### Self-Determination Reform Framework

**Department of Premier and Cabinet Report 2021** 





### Acknowledgment

We proudly acknowledge Victoria's First Peoples and their ongoing strength in practising the world's oldest living culture. We acknowledge the Traditional Owners of the lands and waters on which we live and work and pay our respect to their Elders past and present.

We recognise that there are long-lasting, far-reaching and intergenerational consequences of colonisation and dispossession. The reality of colonisation involved establishing Victoria with the specific intent of excluding Aboriginal people and their laws, cultures, customs and traditions. Over time, the development of Victorian laws, policies, systems and structures explicitly excluded Aboriginal Victorians, resulting in and entrenching systemic and structural racism.

We acknowledge that the impact and structures of colonisation still exist today, and that the Victorian Government has a responsibility to transform its systems and service delivery so that Aboriginal Victorians hold decision-making power over the matters that affect their lives.

We also acknowledge that Aboriginal self-determination is a human right enshrined in the United Nations Declaration on the Rights of Indigenous Peoples and recognise the hard work of many generations of Aboriginal people who have fought for this right to be upheld.

This document is intended to guide the Department of Premier and Cabinet's action to enable self-determination. As a central agency, DPC acknowledges its important role in driving whole of government change to demonstrate promising-practice efforts to implement the Victorian Government's commitments in the Victorian Aboriginal Affairs Framework 2018-2023 and to prepare for treaty and truth and justice.

#### **Language Statement**

The words 'our' and 'we' in this document refer to the Victorian Government.

Language is important and can change over time, and words can have different meanings for different people.

We recognise the diversity of Aboriginal peoples, communities and cultures throughout Victoria. While the terms 'Koorie' or 'Koori' are commonly used to describe Aboriginal people of southeast Australia, we have used the terms 'Aboriginal' and 'First Peoples' to include all people of Aboriginal and/or Torres Strait Islander descent who live in Victoria.



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### Secretary's Foreword



Much has changed since mid-2020, with significant efforts made towards embedding self-determination into our department's work and advancing government's progressive First Peoples affairs agenda. Throughout the last 18 months, along with the COVID-19 pandemic and shifting priorities, DPC's structure has changed to reflect the breadth and significance of government's reform agenda, with the establishment of a new DPC Group in April 2021, First Peoples-State Relations.

On behalf of the DPC Board of Management, it is my pleasure to deliver this second Report under the SDRF.

The SDRF is an important accountability tool for departments to report yearly on their self-determination reform and to encourage regular reflection, collaboration and innovation. DPC achieved several considerable milestones over this 18-month reporting period, including:

- establishing the Yoorrook Justice Commission to investigate historical and ongoing injustices perpetrated against First Peoples
- working with the First Peoples' Assembly of Victoria to support future treaty negotiations, and preparing all areas of government
- · delivering the \$10 million COVID-19 Aboriginal Community Response and Recovery Fund
- supporting the Stolen Generations Reparations Steering Committee to develop and deliver its report to government on the design and implementation of a Stolen Generations Reparations Package
- registering the Lake Boort Cultural Landscape for its outstanding cultural heritage significance after months of intensive Traditional Owner-led work, assisted by Heritage Services
- leading the development of Victoria's implementation plan for the National Agreement on Closing the Gap.

The establishment of the First Peoples-State Relations Group (FPSR) in DPC is putting self-determination, treaty and truth at the centre of DPC, recognising Victoria's First Peoples as the self-determining drivers of First Peoples affairs in Victoria. It also commits the department to build ongoing, just and respectful relationships between self-determining First Peoples whilst also working with First Peoples on cultural heritage management and protection in ways that recognise the leading role of strong and engaged Traditional Owners.

Beyond the vital work of FPSR, all areas of DPC are responsible for embedding self-determination into their work, planning and systems. That is why in November 2021, the DPC Board of Management approved the establishment of a Subcommittee on Self-Determination Reform. This Subcommittee will perform a key role in improving internal systems, policies and processes to enable self-determination, including facilitating action across all areas of the department in line with whole of government commitments. Membership is targeted widely, with members who have key responsibility for particular systems, structures and policy influence.

The DPC Board of Management also participated in a cultural safety workshop in 2021. This provided a valuable lens to consider DPC's role in leading continuous improvement and reform whilst reflecting on our own understanding of cultural safety and self-determination. It is my aim that all Board members build confidence in the way we apply and embed these concepts in our work. However, more needs to occur, and it is important that all groups across the department understand and embed self-determination principles and enablers into their core business. We must look within our own department to consider the necessary transformation of how we do business to truly deliver on these reforms.

I look forward to this Report informing further and more ambitious actions to enable self-determination across DPC, which in turn will contribute to a better Victoria.

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Jeremi Moule

Secretary

The Department of Premier and Cabinet



### DPC's self-determination journey

Aboriginal self-determination is a human right. It encompasses a spectrum of rights that are necessary for Aboriginal people to achieve economic, social and cultural equity, based on their own cultural values and way of life. Enabling Aboriginal self-determination requires long-term commitment and sustained effort from all areas of government to transform our structures and systems. In 2018, the Victorian Government worked with Victorian Aboriginal communities and organisations to develop a new Victorian Aboriginal Affairs Framework 2018-2023 (VAAF) that would set an ambitious and forward-looking agenda for First Peoples affairs.

The VAAF represents a new way of working for government. The VAAF acknowledges that positive change requires not only a fundamental shift in the way that governments work with Aboriginal people, but that it also requires significant government effort to eliminate the structural and systemic barriers experienced by Aboriginal Victorians, including ensuring services and programs are culturally safe and community-led.

The Self-Determination Reform Framework (SDRF) is the Victorian Government's commitment to embed self-determination across all areas of government, focusing on internal government processes, practices, and policies. It is designed

to guide public service action to enable self-determination in line with government's commitments in the VAAF. The SDRF also commits all Victorian Government departments to report against our efforts and reforms to advance self-determination.

This Report, alongside all departmental annual reports, will form the whole of Victorian Government Self-Determination Reform Report which will be embedded within the Victorian Government Aboriginal Affairs Report (VGAAR) 2021, to hold government accountable for embedding self-determination across all areas of government.



### DPC's role in enabling self-determination

As a central agency, DPC plays a dual role in enabling self-determination. DPC supports consistent and coordinated whole of government SDRF action as well as reforming our own policies, processes, systems and cultures to progress the community-identified self-determination reform enablers (Figure 1).

Each year, DPC coordinates reporting on whole of government SDRF action and commitments through the VGAAR, using information from all departments' annual SDRF reports. Within DPC, all parts of the department are supported to embed self-determination principles and enablers into core policies, programs, business processes and delivery systems.

The newly established First Peoples-State Relations (FPSR) Group in DPC is responsible for an extensive program of priority work with First Peoples. DPC's commitment to promoting Aboriginal leadership is reflected in FPSR's executive team.

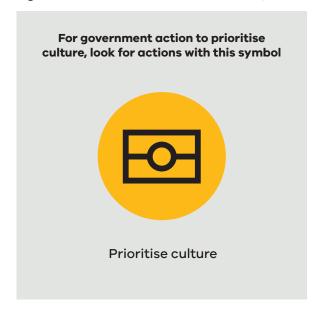
In November 2021, DPC's Board of Management endorsed the Terms of Reference for a Subcommittee on Self-Determination Reform (Subcommittee). The Subcommittee will perform

a key role in improving internal systems, policies and processes to enable self-determination, including creating change across DPC in line with whole of government commitments. It will also collaborate on key reforms led by FPSR, such as progressing treaty; responding to and supporting the Yoorrook Justice Commission; leading whole of government reform under the National Agreement on Closing the Gap and the VAAF; and promoting cultural rights.

The outcomes of DPC's self-determination reform efforts between July 2020 and December 2021 provide a blueprint for how DPC will focus its reform activities moving forward.



Figure 1: Four self-determination enablers, VAAF



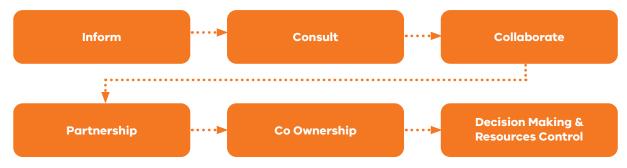


For government action to address racism and promote cultural safety, look for actions with this symbol:

Address racism and promote cultural safety



Figure 2: VAAF Self-Determination Continuum



### About this Report

This is the second Report on DPC's self-determination reform commitments. This Report covers an 18-month timeframe from July 2020 to December 2021. In mid-2021, the Secretaries' Leadership Group on Aboriginal Affairs (SLG) agreed to extend the reporting timelines for all departmental SDRF reports. These are now due at the end of each calendar year (previously 30 June each year). This aligns with reporting cycles for other annual First Peoples affairs reporting across government, such as reporting under the National Agreement on Closing the Gap and the VAAF.

Many of the actions and future commitments in this Report build on DPC's first SDRF Report in 2020. Others are new, and are guided by self-determination actions in the VAAF and SDRF.

This Report is structured slightly differently from DPC's first Report. Each action now includes future commitments to ensure DPC is continually moving along the continuum towards self-determination (see Figure 2). This is critical to making sure DPC is delivering more ambitious self-determination reform each year.

This Report focuses on actions that each of DPC's groups are driving to reform our departmental systems and structures to achieve our SDRF commitments.

#### **DPC consists of seven groups:**

- Legal, Legislation and Governance (LLG)
- Digital Victoria (DV)
- Cabinet, Communications and Corporate (CCC)
- Social Policy and Intergovernmental Relations (SPIR)
- Economic Policy and State Productivity (EPSP)
- First Peoples-State Relations (FPSR)
- Industrial Relations Victoria (IRV)

Each group is at various stages along the self-determination continuum across a range of actions, policies, initiatives and strategies outlined in this Report.



# Progress against DPC's commitment to self-determination

In line with the SDRF, this Report highlights DPC's work underway to create structural change across the four Public Sector Reform domains: People, Systems, Outcomes and Accountability.

Table 1 summarises progress under these domains. The Public Sector Reform Statement (2017) outlines government's approach to transforming its systems and structures. The SDRF builds on the existing Public Sector Reform architecture to ensure consistent and coordinated reform. Case studies have been included in each reform domain to highlight key initiatives that are enabling significant systemic and structural change.

This Report is by no means a complete picture of the work DPC leads in First Peoples affairs. For example, DPC leads work on Aboriginal cultural heritage management and protection, including through implementation of the Aboriginal Heritage Act 2006 (Vic) and supporting Traditional Owners. DPC also delivers the Aboriginal Community Infrastructure Program to enable Aboriginal organisations to meet their infrastructure needs and serve their communities.

These activities were previously listed in the 2019 DPC SDRF Report, and many are also reported on annually through the VGAAR. Actions in this Report will continue over time and will be reviewed annually, with updates made as required, to ensure they continue to progress DPC's work along the self-determination continuum. SDRF actions and future commitments are also helping lay the foundations for treaty and prepare the whole of government for the outcomes of the treaty process.

As a result, while many of DPC's actions fall within the "collaborate" or "partnership" stages of the self-determination continuum (Figure 2), the treaty process will likely transition many policies, initiatives and strategies towards "co-ownership" and to transfer "decision-making and resources control" to an Aboriginal representative body or bodies.

#### **Table 1: Progress summary**

#### **People**

While progress has been supported to increase awareness and understanding of self-determination and treaty across the department, further work is required to develop DPC's Aboriginal Workforce Strategy and support Aboriginal staff recruitment, retention and leadership.

#### **Systems**

DPC facilitated work to embed self-determination in its core agency work through budget bid preparation and analysis, legal advice and Cabinet processes. Substantial progress was also achieved in progressing key phases of the treaty process. Together, these efforts represent the beginning of an important change in government systems and structures.

#### **Outcomes**

The development and release of a publicly available Aboriginal data dashboard represents an important milestone in the department's commitment to support Aboriginal people and organisations to access data that is relevant to them. Further work is required to measure outcomes rather than outputs, and better facilitate outcomes-based approaches in policy design and service delivery.

#### **Accountability**

DPC supported the implementation of the Stolen Generations Reparations Package and initiated work to establish and respond to the Yoorrook Justice Commission.
DPC also strengthened internal SDRF accountability arrangements by establishing a Board of Management Subcommittee on Self-Determination Reform. Next steps in the accountability domain will be informed by the treaty and truth processes.



### Actions and future commitments across the Public Sector Reform domains



2.1 People

Change only occurs through the actions of people. DPC acknowledges it is essential all DPC staff understand the importance of self-determination and the various related commitments across government. DPC will prioritise ensuring all DPC staff understand that self-determination should inform all work, across all portfolio areas.



#### Focus within the People domain

These actions focus on building the capacity of DPC staff to understand their role in enabling self-determination, regardless of the area they work in.

Actions under this domain also focus on providing a culturally safe workplace for Aboriginal staff, and supporting the recruitment and retention of Aboriginal staff members.

#### Overview of progress

Important work was undertaken in this area over the last 18 months. In particular, all areas of DPC increased their awareness and understanding of treaty and self-determination.

With some actions put on hold or delayed due to the COVID-19 response and recovery efforts, 2022 will be an important year to seek outcomes in the People domain. This includes ensuring the implementation of DPC's Diversity and Inclusion Strategy 2019-2021 and the development of DPC's Aboriginal Workforce Strategy. Continuing to build knowledge of self-determination across the department is vital to ensure all DPC staff understand their role in embedding self-determination in their day-to-day work.

DPC is committed to supporting Aboriginal staff retention, recruitment and leadership, and further work is required to ensure this is a core focus of the SDRF workplan in 2022. There remains a noticeable gap in actions to support Aboriginal staff in the department, including through recruitment. While the Aboriginal Staff Network (ASN) continues to play a vital role in supporting Aboriginal staff members, there is a significant opportunity and need for ASN identified priorities to be progressed further, thereby ensuring a whole of department approach to progress in this important area.

### 2.1.1 DPC actions to build knowledge of self-determination across the department

Action	Responsible DPC Group	Progress	Enablers
Deliver a survey for treaty and self-determination, to inform learning and track DPC collective knowledge and understanding	FPSR	Complete	<b>©</b>

#### **Progress and impacts**

- In 2020, DPC staff provided responses to baseline survey measuring collective knowledge and understanding of treaty and wider self-determination reforms.
- 35 staff responded to the survey. Results indicated that while nearly all respondents had an understanding of self-determination, one third were unaware of the VPS' commitment to self-determination, and almost half did not believe self-determination related to their day-to-day work.

#### **Future commitments**

- Develop a strategy to further raise awareness of DPC's commitment to self-determination as well as better engagement with all areas of DPC to communicate how self-determination relates to their daily work.
- Deliver a follow-up survey to track progress and learning across the department.

#### **Progress and impacts**

- Cultural awareness training enables DPC staff to reflect on their understanding of cultural safety and self-determination and build confidence in the way staff can and should apply and embed these concepts in the workplace.
- From July 2020 November 2021, 68 DPC staff participated in Aboriginal Cultural Awareness and Cultural Safety training.
- DPC Board of Management participated in a Cultural Safety and Self-Determination session, facilitated by Aboriginal owned and operated business, ABSTARR consulting, in November 2021. This followed a pilot session being undertaken by 15 staff in Economic Policy and State Productivity (EPSP) Group in August 2021.

#### **Future commitments**

· Procure new cultural safety training that aligns with Victoria's self-determination reform agenda.

#### **Progress and impacts**

- Significant effort has been made to build DPC staff awareness of self-determination over the last 18 months. Key examples reported by groups across DPC included:
  - Building staff confidence to embed self-determination thinking into workstreams as well as advice prepared for executives and ministers.
  - Embedding self-determination within budget analysis and advice to decision-makers regarding budget and non-budget processes.
  - Inviting FPSR to engage early in policy reforms or projects that have a self-determination or treaty linkage (for example, Yarra Strategic Plan and Alpine resorts transition), and inviting FPSR to liaise on briefings that interact with the SDRF and the VAAF.
  - Representatives from FPSR attending branch meetings across DPC to discuss government's self-determination agenda and treaty negotiation process.
  - Raising awareness of self-determination and the SDRF across the department through opportunities such as the All Staff Forum, which included a dedicated focus on treaty and self-determination in 2021.

### 2.1.2 DPC actions to support Aboriginal staff, including through recruitment

Action	Responsible DPC Group	Progress	Enablers
Increase support for Aboriginal staff members through the Aboriginal Staff Network (ASN)	All Groups	Ongoing	

#### **Progress and impacts**

The ASN is a space for Aboriginal and Torres Strait Islander identifying staff within DPC and the Victorian Public Sector Commission (VPSC) to connect, support and yarn. The ASN's achievements include:

- Fortnightly meetings, which allow staff to engage with their colleagues and connect in small groups.
- · Advertising internal (and external) job opportunities through the ASN MS Teams channel.
- Supporting the VPSC to develop a document on self-determination in the workplace and to progress commitments relating to cultural safety in the workplace (see Case Study 2.1.2).

#### **Future commitments**

 Continue to support regular meetings of the ASN in 2022, encouraging new staff participation in the ASN, and consider the potential for future events such as an Aboriginal Staff Gathering.

Develop a new DPC Aboriginal Workforce Strategy	CCC	In progress	<b>© 0</b>
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#### **Progress and impacts**

- DPC has commenced development of a DPC Aboriginal Workforce Strategy, in close consultation with the ASN and FPSR executives.
- Development of the Strategy was delayed due to COVID-19, team resourcing issues and competing priorities.

#### Future commitments

• Finalise development of DPC's Aboriginal Workforce Strategy, in partnership with the ASN, ensuring that Aboriginal staff experiences from data captured by DPC's 2021 People Matter Survey informs the Strategy's development.

Develop a common policy guide to Cultural and Ceremonial leave with the VPSC	IRV	Delayed	
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#### **Progress and impacts**

- A revised Cultural and Ceremonial Leave policy was due to be completed by early October 2021 but was delayed when resources were diverted to COVID-19 response work.
- IRV has prepared a draft Cultural and Ceremonial Leave policy which is currently with the Community and Public Sector Union for consultation and feedback. The new policy will give effect to clause 60 of the VPS Enterprise Agreement, which provides VPS employees with Cultural and Ceremonial Leave.

#### **Future commitments**

• Facilitate finalisation of the VPS Cultural and Ceremonial Leave Policy.

Ensure implementation of DPC's Diversity and Inclusion Strategy 2019-2021 incorporates actions to enable self-determination

CCC, FPSR ASN

Delayed





#### **Progress and impacts**

- Implementation of DPC's Diversity and Inclusion Strategy 2019-2021 will continue in 2022.
- A review of DPC's Diversity and Inclusion Strategy has been delayed due to COVID-19, team resourcing issues
  and competing priorities.
- This action is reinforced through development of the Aboriginal Workforce Strategy.

#### **Future commitments**

- Ensure that continual implementation of DPC's Diversity and Inclusion Strategy prioritises Aboriginal expertise and the recommendations from the ASN's report on self-determination in the workplace to ensure this work has a positive impact on Aboriginal staff at DPC.
- Review DPC's Diversity and Inclusion Strategy by mid-2022, engaging key stakeholders to ensure the reviewed strategy incorporates actions to enable self-determination and Aboriginal expertise.
- Address relevant review outcomes in DPC's Aboriginal Workforce Strategy, where appropriate.

Support the recruitment and retention of Aboriginal staff within DPC

CCC

Ongoing





#### **Progress and impacts**

- As at 30 June 2021, 27 DPC staff identified as Aboriginal and/or Torres Strait Islander. This included 14 women
- Barring Djinang, the 5-year Aboriginal Employment Strategy for the VPS, has adopted a VPS-wide Aboriginal employment target of 2 per cent.
- DPC exceeded this target in the 2020-21 financial year, with 2.8 per cent of all DPC staff identifying as Aboriginal and/or Torres Strait Islander.
- All 27 Aboriginal staff work in FPSR Group. 22 Aboriginal staff work full time, and 5 work part time. 22 Aboriginal staff are employed under ongoing arrangements, and 5 are employed on fixed-term contracts.
- 5 Aboriginal staff are in leadership roles (VPS 6 or above), 11 are in senior roles (VPS 5), and 11 are in VPS 1-4 roles
- Recruitment and retention outcomes for the July 2020 June 2021 period included:
  - 5 Aboriginal staff recruited into DPC.
  - 8 Aboriginal staff exited DPC.

#### **Future commitments**

- Encourage active recruitment, support and retention of Aboriginal staff across all areas of DPC, in particular groups outside FPSR.
- Improve data collection mechanisms to ensure workforce data is collected in a culturally safe and
  responsive manner that reflects Aboriginal staff across the department. This will allow DPC to improve future
  strategies and action plans that support recruitment, retention and leadership opportunities for Aboriginal
  staff.
- Utilise insights from the People Matter Survey 2021 DPC results on areas for future action and development, including that:
  - 86 per cent of Aboriginal staff reported that being Aboriginal and/or Torres Strait Islander is not a barrier to success in DPC (compared to 68 per cent of non-Aboriginal respondents).
  - 64 per cent of Aboriginal staff reported feeling culturally safe at work, compared to 84 per cent of non-Aboriginal respondents.



#### Case study 2.1.2

### Aboriginal Staff Network

The ASN is a space for Aboriginal and Torres Strait Islander identifying staff within DPC (and the VPSC) to connect, support and yarn.

### Supporting Aboriginal staff retention, recruitment and leadership

The ASN met fortnightly over MS Teams during 2021. Attendance ranged from 11-30 staff members. Meetings provided an opportunity for staff to engage with their colleagues and to connect in small group meetings.

The ASN has also had success with both men's and women's groups, as well as randomly assigned breakout rooms that allowed staff from different areas of DPC to meet and discuss their work

#### **Next Steps**

Discussions relating to the ASN's name are ongoing, along with the Network's future format. Online MS Teams meetings continued due to COVID-impacts, but there is appetite to transition to in person, regional/metro meetings in 2022.



#### 2.1.3 Supporting whole of government actions for the people domain

Action	Responsible DPC Group	Progress	Enablers
Prepare government for treaty through whole of government engagement	FPSR, All Groups	Ongoing	8

#### **Progress and impacts**

- DPC supported all departments and agencies in understanding the treaty process and ensuring that new policy, legislative and program proposals align with the future outcomes of Victoria's treaty process.
- Regular meetings between DPC and Treaty Coordinators ensured that all departments were updated on the treaty process and that a coordinated approach was taken to future projects that may intersect with treaty.
- FPSR continued to offer secretarial support for the Treaty Inter-Departmental Committee (IDC) (see Case Study 2.1.3).

#### **Future commitments**

• Continue and strengthen whole of government treaty engagement in 2022.

Embed self-determination in the Public Engagement Framework	DV	Complete	<b>9</b>	
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#### **Progress and impacts**

- The Public Secretary Administration Committee formally approved the whole of government Public Engagement Framework 2021-25 in 2021 (Framework).
- The Framework is informed by the VAAF and includes self-determination as a central policy focus.
- This Framework will assist VPS staff to undertake culturally safe and respectful engagement for all
  consultation processes.

#### **Deliver Treaty MicroCertification series**

**FPSR** 

In progress





#### **Progress and impacts**

- In October 2021, the first DPC-funded cohort commenced the Preparing for Treaty MicroCertification series (MicroCert series), delivered by the University of Melbourne. The MicroCert series explores the role that treaties have played, and might play, in relations between Indigenous peoples and contemporary settler societies.
- DPC funded 22 VPS staff to undertake the MicroCert series. This prompted other departments to fund their own staff to participate in the series, bringing the cohort to a total of 31 staff.
- This will equip treaty coordinators and relevant VPS staff with the knowledge and confidence to understand treaty and its practical impacts on each staff member's work.

#### **Future commitments**

• Continue supporting relevant VPS staff to undertake the MicroCert series in 2022.

Deliver the Deadly & Proud campaign

**FPSR** 

Complete





#### **Progress and impacts**

- FPSR continued to engage all Victorians in the treaty process through public events and the Deadly and Proud campaign - a social awareness campaign that recognised and celebrated the unique status, rights, cultures and history of Aboriginal communities in Victoria, and was pivotal in changing public perceptions around treaty and truth.
- The campaign began in February 2021 and featured 21 Aboriginal storytellers from across the state who shared their stories of pride across the themes of ancient cultures, resilience, community and the historic path to treaty.
- FPSR amplified the campaign's reach through well-known ambassadors, events, advertising and partnerships.
- The campaign attracted widespread positive news coverage totalling over 650 pieces. Independent research highlighted increased public engagement with treaty. By 30 June 2021, the campaign's website had obtained more than 200,000 views and campaign social posts had a total reach of 7,100,000.
- Since finalising the campaign, the Deadly & Proud website continued to attract high levels of online engagement, helping Victorians to listen and learn in relation to the path to treaty and truth-telling.

#### Case study 2.1.3

# Preparing government for treaty through whole of government engagement

Treaty will require a whole of Victorian Government response and requires new thinking and ways of working across government as we enter ground-breaking territory in policymaking.

#### On the path to treaty

DPC developed its whole of government engagement approach to help Victorian Government departments and agencies understand the treaty process and ensure that new policy, legislative and program proposals align with the future outcomes of Victoria's treaty process. DPC's whole of government engagement included overseeing secretariat functions for the IDC.

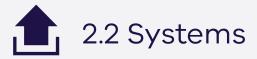
Treaty Coordinators served as a departmental/organisation liaison on treaty-related matters within their organisation's portfolio areas and supported each IDC member ahead of meetings by attending pre-brief meetings hosted by DPC

DPC had regular meetings with Treaty Coordinators to provide informal updates on treaty and for departments/organisations to advise of work underway that may intersect with treaty. This ensured government had a coordinated approach to relevant work

In addition to supporting all government departments and agencies, DPC continues to support and advise the Minister for Treaty and First Peoples and Premier in leading the State's work to advance treaty with First Peoples.

#### **Next Steps**

FPSR will continue and strengthen its whole of government engagement in 2022.



Significant transformation of public service systems is essential in order to address structural racism and better enable self-determination. As a central agency, DPC has significant control over, and power within, the Victorian Government's existing systems. It is therefore a priority for DPC to consider how to amend or leverage existing systems to make them responsive to self-determination, and over time, prepare to fundamentally transform them, particularly in response to treaty.



### Focus within the systems domain

Systems and structures established during colonisation were designed to exclude Aboriginal people. This led to entrenched systemic and structural racism. DPC needs to change how it works to address this. In the first instance, DPC is transforming its existing systems and processes. However, bigger and bolder changes are needed to truly enable self-determination.

### Overview of progress within the systems domain

The transformation of government systems and structures is a long-term goal that requires continuous and evolving work. However, DPC is already facilitating substantial work in this area. For example, by progressing key phases of the treaty process under the *Advancing the Treaty Process with Aboriginal Victorians Act 2018 (Vic)* (the Treaty Process Act), as well as supporting community-led, self-determining arrangements to inform government during the COVID-19 response and recovery efforts.

DPC continued to incorporate self-determination into its core agency work, such as by embedding self-determination analysis in the budget process, implementing new social procurement initiatives, and considering the right to self-determination in DPC's legal advice and documentation. The establishment of FPSR reflects the increased need to support the government to prepare for major reform in the Treaty and First Peoples portfolio.

### 2.2.1 DPC actions to leverage existing structures to enable self-determination

Action/Commitment	Responsible DPC Group	Progress	Enablers
Incorporate self-determination considerations into DPC budget cycle processes	All Groups involved in State Budget analysis	In progress	<b>∞</b> %

#### **Progress and impacts**

- All groups within DPC considered self-determination as part of their assessment of budget bids in the 2020-21 and 2021-22 budget processes, as well as proposals for funding that fell outside formal budget processes.
- Initiatives included analyst budget training (delivered at the group level), providing policy officers with a resource to assist in analysing self-determination in budget proposals, and direct liaison with FPSR on bids.
- DPC's budget bids must state if and how Aboriginal community representatives have been consulted on defining the problem that funding seeks to address, which ensures Aboriginal voices are central when developing bids.

#### **Future commitments**

- Continue to ensure self-determination informs everyday policy thinking and interactions with other departments by:
  - Ensuring all groups within DPC consider self-determination as part of their assessment of budget bids in 2022-23.
  - Promoting individual and whole of branch staff participation in training to embed self-determination in policy development.
  - Identifying opportunities to integrate self-determination in election-year related processes, such as incoming government briefings, election commitment tracking, and broader economic recovery/budget narrative formulation.
  - Strengthening collaboration with FPSR, for example by facilitating regular meetings to discuss policy/ program linkages and supporting cross-group secondment opportunities.

Increase procurement from Victorian Aboriginal businesses	CCC	In progress	<b>⋈</b>
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#### **Progress and impacts**

- DPC's Social Procurement Strategy supports initiatives to directly procure from Victoria's social enterprise and Aboriginal business sectors. It also influences other suppliers to embed a range of social outcomes into their business with DPC.
- Corporate Services can grant an exemption from standard procurement processes where Aboriginal
  knowledge and expertise is required or if an Aboriginal business that has the required capability is identified.
  This process is assessed on a case-by-case basis and has been applied to a number of initiatives over the
  past year, including:
  - Right People for Country Program film series with supplier: Singing Bowl Media
  - Barring Djinang VET/TAFE Graduate Program with supplier: Indigenous Employment Partners Ltd
  - Installation of IT equipment for the delivery of the VPS Suburban Hubs with supplier: Orana Commercial Relocations
  - Design, development, and printing of the VGAAR and associated Aboriginal Data Dashboard, with suppliers: Little Rocket, Towcha Technology and IndigiPrint.
- DPC's social procurement achievements from 1 July 2020 to 30 June 2021 included 32 Victorian Aboriginal businesses engaged and \$519,818 of actual expenditure. This meant over two per cent of DPC's procurement of goods and services came from Aboriginal businesses, exceeding the one per cent target set through Tharamba Bugheen: Victorian Aboriginal Business Strategy 2017-21.
- A social procurement spend dashboard, updated monthly, enables frequent monitoring of progress towards meeting the Aboriginal procurement target.

#### **Future commitments**

- Commence review of DPC's Social Procurement Strategy and work with FPSR on initiatives that can be
- Increase Social Procurement awareness across DPC, including through: reviewing the current Social Procurement Intranet page and identifying ways of more prominently highlighting opportunities for Victorian Aboriginal businesses; and expanding the current Social Benefit Enterprise spreadsheet with known Aboriainal suppliers.
- Encourage more direct spending with Aboriginal businesses, including working closely with Kinaway to: increase the knowledge of government purchasing arrangements; assist Aboriginal businesses to apply for applicable State Purchasing Contracts; share networking opportunities; including with broader DPC buyers, and consult when undertaking a market engagement outside the State Purchasing Contract arrangements.

Consider the right to self-determination, where appropriate and relevant, when providing legal advice to lead policy and law reform branches in DPC

HG

In progress









#### **Progress and impacts**

- Self-determination has been declared a right for the first time in Victoria in s 22 of the Treaty Process Act. As a result, the State (including DPC's Office of the General Counsel (OGC)) must consider self-determination as part of the treaty process.
- OGC has already applied this right when giving advice about the funding agreement with the First Peoples' Assembly of Victoria and treaty readiness agreements.
- OGC also applied this right in preparing legal advice and legal documentation for establishing and responding to the Yoorrook Justice Commission and management of the Framlingham Trust.

#### **Future commitments**

- Ensure that self-determination considerations, where relevant and appropriate, form part OGC's instructions from branches within DPC. Where possible and appropriate, OGC will make those considerations when providing legal advice and preparing legal documents.
- Arrange for lawyers in OGC assisting FPSR in the treaty and truth processes to be trained in the treaty and truth processes. Work towards this training to be undertaken more broadly within OGC.

Embed self-determination in the Victorian Government's Place-Based Reform Framework

**FPSR** 

Complete





#### **Progress and impacts**

- DPC's release of the Victorian Government's Place-Based Reform Framework in 2020 provided the VPS with a common platform for adopting place-based and place-focussed approaches when working with communities. This Framework encourages government to engage communities, pay attention to local needs and wants, and leverage the passion and expertise of local people.
- The Framework includes principles to ensure Traditional Owners and Aboriginal Victorians are meaningfully engaged throughout place-based processes and supported to make decisions in accordance with principles of self-determination.

#### **Future commitments**

- Continue to play a supporting role on government's place-based reform work which is now being led by the Department of Jobs, Precincts and Regions, ensuring that self-determination remains central to the implementation of the Framework across government.
- Progress partnership actions under the National Agreement on Closing the Gap, including the establishment of policy partnerships and place-based partnerships through the new Closing the Gap Partnership Forum.

Support Aboriginal Victorians throughout the COVID-19 pandemic

**FPSR** 

Complete





#### **Progress and Impacts**

- The Department of Health led the Aboriginal-specific COVID-19 response during 2021, with FPSR playing a
- FPSR led the development of a \$23 million whole of government Aboriginal community COVID-19 response budget package. This included funding ACCOs and mainstream services to deliver place-based and culturally safe COVID-19 testing and vaccination services, targeted communications and engagement, health care, accommodation, surge workforce, and emergency relief.
- FPSR led delivery of a \$10 million COVID-19 Aboriginal Community Response and Recovery Fund to support community-led responses (see Case Study 2.2.1).



#### Case study 2.2.1

Establish the COVID-19 Aboriginal Community Response and Recovery Fund to support Aboriginal Victorians throughout the COVID-19 pandemic

DPC delivered a \$10 million COVID-19 Response and Recovery Fund (Fund) as part of government's \$23 million Aboriginal-specific COVID-19 support package.

#### Delivering an Aboriginal-led COVID-19 pandemic response

The Fund was designed to support Aboriginal organisations and communities to drive self-determined, culturally safe, local responses to COVID-19. The Fund had a rigorous, self-determined assessment process that involved departments responsible for administering the funding, ACCO members of the former COVID-19 Aboriginal Community Taskforce and the Minister for Treaty and First Peoples.

It provided funding for community-led initiatives across emergency relief, outreach and brokerage, social and emotional wellbeing, and cultural strengthening. The Fund was open from August 2020 until February 2021, and funded 81 initiatives across the state, including: 48 in Metropolitan Melbourne, 7 in North-East Victoria, 7 North-West Victoria, 5 in South-East Victoria, 8 in South-West Victoria, and 6 statewide.

#### **Next Steps**

DPC engaged Inside Policy, an Aboriginal owned consultancy, to undertake an evaluation with a focus on capturing successes achieved through the Fund.

The findings of this evaluation will provide an evidence-base for self-determined, community-led and place-based initiatives.

#### 2.2.2 DPC actions to begin fundamentally transforming systems

Action/Commitment	Responsible DPC Group	Progress	Enablers
Establish the Victorian Government Anti-Racism Taskforce and Strategy, to proactively prevent and address racism in Victoria	FPSR	In progress	0

#### **Progress and impacts**

- Established in June 2021 and convened by the Minister for Treaty and First Peoples and the Minister for Multicultural Affairs, the Anti-Racism Taskforce provides strategic advice and recommendations to ensure the new Anti-Racism Strategy is developed with a clear and targeted roadmap to reducing racism in Victoria. Department of Families, Fairness and Housing (DFFH) is coordinating this work.
- FPSR supported DFFH in establishing the Taskforce and provides ongoing policy liaison advice to ensure the experiences and voices of First Peoples are represented. This included securing two Aboriginal-specific positions on the Taskforce, participating in the selection panel to choose Taskforce members and facilitating community engagement and roundtables.

#### **Future commitments**

• Continue to support DFFH to ensure that the experiences and voices of First Peoples contribute to the development of anti-racism initiatives.

Establish the DPC Board of Management's Subcommittee on	FPSR	Complete
Self-Determination Reform, to drive DPC action to innovate		
and enable self-determination		





#### **Progress and impacts**

- DPC must leverage the breadth and depth of its expertise, strategic awareness and networks to enable self-determination.
- In November 2021, the DPC Board of Management approved the establishment of the Subcommittee to support DPC to progress significant reforms in the Treaty and First Peoples portfolio, and to provide advice on improving internal systems, policies and processes to better enable self-determination.

#### **Future commitments**

- Use the Subcommittee to progress areas of work committed through this Report and identify further areas for reform across DPC. The Subcommittee will also be used to ensure all areas of DPC are progressing, and accountable to, their actions under the SDRF.
- The Subcommittee will also consider DPC's Aboriginal Workforce Strategy, currently being developed by People and Culture.

Support the development of the Diversity on Victorian Government Boards Guidelines to ensure more Aboriginal Victorians are appointed to government boards CCC

In progress





#### **Progress and impacts**

- Barriers to participation on government boards may be linked to inequalities relating to Aboriginality, race, religion, ethnicity, disability, age, sexual orientation, visa status and more.
- DPC supported DFFH to develop the Diversity on Victorian Government Boards Guidelines (Guidelines), which offer general advice aimed at increasing diversity on boards, including through advice tailored to specific cohorts that experience barriers to participation.

#### **Future commitments**

Continue to support this critical piece of work to ensure Aboriginal people are represented on both
'mainstream' boards and those with specific mandates for First Peoples affairs, given all areas of policy
impact First Peoples.

Progress the Closing the Gap Data Sharing Work Program	FPSR	Ongoing	<b>6 9</b>
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#### **Progress and Impacts**

- FPSR participated in an intergovernmental project team to design and deliver a data sharing scoping project as part of the Intergovernmental Agreement on Data Sharing (IGA) between the Commonwealth, State and Territory Governments.
- The IGA commits all jurisdictions to share data related to Closing the Gap where it can be done safely, securely, lawfully and ethically.

#### **Future commitments**

• Ensure the Victorian Government is meeting its data sharing obligations and priority data development commitments under the National Agreement on Closing the Gap.

	Develop the Framework for Government Engagement with Traditional Owners of areas without formal recognition	FPSR	Ongoing	<b>⊘</b>
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#### **Progress and Impacts**

 FPSR worked collaboratively with Victorian Traditional Owners to understand how VPS staff can better support strong relationships and engagement between the Victorian Government and Traditional Owners of regions without formal recognition.



An outcomes approach to policy and project design puts the focus back on the moral purpose of the public sector - creating a better society. DPC is committed to focusing and evaluating its efforts based on the outcome it achieves, as determined by First Peoples, rather than traditional governmental outputs. This requires providing First Peoples and communities with access to data and information to inform assessment of programs towards improved outcomes.



### Focus within the outcomes domain

DPC leads several whole of government actions within the outcomes domain. This includes many of the VAAF's commitments to informing self-determined, community-defined policy approaches by providing accessible data for Aboriginal people and organisations. DPC is also exploring ways to move towards pooled, outcomes-based funding for Aboriginal organisations. This will enhance self-determination and flexibility over funding expenditure, in line with Victoria's commitments under the VAAF and National Agreement on Closing the Gap.

### Overview of progress

DPC made good progress in this domain, particularly through the development and release of a publicly available Aboriginal data dashboard on FPSR's website. This interactive dashboard helps Aboriginal people and organisations access outcomes-based data that is relevant to them. It also keeps government accountable to its public commitments by highlighting progress and areas for improvement. In 2022, DPC plans to undertake further work to ensure the dashboard provides local level data where available.

DPC also led development of Victoria's Closing the Gap Implementation Plan (Implementation Plan) in partnership with the Aboriginal Executive Council and other implementation partners, to reflect the unique and diverse needs of Victoria's Aboriginal communities. The Implementation Plan brings together new and existing actions that will contribute to Victoria achieving – and exceeding – targets under the National Agreement on Closing the Gap and the VAAF.

Further work is required across DPC to transition from measuring outputs to measuring outcomes, and to better facilitate self-determined, outcomes-based approaches to policy design and service delivery.

#### 2.3.1 DPC's contribution to whole of government outcomes

Action	Responsible DPC Group	Progress	Enablers
Develop and table in Parliament Victoria's implementation plan for the National Agreement on Closing the Gap	FPSR	Complete	© 9 0

#### **Progress and Impacts**

- Victoria's Implementation Plan was approved by Cabinet, and tabled in Parliament in June 2021, alongside the 2020 VGAAR (see Case Study 2.3.1).
- FPSR led the drafting and coordination of the Implementation Plan, with support from all departments and implementation partners, and continues to support all departments during the implementation process.

#### **Future commitments**

• Report on our progress against the Implementation Plan through the VGAAR.

Release a publicly available Victorian Government Aboriginal Affairs data dashboard on the FPSR website.	FPSR	Complete	<b>S</b>
			0

#### **Progress and Impacts**

- FPSR leads development of the outcomes-focused VGAAR, which is tabled in Parliament annually.
- An interactive data dashboard was released in June 2021 on the FPSR website to provide Aboriginal
  communities and organisations with access to data that informs assessments of our progress towards
  improved outcomes. Design of this dashboard was informed by lessons from DPC's COVID-19 Aboriginal data
  dashboard in 2020.
- This dashboard is an important step in improving accessibility of the data government holds and in enhancing accountability by sharing this information with Aboriginal people and organisations.

#### **Future commitments**

• Progress work to ensure the dashboard provides local or regional level data where available (see section 2.4.1 for a summary of progress towards this commitment).

Progress outcomes-focused funding reform	FPSR	Ongoing	<b>⋈</b>
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#### **Progress and Impacts**

- FPSR continued to support various departments with distinct funding reform initiatives in 2020 and 2021, following DPC's coordination of the Aboriginal Funding Reform Project (Project) in 2019.
- DFFH now leads their own project, working with participating Aboriginal organisations to co-design new and/or to modify existing funding agreements to ensure that reporting and milestones are less burdensome and proportionate to funding amounts.
- This work is guided by recommendations from external consultants and is based on government's commitment in the VAAF to provide community-led, outcomes-focused funding for Aboriginal organisations.

#### **Future commitments**

- Continue prioritising outcomes-based and flexible funding arrangements for Aboriginal organisations.
- Continue supporting other departments in funding reform initiatives, including implementing changes to funding processes as a result of the Project.
- Ensure alignment with the advancement of the treaty and truth processes, including considerations of an evolving partnership approach as treaty progresses.
- Explore options for new and innovative funding models which provide outcomes-based funding to support the achievement of the socio-economic targets in the VAAF and the National Agreement on Closing the Gap.



# 2.4 Accountability

Just as government cannot define self-determination, it also cannot determine success regarding its work related to enabling self-determination and improving outcomes for Aboriginal Victorians. DPC drives several whole of government accountability efforts, including developing the Victorian Government Aboriginal Affairs Report (VGAAR). However, DPC must continue to ensure it is open and transparent in order to be accountable to Aboriginal



### Focus within the accountability domain

Accountability is key to ensuring the government's commitment to self-determination is translated into meaningful action. DPC's goal is to establish transparent, Aboriginal-led accountability of government and government-funded organisations. This will ensure that policies and programs are responsive to Aboriginal needs, priorities and aspirations, and that government action is consistent with the self-determination enablers and guiding principles. The treaty and truth and justice processes currently underway will scrutinise government's accountability and heighten expectations on government to deliver on its commitments.

### Overview of progress within the accountability domain

DPC's primary contribution to the accountability domain is through leading the development of the VGAAR. The VGAAR is published annually to monitor progress on improving outcomes for Aboriginal Victorians across the VAAF's six domains. This fulfils one of DPC's BP3 commitments, and ensures government is accountable to Aboriginal Victorians when progressing its commitments under the National Agreement on Closing the Gap. DPC also coordinates annual reporting through the SDRF to monitor departmental progress of actions related to the VAAF's self-determination enablers.

Work towards obtaining and publishing disaggregated data and future upgrades to the Aboriginal data dashboard, will further improve community access to local level data. This will enable communities to hold government to account for outcomes in their local area and to drive place-based decision making.

DPC drove a number of new and significant accountability processes, including establishment of a Stolen Generations Reparations Package and leading the whole of government response to the historic Yoorrook Justice Commission, in line with Victoria's commitment to address historical wrongs and ongoing injustices. During this reporting period, DPC established the Yoorrook Justice Commission Response and Engagement Branch to support the State's engagement with the Commission. Over the coming years, treaty and truth will shape what accountability looks like and show us how we can further strengthen government's accountability to community.

The establishment of the Subcommittee (see Section 2.2.1) is another important step in strengthening DPC's accountability to self-determination reform. The Subcommittee will support accountability across all areas of the department by improving internal systems, policies and processes to enable self-determination.

#### 2.4.1 DPC's contribution to government accountability

Action	Responsible DPC Group	Progress	Enablers
Publicly measure progress against the VAAF through the VGAAR	FPSR	Ongoing	9

#### **Progress and Impacts**

 This work intersects strongly with both the outcomes and accountability SDRF domains (see action 2.3.1 for progress and impacts).

Lead an approach with departments to disaggregate annual VGAAR data	FPSR	In progress	8
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#### **Progress and Impacts**

- FPSR is working with all departments to source disaggregated data, where possible.
- FPSR is working with the Commonwealth to source disaggregated data under the National Agreement on Closing the Gap's reporting arrangements.
- This will enable community access to local level data, in turn supporting their self-determining right to place-based decision making and progressing towards data sovereignty.

#### **Future commitments**

Commence data dashboard upgrades to increase disaggregated localised data and improve dashboard
accessibility. Collating and publishing disaggregated VGAAR data will further enable the Victorian Aboriginal
community to hold government to account for outcomes in their local area and place-based decision
making from 2022.

Progress Stolen Generations Reparations	FPSR, supporting Department of Justice and Community Safety (DJCS)	In progress	
	Surety (DSCS)		

#### **Progress and Impacts**

- Throughout the first half of 2021, FPSR supported the Stolen Generations Reparations Steering Committee, comprised of Stolen Generations, family members and service delivery organisations, to undertake community engagement on the Stolen Generations Reparations Package's (Reparations Package) design. The Steering Committee engaged over 400 Stolen Generations to produce its Final Report to government in July 2021.
- In mid-2021, DJCS assumed responsibility for implementing the Reparations Package. DJCS and FPSR have since worked together to establish the Reparations Package in accordance with the Final Report, to ensure it is culturally safe and responsive, and can contribute to genuine healing for Stolen Generations.
- The Reparations Package is a significant contribution to government accountability as it acknowledges and addresses the role of past governments in forcibly removing Aboriginal children from their families. It will also enable self-determination by addressing trauma and supporting healing.

#### **Future commitments**

• Continue work with DJCS to ensure the Reparations Package is rolled out in a timely manner.

Progress the truth and justice process to reckon with injustices perpetrated against Aboriginal Victorians

**FPSR** 

Ongoing





#### **Progress and Impacts**

- FPSR played a central role in supporting the Yoorrook Justice Commission and its inquiry by:
  - working in partnership with the First Peoples' Assembly of Victoria to establish the Commission, including working together to develop the terms of reference
  - supporting the appointment of the five Commissioners through an open and transparent nomination process
  - ensuring government's response to and engagement with the Commission aligned with the State's commitment to transparency throughout the treaty process
  - assisting the Commission to achieve its truth-telling objectives.

#### **Future commitments**

• Coordinate the State's response to the Commission, including providing information, developing of policy submissions and responding to the Commission's interim and final reports.

Implement the four priority reforms of the National Agreement on Closing the Gap within DPC and across government.

**FPSR** 

Ongoing



#### **Progress and Impacts**

- Victoria's Implementation Plan outlines a comprehensive set of actions demonstrating how government will progress the four priority reform areas set out in the National Agreement on Closing the Gap.
- Key commitments include:
  - annual reporting of progress on outcomes and targets through the VGAAR
  - further consideration of priority sectors for strengthening, guided by data (including family violence and child protection).

#### Future commitments

• Continue to implement the priority reforms as outlined in the Implementation Plan in 2022.

Improve the arrangements of governance groups to increase Aboriginal representation and accountability to the sector

FPSR

In progress





#### **Progress and Impacts**

- FPSR has listened to concerns from the Aboriginal community regarding Aboriginal representation and accountability across various governance group and forums.
- FPSR worked with ACCOs to better enable Aboriginal involvement and leadership.

#### **Future commitments**

- Continue to work with Aboriginal organisations to increase engagement with and a level of accountability to the ACCO sector across governance groups and forums.
- Coordinate work to establish a new sector-based partnership forum to enhance the self-determined nature of government's Closing the Gap partnership. This new partnership forum will have members representing all service sectors relevant to Closing the Gap and will respond to community concerns around representativeness and accountability in existing governance mechanisms.
- Note establishment of the new Closing the Gap Partnership Forum, including its independent election process, will be detailed in DPC's 2022 Report.

# Establishment of the Yoorrook Justice Commission

The Commission is inquiring into historical and ongoing systemic injustices committed against Aboriginal Victorians by State and non-State entities since colonisation.

#### The Nation's First Truth and Justice Process

The Victorian Government established the Yoorrook Justice Commission on 12 May 2021, following 10 months of work in partnership with the First Peoples' Assembly of Victoria to develop the terms of reference for a truth and justice process. Funding of \$58 million over four years was allocated to the truth and justice process in the 2020/21 State Budget, including \$44 million for the establishment and operations of the independent, Aboriginal-led Commission.

Since its establishment, the Commission has developed the strategic priorities for its inquiry and begun work towards its three key goals of: creating a lasting public record of the truth; generating better understanding of the impacts of colonisation in the broader Victorian community; and making recommendations for changes to laws, institutions and systems to remedy injustices.

DPC established the Yoorrook Justice Commission Response and Engagement Branch to support the State's engagement with the Commission and prepare departments to assist the Commission with its inquiry.

#### **Next steps**

The Commission will provide its interim report to by 30 June 2022 and continue its inquiry to support the development of its final report, due by 30 June 2024. The Commission's interim report may detail progress to date, emerging themes and issues and, if available, any initial findings that should be considered through the treaty process. DPC will lead the government response to these reports.



