



Government of **Western Australia**
Department of **Finance**

*AN OFFICE FOR ABORIGINAL
ADVOCACY IN WESTERN
AUSTRALIA*

A SUBMISSION FROM THE DEPARTMENT OF FINANCE

7 SEPTEMBER 2018





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1. CONTEXT

The Department of Finance (Finance) is responding to a request for feedback received from the Department of Premier and Cabinet (DPC) on 2 July 2018 regarding a proposal to establish an independent statutory office for Aboriginal advocacy in Western Australia (the Office).

Finance's submission responds to the three questions outlined in the correspondence with additional comments provided. **Comments made in Sections 1 to 5 are approved to be made public if DPC desires. Comments made in Sections 6 to 8 are confidential and are not to be made public.**

Three business units within Finance, namely Strategic Projects, Building Management and Works and Government Procurement, would be most affected by the establishment of the Office.

The implementation of two government policies, the Aboriginal Procurement Policy (APP) and the Delivering Community Services in Partnership Policy (DCSPP), are referenced within this submission.

The APP sets mandatory targets in contracting with registered Aboriginal owned and operated businesses and also incorporates annual grants to build skills and capability in Aboriginal businesses across WA.

The DCSPP ensures meaningful partnerships between government agencies and the not-for-profit communities sector. Finance is committed to supporting the important work of the not-for profit sector as it not only ensures the successful delivery of services to the community but also empowers people within communities with access to meaningful jobs and opportunities to participate in community life.

2. WHAT DO YOU THINK OF THE GOVERNMENT'S PROPOSAL?

Finance supports the creation of a new, independent statutory office for Aboriginal advocacy. There is benefit in an independent office providing leadership for policies and initiatives that impact the Aboriginal community.



While the potential scope of the Office is broad, Finance supports the focus of the Office being determined by the Aboriginal community and believes a clear avenue for agencies to seek advice on matters that impact the Aboriginal community would be beneficial.

Finance recommends that the Office's relationship to the DPC's existing Aboriginal Policy Unit is clearly defined and communicated so that roles and responsibilities are clear to all parties. Consideration is also required regarding if and how the Office would operate in regional areas and how it would relate to existing Government and non-government programs where established support networks are already in place.

3. WHAT SHOULD THE NAME OF THE ORGANISATION BE?

Finance suggests that an Aboriginal name should be given to the Office and agrees with the DPC's suggestion that the name is best determined by the Aboriginal community.

4. HOW SHOULD ABORIGINAL PEOPLE AND ORGANISATIONS BE INVOLVED IN THE APPOINTMENT PROCESS OF THE OFFICE-HOLDER?

Finance agrees with DPC's suggestion that the Aboriginal community should be involved in the appointment process for the Office-holder as there are a diverse number of community organisations, native title groups, land councils, business representatives and community elders that will have an investment in the appointment.

Finance recommends an open process, such as an expression of interest, is used to invite nominations with cultural backgrounds, such as ethnicity and the regional areas from which nominated individuals originate, to be considered as part of the decision process.



5. SUPPORT FINANCE CAN OFFER THE OFFICE

Finance would be able to assist the Office in the following areas:

- Opportunities for consultation and collaboration relating to the APP and the DCSPP, to ensure continued effectiveness;
- Provision of advice regarding Aboriginal procurement policies and practices, and the identification and assessment of procurement trends;
- Enabling a working partnership – leveraging Finance’s networks (including those in regional areas), knowledge and communication channels to identify opportunities and support shared objectives and success stories for promotion; and
- Introductions to key personnel within Finance and across government.

Finance is also responsible for overseeing the design and construction of major infrastructure projects and believes it could provide the Office with input on:

- How Aboriginal engagement on construction projects could be more effective than the current practices allow;
- The most effective stage of a project to undertake design reviews with Aboriginal advisory groups;
- How to define who should be represented on a project Aboriginal Advisory Group.
 - For example, the New Museum Project is in the unique situation where it could utilise an existing Aboriginal Advisory Group established for the WA Museum, however other projects would not have an existing group available to them.
 - The Office could consider establishing an Aboriginal Design Advisory Panel in WA to advise on construction projects that relate to or impact the Aboriginal Community. The Group could be similar to the Office of the Government Architect Design Review Panel or the Department of Planning Development Assessment Panels, where a large membership group is set up and individuals are selected for a project relevant to their background and expertise;



- Construction procurement methods that will offer a greater ability to utilise Aboriginal businesses; and
- Procurement methods that offer better opportunities for Aboriginal design advice to influence the design of the project and how to structure design contracts to ensure that Aboriginal design advice receives traction with the design consultants.

6. SUPPORT REQUIRED BY FINANCE

Finance believes the Office can provide support by:

- Identifying opportunities to support the Aboriginal business and the not-for-profit sector;
- Engaging and communicating with the Aboriginal community in a culturally appropriate manner;
- Seeking feedback from the Aboriginal community on the implementation and effectiveness of Government Procurement policies such as the APP;
- Providing consideration and expertise relating to Aboriginal design advice on infrastructure projects, how the design advice interacts with the Whadjuk Working Party's design advice, and what advice or ideas take precedence; and
- Sharing Finance's success stories in relation to Aboriginal policies and initiatives.

The Office could also assist with some of the challenges Finance encountered when implementing the APP.

Following the closure of the Department of Aboriginal Affairs, Finance sought advice from the Regional Services Reform Unit of the Department of Communities, DPC's Aboriginal Policy Unit and the Western Australian Aboriginal Advisory Council for guidance on engaging with the Aboriginal community. While these groups provided advice and assistance, none were resourced to provide the level of support and guidance required.



Examples of the areas Finance requires support and guidance include:

- **Establishing an Aboriginal Business Reference Group** – Finance is committed to establishing an Aboriginal Business Reference Group to support the operation of the Policy and gain feedback on the Policy’s impact on the Aboriginal business sector. Due to the scope of the Aboriginal business sector, Finance seeks advice on the identification of appropriate representatives from the Aboriginal business community to ensure equitable representation for both metropolitan and regionally based businesses. Finance is conscious of such a group overlapping with other established committees and hence, would refer to the Office for advice on such matters.
- **Developing a grants process for capability building support** – Finance provides funding for capability building services to support the implementation of the Policy. Finance plans to undertake a consultation process to ensure funding is equitably allocated to Aboriginal businesses across WA and ensure funded services meet the needs of the Aboriginal business and not-for-profit sectors. Finance would refer to the Office to provide a network of contacts that could take part in a consultation processes like this in future.
- **Respectful communication protocols** – Finance has undertaken a number of consultation processes and training sessions with the Aboriginal business sector and sought advice on the cultural communication protocols. A cultural awareness trainer was engaged who recommended the appointment of a community representative for each regional location. Finance also received this advice from the DPC Aboriginal Policy Unit and was connected with the Western Australian Aboriginal Advisory Council (WAAAC). While this was a useful starting point, Finance required further assistance for locations where the WAAC did not have representation. Finance would refer to the Office in the future for advice on community representatives across the state.
- **How to undertake respectful engagement activities with the Aboriginal business sector** – Finance required guidance on designing an engagement process to seek feedback from the Aboriginal business sector for the Policy. Detailed assistance and guidance was not available from government agencies, therefore Finance engaged a consultant from the Aboriginal business sector to



assist with the consultation process. Finance would see great benefit in the Office being able to provide advice to government agencies to ensure future engagements are managed in a respectful manner.

Separate to the APP, within the last year community services contracting has begun to recognise Aboriginal Community Controlled Organisations (ACCO's) and the potentially important role they may be able to play, for example in the 'out of home care' space. The Office may support government to better understand, identify and work in partnership with ACCO's. The Office could also provide support directly to ACCO's to develop their capacity and willingness to collaborate with government.

7. FEEDBACK FROM THE ABORIGINAL BUSINESS SECTOR

During the implementation of the APP, Finance received feedback from the Aboriginal business and not-for-profit sectors that would be relevant to the function of the Office.

At present, Finance's avenue for forwarding these matters for advice, further consideration and action is unclear and the Office would be well placed to provide this function.

The issues raised by the Aboriginal business and not-for-profit sectors during the implementation of the Policy included:

- **Involvement in procurement evaluation panels** – Aboriginal business sector representatives expressed a desire for representation on evaluation panels to ensure accountability and fair treatment of Aboriginal businesses in WA Government procurement processes. Due to commercial in confidence issues with this approach, Finance instead suggests a similar outcome could be achieved by the Office having a role in ensuring government accountability for evaluation processes. Finance notes that this approach is most relevant for large infrastructure projects and community services that impact the Aboriginal community.
- **Employment targets** – Aboriginal business sector representatives suggested the Policy include employment targets in contracts to drive the economic participation of Aboriginal people. Finance committed to considering the



inclusion of employment targets in the future, however, the scoping of the targets and analysis of potential Aboriginal worker numbers (based on skill level and job readiness) is outside of the remit of Finance. As such, the Office would be well placed to coordinate input from multiple Departments toward developing and monitoring meaningful targets that could be applied across government Policy areas, including procurement.

- **Business development and support services** – feedback received from both government agencies and Aboriginal businesses emphasised the need to develop the capability of the Aboriginal business sector. Finance provides training on the WA Government procurement process and has funding for capability building services, however businesses require additional services and support that is not available from Finance. The Office could provide a centralised conduit for support and training opportunities available from across government.
- **Working with the Aboriginal business sector** – representatives from industry, including the Aboriginal business sector such as the Noongar Chamber of Commerce (NCCI), expressed a desire to work with the WA Government to increase the economic development of the Aboriginal business sector. The Office would be well placed to represent government and work with organisations like NCCI by acting as a conduit to other government agencies.
- **Requests for training provided by the Aboriginal community** – representatives from the Aboriginal business sector requested training and business support to be provided by Aboriginal business leaders. The Office would be well placed to work with government agencies to facilitate the delivery of training by an Aboriginal representative.

8. FURTHER ENQUIRIES

Further enquiries regarding Finance's submission can be made in writing to:

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