to assess an individual regulatory function within your department or area within your regulator. You may need to collaborate across multiple teams, branches and divisions to complete the Checklist, including with relevant corporate areas.

For questions and further guidance on completing the checklist, please contact the Regulatory Foundations Branch at RegulatorCapability@Finance.gov.au

Checklist

Regulatory Foundation	Maturity Model Capability Domain	Resources
1. Risk management, regulatory approach and foresight ☐ Risk management arrangements and processes use the Commonwealth Risk Management Policy Framework. ☐ Regulatory approach is published and communicated internally and with duty holders and stakeholders. ☐ Regulatory strategies and practices are established, and harms or areas of highest risk are identified and prioritised. ☐ Regulatory policy, procedure and guidance documents are comprehensive, accurate and current. ☐ Foresight tools are used to inform regulatory posture, strategies, activities.	1.1, 1.2	Commonwealth Risk Management Policy Framework Australian Government Regulatory Policy, Practice and Performance Framework Policy fit for the future: the Australian Government Futures primer Australian Government Information Publication Scheme
2. Collaboration, engagement and understanding regulator's ecosystem ☐ Leaders and staff create relationships, across the entity and externally, that support strategic priorities. ☐ Actions to understand and minimise unnecessary costs and impacts of the regulatory scheme on duty holders and other stakeholders are taken. ☐ Needs and perspectives of diverse and vulnerable duty holders and stakeholders are incorporated into communication and regulatory strategies and practices. ☐ Systems and processes are established to collect and learn from internal and external feedback. ☐ Cost recovery activities and processes meet the requirements of the Australian Government Charging Framework.	2.2, 2.2, 3.1	The Charter of Partnerships and Engagement APS Engagement and Participation Framework Resource Management Guide 302 – Implementing the Charging Framework

3. Transparency, accountability and integrity, governance and culture ☐ A defined culture and set of values are established and promoted across the entity/regulatory function and externally. ☐ Processes are established for duty holders and other stakeholders to appeal decisions, make enquiries or give feedback, or make complaints. ☐ Integrity maturity is assessed, and steps are taken to address the results by updating regulatory strategies, policies and processes. ☐ Governance arrangements are established to support impartial decision making and manage entity credibility. ☐ Policies and processes are established to meet the requirements of the PGPA Framework.	3.2, 4.1	PGPA legislation, associated instruments and policies Commonwealth Ombudsman Better Practice Complaint Handling Guide Administrative Review Council Best Practice Guide 1 – Lawfulness Administrative Review Council Best Practice Guide 2 – Natural Justice Administrative Review Council Best Practice Guide 3 - Evidence Facts and Findings Administrative Review Council Best Practice Guide: Statements of Reasons Commonwealth Integrity Maturity Framework Australian Public Service Commission guidance on Conflict of Interest National Anti-Corruption Commission - Conflicts of interest and corrupt conduct: A guide for public officials Resource Management Guide 208: Managing conflicts of interest and confidentiality with the non-government sector Australian Government Information Publication Scheme
4. Evidence, intelligence and data ☐ Regulatory activities and decision making are based on evidence, intelligence and data. ☐ Systems and processes are established to ensure the collection, storage, analysis, use and sharing of information and data is lawful and secure. ☐ Steps taken to address the results of data maturity assessments by updating regulatory strategies, policies and processes.	4.1, 4.2	Public Data Policy Government agencies | OAIC

5. Digital and technological innovation ☐ Digital solutions and practices meet the requirements of the Digital Experience Policy and policies the use of Automated Decision-Making and AI. ☐ Cyber maturity is assessed, and steps are taken to address the results by updating regulatory strategies, policies and processes.	5.1, 5.2	Digital Experience Policy Guidance on privacy and the use of commercially available AI products Guidance on privacy and developing and training generative AI models Commonwealth Ombudsman Automated Decision-Making Guidelines Cyber Maturity Framework and Assessment tool Policy for the responsible use of AI in government
6. Continuous improvement and evaluation ☐ A Regulator Statement of Intent has been developed in consultation with the Department of Finance, which is up-to-date and published online. ☐ Processes are established for quality assurance and improvement of regulatory activities and decisions. ☐ Processes are established to monitor and develop staff regulatory capability. ☐ Systems and processes are established to collect and learn from internal and external feedback.	6.1, 6.2	Resource Management Guide 128 Regulator Performance Introduction to Evaluation in the Commonwealth Government