

Commonwealth Engagement and Partnership Framework

Purpose

1. The National Agreement on Closing the Gap ('National Agreement') stems from the belief that when Aboriginal and Torres Strait Islander people have a genuine say in the design and delivery of services that affect them, better life outcomes are achieved.
2. The National Agreement aims to deliver ambitious reforms, committing all Australian governments to placing partnership and shared decision-making at the centre of Government interactions with Aboriginal and Torres Strait Islander people.
3. For many Government agencies, working in partnership with Aboriginal and Torres Strait Islander people, communities and organisations is new and shifts away from transactional relationships towards enduring and structured relationships based on formal partnership.¹ This requires a different perspective, approach, capabilities and behaviours.
4. This Framework is intended for use by agencies to improve engagement with Aboriginal and Torres Strait Islander people, communities and organisations; building relationships and trust so that strong and respectful long-term partnerships can form to enable community-led design and delivery of policy and programs.
5. This Framework should be used to guide agency interactions with Aboriginal and Torres Strait Islander people, communities and organisations and is not limited to specific actions under the National Agreement.
6. The intended outcome of this Framework is that Commonwealth agencies change the way they work with Aboriginal and Torres Strait Islander people and communities in the design and delivery of policy or programs that affect them, applying, in particular, the strong partnership elements of the National Agreement.

The National Agreement is changing the way the Government works

7. The Commonwealth Government has committed to working in full and genuine partnership with Aboriginal and Torres Strait Islander people, communities and organisations on policy making that impacts on the lives of Aboriginal and Torres Strait Islander people.²
8. This will significantly change the way governments work, by encompassing shared decision-making on the design, implementation, monitoring and evaluation of policies and programs to improve life outcomes for Aboriginal and Torres Strait Islander people.

National Agreement commitments

9. The Commonwealth Government has committed to improving engagement with Aboriginal and Torres Strait Islander people. Under the National Agreement, governments must ensure they

¹ In this framework *agency* means (a) a Department; (b) an Executive Agency; or (c) a Statutory Agency

² This reflects community feedback which identified the need for Government to work in partnership; improve engagement with Aboriginal and Torres Strait Islander people; and transform mainstream Government organisation. See Appendix 3A and Information sheet – reflection engagement outcomes: What was heard from the engagements and how it has been incorporated into the National Agreement on Closing the Gap, available from <https://www.closingthegap.gov.au/sites/default/files/files/information-sheet-reflection-engagement-outcomes.pdf>

engage fully and transparently when undertaking significant changes to policy and programs that primarily impact on Aboriginal and Torres Strait Islander people. Engagements should be done in a way where Aboriginal and Torres Strait Islander people:

- Have a leadership role in the design and conduct of engagements (ensuring approaches are community-led);
 - Know the purpose and fully understand what is being proposed;
 - Know what feedback is provided and how that is being taken account of by governments in making decisions (that are transparent and accountable); and
 - Are able to assess whether the engagements have been fair, transparent and open.³
10. The Commonwealth has also committed to engaging with Aboriginal and Torres Strait Islander stakeholders before, during and after emergencies such as natural disasters and pandemics to ensure that:
- Government decisions take account of the impact of those decisions on Aboriginal and Torres Strait Islander people; and
 - Aboriginal and Torres Strait Islander people are not disproportionately affected and can recover as quickly as other Australians from social and economic impacts.⁴
11. Priority Reform One commits the Commonwealth Government to building and strengthening structures that empower Aboriginal and Torres Strait Islander people to share decision-making authority with governments to accelerate policy and place-based progress against Closing the Gap. Shared decision-making is defined in the National Agreement and is outlined below at table X.
12. Priority Reform Three commits the Commonwealth Government to implement the following transformation elements to:
- Identify and eliminate racism;
 - Embed and practice meaningful cultural safety;
 - Delivery services in partnership with Aboriginal and Torres Strait Islander organisations, communities and people;
 - Increase accountability through transparent funding allocations;
 - Support Aboriginal and Torres Strait Islander cultures; and
 - Improve engagement with Aboriginal and Torres Strait Islander people.
13. These commitments contribute to the achievement of two specific outcomes identified in the National Agreement, in that:
- Aboriginal and Torres Strait Islander people are empowered to share decision-making authority with governments to accelerate policy and place-based progress on Closing the Gap through formal partnership arrangements; and
 - Governments, their organisations and their institutions are accountable for Closing the Gap and are culturally safe and responsive to the needs of Aboriginal and Torres Strait Islander people, including through the services they fund.

[A new way of working for Commonwealth Government agencies](#)

14. Aboriginal and Torres Strait Islander people are more than ‘stakeholders’ on policies and programs directed at improving life outcomes, they are sources of expertise and knowledge about what will

³ Clause 59 National Agreement

⁴ Clause 64 National Agreement

work for their people and communities. Doing things with people and communities, not to them, is integral to achieving better outcomes.⁵

15. Engaging and partnering with Aboriginal and Torres Strait Islander people, communities and organisations requires a different perspective, approach, capabilities and behaviours for many.⁶ Working in formal partnership moves beyond previous ad-hoc engagement to structured relationships based on a shared objective, respect and trust, where decisions on matters affecting Aboriginal and Torres Strait Islander people are made by Aboriginal and Torres Strait Islander people and Government.

16. These changes, as well as actions that agencies should take to support them, are identified below.

Changing perspective

17. To partner effectively with Aboriginal and Torres Strait Islander people, agencies must recognise that:

- Working in partnership improves policy and program outcomes; and
- Getting the most out of partnerships requires reconceptualising how they interact with partners.⁷

18. To support this change in perspective, agencies should:

- Build an understanding of the National Agreement and key commitments among staff;
- Explain to their staff how the National Agreement changes the way they work; and
- Build capabilities to ensure that staff can participate effectively in building and sustaining partnerships with Aboriginal and Torres Strait Islander people.

Effective implementation

19. Structural change in the way governments work with Aboriginal and Torres Strait Islander people is needed to close the gap.

20. Formal partnerships are one way that Aboriginal and Torres Strait Islander peoples' capability and expertise can be brought to the table to drive decision-making about policies and programs which impact them. To support this change in approach, agencies are expected to:

- Build and strengthen relationships with Aboriginal and Torres Strait Islander partner organisations, including through improved engagement;
- Formalise partnerships in line with the 'strong partnership elements' from the National Agreement; and
- Develop policy and programs impacting Aboriginal and Torres Strait Islander people in partnership with Aboriginal and Torres Strait Islander people.

21. Examples of how and when to work in Partnership can be found at [Appendix 4C](#).

Developing capability

⁵ Doing things with people and communities, not to them, is a simple concept and integral to the APS achieving better outcomes: Final report of the Independent Review of the Australian Public Service, page 116.

⁶ Working in partnership requires cultural change in the APS: Final report of the Independent Review of the Australian Public Service, page 120.

⁷ Final Report of the Independent Review of the Australian Public Service, page 23.

22. The APS needs the right skills to engage and work in partnership with Aboriginal and Torres Strait Islander people, including a knowledge and understanding of Aboriginal and Torres Strait Islander people, culture, history and issues.⁸
23. To develop these capabilities, agencies should:
- Build staff capability along the cultural competency continuum that leads to cultural proficiency;⁹
 - Ensure staff engage in cultural competency training on an ongoing, continuous improvement basis; and
 - Strengthen engagement practices in line with the National Agreement commitments and this Framework.
24. The Aboriginal and Torres Strait Islander Workforce Strategy 2020-2024¹⁰ and the Aboriginal and Torres Strait Islander Cultural Capability Framework are two key policies to improve employment opportunities and experiences for Aboriginal and Torres Strait Islander employees across the Commonwealth public sector by building cultural competence. A review of the Cultural Capability Framework is part of the implementation of the Workforce Strategy, with a core focus on cultural integrity. This focusses on improving and embedding the understanding of Aboriginal and Torres Strait Islander culture in the workplace to support the development of culturally-safe work spaces and services; creating a more inclusive Commonwealth Public Sector. The reviewed Cultural Capability Framework will be completed in the second half of 2022.
25. Information on developing APS capability to engage is provided at [Appendix 2B](#) Capability and Capacity to Engage. Further information on enhancing culturally safe work spaces and services, and creating a more inclusive Commonwealth public sector will be accessible in the forthcoming Public Service Cultural Integrity Plan.

Expected behaviours

26. Agencies should:
- Engage with Aboriginal and Torres Strait Islander people using the principles identified in this Framework to build relationships built on trust and respect; and
 - Enable shared decision-making using the shared decision-making behaviours identified in the National Agreement and in this Framework.

⁸ Regular capability reviews should be undertaken for all departments and major agencies across the service. These reviews should focus on the agency's existing capability and its readiness to deliver government priorities and serve Australians now and into the future: Final report of the Independent Review of the Australian Public Service, page 70.

⁹ Cultural Competence Continuum eCALD (culturally and linguistically diverse) NZ [Cultural Competence Continuum | eCALD](#)

¹⁰ [commonwealth_aboriginal_and_torres_strait_islander_workforce_strategy_2020_-24_0.pdf \(apsc.gov.au\)](#)

Relationships with Aboriginal and Torres Strait Islander people and communities

27. Strong relationships are the foundation for effective engagement, partnership and shared decision-making. Engagement, in line with the guidance in this Framework, will help to build and strengthen relationships towards a formal partnership.

I. Engagement

28. Engagement on specific policies and programs is the basis for many existing relationships between Government agencies and Aboriginal and Torres Strait Islander people, organisations and communities.¹¹ However, existing engagement is often transactional and limited in both in scope and role.¹²

29. This Framework provides advice on engaging specifically with Aboriginal and Torres Strait Islander people and goes beyond the four ways to engage described in the 2020 Australian Public Service Framework for Engagement and Participation to include shared decision-making and partnerships.¹³

30. Effective engagement ensures Aboriginal and Torres Strait Islander people are actively involved in decision-making from the earliest stage of problem definition, to the development of policies, to the implementation of programs and projects, and through to the evaluation of outcomes.¹⁴

31. More broadly, engagement is a relational process that occurs at local, regional and national levels. Engagement should build, rebuild and strengthen relationships between Government and Aboriginal and Torres Strait Islander people, communities and organisations. Engagement is an ongoing process that still occurs within formal partnerships.

Advantages of Engagement

32. Effective engagement improves Government policy and program outcomes, and can:

- Align Aboriginal and Torres Strait Islander and Government priorities, building ownership and empowerment;
- Enable Aboriginal and Torres Strait Islander people to take a leadership role to ensure community-led design of policy and programs;
- Build or repair relationships between Government and Aboriginal and Torres Strait Islander communities;
- Identify and work through emerging trends;
- Ensure issues or consequences are less likely to be overlooked;
- Identify, develop and progress solutions that work on the ground; and
- Foster support for Government policy or programs in community.

¹¹ Engagement is a process through which Government and the public exchange expertise to design, improve and test policy, programs and services. Engagement is also any process of response to identify challenges and solutions or to incorporate decision-making with Aboriginal and Torres Strait Islander people.

¹² Reference to Appendix 3A - Feedback on Government engagement

¹³ This Framework builds on the APS Framework for Engagement and Participation which identifies three engagement principles (listen, be genuine, be open), four ways to engage (share, consult, deliberate, collaborate), and standards of expected behaviour from a public servant when they are dealing with any external stakeholders. The APS Framework for Engagement and Participation is available here: <https://www.industry.gov.au/data-and-publications/aps-framework-for-engagement-and-participation>.

¹⁴ Engaging with Indigenous Australia – exploring the conditions for effective relationships with Aboriginal and Torres Strait Islander communities 2010 Australian Institute of Health and Welfare/Australian Institute of Family Studies – Janet Hunt/Closing the Gap Clearinghouse [Engaging with Indigenous Australia: exploring the conditions for effective relationships with Aboriginal and Torres Strait Islander communities \(full publication; 6 Mar 2014 edition\)\(Closing the Gap Clearinghouse, AIHW\)](#)

33. Engagement within a formal partnership can be more strategic, flexible and agile, benefiting both Parties. Where Parties within a partnership have strong relationships and a shared understanding of priorities and approaches, engagement can focus on planning for the future and less on transactional or ad-hoc problem solving.
34. How agencies engage is crucial to unlocking the benefits of engagement. Agencies should approach engagement as a way to build or strengthen relationships, rather than as a one-way obligation on an issue, policy or program.
35. Principles for engagement with Aboriginal and Torres Strait Islander people, communities and organisations are outlined below in Table 1. The principles are consistent with the commitments in the National Agreement and build on existing approaches by Aboriginal and Torres Strait Islander organisations, as well as Commonwealth, and state and territory governments.¹⁵ The Principles of Engagement and Partnership are consistent with Local and Regional Voice Principles.¹⁶ Agencies should use these principles to inform their engagement approaches, noting the principles are interrelated and should not be considered in isolation from each other.

Table 1 – Principles of Engagement and Partnership

<p>Respectful</p> <ul style="list-style-type: none"> ○ Respect the self-determination of Aboriginal and Torres Strait Islander people, organisations and communities; ○ Ensure Aboriginal and Torres Strait Islander people and communities have a leadership role in the design and conduct of engagements; ○ Identify local decision-making authorities; ○ Review context of previous engagement and impact; and ○ Provide the option to engage through resourcing, inclusive approaches and building community capacity. 	<p>Culturally Safe</p> <ul style="list-style-type: none"> ○ Recognise the power imbalance in Government's relationship with Aboriginal and Torres Strait Islander people; ○ Understand community and cultural protocols, recognise and respect cultural identity and local cultural authority; ○ Ensure data governance, sovereignty and cultural and intellectual property is supported; and ○ Embed and practise cultural safety in the workplace, alongside building cultural competencies of staff.
<p>Purposeful</p> <ul style="list-style-type: none"> ○ Establish agreed scope, be upfront about limitations; ○ Be aware of stakeholders' objectives, environment, expertise and level of influence; ○ Do not add to existing burdens on Aboriginal and Torres Strait Islander representatives; and ○ Plan well for engagement in advance with community representatives. 	<p>Relationships</p> <ul style="list-style-type: none"> ○ Build relationships before business; understand that engagement is a relational process; ○ Understand that good intent is insufficient, good relationships that support positive outcomes are what matter; ○ Listen well before speaking; and ○ Understand that strong relationships support engagement and strong partnerships.

¹⁵ See Lowitja Institute Engaging First peoples: A review of Government Engagement Methods for Developing Health Policy – Discussion Paper, <https://www.lowitja.org.au/page/research/research-categories/health-policy-and-systems/monitoring-and-evaluation/completed-projects/engaging-first-peoples-review-government-engagement-methods-developing-health-policy>; Department of Health Stakeholder Engagement Framework <https://www.health.gov.au/resources/publications/stakeholder-engagement-framework>; Janet Hunt Engaging with Indigenous Australia - exploring the conditions for effective relationships with Aboriginal and Torres Strait Islander communities <https://www.aihw.gov.au/getmedia/7d54eac8-4c95-4de1-91bb-0d6b1cf348e2/ctgc-ip05.pdf.aspx?inline=true>; The Australian Public Service Framework for Engagement and Participation 2020 [aps-framework-for-engagement-and-participation.pdf \(industry.gov.au\)](https://www.industry.gov.au/publications/aps-framework-for-engagement-and-participation.pdf); and Engaging Today, Building Tomorrow: A framework for engaging with Aboriginal and Torres Strait Islander Australians [Engaging today, building tomorrow : a framework for engaging with Aboriginal and Torres Strait Islander Australians - Australian Institute of Aboriginal and Torres Strait Islander Studies \(AIATSIS\) \(library.link\)](https://www.aiatsis.gov.au/publications/engaging-today-building-tomorrow)

¹⁶ Indigenous Voice Fact Sheet: Local and Regional Voice Principles

<p>Transparent</p> <ul style="list-style-type: none"> ○ Agree structure of engagement, points of access, timeframes and opportunities to influence outcomes; ○ Provide partners with accurate, up-to-date and easy to access information necessary for meaningful participation; ○ Share relevant information. If information cannot be shared, provide an explanation; and ○ Ensure partners are able to assess whether the engagements have been fair, transparent and open. 	<p>Strengths-based</p> <ul style="list-style-type: none"> ○ Recognise the resilience of individuals and community; ○ Value diverse abilities, strengths, knowledge, perspectives, expertise and lived experiences of Aboriginal and Torres Strait Islander people; ○ Support and build Aboriginal and Torres Strait Islander leadership; and ○ Support community-led initiatives.
<p>Integrated and coordinated</p> <ul style="list-style-type: none"> ○ Adopt a holistic lens which takes into account health, economic and social factors that may influence ability to engage; ○ Coordinate across the APS to reduce burden and duplication and understand interdependencies; ○ Collaborative working relationships between Government departments and agencies will contribute to reducing community consultation fatigue and burn out; ○ Use regional/local offices for assistance with engagement, where relevant and appropriate; and ○ Use place-based methodologies that is informed by where the impact is realised. 	<p>Inclusive and Accessible</p> <ul style="list-style-type: none"> ○ Ensure that diverse perspectives and lived experience including language, and geography and/or remoteness are included; ○ Ensure appropriate representation, including community members participation, (including women, young people, Stolen Generations, Elders, Aboriginal and Torres Strait Islander people with a disability, people who identify as LGBTQIA+, and other intersectional groups of the community); and ○ Build in flexibility to enable participation and access.
<p>Timely</p> <ul style="list-style-type: none"> ○ Provide space for Aboriginal and Torres Strait Islander people to consider options and to provide free, prior and informed consent to any decisions; ○ Talk to partners about how long the engagement will take, noting it may take longer due to competing community priorities and factor this into planning; ○ Talk to partners about post-engagement follow up, ensuring timely advice on outcome, impact and next steps; and ○ Provide feedback on how input has been considered and used. 	<p>Ethical</p> <ul style="list-style-type: none"> ○ Engage with integrity, openness, honesty and in good faith, ensuring partners have a shared understanding of what is being talked about and why; ○ Ensure remuneration is available to support Aboriginal and Torres Strait Islander peoples engagement where appropriate; ○ Support and resource the community to build capability and capacity to engage, and ○ Ensure the engagement and resulting impact does not impact or harm Aboriginal and Torres Strait Islander cultures, languages and identities.

36. Further information on engagement is available at:

- [Appendix 3D](#) outlines 10 Steps to Engagement to assist agencies in the process of engagement.
- [Appendix 3E](#) provides a Checklist for cross-referencing.
- [Appendix 3F](#) sets out a self-assessment for agencies to measure the quality of their engagement with their Aboriginal and Torres Strait Islander partners.

II. Partnership

37. Partnership is distinct from engagement or consultation which positions Aboriginal and Torres Strait Islander people as stakeholders and Government as decision-makers. Partnership is an agreed and ongoing relationship where partners have agreed how they will share decision-making to achieve a common objective.
38. Under the National Agreement, the Commonwealth Government has committed to working in *formal* partnership.
39. Formal partnership is supported by a written agreement, a commitment to share decision-making and a governance structure which balances power between partners. In the context of the National Agreement, partnership is not a procurement, contracting, commissioning, capacity building or a funding agreement. Advisory bodies committees and round tables do not share decision-making but typically provide 'advice' to Government; these structures are also not formal partnerships under the National Agreement.
40. Some relationships between Government agencies and Aboriginal and Torres Strait Islander people can be described as *informal* partnerships. These relationships may have many of the strong partnership elements but are not supported by a formal agreement and/or commitment to share decision-making.
41. While the National Agreement was negotiated and agreed in formal partnership, partnerships between Aboriginal and Torres Strait Islander people and governments are not new.¹⁷ Structures such as Empowered Communities¹⁸ and the Murdi Paaki Regional Assembly¹⁹ have a long history of working in partnership with Government to increase community control over policy and programs.
42. The National Agreement identifies 'strong partnership elements,' outlined at Table 2 below. Agencies should work towards a formal partnership that meets all of the strong partnership elements, unless their Aboriginal and Torres Strait Islander partners have decided not to include them.

¹⁷The Framework notes existing shared decision-making models across Australia, including but not limited to: Australian Capital Territory Aboriginal and Torres Strait Islander Elected Body; Barkly Governance Table/Barkly Regional Deal/Tennant Creek Cultural Authority; Dilak Council; First Peoples' Assembly of Victoria; Empowered Communities; Murdi Paaki Regional Authority; New South Wales Local Decision-Making initiative; Northern Territory Local Decision-Making initiative; Pama Futures model; Pilbara Aboriginal Voice; Queensland Local Thriving Communities

¹⁸ For more information visit the Empowered Communities website: <https://empoweredcommunities.org.au/>

¹⁹ For more information, visit the Murdi Paaki Regional Assembly website: <https://www.mpra.com.au/>

Table 2 Strong Partnership Elements

Strong partnership elements	
Parties are accountable and representative (Including Indigenous parties choose their representatives)	Partnerships are between:
	<ul style="list-style-type: none"> Aboriginal and Torres Strait Islander people, appointed by Aboriginal and Torres Strait Islander people in a transparent way, based on their own structures and where they are accountable to their own organisations and communities
	<ul style="list-style-type: none"> Up to three levels of government, where government representatives have negotiating and decision-making authority relevant to the partnership context
A formal agreement in place, signed by all Parties	Defines who the Parties are, what their roles are, what the purpose and objectives of the partnership are, what is in scope of shared decision-making, and what are the reporting arrangements, timeframes, and monitoring, review and dispute mechanisms
	Is structured in a way enabling Aboriginal and Torres Strait Islander Parties to agree the agenda for the discussions that lead to any decisions
	Is made public and easily accessible.
	Is protected in state, territory and national legislation where appropriate
Agreed funding being provided to support Indigenous Parties to engage and form positions	To engage independent policy advice
	To meet independently of governments to determine their own policy positions
	To support strengthened governance between and across Aboriginal and Torres Strait Islander organisations and Parties
	To engage with and seek advice from Aboriginal and Torres Strait Islander people from all relevant groups within impacted communities, including but not limited to Elders, Traditional Owners and native title holders
Shared decision-making behaviours	Making decisions by consensus, where the voices of Aboriginal and Torres Strait Islander parties hold as much weight as the governments
	Acting with transparency – ensuring matters for decision are in terms that are easily understood by all parties and where there is sufficient information and time to understand the implications of the decision
	Ensuring Aboriginal and Torres Strait Islander representatives can speak without fear of reprisals or repercussions
	Being inclusive - enabling a wide variety of groups have their voice heard - including women, young people, Elders, and Aboriginal and Torres Strait Islander people with a disability or who identify as LGBTQIA+.

	Supporting self-determination – including that Aboriginal and Torres Strait Islander lived experience is understood and respected
	Reprioritising funding for programs and services so they align with jointly agreed community priorities, noting governments retain responsibility for funding decisions
	Data sharing – providing partnership Parties have access to the same data and information – including in an easily accessible format, on any decisions are made

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Advantages of Formal Partnerships

43. Formal partnerships provide the structure for shared decision-making between Aboriginal and Torres Strait Islander people and governments at local, regional and national levels to develop, design and deliver policies, programs, and services.
44. Sharing decision-making with Aboriginal and Torres Strait Islander people through formal partnerships contributes to the transformation of Government organisations, as committed to under Priority Reform Three of the National Agreement.
45. As identified in the National Agreement, working in partnership will:
 - Drive Aboriginal and Torres Strait Islander community-led outcomes on Closing the Gap;
 - Enable Aboriginal and Torres Strait Islander representatives, communities and organisations to negotiate and implement agreements with governments to implement the Priority Reforms, and policy-specific and place-based strategies to support Closing the Gap;
 - Support additional community-led development initiatives; and
 - Brings all Government Parties together with Aboriginal and Torres Strait Islander people, communities and organisations to the collective task of Closing the Gap.
46. A formal partnership structure empowers Aboriginal and Torres Strait Islander people to have a seat at the table on matters that impact or affect them. Formal partnerships can drive Aboriginal and Torres Strait Islander reform and development, giving equal weight to the voices of Aboriginal and Torres Strait Islander people. It also opens an ongoing line of communication and dialogue between Government and Aboriginal and Torres Strait Islander people.
47. Formal partnerships are less likely to revert to existing traditional ways of engaging — that is, transactional approaches where Aboriginal and Torres Strait Islander representatives are ‘stakeholders’ or governance structures based on advisory bodies, roundtables, committees where they may have limited power over final decision-making.

Working in Partnership

48. Where there is no existing relationship between an agency and an Aboriginal and Torres Strait Islander partner, agencies should identify Aboriginal and Torres Strait Islander people, communities and organisations relevant to the agency’s policy, program or place-based approach.
49. It may take time to build trust and agree to work in partnership. However, partnerships can be established without an existing relationship where there is mutual ambition, aspiration, capacity and capability. Guidance on building partnerships can be found in [Appendix 4A](#).
50. Where agencies have existing relationships with Aboriginal and Torres Strait Islander people, communities or organisations, agencies should consider whether the arrangement meets the ‘strong partnership elements’ as outlined in the National Agreement at Table 2 above. Where there are gaps, agencies should work with their partners to review their existing arrangements in line with the strong partnership elements.
51. The decision to enter a formal partnership should be made in light of the opportunity available to do so properly, taking into consideration the extent to which decisions relate to Government’s financial, legal and administrative responsibilities. Guidance on preparing to enter a formal partnership can be found in [Appendix 4B](#).
52. The maturity of the relationship, the willingness of Parties to work together, capability constraints, or limited resources may mean a formal partnership is not possible at a specific point in time. In these circumstances, agencies are still expected to build and develop strong working relationships,

using as many of the strong partnership elements as practicable, with Aboriginal and Torres Strait Islander parties. Guidance on creating opportunities for developing stronger relationships for partnerships that cannot yet meet all the strong elements can be found in [Appendix 4C](#).

53. The strong partnership elements include shared decision-making behaviours. While key decisions will be made at formal meetings and documented in relevant records of meeting, shared decision-making may also occur through informal and regular interactions between partners. In this way, shared decision-making within a formal partnership built on trust and respect can be flexible and frequent, at times resembling effective engagement.
54. Shared decision-making requires participation from a wide variety of Aboriginal and Torres Strait Islander people, including women, young people, elders and Aboriginal and Torres Strait Islander people with a disability. Racism can limit participating in decision-making, and intersects with other discrimination these groups face.²⁰ Inclusive participation recognises that some groups may be excluded and actively supports unheard members of the community who have been historically excluded or who face barriers to participation. Inclusive participation provides the opportunity for all people living in a community to influence decisions that affect them and their families.²¹
55. Governance arrangements, which set out how the partnership will work in practice, also support shared decision-making. Governance arrangements can be documented separately to the partnership agreement and include:
 - How meetings will be conducted, including who will attend, who will chair, how often will the partnership meet;
 - How priorities are agreed and actioned by the partnership, including how research is commissioned and when work will be considered; and
 - How decisions are made, including how agendas are agreed and when papers are circulated.
56. The Terms of Reference for both the Joint Council on Closing the Gap and the Partnership Working Group are examples of governance arrangements and are publicly available through the Closing the Gap website.²²
57. While a formal agreement can alleviate the power imbalance of parties coming into a partnership, it does not mean Aboriginal and Torres Strait Islander partners come to the table as equals. There are still significant structural, historical and financial barriers which mean Government continues to hold more power, even in formal partnerships.²³
58. To review how the parties are working together and to support continual improvements, Parties should consider conducting regular 'health checks'. A health check considers how the Parties are working together based on success indicators agreed by the Parties, not whether the partnership has achieved its purpose or objective. Partnership Health Checks for the Partnership Agreement on Closing the Gap are available on the Closing the Gap website.²⁴
59. Adequate resourcing and funding is needed to support Aboriginal and Torres Strait Islander parties to become partners with governments in formal partnership arrangements. Further information

²⁰ National Aboriginal and Torres Strait Islander Health Plan 2021-2031, page 51.

²¹ Indigenous Voice Co-design Process Final Report to the Australian Government, page 48

²² www.closingthegap.gov.au

²³ See for instance the Partnership Health Check which acknowledged that 'the Government parties had the upper hand during the negotiation of the National Agreement because the Coalition of Peaks could not in good conscious walk away from the Partnership; it was the only pathway to better life outcomes for Aboriginal and Torres Strait Islander people and communities. This is likely to remain the case for the implementation phase of the National Agreement.' (page 18) <https://www.closingthegap.gov.au/partnership>

²⁴ Partnership Health Check reports under the Partnership Agreement on Closing the Gap: <https://www.closingthegap.gov.au/partnership>

on resourcing and supporting both the establishment and implementation work of partnerships is at [Appendix 4E](#).

Policy and place-based partnerships

60. The National Agreement refers to both policy and place-based partnerships. Policy partnerships are partnerships created for the purpose of working on discrete policy areas, such as education, health or housing. Place-based partnerships take a long term community development approach and are:

- Based in a specific region;
- Between Government and Aboriginal and Torres Strait Islander representatives, and others by agreement, from those specific areas; and
- Respond to local priorities and requirements.

61. The decision-making authority should be made in place, closest to the people or organisations that the decision or action is designed to serve.

62. At the local level, place-based partnerships must drive solutions that cut across organisational, sector and Government silos to deliver solutions based on community priorities and objectives²⁵, consistent with cultural and social determinant approaches. Further information on types of partnerships can be found at [Appendix 4D](#).

²⁵ Aboriginal and Torres Strait Islander Health Plan 2021-2031, pg24

Implementation, Monitoring and Review

Implementation

63. This Framework and practical application of the appendices in the Toolkit sets the standard for Commonwealth Government engagement, partnership and shared decision-making, implementing the commitment that Aboriginal and Torres Strait Islander people will have a genuine say in the design and delivery of services that affects or impacts them.
64. Agencies should incorporate this advice into agency level engagement and partnership strategies. The content in this Framework and Toolkit enables agencies to uplift specific content to align with their relevant business practises.

Monitoring

65. The National Agreement commits all governments to sharing and publishing their engagement approaches that give effect to the transformation elements on engagements. Agencies are encouraged to develop and publish their own engagement and partnership strategies.²⁶ Under Closing the Gap annual reporting arrangements, Government will track progress under Priority Reform One and Priority Reform Three.
66. This Framework will be reviewed as part of the reporting mechanisms established under the National Agreement and will be updated as required to reflect best practice and ensure it remains relevant.

Agency Annual Reporting

67. Agencies are required to report on how they are meeting the transformation elements and partnership commitments. This will help to ensure that effort is effectively targeted, addresses gaps in service delivery, and drives clear accountability for outcomes.
68. Information that agencies will need to provide for the Commonwealth's Annual Report under Closing the Gap includes:
 - The number of partnerships;
 - Existing partnerships that have been reviewed against the strong partnership elements;
 - Which strong partnership elements are met and unmet in each partnership; and
 - What has been achieved through the identified partnerships.
69. The Government has also committed to a Partnership Review that will:
 - Undertake a stocktake of existing partnership arrangements and report to the Joint Council;
 - Review and strengthen existing partnerships by 2023 to meet the strong partnership elements, unless Aboriginal and Torres Strait Islander members of the partnership do not wish to include these elements; and
 - Report on the number of partnerships, changes made to existing partnerships, and which strong partnership elements are met and unmet for all partnerships.

²⁶ Consistent with Clause 63 of the National Agreement on Closing the Gap

List of Toolkit Appendices for implementation of this Framework

Appendix 1	Framework Summary (one pager) TBC
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Appendix 2A – Transformational Elements

The Government has committed to the systemic and structural transformation of mainstream government organisations to improve accountability and respond to the needs of Aboriginal and Torres Strait Islander people.

There have been historical challenges in implementing widespread change within the APS. Transformation requires effective leadership and coordination, building capability and measurement of progress, sufficient and sustained investment and cultural change.¹

The National Agreement identifies the following transformational elements:

National Agreement Transformation Elements

CI.59a Identify and eliminate racism

Engagement practices themselves can identify and call out institutional racism, discrimination and unconscious bias. The application of this Framework, by working with Aboriginal and Torres Strait Islander people, can therefore contribute to broader system-focused efforts of addressing features of systems that cultivate institutionalised racism.

CI.59b Embed and practice meaningful cultural safety

This Framework embeds and promotes cultural safety. It does this by taking a strengths-based approach where Aboriginal and Torres Strait Islander people's views, perspectives and expertise is considered, from the outset, and vital to engagement process, and the contexts that these engagements take place. The Framework promotes cultural strength in identity as a critical protective factor. This also requires staff involved in an engagement process to undertake cultural competency training to ensure the cultural safety of engagement.

CI.59c Deliver services in partnership with Aboriginal and Torres Strait Islander organisations, communities and people

Developing genuine relationships between government organisations and Aboriginal and Torres Strait Islander people, communities and organisations enhances the quality and cultural safety of engagement process and the mainstream service delivery, policies and services being considered.

CI.59e Support Aboriginal and Torres Strait Islander cultures

Ensuring Commonwealth agencies and departments understand and can identify their history with Aboriginal and Torres Strait Islander people. By building relationships with Aboriginal and Torres Strait Islander people, communities and organisations, agencies and departments can better understand and reflect the history and culture of local communities, and build trust in the engagement process.

CI.59f Improve engagement with Aboriginal and Torres Strait Islander people

Centring Aboriginal and Torres Strait Islander views, perspectives and expertise is essential whenever agencies and departments undertake significant changes to policy and programs that impacts or affects Aboriginal and Torres Strait Islander people. Aboriginal and Torres Strait Islander people should have a role in the design and conduct of engagements; know the purpose and fully understand what is being proposed; know what feedback is provided and how that is being taken account of by governments in making decisions; and are able to assess whether the engagements have been fair, transparent and open.

¹ There have been historical challenges in implementing reforms within the APS including attitudes, enabling systems, and workplace culture. 'Unlike past reviews, this report recommends a very different approach to implementation: a dedicated and sustained approach to transformation will be necessary for success.' page 16.

Appendix 2B - Building Capability and Capacity to Engage and Work in Partnership

Building Australian Public Service Capability

To engage and work in partnership, the APS needs to invest in building both its own capability, as well as building Aboriginal and Torres Strait Islander community capacity. Ensuring the APS has the right skills to engage, work in partnership and build relationships is key to Government's ability to develop and deliver effective policy, programs and services.

To build and strengthen APS capability, agencies should consider:

- What measures are in place to improve staff understanding and awareness of the National Agreement and what it means for their work;
- Mapping actions to ensure they operate with cultural competency, cultural proficiency and cultural safety;
- Reviewing Aboriginal and Torres Strait Islander engagement strategies in partnership with Aboriginal and Torres Strait Islander partners in line with this Framework;
- Implementing policies, procedures and practices that support effective engagement and development of partnerships with Aboriginal and Torres Strait Islander people; and
- Evaluating corporate processes and accountability mechanisms to drive responsibility for the commitments that all agencies have undertaken in the National Agreement.

More broadly, agencies should also consider:

- Employing more Aboriginal and Torres Strait Islander people;
- Increasing recruitment and retention targets that extend beyond APS Indigenous Graduate programs;
- Addressing the under-representation in middle and senior management positions, procuring more services from Aboriginal and Torres Strait Islander organisations; and
- Facilitating discussions and workshops where Aboriginal and Torres Strait Islander knowledge and issues intersect with agency work and the workplace.

Building Aboriginal and Torres Strait Islander Community Capacity

Government engagement has matured substantially from one way practices of 'informing' stakeholders, and now extends to shared decision-making and working in formal partnership. The most significant shift in engagement is the recognition it can come from the community or be led by the community itself.

Communities that are able to develop, implement and sustain their own solutions can shape and exercise control over their physical, social, economic and cultural environments. The parties to the National Agreement are committed to building and strengthening structures that empower Aboriginal and Torres Strait Islander people to share decision-making authority with governments to accelerate policy and place-based progress against Closing the Gap.²

Building the capacity of Aboriginal and Torres Strait Islander people to engage will also build capacity to share decision-making and work in partnership. Improving community capacity to engage will help

² Clause 28 - Priority Reform One/Formal Partnerships and Shared Decision-Making/National Agreement [National Agreement on Closing the Gap | Closing the Gap](#)

align community and Government priorities and strengthen Aboriginal and Torres Strait Islander knowledge of government processes.

Agencies can build a community's capacity to engage by:

- Asking the community to take a leadership role, such as by leading discussions or by identifying priorities and outcomes;
- Enabling inclusive access to diverse cohorts including those with a disability, Elders, youth, women, LGBTQI+ (including participant access to transport, childcare as appropriate);
- Ensuring engagement participants are representative of the community whose views are being sought;
- Ensuring there is sufficient time and resourcing for the community to prepare for engagement;
- Supporting engagement that is motivated or led by the community; including building on local community aspirations and priorities
- Supporting and respecting self-determination;
- Resourcing participants to be able to engage;
- Ensuring engagement participants are representative;
- Building local power and governance structures into authority and leadership processes, strategic planning and local decision-making;
- Investing in mentoring, training and skills and capacity building where appropriate; and
- Investing in community infrastructure such as information technology to increase access to information, facilitate participation and increase skills base and knowledge transfer.

Building the community's capacity to engage, together with an increased APS capability to engage, will enable tailored and targeted effort of agencies that decrease community consultation fatigue, and in particular reduce the burden of engagement on a select few.

Engaging with disability

In 2018, the ABS stated that 24% of Aboriginal and Torres Strait Islander people lived with a disability; in 2021, 8.8% had a severe or profound disability. Australia's *Disability Strategy 2010-2020* saw a range of reforms that included significant shifts in Government and social and community services to remove barriers for people with a disability, and to engage, inform and involve the whole community in achieving a more inclusive society.³ To build community capacity, agencies must be able to factor in additional time, resources, and access into engagement planning, so that people with disability can fully and effectively participate and contribute.

The National Agreement (Clause 32civ) states that shared decision-making is where a wide variety of groups of Aboriginal and Torres Strait Islander people, including women, young people, Elders and Aboriginal and Torres Strait Islander people with a disability can have their voice heard⁴. The Parties to the Agreement acknowledge that within the Aboriginal and Torres Strait Islander population there are cohorts who are likely to experience greater levels of disadvantage and where it may be more difficult to close the gap, including stolen generation survivors, people with disability⁵, and LGBTQIA+ status.

³ Australia's Disability Strategy 2021-2031

⁴ Clause 32civ [National Agreement on Closing the Gap | Closing the Gap](#)

⁵ Clause 93 [National Agreement on Closing the Gap | Closing the Gap](#)

Appendix 3 – Engagement

3A – Feedback on Government engagement

Community feedback from the Closing the Gap engagement report process⁶ have been reflected in the Engagement and Partnership Framework, including through the commitments made in the National Agreement on Closing the Gap. This feedback includes the need to:

- Work in partnership;
- Improve engagement with Aboriginal and Torres Strait Islander people; and
- Structurally transform mainstream government organisations.

Participant feedback on the importance of engaging with Aboriginal and Torres Strait Islander people

- Participants highlighted the importance of governments engaging with Aboriginal and Torres Strait Islander people about policies, programs and services that impacted their lives to achieve better outcomes
- Participants felt that governments should not be making significant policy, program or service decisions that affect Aboriginal and Torres Strait Islander people without their full involvement. It was noted that not doing so in the past has led to the roll out of harmful policies
- Participants asked for regular, clear communication, and messages being developed by and for community-controlled organisations
- Participants felt that governments do not have standard engagement policies and processes. They differ across jurisdictions and agencies within the same jurisdiction making it difficult and confusing for Aboriginal and Torres Strait Islander people to engage meaningfully
- Government officials are sometimes over-represented during meetings with communities and the role and authority of each official is not clearly explained to participants
- There is little or no coordination between Commonwealth and State and Territory governments who often consult on the same or similar things
- Often it is not clear whether governments want to inform, consult, or seek agreement when they engage with Aboriginal and Torres Strait Islander communities
- There is little or no feedback provided to the community on the outcomes of meetings or engagements and about what decisions were made as a result
- There is often no Aboriginal or Torres Strait Islander leadership in government-led engagements.

How feedback on the importance of engaging with Aboriginal and Torres Strait Islander people was reflected in the Agreement

- The National Agreement includes Priority Reform Three and a commitment to structural transformation of mainstream government organisations
- Government Parties have committed to ensure Aboriginal and Torres Strait Islander people are involved in a leadership capacity, understand the purpose of the engagement and what is being proposed, know what feedback is provided and how that is used to make decisions, and can assess whether the engagements have been fair, transparent, and open
- Government Parties have committed to share and publish their engagement approaches to give effect to the commitments listed above

⁶ Information sheet – reflection engagement outcomes: What was heard from the engagements and how it has been incorporated into the National Agreement on Closing the Gap, available from <https://www.closingthegap.gov.au/sites/default/files/files/information-sheet-reflection-engagement-outcomes.pdf>

- A communication strategy will be developed to increase awareness of the National Agreement and assist discussions about applying the commitments under the Agreement to communities and organisations across the country
- The National Agreement proposes that Aboriginal and Torres Strait Islander controlled media be engaged to promote and distribute information across a range of mediums to Aboriginal and Torres Strait Islander people.

Participant feedback on Priority One

- Partnership arrangements (such as formal agreements) need to be agreed to by all Parties and set out in writing or legislation
- Aboriginal and Torres Strait Islander people should be strongly supported to participate fully in partnership arrangements including access to funding
- Aboriginal and Torres Strait Islander people need to determine their own representatives
- Everyone needs to have the opportunity to have their voice heard, including Elders and young people
- Mechanisms need to be included to ensure transparency and to hold everyone accountable for their actions
- Effective, ongoing, and open communication is facilitated by the partnership arrangements.

How Priority One feedback was reflected in the Agreement

- The National Agreement's Priority Reform One commits governments to new formal policy partnerships and place-based partnerships where decision-making on Closing the Gap will be shared between governments and Aboriginal and Torres Strait Islander representatives
- Strong partnership elements are defined to address the feedback from the engagements on what partnership arrangements should look like
- Government Parties have committed to include strong partnership elements in policy and place-based partnerships
- The Parties recognise that adequate funding is needed for Aboriginal and Torres Strait Islander people to engage and participate, including access to independent quality advice
- The National Agreement includes a target on Priority Reform One. Action taken and progress made against Priority Reform One is to be included in Jurisdictional Implementation Plans and annual reports.

Participant feedback on Priority Three

- Participants identified key changes that mainstream organisations need to make to deliver better outcomes including:
 - Tackling systemic racism and promoting cultural safety
 - More involvement and leadership in the development, design, and implementation of mainstream services
 - Establishing and supporting partnerships with community-controlled organisations
 - Transferring power and resources to Aboriginal and Torres Strait Islander communities and organisations
 - Supporting Aboriginal and Torres Strait Islander people to play a key role in decision-making in these organisations
 - Employing and supporting more Aboriginal and Torres Strait Islander people in leadership positions within these organisations
 - Supporting these organisations to change the way they undertake engagements with Aboriginal and Torres Strait Islander people
- Increased accountability including an autonomous Aboriginal and Torres Strait Islander body to monitor and improve the accountability of the mainstream.

How Priority Three feedback was reflected in the Agreement

- The National Agreement's Priority Reform Three commits Parties to progress structural transformation of mainstream government organisations
- Government Parties have committed to investment in mainstream organisations not being made at the expense of investment in the community-controlled sector
- Parties have committed to a series of transformation elements in government organisations that respond to key changes identified by participants
- Parties have committed to an independent mechanism (s) to support, monitor and report on transformation of mainstream organisations
- The National Agreement includes a target on Priority Reform Three. Action taken and progress made against Priority Reform Three is to be included in Jurisdictional Implementation Plans and annual reports.

Appendix 3B – Spectrum of Engagement

The Spectrum of Engagement provides different ways to engage. Aboriginal and Torres Strait Islander people, organisations and communities have an increasing level of impact on decision-making in Government policies and programs that impacts or affects them, as they move along the spectrum.

This spectrum builds on the APS Framework on Engagement and Participation, which identifies four ways to engage and does not extend to working in partnership, a key commitment in the National Agreement.⁷ The Framework was not specifically developed for working with Aboriginal and Torres Strait Islander people, and has limitations in this context.

To better reflect how agencies should work with Aboriginal and Torres Strait Islander people, the IAP2 public participation spectrum has been adapted and refined to include the specific levels of engagement of 'Partner', 'Decide', and 'Self-determination'. Self-determination articulates the most ambitious purpose to which many Aboriginal and Torres Strait Islander people and communities aspire towards along the engagement and partnership trajectory.

These changes will improve accountability, responding to the needs of Aboriginal and Torres Strait Islander people, and commits agencies' to systemic and structural transformation of mainstream Government organisations.

Spectrum of Engagement	Method of Engagement
<p>Inform</p> <p>Characteristic: One-way communication with stakeholders intended to inform or create awareness. These processes do not invite a response or provide for stakeholder contributions.</p> <p>Participation Goal: To provide the stakeholder with balanced and objective information to assist them to understand the problem, alternatives, opportunities and/or solutions</p> <p>Agency commitment: Government will keep our stakeholders informed</p> <p>Role of Stakeholder: Listen/read</p>	<p>Newsletters; Community power-point presentations; Fact sheets; Letters from agencies; Speeches from Ministers; Agency media releases on email or internet; Advertisements for government staff; Annual Reports, Public community meetings;</p>

⁷ APS Framework for Engagement and Participation - Department of Industry, Science, Energy and Resources
<https://www.industry.gov.au/data-and-publications/aps-framework-for-engagement-and-participation>

	Websites; Social Media; Information sessions
<p>Consult</p> <p>Limited two-way communication to seek stakeholder feedback on proposals, analysis and alternatives to assist agency decision making. Direction of communication is generally rigid e.g. stakeholders respond to pre-defined questions.</p> <p>Participation Goal: To obtain feedback</p> <p>Agency commitment: Government will respectfully consult with stakeholders, listen to and acknowledge their views and concerns, and provide feedback (including as appropriate how public input influenced decision and direction)</p> <p>Role of Stakeholder: Contribute</p>	Online feedback portals; Submission processes; Public meetings; Sector focus groups; One-on-one meetings; Electronic surveys
<p>Involve</p> <p>Characteristics: Involving stakeholders throughout a process, providing multiple opportunities for input, with steps to ensure that issues and concerns understood and considered. There is two way or multi-way communication where learning takes place on both sides.</p> <p>Participation Goal: Government will work directly with the stakeholders throughout the process so that views, concerns and aspirations are understood and considered.</p> <p>Agency commitment: Government will work with stakeholders to ensure their views, concerns and aspirations are reflected in our strategies and solutions and provide feedback (including as appropriate how their input influenced decision and direction)</p> <p>Role of Stakeholder: Participate</p>	Sector Forums; Advisory panels; Stakeholder workshops; Consultative committees
<p>Partner</p> <p>Characteristics: Informal or formal partnerships for the purpose of shared decision-making.</p> <p>Participation Goal: Government partners in each aspect with Aboriginal and Torres Strait Islander people and communities and/or groups to develop mutually agreed mutually agreed solutions, pursue opportunities and joint plan of action. Partners are supported to shape and deliver outcomes, share decision-making and actively contribute to the achievement of outcomes. Involves a commitment to share power wherever possible, and to develop, manage and execute a shared vision and purpose.</p> <p>Agency commitment: Aboriginal and Torres Strait Islander partner's views are given the same weight as Government's.</p> <p>Role of Partner: Shared Decision-Maker</p>	Reference groups; Advisory panels, Standing committees; Partnerships; Joint projects; Joint ventures
<p>Decide</p> <p>Characteristics: Formal structure for the purposes of decision-making. May extend to the integration of partners into a governance structure.</p> <p>Participation Goal: To place final decision in the hands of the partner.</p> <p>Agency commitment: Government relinquishes certain powers and responsibilities and will implement what the partner decides.</p> <p>Role of Partner: Decision-Maker</p>	Formal Partnerships between community and Government (ie Blue Mud Bay native title rights over intertidal waters, Empowered Communities)

<p>Self-Determination</p> <p>Characteristics: Community meets their own social, cultural and economic needs and has principles of freedom, authority, support, responsibility and confirmation.</p> <p>Participation Goal: Community sets the agenda and has freedom of choice to decide</p> <p>Agency commitment: Support to build community capacity and capability where possible.</p> <p>Role of Partner: Community-led initiator and Decision-Maker</p>	<p>Aboriginal and Torres Strait Islander community control is an act of self-determination⁸. Community controlled and owned organisations; Aboriginal and Torres Strait Islander businesses</p>
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Appendix 3C – 10 Steps to Engagement

During the National Agreement engagement, Aboriginal and Torres Strait Islander people raised concerns that Government engages on a transactional and ad-hoc basis.

Consistent with the National Agreement commitments, agencies should establish enduring and structured relationships, ideally formal partnerships, with Aboriginal and Torres Strait Islander people. Engagement within a formal partnership is likely to be more strategic, flexible and agile, producing better outcomes for both Government and Aboriginal and Torres Strait Islander people and communities.

The following table outlines the 10 Steps to Engagement which agencies can use to plan their engagements with Aboriginal and Torres Strait Islander communities with or without a formal partnership. It is important that both the Principles of Engagement and Spectrum of Engagement inform the activities in the planning process below.

<p>It is important to understand, identify and map out with the community and the local cultural authority where appropriate:</p> <ul style="list-style-type: none"> • Interdependencies, roles and responsibilities; • Community decision making processes, regulators and levels of authority (including cultural authority); • Relationships and conflicts which may impact engagement; and • Trends and historical analysis from data that can help inform engagement questions 	
Steps	Description
1. Purpose	<ul style="list-style-type: none"> a. Define purpose of the engagement; b. Explain why planned engagement is occurring, ensure appropriate permissions are received, communicate how feedback and information will be used; and c. State engagement objectives and rationale including: <ul style="list-style-type: none"> ○ Issues that need to be addressed, answered, resolved ○ People affected ○ Ideal outcome ○ Who decides when a resolution has been achieved
2. Scope	<ul style="list-style-type: none"> ○ Agree to the purpose; ○ Outline negotiables and non-negotiables; ○ Outline budget, viability, safety and legislative requirements; ○ Outline opportunity for stakeholder change and input; ○ Define structure, roles and responsibilities; ○ Define governance and accountability requirements; ○ Map out interdependencies, communication channels; and

⁸ Clause 44 National Agreement

	<ul style="list-style-type: none"> ○ Identify potential risks.
3. Level of Participation	The Spectrum of Engagement identifies the differing levels of participation. Consider the goals, timeframes, resources and levels of concern in the decision (s) to be made. Once engagement goals are established, the positioning on the Spectrum and necessary approaches will become apparent.
4. Engagement Identification	<p>Agencies should identify who should be engaged. The following questions can help inform this process:</p> <ul style="list-style-type: none"> ○ Who is directly involved? Who is directly affected? Who is likely to be affected or impacted? ○ Are there interdependencies with other groups, internal and external? ○ Is the engagement representative, including groups such as LGBTQIA+, disability, diversity, gender, age? Does the engagement address potential power imbalances that impact participants? ○ Who has conflicts within their own stakeholder relationships and groups? ○ Who are the decision-making authorities? Does this include the cultural authority? Who are the representatives? ○ What is the level of each stakeholder groups' influence?
5. Identify risks	<p>Consider risks and develop effective mitigation including:</p> <ul style="list-style-type: none"> ○ Unclear purpose/lack of communication; ○ Skills or capability gap (either from the agency or the community); ○ Insufficient resourcing to participate; ○ Absence of trust; ○ Misalignment of objectives and priorities (either from the agency or the community); and ○ Failure to review and adapt through continual improvement processes.
6. Engagement Project Requirements	<p>Consider whether:</p> <ul style="list-style-type: none"> ○ Aboriginal and Torres Strait Islander people have been engaged as partners, decision-makers, leaders or participants; ○ Aboriginal and Torres Strait Islander people have a leadership role in the design and conduct of engagements; ○ Time or financial demands beyond the usual role of Aboriginal and Torres Strait Islander community members or staff of Aboriginal and Torres Strait Islander organisations will be resourced and recompensed; ○ Cultural safety is supported for all Aboriginal and Torres Strait Islander people involved in and/or impacted by the engagement; ○ Aboriginal and Torres Strait Islander data governance and sovereignty will be addressed; ○ Aboriginal and Torres Strait Islander cultural and intellectual property of individuals, communities and organisations will be addressed; ○ Sufficient time is provided for engagement; ○ There are any legislative or specific policy requirements; ○ Specialist expertise or technical knowledge is required; ○ Reporting requirements (type and frequency) have been included; and ○ If there are resource constraints;
7. Engagement Plan	An engagement plan identifies how the Agency will engage the community, it should include:

	<ul style="list-style-type: none"> ○ Purpose, objective, scope. This includes ensuring that stakeholder and community priorities and Government objectives are aligned; ○ Tools and techniques to be used in the engagement process; ○ Schedule of activities and timeline; ○ Resources; ○ Risk management that identifies risks and barriers to execution of the Plan and mitigation; ○ Budget; ○ Roles and responsibilities; ○ Communication strategy; ○ Reporting mechanism; ○ Evaluation points; ○ Demonstration of commitment to engage with Aboriginal and Torres Strait Islander people and communities in line with the Spectrum of Engagement and the Commonwealth Principles of Engagement; and ○ Inbuilt flexibility with timelines
<p>8. Execution of Plan and Feedback</p>	<p>The execution of the Engagement Plan should ensure methods of engagement are fit-for-purpose and suitably adaptable to respond to the changing dynamics amongst stakeholder and partner groups. Successful engagement also depends on strong relationships with Aboriginal and Torres Strait Islander people and communities. Execution of the Plan includes:</p> <ul style="list-style-type: none"> ○ Securing the necessary resources; ○ Adhering to proposed timeframes (that has inbuilt some flexibility) and budget; ○ Engage and communicate with Aboriginal and Torres Strait Islander people and communities as described in the plan; ○ Compliance with legal and regulatory requirements; ○ Confirm that the decision-making process aligns with project objectives (including aligning with community and Government objectives); ○ Project evaluation and reporting; ○ Lessons learned and continuous improvement processes; and ○ Collation of feedback made available to all. <p>Feedback is a quality indicator and refers to the provision of information to Aboriginal and Torres Strait Islander people and communities on how engagement outcomes will be utilised in decision-making. Agencies should ensure that a statement of feedback is promised to participants as part of the engagement process, and that processes are identified for feeding back the results to participants and partners.</p>
<p>9. Monitoring and Review</p>	<p>To ensure engagement is effective and continually provides support to the specific project, ongoing monitoring and measuring of performance should be undertaken and reported. Monitoring and review gives assurance that processes are effective in engaging with Aboriginal and Torres Strait Islander people and communities.</p> <p>Monitoring should influence decision-making on how improvements can be made and organisational culture enhanced to ensure appropriate engagement is embedded into routine activities. Continuous improvement over time can translate into improved quality of services, reduced cost and improved stakeholder and partner satisfaction.</p> <p>Responsibilities for monitoring should be clearly defined.</p>

<p>10. Evaluation, Monitoring and Review</p>	<p>Engagement evaluation and review enables Government to make recommendations and decisions based on the outcomes of the engagement. It is also the evidentiary point in the project outcomes and a central element of assuring quality engagement. Evaluation will review the engagement to determine the extent to which:</p> <ul style="list-style-type: none"> ○ Engagement requirements were identified; ○ Stakeholder (including Aboriginal and Torres Strait Islander participants and partners) identification was successful; ○ Goals and objectives were achieved; ○ Cultural competencies were engaged; ○ Engagement participants and partners were satisfied; ○ Aboriginal and Torres Strait Islander community priorities and Government objectives were aligned; ○ The degree of participant and partner involvement in decision-making and comparison of this against initial positioning on the Spectrum of Engagement, and change and impact as a result of engagement activities; and ○ Lessons were learned and incorporated into the continuous improvement process.
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Appendix 3D – Checklist for planning engagement

Agencies can review their engagement planning using the below checklist. This checklist should be used after completing the 10 Steps to Engagement at [Appendix 3D](#) to ensure appropriate actions and steps have been taken to maximise successful engagement.

The checklist below can be used for engaging both within and without a formal partnership structure.

<p>Planning engagement</p>	<ul style="list-style-type: none"> ✓ Review the 10 Steps to Engagement ✓ Develop your engagement plan in line with the Principles of Engagement and Spectrum of Engagement ✓ Be clear about the purpose of the engagement and outcomes ✓ Ensure appropriate Aboriginal and Torres Strait Islander partners and representatives have been identified ✓ Ensure Aboriginal and Torres Strait Islander people have a leadership role in the design and conduct of the engagement ✓ Identify and discuss scope for shared decision-making with Aboriginal and Torres Strait Islander partners
<p>Conducting engagement</p>	<ul style="list-style-type: none"> ✓ Ensure Aboriginal and Torres Strait Islander partners and representatives have the resources required to support their participation (eg pre-briefing, travel, accommodation, interpreters) ✓ Ensure appropriate communication materials are available to Aboriginal and Torres Strait Islander partners and representatives to support the engagement ✓ Ensure Aboriginal and Torres Strait Islander partners and representatives know what is in scope for shared decision-making ✓ Ensure Aboriginal and Torres Strait Islander partners and representatives can speak without fear of reprisals or repercussions

Follow up engagement	<ul style="list-style-type: none"> ✓ Ensure agreement on how outcomes and feedback are communicated to Aboriginal and Torres Strait Islander partners and representatives ✓ Ensure there is a list of actions or commitments made during the engagement for sharing with Aboriginal and Torres Strait Islander partners and representatives ✓ Communicate how the views of Aboriginal and Torres Strait Islander partners and representatives have been used to evaluate the engagement ✓ Ensure ability to measure and assess the quality of engagement
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Appendix 3E – Self-Assessment for Agencies

Measuring the Quality of Engagement

A set of criteria⁹ that builds on and strengthens the IAP2 Core Values, has been developed as a way to measure and assess the quality of Government engagement with Aboriginal and Torres Strait Islander partners and representatives.

The table below provides a summary of descriptions for the level of quality achieved and will help agencies to assess whether their engagement is in line with the ‘Partner’ and ‘Decide’ levels of engagement. The quality of engagement is the same at both ‘Partner’ and ‘Decide’ levels.

At the ‘Partner’ level, partners share decision-making and Aboriginal and Torres Strait Islander partners’ views are given the same weight as Governments. The level of influence of the partner is moderate to high¹⁰, and the strength of the relationship between Government and partner is ideally moderate to high¹¹.

At the ‘Decide’ level, the role of the partner is the decision-maker. Government places the final decision in the hands of the partner, and the Government will implement what the partner decides. The level of influence of the partner is high, and the strength of the relationship between Government and the partner is ideally high.

When considering metrics for engagement, Government should consider whether a self-assessment is sufficient (such as below), or whether an independent third party should be engaged on specific engagement projects.

1. Government recognises that Aboriginal and Torres Strait Islander people and communities who are impacted or affected by a policy or program have a right to be involved in the decision-making process

Potential affected or impacted partners on Government policy and programs are identified and include expansion of stakeholder base throughout process. Problem statement and purpose of engagement has been developed in collaboration with Aboriginal and Torres Strait Islander partners. Government and partners work together to decide how they will make decisions, via

⁹ Expanding on IAP2 Core Values

¹⁰ ‘Partner’ level of influence with Government is moderate to high. ‘Decide’ level of influence with Government is high

¹¹ ‘Partner’ strength of relationship with Government is ideally moderate to high. ‘Decide’ level of influence with Government is ideally high

partners preferred communications channel. Partners are actively involved in shared decision-making processes.

- Government and partners develop decision-making process
- Governance structures are clearly communicated with all partners
- Communications with partners are recorded

2. Government promises that Aboriginal and Torres Strait Islander people and communities contributions' will influence decision-making

Partners are involved in establishing the level of engagement, including shared decision-making (Partner) or Government places final decision in hands of partner (Decide). Government communicates to partners that their input will influence the decision-making process. Partners have input into what aspects of the decision-making process can and cannot be influenced in shared decision-making processes.

- An informal or formal partnership may be entered into (Partner)
- Decision-making processes are developed by Government and partners
- Governance structures are developed with partners
- Communications with partners are recorded

3. Government promotes sustainable decisions by recognising and communicating the needs and interests of Aboriginal and Torres Strait Islander people and communities, including decision-makers

Government demonstrates understanding of partners' interests, priorities and needs. Knowledge of partner interests and needs are based on partner input. Barriers to engagement have been identified and efforts made to overcome them.

- Government engagement techniques are aligned to partners' interests and the level of engagement.
- Partners are engaged to identify their values, interests, priorities and needs.

4. Government seeks out and facilitates the participation and input of Aboriginal and Torres Strait Islander partners and representatives who may be potentially affected by or impacted by Government policies, programs or reforms

Partners input is sought for engagement methods. Project sponsor facilitates additional support resources. Iterative stakeholder analysis conducted.

- Partner participation and access requirements have been identified
- Blocks to participation and input have been identified and overcome
- Partner has a lead role in determining the design and conduct of engagement processes and techniques

5. Government seeks input from participants in designing how they participate

Partner has lead role in determining the design and conduct of engagement processes and techniques

- Government is able to demonstrate how the partners have influenced the process for the project
- Government provides partners with the information they require to participate in a meaningful way

6. Participation provides participants with the information they need to participate in an meaningful way

Partners have been actively engaged to identify appropriate communications channels. Expert, objective and independent content has been openly made available to all partners.

- Partners are engaged in shaping the form and content of materials
- The range, quality, format and timing of materials is made available to partners in advance of the engagement process

7. Communicate to partners how their input affected the decision.

All feedback is collated and made freely available to partners. Opportunities are provided to explore the feedback in depth, work through feedback implications, and determine future steps.

- Processes have been identified for feeding back the results to partners
- Statement of feedback is provided to all partners

Appendix 4A - Building Partnerships

Significantly changing the way Government partners with Aboriginal and Torres Strait Islander people, communities and organisations requires a different perspective, approach, capabilities and behaviours. Building a partnership is about building a relationship with shared objectives which can be formalised at the right time. The following table provides an example of a structured approach and corresponding behaviours from the early stages of identifying relevant partners through to building a formal partnership.

Plan/Prepare	Lay the Foundation	Build a Structure	Formal Partnership
<p>Objective</p> <ul style="list-style-type: none"> • To identify Aboriginal and Torres Strait Islander organisations working in this area at the national, state/territory, and community level. 	<p>Objective</p> <ul style="list-style-type: none"> • Understand your partner's priorities, aspirations and goals. • Understand your partner's existing capability and capability gaps. • Identify shared objectives. 	<p>Objective</p> <ul style="list-style-type: none"> • Work together on a priority or shared objective. • Support capability development. • Develop trust through regular, respectful and reliable contact. 	<p>Objective</p> <ul style="list-style-type: none"> • Parties share decision making including on the objectives, scope and other terms of the partnership. • Aboriginal and Torres Strait Islander partners have sufficient resources to participate in the partnership.
<p>What does this look like?</p> <p>Ask for advice within your agency or reach out to</p>	<p>What does this look like?</p> <p>Regular calls, emails and meetings.</p>	<p>What does this look like?</p> <p>Following through on commitments and undertakings, both minor and major (eg. if</p>	<p>What does this look like?</p> <p>Parties develop formal processes for engaging through regular meetings, systems and processes</p>

<p>contacts in other agencies.</p> <p>Leverage existing relationships or partnerships, the Coalition of Peaks is a good place to start.</p> <p>Use Google and other sources of publicly available information.</p>	<p>Frequent informal meetings which build rapport and understanding of priorities and capability needs.</p> <p>Regular meetings, even if there isn't a specific problem or project to discuss.</p>	<p>you say you're going to call next week, call next week).</p> <p>Expertise is sought from partner which influences Government decisions.</p> <p>Ask what resources or support is needed for your partner to participate, form decisions and share decision-making.</p> <p>Discuss how you want to work together eg. frequency of formal meetings, how agendas are formulated, who chairs meetings, how papers are prepared etc.</p>	<p>(including developing a Terms of Reference).</p> <p>Regularly contact your partner and provide updates on the work you are undertaking and/or seek their views on something you want to propose.</p> <p>Formally consult, where necessary, and provide adequate resources and time.</p> <p>Calling, emailing or organising informal meetings with your partner before formal meetings to ensure all parties' have access to the same information to support decision-making.</p>
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Appendix 4B – Preparing for Formal Partnerships

The questions outlined below identify key considerations when preparing for formal partnerships under the National Agreement. The goal of these questions is to ensure formal partnerships are built on a strong foundation based on the strong partnership elements in the National Agreement. These questions also provide governments an opportunity to form and strengthen relationships built on trust and respect.

Purpose	<ul style="list-style-type: none"> • What is the objective/scope of the partnership? <ul style="list-style-type: none"> ○ Is partnership being developed for a specific outcome (eg employment outcomes in a specific region), or is it for a broad purpose (eg early childhood)? • Who will this policy or program impact? <ul style="list-style-type: none"> ○ Is it place-based, or is it a larger national piece of work? Consider how this will impact the partnership eg. parties to the partnership • What is the scope of shared decision-making? <ul style="list-style-type: none"> ○ Decision-making needs to be genuinely open to discussion • What are the expectations of each party to the partnership in meeting the strong partnership elements? • How will parties to the partnership be held accountable to the partnership?
Timing	<ul style="list-style-type: none"> • Is the policy or program work time limited?

	<p>If a policy or program is time limited:</p> <ul style="list-style-type: none"> • How will sufficient time for genuine engagement with partnership parties be assured? • Are the timeframes flexible to support genuine partnership?
Parties to the partnership	<p>Governments</p> <ul style="list-style-type: none"> • Which level/s of government (Commonwealth, State/Territory, Local) will be involved in the partnership? • Is there more than one government partner at the State/Territory government level and/or Local government level? <p>Aboriginal and Torres Strait Islander Parties</p> <ul style="list-style-type: none"> • For Aboriginal and Torres Strait Islander partners is there an existing organisation/community, or multiple groups? <ul style="list-style-type: none"> ○ Do these groups have existing governance arrangements? If so, how mature are they? • Are Aboriginal and Torres Strait Islander representatives appointed by Aboriginal and Torres Strait Islander people in a transparent way, based on their own structures? <ul style="list-style-type: none"> ○ Are representatives accountable to their own organisations and communities? • How will multiple groups work together to bring their position to government? <p>Other</p> <ul style="list-style-type: none"> • Is there a group not included in the partnership who may have relevant contributions/expertise (eg industry experts)? • If so, consider their role and decision-making power within the partnership.
Scope	<ul style="list-style-type: none"> • What is in scope and out of scope for negotiation, including roles, responsibilities, and the process for scoping and confirming commitments?
Governance	<ul style="list-style-type: none"> • How will multiple agencies or multiple levels of government work together to bring their position to Aboriginal and Torres Strait Islander parties? • How do issues for negotiation fall within agency scope/how will agencies determine who is the 'lead' agency representing the Commonwealth? • Who has the appropriate authority, skills, cultural competency and delegation to negotiate and make decisions on behalf of the agency/Commonwealth? • Will an independent facilitator be used to ensure the negotiation process is fair, equitable and timely? • Will there be a dispute resolution mechanism? How will it work?
Cultural Competency	<ul style="list-style-type: none"> • How will the agency demonstrate cultural competency and observe appropriate cultural and decision-making protocols?

	<ul style="list-style-type: none"> • How will the agency assess the cultural competency of lead negotiators?
Funding availability	<ul style="list-style-type: none"> • What funding is available to support Aboriginal and Torres Strait Islander partners to participate in partnership? • What is the process for agreeing how the partnership will be resourced and how resourcing decisions will be made? • If no funding is available, what other in-kind assistance is available? (eg a government secondment) • Where no or limited funding or other in-kind assistance is available, how will the partnership recognise the resourcing discrepancy and address it?

Appendix 4C – How and when to work in Partnership

A formal partnership arrangement may not be possible in all circumstances. The decision to enter formal partnership should be made in light of the opportunity to do so properly, taking into consideration the extent to which decisions relate to Government's financial, legal and administrative responsibilities.

The below table presents some challenges and ways to overcome them.

Challenge	Options or Actions
Policy/program parameters have already been determined, with limited scope for shared decision-making.	<p>If there is limited scope for shared decision-making, a formal partnership may not be helpful or constructive. Agencies should engage in a way that maximises the influence of Aboriginal and Torres Strait Islander people.</p> <p>Agencies should continue to build the relationship with Aboriginal and Torres Strait Islander representatives in a way that progresses the relationship towards an enduring partnership.</p> <p>Example: [TBC]</p>
An arrangement already exists where an Aboriginal and Torres Strait Islander organisation is contracted to deliver goods or services through a grant or procurement process. ¹²	<p>Purely procurement or commissioning arrangements such as grant schedule agreements, where the government is the contract holder, are generally not partnerships or shared decision-making arrangements.</p> <p>Agencies should consider whether partnership and shared decision making processes can be used to identify community priorities and direct grant or procurement arrangements. Relationships supported by strong formal partnerships help sustainably build community</p>

¹² In this example, an Aboriginal and Torres Strait Islander organisation is already contracted to deliver goods and services. If this is not the case, Aboriginal and Torres Strait Islander organisations as a minimum should be considered to deliver goods or services. The Commonwealth's Indigenous Procurement Process (IPP) and Supply Nation, a database of verified Indigenous businesses, are both options for contracting the delivery of goods or services.

	<p>governance and deliver better services more effectively than using short funding cycles.</p> <p>Example: [TBC]</p>
<p>Agencies have established advisory body or round table groups and use these existing arrangements to consult on policy or programs.</p>	<p>An advisory body or round table is not the same as formal partnership. These arrangements typically adopt a 'consultation' approach, do not share decision making and the voices of Aboriginal and Torres Strait Islander representatives do not hold the same weight as the Governments'. Advisory body members are usually chosen by government and in this way are not accountable to Aboriginal and Torres Strait Islander people.</p> <p>Arrangements where agencies seek input or advice through advisory bodies or round tables should be reviewed against the strong partnership elements to consider how shared decision-making can be formalised through a partnership. This can be done at any time but is also required as part of the Government's annual reporting requirements (see clauses 36 and 37 of the National Agreement).</p> <p>Example: [TBC]</p>
<p>Agencies still developing the capacity and/or capability to work in partnership</p>	<p>Working in partnership requires a different perspective, approach, capabilities and behaviours for many. This Framework should be used to guide Agency's approach to these changes.</p>
<p>Aboriginal and Torres Strait Islander parties reluctant to work in partnership with Government</p>	<p>Building relationships with Aboriginal and Torres Strait Islander people, communities and organisations will take time. Agencies should be prepared to spend time and effort on building or re-building the relationship between Government and the Aboriginal and Torres Strait Islander people.</p> <p>This Framework should be used to guide Agency's approach.</p> <p>Example: [TBC]</p>
<p>Aboriginal and Torres Strait organisation/s still building governance arrangements and/or capability and capacity.</p>	<p>Many Aboriginal and Torres Strait Islander organisations have strong and effective governance arrangements but may have limited capability or capacity to manage the additional work that partnership will bring. Other Aboriginal and Torres Strait Islander organisations may still be maturing their governance arrangements.</p> <p>Through informal and formal discussions, agencies should find out what support is needed for your partner to participate in the partnership, to make decisions and to share decision-making.</p> <p>As arrangements mature, it can be reviewed against the strong partnership elements and formalised through a partnership.</p> <p>Example: [TBC]</p>

<p>Agency needs to work with multiple Aboriginal and Torres Strait Islander organisations</p>	<p>Agencies can:</p> <ul style="list-style-type: none"> ○ Support as required Aboriginal and Torres Strait Islander organisations to come together in a governance arrangement in order to provide a consolidated position to the partnership table. ○ Discuss and negotiate a formal partnership where Aboriginal and Torres Strait Islander organisations come to the same partnership table as separate parties. ○ Discuss and negotiate separate formal partnerships. Government, as the common party in each partnership, will need to consider how it will work across multiple partnerships in good faith and with transparency.
<p>Limited resourcing available to support working in formal partnership</p>	<p>Adequate funding is needed to support Aboriginal and Torres Strait Islander partners to be partners with Government in formal partnership. Agencies should plan ahead and factor this into the overall cost of a policy or program.</p> <p>If no funding is available, agencies should consider what other in-kind assistance is available to support Aboriginal and Torres Strait Islander parties to engage independent policy advice, meet independently of governments to determine their own policy positions, support strengthened governance between and across Aboriginal and Torres Strait Islander organisations and parties, and engage with and seek advice from all relevant groups within affected communities. In kind support may take the form of:</p> <ul style="list-style-type: none"> ○ labour (for example, government secondments to support the development of policy advice, governance arrangements or engagement activities). ○ donated goods (for example, government-owned buildings free of charge as space for community engagement to be undertaken or resources to develop and distribute engagement communications materials). <p>Where no or limited funding or other in-kind assistance is available, agencies must consider how the resourcing discrepancy will impact the partnership and whether partnership policies or processes need to be changed to address it. For example, providing more time for the Aboriginal and Torres Strait Islander party to reach a position before decisions are made.</p> <p>Example: [TBC]</p>

<p>Short timeframes for progressing a policy or program, or executing a grant means there is limited or no scope to work in formal partnership.</p>	<p>Short timeframes to progress a policy or program can sometimes be a barrier to establishing a partnership. Agencies should do what they can in the time available, noting that partnerships can be formed quickly and matured over time.</p> <p>Formal partnerships means a time-critical piece of work can leverage the established relationship and processes. Engagement within a formal partnership can be more strategic, flexible and agile. The time to identify key Aboriginal and Torres Strait Islander partners and develop these relationships is now.</p> <p>For one-off, discrete projects, consider situating it within a broader policy and an existing or maturing partnership.</p> <p>Example: [TBC]</p>
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Appendix 4D – Types of Partnerships

Place-based partnerships

The purpose of the place-based partnerships is to implement the National Agreement in a specific location, taking a long-term community development approach

Place-based partnerships should bring Aboriginal and Torres Strait Islander communities together with governments to share decision-making, drive community-led outcomes and support community-led development initiatives under the National Agreement.

Place-based partnerships should bring together all levels of government and any other relevant organisations to increase efficiency and reduce the administrative burden on the community. The role of any other, non-government organisations should be discussed and agreed with the community first.

Place-based partnerships should:

- identify how implementation of the Priority Reforms at the local level is changing the way governments do business with Aboriginal and Torres Strait Islander people, communities and organisations.
- support community development approaches that foster transformational and sustainable change and respond to community priorities under the National Agreement, rather than programmatic approaches which react to symptoms or temporary issues.
- support the community to determine their aspirations and priorities under the National Agreement through their own representative structures, including through the development of community development plans which elaborate those aspirations and priorities.
- track implementation of all aspects of Closing the Gap in the chosen locations, to demonstrate the practical impacts of the National Agreement on the ground.

Policy Partnerships

Policy partnerships are partnerships created for the purpose of working on discrete policy areas, such as education, health or housing.

Policy partnerships should:

- Identify how it will contribute to closing the gap and specific actions under the National Agreement.
- Recommend individual or joint actions related to the objective of the policy partnership, where recommendations are made by consensus.
- Consider how the policy partnership will interact with State and Territory structures, mechanisms, policy and implementation plans.
- Consider how to ensure appropriate information flows between the policy partnership and state and territory specific structures/mechanisms.

Information on the Justice Policy Partnership, a commitment under the National Agreement, is publicly available as an example of a policy partnership.¹³

Appendix 4E – Resourcing Partnerships

Implementation costs

The cost of implementing policy or program work varies. Government parties should develop an approach to resourcing in partnership. Policy or program actions that rely on Commonwealth levers will need to be actioned through Commonwealth policy and budget processes, including Implementation Plan processes.

Establishment costs

There are costs involved in the development and establishment of a partnership. Government parties should develop an approach to resourcing establishment costs and government functions prior to entering a formal partnership.

The partnership needs to support ongoing governance arrangements, including:

- Meeting regularly
- Commissioning research
- Engaging with experts and communities
- Developing policies, recommendations and action plans
- Developing and analyse data
- Developing funding proposals
- Producing reports
- Undertaking reviews and evaluations

The diagram maps out a way to resource these functions for all partnerships:

¹³ Justice Policy Partnership | Attorney-General's Department: <https://www.ag.gov.au/legal-system/closing-the-gap/justice-policy-partnership>

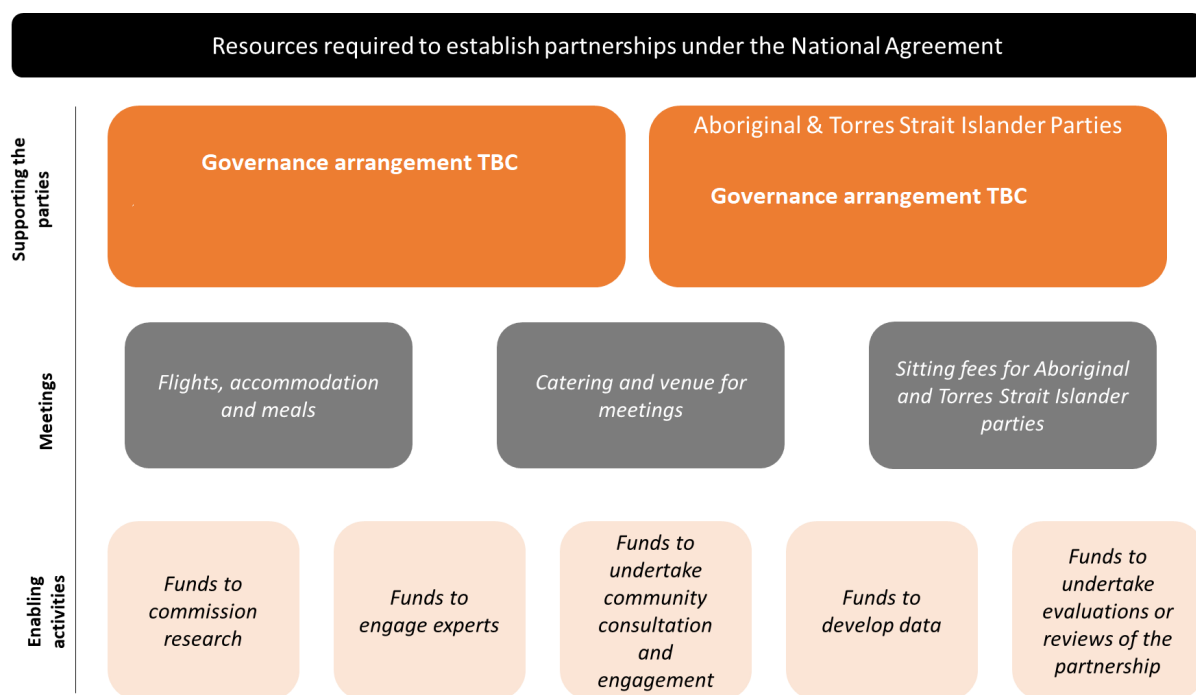


Figure 1: Resources required to establish partnerships

The specific resources required for each partnership will vary. Resourcing should be negotiated and agreed as part of the establishment of a partnership and should consider the following:

- What resources are required to enable the Aboriginal and Torres Strait Islander parties to participate as equal partners in line with Clause 33 of the National Agreement?
- How can attendance at meetings and contribution to policy development be facilitated through sitting fees, human resources in the Aboriginal and Torres Strait Islander organisations or access to funding for research, engagement activities or professional development?
- Are there existing governance structures or arrangements to enable the work of the partnership? Can existing governance structures be leveraged to reduce duplication and achieve cost effective outcomes? Do existing structures comply with the strong partnership elements in the National Agreement?
- Does the Aboriginal and Torres Strait Islander organisation already have well established policy capabilities or do these need to be built?
- Does the lead government agency already have established partnership and policy capabilities or do these need to be built?
- What is the duration of the partnership? Note policy partnerships may have shorter timeframes (3 years) compared with place-based partnerships (around 10 years) based on the partnerships developed under the National Agreement.
- How many meetings will the partnership have per year and how many will be face-to-face? Where are the parties located and who needs to travel for meetings?
- What in-kind contributions can be made? For instance, people's time or venues for meetings
- Which participants are representing an organisation or receiving a salary from their employer to participate and which may require financial support to participate?
- What type of partnership is it? For instance, place-based partnerships may require more resources to strengthen community governance and develop capabilities in community

development and partnership work. Data projects may require additional resources for building data infrastructure and data literacy of the parties.

- How should resources be split between governments and the Aboriginal and Torres Strait Islander parties? This should take account of the purpose of the partnership, existing capability and the commitment under Priority Reform Two of the National Agreement to build the community controlled sector.
- What research activities are required for establishment of the partnership and are there existing sources for data or does new work need to be commissioned in order to set up the partnership effectively?

Appendix 5A – Formal Partnership Agreement template

The Formal Partnership Agreement template includes the strong partnership elements listed in the National Agreement at clauses 32 and 33. This template is a guide only. Agreements should be negotiated between parties to reflect the specific purpose, objective and needs of their partnership.

Name of Program or Policy	
<p>Partnership Agreement on <i>[Name of the program or policy outcome]</i> between <i>[Name of Agency]</i> and <i>[Name/s of key Aboriginal and Torres Strait Islander party/s]</i></p>	
Preamble	
1.	The Parties acknowledge the Traditional Owners of the lands and waters on which Australians live and work, and pay respects to their Elders past, present and emerging.
2.	This Agreement arises from a commitment from all Australian governments and Aboriginal and Torres Strait Islander representatives to a fundamentally new way of developing and implementing policies and programs that impact on the lives of Aboriginal and Torres Strait Islander people.
3.	This Agreement also stems from the belief that when Aboriginal and Torres Strait Islander people have a genuine say in the design and delivery of services that affect them, better life outcomes are achieved. It recognises that structural change in the way Governments work with Aboriginal and Torres Strait Islander people is needed to close the gap.
Purpose	
4.	The purpose of this agreement is to: 4.1. <i>Describe the purpose of the agreement</i>
Parties	
5.	This Agreement is between <i>[Name of Agency]</i> and <i>[name/s of key Aboriginal and Torres Strait Islander party/s]</i> (referred to collectively as ‘the Parties’).
6.	<i>[Name of Agency]:</i>

- 6.1. For example 'where government representatives have negotiating and decision-making authority relevant to the purpose of this agreement'
7. [Name/s of key Aboriginal and Torres Strait Islander party/s]:
 - 7.1. For example 'have their governing boards elected by Aboriginal and Torres Strait Islander communities and / or organisations which are accountable to that membership'.
8. The role of [name/s of key Aboriginal and Torres Strait Islander party/s] is to:
 - 8.1. For example provide Indigenous perspectives on...
 - 8.2. For example represent their members on working groups
9. The role of [Name of Agency] is to:
 - 9.1.

Term of this Agreement

10. This Agreement takes effect on [Date] and will be reviewed every [No. of months] or as requested.
11. The Parties intend this Agreement to be a living document, which will be updated to reflect shared priorities, progress and feedback from Aboriginal and Torres Strait Islander people.

Objective and Outcomes

12. The objective of this Agreement is to contribute to overcoming the entrenched inequality faced by too many Aboriginal and Torres Strait Islander people so that their life outcomes are equal to all Australians.
13. The Parties commit to mobilising all avenues and opportunities available to them to meet the objective of this Agreement.
14. [Provide specific objective and outcome of this agreement]

Topics in scope

15. Implementation of
 - 15.1. Include any specific topics this policy or place based partnership wishes to focus on, for instance specific policy areas/socio economic outcomes

Shared-decision making

16. Decision making is shared between [Name of Agency] and [name/s of key Aboriginal and Torres Strait Islander party/s], meaning it is:
 - 16.1. by consensus, where the Parties hold equal weight
 - 16.2. transparent, where matters for decision are in terms that are easily understood by all parties and where there is enough information and time to understand the implications of the decision
 - 16.3. where [name/s of key Aboriginal and Torres Strait Islander party/s], representatives can speak without fear of reprisals or repercussions
 - 16.4. where a wide variety of groups of Aboriginal and Torres Strait Islander people, including women, young people, elders, and Aboriginal and Torres Strait Islander people with a disability can have their voice heard
 - 16.5. where self-determination is supported, and Aboriginal and Torres Strait Islander lived experience is understood and respected

- 16.6. where relevant funding for programs and services align with jointly agreed community priorities, noting [Name of Agency] retain responsibility for funding decisions
- 16.7. where partnership parties have access to the same data and information, in an easily accessible format, on which any decisions are made.
- 17. The Parties recognise that resourcing* is needed to support [name/s of key Aboriginal and Torres Strait Islander party/s] to be partners with governments in formal partnerships to:
 - 17.1. engage independent policy advice
 - 17.2. meet independently to determine their own policy positions
 - 17.3. support strengthened governance between and across Aboriginal and Torres Strait Islander organisations and parties
 - 17.4. engage with and seek advice from Aboriginal and Torres Strait Islander people from all relevant groups within affected communities, including but not limited to Elders, Traditional Owners and Native Title Holders

Success Indicators of this Agreement

- 18. Parties should identify and agree success indicators based on the partnerships objective, scope, governance arrangements, principles and responsibilities. Success indicators are used to evaluate the health of the partnership. The evaluation questions in Appendix 5B are based on the success indicators of the Closing the Gap Partnership Agreement.¹⁴

Monitoring and Evaluation

(You should consider developing a monitoring and evaluation structure including both qualitative and quantitative. All parties are to be part of monitoring and evaluation of the partnership and the purpose of this agreement. The monitoring and evaluation approach for this agreement is set out below)

Dispute mechanisms

- 19. Outline the process for resolving disputes in the partnership, for example:
 - 19.1. The parties will attempt to resolve any dispute in the first instance in a culturally safe way by listening to the other parties views first, through phone calls, through informal meetings or workshops etc.
 - 19.2. The parties may give written notice to the other Party of a dispute under this Agreement.
 - 19.3. If a dispute cannot be resolved the matter may be need an independent facilitator.
 - 19.4. Any Party may terminate their participation in this Agreement at any time by notifying all the other Parties in writing, following best endeavours to first resolve any matters with other Parties.

Timeframes

- 20. Outline clear timeframes for actions to be delivered and which Party will be responsible for each action

Review Mechanism

- 21. For example parties are to meet [timeframe] to review how the agreement is tracking, including any scope creep, funding, and the partnership elements in the agreement (for example using the self-assessment tool template)

***Resourcing**

¹⁴ The Partnership Health Check 2020 (Appendix 1) <https://www.closingthegap.gov.au/partnership>

22. The parties agree the importance of adequate resourcing of the partnership. Resourcing arrangement may involve reallocation of existing resources as well as commitment of additional resources. Parties should make in-kind contributions such as time, venues, catering etc. The process for agreeing how the partnership will be resourced and how resourcing decisions will be made as well as any in-kind resourcing commitments is set out below:

22.1. [Outline any agreements on how resourcing and funding decisions will be made as well as as in-kind resourcing commitments]

Publication of this agreement

23. This Agreement will be published on [the xx website] and remain there for the life of this Agreement. Any subsequent changes to the Agreement will also be published on the website.

Signature Page

[Signed by all parties to the agreement]

Appendix 5B – Partnership Evaluation Template

The Closing the Gap Partnership Agreement committed parties to an annual ‘health check’ to assess how well the partnership is functioning and consider ways it can be strengthened.¹⁵ The health of the partnership is distinct from whether the partnership is achieving its objective or purpose. Health checks should be done regularly.

This partnership evaluation template is based on the success indicators agreed in the first health check of the Closing the Gap Partnership Agreement. It should be used as a guide and partnerships should adapt this to their specific requirements.

The purpose of the partnership evaluation template is to assess how well the partnership is functioning including what is working, what is not working and recommend ways it can be strengthened. For example recommendations could include new processes or incorporate additional behaviours into the working arrangements. Parties may choose to use a mediator or partnership broker to facilitate these discussions

Partnerships should publically release the outcomes of the evaluation or health check to increase transparency and to help build partnership knowledge base.

This template requires the partners to answer questions about the success indicators and provide reasons for their responses.		
Questions on the Success Indicators		Provide reasons for response
Purpose of the Partnership		
1.	Is the partnership Agreement is fulfilling its purpose of facilitating a better way of working between government and Aboriginal and Torres Strait Islander people?	

¹⁵ Closing the Gap Partnership Agreement | Federation: <https://federation.gov.au/about/agreements/closing-gap-partnership-agreement>

Governance Arrangements		
2.	Are the working arrangements to address the power imbalances in the relationship in place and effective?	
2.1.	What working arrangements are in place to address the power imbalances in the relationship? How can these arrangements be strengthened?	
3.	Are the structures established under the partnership working to give effect to the principles of equal participation, shared decision making and Aboriginal and Torres Strait Islander self-determination?	
3.1.	How is the Agency giving effect to the principles of equal participation, shared decision making and Aboriginal and Torres Strait Islander self-determination? Please address each one in turn	Equal participation -
		Shared decision- making –
		Self-determination -
4.	How is the Agency – collectively and individually – listening to and taking account of the views of the Aboriginal and Torres Strait Islander party?	
5.	Is the Aboriginal and Torres Strait Islander party accountable to its member organisations (which are directly accountable to their communities)?	
6.	What more could be done by the agency to demonstrate its commitment to engagement?	
7.	How is the agency committing and encouraging supporting existing and emerging approaches to shared decision making and Aboriginal and Torres Strait Islander self-determination, particularly at the regional and local levels?	
8.	How is the Agency demonstrating and committing to open and transparent negotiations and shared decision-making?	
9.	How are decisions under the Partnership arrangement made by consensus?	
10.	How are the barriers to equal participation (systemic and structural racism, discrimination and unconscious bias) being identified and addressed?	

10.1.	How can they be improved?	
11.	How are decisions made under the partnership based on evidence (empirical and lived experience)?	
12.	How is data and information collection transparent and available for sharing between the partners?	
Support for Aboriginal and Torres Islander Participation		
13.	How is the Agency providing adequate resources for the Aboriginal and Torres Islander party to properly undertake its responsibilities?	
Partnership Risks (Note – Consider creating a Risk table or updating your risk table)		
14.	What do you consider are the major risks to the successful operation of the Partnership Agreement?	
14.1.	How should they be mitigated?	
Other Matters		
15.	Are there any success indicators that you would like to add or amend for the next partnership evaluation?	
16.	Are there any other matters not considered above that you would like to comment on?	

Appendix 5C – Partnership Agreement Risk Template

The purpose of the partnership agreement risk template is to identify potential risks and mitigating action. Risks and mitigating action should be identified at the same time as the formal agreement is negotiated and mitigating action can be included in the partnership agreement or supporting documentation if required. Risk registers are an iterative process given the evolving nature of partnerships and should be reviewed and updated on a regular basis.

Risks to the Partnership	How to mitigate these risks
<p>A. These risks directly impact the partnership and are related to the strong partnership elements, behaviours and dynamics in the partnership.</p>	<p>A. The parties can mitigate these risks within the partnership</p>
<p>1. The partners expectations may not be shared or jointly understood and could lead to misunderstanding and a strained relationship.</p>	<p>1.1 Define object and purpose as well as key concepts and principles for the partnership in a written agreement. 1.2 Dedicated discussion after the self-assessment tool for partnership including how they will work together going forward. 1.3 Parties agree formal processes for decision-making through regular meetings, including developing a Terms of Reference.</p>
<p>2. The meaning and expectations of ‘partnership’ is unclear</p>	<p>2.1 Define key terms in a written agreement. Consider a mediated workshop if misunderstanding persists.</p>
<p>3. The strong partnership elements as defined in the National Agreement may be difficult to apply practically</p>	<p>3.1 Parties attend to the human aspect of relationship building in an effort to establish meaningful rapport, trust, transparency, and respectful negotiation and decision-making for example:</p> <ul style="list-style-type: none"> ○ acknowledge in meetings that the partners have equal standing, and that the partnership exists to reform traditional ways of working together ○ respectfully put forward positions and justify them with appropriate reasoning ○ foster a culture that allows parties to have open and transparent discussions and to achieve resolution, in a respectful manner, where: <ul style="list-style-type: none"> a. shared decision-making is impeded or not occurring b. systemic and structural racism, discrimination, unconscious bias and other barriers exist ○ ensure there are sufficient opportunities for informal meetings to occur between the parties

	<p>3.2 Parties develop formal structures and processes for information sharing, disputes, meeting processes and evaluation and data collection.</p> <p>3.3 Examples of good practice and lessons learned to be voluntarily shared among the parties</p>
<p>4. The power in the partnership is not balanced</p>	<p>4.1 Any perceived or real power differentials in the relationship are openly discussed to ensure all parties understand the possible consequences and impact it may have on the relationship, and how these impacts may be managed or mitigated.</p>
<p>5. The volume, scope and nature of the work is likely to put pressure on resources, timeframes and key individuals.</p>	<p>5.1 Parties agree a process on how to prioritise commitments.</p> <p>5.2 Parties look for ways to share workloads and draw on additional resources from across their agencies or member organisations:</p> <ul style="list-style-type: none"> ○ to limit pressure on resources the party with more resources can produce first draft of documents. ○ papers to be distributed well in advance of meetings (as agreed) so all parties have time to consider their positions and proper consultation with members/line agencies can occur. ○ find out the other partners capacity to ensure they have the resourcing to provide comments/feedback on documents are not all sent at once. <p>5.3 Sharing relevant information as early as possible - including calling, emailing or organising informal meetings with the other party on the work you are undertaking and/or seeking their views.</p>

	<p>5.4 Robust timeline planning and engagement obligations for all parties.</p> <p>5.5 Forecasting and accounting for variables in the environment that may impact timelines.</p>
6. Slippage in timeframes due to limitations in resources	<p>6.1 Build flexibility into timeframes.</p> <p>6.2 Government Party to seek and secure further resourcing.</p> <p>6.3 Update the risk table regularly to ensure slippage is monitored and mitigated.</p>
Party funding	
7. Parties do not have clarity on the availability of funding	7.1 Parties share funding availability at the onset of the partnership.
8. Funding does not occur in close consultation	8.1 - 9.1 Parties share decision making in developing a process for how the partnership is resourced and how resourcing decisions will be made including:
9. Parties have insufficient resources to engage equitably in the partnership	<p>where no resourcing is available, what other in-kind assistance is available? (e.g. a government secondment)</p> <p>Where no, limited resourcing or other in-kind assistance is available, how the parties recognise the resourcing discrepancy and address it.</p>
B. Risks in this category are related to factors that are external to the partnership but can have a significant impact on the partnership.	B. The parties can minimise these risks within the partnership and with external stakeholders
10. Not all Aboriginal and Torres Strait Islander communities and their organisations 'buy-in' to the project/policy or reform for the relationship	<p>10.1 Government to follow the detailed guidance on engagement with Aboriginal and Torres Strait Islander stakeholders.</p> <p>10.2 Communication on Closing the Gap is directed at affected Aboriginal and Torres Strait Islander communities and organisations.</p> <p>10.3 Make public and share partnership health checks and risks table with communities.</p>

	10.4 Continue to build relationships.
11. Aboriginal and Torres Strait Islander communities are not unified/do not agree on same approach	11.1 Clearly define in scope of formal agreement. 11.2 Continue to engage with all parties to build relationships.
12. Changes to key personnel <ul style="list-style-type: none"> ○ Government Parties ○ Aboriginal and Torres Strait Islander communities and their organisations and community-controlled sector 	12.1 Parties initiate succession planning protocols where there is staff changeover (e.g. by having a crossover period where new staff attend meetings, the other party can provide background, updates as required in informal meetings)
C. Risks in this category are related to factors that are external to the partnership and may have a significant impact on the partnership.	C. The parties can minimise these risks within the partnership and with external stakeholders
13. Continuity of the partnership partners over the life of the Agreement is interrupted as the Aboriginal and Torres Strait Islander party does not continue for the life of the partnership	13.1 During the partnership Government party ensures it holds strong community connections by continuing to build relationships and trust direct with the community 13.2 Parties agree on mechanisms for sharing outcomes, feedback and information with affected Aboriginal and Torres Strait Islander people and communities 13.3 Parties initiate succession planning protocols (e.g. by having a crossover period where a different party is partnered with)
14. Momentum/progress slows due to a change in Government/Minister	14.1 Government party prioritise any briefs or updates related to the program/policy partnership as requested by the Minister to minimise impact to the partnership. 14.2 Government party ensures the other party is updated on any impact to the partnership asap e.g. timeframes slipping. 14.3 Together the parties rework timeframes.
15. Momentum/progress slows due to changes in priorities due to national/local/regional disaster crisis – particularly if the Aboriginal and Torres Strait Islander peoples need to be engaged in the crisis	15.1 If agreed by both parties the government party to progress as much work as possible that does not require the other parties input, and draft first versions of any new documents.

	15.2 Together the parties rework timeframes.
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