Ombudsman
New South Wales

OCHRE Review Report

28 October 2019

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Acknowledgements

The Ombudsman's office wishes to acknowledge the valuable contributions made by the many Aboriginal leaders, community members and organisations we have consulted with, and been informed by, in carrying out our OCHRE monitoring and assessment function, and in the preparation of this report.

We also acknowledge the valuable work of the government agencies that are delivering OCHRE initiatives and thank them for their valuable feedback and contributions to this report.

Journey Together artwork by Jasmine Sarin, a proud Kamilaroi and Jerrinja woman.

28 October 2019

The Hon John Ajaka MLC
President
Legislative Council
Parliament House
SYDNEY NSW 2000

The Hon Jonathan O'Dea MP
Speaker
Legislative Assembly
Parliament House
SYDNEY NSW 2000

Dear Mr President and Mr Speaker

OCHRE Review Report

I draw your attention to legislation passed in May 2014 in relation to Part 3B of the *Ombudsman Act 1974* giving the NSW Ombudsman an important new role to monitor and assess the delivery of designated Aboriginal programs in NSW, beginning with OCHRE – Opportunity, Choice, Healing, Responsibility, Empowerment.

This special report to Parliament details our assessment of OCHRE over the past five years.

I hereby present the *OCHRE Review Report* for tabling in the Parliament and request that you make it public forthwith.

Yours sincerely

Michael Barnes
Ombudsman

28 October 2019

Contents

GLOSSARY

Aboriginal affairs	The portfolio of matters and policies relevant to Aboriginal people (across NSW Government clusters and agencies)
Aboriginal Affairs	Aboriginal Affairs NSW – since 1 July 2019, has been located in the Department of Premier and Cabinet
AbSec	NSW Child, Family and Community Peak Aboriginal Corporation
ACARA	Australian Curriculum and Reporting Authority
ACFC	Aboriginal Child and Family Centre
ACLIP	Aboriginal Community Land and Infrastructure Project
ACWA	Association of Children's Welfare Agencies
AECG Inc.	NSW Aboriginal Education Consultative Group
AEDO	Aboriginal Enterprise Development Officer
AEO	Aboriginal Education Officer
AEPF	Aboriginal Economic Prosperity Framework
AEPOF	Aboriginal Economic Prosperity Outcomes Framework
AES	Aboriginal Employment Strategy
AHO	Aboriginal Housing Office
ALEAG	Aboriginal Language Establishment Advisory Group
APAC	Aboriginal Procurement Advisory Committee
APIC	Aboriginal Participation in Construction
APP	Aboriginal Procurement Policy
ATSIEP	Aboriginal and Torres Strait Islander Action Plan
BOSTES	Board of Studies, Teaching and Educational Standards
CAPO	Coalition of Aboriginal Peak Organisations
CESE	Centre for Education Statistics and Evaluation
CIRCA	Cultural and Indigenous Research Centre Australia
COAG	Council of Australian Governments
CSC	Community Services Centre
CWP	Community Working Party
DCJ	Department of Communities and Justice (bringing together former Departments of Community Services and Justice since 1 July 2019)
DFSI	Department of Finance, Services and Innovation
DPC	Department of Premier and Cabinet (inclusive of Aboriginal Affairs since 1 July 2019)
DoPIE	Department of Planning, Industry and Environment (bringing together the functions from the former Planning and Environment Clusters since 1 July 2019)
ECAV	Education Centre Against Violence
Education	NSW Department of Education (since 1 July 2019 includes Training NSW – the former division of the Department of Industry)
EYTC	Early Years Transition Centre
FACS	(former) NSW Department of Family and Community Services
FASD	Foetal Alcohol Spectrum Disorder
FTE	Full-time equivalent
Hubs	Opportunity Hubs
IAS	Indigenous Advancement Strategy
IBA	Industry Based Agreements
ICIP	Indigenous Cultural and Intellectual Property
Industry	(former) Department of Industry (since 1 July 2019 has been located in the Department of Planning, Industry and Environment)
KPI	Key performance indicator
LALC	Local Aboriginal Land Council
LDM	Local Decision Making

LGA	Local Government Area
LMBR	Learning Management and Business Reform (database)
MPRA	Murdi Paaki Regional Assembly
MERI	Monitoring, evaluation, reporting and implementation
MoU	Memorandum of Understanding
NAPLAN	National Assessment Programme – Literacy and Numeracy
NCARA	NSW Coalition of Aboriginal Regional Alliances
NCCD	Nationally Consistent Collection of Data on School Students with Disability
NCVER	National Centre for Vocational Education and Research
NESA	NSW Educational Standards Authority
Nests	Aboriginal Language and Culture Nests
NGO	Non-government organisation
NPARIH	National Partnership Agreement on Remote Indigenous Housing
NSWALC	NSW Aboriginal Lands Council
OCHRE	Opportunity, Choice, Healing, Responsibility, Empowerment
OOHC	Out-of-home care
PLP	Personalised Learning Pathway
PM&C	Department of Prime Minister and Cabinet
RADA	Regional Aboriginal Development Alliance
RAECG	Regional Aboriginal Education Consultative Group
RAHLA	Regional Aboriginal Housing Leadership Assembly
RAM	Education's Resource Allocation Model
RFA	Regional Forestry Agreement
RLE	Regional Leadership Executive
RMRA	Riverina-Murray Regional Alliance
RMS	Roads and Maritime Services
ROSH	Risk of significant harm
RSAS	Remote School Attendance Strategy
RSD	Remote Service Delivery
RTO	Registered training organisation
SLCE	Senior Leader, Community Engagement
SLSO	Student learning support officer
SPRC	Social Policy Research Centre, UNSW
SRG	School reference group
TFM	Their Futures Matter (now known as the Stronger Communities Investment Unit)
Treasury	NSW Treasury
TRRA	Three Rivers Regional Assembly
TSNSW	Training Services NSW
UTS	University of Technology Sydney
VET	Vocational education and training
WGACWP	Walgett Gamilaraay Aboriginal Community Working Party

Executive summary

In May 2014, legislation was passed to give the NSW Ombudsman an important new role to monitor and assess the delivery of designated Aboriginal programs in NSW,[1] beginning with OCHRE – Opportunity, Choice, Healing, Responsibility, Empowerment – the NSW Government's plan for Aboriginal affairs, which commenced on 5 April 2013.

The legislation enabling our monitoring and assessment function in relation to Aboriginal programs also established a new role of Deputy Ombudsman (Aboriginal Programs) – the first and only position of its kind in Australia – to lead this work.[2] The aim of our Aboriginal programs oversight function is to provide greater transparency and accountability for the delivery of services to Aboriginal communities by government in NSW and for the resulting outcomes. This function complements and builds on work the NSW Ombudsman has undertaken for more than 16 years in relation to auditing and reviewing service delivery to Aboriginal communities.

This special report to Parliament comprehensively details our assessment of OCHRE over the past five years.[3] It follows on from our 2016 special report to Parliament, *Fostering economic development for Aboriginal people in NSW*, which informed the development under OCHRE of the *Aboriginal Economic Prosperity Framework*. We have also published our progressive observations about the implementation of OCHRE in four successive annual reports.

As we detail in Chapter 1, we employed a comprehensive methodology to inform our findings and recommendations. As is always the case with our work examining government service delivery to Aboriginal communities, the most valuable source of both evidence and innovative solutions came from Aboriginal community leaders living in those locations where OCHRE initiatives were operating, who generously gave us their time and insights during our visits to their communities.

We also wish to acknowledge the dedication and commitment shown by Aboriginal Affairs staff who have provided our office with significant information and advice about the implementation of OCHRE over the past five years, as well as executive and frontline staff from other departments and non-government organisations directly involved in implementing OCHRE initiatives, particularly key personnel from the Departments of Education and Premier and Cabinet.

Because a commitment to independent evaluation was embedded in the OCHRE plan, we also had the benefit of the findings from the four formal evaluations of OCHRE initiatives, as well as other reviews commissioned, and research undertaken by, Aboriginal Affairs.

In 2018, the NSW Government announced its intention to 'refresh' OCHRE, a process which is likely to take place next year. This report is intended to inform the future of OCHRE by making recommendations aimed at strengthening the delivery and impact of each initiative, and the related governance structures underpinning the overall plan. We also set out what OCHRE has achieved for Aboriginal communities so far, the challenges yet to be addressed, and what else is needed to drive and monitor better social and economic outcomes for Aboriginal people in NSW.

What makes up OCHRE?

OCHRE consists of the following initiatives:

- **Healing** – OCHRE formally recognises the need for healing inter-generational trauma from the legacy of colonisation and commits to advance the dialogue on healing with Aboriginal communities.
- **Aboriginal Language and Culture Nests** – operating in five locations, it supports the revitalisation of Aboriginal languages and cultures within schools and communities.

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1 Part 3B, *Ombudsman Act 1974*.
2 Daniel Lester's term as Deputy Ombudsman (Aboriginal Programs) commenced on 7 October 2014.
3 Our oversight function of the designated Aboriginal programs started on 1 July 2014.

- **Local Decision Making (LDM)** – operating in eight locations, it supports Aboriginal regional governance bodies to have a progressively greater say in designing the services that are delivered in their communities.
- **Aboriginal Economic Prosperity Framework (AEPF)** – a state-wide initiative which contains 12 targets for government commitments relating to jobs and employment, education and skills, and economic agency.
- **Solution Brokerage** – a state-wide initiative operating as four discrete projects to date – it is essentially an administrative mechanism that enables Aboriginal Affairs to engage with NSW government agencies to identify and implement practical solutions to significant issues for Aboriginal communities.
- **Opportunity Hubs** – operating in four locations, it provides Aboriginal students with school-based mentoring and clearer pathways from school to further education, training and employment.
- **Connected Communities** – operating in 15 locations, it establishes schools as 'service hubs' and promotes school-community partnership approaches to reduce barriers to student learning and improve Aboriginal education outcomes.

When released, OCHRE included a specific commitment to independent evaluation as a key mechanism to strengthen transparency and accountability for government expenditure on Aboriginal affairs, 'so that forward planning and future decisions can be informed by, and based on, real evidence'.[4]

Chapter 3: Healing

The need for healing arises from the legacy of violence, trauma and dislocation from family and culture that continues to impact on the wellbeing of Aboriginal people and whole communities. The critical importance of healing and wellbeing was consistently raised by Aboriginal communities with the Ministerial Taskforce for Aboriginal Affairs. It is widely acknowledged that without the opportunity to heal, trauma may be passed down through generations,[5] resulting in poor health, violence, substance abuse, and social and economic disadvantage.[6]

It is commendable that, with the release of OCHRE, the NSW Government became the first government in Australia to include healing as a key priority in its Aboriginal Affairs plan.

The OCHRE Plan explicitly acknowledges that previous government programs and policies contributed significantly to the trauma, loss and pain felt by many Aboriginal people. OCHRE contains several initiatives that aim to deliver outcomes that Aboriginal people have identified as fundamental to individual and community healing: better education and employment opportunities, greater community control over service delivery, and the revitalisation of Aboriginal languages and culture. A feature of Local Decision Making is that it promotes self-determination and a formal process for resetting the relationship between Aboriginal communities and government agencies in NSW – this process is in and of itself 'healing'.

OCHRE commits the NSW Government to 'work with Aboriginal communities, policy practitioners and service providers to advance the dialogue in NSW about trauma and healing and to begin developing responses informed by evidence of good practice'.[7] The healing forums facilitated by Aboriginal Affairs and the Healing Foundation provided an opportunity for Aboriginal communities to describe the importance of culture as part of healing, and how healing reconnects them to their identity, relationships, land and spirit. It also became evident during these forums that there was significant goodwill on the part of government agencies and non-government services alike to support healing initiatives.[8]

The NSW Government has carried out a range of activities related to healing, including:[9]

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[4] Aboriginal Affairs NSW, *OCHRE: Opportunity, Choice, Healing, Responsibility, Empowerment – NSW Government Plan for Aboriginal affairs: education, employments & accountability* (OCHRE Plan), April 2013, p.9.

[5] Atkinson, J, *Trauma Trails Recreating Song Lines – the Transgenerational Effects of Trauma in Indigenous Australia*, Spinifex Press, 2002.

[6] Healing Foundation, 'We have evidence to break the cycle of Intergenerational Trauma', Media release, 8 January 2019.

[7] Aboriginal Affairs NSW, *OCHRE: Opportunity, Choice, Healing, Responsibility, Empowerment – NSW Government Plan for Aboriginal affairs: education, employment & accountability* (OCHRE Plan), April 2013, pp.11-12.

[8] Advice provided at meeting with Aboriginal Affairs and the Healing Foundation, July 2018.

[9] https://www.aboriginalaffairs.nsw.gov.au/healing-and-reparations/stolen-generations.

- Publicly acknowledging the historic wrongs of past government policies relating to forcible removal, such as the statements made by the NSW Premier and Ministers in 2017 on the 20th anniversary of the *Bringing Them Home* report.
- Making monetary reparations as an essential step to clear the way for broader community healing and truth-telling measures.
- Providing personal letters of apology and face-to-face apologies to individual survivors of the Stolen Generation.
- Improving access to records – one of a number of truth-telling measures aimed at helping survivors, families and communities to reconnect with each other.

These efforts are all very positive, the challenge now is to ensure that the actions identified by Aboriginal communities through the healing forums are progressed under their leadership in partnership – and with practical support from – the NSW Government.

Communities have identified that Aboriginal people want better access to information about trauma, its impacts and the type of supports that can help them heal and recover; and that there is more to be done to ensure that service systems are culturally competent, trauma-informed and well-targeted to the needs of Aboriginal people. In addition, healing needs to be incorporated in practical ways to place-based approaches to service delivery; which is reflected in Aboriginal people genuinely participating in designing and making decisions about the types of services, and how they are delivered, in their own communities.

As part of the policy refresh process to further strengthen OCHRE, we have recommended that a state-wide healing framework be developed which seeks to clarify how government agencies will incorporate a healing-informed approach to carrying out their everyday business. In our view, such a framework would provide a strong, coordinated focus for moving forward and, among other things, would deliver greater visibility of the range of significant efforts already underway in NSW to promote healing, including those delivered by the NSW Government under the mantle of OCHRE, but also through other relevant government reforms such as the Stolen Generations Reparation Scheme and the provisions within the *Aboriginal Languages Act 2017*.

Chapter 4: Aboriginal Language and Culture Nests

Aboriginal Elders have told us that transmitting language is crucial to teaching culture and respect, building confidence and strengthening a sense of identity in young people.

It is now widely acknowledged that for a long period of Australia's history, Aboriginal languages and cultures were actively denied and suppressed as a result of government policies. Against this background, Aboriginal Language and Culture Nests (Nests) are contributing to the revitalisation, reclamation and maintenance of Aboriginal language and culture in NSW schools and local Aboriginal communities.[10] There are five separate 'Nests' across the state – each a network of communities bound together by their connection to a language. The role of the Nests is to support, continue and increase language teaching within the Nest communities and schools.

The Nest initiative was recommended by the Ministerial Taskforce for Aboriginal Affairs in 2012, after Aboriginal people from across NSW identified learning Aboriginal languages as their number one priority and something that needed to happen now before further language was lost.[11] The concept for the Nests was inspired by Maori language nests implemented in New Zealand pre-schools in the 1980s, which were credited with averting the loss of Maori language within a generation.[12]

Another key milestone has been the passing of the *Aboriginal Languages Act 2017* (NSW) to enable a strategic state-wide approach toward reawakening, nurturing and growing Aboriginal languages. The implementation of the Nest initiative, during the preceding four years, formed an important foundation for the legislation.

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[10] NSW Department of Education, *Aboriginal Language and Culture Nest Guidelines*, 2018, p.5.
[11] Ministerial Taskforce on Aboriginal Affairs, *Getting it right: The findings of the Round Two Consultations for the NSW Ministerial Taskforce on Aboriginal Affairs*, 2012, p.19.
[12] The New Zealand program informed the development of Aboriginal Language and Culture Nests in NSW (Department of Education, *Aboriginal Language and Culture Nest Guidelines*, 2018, p.3).

We have observed significant efforts by community members, Nest Teachers and Tutors, and school Principals towards establishing and building up the Nests. The Nest Teachers, in particular, have made an outstanding personal commitment. Considerable progress has been made in developing language and culture teaching resources and growing a workforce of Aboriginal teachers and tutors. Since the Nests commenced, there have been substantial increases in TAFE enrolments in Aboriginal language courses and considerable growth in Aboriginal language teaching qualifications. There is a strong appetite for expanding Nests to other communities, with many community members speaking positively about what has been achieved so far.

While significant gains have been made, we identified a range of problems with the initial implementation process. Although the Nest initiative envisages a whole-of-community approach to language revitalisation, for several reasons, most of the activity had only occurred in schools. The initiative was originally announced as a joint endeavour by the Department of Education (Education) and the peak body – the NSW Aboriginal Education and Consultative Group Inc. (AECG). While they jointly carried out a range of activities, it would be another three years before the AECG was formally contracted to play its current, and more significant role, in co-leading and delivering the Nests initiative. This delay in setting the leadership and governance of Nests undoubtedly impacted their ability to engage with communities from the outset, and to realise the initiative's full potential.

The delayed involvement of the AECG meant that formal Local Reference Groups – the community-based governance mechanism for the Nests – were not formed until mid-2016, almost four years after the initiative started, although some communities had pre-existing Language Circles, which took on this role. In the original model, Nest coordinators were to have been employed to support community engagement and coordinate a range of activities. However, these roles were never established, and it was not until late 2016 that project officers were appointed by the AECG to support each Nest. In addition, funding for each Nest was administered via a 'base school' in each region, which limited the work done outside of the school setting and contributed to a common perception among Nest communities that the initiative was solely school-based. As well, operational guidelines to support the initiative, outlining roles and responsibilities, lines of accountability and the expenditure of funds, were not released until early 2018, contributing to a lack of clarity about the scope of the Nests initiative.

There has also been notable variation in levels of activity between Nests. Some differences are inevitable due to the individual circumstances and needs of each network of communities, but some Nest locations appear to have been less 'ready' than others to host the initiative, giving rise to questions about the selection of Nest sites. These apparent differences in capacity, together with the short timeframe in which Education was required to roll out the initiative, created significant challenges at various points in time.

Overall, the Nest initiative is viewed by participating Aboriginal communities as having strong inherent value and is making a positive contribution to the revitalisation of Aboriginal languages. Going forward, several issues need to be addressed to ensure the ongoing sustainability and 'value adding' capacity of the Nests; the most significant of these issues being the continuity of adequate funding and the settling of effective governance arrangements.

While there is a strong case for continued investment in the Nest initiative, a broader strategic approach to language revitalisation is essential given that all remaining Aboriginal languages in NSW have been identified as critically endangered.[13] In this regard, it will be vital for the Nest initiative to be recognised as integral to, and integrated with, the broader NSW Aboriginal languages strategy that will soon be developed under the Act. Stronger bilateral alignment and coordination will also be essential to maximise the outcomes of state and federally funded language revitalisation initiatives.

Chapter 5: Local Decision Making

The OCHRE Local Decision Making (LDM) initiative is a ground-breaking practice and decision-making model directed at changing how the NSW Government works with Aboriginal leaders and communities. LDM represents a significant move towards supporting Aboriginal self-determination in NSW. Previous state and

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[13] Aboriginal Affairs NSW, *OCHRE: Opportunity, Choice, Healing, Responsibility, Empowerment – NSW Government Plan for Aboriginal affairs: education, employment & accountability* (OCHRE Plan), 2013, p.18.

federal agreements have included some elements of the LDM model,[14] but none has sought to shift the power differential between Aboriginal communities and government to the same extent, including by devolving certain decision-making and budgetary control.

When LDM took effect in November 2013, NSW became the first Australian jurisdiction to commence a process of devolving decision-making powers to Aboriginal communities. LDM is modelled on international approaches that demonstrate that self-governance is intrinsic to empowerment and community wellbeing, including in terms of health, education and economic outcomes. LDM also aligns with the move towards government policy approaches being co-designed, consumer-driven and place-based.

The vision for LDM is to provide NSW with a clear framework for the government and Aboriginal communities to negotiate and collaborate on service delivery issues; provide scope for regional Aboriginal governance bodies to operate as equal partners with government; and ensure that Aboriginal communities are more satisfied with government services.[15] Originally, the initiative was intended to be a trial in three sites (urban, regional and remote). However, due to the strength of interest from, and capacity within Aboriginal communities, LDM was extended, and now operates in eight sites covering around 70 communities.

LDM is enabling Aboriginal leaders to 'have a seat at the table' and negotiate directly with government on community priorities. The model is starting to shift how government works to support community priorities and is helping to drive the delivery of region-wide outcomes. There is also a growing understanding of government processes among Aboriginal regional governance bodies (Regional Alliances), which is helping to build their capacity to take on greater delegated powers in the future; and they are being given a clearer picture of state government spending on service delivery.

While there have been positive developments, the pace of implementation has been slower than anticipated. In part, this is due to the larger than expected number of communities and governance bodies involved in the initiative. It also reflects the significant challenge for government in making the necessary practical changes to share decision-making authority with Aboriginal communities.

We expect that in future, the lessons learned so far will lead to more rapid progress, but this will require maintaining the 'authorising environment' established for Accord negotiations. Accords are the formal and binding agreements between the NSW Government and Aboriginal Regional Alliances used to document and drive the delivery of the desired results. To date, Accords have only been struck with three of the eight participating Alliances, and some key aspects of the model, particularly service redesign and supporting legislation, are yet to be fully realised. For tangible changes to happen 'on the ground' in communities, it is essential that service redesign work promptly commences with the Alliances that have already negotiated Accords.

Enhanced collection, analysis and reporting of outcomes data is also required. For the first five years of the rollout of LDM, outcomes were not tracked, limiting our ability to assess the impact of the initiative. We are pleased that going forward this weakness will be remedied. We also welcome the NSW Government's acknowledgement of both the additional investment required to realise the promise of power-sharing at the heart of LDM, and the need for public servants to move away from the 'business as usual' approach when seeking to negotiate with Aboriginal leaders. From here on, it is critical that the government redoubles its efforts, in partnership with the Alliances, to operationalise all components of the model, and realise the stated intent of LDM.

Chapter 6: OCHRE Aboriginal Economic Prosperity Framework

For almost a decade, our office has been putting a spotlight on the need for substantial progress to build the economic capacity of Aboriginal communities, and we have argued that a coordinated state-wide approach is needed to achieve this.[16]

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[14] For example, see the *Murdi Paaki Regional Partnership Agreement* (RPA) 2009-2012 between the Murdi Paaki Regional Assembly, the NSW Government and the Commonwealth Government.
[15] Aboriginal Affairs NSW, *Local Decision Making Implementation Plan 2017-2020*, 2017, p.3.
[16] NSW Ombudsman, *Addressing Aboriginal disadvantage: the need to do things differently*, October 2011, p.48; *Responding to Child Sexual Assault in Aboriginal Communities*, December 2012, Recommendation 83, p.20.

In response, the NSW Government committed to developing the first ever state-wide framework for Aboriginal economic development when it released OCHRE in 2013.[17] Our first public report on the implementation of OCHRE in May 2016 was designed to inform the development of this framework, along with a NSW Parliamentary inquiry into economic development in Aboriginal communities which commenced in August 2015.[18] The inquiry also concluded that a major push from the government was needed to generate and sustain momentum economic development in Aboriginal communities.

The OCHRE *Aboriginal Economic Prosperity Framework* (*Growing NSW's First Economy)* was released in December 2016. The framework contains 12 targets built around three economic pillars: jobs and employment; education and skills; and economic agency. Pleasingly, the framework does not prescribe specific programs or initiatives, but instead aims to position 'Aboriginal economic prosperity' within the 'everyday business' of government and industry.

Over the coming years, the framework's targets will be assessed to determine whether they, and the strategies to achieve them, remain valid.[19] In NSW, as in most Australian jurisdictions, economic development for Aboriginal communities is a relatively new policy objective. The *Aboriginal Economic Prosperity Framework* (AEPF) has established an important new lens through which to view Aboriginal affairs, as well as a much-needed mechanism for taking a cross-portfolio approach to fostering economic empowerment.

Over the last two and a half years, good progress has been made against most of the 12 targets in the framework relating to education, public sector employment, construction procurement, Aboriginal business support and regional/district planning. Progress has been more limited with respect to addressing barriers to employment outside of the public sector, increasing skills acquisition through scholarships, apprenticeships and traineeships, and supporting transitions out of social housing. Unsurprisingly, robust accountability, in the form of senior leadership, mandatory policies, external scrutiny and public reporting, appears to be a common factor in the success of those targets that are on track. It is critical that the government now takes decisive steps to consolidate the progress achieved so far and focuses on delivering results in those areas where further work is required.

Consistent with promoting social inclusion and delivering benefits for the broader economy, the framework should have an explicit focus on particular cohorts of Aboriginal people – including those with low financial literacy or resilience, people with disability, and current and former inmates – given they are more likely to require tailored support to overcome barriers to economic participation. For this reason, we have recommended refining and, where necessary, creating new targets. We have also recommended stronger governance arrangements to drive progress towards meeting the targets under the *Aboriginal Economic Prosperity Framework* and more effectively hold agencies to account. After we once again highlighted this gap, the government's cross-cluster Economic Development Committee agreed in late 2018 to adjust its terms of reference to act as a single point of 'coordination' for the *Aboriginal Economic Prosperity Framework*.[20]

The Economic Development Committee, which comprises Deputy Secretaries of several agencies, is well-placed to play a role in implementing the *Aboriginal Economic Prosperity Framework*. However, we maintain the view that, ultimately, achieving sustained economic development in Aboriginal communities requires the appointment or creation of a single entity with sufficient expertise, focus and clout to drive action – in partnership with Aboriginal leaders, and the business sector.[21]

With the recent move of Aboriginal Affairs into the Department of Premier and Cabinet, and the Treasury cluster being given the lead on all matters relating to the economy, jobs and investment, it is now timely to re-examine what economic prosperity should look like for Aboriginal communities. This should involve

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[17] Aboriginal Affairs NSW, *OCHRE: Opportunity, Choice, Healing, Responsibility, Empowerment – NSW Government Plan for Aboriginal affairs: education, employment & accountability* ('OCHRE Plan'), April 2013, p.17.
[18] NSW Legislative Council Standing Committee on State Development, *Inquiry into economic development in Aboriginal communities* (final report), September 2016.
[19] Advice provided by Aboriginal Affairs NSW, May 2018.
[20] Advice provided by the Department of Industry, December 2018. It is anticipated that Treasury will chair the Economic Development Committee from 2019-2020.
[21] NSW Ombudsman, *Addressing Aboriginal disadvantage: the need to do things differently*, October 2011, pp.55-56.

examining what results have been achieved by the investments made so far, and into the future via the *Aboriginal Economic Prosperity Outcomes Framework* currently being developed by Aboriginal Affairs and Treasury, and how to build on the important momentum created by the *Aboriginal Economic Prosperity Framework* towards making a real and lasting difference to the lives of Aboriginal people.

Chapter 7: Solution Brokerage

For many years, community leaders, Aboriginal Affairs and our office have promoted the need for an effective and streamlined mechanism to resolve issues of significant concern to Aboriginal communities. The need for such a mechanism is now widely accepted across government.

Extensive community consultations conducted by the Ministerial Taskforce on Aboriginal Affairs reiterated the importance to the community of solving longstanding and complex concerns. Consequently, in 2013 the Taskforce proposed a new accountability framework for Aboriginal affairs known as 'Solution Brokerage' which promised to deliver 'improved coordination and oversight' and a 'solution broker' role 'mandated within government to deal with systemic issues and matters requiring cross-government coordination'.[22] The kinds of issues involved are likely to be complex, require a commitment from numerous government agencies and sometimes multiple levels of government. They have also been the subject of attempted resolution over a number of years and have the potential to undermine trust between government and community if they remain unresolved.

It was essential for the Solution Brokerage model to represent a clear departure from past approaches where community expectations of a solution were raised with little being delivered. However, after four years of operation, only a handful of projects have been declared 'issues for solution brokerage' and, while some significant outcomes have been achieved, one project has stalled, and all have run considerably over the stipulated timeframe.

Solution Brokerage has achieved several successes. One of these, a project to build community resilience in a northern NSW township, has gone a long way towards delivering on promises and restoring trust. Reportedly driven through the sheer force of will of a senior bureaucrat, Solution Brokerage in Bowraville has effectively brought agencies and community together to achieve concrete results in line with community priorities. Critically, plans are in place to sustain momentum, finalise longer-term objectives, and ensure strong community and government leadership continues.

Another successful Solution Brokerage project paved the way for a commitment of $55 million in the 2019 state budget to support 'Roads to Home', which will address a backlog of repairs to roads, lighting and drainage in 10 Aboriginal communities. The project also introduced initiatives to improve the alignment of the planning system with the *Aboriginal Land Rights Act 1983*, to grow the cultural competency of the planning sector and develop the capacity of Aboriginal communities to engage with the planning system, with the overall aim of supporting Aboriginal communities to utilise the economic potential of their land. Again, its success was also largely due to the hands-on involvement and ongoing commitment of a deputy secretary.

Aboriginal Affairs has recognised the need to analyse the last four years of Solution Brokerage to build on key factors for success and re-think the elements of the model that may have hindered progress. It will also be important to find a way forward for those projects that have faltered. We have made a number of recommendations designed to contribute to this process, and support the continued development of a streamlined and flexible framework to manage complex and/or systemic issues impacting on Aboriginal communities in NSW.

Chapter 8: Opportunity Hubs

Our 2011 report to Parliament on addressing Aboriginal disadvantage stressed the need to include a focus on school-to-work transition programs as part of building the economic capacity in Aboriginal communities.[23] The Ministerial Taskforce for Aboriginal Affairs subsequently recommended a trial and

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[22] Ministerial Taskforce on Aboriginal Affairs, *Ministerial Taskforce on Aboriginal Affairs Final Report*, March 2013, p.5.

[23] NSW Ombudsman, *Addressing Aboriginal disadvantage: the need to do things differently*, October 2011.

evaluation of a new service model called Opportunity Hubs, which aim to provide Aboriginal young people with the confidence and knowledge to move from secondary school to further education and/or employment.

Four Opportunity Hubs have operated across the state since 2014, with plans to establish a fifth site announced in 2018. Each Hub is operated by a local service provider under a contract with the Department of Industry, which up until July this year had housed 'Training Services NSW' which has since been relocated to the Department of Education. Training Services NSW is responsible for the contract management of Hubs.

Hubs are expected to build local partnerships between schools, employers, education and training providers and the local community to facilitate employment, training and further education opportunities matched to the aspirations of individual students.[24] The Hub model, which received strong endorsement during consultations by the Ministerial Taskforce,[25] is designed to complement the Connected Communities strategy and the *Aboriginal Economic Prosperity Framework*.

We have directly observed the significant efforts made by Hub staff to achieve positive outcomes for students over the last four years. The Social Policy Research Centre's (SPRC) stage one evaluation report also commented positively on the commitment shown by Hub staff in the locations they evaluated (Tamworth and Campbelltown). While each Hub has progressed at a different pace, and faced distinct challenges associated with their local communities and economies, all have undertaken intrinsically valuable work.

We have heard many examples of Hub staff forging genuine connections with students and their families, encouraging them to stay at school, expanding their post-school horizons and gaining the skills needed to achieve their goals. Unfortunately, inconsistent quantitative data collected by Training Services NSW has made it difficult to determine the extent to which the initiative's key performance outcomes have been met. In response to feedback we provided last year, Training Services NSW has recently taken more concrete steps to address this problem. These steps include making a number of refinements to the Services Contract for Hub providers to facilitate more effective targeting of their services towards areas of unmet need.

The recent relocation of Training Services NSW into the Department of Education has the potential to enhance the ongoing implementation of Opportunity Hubs, as a close connection between Training Services NSW and schools is, in our view, critical to the success of the initiative. At the same time, it will be important for Training Services NSW to maintain strategic links with the Department of Industry to ensure that Hubs are effectively leveraging regional and state-wide infrastructure investments and industry initiatives that can provide training and real employment opportunities for Aboriginal students.[26] It is also critical that Opportunity Hubs are supported by robust governance and accountability arrangements which promote the identification of, and sharing information about, emerging good practice by individual Hubs, weaknesses in delivery methods or systems, and continuous improvement of the overall initiative.

In addition to remedying deficiencies in the collection, monitoring and reporting of data, more strategic guidance is required to support Hubs to target their efforts towards those schools and students most in need; to ensure schools and Hubs work effectively together, particularly in the most high-need locations; and to maximise Hubs' ability to leverage off other initiatives aimed at improving employment and training outcomes for Aboriginal people.

Training Services NSW has indicated that it is committed to continuing and expanding the Hubs initiative.[27] We support continued funding and expansion of the model given the strong community support for it,[28] the promising efforts we have observed to date, and the clear potential for the model to positively impact on the lives of Aboriginal young people. However, this support is contingent on a much stronger commitment

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[24] Aboriginal Affairs NSW, *Opportunity Hubs*, https://www.aboriginalaffairs.nsw.gov.au accessed 25 February 2019.
[25] 80% of survey participants thought the initiative was 'a really good idea' and a further 17% thought it was 'worth a go.' (Aboriginal Affairs NSW, *Getting it right – The findings of the Round Two Consultations for the NSW*, Ministerial Taskforce on Aboriginal Affairs, 2012, p.8).
[26] On 1 July 2019 the Department of Industry became the Department of Planning, Industry and Environment.
[27] Advice provided by Training Services NSW, June 2018.
[28] Aboriginal Affairs NSW, *Getting it right – The findings of the Round Two Consultations for the NSW*, Ministerial Taskforce on Aboriginal Affairs, 2012, pp. 43-44.

to good governance, including the public reporting of performance data about the outcomes achieved overall by the initiative and by individual Hubs.

Chapter 9: Connected Communities

In 2013, the Department of Education rolled-out the Connected Communities strategy in 15 rural and remote schools in high need communities across the state. Aimed at improving educational outcomes for Aboriginal students (and all other students) enrolled at these schools, the strategy is the single largest investment under OCHRE at more than $60 million.

As the name suggests, Connected Communities requires participating schools to build genuine partnerships with their communities, and gives Executive Principals unprecedented authority to tailor education responses to local needs. A critical feature of the strategy is that schools are intended to operate as 'service hubs', playing a lead role in identifying the most vulnerable students and families and connecting them with the necessary supports.

In line with the significant investment in Connected Communities, and the fundamental importance of education to the lives of children, we have dedicated considerable effort to monitoring and assessing its implementation over the past four years. In addition to site visits, ongoing targeted consultations and reviewing a range of data and other information holdings, we have drawn on our many previous years of work auditing and reviewing service delivery to Aboriginal communities, which has given us valuable insights into the challenges and strengths in many of the locations where the Connected Communities strategy is being implemented. We have also had regard to the separate evaluation of Connected Communities by Education's Centre for Education Statistics and Evaluation (CESE).

Overall, the evidence indicates that Connected Communities is making a positive difference to the lives of students and their families at participating schools. There is not yet strong evidence of substantial improvements against several of the key deliverables (including improved school attendance and NAPLAN results for students in older years and increased retention of Aboriginal students). However, like CESE, we have reached a view that Connected Communities is 'showing promising results'.[29]

We have been impressed by the dedication of education staff and the involvement of local community people in the participating schools, and we are pleased to be able to profile a sample of their efforts in this report. Over the five years, schools have made a range of important changes that, while not straightforward to measure, are essential to creating the necessary foundation for more tangible outcomes to be achieved in future. For example, attracting the right staff and promoting quality teaching, partnering effectively with communities by establising school reference groups, encouraging pride in language, culture and learning, and responding to the mental health and wellbeing needs of students. Achieving solid progress in these areas is a necessary precursor to improving longer term improvement in relation to more tangible measures, such as school attendance, academic achievement and retention.

We support Education extending Connected Communities in the existing 15 schools and potentially to other sites. Education has advised that a final list of schools will be settled next year based on an analysis of its own information holdings, and 'intelligence' from community and government agency sources. Continued investment is needed to give the strategy the best chance of being sustainable into the future. In this regard, significant work is still required to consistently lift school attendance, and in our view, a much more intensive and holistic focus on reducing suspensions is essential. As well, better targeted responses to particularly vulnerable cohorts of students, including those living in out-of-home-care (OOHC) and/or with disability, must be prioritised – not only at Connected Communities schools, but across the education system more broadly. As we have been emphasising for several years, this must include Education improving the data it collects, monitors and reports about these students, and working with partner agencies in individual communities to establish governance arrangements to deliver coordinated supports to these students and their families.

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[29] NSW Department of Education, Centre for Education Statistics and Evaluation, *Connected Communities Strategy: Final Evaluation Report*, August 2018, p.9. At the time of writing the evaluation report had not been made public.

Most critically, if Connected Communities is to fully achieve and sustain its intended outcomes, more needs to be done collectively by government agencies and other services operating in these high need communities to deliver on the commitment of a genuinely 'place-based' approach to service delivery. Despite many of the schools securing arrangements to bring much needed services inside the school setting, such as health checks, it has been difficult – for reasons that go beyond the responsibility of Education – for the full potential of the 'service hub' component of Connected Communities to be realised. For this reason, we have recommended that Education build on its work with the whole of government agency – Their Futures Matter (now known as The Stronger Communities Investment Unit) – in defining a clear role for the Connected Communities Directorate and participating schools, as part of its system transformation work, especially in rural and remote parts of the state.

We have also highlighted the considerable value in Education developing, in collaboration with the Stronger Communities Investment Unit and other partner agencies, a student wellbeing data template for capturing the attendance and suspensions patterns of individual students, combined with data about their Aboriginality, disability and/or OOHC status. To ensure this data is 'operationalised', it is equally important for governance processes to be established at a local and strategic level to facilitate the ongoing tracking and sharing of student wellbeing data with local government agencies and NGOs.

Student wellbeing data of this kind should be analysed alongside key child protection, health, and policing data, to develop a collective picture of risk facing particular students (and their families). This combined interagency data should then be used to identify those students and their families who are most vulnerable and shape the local service system to better meet their needs and improve their access to appropriate supports. This type of work is central to achieving the goal of making schools the 'centre of service delivery' in Connected Communities locations. And, as we have argued for the last decade, without an 'intelligence' or 'data-driven' approach to child protection, it is difficult to see how the child protection system will be transformed and the trajectory for Aboriginal children living in high-need communities will change for the better.

Finally, it is timely for Education to consider the benefits of expanding some of the key features of Connected Communities, where appropriate, to other schools that have significant numbers of Aboriginal students enrolled. While Connected Communities is an important demonstration model, its success should also be measured in terms of how well its impact can be more widely distributed to benefit Aboriginal students regardless of which public school they attend.

The future of OCHRE

Although this report only reviews the implementation and progress of the OCHRE initiatives to date, it is also an opportunity to reflect upon how the initiatives and OCHRE as a whole may play out into the future. Here we reflect upon the many lessons learned over the past few years, and the new directions and models that may be considered into the future.

In many ways, OCHRE is a ground-breaking reform. When OCHRE was released, the (then) Minister for Aboriginal Affairs stated that: 'It is not about spending more money; it's about getting better outcomes on the ground for the money we already spend.'[30] By Parliament explicitly extending our independent oversight mandate to monitoring and assessing the delivery of designated Aboriginal programs and establishing a legislated Deputy Ombudsman (Aboriginal Programs) role, the level of transparency of government agency efforts in this area has been strengthened to an extent unmatched by any other Australian jurisdiction.

From the beginning, the Ministerial Taskforce sought to genuinely collaborate with Aboriginal leaders and communities to design the initiatives that make up OCHRE and how they should be evaluated. In this way, the development and rollout of OCHRE has helped to cement 'co-design' as a contemporary expectation in formulating public policy in NSW.

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[30] The Hon. Victor Dominello MP, Chair of the Ministerial Taskforce on Aboriginal Affairs, in Aboriginal Affairs NSW, *OCHRE: Opportunity, Choice, Healing, Responsibility, Empowerment – NSW Government Plan for Aboriginal affairs: education, employment & accountability* ('OCHRE Plan'), April 2013, p.4.

OCHRE has put a spotlight on the many strengths of Aboriginal people and communities, and what can be achieved when government and community work hand-in-glove with each other. This success is perhaps best reflected in the collaborative work done to:

- establish a model that moves towards practical self-determination in devolving service and budgetary control to regional Aboriginal representative bodies (Local Decision Making Alliances)
- ushering in a new policy focus on economic prosperity for Aboriginal people in NSW, and developing a critical policy lever to increase Aboriginal employment and business development through government procurement, and
- illustrating what was possible in addressing long-standing issues of priority to Aboriginal communities, through marshalling government resources across agencies under Solution Brokerage.

But perhaps most importantly, OCHRE has amplified Aboriginal voices, and encouraged creativity, innovation and behavioural change amongst public servants; it has successfully promoted a 'test and try' approach that has given both agencies and communities a licence to do things differently, and to change direction when needed. Similarly with our oversight role, we made sure that our approach to monitoring and assessing OCHRE involved regularly meeting with communities and those involved in the implementation of initiatives to share our insights about progress and potential changes that could be made along the way, rather than holding back our views until we reported comprehensively on the Plan's implementation five years later.

Key lessons learned

While the implementation of each OCHRE initiative had its own unique challenges and successes, the evidence shows that there were several common drivers of, or inhibitors to, achieving success – none of which will be news to Aboriginal communities.

The first five years of OCHRE's implementation clearly demonstrated:

- what can be achieved when individuals with sufficient clout, authority and accountability are given a role to lead particular initiatives and solve intractable problems – such as the officers in charge of Solution Brokerage declarations, Executive Principals in Connected Communities schools, and the Executive Sponsors for Local Decision Making
- the critical need for robust governance arrangements across agency portfolios in seeking to achieve results – tellingly, the *Aboriginal Economic Prosperity Framework* targets that are on track to be met are those with the strongest governance arrangements in place
- the vital importance of systematically collecting quality outcomes data that is closely tracked at senior levels within government and shared with community leaders to inform decision making and ongoing service planning and delivery, and
- the importance of government agency staff demonstrating cultural competency – evidenced by them showing respect for, and a deeper understanding of, the Aboriginal communities they serve and delivering on the promises they make.

Where to now?

In our view, the current OCHRE initiatives should continue in the places they are operating provided they are further strengthened in the ways we have recommended. The OCHRE initiatives have also drawn out important elements for wider application. For example, in the Connected Communities and Opportunity Hubs chapters, we highlight the potential for replicating in sites not covered by OCHRE, those approaches which have proven to be successful in achieving improved school attendance and engagement, and enhancing pathways to further study, training or jobs.

As the Government moves to reset OCHRE through a policy refresh next year, it should seek to build on its successes, and take heed from the lessons learned from the first five years of implementation. In doing so, it's important to recognise that OCHRE is not a whole of government plan or a consolidated reform agenda, instead, it's an umbrella plan housing a number of discrete initiatives that have mostly operated separately from one another, and from other efforts across government. For instance, there is no single location that has all OCHRE initiatives operating together in an integrated way, which made it difficult to realise the full potential of the whole plan.

In our view, it was a lost opportunity not to have tested the gains that could have been made if a community had the benefit of a suite of OCHRE initiatives – that is, a Connected Communities school site which also included a Language and Culture Nest and an Opportunity Hub, complemented by a targeted plan for building up the economic capability of individuals and the broader community, with access to the solution brokerage mechanism when needed. Fortunately, the OCHRE refresh process will allow consideration to be given to the benefits of testing a 'fully spoked' OCHRE model. Ideally, this would take place in one of the Connected Communities school sites which is also covered by a Local Decision Making Accord, to enable strategic buy-in of Aboriginal leadership via place-based governance arrangements.

While there was clearly merit in as many communities as possible having the benefit of an OCHRE initiative, and being able to test each initiative under different local conditions, going forward, a renewed OCHRE needs to be less piecemeal, and ideally, it should seek to replicate the key components of all initiatives, and look to embed them in the existing fabric and infrastructure of local communities. An approach of this type is not dependent on establishing the same formal structures and funding for each OCHRE initiative as this would be unrealistic. After all, OCHRE was always intended to be a demonstration model for showcasing how business between Aboriginal communities and government could be done more effectively. The available evidence suggests that OCHRE has achieved this goal. However, the future focus in our view should now shift towards closer integration of the key components of OCHRE and exploring opportunities for replicating them elsewhere, so that the impact of the overall plan is greater than the sum of it parts.

While it is encouraging that Aboriginal leaders and subject matter experts have been directly involved in the design and implementation of individual OCHRE initiatives so far, neither they nor the Secretaries Board have had direct line of sight over the whole plan and the difference it is making to the lives of Aboriginal people in NSW. Against this background, it is unsurprising that the first stage of the evaluation conducted by the Social Policy Research centre found that OCHRE was most strongly associated with one government agency – Aboriginal Affairs – despite the involvement of other agencies in leading several initiatives. It also found that whole-of-government decision-making to address priority issues affecting Aboriginal people was limited.[31] The evaluation observed that:[32]

> *'OCHRE consists of a range of discrete programs and initiatives. Aboriginal Affairs has worked hard to better integrate these different components of the plan. However, there is still a long way to go for OCHRE to become part of an integrated strategic plan to address the issues which communities had identified in the task force consultations. Community feedback also indicated that, ideally, Aboriginal programs should have a more holistic approach, and not be narrowly focused on government identified priorities or aligned with particular government services or agencies.'*

Historically, the ability for Aboriginal Affairs to influence other agencies and whole-of-government reform has been constrained by its position within the bureaucracy. Before OCHRE, and for its first five years of implementation, Aboriginal Affairs was a division within the Department of Education (formerly the Department of Education and Communities). The Head of Aboriginal Affairs reported to the Education Secretary and did not have a direct interface with other Secretaries in relation to significant Aboriginal issues.

Since 1 July 2019, Aboriginal Affairs has been within the Department of Premier and Cabinet, and the Head of Aboriginal Affairs role has been reclassified as a Deputy Secretary.[33] In addition, a new Planning, Industry & Environment Cluster has been established to drive greater levels of integration across long term planning, infrastructure, natural resources, energy and industries with a strong emphasis on regional NSW. As part of this move, a new position – Coordinator-General for Regions, Industry, Agriculture and Resources – has been established at the Deputy Secretary level to marshal resources across siloes for regional development.

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[31] Advice provided by Aboriginal Affairs NSW, 17 July 2018.
[32] Social Policy Research Centre, *OCHRE Evaluation Synthesis Report | Stage 1 Evaluation Report* | June 2018, p.56.
[33] Section16, Administrative Arrangements (Administrative Changes — Public Service Agencies) Order 2019 (NSW).

The elevation of the head of Aboriginal Affairs and the repositioning of the agency within central government, combined with the creation of the complementary Coordinator-General role, are very promising developments. Importantly, if these roles are well executed, they increase the likelihood that issues facing Aboriginal communities won't simply be viewed through a social policy lens, but ideally, will also be seen through the lens of building economic capability.

The next iteration of OCHRE needs to be driven by strategic governance arrangements which give Aboriginal leaders a seat at the table with their government counterparts to jointly oversee this state's Aboriginal Affairs plan. In setting a new authorising environment for a better relationship between government and Aboriginal people, the refreshed OCHRE plan will need to be supported by the ongoing collection, analysis and reporting of performance data and the development of meaningful wellbeing indicators.

Establishing joint governance arrangements of this type and giving Aboriginal leaders and government senior executives regular access to the necessary information will enable them to play an active role in shaping ongoing reform, and to quickly identify and act on opportunities and remove blockages, so that the most pressing issues for Aboriginal people are given priority (such as unlocking economic assets and addressing workforce shortages in remote locations). This type of collaborative and evidence-driven governance model will also help cement and further strengthen the authorising environment created by OCHRE. Indeed, this was the vision of the Ministerial Taskforce – that OCHRE would strengthen accountability across all of government to 'support greater transparency and power sharing with Aboriginal communities and provide a stronger platform for government to work with communities in a respectful way.'[34]

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[34] Ministerial Taskforce on Aboriginal Affairs, *Ministerial Taskforce on Aboriginal Affairs: Final Report,* March 2013.

Summary of Recommendations

Chapter 2: The evaluation of OCHRE

1. The Department of Premier and Cabinet, and Treasury should jointly develop, in collaboration with OCHRE implementing agencies, an overarching outcomes and reporting framework for all OCHRE initiatives.

Chapter 3: Healing

2. In partnership with the Healing Foundation, the Department of Premier and Cabinet (Aboriginal Affairs) should develop a state-wide healing framework, having regard to the outcomes of the regional healing forums held in 2017-2018 and the observations and recommendations in this chapter. In developing the strategy, consideration should be given to:
   a. funding the Healing Foundation to support initiatives that provide education to Aboriginal communities about trauma, its impacts, and strategies and services that can assist with healing and recovery
   b. supporting the Aboriginal community-controlled organisation sector to build its capacity to develop models of trauma-informed practice and deliver more services to Aboriginal people, including by enhancing the role and funding of the Education Centre Against Violence to support this work
   c. articulating relevant whole-of-government commitments and clarifying the obligation on public sector agencies to adopt healing and trauma informed approaches
   d. developing a comprehensive cultural capabilities framework for NSW public sector employees, which applies from recruitment onwards and is supported by ongoing training and professional development delivered by the Education Centre Against Violence
   e. ensuring that place-based approaches to service planning and delivery address the impact of intergenerational trauma, including through the establishment of healing places
   f. supporting ongoing opportunities for truth-telling by and as determined by Aboriginal communities
   g. building the evidence base for healing by investing in the evaluation, co-designed with Aboriginal people, of relevant programs, policies and initiatives, and in doing so, giving consideration to:
      i. the cost-benefit analysis of the Murri School healing program by Deloitte Economics
      ii. the Healing Foundation's forthcoming discussion paper on policy and practice issues related to addressing intergenerational trauma
      iii. closer monitoring of the delivery and impact of healing and wellbeing initiatives in Connected Communities schools (Chapter 9)
      iv. information contained in the online healing portal hosted by Health*Info*Net.

3. The Department of Premier and Cabinet should work with Aboriginal Affairs and relevant Regional Leadership Executive groups to develop local plans for assisting 'high-need' communities to implement the healing priorities they identified at the regional healing forums in 2017 and 2018.

Chapter 4: Aboriginal Language and Culture Nests

4. The Department of Education should:
   a. consider establishing a salary structure for Nest Teachers which recognises the different levels of experience and skill brought to the role by individuals
   b. clarify its policy on the teaching of Aboriginal languages to students 'on Country' and provide appropriate guidance about this issue in the Language and Culture Nests Guidelines
   c. consider what opportunities could be leveraged to promote a collaborative approach by the government and non-government education sectors to Aboriginal language teaching in schools and pre-schools
   d. consider, in consultation with the NSW AECG Inc. and Department of Communities and Justice (Youth Justice), what resources and infrastructure are needed to allow the North West Wiradjuri and Gumbaynggirr Nests to engage with juvenile justice centres in their communities, if the relevant Local Reference Groups consider this a priority.

5. The Department of Premier and Cabinet (Aboriginal Affairs) should ensure that language teaching workforce capacity is considered in the strategic plan developed to guide the work of the new Aboriginal Languages Trust.

6. The Department of Education should work with the NSW AECG Inc. to:
   a. ensure that the changes to the employment of Nest Tutors, including the rationale and operational implications, are communicated to Nest stakeholders, for example, Local Reference Groups, Nest Teachers and Principals
   b. monitor whether the new employment arrangements for Nest Tutors effectively address the issues discussed in this chapter that are impacting on the language tutor workforce.

7. The Department of Education should collaborate with the NSW AECG Inc. to:
   a. provide support for regular professional learning workshops for Nest Teachers and Tutors
   b. require schools that participate in the Nests to access the AECG's *Connecting to Country* immersion program, or another appropriate cultural awareness program, and monitor compliance with this requirement.

8. The Department of Education, in consultation with the NSW AECG Inc. and the Department of Premier and Cabinet (Aboriginal Affairs), should:
   a. clarify who is responsible for providing the human and financial resources needed to support a functioning and sustainable Keeping Place in each Nest and reflect this advice in the Language and Culture Nest Guidelines
   b. ensure that, as part of any future funding to extend or expand Language and Culture Nests, consideration is given to the different characteristics and preferences of communities in relation to the establishment and maintenance of Keeping Places
   c. give consideration to developing a remuneration package for Elders and other community members who provide expert endorsement of language and culture content and teachers for schools, whether in Nest locations or elsewhere.

9. The Department of Education should:
   a. ensure the Language and Culture Nest Guidelines include clear guidance about the initiative's scope and funding for community-based (as opposed to school-based) language and culture activities, including whether Nest Teachers can be paid for these activities
   b. ensure the State-wide Steering Committee for Language and Culture Nests develops a plan for monitoring the Nests' engagement with communities.

10. The Department of Premier and Cabinet (Aboriginal Affairs), in consultation with the Department of Education and the AECG, should consider whether the Nests require additional funding/resources to meet the demand for community access to language and culture activities and if appropriate, develop a business case for consideration by the NSW Government.

11. The Department of Education and the Department of Premier and Cabinet (Aboriginal Affairs) should:
    a. provide advice about the funding status of the Aboriginal Language and Culture Nests, including whether additional funding/resources will be provided in response to the capacity issues raised in the SPRC's Stage 1 evaluation reports and this chapter
    b. ensure that prior to any expansion of Nests to other locations, an adequate assessment of community capacity, including a sufficient number of language speakers, informs the selection process – with consideration given to a staged approach to implementation if appropriate
    c. consider alternative strategies for supporting the revitalisation of Aboriginal languages in locations where the establishment of a Nest is not currently viable.

12. The Department of Education should:
    a. review the operational needs of the Aboriginal Education and Communities Directorate in relation to effectively leading and monitoring the Nest initiative and if necessary, take steps to enhance the Aboriginal Education and Communities Directorate's capacity
    b. in consultation with the AECG, ensure that the State-wide Steering Committee includes appropriate representation by key stakeholders, including (but not limited to) Aboriginal Affairs, NESA and TAFE and identify ways of strengthening the linkages between the Steering Committee, Local Reference Groups and other local Nest stakeholders

    c.   review and enhance the *Aboriginal Language and Culture Nest Guidelines*, having regard to the observations in this chapter about the need to provide greater clarity about a range of issues

    d.   in consultation with the NSW AECG Inc. and having regard to success measures identified by Local Reference Groups, establish a set of performance indicators for monitoring and reporting on the Nest initiative's progress and a systematic plan for collecting the required quantitative and qualitative data needed to facilitate this.

13.   The Department of Premier and Cabinet (Aboriginal Affairs) should:

    a.   consider the merits of preparing a business case for consideration of additional funding of language and culture centres and other Aboriginal community organisations that provide practical support for the implementation of Nests

    b.   liaise with the Commonwealth Department of Communication and Arts to identify ways of ensuring ensure closer alignment and coordination of key Commonwealth and state government initiatives to support Aboriginal language revitalisation.

14.   The Department of Education should ensure Nest Teachers are supported to undertake their role as members of the Languages Trust Advisory Group.

Chapter 5: Local Decision Making

15.   The Department of Premier and Cabinet (Aboriginal Affairs NSW) should:

    a.   enhance the 'Accord readiness' self-assessment process by requiring each agency with responsibility for a priority area to individually confirm that issues for negotiation fall within its scope; consider and assess its readiness; and seek feedback on this assessment from the relevant Alliance

    b.   work with Alliances that have not yet struck Accords to identify and address their capacity-building needs; and ensure that Accords include details about governance mechanisms and capacity building support.

16.   The Department of Premier and Cabinet should ensure that:

    a.   agencies improve their readiness for outstanding Accord negotiations, and have robust internal governance arrangements in place to effectively negotiate Accords in a timely fashion

    b.   the authorising environment established to negotiate Accords (governance arrangements driven by senior executives, including the Executive Sponsor role) is maintained to drive Accord delivery and monitor results.

17.   The Department of Premier and Cabinet and NSW Treasury should, in partnership with the NSW Coalition of Aboriginal Regional Alliances (NCARA), examine how service needs, capacity and outcomes can be mapped at a local community level within LDM regions, and implement the agreed approach as a matter of priority. This work should involve examining approaches such as the Maranguka Just Reinvestment project in Bourke and the Inner Sydney Empowered Communities joint decision-making process for federal funding.

18.   The Department of Premier and Cabinet and NSW Treasury should:

    a.   establish mechanisms to enable Alliances to share decision-making with agencies about regional service planning and commissioning once Accords are struck

    b.   ensure agencies work jointly with community leaders to 'co-design' key performance indicators for service contracts – taking account of the observations in this chapter.

19.   The Department of Premier and Cabinet (Aboriginal Affairs NSW) should:

    a.   progress the development of enhanced data collection and analytics systems to better capture outcomes from Accords and the Local Decision Making initiative as a whole

    b.   ensure that line agencies are capturing and tracking outcomes data in relation to:

        i.   government and funded service delivery at the regional level in the portfolios/sectors that Alliances identify as important

        ii.   how Alliances are being engaged for advice on policies and services, and how policies and services have changed (or not) as a result

    c.   provide regular reports on the outcomes achieved through Local Decision Making to Alliances to their local communities and the NSW Parliament.

20. The Department of Premier and Cabinet (Aboriginal Affairs NSW) should:
    a. develop a business case for adequate funding for Alliances and the Local Decision Making initiative over the full forward estimates, taking into account comparative programs and experience to date in estimating the required investment
    b. provide specific guidance and relevant practical examples to Regional Alliances about the NSW Government's expectations relating to probity standards for individual representatives.

21. The Department of Premier and Cabinet should consider renaming the Local Decision Making initiative to reduce confusion about the level at which decision-making with Aboriginal communities is intended.

22. The Department of Premier and Cabinet (Aboriginal Affairs NSW) should ensure that other mechanisms are in place and promoted to Aboriginal community leaders to engage directly with the NSW Government about local matters that are not suitable to be addressed through Accords or the LDM initiative, and receive an appropriate response.

23. The Department of Premier and Cabinet and relevant agencies should expedite work to implement service redesign, devolved budgetary control, and supporting legislation, having regard to the observations in Chapter 5.

Chapter 6: OCHRE Aboriginal Economic Prosperity Framework

24. The NSW Public Service Commission should consider, as part of implementing the next sector-wide *Aboriginal Employment Strategy*:
    a. providing guidance to agencies about encouraging funded services to increase their employment of Aboriginal staff
    b. supporting agencies to target Aboriginal employment strategies to locations with high unemployment and/or strong demand from Aboriginal people for government services but a shortage of staff to deliver them
    c. working with the Office of Local Government and sector representatives to support the adoption of Aboriginal employment strategies by local government.

25. NSW Treasury, in coordinating the implementation of the NSW Aboriginal Procurement Policy (APP) and Aboriginal Participation in Construction (APIC) policy, should:
    a. effectively track Aboriginal participation outcomes
    b. provide clear guidance to agencies, including practical case studies, to encourage consistent application of the policies
    c. examine the use of incentives and consequences by agencies where targets for Aboriginal participation are exceeded or not met by contractors, and promote these mechanisms to other agencies where compliance or outcomes are poor
    d. with relevant agencies (including Education), assess what capability support is required to facilitate the increased participation of Aboriginal people and businesses in jobs and supplier contracts generated through the APP and APIC
    e. ensure agencies publish and adhere to all aspects of their Aboriginal Participation Strategies required under the APP
    f. with relevant federal government agencies, strengthen the coordination of Aboriginal procurement policies in NSW, including by exploring mechanisms for sharing data about the performance of contractors in meeting relevant targets
    g. develop, with the Department of Premier and Cabinet (Aboriginal Affairs) and relevant Aboriginal stakeholders, a consistent and robust process to confirm Aboriginal identity for the application of the Aboriginal procurement policies, and ensure its implementation by agencies and contractors.

26. Treasury should develop targets and strategies to achieve the *Aboriginal Economic Prosperity Framework* commitment to address barriers to Aboriginal employment in NSW.

27. The NSW Department of Premier and Cabinet (Aboriginal Affairs) should include in the *Aboriginal Economic Prosperity Framework* the targets within the NSW Aboriginal Procurement Policy; targets for achieving Aboriginal employment and supplier contract outcomes through regional Industry Based Agreements; and targets within the NSW public sector *Aboriginal Employment Strategy*.

28. The NSW Department of Education (Training Services NSW) should work with human services agencies and Aboriginal leaders to identify additional strategies to support Aboriginal people to complete apprenticeships and traineeships.

29. The NSW Department of Premier and Cabinet (Aboriginal Affairs) and the NSW Department of Education (Training Services NSW) should develop and include in the *Aboriginal Economic Prosperity Framework*:
    a. a target for improving the employment outcomes for Aboriginal apprentices and trainees, and related strategies to achieve this, including stronger partnerships and collaborative planning with Aboriginal leaders, the vocational education and training sector, and industry representatives to target training to future industry need
    b. a target for improving attendance at quality early childhood education, and related strategies to achieve this, particularly in remote areas and high needs locations.

30. The NSW Department of Planning, Industry and Environment should develop with Aboriginal stakeholders, including Local Aboriginal Land Councils, periodic reports to the Economic Development Committee about:
    a. the implementation and outcomes of strategies within regional and district plans to promote Aboriginal economic aspirations
    b. the periodic reports referred to in recommendations should feed into the related reporting by the Economic Development Committee in connection with the development of the Economic Blueprint.

31. The NSW Department of Premier and Cabinet (Aboriginal Affairs) should, in consultation with Treasury, clarify the Aboriginal enterprises target in the *Aboriginal Economic Prosperity Framework*, and ensure appropriate strategies are in place to achieve the outcomes sought through the provision of support services.

32. NSW Treasury should:
    a. develop and publish an annual 'state of the NSW Aboriginal business sector' profile, based on relevant data and advice from the NSW Indigenous Chamber of Commerce and other sector representatives
    b. ensure business advisory programs and services are culturally competent and well connected to their Aboriginal-specific counterparts, and informed by regular advice from Aboriginal business sector representatives
    c. track the NSW Aboriginal business sector's support needs, capacity and diversity, and develop and implement supports to meet the needs of the NSW Aboriginal business sector where existing state/federal government and/or market options are insufficient.

33. The NSW Department of Premier and Cabinet (Aboriginal Affairs) and NSW Department of Communities and Justice should:
    a. retain the social housing target in the *Aboriginal Economic Prosperity Framework*, and test new strategies in partnership with Aboriginal stakeholders to enhance the number of positive exits
    b. consider adding a target focused on supporting Aboriginal home ownership beyond the social housing context in the *Aboriginal Economic Prosperity Framework*.

34. The NSW Department of Education (Training Services NSW) and the NSW Department of Communities and Justice (Corrections) should:
    a. pilot a model to connect Aboriginal inmates to pre-release targeted skills training and post-release wrap-around support accompanying employment on government infrastructure projects
    b. expand the approach if positive outcomes result from the pilot.

35. NSW Treasury and the Department of Premier and Cabinet (Aboriginal Affairs) should ensure the *Aboriginal Economic Prosperity Outcomes Framework* captures all relevant outcome domains are actively used by agencies to drive policy development, commissioning and funding decisions

36. NSW Treasury, as chair of the Economic Development Committee, should request that the committee:

    a. examine the effectiveness of the strategies being used by implementing agencies to pursue the *Aboriginal Economic Prosperity Framework* targets, as well as the outcomes being achieved

    b. consider how each *Aboriginal Economic Prosperity Framework* target and related strategies are fostering economic inclusion for specific cohorts including:

        i. Aboriginal people with disability

        ii. current and former detainees/inmates in prison

        iii. people with low levels of financial literacy and financially excluded communities

    c. directs implementing agencies to better address the needs of these cohorts where necessary; and develops new *Aboriginal Economic Prosperity Framework* targets focused on the economic inclusion of these and other vulnerable cohorts where appropriate

    d. establishes a process of regular review for the *Aboriginal Economic Prosperity Framework*.

37. The NSW Government should establish an advisory board comprising senior Aboriginal leaders, public sector executives and private sector experts, to provide strategic advice to relevant Ministers on the implementation of the *Aboriginal Economic Prosperity Framework* and related social impact investment.

Chapter 7: Solution Brokerage

38. The Department of Premier and Cabinet (Aboriginal Affairs) should develop and implement a targeted and multifaceted communication strategy for Solution Brokerage that includes:

    a. engaging with Aboriginal community governance structures (including Regional Alliances), to encourage Aboriginal communities to bring forward issues for Solution Brokerage

    b. promoting Solution Brokerage to key local, state and federal government agencies to encourage awareness of, and support for future engagement with the initiative.

39. Having regard to the observations in this chapter, the Department of Premier and Cabinet (Aboriginal Affairs) should amend the Solution Brokerage Framework to strengthen the initiative's governance arrangements by including the following:

    a. more meaningful selection criteria for Solution Brokerage which address the significance and impact of issues on Aboriginal communities, and can accommodate flexible responses

    b. the feedback (including timeframes) and alternative resolution process that will apply when a nominated issue is assessed as not suitable for Solution Brokerage

    c. a requirement that when an issue is declared for Solution Brokerage, in consultation with the relevant line agency, it will nominate an appropriately senior officer in charge, together with a suitably senior back up delegate, from within that agency

    d. clear requirements for detailed reporting against approved milestones and to a suitably authoritative body (such as the Secretaries Board).

40. The Department of Premier and Cabinet (Aboriginal Affairs) should seek global funding for Solution Brokerage to enable resources to be provided to implementing agencies when they are responsible for leading a Solution Brokerage project and cannot meet resourcing requirements from within their own or another agency's existing budget allocations.

41. The Department of Premier and Cabinet should require lead agencies to:

    a. provide Solution Brokerage response plans, which include the composition of project teams and sustainability measures, to the Secretaries Board for approval

    b. require agencies to report on the implementation of individual Solution Brokerage projects, at significant milestones, to the Secretaries Board

    c. jointly declare issues, with Aboriginal Affairs, for Solution Brokerage.

42. The Department of Premier and Cabinet (Aboriginal Affairs) should:

    a. seek advice from NCARA and/or individual Regional Alliances about where Solution Brokerage can be used to resolve multi-agency issues and how Regional Alliances can best contribute to Solution Brokerage projects

    b. monitor and report to the Secretaries Board on the overall progress of Solution Brokerage, including analysing and communicating to agencies the critical factors for success, and incorporate these into guidance documents

    c.   enhance public reporting about the implementation of, and outcomes achieved through, Solution Brokerage, including through providing communities with regular feedback about performance and outcomes relating to projects involving their community

    d.   ensure that Solution Brokerage is included in the ongoing independent evaluation of OCHRE.

Chapter 8: Opportunity Hubs

43. The NSW Department of Education (Training Services NSW) should:

    a.   use the strategies suggested in section 8.3.1 to encourage government and non-government schools to take up the services provided by the new Liverpool Hub (and any further Hubs established in future)

    b.   continue to work with Hubs to support the establishment of local governance models that involve government and non-government schools and regional executives from both sectors in service mapping and planning

    c.   provide guidance to Hubs and schools about the factors it will consider when assessing the merits of any request to include additional schools or locations within a Hub's Service Area.

44. The NSW Department of Education (Training Services NSW) should:

    a.   monitor compliance with the requirement for Hub providers to coordinate services, provide links and avoid duplication of existing programs, particularly in relation to culture and wellbeing activities

    b.   promptly finalise arrangements to ensure that Hubs and government and non-government schools in Hub Service Areas are consistently developing coordinated learning and career plans for students engaged with a Hub, and that data about these plans and related outcomes are captured and monitored accordingly

    c.   continue to ensure that Hubs can work with Aboriginal young people who have left school without finishing their studies, as well as those who have completed their studies in the past 12 months, and closely monitor the requirement for Hubs to focus their efforts on emphasising outcomes for these young people

    d.   support Hubs to focus on servicing highly disengaged Aboriginal students and other students with complex needs by ensuring that at a local/regional level, appropriate arrangements, including partnerships with schools, OOHC agencies, juvenile justice centres and juvenile justice community officers are in place to help Hubs to identify, access and provide these students with coordinated services.

45. The NSW Department of Education (Training Services NSW) should:

    a.   ensure Hubs are engaging with a range of Aboriginal, community and government organisations in their Service Areas to increase their knowledge of relevant local services and resources available to Aboriginal students

    b.   actively support and monitor Hubs' efforts to build partnerships with local employers, training and further education providers to help generate or identify employment, training and work experience opportunities for Aboriginal students

    c.   ensure that data about the number and outcomes of each Hub's partnerships with employers, training and further education providers is collected, monitored and reported on, including data about the number of opportunities 'banked' by each Hub and the number of 'banked' opportunities resulting in outcomes for young people.

46. The NSW Department of Education (Training Services NSW) should:

    a.   in partnership with Infrastructure NSW, provide Hubs with ongoing strategic support to effectively leverage regional and state-wide infrastructure investments and industry initiatives that can provide employment and training opportunities for Aboriginal students

    b.   support Hubs by brokering introductions to key industry associations and stakeholders; exploring and brokering options for corporate partnerships; and connecting Hubs with Aboriginal employment initiatives developed by NSW and federal public sector agencies

    c.   ensure that Hubs are actively identifying and helping Aboriginal school leavers to apply for Jobs of Tomorrow scholarships, and that associated data including the outcomes of applications are collected, monitored and reported.

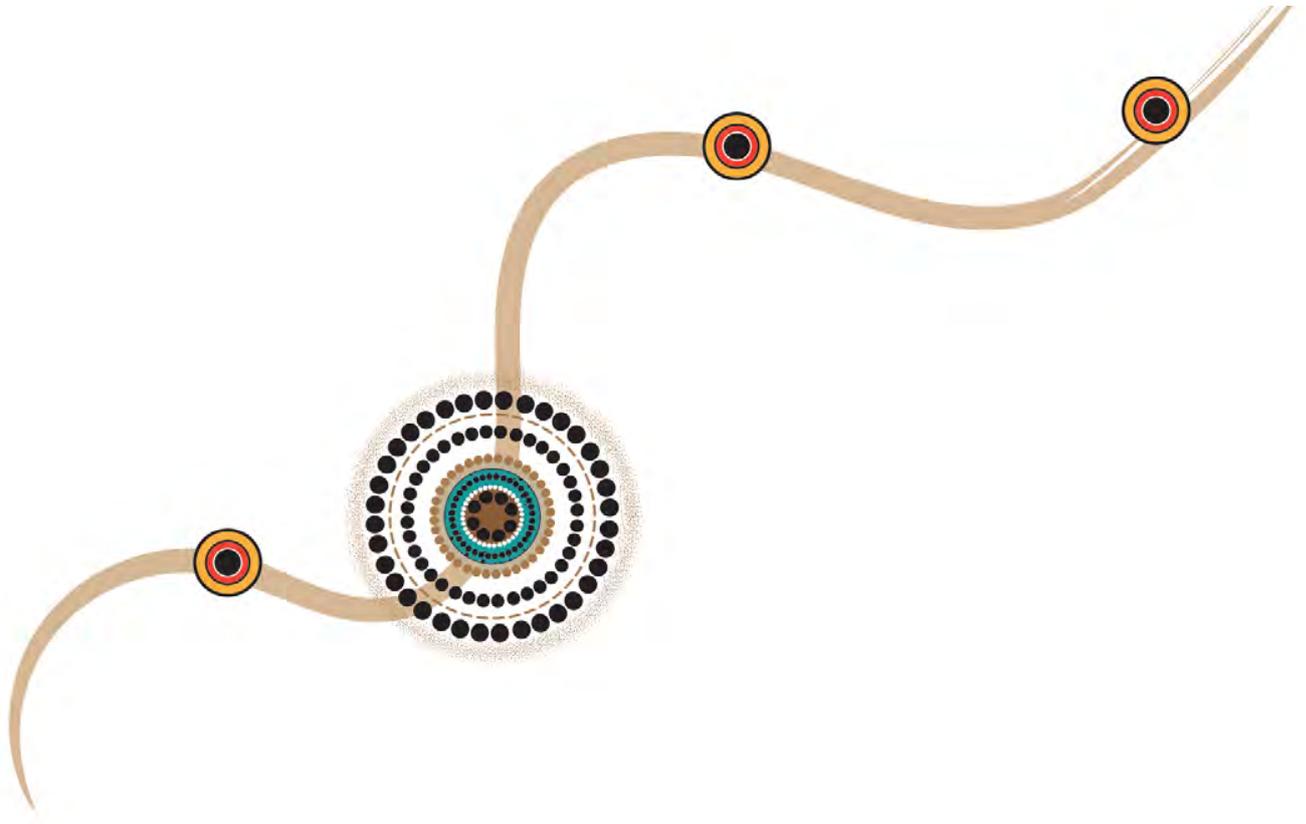47. The NSW Department of Education (Training Services NSW) should:

    a.   establish governance arrangements that bring together appropriately senior representatives from the relevant business units of the Department of Education, non-government school sector, the Department of Industry, Planning and Environment, and the Department of Premier and Cabinet (Aboriginal Affairs), with Hub providers, to collectively plan and drive a targeted and coordinated strategic framework

    b.   establish clear escalation and resolution processes for Hubs and schools at a local and strategic level

    c.   once the new strategic governance and contractual arrangements have been settled, develop, in partnership with the Department of Premier and Cabinet (Aboriginal Affairs), an overarching strategy and program guidelines for Opportunity Hubs, including (but not limited to) the contract management arrangements that will be used by the Department of Education and clear information about how Hubs' compliance with their Services Agreement will be assessed.

48. The NSW Department of Education (Training Services NSW) should consider the substantial benefits of maintaining a decentralised approach to the contract management arrangements for Opportunity Hubs and how Education's regional structure can be utilised to facilitate this, while ensuring that clear lines of reporting to and from the regions and head office are established.

49. Having regard to the observations contained in Chapter 8 (especially section 8.3.5), the NSW Department of Education (Training Services NSW), as part of developing its digital platform for recording data and measuring outcomes for Aboriginal training programs (including Opportunity Hubs), should:

    a.   consider whether the key outcomes for Opportunity Hubs are sufficiently defined and make adjustments as required

    b.   consider whether the current key performance indicators for Opportunity Hubs strike the appropriate balance between Hubs providing adequate coverage of Service Areas and targeting the highest need schools and students

    c.   settle baseline data to measure progress (by individual Hubs and the Hubs initiative overall) against the key performance indicators for Opportunity Hubs and the necessary arrangements to access this data

    d.   settle the sources of data that will be used to monitor school engagement and post-school outcomes for students engaged with Hubs and the necessary arrangements to access this data

    e.   ensure that the digital platform is simple and practical for Hubs to use and contains clear definitions of key data terms

    f.   ensure that the student-level data Hubs are required to collect can be disaggregated (at a minimum) by gender and Aboriginality.

50. The NSW Department of Education (Training Services NSW) should annually monitor the continuing appropriateness of the key performance indicators and make relevant adjustments as data trends become clearer.

51. The NSW Department of Education (Training Services NSW) and Aboriginal Affairs NSW should:

    a.   having regard to the refreshed Closing the Gap strategy, implement the SPRC's recommendation in relation to building long-term outcome indicators into planning and reporting for Opportunity Hubs

    b.   on an annual basis, publicly report outcomes data for individual Hubs and the overall initiative in a consistent way that is aligned with the key performance indicators for Opportunity Hubs.

52. The NSW Department of Education (Training Services NSW), in partnership with Aboriginal Affairs NSW, should:

    a.   communicate information about successful Hub practices to other schools, particularly those participating in the Connected Communities strategy, so that these practices may be adopted more broadly

    b.   as part of the OCHRE refresh process, give specific consideration to the further steps that are needed to enable Aboriginal community-controlled organisations to operate Opportunity Hubs in future.

Chapter 9: Connected Communities

53. The NSW Department of Education should consider ways to develop and extend the culture of collegiate leadership that has benefited Connected Communities to reach principals of schools in other high-need Aboriginal communities, and conversely, connect other schools delivering innovative approaches that have achieved success, with Connected Communities schools to create a community of practice.

54. The NSW Department of Education should:
    a. consider further enhancing its *Rural and Remote Human Resources Strategy* to offer customised incentive packages that involve enhanced support to meet the relocation and adjustment needs of the partners and children of teachers
    b. monitor the success of the *Rural and Remote Human Resources Strategy*, particularly in relation to which aspects of the strategy appear to lead to improved teacher retention at Connected Communities and other remote schools, and adapt it as necessary.

55. The Department of Education should:
    a. identify factors contributing to particularly successful SRGs and whether and how these factors could be encouraged in other locations
    b. in consultation with the NSW AECG and school principals, promote the School Reference Group model to other schools in high-need communities with a significant Aboriginal student population
    c. consider expanding the Senior Leader/Leader Community Engagement role to other targeted schools in high-need communities with a significant Aboriginal student population, having regard to additional strategies needed to strengthen and promote school and community partnerships in these locations.

56. The NSW Department of Education should promote the use of Personalised Learning Pathways (PLPs) at Connected Communities schools and ensure that schools have quality assurance mechanisms in place to track the development of PLPs and monitor their implementation.

57. The NSW Department of Education should consider ways to further increase the teaching of Aboriginal language and content at Connected Communities schools, having regard to the circumstances of individual schools and the professional learning needs of teachers.

58. The NSW Department of Education should:
    a. ensure the attendance, suspension and educational outcomes of students participating in specific healing and wellbeing initiatives at Connected Communities schools is tracked to help build an evidence base for what is working well and providing 'value for money'
    b. provide teachers at Connected Communities schools with practical, context-specific training about the impacts of trauma on children and young people; the link between trauma and challenging behaviours; and strategies for engaging effectively with students affected by trauma.

59. The NSW Department of Education should:
    a. explore how the Instructional Leader model can be extended to all Connected Communities schools, and assess whether participating students are engaging more effectively in school and getting better results
    b. consider opportunities to support targeted research, similar to the Seeding success for Aboriginal primary students collaborative research project between the University of Western Sydney, the Department of Education and the NSW AECG, to identify strategies that promote improved educational outcomes for Aboriginal secondary students.

60. The NSW Department of Education should continue to closely monitor NAPLAN literacy and numeracy outcomes for students at Connected Communities schools using the methods adopted by the Centre for Education Statistics and Evaluation as part of its overall evaluation of Connected Communities.

61. The Department of Education should:
    a. continue to strengthen Connected Communities' focus on facilitating school-based apprenticeships and traineeships, and vocational training aligned with local opportunities

    b.   liaise with Training Services NSW about the potential for expanding the Opportunity Hubs model to build the capacity of other Connected Communities schools to support students' post-school transition.

62. The Department of Education should:
    a.   continue to closely monitor attendance data for Connected Communities schools, including trends and variations within and between participating schools
    b.   provide advice about whether it has undertaken work to review the factors contributing to improved Aboriginal student attendance rates achieved by some Connected Communities schools, and other schools with significant Aboriginal enrolments, with a view to identifying effective strategies that could be trialled elsewhere.

63. The NSW Department of Education should:
    a.   review the key deliverables for the Connected Communities strategy, in consultation with the NSW AECG, having regard to the CESE's final evaluation report and the observations in this chapter
    b.   require each Connected Communities school to identify specific, measurable indicators against each deliverable, and report their progress against these indicators via existing performance monitoring processes
    c.   consider extending the key deliverables to other public schools with significant numbers of Aboriginal students given how beneficial they have reportedly been for the Connected Communities Executive Principals.

64. The NSW Department of Education should:
    a.   identify the factors influencing the successful retention of Executive Principals at three schools and whether and how these factors might be replicated to encourage leader retention at other schools
    b.   consider further options for attracting and retaining Executive Principals to Connected Communities schools, having regard to the findings and recommendations of the Independent Review of Regional, Rural and Remote Education (2018)
    c.   review its capacity to recognise and reward principals of schools who are not participating in Connected Communities, but who are leading schools with substantial numbers of Aboriginal students or students who are living in low socio-economic locations, and with reference to measurable outcomes, are making a strong and sustained contribution to improving educational outcomes for these cohorts.

65. The Department of Education should resume publication of an annual report about Aboriginal students in NSW public schools, including data (disaggregated by grade, region and school) which shows:
    a.   literacy and numeracy attainment
    b.   retention rates
    c.   enrolment numbers and rates
    d.   attendance rates and levels
    e.   suspension rates
    f.   the number of students who have been suspended and the number of suspensions for each student during each year
    g.   the number of students who missed 30 or more days of school each year, together with a breakdown of the reasons for their absence.

66. The Department of Education should:
    a.   consider amending the key deliverables for Connected Communities to include a specific reference to the objective of reducing exclusionary suspensions
    b.   review the strategies that have been used at the Connected Communities (and comparable non-Connected Communities) schools which have achieved success in reducing suspension rates, with a view to identifying opportunities to replicate good practice in other schools
    c.   as part of its current suspensions review, consider how to support schools, particularly in high-need Aboriginal communities, to provide 'in-school' suspension alternatives tailored to local needs

    d.   actively monitor data about the suspension of students with disability at Connected Communities schools and take steps to identify and address the reasons for rate variations between schools.

67. The Department of Education should:
    a. prioritise completing data migration work with FACS to facilitate accurate identification by Education of children and young people in out-of-home care (OOHC)
    b. having regard to models in other jurisdictions, including Victoria, consider how existing resources, including OOHC Teachers, school counsellors/psychologists and Networked Service Centres, can be better utilised to address the underlying causes of poor attendance by individual children in OOHC, in collaboration with FACS and OOHC service providers
    c. provide advice about how it will ensure the educational outcomes (including attendance and suspensions) of children and young people in OOHC are closely tracked, both locally by schools and centrally by Education.

68. The Department of Education should:
    a. ensure the implementation of its new Disability Strategy includes an appropriate focus on Connected Communities schools. In particular, Education should:
        i. audit the professional learning needs of teachers at Connected Communities schools in relation to trauma-informed practice and effective behaviour management, and prioritise the roll-out of appropriate training accordingly
        ii. review the adequacy of specialist support classes at Connected Communities schools.
    b. provide advice about how it will ensure the educational outcomes (including attendance and suspensions) of children and young people with disability are closely tracked, both locally by schools and centrally by Education.

69. The Department of Education should work closely with the Stronger Communities Investment Unit in relation to:
    a. defining a clear role for Connected Communities schools as part of the Stronger Communities Investment Unit system transformation work
    b. developing a student wellbeing data template for systemically capturing the attendance and suspension patterns for individual students, combined with data about their disability and/or OOHC status
    c. establishing governance processes at a local community level to ensure that student wellbeing information of the type described in recommendation 69(b) is systematically tracked and shared with local government agencies and NGOs in Connected Communities school locations; and analysed alongside key child protection, health, and policing data, to develop a collective picture of those vulnerable students (and their families) most in need of support.

1 Background

The various components reflected within OCHRE were shaped by the recommendations of a Ministerial Taskforce on Aboriginal affairs appointed in August 2011, comprising four Aboriginal leaders representing the Coalition of Aboriginal Peak Organisations (CAPO), and seven Cabinet Ministers. The Taskforce was established following a report by the NSW Auditor-General which found that *Two Ways Together* (the policy framework for Aboriginal affairs then in place in NSW), had failed to deliver the intended improvements for Aboriginal people. The Taskforce was asked to recommend concrete reforms to improve service delivery and accountability, employment and educational outcomes for Aboriginal people in NSW.[35]

The Ministerial Taskforce conducted two rounds of community consultations: one to inform the development of ideas for specific initiatives, and another to seek feedback about proposals. Altogether, more than 2,600 people attended community forums, over 200 stakeholders made written submissions and more than 400 survey respondents provided feedback.[36] They shared their desire for government to be held more accountable for the money it spends on delivering Aboriginal programs, and to genuinely involve community leaders in determining what programs and services are actually needed to boost educational and economic outcomes.

1.1 Our 2011 and 2012 reports to Parliament

The Taskforce was informed by our reports to Parliament about our audit of the NSW Interagency Plan to tackle child sexual abuse in Aboriginal communities (2012) and addressing Aboriginal disadvantage (2011). Those reports highlighted that the level of disadvantage, which exists in many Aboriginal communities, cannot be turned around without first seeking to tackle its underlying causes. As well as putting a spotlight on significant child safety concerns, both reports emphasised the need to urgently address the economic marginalisation of Aboriginal people and poor educational outcomes for Aboriginal children through a comprehensive Aboriginal affairs strategy and integrated service delivery.

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[35] Ministerial Taskforce on Aboriginal Affairs, *Ministerial Taskforce on Aboriginal Affairs: Final Report*, March 2013, p.2.
[36] Ministerial Taskforce on Aboriginal Affairs, *Ministerial Taskforce on Aboriginal Affairs Consultation Report, 2012*; *Getting it Right: The Findings of the Round Two Consultations of the NSW Ministerial Taskforce on Aboriginal Affairs*, 2012; and Ministerial Taskforce on Aboriginal Affairs, *Ministerial Taskforce on Aboriginal Affairs – Final Report*, March 2013.

The over-riding theme of our 2011 report was the critical need to establish a stronger accountability framework for addressing Aboriginal disadvantage at a state-wide level. We stressed that this should include:

- strong leadership and governance arrangements
- integrated decision-making at all levels about local service planning, funding and delivery to ensure resources are more effectively utilised
- more rigorous and meaningful data collection, analysis and public reporting on progress made against key indicators at a local community and state-wide level, and
- a statutory agency to provide independent scrutiny of the steps taken to implement the government's approach to addressing Aboriginal disadvantage and the outcomes achieved.

Our report also emphasised the need for government to build meaningful partnerships with Aboriginal communities and, in doing so, give practical recognition to Aboriginal people exercising responsibilities consistent with their right to self-determination. It also underlined the importance of taking bold approaches to the priority areas of education, building economic capacity, and protecting vulnerable children in Aboriginal communities.

The final report of the Ministerial Taskforce, released in March 2013, supported many of the observations explored in our 2011 and 2012 reports. It recommended that a new state-wide plan for Aboriginal affairs should aim to support strong Aboriginal communities where Aboriginal people actively influence and fully participate in social, economic and cultural life. To achieve this, it recommended that new frameworks for accountability and Aboriginal economic prosperity be developed, and that specific education, language and devolved decision-making initiatives be trialled. The Taskforce also stressed that the overall approach should be flexible and place-based; build on existing strengths; involve a long-term commitment with realistic resourcing; and be evaluated to build the evidence base.[37]

1.2 The OCHRE Plan

Released by the NSW Government on 5 April 2013, OCHRE consists of the following initiatives:

- **Local Decision Making (LDM)** – led by Aboriginal Affairs NSW and operating in eight locations. Supports Aboriginal regional governance bodies to have a progressively greater say in determining the services that are delivered in their communities (Chapter 5).

- **Connected Communities** – led by the NSW Department of Education and the NSW Aboriginal Education Consultative Group, operating in 15 locations. Establishes schools as 'service hubs' and promotes school-community partnership approaches to reduce barriers to student learning and improve Aboriginal education outcomes (Chapter 9).

- **Aboriginal Language and Culture Nests** – led by the NSW Department of Education and the NSW Aboriginal Education Consultative Group, operating in five locations. Supports the revitalisation of Aboriginal languages and cultures within schools and communities (Chapter 4).

- **Opportunity Hubs** – led by Training Services NSW[38] and operated by contracted service providers in four locations. Provides Aboriginal students with school-based mentoring and clearer pathways from school to further education, training and employment (Chapter 8).

- **Aboriginal Economic Prosperity Framework (AEPF)** – led by Aboriginal Affairs with state-wide application. Contains 12 targets for government commitments relating to jobs and employment, education and skills, and economic agency (considered in Chapter 6). Industry-Based Agreements – public commitments from peak industry bodies and the government to increase Aboriginal employment and enterprise in the private sector – are not part of the AEPF but are also discussed in Chapter 6.

- **Solution Brokerage** – led by Aboriginal Affairs with state-wide application (and operating as four discrete projects to date). An administrative mechanism that enables Aboriginal Affairs to engage with

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[37] Ministerial Taskforce on Aboriginal Affairs, *Ministerial Taskforce on Aboriginal Affairs – Final Report*, March 2013, p.4.
[38] Training Services NSW was located in the Department of Education at the start of the Hubs initiative until late 2015, when it was relocated to the Department of Industry. On 1 July 2019, Training Services returned to the Department of Education as part of changes to the machinery of government following the state election on 23 March 2019.

NSW government agencies to identify and implement practical solutions to significant issues for Aboriginal communities (Chapter 7).

OCHRE also formally recognises the need for healing inter-generational trauma from the legacy of colonisation and commits to advance the dialogue on healing with Aboriginal communities (considered in Chapter 3). It is the first Aboriginal affairs plan in Australia that includes healing as a key priority.[39] Aboriginal Affairs leads this work.

Aboriginal communities are key partners for all OCHRE initiatives.

1.2.1   Funding

Against this background, since 2013-2014 NSW Treasury has allocated $4.7 million annually[40] to fund all the OCHRE initiatives except Connected Communities, which was funded at $64.5 million over five years since 2012-2013, as well as our Aboriginal programs monitoring and assessment function. Aboriginal Affairs is separately funded, and its allocation increased after the agency was restructured to coordinate the implementation of OCHRE.[41]

According to Aboriginal Affairs, the funding of OCHRE has been informed by a deliberate approach of testing the various initiatives before scaling up based on lessons learned.[42] In this regard, the NSW government has indicated that it will only consider increasing funding for OCHRE after examining the findings from the OCHRE evaluation (see Chapter 2).[43]

We discuss the specific funding allocated to each of the OCHRE initiatives – including the case for increased investment, where appropriate – in the relevant chapters of this report.

1.2.2   Governance and accountability arrangements

In response to consistent feedback from Aboriginal communities, our office and the NSW Auditor-General about the need for stronger accountability in relation to the design and delivery of programs and services to Aboriginal people, OCHRE committed to a number of measures to ensure initiatives are coordinated and implemented successfully, and resources are used efficiently.[44] While some of these measures were implemented more or less as intended, others evolved to reflect changed priorities and feedback from stakeholders.

Most significantly, the proposal in OCHRE to establish an independent Aboriginal Council, chaired by a new Coordinator-General of Aboriginal Affairs, to monitor and report on government progress and advise the Minister on implementation issues, was not pursued. Largely in response to feedback from Aboriginal leaders about the NSW Ombudsman's proven track record in this area and strong relationships with Aboriginal communities, the intent of the proposal was instead realised by the legislative changes establishing the Deputy Ombudsman (Aboriginal Programs) and requiring us to monitor and assess designated Aboriginal programs.

OCHRE envisaged that the Senior Management Council (now the Secretaries Board), comprising the heads of all NSW government departments, would oversight the reforms, and that the performance agreements of department heads would be adjusted to reflect their responsibility for implementing OCHRE initiatives and embedding a partnership approach with Aboriginal communities within their department. The latter proposal has not been realised. While annual reports about OCHRE, prepared by Aboriginal Affairs, are

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[39] Aboriginal Affairs NSW, *OCHRE Healing Forums*, https://www.aboriginalaffairs.nsw.gov.au, accessed 15 February 2019.
[40] NSW Treasury, Budget Estimates 2013-14, Budget Paper No.3, 2014, pp.3-5, for the Education and Communities Cluster.
[41] Advice provided by Aboriginal Affairs NSW, May 2018.
[42] Advice provided by Aboriginal Affairs NSW, July 2018.
[43] Advice provided by Aboriginal Affairs NSW, July 2018.
[44] Ministerial Taskforce on Aboriginal Affairs, *Ministerial Taskforce on Aboriginal Affairs: Final Report*, Department of Aboriginal Affairs, NSW Government, 2013, p.5. Available at https://www.aboriginalaffairs.nsw.gov.au/pdfs/OCHRE/FINAL-Taskforce-Report-19.03.13.pdf, accessed 26 April 2018.

provided to the Secretaries Board,[45] it has not played an active role in oversighting the OCHRE reforms to date.[46]

Instead, in 2013-2014 Aboriginal Affairs established a cross-cluster Senior Executive Committee (SEC) to provide program assurance for OCHRE and form linkages with major whole-of-government reforms impacting on Aboriginal communities more broadly.[47] Aboriginal Affairs also established a Project Control Group (PCG), reporting to the Committee, to drive the implementation of OCHRE initiatives.[48] Both the SEC and PCG ceased meeting regularly in 2016-2017. We understand that since then, they have convened on an 'as needed' basis to discuss matters requiring a whole-of-government response, such as the Aboriginal Economic Prosperity Framework. Separately, lead agencies for some OCHRE initiatives have also established additional governance arrangements – these are discussed in relevant chapters.

As foreshadowed by OCHRE, Aboriginal Affairs was realigned towards setting whole-of-government priorities and policies and adopting a 'solution broker' role; overseeing the implementation of OCHRE; and leading the Local Decision Making and Aboriginal economic development initiatives. As part of this realignment, the agency largely ceased being responsible for the delivery of direct services.[49]

Finally, OCHRE committed to a robust evaluation framework – we describe this framework and its implementation in Chapter 2.

1.3   Our approach to monitoring and assessing OCHRE

To support continuous improvement, we have used an action research and strengths-based approach to performing our monitoring and assessment role, ensuring we provide timely and ongoing feedback to lead agencies with responsibilities under OCHRE. While we can handle complaints and formally require agencies to provide us with information, we aim to facilitate practical solutions before problems escalate. Another important aspect of our role is identifying, supporting and bringing forward information about good or promising practices that could be considered for wider implementation.

Within the resources available to us, we have prioritised visiting the locations where OCHRE initiatives are being implemented. The Deputy Ombudsman (Aboriginal Programs) and other Ombudsman staff regularly visits communities across NSW to hear from Aboriginal people, frontline agency staff and other stakeholders about how OCHRE is working 'on the ground'. These visits have provided us with invaluable insights and advice. Overall, we conducted 77 visits to 35 different communities between 1 July 2014 and 30 June 2019.

During the last five years, we have also regularly engaged with Aboriginal Affairs as the agency with overall responsibility for OCHRE and for implementing the LDM and economic development initiatives within OCHRE. We have also regularly engaged with the other agencies and partners responsible for implementing individual initiatives – the Department of Education, Training Services NSW and the Aboriginal Education Consultative Group – as well as the Department of Premier and Cabinet, NSW Treasury and the Department of Finance, Services and Innovation. The NSW Coalition of Aboriginal Regional Alliances (NCARA) and the NSW Aboriginal Land Council (NSWALC) have provided us with important advice about the progress of OCHRE, as have a number of other Aboriginal peak bodies and community leaders.

To further inform our monitoring and assessment role, we have issued two rounds of formal notices requiring various government agencies to provide us with relevant data and information.[50] Their responses, which are incorporated in the following chapters, have been critical to informing our observations and recommendations. We have also considered a range of publicly available sources, including the annual reports on OCHRE prepared by Aboriginal Affairs, agency policies and guidelines, research and media reports.

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[45] In addition to being publicly released, tabled in Parliament and considered by the Social Policy Committee of Cabinet.
[46] Advice provided by Aboriginal Affairs NSW, September 2017.
[47] Advice provided by Aboriginal Affairs NSW, March 2015.
[48] Advice provided by Aboriginal Affairs NSW, March 2015.
[49] Until 1 July 2019, when it relocated to the Department of Premier and Cabinet (delivering on our 2011 recommendation), the agency was part of the Department of Education
[50] Under s.25M of the *Ombudsman Act 1974*.

The formal evaluations of OCHRE initiatives by Education's Centre for Education Statistics (Connected Communities) and the Social Policy Research Centre (Opportunity Hubs, Aboriginal Language and Culture Nests and Local Decision Making) constitute key sources of evidence that we have taken into account. As discussed in Chapter 2, we have met regularly with the evaluators, and with the Evaluation Steering Committee established by Aboriginal Affairs, in the interests of ensuring that our approach is informed by and complements the formal evaluation process.
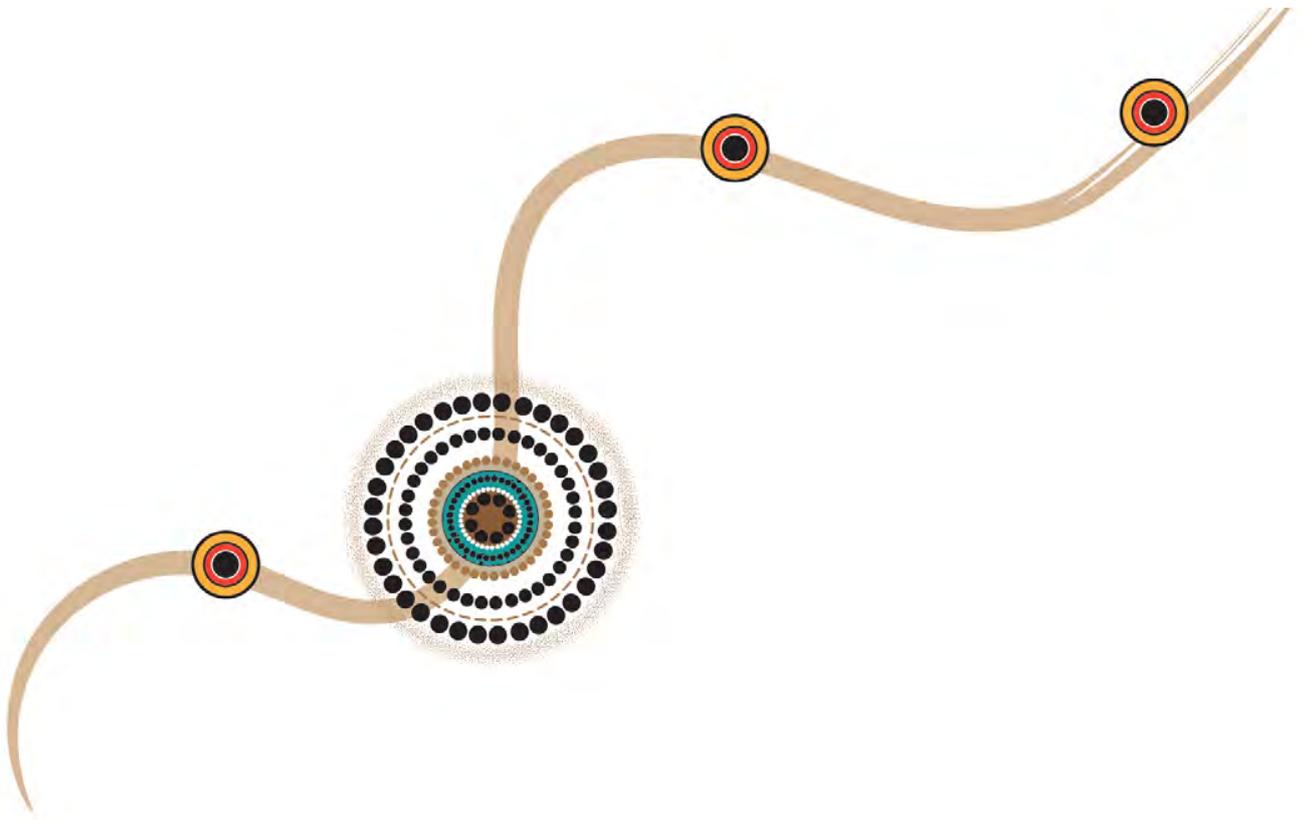
2   The evaluation of OCHRE

The NSW Government expects all agencies to conduct periodic evaluations of programs to assess their continued relevance, relationship to government priorities, efficiency and effectiveness in delivering outcomes.[51] When released, OCHRE included a specific commitment to independent evaluation as a key mechanism to strengthen transparency and accountability for government expenditure on Aboriginal affairs, 'so that forward planning and future decisions can be informed by, and based on, real evidence'.[52]

To date, four OCHRE initiatives have been formally evaluated: Connected Communities, Aboriginal Language and Culture Nests, Local Decision Making (LDM) and Opportunity Hubs. The *Aboriginal Economic Prosperity Framework* (and Industry Based Agreements),[53] Solution Brokerage and Healing components of OCHRE have not been formally evaluated. Instead, Aboriginal Affairs commissioned an implementation review of the state-wide Industry Based Agreements, and completed an internal review of Solution Brokerage. Although these reviews did not examine outcomes, they contributed to decisions about the future direction of both initiatives.

In late 2017, Aboriginal Affairs also released a five year research agenda that is intended to grow a relevant evidence base for policy making and contribute to 'transforming the relationship between Aboriginal people with NSW Government'.[54] This activity was not undertaken as part of OCHRE, but attempts to advance the development of knowledge that Aboriginal communities identified as important during the OCHRE consultations. The research agenda focuses on many themes incorporated in OCHRE. These include

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[51] NSW Treasury, *Program Evaluation*, NSW Treasury Circular TC18-03; NSW Department of Premier and Cabinet, *NSW Government Program Evaluation Guidelines*, January 2016.

[52] Aboriginal Affairs NSW, *OCHRE: Opportunity, Choice, Healing, Responsibility, Empowerment – NSW Government Plan for Aboriginal affairs: education, employments & accountability* (OCHRE Plan), April 2013, p.9.

[53] Instead of being included in the broader OCHRE evaluation as originally planned, Aboriginal Affairs commissioned a review of the state-wide Industry Based Agreements (IBAs) by the consulting firm Centium which reported in August 2017. This did not assess or verify the potential training, employment or business outcomes achieved through the agreements, but rather examined the actions taken in order to recommend settings for strengthening the operation of future IBAs (see Centium, *Review of the Industry Based Agreements: Lessons learnt*, 2017). The government intends to trial a regional approach for future IBAs, in conjunction with accords negotiated under the OCHRE LDM initiative. Aboriginal Affairs intends to evaluate the regional IBAs trials as part of the LDM initiative in Stage 2 and Stage 3 of the evaluation.

[54] Aboriginal Affairs NSW, *Transforming the relationship between Aboriginal peoples and the NSW Government – Aboriginal Affairs NSW research agenda 2018-2023*.

economic prosperity, Aboriginal language revitalisation, and self-determination, as well as related issues such as the cultural capability of public sector employees, and the return of public lands to Aboriginal control.[55]

The formal evaluations of OCHRE and Aboriginal Affairs' research agenda are separate from our independent monitoring and assessment of designated Aboriginal programs under Part 3B of the *Ombudsman Act 1974*. Our legislative remit is broader, requiring us to monitor and assess OCHRE as a whole, and providing us with statutory powers to require information from agencies. This means we have been able to examine aspects of the implementation of OCHRE that have not otherwise been subject to scrutiny. In this regard, we have aimed to complement the formal evaluations, which we have also treated as key sources of evidence in forming our observations and recommendations about the implementation of OCHRE.

2.1   Connected Communities

A progressive evaluation of Connected Communities by the Department of Education's Centre for Education Statistics and Evaluation (CESE) was built into the strategy from its outset. CESE has prepared annual internal monitoring reports for Education, an interim evaluation report (publicly released in January 2016), and a final evaluation report (completed in August 2018 but not yet publicly released). CESE will continue evaluating Connected Communities over the next five years as the initiative expands to more schools (see Chapter 9).[56]

CESE is relatively unique in Australian jurisdictions and was profiled in the most recent Gonski Review, which recommended the establishment of a similar national body to coordinate strategic development of a national research and evidence base. The centre's establishment in 2012 underlines Education's commitment to improving the monitoring of, and evidence base for, initiatives aimed at improving educational outcomes. In this regard, we have long argued that improved collection, analysis and reporting of data are essential to properly assess whether various commitments and initiatives are achieving the desired results.[57]

As the central point of education data collection and analysis in NSW, and with its expertise in analysis of education outcomes and international best practice, CESE has been well placed to conduct a rigorous evaluation of the Connected Communities strategy.

We have formed a productive working relationship with CESE, and its data holdings and related analysis, as well as its evaluation of the progress and outcomes against the key deliverables of Connected Communities, have been treated as key sources of evidence for our own assessment of the strategy.[58] However, we have independently reviewed these sources and in a number of areas we have made our own observations and recommendations about a range of issues, including some matters not examined by CESE's evaluation. We discuss our views concerning CESE's evaluation in Chapter 9.

2.2   Language and Culture Nests, Local Decision Making and Opportunity Hubs

In 2014-2015, the NSW Government committed to a 10 year, independent evaluation of Language and Culture Nests, LDM and Opportunity Hubs,[59] consisting of three stages:

1.   **Stage 1:** focusing on implementation and any short-term outcomes evident (2015-2018)
2.   **Stage 2:** focusing on identifying changes experienced by participants and stakeholders (2018-2021)

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[55] Aboriginal Affairs NSW, *Transforming the relationship between Aboriginal peoples and the NSW Government – Aboriginal Affairs NSW research agenda 2018-2023*, p.3.
[56] Advice provided by the Department of Education and CESE, April 2019.
[57] NSW Ombudsman, *Inquiry into behaviour management in schools*, August 2017, pp.41-41; *Responding to Child Sexual Assault in Aboriginal Communities*, 2012, pp.263-265; *Addressing Aboriginal disadvantage: the need to do things differently*, October 2011, pp.46-47.
[58] CESE's interim evaluation of Connected Communities was released in January 2016..
[59] The Hon. Leslie Williams MP, Minister for Aboriginal Affairs, 'Ground-breaking evaluation of OCHRE', Media release, 10 December 2015.

3. **Stage 3:** focusing on assessing the contribution of each evaluated OCHRE initiative toward meeting long-term goals (2021-2024).[60]

In 2014, Aboriginal Affairs engaged the Cultural and Indigenous Research Centre Australia (CIRCA) to convene evaluation workshops with stakeholders and develop a monitoring, evaluation, reporting and implementation (MERI) framework containing potential evaluation questions and indicators of success.[61]

We provided feedback on early drafts of the framework, suggesting that each evaluation stage (rather than just the later stages) should examine outcomes; that the collective impact of OCHRE initiatives should be measured; and that Aboriginal community members should be supported to contribute their views on the effectiveness of OCHRE. Our suggestions helped to shape the final MERI framework and draft evaluation plans, which were included in the public request for tenders for the first stage of the evaluation.[62]

In December 2015, Aboriginal Affairs engaged the Social Policy Research Centre (SPRC) at the University of NSW to co-design and conduct Stage 1 of the evaluation, in partnership with Aboriginal communities.[63] Work commenced in the first quarter of 2016, during which Aboriginal Affairs also established an Evaluation Steering Committee to provide specialist advice on the evaluation plans, implementation and reports, and to assist in resolving issues that may arise in the conduct of the evaluation. The committee included Aboriginal and non-Aboriginal academics, as well as representatives from the Department of Premier and Cabinet, and Treasury.

Based on the relative 'maturity' of implementation, the following locations were selected as being 'within scope' for the evaluation:

- **Language and Culture Nests:** Gumbaynggirr and North West Wiradjuri.
- **Local Decision Making:** Murdi Paaki Regional Assembly, and Illawarra Wingecarribee Alliance Aboriginal Corporation.[64]
- **Opportunity Hubs:** Tamworth and Campbelltown.

The SPRC evaluated and reported on each site as a separate case study, taking into account the local context and history.[65] It also produced a separate report for the NSW Coalition of Aboriginal Regional Alliances (NCARA) containing broader observations and recommendations about the overall implementation of the three initiatives.[66]

Co-design with Aboriginal communities

From the outset of the evaluation process, Aboriginal Affairs has been committed to ensuring that it was driven by the principle of enabling Aboriginal communities to effectively participate.[67] Aboriginal Affairs insisted that the evaluation comply with the principles of research outlined in Aboriginal Health and Medical Research Council guidelines, and has sought to develop its regional capacity to support this. Accordingly, Aboriginal communities were involved in shaping the design of Stage 1 of the evaluation in the following ways:
- Relevant communities and organisations were explicitly asked for consent to participate in the evaluation before work commenced.
- The evaluation team co-designed with communities what the evaluation would look at and how it would be conducted.

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[60] Social Policy Research Centre, *OCHRE Evaluation Synthesis Report – Stage 1 Final Report*, Social Policy Research Centre, UNSW, June 2018, p.2.
[61] Advice provided by Aboriginal Affairs NSW, May 2015.
[62] Aboriginal Affairs NSW, 'The OCHRE MERI Framework', Request for Tender number DoE538257007, 18 August 2015.
[63] The Hon. Leslie Williams MP, Minister for Aboriginal Affairs, 'Ground-breaking evaluation of OCHRE', Media release, 10 December 2015.
[64] The considerable time constraints on the Three Rivers Regional Assembly (TRAA) during the evaluation period prevented it from participating in this round of evaluation. Its priority at the time was on negotiating its Accord. Aboriginal Affairs accepted this advice and respected the views coming from TRAA members. Advice provided by Aboriginal Affairs NSW, August 2019.
[65] Raven, M, Katz, I, Newton, BJ & Bates, S, *OCHRE Evaluation Plan* (Overview and Stage 1), Social Policy Research Centre, UNSW, 2016, p. 11.
[66] Raven, M, Katz, I, Newton, BJ & Bates, S, *OCHRE Evaluation Plan* (Overview and Stage 1), Social Policy Research Centre, UNSW, 2016, pp.23 and 28.
[67] Social Policy Research Centre, *OCHRE Evaluation Synthesis Report – Stage 1 Final Report*, June 2018, Social Policy Research Centre, UNSW, pp.4-8.

- Local community members in four sites received training to support them in having conversations with other community members about OCHRE.
- Members of participating communities determined the measures of success for local individual OCHRE programs (in addition to those set by the government's program objectives).
- Researchers returned to communities with drafts of the evaluation reports to check preliminary findings and recommendations, which were reflected in the final reports.
- The evaluation reports are subject to community ownership and control, including decisions about what to do with the reports, and whether and how they are publicly released.

Aboriginal Affairs advises that the NSW Government and participating Aboriginal communities learned a great deal about co-design practice over the course of the evaluation, and Aboriginal Affairs has published the learnings on its website. The practice has also developed a promising methodology that weaves together Aboriginal ways of being, knowing and doing together, with Western knowledge threads to serve both cultural integrity and public confidence. The approach is believed to have substantially matured government evaluation practice in Aboriginal contexts in NSW.

The evaluation reports were publicly released with the consent of communities between June and August 2018, and ownership rests with them.[68]

2.3 Key evaluation findings to date

The findings of the evaluations of Connected Communities, Language and Culture Nests, LDM and Opportunity Hubs are reflected in the dedicated chapters in this report about each initiative.

Broadly speaking:

- CESE's evaluation of Connected Communities found that while there is not yet strong evidence of substantial improvements against several of the strategy's key deliverables, it is 'showing promising results'.[69] CESE's report, which has not yet been publicly released, does not include recommendations.
- The SPRC's evaluation of Language and Culture Nests, LDM and Opportunity Hubs found the initiatives are supported by Aboriginal communities, and concluded that in the context of the resources allocated to its implementation, OCHRE has been remarkably successful to date.[70] The SPRC observed that stronger coordination of programs, clarification of the role of government, and improved data collection and data sharing with communities are needed. It also recommended that OCHRE should be adequately resourced; that capacity building should be embedded in all initiatives; and that ownership of the initiatives should eventually be transferred to Aboriginal communities.[71]

In its report to the NSW Government following Stage 1 of the OCHRE evaluation, NCARA described OCHRE as a 'step in the right direction and a step closer to placing communities at the heart of their own affairs', and called for stronger and longer term investment to expand initiatives to Aboriginal communities across NSW.[72] NCARA also encouraged the elevation of the Aboriginal affairs portfolio within government; the transfer of service delivery to Aboriginal community control; and making Aboriginal wellbeing a key future focus for OCHRE.[73]

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[68] Social Policy Research Centre, *OCHRE Evaluation Synthesis Report – Stage 1 Final Report*, Social Policy Research Centre, UNSW, June 2018. The Three Rivers Regional Assembly decided not to participate in the co-design process for Stage 1, but may do so in Stage 2 (Social Policy Research Centre, *OCHRE Local Decision Making Accords: Three Rivers Regional Assembly*, Social Policy Research Centre, UNSW, 2019).

[69] NSW Department of Education, Centre for Education Statistics and Evaluation, *Connected Communities Strategy: Final Evaluation Report*, August 2018, p.9.

[70] Social Policy Research Centre, *OCHRE Evaluation Synthesis Report – Stage 1 Final Report*, Social Policy Research Centre, UNSW, June 2018, p.56.

[71] Social Policy Research Centre, *OCHRE Evaluation Synthesis Report – Stage 1 Final Report*, Social Policy Research Centre, UNSW, June 2018, p.57.

[72] NSW Coalition of Aboriginal Regional Alliances, *A Step Closer: A report with recommendations from NCARA to the NSW Government following stage one of the OCHRE Evaluation*, 2018.

[73] Social Policy Research Centre, *OCHRE Evaluation Synthesis Report – Stage 1 Final Report*, Social Policy Research Centre, UNSW, June 2018, p.37; and NSW Coalition of Aboriginal Regional Alliances, *A Step Closer: A report with recommendations from NCARA to the NSW Government following stage one of the OCHRE Evaluation*, 2018, pp.4-5.

The NSW Government has broadly accepted the OCHRE evaluation's recommendations and committed to releasing a comprehensive response, through the refresh of OCHRE, that will also consider NCARA's recommendations as well as our own.[74]

2.4 Future evaluation of OCHRE

In April this year, Aboriginal Affairs advised us that with the Stage 1 evaluation of Language and Culture Nests, LDM and Opportunity Hubs successfully complete, it has identified the need for a 'gap year' at the end of each evaluation stage to allow the findings and recommendations to be considered by communities and government together, and for time to develop a co-designed plan to implement them. Aboriginal Affairs also indicated that, while the commitment to a 10 year evaluation remains and the OCHRE Evaluation Steering Committee will be retained, the NSW Government is reconsidering the arrangements that should apply to future evaluation of OCHRE.

In this regard, Aboriginal Affairs indicated that, whereas it played an active role in the Stage 1 evaluation of Language and Culture Nests, LDM and Opportunity Hubs, in future it intends to focus its own efforts on the evaluation of LDM, with relevant lead agencies taking responsibility for the evaluation of the other initiatives.[75]

Regardless of the approach that is ultimately decided, we have identified a number of ways that the evaluation of OCHRE could be strengthened going forward.

An obvious gap, which the Evaluation Steering Committee for the Stage 1 evaluation also noted, is that – due to budget constraints – the evaluation to date has not been able to examine a number of OCHRE initiatives and Nest, LDM and Hub locations.[76] In the interests of creating a more comprehensive evidence base, we urge the NSW Government to reconsider the scope of, and funding for, future evaluation of OCHRE.

The Evaluation Steering Committee and our office have also (separately) highlighted that considerable weaknesses in how government agencies have collected and analysed data about the implementation of initiatives has made it difficult to assess their performance and the 'value added' by OCHRE. In this regard, there was a failure to establish baseline data and effective data collection and monitoring processes for all OCHRE initiatives from the outset of their implementation. During early consultations with stakeholders, we were frequently told that agencies were waiting for the evaluation plan to be settled to guide them on the agreed measures and data they should gather.

Ideally, evaluation should have been embedded within each of the OCHRE initiatives from the start, as occurred with CESE's evaluation of Connected Communities and as the OCHRE Plan envisaged. While we appreciate the different approaches adopted by CESE and Aboriginal Affairs, and that it takes time to undertake a genuine co-design process with community, we maintain the view that building evaluation into each initiative in the beginning would have allowed earlier engagement with communities and agencies to inform the development of key performance indicators of success. In the event, it was not until late 2016 (three and a half years after the OCHRE Plan was released) that workshops to co-design the evaluation plan commenced. This is not a criticism of the participatory approach that was taken but rather, the time taken to begin involving communities in co-design and the planning around the timing of the rollout of each initiative.

In saying this, implementing agencies also need to take responsibility for not addressing significant gaps in – and issues with the quality of – basic program/administrative data for most of the OCHRE initiatives. Irrespective of any evaluation, agencies have a responsibility to collect and monitor adequate data about the implementation of programs to inform operational decisions and provide transparency in relation to the expenditure of public funds.

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[74] Aboriginal Affairs NSW, *OCHRE: Five Years On*, December 2018, p.28.
[75] Advice provided by Aboriginal Affairs NSW, April 2019.
[76] At its first meeting, the Steering Committee agreed that the evaluation would be strengthened if all OCHRE initiatives were included, and encouraged the NSW Government to allocate additional resources to enable this. (Aboriginal Affairs NSW, 'OCHRE Evaluation: Steering Committee', Meeting communique, 18 February 2016.)

Our primary concern arising from the evaluation approach to date is that important information about the performance of the OCHRE initiatives has not informed their ongoing implementation. Going forward, to ensure that investment in OCHRE is appropriate and achieving outcomes, there needs to be a much stronger focus on continuous quality data collection and monitoring by agencies to inform implementation as it happens, and enable more rigorous further evaluation to be carried out. Accordingly, we have made a range of recommendations to strengthen data collection and analysis in the following chapters of this report.

Finally, we have previously suggested to DPC, Aboriginal Affairs and Treasury that there would be a benefit in establishing an outcomes and reporting framework for all OCHRE initiatives and for Aboriginal affairs more broadly.

Recommendations

1. The Department of Premier and Cabinet, and Treasury should jointly develop, in collaboration with OCHRE implementing agencies, an overarching outcomes and reporting framework for all OCHRE initiatives.
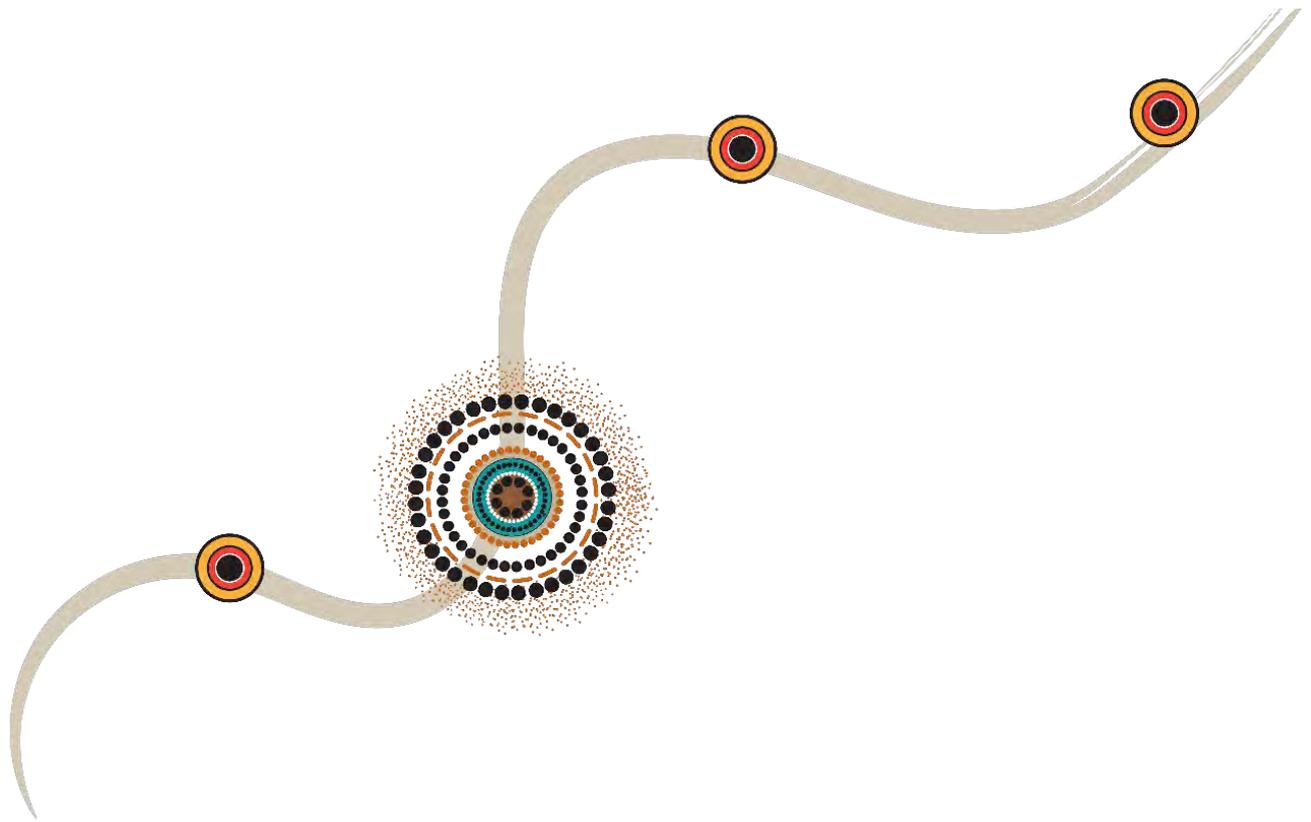
3 Healing

In our 2011 report to Parliament, *Addressing Aboriginal disadvantage: the need to do things differently*, we emphasised the healing needs of Aboriginal people and communities arising from the legacy of violence, trauma and dislocation from family and culture that continues to impact on their wellbeing.[77] The critical importance of healing and wellbeing was also consistently raised by Aboriginal communities with the Ministerial Taskforce for Aboriginal Affairs.[78] While healing is interpreted by communities and individuals in different ways, it has been broadly described as a journey of recovery from trauma and grief that seeks to mend harms arising from colonisation and past government policies (such as forced child removals) as well as contemporary manifestations of trauma, violence and abuse.[79] It is widely acknowledged that without the opportunity to heal, trauma may be passed down through generations,[80] resulting in poor health, violence, substance abuse, and social and economic disadvantage.[81] Healing, in this context, is a process that enables individuals, families and communities to gain control over the direction of their lives and reach their full potential.[82]

With the release of OCHRE, the NSW Government became the first government in Australia to include healing as a key priority in its Aboriginal affairs plan.[83] The OCHRE Plan explicitly acknowledges that previous government programs and policies contributed significantly to the trauma, loss and pain felt by many Aboriginal people. It also contains a number of initiatives, discussed elsewhere in this report, that aim to deliver outcomes that Aboriginal people have identified as fundamental to individual and community healing: better education and employment opportunities, greater community control over service delivery,

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[77] NSW Ombudsman, *Addressing Aboriginal disadvantage: the need to do things differently*, October 2011, pp.14-15.

[78] Aboriginal Affairs NSW, *OCHRE: Opportunity, Choice, Healing, Responsibility, Empowerment – NSW Government Plan for Aboriginal affairs: education, employment & accountability* (OCHRE Plan), April 2013, pp.11-12.

[79] Calma, T, Aboriginal and Torres Strait Islander Social Justice Commissioner, *Social Justice Report 2008*, Australian Human Rights Commission, 2009, p.53.

[80] Atkinson, J, *Trauma Trails Recreating Song Lines – the Transgenerational Effects of Trauma in Indigenous Australia*, Spinifex Press, 2002.

[81] Healing Foundation, 'We have evidence to break the cycle of Intergenerational Trauma', Media release, 8 January 2019.

[82] Healing Foundation, *Glossary of Healing Terms*, http://www.healingfoundation.org.au, accessed 19 February 2019.

[83] Aboriginal Affairs NSW, *OCHRE Healing Forums*, http://www.aboriginalaffairs.nsw.gov.au, accessed 15 February 2019.

and the revitalisation of Aboriginal languages and culture.[84] Local Decision Making, in particular, promotes self-determination and a formal process for resetting the relationship between Aboriginal communities and government agencies in NSW, and in this way, the initiative itself is inherently 'healing'.

More directly, OCHRE commits the NSW Government to 'work with Aboriginal communities, policy practitioners and service providers to advance the dialogue in NSW about trauma and healing and to begin developing responses informed by evidence of good practice'.[85] In this chapter we assess the implementation of this commitment, which has primarily consisted of a series of 'healing forums' designed to provide an opportunity for Aboriginal communities to identify and map their healing needs and priorities, and work towards a shared understanding with government and non-government agencies about the concrete actions that are required to meet these needs and priorities.

The healing forums provided an opportunity for Aboriginal communities to describe the importance of culture as part of healing, and how healing reconnects them to their identity, relationships, land and spirit. The forums have highlighted the strength and resilience of Aboriginal people and communities in spite of the many challenges they face, and their immense willingness to drive and participate in change. They also confirmed the significant goodwill on the part of government agencies and non-government services alike to support healing initiatives.[86] The challenge now is to ensure that the actions identified by Aboriginal communities through the healing forums are progressed under their leadership, in partnership and with practical support from the NSW Government. In particular, communities have identified that Aboriginal people want better access to information about trauma, its impacts and the type of supports that can help them heal and recover. In addition, there is much more work still to be done to ensure that service systems are culturally competent, trauma-informed and well-targeted to the needs of Aboriginal people. Healing needs to be incorporated in practical ways in place-based approaches to service delivery, in which Aboriginal people are genuinely involved in designing and delivering what is needed for their own communities.

In our 2012 report to Parliament, *Responding to Child Sexual Assault in Aboriginal Communities*, we observed the frequently ad-hoc and short-term nature of funding for healing programs and recommended a more consistent approach, supported by a state-wide healing strategy, developed by the NSW Government in partnership with Aboriginal communities and the Healing Foundation. We also identified the need for a program of evaluation to build the evidence base for healing.[87] Consistent with our recommendations, a key outcome sought by participants at the 2014 state-wide Healing Our Way forum was that the NSW Government commit to develop a state-wide healing framework.

In December 2018, the NSW Government committed to a policy refresh to make OCHRE stronger.[88] With this process imminent, we believe that a state-wide healing framework would provide a strong, coordinated focus for moving forward and, among other things, clarify how government agencies will incorporate a healing-informed approach to carrying out their everyday business. A framework would also provide greater visibility of the range of significant efforts already underway in NSW to promote healing, including those delivered by the NSW Government under the mantle of OCHRE but also other relevant government reforms such as the Stolen Generations Reparation Scheme and the provisions within the *Aboriginal Languages Act 2017*.

In addition, the NSW Government has carried out a range of activities related to healing, including:[89]
- Statements being made in May 2017 by the NSW Premier and Ministers on the 20th anniversary of the *Bringing Them Home* report.
- Publicly acknowledging the historic wrongs of past government policies relating to forcible removal.
- Making monetary reparations recognised in *Unfinished Business* as an essential step to clear the way for broader community healing and truth-telling measures.

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[84] The initiatives include Connected Communities, Opportunity Hubs, the Aboriginal Economic Development Framework, Aboriginal Language and Culture Nests and Local Decision Making.

[85] Aboriginal Affairs NSW, *OCHRE: Opportunity, Choice, Healing, Responsibility, Empowerment – NSW Government Plan for Aboriginal affairs: education, employment & accountability* (OCHRE Plan), April 2013, pp.11-12.

[86] Advice provided at meeting with Aboriginal Affairs and the Healing Foundation, July 2018.

[87] NSW Ombudsman, *Responding to Child Sexual Assault in Aboriginal Communities*, December 2012. Recommendation 1.

[88] Aboriginal Affairs NSW, *OCHRE: Five years on*, December 2018.

[89] https://www.aboriginalaffairs.nsw.gov.au/healing-and-reparations/stolen-generations.

- Providing personal letters of apology and face-to-face apologies to individual survivors of the Stolen Generation.
- Establishing and supporting the Stolen Generations Advisory Committee and Stolen Generations organisations to give survivors an influential voice in the implementation of healing and related initiatives.
- Installing memorials at Central and Kempsey railway stations, with other memorials and keeping places to come.
- Improving access to records – one of a number of truth-telling measures aimed at helping survivors, families and communities reconnect with each other.

3.1 Monitoring and assessing OCHRE's healing commitments

The observations and recommendations in this chapter are based on our direct engagement with Aboriginal communities, as well as with Aboriginal Affairs NSW and the funded Healing Foundation. We have also drawn on our attendance at state-wide and regional healing forums, where we observed firsthand, the process developed under OCHRE to advance conversations about healing between Aboriginal communities, government agencies and non-government services. In addition, we have reviewed reports prepared by Aboriginal Affairs and the Healing Foundation about the state-wide and regional healing forums, and material provided by Aboriginal Affairs in response to our requirement for information. Unlike other discrete initiatives, healing was not within the scope of the Social Policy Research Centre, NSW's (SPRC) independent evaluation of OCHRE.

3.2 OCHRE's healing commitments in context

Formal government support for healing in Australia can be traced back to the 1997 National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families. Among the many recommendations of the resulting report, *Bringing Them Home*, was that healing and wellbeing perspectives should be included in services provided to members of the Stolen Generations.[90] In response to that report, on 18 June 1997, the Premier of NSW issued an unreserved apology to the Aboriginal people of NSW for the policies and practices that led to the removal of generations of Aboriginal children from their families.[91] A decade later, following the National Apology to the Stolen Generations in 2008, the Council of Australian Governments (COAG) agreed to fund the establishment of a national 'healing foundation' to address the harmful legacy of colonisation, in particular the history of forced child removal.

The Aboriginal and Torres Strait Islander Healing Foundation was established in October 2009, with the Commonwealth Government committing $26.6 million over four years to fund programs in collaboration with state and territory governments and Indigenous organisations and communities. The Commonwealth Government has since funded the Healing Foundation on an annual basis, with some additional funding provided by other jurisdictions. In the decade since its establishment, the Healing Foundation has implemented a substantial program of research, public education, capacity building, accredited training, policy engagement, public reporting, monitoring and evaluation. One fifth of its work between 2010-2017 was carried out in NSW.[92] As discussed in section 3.3, the Healing Foundation has been an important partner for Aboriginal Affairs in progressing OCHRE's healing commitments.

Between 2013-2017, the Royal Commission into Institutional Responses to Child Sexual Abuse provided a strong indication of the extent of trauma experienced by Aboriginal people as a result of child sexual abuse, with 14% of those who came forward to tell their story of institutional abuse identifying as Indigenous.[93] The Commission made a number of specific recommendations about healing for Aboriginal people, including that federal, state and territory governments 'should fund Aboriginal and Torres Strait Islander healing approaches as an ongoing, integral part of advocacy and support and therapeutic treatment service system responses for victims and survivors of child sexual abuse' and that these 'approaches should be evaluated

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[90] Human Rights and Equal Opportunity Commission, *Bringing Them Home: Report of the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families*, April 1997. Recommendation 33a.
[91] With Premier Bob Carr's apology on 18 June 1997, NSW was the first Parliament to respond to *Bringing Them Home*. https://www.findandconnect.gov.au/guide/nsw/NE01264, accessed July 2019.
[92] Healing Foundation, *Annual Report 2016-2017*, 2017, p.9.
[93] Advice provided by Healing Foundation, December 2018; Healing Foundation, Restoring our Spirits: Reshaping our Future, 2016, p.3 and L*ooking Where the Light Is: creating and restoring safety and healing, 2018.*

in accordance with culturally appropriate methodologies, to contribute to evidence of best practice'.[94] In response, the Commonwealth Government noted that funding healing initiatives were a matter for state and territory governments, while the NSW Government indicated 'in principle' support for the recommendation.[95]

3.2.1   Healing in NSW

According to the Healing Foundation, which has a national focus, government support for healing is most advanced in NSW.[96] In our 2011 report, we noted recent growth in Aboriginal healing initiatives across the state. We profiled two well-regarded initiatives – Red Dust Healing and Rekindling the Spirit – and highlighted the need for sustained government support of successful programs that have received strong endorsement from communities.[97] In 2012, Aboriginal Affairs released a discussion paper outlining four key areas where government has a role to play in supporting healing and wellbeing for Aboriginal communities:

- encouraging greater recognition and respect for Aboriginal people and culture
- undertaking research and helping to build an evidence base
- providing a commitment to fund Aboriginal healing programs, and
- ensuring government policies and programs expressly recognise healing for Aboriginal communities as an outcome.[98]

In the same year, our report to Parliament *Responding to child sexual assault in Aboriginal Communities,* recommended that a state-wide healing strategy be developed by the NSW Government with Aboriginal communities and the Healing Foundation, along with more consistent funding for healing programs and evaluation of existing programs to grow an evidence base for healing.[99] When OCHRE was released in 2013, healing was included as a priority area – a significant symbolic gesture that was followed by the establishment of dedicated staff within Aboriginal Affairs to coordinate related work.

In 2014, Aboriginal Affairs partnered with the Healing Foundation to deliver a state-wide OCHRE healing forum, followed by six regional forums. The OCHRE Plan also includes a number of specific initiatives aimed at fundamental aspects of individual and community healing which Aboriginal people have identified.

Outside of OCHRE, the NSW Government has made other important investments in support of healing. Most notably, following a 2016 parliamentary inquiry,[100] it established a Stolen Generations Reparations Scheme including:

- ex gratia payments of up to $75,000, plus $7,000 in funeral assistance payments, to all surviving children removed by the Aborigines Welfare Board, in recognition of their loss of connection to their family and culture
- a grant-based Stolen Generations healing fund to support priority healing initiatives such as healing centres, keeping places and memorials
- financial support over a 10 year period to Stolen Generations organisations to enable ongoing advocacy for the needs of survivors and descendants and inform/lead the development of healing initiatives
- a Stolen Generations Advisory Committee to provide a formal feedback mechanism between government and survivors, and
- a cultural awareness and trauma informed online training package for NSW public servants.

By 30 June 2018, $31.8 million in reparations payments had been made to 441 survivors removed by or committed to the Aborigines Welfare Board; $2.9 million was provided in Funeral Assistance Fund payments; and the NSW Government had provided a written apology to each Stolen Generations survivor who received

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[94] Commonwealth of Australia, *Final Report Recommendations from the Royal Commission into Institutional Child Sex Abuse,* December 2017, Recommendation 9.2, p.30.
[95] NSW Government *Response to the Royal Commission into Institutional Responses to Child Sexual Abuse,* June 2018, response to Recommendations 9.1-9.3, pp.23-24.
[96] Advice provided by Healing Foundation, December 2018.
[97] NSW Ombudsman, *Addressing Aboriginal disadvantage – the need to do things differently,* October 2011.
[98] Aboriginal Affairs NSW, 'It's all about healing …' A discussion paper about wholeness and healing within Aboriginal communities in NSW, June 2012, p.16.
[99] NSW Ombudsman, *Responding to Child Sexual Assault in Aboriginal Communities,* December 2012. Recommendation 1.
[100] NSW Legislative Council General Purpose Standing Committee No.3, *Unfinished Business - Reparations for the Stolen Generations in NSW,* June 2016.

a payment, in recognition of the harm and trauma they experienced as a result of past government policies.[101]

The implementation of Aboriginal languages legislation has also focused attention on the connection of culture to healing, and prompted an ongoing dialogue promoting cultural revitalisation in NSW. The 2017 passage of the *Aboriginal Languages Act 2017*, which aims to protect and revitalise the state's vulnerable Indigenous languages and cultures, has been identified by Aboriginal people as a healing act.[102] Meanwhile reforms to expedite longstanding land claims have the potential to deliver social, cultural and economic benefits that would provide practical redress and healing for Aboriginal people.[103]

3.3   The OCHRE healing forums

The state-wide and regional healing forums organised by Aboriginal Affairs and the Healing Foundation have been a primary vehicle for 'advancing the dialogue' about healing in NSW. Local Decision Making (LDM) Regional Alliances have been involved in the majority of these forums, and the NSW Coalition of Aboriginal Regional Alliances (NCARA) has maintained a strong interest in healing, continuing a dialogue with the NSW Government through the relationships built via the LDM model.

3.3.1   *Healing Our Way* state-wide forum

Aboriginal Affairs allocated $100,000 from within its operating budget to fund the *Healing Our Way* forum. Held on 23 July 2014,[104] the forum brought together more than 200 delegates representing 68 organisations, as well as Aboriginal leaders, from across the state. Following the forum, Aboriginal Affairs produced a report summarising the discussions that occurred.[105] A key outcome was agreement that, while Aboriginal people should lead healing, the NSW Government should develop a framework for healing – in partnership with Aboriginal people and communities – which:
* outlines government's understanding of what healing is and how it can support healing
* enables healing to be integrated into government policies and practices
* guides investment in Aboriginal people and communities to achieve healing outcomes, and
* builds cultural competency within government agencies.[106]

The forum also called on the NSW Government to support Aboriginal communities to hold local forums to enable them to 'determine their own priorities and ways of healing'.[107]

3.3.2   Regional healing forums

Six regional healing forums were held in 2017 and 2018, providing an opportunity for interested communities and government and non-government agencies to engage directly in discussions about intergenerational trauma and healing; identify local and regional opportunities to improve the way government and non-government organisations work with communities; and build local partnerships and support for healing.[108] The forums, which attracted more than 600 participants,[109] were funded through a partnership agreement between Aboriginal Affairs and the Healing Foundation.[110] An expression of interest process was used to select the locations for the forums, which were then progressed with the following local planning committees:
* **Mount Druitt** – hosted by the Baabyan Aboriginal Corporation
* **Riverina Murray** – hosted by Riverina-Murray Regional Alliance (RMRA)
* **Central Coast** – hosted by Barang Regional Alliance

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[101] Advice provided by Aboriginal Affairs NSW, July 2019.
[102] Advice provided by the Healing Foundation, July 2018.
[103] Aboriginal Land Agreements page on Aboriginal Affairs website, accessed 19 February 2019.
[104] Advice provided by Aboriginal Affairs NSW, May 2018.
[105] Aboriginal Affairs NSW, *Mapu Yaan Gurri, Mapu Marrunggirr Healing Our Way*, report of the NSW Healing Forum 23 July 2014, February 2015.
[106] Aboriginal Affairs NSW, *Mapu Yaan Gurri, Mapu Marrunggirr Healing Our Way*, report of the NSW Healing Forum 23 July 2014, February 2015, p.6.
[107] Aboriginal Affairs NSW, *Mapu Yaan Gurri, Mapu Marrunggirr Healing Our Way*, report of the NSW Healing Forum 23 July 2014, February 2015, p.6.
[108] Aboriginal Affairs NSW, *OCHRE Healing Forums*, https://www.aboriginalaffairs.nsw.gov.au, accessed 15 February 2019, p.1.
[109] Aboriginal Affairs NSW, *OCHRE Five years on*, December 2018, p.15.
[110] Advice provided by Aboriginal Affairs NSW, May 2018.

- **Clarence Valley** – hosted by Gurehlgam Aboriginal Corporation
- **Three Rivers** – hosted by Three Rivers Regional Assembly (TRRA), and
- **Kempsey** – hosted by Kempsey Healing Together Local Planning Committee.

The planning committees in each location included various types of expertise and capacity, reflecting the different organisations and community governance structures hosting them. For example, one host organisation (Gurehlgam Aboriginal Corporation in Clarence Valley) runs a healing centre and three of the six forums (Riverina Murray, Central Coast and Three Rivers) were hosted by Regional Alliances already involved in regional planning and decision-making. In each location, particular goals and themes were identified to guide the focus of the forum. These included healing and support for young parents; trauma and its effects; and social and emotional wellbeing for young people.[111]

The Healing Foundation has prepared reports summarising five of the forums, with a sixth report (about the Kempsey forum) still to be finalised. In due course, the organisation also plans to publish a summary of the outcomes arising from all of the regional forums. Our review of the individual reports and consultations with the Healing Foundation indicate that, while the regional forums covered diverse ground, common themes and priorities which emerged include:
- **The forums themselves were healing**, and have helped to increase awareness and understanding of trauma.
- **There is a strong appetite within communities for more knowledge about trauma and its effects**. Much of the focus to date has been on training workers to be trauma-informed, however, Aboriginal community members are also very keen to learn.
- **The intergenerational trauma burden is pervasive**. Many families are grappling with a deep sense of loss and grief and this causes particular stress and distress for children and young people. Service systems are not in place to provide the help that is needed.
- **Trauma-informed practice needs to be embedded in services**, including through workforce development.
- **Institutionalised racism across service systems** is commonly experienced by Aboriginal people. There is a need to raise awareness of the impacts of institutionalised racism and to address it within services systems.
- **There is a need for cultural healing spaces**, where communities and families can come together and access various services and programs to support healing.
- **Healing is happening in various ways**, including via language, culture revitalisation and economic development.
- **Self-determination is a key element of healing**. Participation in the Local Decision Making and Empowered Communities initiatives may be healing. A 'healing lens' needs to be applied to this work.
- **Healing should be strengths-based and aspirational**, emphasising a focus on recovery and hope.
- **There is an ongoing need for truth-telling processes** that make it possible for individuals and communities to safely express and receive acknowledgement of their experiences of trauma.

The forums also highlighted the many strengths of Aboriginal communities, including a strong healing leadership that provides substantive building blocks for healing to progress on an individual, family and community level in NSW. It was evident from the healing forums that culture is alive and thriving in NSW, and that communities are drawing from their shared wisdom to develop strong resilience.[112]

The stakeholders who participated in the forums, including both government and non-government service providers, expressed a willingness and enthusiasm for supporting community-led healing, and it was evident that the forums were a process that allowed trust to be built and networks strengthened to support this goal.[113] This is promising, given that the healing forums identified the need to raise awareness of structural racism and how it can impact on the delivery of services to Aboriginal people.

To date, no funding has been allocated specifically to assist communities to respond to the issues and priorities identified at each of the regional healing forums.[114] However, we understand that a number of the

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[111] Regional healing forum reports on Healing Foundation's website, accessed 4 February 2019.
[112] Advice from Healing Foundation, July 2019.
[113] Advice from Healing Foundation, July 2019.
[114] Advice provided by Aboriginal Affairs NSW, May 2018.

planning committees have been active in seeking to maintain the momentum generated by the forums. For example, the Regional Alliances have sought to include healing in their Accord negotiations.[115] In the following section, we discuss how the themes and priorities identified by the forums should inform government support for healing going forward.

3.4 Consolidating and strengthening support for healing

It was strongly emphasised by participants at the OCHRE healing forums that because cultural perspectives are central to the process, Aboriginal communities and Elders must lead healing.[116] This position is also consistent with the key principles of self-determination: choice, participation and control.[117]

As we emphasised almost a decade ago in our report, *Addressing Aboriginal disadvantage*, it is critical that government works in genuine partnership with Aboriginal leaders to build 'social and economic capital' within Aboriginal communities.[118] In this regard, healing should be embedded in a broader approach to place-based service delivery, linked to the provision of related support services; economic and education opportunities; and community development.

Significant progress has been made in NSW to realise this goal, including through the Local Decision Making initiative under OCHRE and work to develop place-based approaches to delivering services and economic opportunities, most notably in Bourke. However, as we discuss in the section on place-based service delivery in Chapter 9, there is still considerable scope for more consistent, strategic engagement of Aboriginal leaders and communities in planning and decision-making processes about matters affecting them.

3.4.1 Aboriginal people want access to knowledge about trauma and its impacts

The regional healing forums made clear that Aboriginal communities want more access to knowledge about trauma, its impacts, and strategies and services that can assist with healing and recovery. This knowledge is seen as critical to empowering individuals and communities to move toward healing.[119] As we discuss in the section below, Aboriginal communities also made clear that government and non-government service providers need to ensure that their workforces are 'healing aware' and that their practices are 'trauma informed', which involves understanding the cumulative impact of past trauma on the present day circumstances of certain people.

Since 2010, the Healing Foundation has funded more than 175 community organisations to lead and develop healing projects. A 2012 review by the Foundation of funded projects found that community education programs had helped communities to understand:
- the historical basis of trauma in Aboriginal communities and how this is passed from one generation to the next
- the manifestation of trauma in communities through behaviours such as domestic and family violence, substance abuse, and disengagement from education and employment
- the profound impact of loss and grief on children, families and communities, and
- lateral violence as an expression of historical trauma, racism and disadvantage.[120]

According to the Healing Foundation:

> *The qualitative data strongly shows that understanding trauma and the development of coping skills can lead to profound changes within families and communities. It is often the catalyst for individuals taking ownership over their emotional and social wellbeing, engaging with existing support services and reaching out to families and communities for emotional support. Through the*

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[115] Advice provided by Healing Foundation, December 2018.
[116] Aboriginal Affairs NSW, *OCHRE Five years on*, December 2018, p.16; *Mapu Yaan Gurri, Mapu Marrunggirr – Healing Our Way*, report of the NSW Healing Forum 23 July 2014, February 2015, p.6.
[117] Australian Human Rights Commission, *Community Guide to the UN Declaration on the Rights of Indigenous Peoples*, December 2010, p.24.
[118] NSW Ombudsman, *Addressing Aboriginal disadvantage: the need to do things differently*, October 2011 (Chapter 3: The importance of Aboriginal leadership in bringing about change).
[119] Advice provided by Healing Foundation, July 2018.
[120] Healing Foundation, *Training and Education – Journey to Healing*, June-November 2012, Volume 1, p.11.

training opportunities, individuals and communities are gaining a sense of hope and personal agency.[121]

Providing programs that increase awareness and understanding of trauma within Aboriginal communities is an important way of helping survivors to acknowledge their own trauma and manage its impacts constructively, including through seeking other services and supports.

3.4.2   Service systems must be culturally competent and trauma informed

Despite a high level of need, many Aboriginal people are reluctant to engage with services due to past experiences of institutionalised racism or being offered services that are not appropriate to their needs.

In order to be effective and avoid further trauma to clients, services used by vulnerable Aboriginal people need to be characterised by a demonstrated understanding of the effects of colonialism, intergenerational trauma and grief on Aboriginal people, and responsive to the needs of both individuals and communities.

As noted earlier, the Royal Commission into Institutional Responses to Child Sexual Abuse recommended that Commonwealth, state and territory governments should provide funding for Aboriginal and Torres Strait Islander healing approaches as 'an ongoing, integral part' of service system responses for victims and survivors of child sexual abuse and that these approaches should be evaluated via culturally appropriate methodologies.[122] The NSW Government accepted the recommendation 'in principle', advising that:

> *Culturally safe service delivery to Aboriginal people will be considered in options to improve community-based support services, noting that healing approaches will be central to this. The review of NSW Health violence abuse and neglect services will also consider the accessibility and appropriateness of services for Aboriginal people. This will be complemented by the work underway as part of Opportunity Choice Healing Responsibility Empowerment (OCHRE). Under OCHRE, the NSW Government is engaging in a dialogue with Aboriginal people and communities to develop a deeper understanding of how agencies can operate, engage and deliver services to Aboriginal people in a way that supports healing*[123]

Aboriginal communities and community-controlled organisations are both eager and equipped to identify the services that are needed and how these can operate in a culturally safe, trauma-informed and responsive way. They must be involved in shaping the design and implementation of services and programs for their communities and, ideally, directly deliver these services.

We acknowledge the critical importance of giving Aboriginal children, and people generally, a choice of service providers in their local communities, and that it should not be assumed that Aboriginal children only wish to receive services from Aboriginal organisations. However, there would be value in the Aboriginal community-controlled sector playing a lead role in developing models of 'trauma-informed' practice for Aboriginal children in out-of-home care (OOHC). Some Aboriginal organisations already have a strong track record in this area. For example, on the Far North Coast, Burran Dalai operates the Holistic Aboriginal Preventative Pathways Initiative (HAPPI Clinic), which provides trauma-informed neurological assessments and individual therapeutic change plans (behavioural management) for families, children and young people, wellbeing counselling and trauma-informed consultations for foster carers.

For the Aboriginal community-controlled sector to take on more substantial responsibility for designing and delivering a greater share of services to Aboriginal people, ongoing support is needed to build its capacity and this should be a focus of the recommended state-wide healing framework.[124] As we have emphasised in other reports, the highly regarded NSW Health Education Centre Against Violence (ECAV) also has an important role to play in this area. ECAV has been working with Aboriginal communities since 1985,

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[121] Healing Foundation, *Training and Education – Journey to Healing*, June-November 2012, Volume 1, p.11.
[122] Commonwealth of Australia, *Final Report Recommendations from the Royal Commission into Institutional Child Sex Abuse*, December 2017, Recommendation 9.2.
[123] NSW Government *Response to the Royal Commission into Institutional Responses to Child Sexual Abuse*, June 2018, response to Recommendations 9.1-9.3, pp.23-24.
[124] In saying this, we acknowledge the need to provide Aboriginal people with options in terms of provision of services and care, and do not advocate that the Aboriginal community-controlled sector should be the only avenue for service provision to Aboriginal people.

providing state-wide specialised training, consultancy, clinical supervision, policy advice and resource development for Aboriginal (and non-Aboriginal) frontline workers and community members.

It should be noted that building the capacity of the Aboriginal community-controlled sector is also a form of healing in itself, through supporting greater self-determination and employment opportunities for Aboriginal people.

Cultural capability of the public sector

While building the capacity of the Aboriginal community-controlled organisation sector is critical, a culturally capable public sector is also necessary given that government agencies have enormous influence over the design and delivery of services and programs to Aboriginal people, even where they do not directly provide such services, but rather commission and fund them.

The Healing Foundation, our office and other stakeholders have all stressed that growing a well-qualified Aboriginal workforce across both the government and non-government service sector is an important way of building cultural competence in the service system. In NSW, some progress has occurred in this area but more is required. Pleasingly, as we discuss in Chapter 6, the new NSW Public Sector Aboriginal Employment Strategy (released in July 2019), has increased the target for Aboriginal employment across the public sector from 1.8% (by 2021) to 3% by 2025, supported by a range of measures to support a pipeline of Aboriginal talent and career development.[125]

However, we have also emphasised for many years that agencies should not be overly reliant on their Aboriginal staff to 'achieve' cultural competence and that, particularly in client-facing roles that involve working with vulnerable Aboriginal people (for example, disability, aged care, health, justice and child protection services), it is critical that *all* staff have a proficient level of cultural competency. With this in mind, we have previously recommended that ECAV should have its funding enhanced to allow it to play a much greater role in developing cultural competency – either through the direct provision of training, or through the provision of support in developing training strategies.[126]

We have also emphasised that government agencies need to develop comprehensive strategic plans for the delivery of culturally competent services to Aboriginal people, which move beyond the provision of cultural awareness training.[127] As part of the NSW Government's package of initiatives to provide reparations for survivors of the Stolen Generations, the Public Service Commission is currently preparing an online cultural awareness training package for public sector employees in NSW. This is a positive initiative, and we have encouraged the Public Service Commission to consider the benefits of also developing a broader cultural capabilities framework that would apply from recruitment onwards to all NSW public sector employees. Again, we were pleased to learn in July this year, that the new NSW Public Sector Aboriginal Employment Strategy has committed to cultural capability, trauma-informed training and other measures to actively grow the cultural capability of the entire NSW public sector workforce.[128] We have committed to support the work of the Public Service Commission as it develops the necessary frameworks to monitor and evaluate the impact of this approach. Case study 1 illustrates the leadership shown by the former NSW Department of Family and Community Services (FACS) in this area, including the processes it has used to continually monitor and assess progress toward increasing the cultural capability of its workforce.

Case study 1: FACS' Aboriginal Cultural Capability Framework

FACS' Aboriginal Cultural Capability Framework 2017-2021[129] sets out the expectations and levels of cultural competency that the organisation expects its workforce to achieve over time. It establishes a range of capabilities, progressing along a continuum from cultural

[125] NSW Public Service Commission, *NSW Working together for a better future – NSW public sector Aboriginal employment strategy, 2019-2025,* July 2019.

[126] NSW Ombudsman, *Responding to child sexual abuse in Aboriginal communities*, December 2012, Recommendation 88(c); *The JIRT partnership: 20 years on*, October 2018 (Chapter 13 – Practice suggestions).

[127] NSW Ombudsman, *Responding to child sexual abuse in Aboriginal communities*, December 2012, p.275.

[128] NSW Public Service Commission, *NSW Working together for a better future – NSW public sector Aboriginal employment strategy, 2019-2025,* July 2019.

[129] Department of Family and Community Services, *Aboriginal Cultural Capability Framework 2017-2021*, https://www.facs.nsw.gov.au, accessed 27 March 2019.

awareness to cultural responsiveness, within the domains of leadership, accountability, practice, relationships and workforce. For example, in the workforce domain, cultural awareness is when 'Non-Aboriginal FACS staff are aware of the importance of employing Aboriginal staff' and 'Aboriginal staff numbers are targeted at the per capita population percentage', but cultural responsiveness is reached when 'Aboriginal staff are supported by FACS to provide their culturally specific expertise and community engagement, and this is valued by all staff and the organisation', 'Aboriginal staff numbers are targeted proportionate to the percentage of Aboriginal clients in each service stream' and 'Measures are implemented to increase the number of Aboriginal staff in management and executive streams'.[130] The framework is supported by an on-line self-assessment tool designed to guide and measure growth in the cultural capability of FACS' workforce.

While not all agencies or staff have the same level of direct engagement with Aboriginal people as FACS, embedding cultural capability as a key requirement for all public sector employees will demonstrate significant leadership on the part of the NSW Government.[131]

3.4.3 Prioritising the needs of children and young people affected by intergenerational trauma

A strong focus at almost all of the regional healing forums was how to address the needs of children and young people affected by intergenerational trauma, in order to break the cycle of its dysfunctional impacts.[132] In Western Sydney and on the Central Coast, it was identified that more needs to be done to address the mental health, parenting and other support needs of young parents, including the provision of culturally safe places for families to come together to heal and grieve, connect with others, and access services and supports (see section 3.4.5).[133] Further, in the Clarence Valley, it was agreed that there was a need for a targeted youth healing strategy to address high rates of youth suicide, drug use, early engagement with juvenile justice and youth homelessness.[134]

The importance of investing in young Aboriginal leaders in communities was also strongly emphasised at the healing forums. Recognising that young people are best placed to identify their own needs and solutions, community members spoke of wanting to see young people 'take their place as emerging leaders and to have opportunities to connect strongly with their cultural, physical and spiritual wellbeing'.[135]

Given the high level of need identified where Connected Communities schools are in place, the Connected Communities strategy has incorporated a specific healing and wellbeing model (see Chapter 9). Additional funding was provided to the participating schools over four years to allow them to provide tailored healing and wellbeing supports. Schools variously used the funds to appoint additional staff dedicated to student wellbeing, purchase critically needed support services, and provide various healing and wellbeing programs and activities.

Case studies 2 and 3 below highlight two examples of holistic school-based healing programs and strategies implemented by the Healing Foundation in partnership with Aboriginal communities in two Connected Communities schools in NSW and another Queensland.

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[130] Department of Family and Community Services, *Aboriginal Cultural Capability Framework 2017-2021*, https://www.facs.nsw.gov.au, accessed 27 March 2019.
[131] In this regard, we are aware of significant work being undertaken to build cultural leadership and competency across the Canadian public sector. See Canada School of Public Service, Indigenous Learning Series, https://www.csps-efpc.gc.ca/ils-eng.aspx, 20 February 2019.
[132] Aboriginal Affairs NSW, *OCHRE Five years on*, December 2018, p.18.
[133] Healing Foundation, *Report of the Barang Regional Alliance and Mount Druitt NSW OCHRE Healing Forums*, June 2018.
[134] Healing Foundation, *Report of the Clarence Valley NSW OCHRE Healing Forum*, June 2018.
[135] Aboriginal Affairs NSW, *OCHRE Five years on*, December 2018, p.18.

Case study 2: Addressing intergenerational trauma in Bourke and Brewarrina

At Brewarrina Central School and Bourke High School (both Connected Communities schools), the Healing Foundation supports two innovative projects aimed at addressing the effects of intergenerational trauma on young people.

A school-community partnership approach is adopted to deliver a carefully designed long-term strategy to improve educational, social and emotional wellbeing outcomes for students. A key aim is growing school and community capacity to understand trauma and how past government policies continue to impact local children and families.

Each school has an Aboriginal Healing Team, which helps inform program design and delivery, ensuring it is aligned with local culture and community strengths. Core elements of the program include:

- **Weekly yarning circles** for students to 'assist students and staff build strong relationships, grow understanding of how to manage and deal with life stresses, celebrate their cultural heritage and the strength it offers'.[136]
- **Family relationship strengthening activities** build the capacity and confidence of parents and carers to engage with their children and the school through cultural and recreational activities designed to strengthen bonding.[137]
- **Ongoing annual visits** to each school by the Healing Foundation, to provide professional guidance to enhance the skills of teachers and Aboriginal support staff in engaging with children and their families.

To grow the capacity of local services and educators to support Aboriginal students and families, a two day healing and wellbeing forum, including workshops on trauma delivered by expert trainers, was hosted by Bourke High School and the Healing Foundation in 2018. The forum was attended by local health service personnel, the school's Aboriginal Healing Team and staff from other specialist schools.[138] The Healing Foundation is now working with Bourke High School to develop a broader 'healing strategic vision' for the school, and capture longitudinal data about the impact of the yarning circles on issues such as attendance and engagement.[139]

Case study 3: Reducing the economic and social costs of trauma: the Murri School healing program

Since 2012, the Healing Foundation has been supporting the Murri School, an independent school for Aboriginal and Torres Strait Islander children in Queensland, to bring together family support workers, psychologists, medical and allied health professionals, and trauma-informed teachers to create a culturally appropriate and supportive environment for students and their families.[140]

The school's healing program combines therapeutic interventions, service coordination, family case work, family camps, cultural and group activities, and efforts to re-connect students via educational and sporting activities.

In the six month period to June 2016, almost all of the 240 students at the school, along with 180 of their family members, took part in healing activities[141] including counselling sessions for children and parents, individual case management and family camps.[142] After participating in the programs, children told the Healing Foundation they felt more positive about school and family life, and more resilient in coping with stressful situations; while

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[136] Healing Foundation *Annual Report 2016-2017*, 2017, p.12.
[137] Healing Foundation, *Brewarrina Central School and Bourke High School Intergenerational Trauma Project*, https://healingfoundation.org.au, accessed 12 December 2018.
[138] Advice provided by Executive Principal of Bourke High School, September 2018.
[139] Advice provided by Healing Foundation, May 2019.
[140] Healing Foundation, *Annual Report 2016-2017*, 2017, p.12.
[141] Deloitte Access Economics, *Cost Benefit Analysis of the Murri School Healing Program*, February 2017, pp.ii and 30.
[142] Deloitte Access Economics, *Cost Benefit Analysis of the Murri School Healing Program*, February 2017, p.8.

parents reported feeling more engaged and empowered to provide and seek support.[143] Since the program began, school attendance rates are higher, and students are twice as likely to finish Year 12 compared to Indigenous students at other Queensland schools.

A cost benefit analysis by Deloitte Economics found that the Murri School program is reducing the burden on public funds, including:
- potentially reducing the number of children coming into contact with the child protection system by 18.5% and progressing through the system by 30%
- reducing the likelihood of their entering the juvenile justice system by nearly 14%
- significantly improving wellbeing and mental health factors, and
- improving long-term earning capacity as a result of better education outcomes.[144]

In Chapter 9, we recommend that the Department of Education should develop a strategy for better monitoring the delivery and impact of healing and wellbeing initiatives at Connected Communities schools to help build an evidence base for what is working well and providing 'value for money'. We have also recommended that that all teachers at Connected Communities schools should receive practical, context-specific training about the impacts of trauma on children and young people; the link between trauma and challenging behaviours; and strategies for engaging effectively with students affected by trauma.

The forthcoming discussion paper by the Healing Foundation about policy and practice issues relating to intergenerational trauma will draw on its formative evaluation, in partnership with the University of NSW, of its work with Brewarrina Central School and Bourke High School[145] (Case study 2). Along with the cost benefit analysis of the Murri School program (Case study 3), and closer monitoring of the healing and wellbeing initiatives at all Connected Communities schools, the discussion paper should be used by Education to develop and refine healing and wellbeing models for schools in all high need Aboriginal communities across NSW – not just those where Connected Communities schools are located.

3.4.4   Place-based approaches are needed to address community trauma and healing

Healing is both an individual and a community-wide issue for Aboriginal people. Support for healing needs to incorporate approaches that respond to the specific circumstances and needs of particular Aboriginal communities. Case study 4 illustrates how government agencies and local services have collaborated with community leaders to address healing needs in the town of Bowraville, where the local Aboriginal community has been profoundly affected by the murders of three Aboriginal children in the early 1990s, and the legal processes that followed.

Case study 4: Addressing healing needs in Bowraville

In the early 1990s, three Aboriginal children in the northern NSW town of Bowraville were murdered. In 2014, the families of the murdered children told a NSW Parliamentary inquiry of the profound impact on them and their community of the murders, and the failure to achieve a satisfactory resolution through the justice system. The inquiry's recommendations included that the NSW Government should identify and address the healing needs of the affected families.

After engaging a specialist to help understand the community's complex healing needs, the Head of Aboriginal Affairs declared 'Building community resilience in Bowraville' as a matter suitable for Solution Brokerage, the OCHRE initiative aimed at resolving significant issues of concern to Aboriginal communities that require multi-agency commitment.[146] The Secretary of the Department of Planning and Environment was appointed to lead the

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[143] Healing Foundation, *Annual Report 2016-2017*, 2017, p.12.

[144] Deloitte identified that while it cost approximately $3,190 more annually to educate a child at the Murri School compared to other schools in Queensland, this investment provides an estimated economic benefit of $6.5 million or $28,248 per student, in net present value (NPV) terms. In other words, they found that every dollar spent on healing is providing $8.85 in benefits or savings. The largest benefit identified was the saving from decreasing use of child protection services, being $3.9 million in NPV terms, or $17,105 per student at the Murri School (Deloitte Access Economics, *Cost Benefit Analysis of the Murri School Healing Program*, February 2017, pp.iii-iv).

[145] Advice provided by the Healing Foundation, May 2019.

[146] See Chapter 7 – Solution brokerage, p.156.

process, which aimed to ensure a coordinated, holistic cross-agency approach to support 'community resilience, cohesion, healing, social harmony and quality of life'.[147]

It was identified early on that for long-term, lasting improvement in Bowraville, there needed to be an investment in strong local governance arrangements, which involved Aboriginal community organisations. Jaanymili Bawrunga was established as a local governance group, with broad representation from Bowraville residents and service providers. It played a vital role in clarifying local needs and challenges and advising government.

A Bowraville Task Group, chaired by the Department of Premier and Cabinet and involving the agencies directly responsible for service provision in Bowraville, was also established as a cross-agency governance group. High level strategic direction and leadership was provided by the North Coast Regional Leadership Executive, which reported on progress and challenges to the Social Policy Senior Officers Group. Government and the community committed to open conversations about community needs and gaps in service delivery, and this was supported by three workshops that allowed Jaanymili Bawrunga to help agencies understand local priorities and develop a response plan.

The response plan included actions aimed at breaking down barriers to health and wellbeing that have affected the community for many years; they included refurbishing a medical clinic and space for allied health services, improving transport and access to community services, and various initiatives to support young people.[148] Many stakeholders reported that the most significant outcome, however, was 'bringing people together, fostering collaboration and unifying both the Aboriginal and non-Aboriginal community', resulting in a 'palpable shift in collaboration and community spirit' in Bowraville.[149]

While a unique set of circumstances were in play in Bowraville, the co-design approach that was used to plan a tailored response to the healing needs of the local community is applicable more widely. Constructive conversations between communities and government agencies began through the series of regional healing forums held in 2017 and 2018. However, to avoid the trust gained being lost, it is critical that agencies prioritise providing practical assistance to these communities to implement the healing priorities they have identified.

We understand that since the regional healing forums, a number of the local planning committees, and the Regional Alliances in particular, have been proactively progressing their identified healing priorities. In our view, it will be important for the Department of Premier and Cabinet (DPC) to take responsibility for working with Aboriginal Affairs and relevant Regional Leadership Executive groups to ensure that coordinated local plans are developed to guide the work of agencies in supporting these local communities to implement their priorities.

3.4.5   Aboriginal communities need healing places

Healing places have the potential to play a role in improving the health and wellbeing of Aboriginal people. Peaceful spaces, such as a native garden displaying sculpture and other artwork, can provide respite for those living in overcrowded homes, who have experienced violence in their home, or otherwise need a break from feelings of chaos and lack of control in their own lives and living environments.[150] For example, in Condobolin, a beautiful, peaceful native garden and yarning space, with Aboriginal design elements, carvings and language has been incorporated into the courtyard of the purpose-built Wiradjuri Study Centre, established with resources provided via a mining company partnership.[151] Healing centres can also provide a culturally safe environment for services to connect with Aboriginal run programs and clients, and

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[147] NSW Government, *Our Children, Our Future - Bowraville Solution Brokerage Response Plan*, August 2018, p.2.
[148] NSW Government, *Our Children, Our Future - Bowraville Solution Brokerage Final Report*, August 2018, p.2.
[149] NSW Government, *Our Children, Our Future - Bowraville Solution Brokerage Final Report*, August 2018, p.11.
[150] Advice provided by the Healing Foundation, December 2018.
[151] Wiradjuri Condobolin Corporation website, http://www.wiradjuricc.com.

for Aboriginal people to come together in designated 'yarning spaces' to discuss painful or sensitive issues.[152]

Evaluation and cost benefit analysis commissioned by the Healing Foundation points toward healing centres being sound investments in the wellbeing and healing of Indigenous communities.[153] In 2014, Deloitte Access Economics undertook a cost-benefit analysis, which revealed that the yearly costs of running a healing centre could be offset by just one person being diverted from re-incarceration.[154] There is also a strong body of evidence from Canada, which demonstrates that properly funded, and community administered, healing centres have led to significant reductions in many socially damaging problems, including suicide.[155] Despite this evidence, there is only one established healing centre in NSW (see Case study 5).

Case study 5: Clarence Valley Healing Centre and regional healing forum

The Clarence Valley Aboriginal Healing Centre is located on the traditional lands of the Gumbaynggirr, Bundjalung and Yaegl nations on the North Coast of NSW. It was established by the Gurehlgam Aboriginal Corporation, which also manages a cultural centre, an Aboriginal homelessness service, a family violence legal service and several youth programs, including a mental health program and a learning centre to support students suspended from school. Co-locating these services allows the healing centre to be accessible to people using other services and vice versa.

An initial grant of $75,000, provided by the Healing Foundation in 2013, allowed Gurehlgam to prepare a detailed plan to develop the healing centre. This involved an 18 month period of community consultations, negotiation with service providers, research and program development. Once the plan was complete, the Healing Foundation agreed to fund the implementation of the healing centre, and together with the Northern Pathways consortium, it continues to provide annual operational funding.

The centre operates according to a broad definition of healing and offers a range of programs, training, resources and activities; these include an Aboriginal women's wellbeing group; the Red Dust Healing program; a social club; a restorative justice program with local Council; a father and son didgeridoo group; and a peaceful healing garden where volunteers can also grow bush tucker and medicines. Traditional dance is offered through local schools and the Acmena Juvenile Justice Centre, and a series of gatherings, involving performance, language, Elders' storytelling and children's activities, is being planned to showcase the region's unique cultures. An art collective is being established to connect and support Aboriginal artists, and offer free training and opportunities to be commissioned by local agencies and businesses.

In addition, a partnership between the healing centre and the local Aboriginal Medical Service is supporting a team of 20 to enter the NSW Aboriginal Knockout Fitness Challenge. Gurehlgam also hosted the Clarence Valley regional healing forum in December 2017, where participants agreed that a Clarence Valley Healing Strategy is needed.

The Healing Foundation describes the desire of Aboriginal communities for designated healing places as a 'desperate need' that is currently unmet across the country. It was also a focus at several of the regional healing forums in NSW. For example, the Central Coast forum identified strong support for the establishment of a 'healing safe space' to provide programs and supports and allow people to connect with cultural identity.[156] At the Mt Druitt healing forum, the development of a healing strategy was endorsed including 'as a priority [for] the identification/establishment of healing spaces, places and opportunities

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[152] Advice provided by the Healing Foundation, December 2018.
[153] KPMG for the Healing Foundation, *Healing Centres Final Report*, 21 December 2012.
[154] Deloitte Access Economics for the Healing Foundation, *Prospective Cost Benefit Analysis of Healing Centres*, 22 July 2014, p.i.
[155] Aboriginal Healing Foundation (Canada), *Final report of the Aboriginal Healing Foundation*, Ottowa, 2006; cited in Healing Foundation, *Healing Centres Final Report*, 21 December 2012, p.4.
[156] Healing Foundation, *Report of the Barang Regional Alliance Healing Forum*, June 2018, p.21.

within and across communities'.[157] Meanwhile, the Riverina-Murray Regional Alliance healing forum identified the need to 'investigate the feasibility of establishing a family healing centre and identifying resources needed to support and sustain it' in order to enable 'family healing in places and spaces where grief and loss for the community can be addressed'.[158]

Given the strong need for healing places identified by Aboriginal communities, there should be a state-wide approach to supporting the establishment of these facilities, as part of a place-based approach to service planning and delivery.

3.4.6   Ongoing opportunities for 'truth-telling' should be provided

'Truth-telling' refers to the process of testifying to and raising awareness of the historical and ongoing impact on Aboriginal people of colonisation, dispossession and trauma. The Referendum Council, which was established to consult with Aboriginal and Torres Strait Islander people about their views on constitutional recognition, highlighted the immense importance of truth-telling to Aboriginal people in its 2017 final report incorporating the Uluru Statement from the Heart.[159]

The Healing Foundation and Reconciliation Australia have both highlighted the need for state-wide, regional and local truth-telling processes to address trauma and racism faced by Aboriginal and Torres Strait Islander people, improve relationships, and shape better policies, programs and ways of working.[160] A range of activities and mechanisms for truth-telling have been identified, including acts of recognition and memorials; sharing and re-storying through arts, performance and yarning circles; establishment of a national healing centre; and formal hearings to bear witness and capture stories.[161]

The OCHRE healing forums have made a valuable contribution to truth-telling, with participants describing being able to bear witness and speak their truth about past hurt and trauma, and experiences of racism, grief or loss. Non-Aboriginal people at the forums also described feeling very moved and gaining greater understanding of issues for Aboriginal people.[162] As part of a state-wide healing strategy, the NSW Government should consider how it can support ongoing opportunities for truth-telling by and as determined by Aboriginal communities, building on the recommendations contained in *Unfinished Business – the NSW Government's response to the General Purpose Standing Committee 3 report into reparations for the Stolen Generation*.[163]

3.4.7   Creating an evidence base to approach healing

In our 2012 report about responding to child sexual assault in Aboriginal communities, we observed that there were a number of well-regarded healing programs operating in NSW that had not been properly evaluated. We recommended that the NSW Government give consideration to developing a process for identifying and evaluating existing healing programs operating in NSW (and elsewhere) with the aim of building a solid evidence base in relation to the core components of successful programs.[164] More recently, the Royal Commission into Institutional Responses to Child Sexual Abuse has made the same recommendation.[165]

The regional healing forums across NSW provided a valuable opportunity for government agencies to build up knowledge about the healing needs in individual locations – including areas of commonality and points of difference – and where each of the participating communities was at in their healing journey. Each forum

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[157] Healing Foundation, *Report of the Mt Druitt Healing Forum*, June 2018, p.14.

[158] Healing Foundation, *Report of the Riverina-Murray Regional Alliance Healing Forum*, June 2018, pp.15-16.

[159] Commonwealth of Australia, *Final report of the Referendum Council*, 30 June 2017, p.15, accessed 1 April 2019.

[160] Reconciliation Australia and the Healing Foundation, *Truth Telling Symposium Report*, October 2018, p.24.

[161] Reconciliation Australia and the Healing Foundation, *Truth Telling Symposium Report*, October 2018, p.21. The Healing Foundation has produced a Stolen Generations schools kit to support educators in helping children and young people to understand the issue and support future generations to be better equipped to respond to the impacts of past policies in a considered and thoughtful way.

[162] Advice provided at meeting with Aboriginal Affairs and the Healing Foundation, July 2018.

[163] NSW Government, *Unfinished Business – The NSW Government's response to the General Purpose Standing Committee 3 report into reparations for the Stolen Generation*, June 2018.

[164] NSW Ombudsman, *Responding to Child Sexual Assault in Aboriginal Communities*, December 2012. Recommendation 1(c).

[165] Royal Commission into Institutional Responses to Child Sexual Abuse, *Final report: Advocacy, support and therapeutic treatment services*, 2017, Vol 9, Recommendation 9.2.

also identified particular areas for action going forward. It is critical that communities are supported to implement these actions, and processes should be established to evaluate their impacts.

As noted in section 3.4.3, the Healing Foundation's forthcoming discussion paper about policy and practice issues relating to intergenerational trauma will make an important contribution to the evidence base about addressing the healing needs of children and young people, as should closer monitoring by Education of the healing and wellbeing initiatives at all Connected Communities schools. The Healing Foundation is also developing a youth healing framework that aims to provide clarity and insights about how to meet the healing aspirations of young people. The NSW Government should also consider utilising the online healing portal, commissioned by the Healing Foundation and hosted by Health*Info*Net, to inform the development of a stronger evidence base for healing. The portal brings together information about what is working in Aboriginal and/or Torres Strait Islander healing and includes examples of best practice healing initiatives, the latest research and tools people can use to develop healing opportunities in their communities.[166]

3.4.8   A state-wide healing strategy

In 2012 we recommended that the NSW Government commit to developing a state-wide healing strategy. There was also consensus at the state-wide *Healing Our Way* forum in 2014 that the NSW Government should develop a 'state-wide framework for healing' in partnership with Aboriginal people and communities. In *OCHRE: Five Years On,* Aboriginal Affairs confirmed that it will 'continue to work with Aboriginal communities and stakeholders on the ways government can adopt healing as a core value and commitment in its relationships, decision making and service response'.[167] It has previously advised us that it will work with the Healing Foundation to develop 'a principles-based policy on healing and trauma-informed approaches to guide government work with Aboriginal communities and to understand government's role to support healing'.[168]

While a policy is commendable, we continue to hold the view that a state-wide framework, incorporating the elements outlined in sections 3.4.1-3.4.8, is required to provide the necessary visibility and coordination of, as well as accountability for, whole-of-government commitments to support healing. The strategy should make clear how government agencies will be held accountable for demonstrating 'healing and trauma-informed approaches' in carrying out their everyday business, as well as how the NSW Government will support co-designed place-based approaches to healing (such as the Bowraville case study) in high-need Aboriginal communities.

Finally, given that NSW has the largest Aboriginal population (and the highest proportion of Stolen Generations survivors),[169] and that Aboriginal communities have clearly identified a range of healing priorities, it is also timely for the NSW Government to consider providing the Healing Foundation with funding to support the expansion of targeted local healing initiatives. A recent national mapping exercise conducted by the Healing Foundation confirmed that there is considerable unmet demand for such initiatives.[170]

Recommendations

2. In partnership with the Healing Foundation, the Department of Premier and Cabinet (Aboriginal Affairs) should develop a state-wide healing framework, having regard to the outcomes of the regional healing forums held in 2017-2018 and the observations and recommendations in this chapter. In developing the strategy, consideration should be given to:

    a.   funding the Healing Foundation to support initiatives that provide education to Aboriginal communities about trauma, its impacts, and strategies and services that can assist with healing and recovery

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[166] Australian Indigenous Health*Info*Net, Healing portal, http://www.healthinfonet.ecu.edu.au, accessed 19 February 2019.
[167] Aboriginal Affairs NSW, *OCHRE Five years on*, December 2018, p.18.
[168] Advice from Aboriginal Affairs NSW, May 2018.
[169] Australian Institute of Health and Welfare, *Aboriginal and Torres Strait Islander Stolen Generations Aged 50 and over*, November 2018, http://www.aihw.gov.au/getmedia/32bddc34-2f4a-49d9-8f15-4e32bf2edcc1/aihw-ihw-199.pdf.aspx?inline=true, Accessed July 2019.
[170] Healing Foundation, *Annual Report 2017-2018*, 2017, p.5.

b. supporting the Aboriginal community-controlled organisation sector to build its capacity to develop models of trauma-informed practice and deliver more services to Aboriginal people, including by enhancing the role and funding of the Education Centre Against Violence to support this work

c. articulating relevant whole-of-government commitments and clarifying the obligation on public sector agencies to adopt healing and trauma informed approaches

d. developing a comprehensive cultural capabilities framework for NSW public sector employees, which applies from recruitment onwards and is supported by ongoing training and professional development delivered by the Education Centre Against Violence

e. ensuring that place-based approaches to service planning and delivery address the impact of intergenerational trauma, including through the establishment of healing places

f. supporting ongoing opportunities for truth-telling by and as determined by Aboriginal communities

g. building the evidence base for healing by investing in the evaluation, co-designed with Aboriginal people, of relevant programs, policies and initiatives, and in doing so, giving consideration to:
    i. the cost-benefit analysis of the Murri School healing program by Deloitte Economics
    ii. the Healing Foundation's forthcoming discussion paper on policy and practice issues related to addressing intergenerational trauma
    iii. closer monitoring of the delivery and impact of healing and wellbeing initiatives in Connected Communities schools (Chapter 9)
    iv. information contained in the online healing portal hosted by Health*Info*Net.

3. The Department of Premier and Cabinet should work with Aboriginal Affairs and relevant Regional Leadership Executive groups to develop local plans for assisting 'high-need' communities to implement the healing priorities they identified at the regional healing forums in 2017 and 2018.

4 Aboriginal Language and Culture Nests

Many Aboriginal people identify language revitalisation as an essential aspect of collective healing from grief, loss and intergenerational trauma.[171] Aboriginal Elders have also told us that transmitting language is crucial to teaching culture and respect, building confidence and strengthening a sense of identity in young people. From a public policy point of view, there are also compelling reasons to support language revitalisation for Aboriginal people. Aboriginal language and culture learning is associated with improved school attendance and retention for Aboriginal students,[172] and language revitalisation itself provides an employment pathway for Aboriginal people.[173]

It is now widely acknowledged that for a long period of Australia's history, Aboriginal languages and cultures were actively denied and suppressed as a result of government policies.[174] Despite concerted efforts to destroy Aboriginal languages and cultures, many Aboriginal people resisted and passed them on through their families and wider communities. Since the 1970s, language revitalisation has been openly pursued, involving countless hours of voluntary commitment by Aboriginal people and community-based organisations to establish language working groups, circles and forums, culture and language centres and language dictionaries.[175]

A 2011 report commissioned by Aboriginal Affairs NSW and prepared by Dr Shayne Williams, found that there had been 'considerable and vigorous' localised language revival in NSW.[176] Against this background,

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[171] Aboriginal Affairs NSW, 'It's all about healing ...' A discussion paper about wholeness and healing within Aboriginal communities in NSW, June 2012, pp.13-15.

[172] House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs, *Our Land Our Languages: Language Learning in Indigenous Communities*, September 2012, pp.24-25, 82-86.

[173] Aboriginal Affairs NSW, *OCHRE: Opportunity, Choice, Healing, Responsibility, Empowerment – NSW Government Plan for Aboriginal affairs: education, employment & accountability* (OCHRE Plan), April 2013, p.21.

[174] This is formally acknowledged in the preamble to the Aboriginal Languages Act 2017 (NSW), part (b), p.2; and in NSW Government, Unfinished Business: NSW Government Response to the Report into Reparations for the Stolen Generations, December 2016, p.5.

[175] For example, Elder, Dr Stan Grant Snr received an Order of Australia and honorary doctorate for his life's work in language recovery, including preparing and publishing (with Dr John Rudder) a Wiradjuri-English Dictionary.

[176] Williams, S, *The importance of teaching and learning Aboriginal languages and cultures: the triangularity between language and culture, educational engagement and community cultural health and wellbeing*, 2011, p.vii.

Aboriginal Language and Culture Nests (Nests) are contributing to the revitalisation, reclamation and maintenance of Aboriginal language and culture in NSW schools and local Aboriginal communities.[177] There are five separate 'Nests' across the state – each a network of communities bound together by their connection to a language. The role of the Nests is to support, continue and increase language teaching within the Nest communities and schools.

> *The Language and Culture Nest initiative … does not simply involve the teaching and learning of Aboriginal languages. It also involves the large-scale recovery, re-voicing and re-practising of Aboriginal languages and culture* – Aboriginal Education Consultative Group

The NSW Government's investment of over $4.4 million in the Nest initiative between 2014 and 2017, plus annual funding of between $1.6 and $2 million since then, recognises the fundamental right of Aboriginal people to revitalise and maintain traditional languages as an integral part of their culture and identity.[178] The Nest initiative was recommended by the Ministerial Taskforce for Aboriginal Affairs in 2012, after Aboriginal people from across NSW identified learning Aboriginal languages as their number one priority and something that needed to happen now before further language was lost.[179] The concept for the Nests was inspired by Maori language nests implemented in New Zealand pre-schools in the 1980s, which were credited with averting the loss of Maori language within a generation.[180] The Nest model was strongly endorsed by Aboriginal community members surveyed by the Ministerial Taskforce.[181]

Another key milestone has been the passing of the *Aboriginal Languages Act 2017* (NSW) to enable a strategic state-wide approach toward reawakening, nurturing and growing Aboriginal languages. The implementation of the Nest initiative, during the preceding four years, formed an important foundation for the legislation. Under the Act, an Aboriginal Languages Trust is to be constituted and a state-wide Aboriginal Languages strategy developed. Nest representatives played a key role in shaping the legislation, and continue to participate in an advisory body formed to establish the Trust.

We have observed significant efforts by community members, Nest Teachers and Tutors, and base school Principals towards establishing and building up the Nests. The Nest Teachers, in particular, have made an outstanding personal commitment: pioneering the Nest initiative and setting a strong foundation for the revitalisation of Aboriginal language and culture in schools and pre-schools. Considerable progress has been made in developing language and culture teaching resources and growing a workforce of Aboriginal teachers and tutors. Since the Nests commenced, there have been substantial increases in TAFE enrolments in Aboriginal language courses and considerable growth in Aboriginal language teaching qualifications. There is a strong appetite for expanding Nests to other communities, with many community members speaking positively about what has been achieved so far.

While significant gains have been made, the implementation process has not been 'smooth sailing'. Although the Nest initiative envisages a whole-of-community approach to language revitalisation, for a number of reasons, most of the activity has so far occurred in schools. The initiative was originally announced as a joint endeavour by the Department of Education (Education) and the NSW Aboriginal Education and Consultative Group Inc. (AECG). As a grassroots community organisation with a long history of promoting the value of revitalising Aboriginal languages and cultures in NSW, the AECG was well placed to partner with Education to implement the initiative. However, while they jointly carried out a range of activities, it would be another three years before the AECG was formally contracted to play its current, and more significant role, in co-leading and delivering the Nests initiative. This delay in setting the leadership

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[177] NSW Department of Education, *Aboriginal Language and Culture Nest Guidelines*, 2018, p.5.
[178] Aboriginal Affairs NSW, *OCHRE: Opportunity, Choice, Healing, Responsibility, Empowerment – NSW Government Plan for Aboriginal affairs: education, employment & accountability* (OCHRE Plan), April 2013, p.18.
[179] Ministerial Taskforce on Aboriginal Affairs, *Getting it right: The findings of the Round Two Consultations for the NSW Ministerial Taskforce on Aboriginal Affairs*, 2012, p.19.
[180] New Zealand's pre-school based *Kōhanga reo* (language nests) program is credited with averting loss of language within a generation, with 19% of Maori youth aged 15 to 24 now able to speak te reo Maori (House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs, *Our Land Our Languages: Language Learning in Indigenous Communities*, September 2012, p.103). The New Zealand program informed the development of Aboriginal Language and Culture Nests in NSW (Department of Education, *Aboriginal Language and Culture Nest Guidelines*, 2018, p.3).
[181] Of 427 people surveyed, 96% 'agreed' or 'strongly agreed' Aboriginal languages should be offered in schools and 94% said 'flexible and locally driven designs' are the key to successful culture and language initiatives. Ministerial Taskforce on Aboriginal Affairs, *Getting it right: The findings of the Round Two Consultations for the NSW Ministerial Taskforce on Aboriginal Affairs*, 2012, pp.19-21.

and governance of Nests undoubtedly impacted their ability to engage with communities from the outset, and to realise the initiative's full potential.

The delayed involvement of the AECG meant that formal Local Reference Groups – the community-based governance mechanism for the Nests – were not formed until almost four years after the initiative started, although some communities had had pre-existing Language Circles, which took on this role. In the original model, Nest coordinators ('Advisers') were to have been employed to support community engagement and coordinate a range of activities. However, these roles were never established, and it was not until late 2016 that project officers were appointed by the AECG to support each Nest. In addition, funding for each Nest was administered via a 'base school' in each region, which limited the work done outside of the school setting, and contributed to a common perception among Nest communities that the initiative was a solely school-based one. As well, operational guidelines to support the initiative, outlining roles and responsibilities, lines of accountability and the expenditure of funds, were not released until early 2018, contributing to a lack of clarity about the scope of the Nests initiative.

There has also been notable variation in levels of activity between Nests. Some differences are inevitable due to the individual circumstances and needs of each network of communities, but as we discuss later, some Nest locations appear to have been less 'ready' than others to host the initiative, giving rise to questions about the selection of Nest sites. One Nest, for example, was unable to recruit a suitably qualified language teacher for several years due to a lack of local speakers with the requisite language skills. These apparent differences in capacity, together with the short timeframe in which Education was required to roll out the initiative, created significant challenges at various points in time.

Overall, the Nest initiative is viewed by participating Aboriginal communities as having strong inherent value, and is making a positive contribution to the revitalisation of Aboriginal languages. We would support this view, as did the independent Stage 1 evaluation of two Nests by the Social Policy Research Centre (SPRC). Going forward, several issues need to be addressed to ensure the ongoing sustainability and 'value adding' capacity of the Nests; the most significant of these issues being the continuity of adequate funding and the settling of effective governance.

While there is a strong case for continued investment in the Nest initiative, a broader strategic approach to language revitalisation is essential given that all remaining Aboriginal languages in NSW have been identified as critically endangered.[182] In this regard, it will be vital for the Nest initiative to be recognised as integral to, and integrated with, the broader NSW Aboriginal languages strategy that will soon be developed under the Act. Stronger bilateral alignment and coordination will also be essential to maximise the outcomes of state and federally funded language revitalisation initiatives.

4.1   What is the Aboriginal Language and Culture Nests initiative?

The Nests initiative provides Aboriginal communities with opportunities to maintain, reclaim and revitalise their Aboriginal languages through linkages with schools, TAFE, universities and other community language programs or groups.

Each Nest is a network of communities bound together by their connection to an Aboriginal language.[183] Each Nest aims to support, continue and increase Aboriginal language teaching and learning within Nest communities and schools.

Five Nests were established at the outset of the initiative:
- **North West Wiradjuri Language and Culture Nest** – including Dubbo, Narromine, Peak Hill, Trangie, Gilgandra, Wellington and Mudgee (launched October 2013).
- **Gumbaynggirr Language and Culture Nest** – including Coffs Harbour, South Grafton, Bellingen, Urunga, Dorrigo, Northern Beaches, Sawtell, Toormina, Nambucca Valley and Orara (launched February 2014).
- **Bundjalung Language and Culture Nest** – including Lismore, Kyogle, Tweed Heads, Ballina, Evans Head, Woodenbong, Grafton, Tabulam, Coraki, Casino and Bonalbo (launched February 2014).

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[182] Aboriginal Affairs NSW, *OCHRE: Opportunity, Choice, Healing, Responsibility, Empowerment – NSW Government Plan for Aboriginal affairs: education, employment & accountability* (OCHRE Plan), 2013, p.18.
[183] Aboriginal Affairs NSW, *OCHRE: One year on*, 2014, p.9.

- **Paakantji/Baakantji Language and Culture Nest** – including Broken Hill, Wilcannia, Menindee, Bourke, Mildura and Coomealla (launched April 2014).
- **Gamilaraay/Yuwaalaraay/Yuwaalayaay Language and Culture Nest** – including communities of Collarenebri, Walgett, Lightning Ridge and Goodooga (launched May 2014).[184]

At least one further 'satellite' Nest has been established in Kempsey, supporting Dunghutti language and culture learning, since May 2018.[185]

The OCHRE Plan identified five key outcomes for the Nests initiative:
1. Improve knowledge of, and competency in, local Aboriginal languages.
2. Strengthen Aboriginal identity, pride and community resilience.
3. Increase the number of language learners.
4. Increase the number of language teachers.
5. Contribute to increased school attendance and retention.[186]

NSW Aboriginal Languages Act

The historic passage of the *Aboriginal Languages Act* on 24 October 2017 was a significant milestone, achieved with bipartisan support in the Parliament. The implementation of the Nest initiative, during the preceding four years, as the showcase Aboriginal language and culture program in NSW, had formed an important foundation for the languages legislation. Representatives from each of the five Nests took part in the consultations about the proposed legislation. We also attended several associated roundtable discussions.

When introducing the Bill to Parliament, the Minister for Aboriginal Affairs indicated that the genesis of the Aboriginal Languages legislation had been the Ministerial Taskforce consultations on Aboriginal affairs in 2012, which witnessed a 'strong groundswell to increase efforts to support communities revive their languages and for greater opportunities for students to learn first languages within schools'.[187] The legislation was modelled on similar laws in New Zealand and Canada.[188]

The preamble to the Aboriginal Languages Act recognises that 'Aboriginal people will be reconnected with their culture and heritage by the reawakening, growing and nurturing of Aboriginal languages' and that Aboriginal languages are 'part of the cultural heritage of New South Wales'. It also, importantly, acknowledges that Aboriginal people are the 'custodians of Aboriginal languages and have the right to control their growth and nurturing'.[189]

The Act establishes an Aboriginal Languages Trust, constituted as a NSW Government agency 'to provide a focused, coordinated and sustained effort in relation to Aboriginal language activities at local, regional and State levels'. The Trust will be overseen by a Board of members with relevant Aboriginal language skills, expertise or experience and appropriate standing in the Aboriginal community. Under the legislation, an Aboriginal languages strategic plan is to be prepared within two years, with an annual implementation review and an updated strategic plan at least every five years.[190]

In April 2018, the NSW Government announced the formation of a nine-member Aboriginal Language Establishment Advisory Group (ALEAG) to provide guidance and advice to Aboriginal Affairs about the establishment of the independent Aboriginal Languages Trust. The ALEAG includes two of the Nest Teachers and language representatives from four of the five Nest language groups.[191] As we discuss further in section 4.3.10, it will be important to ensure that there is a strategic and coordinated approach to support language

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[184] Aboriginal Education and Communities' Language and Culture page on Department of Education website, accessed 18 October 2018.
[185] Advice provided by NSW Department of Education, April 2019.
[186] Aboriginal Affairs NSW, *OCHRE: Opportunity, Choice, Healing, Responsibility, Empowerment – NSW Government Plan for Aboriginal affairs: education, employment & accountability* (OCHRE Plan), April 2013, p.21.
[187] Parliament of NSW, *Legislative Council Hansard*, 11 October 2017, p.7.
[188] Parliament of NSW, *Legislative Council Hansard*, 11 October 2017, p.8.
[189] Aboriginal Languages Act 2017 (NSW).
[190] Aboriginal Languages Act 2017 (NSW).
[191] Aboriginal Affairs NSW, ALEAG webpage, accessed 12 October 2018.

revitalisation in NSW, and that the Nest initiative is recognised as being an integral component of a future state-wide plan in this area.

4.2   Our approach to monitoring and assessing Nests

Since beginning to monitor and assess the implementation of the OCHRE Plan in July 2014, we have made a series of visits to the five Nest locations to observe firsthand how the initiative is operating. During these visits we met with Nest Teachers, Tutors and base school Principals as well as Aboriginal community members. We have also attended several two-day professional learning workshops for Nest Teachers and base school Principals in Sydney, and held regular liaison meetings with the Executive Director and senior staff of the Department's Aboriginal Education and Communities Directorate, which is responsible for the Nests initiative. In addition, we have formally required a range of information from Education about the implementation of the initiative, and have reviewed the quarterly reports provided to Education by the AECG in 2016 and 2017 to meet its contractual obligations.

We have also considered the independent evaluation of OCHRE by the SPRC, which includes an evaluation of the Gumbaynggirr and North West Wiradjuri Nests. These Nests were chosen in mid-2015 on the basis of their 'maturity' and the SPRC worked with the relevant communities to identify measures of success.[192] The Stage 1 evaluation reports were published in June 2018. We refer to the observations and recommendations from these evaluations, where relevant, throughout this chapter.

4.3   Implementation of the Nests initiative

Funding of $4.4 million for the Nests was originally committed to support the implementation of the initiative from 2014 to 2017. Since then, operational funding of between $1.6 and $2 million has been provided annually to continue the initiative.[193]

The process for implementing the initiative first involved selection of the five locations, with consideration for five pre-conditions that had been devised to test how 'ready' each site was to have a Nest established as part of the initiative. The Ministerial Taskforce had envisaged that Nests would be established in locations with the strongest foundation in Aboriginal language, with the intention that these communities would, over time, become exemplars for the implementation of Nests in other locations.[194]

4.3.1   Selection of Nest locations

Education partnered with the AECG to review potential locations for the Nests based on the following five 'pre-conditions' for success:
1.   The number of language speakers.
2.   The availability of language teachers.
3.   The availability of language resources.
4.   The level of commitment and activity around language revitalisation within local schools
5.   Proximity to the resources, infrastructure and support available through local communities and Regional Aboriginal Education Consultative Group (RAECG) networks, TAFEs, universities and schools.[195]

Data collected by Education which captured the potential of Nests against the identified preconditions was captured via consultations and other means at the time of assessment. However, it was not retained, and was therefore unable to be used to inform discussions about the 'readiness' of each language group to establish a Nest.[196] The failure to retain this data was a lost opportunity, as it would have provided a baseline for measuring the growth and progress of each Nest once it had been established. In addition, it is clear that two of the five Nests have found it considerably harder than others to recruit staff with the requisite language and culture capability and teaching skills to enable the Nest to engage a larger suite of

[192] Social Policy Research Centre, UNSW, *OCHRE Evaluation Plan (Overview and Stage 1)*, 2016, p.16.
[193] Advice provided by NSW Department of Education, March 2015, and by Aboriginal Affairs NSW and NSW Department of Education, July 2018.
[194] Ministerial Taskforce on Aboriginal Affairs, *Getting it right: The findings of the Round Two Consultations for the NSW Ministerial Taskforce on Aboriginal Affairs*, 2012, p.5.
[195] Aboriginal Affairs NSW, *OCHRE: Opportunity, Choice, Healing, Responsibility, Empowerment – NSW Government Plan for Aboriginal affairs: education, employment & accountability* (OCHRE Plan), April 2013, p.20.
[196] Advice provided by NSW Department of Education, May 2018.

schools. This difficulty suggests that the selection of these two sites may have been premature, as they have subsequently struggled to establish the workforce needed.

4.3.2   Setting up each Nest

Once the locations had been chosen, a series of community consultations were facilitated in each Nest region led by the AECG and Education between September 2013 and May 2014 to establish each of the five Nests.[197]

The OCHRE Plan had identified two key areas of activity for the Nests initiative. First, the Nests were to take a 'community-based approach' – recognising existing language skills and knowledge of Aboriginal community members. They were to provide opportunities for people to actively engage with the Nest, whether via learning or reconnecting with language and culture, as knowledge holders providing endorsement for language teachers and content, or being employed within a Nest as teachers of language and culture. Second, the Nests were to establish a program of language and culture teaching and learning within schools, from pre-school to Year 12, with the intention that learning pathways would lead on to TAFE and university.[198]

The overall aim of the Nest initiative, as envisaged in the OCHRE Plan, was that it would build a coordinated and strategic approach to Aboriginal language revitalisation.[199] To achieve this, links needed to be made between Aboriginal communities, schools, TAFEs and universities in language regions.[200] However, for reasons already noted, most of the activity in the first four years of the Nest initiative occurred within schools, and there was significantly less engagement by Nest communities with each of the Nests than had originally been envisaged.

From the outset, each Nest had a full-time Teacher and funding was provided to a 'base school', where the Nest Teacher was located.[201] The Principal of each Nest base school took responsibility for managing Nest administrative funds and employing Tutors to work in schools across the Nest region. Unsurprisingly, the way Nest funding was initially allocated contributed to the common perception among Nest communities that the initiative was solely school-based, and this limited community-based language activity by the Nests outside of the school setting. Nevertheless, as we set out in section 4.3.7, we have observed greater engagement by Nest communities occurring since late-2016, with the establishment of Local Reference Groups by the AECG and its employment of project officers to support them.

By early 2014, each Nest had been officially launched by the Minister for Aboriginal Affairs; Nest Teachers and base school Principals were in place; and teams of Tutors were being hired.[202] Nest Teachers and base school Principals were gearing up to launch (or in some cases it seems, extend) an ambitious program of language and culture teaching in Government schools and pre-schools. By the end of 2014, Aboriginal Affairs reported that 50 Tutors had been employed to teach language in schools and that each of these people held a TAFE qualification.[203]

The implementation of the Nests initiative in NSW has undoubtedly been unique and pioneering. Such an ambitious attempt, to enable Aboriginal language and culture learning to be scaled-up within and across Nest regions, had not been tried before. With the newness of this initiative, it was perhaps natural that it would evolve over time, particularly in response to operational constraints and other key issues raised by Nest communities. New elements like Keeping Places (see section 4.3.7) were added to the Nest model within the first year, and key issues raised by communities have been negotiated since then, leading to the

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[197] Advice provided by NSW Department of Education, March 2015.
[198] Aboriginal Affairs NSW, *OCHRE: Opportunity, Choice, Healing, Responsibility, Empowerment – NSW Government Plan for Aboriginal affairs: education, employment & accountability* (OCHRE Plan), April 2013, p.21.
[199] Aboriginal Affairs NSW, *OCHRE: Opportunity, Choice, Healing, Responsibility, Empowerment – NSW Government Plan for Aboriginal affairs: education, employment & accountability* (OCHRE Plan), April 2013, p.21.
[200] Aboriginal Education and Communities' Language, Culture and Communities page on NSW Department of Education website, accessed 18 October 2018.
[201] The one exception to this was the North West Wiradjuri Nest, which had its Teacher based at the Yarradamarra Centre on the TAFE Western campus in Dubbo, rather than at a base school for the first four years of the initiative.
[202] Each of the five Nests was launched by the Minister for Aboriginal Affairs between October 2013 and May 2014. Advice from NSW Department of Education, March 2015.
[203] Aboriginal Affairs NSW, *OCHRE: One year on,* 2014, p.12.

introduction of processes for recognition of prior learning and measures to protect Indigenous Cultural and Intellectual Property (ICIP) rights over language and culture resources.

4.3.3 Governance arrangements for the Nests

In the establishment phase, the Nests initiative was announced as being co-led by Education's Aboriginal Engagement and Communities directorate and the AECG. While the organisations partnered in selection of the Nests and other early engagements, as noted earlier, it would be another three years before the AECG was formally contracted by Education to co-lead the delivery of the the Nests initiative.

A range of key stakeholders was also originally included in a Strategic Advisory Group formed to support the implementation of Nests. However, we understand that these arrangements faltered as a result of numerous changes within Education's Nests leadership team. The considerable delays in settling the governance arrangements for Nests undoubtedly delayed and undermined the ability of Nest communities to fully engage with the initiative from the beginning.

The significant delay in developing operational guidelines for the initiative also impacted the effectiveness of Nests early on. Despite repeatedly raising concerns with Education about the need for operating guidelines, they were not released until early 2018, contributing to a lack of clarity about how the Nests should be operationalised, particularly outside of schools.

In addition, the original Nest model envisaged coordinators being employed to support community engagement and coordinate a range of activities, allowing Nest Teachers to focus on school-based program delivery. We understand that protracted contract negotiations between the AECG and Education led to these key roles remaining unfilled. It was not until mid-2016 when the AECG was contracted to support Keeping Places and community engagement, that Nest project officer roles were set up to fulfil the function originally envisaged as falling to the coordinator role to support each Nest and – as originally intended – that a Local Reference Group was formally established to guide and support each Nest. Under the terms of the AECG's current contract with Education, it is responsible for establishing a State-wide Steering Committee for the Nests.[204] However, to date, this committee has comprised only Education executives and the AECG.

4.3.4 Key roles and responsibilities

We summarise below the current key roles and responsibilities in relation to implementing the Nest initiative.

NSW Department of Education

Education is responsible for leading the Nest initiative in partnership with the AECG and Local Reference Groups. The Department's Aboriginal Education and Communities Directorate provides strategic advice and support to the Nests.[205] It has brought Nest Teachers and their Principals together each year for a two day professional learning workshop, and developed and released operational guidelines for the Nest initiative in 2018.[206] The Directorate is also responsible for managing Education's contract with the AECG (described below), and monitoring the implementation of outcomes.

Base school Principals had responsibility for administration of Nest funding including, until early 2019, employing the Nest Language Tutors to provide tuition across all of the schools in the Nest. Since 2019 the AECG has assumed responsibility for employing the majority of the Nest Tutors on a contract basis.[207]

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204 Advice provided by NSW Department of Education, May 2018.
205 NSW Department of Education, *Aboriginal Language and Culture Nest Guidelines*, 2018, pp.5-6, accessed 21 October 2018.
206 As noted in section 4.3.3 above, there was considerable delay in the release of operational guidelines for the Nests. They were not released until 2018, when the initiative was in its fifth year of operation.
207 Advice provided by NSW Department of Education, December 2018. Nest Tutors who also hold another role within a school – for example, School Learning Support Officer or Aboriginal Education Officer – are paid by the school, which is reimbursed by the NSW AECG Inc. for salary costs incurred in their role as a Tutor.

NSW Aboriginal Education Consultative Group

The AECG co-leads the Nest initiative with Education and Local Reference Groups.

Since June 2016, the AECG has been contracted by Education to support community capacity building and engagement with the Nests. This includes:
- supporting communities to identify sustainable Keeping Places
- establishing a Local Reference Group in each Nest
- developing and publishing materials to support the teaching of Aboriginal languages
- ensuring a full range of Aboriginal language learning opportunities are accessible, and
- facilitating access to qualification-based learning in Aboriginal languages for Nest communities.

The AECG is also responsible for establishing and maintaining a website to provide storage, access and dissemination of Aboriginal language resources for the Nests, and providing advice, training and support to Education about the use of digital media equipment and software applications for the recording of Aboriginal language resources.[208] Additionally, from mid-2017, the AECG was contracted to establish two satellite Nests in Moree and Kempsey.[209] In late 2018, Education decided to transfer responsibility for employing Nest Language Tutors to the AECG.

Local Reference Groups and project officers

Each Nest has a Local Reference Group, which operates as the local governance body to support and guide the Nest. Membership of the groups is locally determined, but may include Elders, Aboriginal community leaders and members, local custodians of Aboriginal language and culture, local and/or regional AECG members, and representatives of local Aboriginal organisations.[210]

Each Local Reference Group is responsible for endorsing the Aboriginal language that will be taught in their Nest and deciding who can teach it. In addition, Local Reference Groups, which meet four to six times annually, are expected to:
- support local engagement with and input into the Aboriginal Language and Culture Nest
- ascertain local priorities for the Nest
- provide direction and guidance around language activities
- identify training needs, and
- facilitate further research into language revitalisation.[211]

There was a considerable delay in establishing a Local Reference Group for each Nest, and they were only formally established by late 2017. In two locations – Paakantji and Wiradjuri – existing community language committees have now been formalised as Nest Local Reference Groups. In the other three Nest locations, the AECG helped to guide the establishment of Local Reference Groups.[212]

Since late 2016, Project Officers have also been employed in each Nest by the AECG. The role principally involves:
- coordinating the production of language teaching and learning resources[213]
- utilising resources to develop and implement activities that engage language teachers and tutors
- ensuring that resources are also accessible to communities, and
- facilitating access to relevant qualification-based training for language teachers, tutors, students and interested community members and Elders.[214]

Other aspects of the role can also be customised by Local Reference Groups to meet local need.[215]

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[208] Advice provided by NSW Department of Education, May 2018.
[209] Advice provided by NSW Department of Education, May 2018.
[210] NSW Department of Education, *Aboriginal Language and Culture Nest Guidelines*, 2018, p.10, accessed 17 October 2018.
[211] NSW Department of Education, *Aboriginal Language and Culture Nest Guidelines*, 2018, p.10.
[212] NSW AECG, *Quarterly Report for the Department of Education on Aboriginal Language and Culture Nests*, Sept-Dec 2016.
[213] Development of resources is done in collaboration with Nest Teachers and Tutors.
[214] NSW AECG, *Quarterly Report for the Department of Education on Aboriginal Language and Culture Nests*, Sept-Dec 2016, p.3.
[215] NSW Department of Education, *Aboriginal Language and Culture Nest Guidelines*, 2018, p.11.

The intention was that Nests would aim to fill their project officer position with two part-time employees, typically one male and one female to accommodate gender-based sensitivities in relation to linguistic and cultural communication with Elders and local language knowledge holders. In almost all instances, the newly engaged project officers were deliberately located within a local Aboriginal organisation rather than at base schools. We understand that, although causing some consternation initially, this proved to be effective in providing project officers with access to the considerable community 'reach' and the resources of Aboriginal organisations. Where these organisations were language centres, it also provided project officers with access to additional resources and opportunities for collaboration (see Case study 11 about Muurrbay).[216] By May 2019, we learned that the AECG had established an AECG office in each Nest region, and that some of the Nest project officers have relocated to work from these offices, which also provide a base for Nest Tutors.[217]

Base schools, Nest Teachers and Tutors

Each Nest was assigned a base school, where the Nest Teacher was located. The Principal of the base school was responsible for:
- providing financial and administrative support for implementing the initiative in schools serviced by their Nest[218]
- supervising the performance and development of the Nest Teacher, and
- ensuring timely and accurate reporting by quality assuring data gathering and reporting processes.[219]

The five base schools are:
- Bundjalung – Goonellabah Public School
- Gamilaraay/Yuwaalaraay/Yuwaalayaay – Lightning Ridge Central School
- Gumbaynggirr – William Bayldon Public School
- Paakantji/Baakantji – Wilcannia Central School
- North West Wiradjuri – Dubbo Public School.

Each Nest has a full-time Nest Teacher, who is employed by Education to work collaboratively with schools, local Aboriginal language holders and/or speakers, and Local Reference Groups. Nest Teachers must be endorsed by the local community, and either a local Aboriginal language speaker (supervised by a qualified teacher) or a qualified Aboriginal language teacher.[220] Nest Teachers develop Aboriginal language teaching resources and programs for students from early childhood to Year 12, and collaborate with their Local Reference Group on the engagement and professional development of Aboriginal Language Tutors.[221]

A team of Aboriginal Language Tutors is engaged by each of the Nests to provide tuition to students in Nest schools and pre-schools, in the Aboriginal language that has been approved by the local community.[222] Tutors are local Aboriginal language speakers, endorsed by the relevant Local Reference Group. In late 2018, Education decided to transfer responsibility for employing Tutors to the AECG.

4.3.5   Teaching Aboriginal languages in schools

Most activity during the first five years of the Nest initiative has taken place in schools and pre-schools. By Term 2 of 2018, there were 57 schools and pre-schools, including 6,759 students (2,214 Aboriginal and 4,545 non-Aboriginal) being taught Aboriginal language and culture across the Nest locations.[223]

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[216] Feedback from Nest Teachers and base school Principals at Nest Professional Learning sessions held in June and December 2017.

[217] Advice provided by AECG, May 2019.

[218] The Nest Guidelines identify base school Principals as responsible to administer the funding allocated to their Nest for 'administration, recurring costs, payment of tutors and purchase of resources' (NSW Department of Education, *Aboriginal Language and Culture Nest Guidelines*, 2018, p.6, accessed 3 June 2019). However, we were advised that from 2019 the AECG took over employment contracts for most Nest Tutors (Advice from NSW Department of Education, December 2018 and April 2019). A small amount of funding remains with each base school to cover administrative and associated costs.

[219] NSW Department of Education, *Aboriginal Language and Culture Nest Guidelines*, 2018, p.6, accessed 3 June 2019.

[220] Aboriginal Affairs NSW, *OCHRE: Opportunity, Choice, Healing, Responsibility, Empowerment – NSW Government Plan for Aboriginal affairs: education, employment & accountability* (OCHRE Plan), 2013, p.21.

[221] Aboriginal Language and Culture Nests page on Aboriginal Affairs NSW website, accessed 4 October 2018.

[222] Aboriginal Language and Culture Nests page on Aboriginal Affairs NSW website, accessed 4 October 2018.

[223] Advice provided by NSW Department of Education, October 2018.

Significant commitment has been demonstrated by Nest Teachers, Tutors and base school Principals to facilitate the delivery of these classes. We have been particularly impressed by the personal and professional commitment shown by Nest Teachers, who have been at the forefront of implementing a new initiative with limited guidance. The SPRC's Stage 1 evaluation of the Gumbaynggirr and North West Wiradjuri Nests found that students enjoyed and valued participating in language classes delivered via the Nests.

At the outset of the Nest initiative, the Board of Studies, Teaching and Educational Standards (BOSTES, now the NSW Educational Standards Authority, or NESA) was contracted to work with the AECG and Nest communities to prepare and publish a Scope and Sequence K-10 for each of the five Nest languages. This was completed in December 2013.

In 2015, BOSTES also prepared the Aboriginal Languages Stage 6 Content Endorsed Course Syllabus for students in Years 11 and 12. This has provided incentives for students to continue in their study right to the end of high school and into tertiary education,[224] and enabled Aboriginal languages to be studied for the HSC since 2016.[225] As at Term 2 of 2018, there were 38 students enrolled in the Stage 6 course, studying Gamilaraay (20) Wiradjuri (13), Gumbaynggirr (4) and Paakantji (1). In 2017, three students completed the Stage 6 course in Paakantji (2) and Gumbaynggirr (1).[226]

A concern that emerged early in the implementation of the Nest initiative, during DoE consultation meetings attended by NESA representatives, was how to protect the intellectual property rights of Aboriginal communities over the wide variety of Aboriginal language and culture resources needed to facilitate teaching in schools and other contexts. A key issue was how Nests could ensure that the production of a resource by Education or NESA would not preclude or override community ownership of that resource.

In 2014, BOSTES incorporated a disclaimer in the language specific and generic Aboriginal Language K-10 scope and sequences to safeguards protection of the intellectual property rights of Aboriginal Language speakers. The Aboriginal Language K-10 scope and sequence for Gumbaynggirr, for example, includes a disclaimer.[227]

In 2015, BOSTES responded formally to this concern through the development of Indigenous Cultural and Intellectual Property (ICIP) protocols[228] and agreements for the Aboriginal Language App project. We understand that the AECG helped to secure the agreement of Education for the ownership of any Indigenous Cultural and Intellectual Property (ICIP) in the development of language teaching resources, programs, teaching pedagogies and workshops 'remains with the relevant traditional custodians of such ICIP' as per the original contract.[229]

Numbers of schools and students receiving Aboriginal language tuition

In 2014, Aboriginal Affairs reported that 108 pre-schools and schools, including 7,553 Aboriginal students, had the opportunity to participate in the Nest initiative.[230] We understand that these figures related to the number of schools and students in Nests locations, rather than the number of schools and students actually engaged with the Nests at that time.

High-level data about the overall number of schools and students participating in the Nests has been included in each OCHRE annual report prepared by Aboriginal Affairs. This data has been compiled using data gathered by Nest Teachers. Education has acknowledged a number of inconsistencies in how

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[224]Advice provided by NSW Department of Education, March 2015.

[225]Advice provided by NSW Department of Education, May 2018.

[226]Advice provided by NSW Department of Education, May 2018.

[227] Disclaimer: The language and cultural content in this educational resource remains the intellectual property of the Gumbaynggirr Elders and community. It is recommended that advice be sought from Local Elders and Muurrbay Aboriginal Language and Culture Cooperative for implementation of this resource. The Gumbaynggirr community acknowledge that the language belongs to the Land.

[228] NESA Indigenous Cultural and Intellectual Property Protocols for the NSW Aboriginal Languages App Project (2015), written by Terri Janke & Co. under commission).

[229] NSW AECG, Aboriginal Language and Culture Nests Q&A Factsheet, accessed online 4 October 2018, p.3.

[230] Aboriginal Affairs NSW, *OCHRE: One year on*, 2014, p.11.

individual Nest Teachers recorded data about pre-schools, schools and students participating in the Nests. As we discuss in section 4.3.9, Education has now taken steps to address data consistency issues.

Notwithstanding the above caveat, Education has indicated that the OCHRE annual report data is the most reliable. This data shows that between 2015 and 2017, the number of participating pre-schools and schools increased from 35 to 67 and the number of students receiving language lessons increased from 3,679 to 6,379. To gauge whether the Nests have increased language teaching in these participating pre-schools and schools, we asked Education to provide us with advice about which of them had provided Aboriginal language and culture lessons prior to the Nests. Education was unable to provide us with this information, advising that 'Prior to schools' participation in the Nest, anecdotal information was shared but not formally recorded or requested'.[231]

Data included in Education's annual reports indicates that in 2013, prior to the Nest initiative commencing, 46 schools in NSW, including 1,304 Aboriginal and 3,315 non-Aboriginal students, participated in the *Aboriginal Languages in Schools Program,* which supported the teaching of 10 Aboriginal languages by 39 Aboriginal Language Tutors.[232] By 2017, 67 pre-schools and schools in the Nest locations alone were teaching Aboriginal languages with the help of 55 Tutors and Teachers, and 6,397 students (2,196 Aboriginal and 4,201 non-Aboriginal) were learning an Aboriginal language.[233]

While this data does not provide a definitive measure – the 2013 figures are state-wide and appear to exclude pre-schools and the 2017 figures relate only to Nests – it does indicate there has been a healthy increase in the overall numbers of pre-schools, schools and students in NSW providing/receiving Aboriginal language tuition since the Nests began. It also suggests there has been an increase in the number of Aboriginal students learning Aboriginal languages, although non-Aboriginal learners still outnumber their Aboriginal peers.

School-based activity in each Nest

We asked Education to provide us with data for each year of the initiative, broken down by Nest location, about the number and names of pre-schools, primary and secondary schools participating in the Nests, and the nature of engagement by the Nest with each school (for example, number of language hours taught and to which year groups, and the number of participating students in each year group).

In response, Education provided us with advice about the number of schools engaged and Tutors employed by each Nest, as well as a spreadsheet showing the numbers of students in each grade, at each participating school, receiving language tuition and the number of hours taught at each school. This dataset draws on the information recorded and submitted to Education quarterly by each Nest Teacher. As noted above, Education has acknowledged some problems with the methodology by which this data was collected.

Notwithstanding these problems, it is clear from a range of sources that there has been substantial variation in school-based activity, both year-on-year and between each of the Nests. Overall, to date the Gumbaynggirr (Case study 6) and North West Wiradjuri (Case study 7) Nests have reached the largest number of schools. The Bundjalung Nest has also gained good traction with schools.

Case study 6: A supportive base school Principal at Gumbaynggirr Nest

The school Principal at William Bayldon Public School has a strong personal commitment to the teaching of Aboriginal language and culture at her school and across the region, and was enthusiastic about leading the Gumbaynggirr Nest's base school from the outset. We understand that she has been instrumental in supporting the Nest Teacher to take a strategic approach to the rollout of language tuition across schools in the Nest. This has been done by applying a 'community of schools' approach in which Tutors introduce and consolidate the teaching of language and culture within one learning stage at a time, allowing Tutors to become increasingly competent at teaching the program in a systematic

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[231] Advice provided by NSW Department of Education, May 2018.
[232] NSW Department of Education and Communities, *Annual Report 2013*, 2013, p.68.
[233] NSW Department of Education, *Annual Report 2017*, 2017, p.26.

way. Along with other base school Principals, the Gumbaynggirr base school Principal was also active in pressing for the Nest Guidelines to be finalised and helping to identify the information needed by base schools and Nest Teachers to effectively administer and manage the school-based program. She also played a part in negotiating with other schools receiving tuition via the Nest to ensure team-teaching support for Tutors within each classroom.

Case study 7: Developing a language program for North West Wiradjuri Nest

During 2017, the AECG identified that support was needed to develop a structured Wiradjuri K-10 program for school-based teaching across the North West Wiradjuri Language Nest. The primary goal was to support the capacity of Wiradjuri language Tutors to deliver a consistent language program and achieve consistent learning outcomes and progression through the stages of learning for all students in the Nest.

Following consultation, the NSW AECG employed a Wiradjuri person with teaching and program writing experience to draft the K-10 Wiradjuri Language program. TAFE Western's Yarradamarra Centre, the Nest Teacher and Tutors were engaged in the process and provided input into the spelling and wording of specific Wiradjuri phrases to be used in the program. Approval of the program was sought and provided by the North West Wiradjuri Language and Culture Nest Local Reference Group, and included a formal endorsement by elder, Dr Stan Grant, Snr. AM, author of the Wiradjuri dictionary.

A template of the program, which is aligned with the NSW K-10 Aboriginal Language syllabus and informed by NESA's Language and Culture Scope and Sequence K-10, has since been shared with and enthusiastically received by other Nests' Local Reference Groups. Using the template, Nest project officers have begun working with their respective communities to enhance their own language programs.

In analysing variation across the five Nests, and from our observations to date, it is clear to us that a supportive base school Principal and continuous employment of a Nest Teacher have been critical success factors in enabling Nests to provide a thriving school-based Aboriginal language and culture program. The three Nests which have been able to perform most strongly in terms of school-based activity in the first five years of the initiative were those which had both of these elements in place.

Clearly language revitalisation is a complex, long-term and staged process, and various Aboriginal language communities are located at different stages on this journey. It is notable that considerable work has occurred over the past few decades to recover the languages endorsed by each of the Nests. The Muurrbay Aboriginal Language and Culture Co-operative, which began in 1986 at the initiative of Gumbaynggirr Elders, has been supporting Bundjalung and Gumbaynggirr communities (among others) to revitalise their languages (see Case study 11). Meanwhile, for more than 20 years Elder, Dr Stan Grant Snr., and consultant, Dr John Rudder, have been dedicated to preparing Wiradjuri language materials, including a Wiradjuri Dictionary in 2005. Considerable language reclamation work on Gamilaraay/Yuwaalaraay/Yuwaaliyaay occurred in the 1990s via the work of Walgett-based linguist John Giacon and the Dharriwaa Elders Group under the leadership of Chair George Rose, and the community-based Paakantji *Language Sharing Circle* has also actively involved teachers and Elders in language revitalisation work for many years.

While baseline data about school-based Aboriginal language programs was not recorded at the outset of the Nest initiative, we understand there were language programs taught in various schools within each of the Nest communities for many years prior to the launch of the Nests. Nevertheless, the current Nest school-based data does show that, to date, three of the five Nests have managed to extend or build on pre-existing school-based programs in their communities more successfully than others.

The most recent available data for Semester 1, 2018 indicates that, during the period, North West Wiradjuri and Gumbaynggirr Nests together accounted for almost three-quarters of pre-schools and schools, with 69% of Aboriginal students and 75% of non-Aboriginal students participating in the Nests; they also employed almost two-thirds of the total number of language Tutors employed by the Nests.

School-based activity (and activity overall) in the Paakantji and Gamilaraay Nests has been considerably inhibited by difficulties recruiting staff. Most notably, for the past several years until mid-2018, the Paakantji Nest was unable to recruit a Nest Teacher with the requisite language and teaching skills. The Gamilaraay Nest has also struggled to recruit the workforce of skilled Tutors it needs to expand the program. Although the selection of Nest locations was informed by the assessment criteria described at 4.3.1, in May 2018 Education advised us that according to UNESCO's *Atlas of the World's Languages in Danger*, there are only around five language speakers in the Paakantji and Gamilaraay Nests, compared to around 40-50 in the other Nests. As the performance of each Nest location against the selection assessment criteria was not documented, it is difficult to comment on whether the decision-making process was sound.

In some Nests, community members have expressed concerns that some school principals do not value Aboriginal language and culture teaching sufficiently to allow their school to engage with the Nest. In this regard, we note that the SPRC's Stage 1 evaluation recommended that local Aboriginal languages be included as core curriculum for all students, and that principals be encouraged to include the Nest as part of their responsibility to fulfil NSW Government policies regarding teaching and learning of Aboriginal languages and cultures.[234]

Our consultations have revealed that individual Nest Teachers approach their roles quite differently. In part, this is due to the unique community dynamics they work within, but also their strategic networking and capacity building skills. To this end, we understand that some Nest Teachers are providing informal mentoring to others. In our view, consideration should be given to the benefits of providing a salary structure for Nest Teachers, which recognises the different levels of experience and skills brought to the role by individuals. However, the variation in how Nest Teachers approach their roles has also undoubtedly been influenced by a lack of clarity about the parameters and expectations of the role – and the initiative more broadly – as a result of the very late development of operational guidelines. Furthermore, the failure to recruit the Nest coordinators, as originally envisaged, meant that for the first years of the initiative, Nest Teachers had to balance a range of competing responsibilities, including community engagement.

Enabling language to be taught on Country

Nest Teachers and Tutors are increasingly identifying the importance of 'teaching language on Country', that is, teaching language outside of school premises, for example, as part of cultural camps. To date, we understand there have been some difficulties obtaining Education's support for this teaching method,[235] although we understand in the Bundjalung Nest, 'Language on country' programs have been written and clarification has been sought about whether Nest funding can be used to support them.[236] The AECG has emphasised a need for greater clarity in relation to Education's policy on teaching Aboriginal languages on Country. In addition, they have reported that NESA's scope and sequence for Aboriginal language teaching may need 'some tweaking when it comes to teaching culture and teaching through culture'.[237] In our view, Education should clarify its policy on the teaching of languages on country and provide appropriate guidance about this issue in the Nest Guidelines.

Engagement with non-government schools and pre-schools and juvenile justice centres

During consultations to inform the SPRC's evaluation, Aboriginal community members strongly emphasised their expectation that language and culture programs should be offered to all students in a Nest location, regardless of whether they are enrolled in government or non-government schools or preschools. The SPRC subsequently recommended that more support should be provided for the teaching of Aboriginal languages via Nests in the non-government school sector (as well as in government schools and juvenile justice institutions).[238] A Nest language program has previously operated in at least one juvenile justice centre, Lincoln School, associated with Orana Juvenile Justice Centre (Dubbo).

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[234] Social Policy Research Centre, UNSW, *North West Wiradjuri Language and Culture Nest Stage 1 Summary Report*, Social Policy Research Centre, UNSW, June 2018, p.21.

[235] NSW AECG, *Quarterly report on Aboriginal Language and Culture Nests*, June-Aug 2016, pp.4-5.

[236] Bundjalung Nest quarterly report, Term 1, 2018. Advice provided by NSW Department of Education, 29 May 2018.

[237] NSW AECG, *Quarterly report on Aboriginal Language and Culture Nests*, September-December 2016, p.4.

[238] Social Policy Research Centre, UNSW, *North West Wiradjuri Language and Culture Nest Stage 1 Summary Report*, Social Policy Research Centre, UNSW, June 2018, p.20.

We are aware of a number of non-government schools in Nest locations which run Aboriginal language and culture programs, but with the exception of one pre-school (Giiguy Gamambi Preschool in Nambucca Heads), none is 'participating' in the Nests. The merits of allocating public funds to support the teaching of Aboriginal languages in non-government schools and pre-schools, whether via the Nests initiative or otherwise, is a policy issue for the NSW Government, and should be determined in consultation with Aboriginal communities, and the non-government early childhood and schools sectors.

More broadly, there are opportunities to promote a collaborative approach by the government and non-government education sectors to Aboriginal language teaching. For example, the Statewide Steering Committee could take a leadership role in promoting the *Cultural Protocols for Teaching Aboriginal Languages and Cultures* developed by the AECG to all education sectors. At a local level, non-government schools and pre-schools in Nest locations could be encouraged to consult with their Local Reference Groups about current or proposed Aboriginal language programs.

Finally, given the significant proportion of juvenile detainees who are Aboriginal, together with the research which supports the benefits associated with learning Aboriginal language and culture, Education, in consultation with the AECG and Department of Family and Communities and Justice (Juvenile Justice), should give consideration to the resources and infrastructure needed to allow these Nests to engage with their local Juvenile Justice Centres (Orana JJC in North West Wiradjuri and Acmena JJC in Gumbaynggirr Nest), if the relevant Local Reference Groups consider this a priority. In saying this, we appreciate that many children are 'off country' when living in detention centres, and there may be additional complexity involved in enabling students to access their own languages.

4.3.6   Providing opportunities to Aboriginal people to teach Aboriginal languages

Nests provide a vital opportunity for Aboriginal language speakers to gain employment as Nest Teachers or Tutors. Nest Teachers must be qualified teachers with recent classroom teaching experience, who also possess the requisite high-level Aboriginal language proficiency. Language Tutors must be recognised by Aboriginal language holders as being able to teach in the Nest language, and we understand that the majority of Tutors have an Aboriginal language certification, acquired either via accredited coursework or recognition of prior learning processes.[239] However, those employed as Tutors are not required to hold a formal qualification, if they are recognised as Elders or fluent language knowledge holders in their community.

Since 2007, TAFE NSW has offered three nationally recognised qualifications in Aboriginal languages at Certificate I, II and III levels. Each of the qualifications can be customised to deliver training in any Aboriginal language, following consultation with, and permission from, Elders or knowledge-holders in the local language community.[240]

Between 2008 and 2012, 959 Aboriginal students enrolled in a TAFE Aboriginal language program, mostly at Certificate I level, with a 52% completion rate. In 2013, TAFE commenced delivering a new suite of Aboriginal language qualifications, working with their communities to contextualise their delivery according to community needs and cultural protocols.[241] By 2017, there were 479 enrolments in that year alone in the Certificate I, II and III programs teaching languages including Gumbaynggirr, Bundjalung, Gamilaraay and Wiradjuri (as well as Dhurga, Gathang and Dharawal).[242] This is indicative of strong growth in Aboriginal language teaching qualifications since the Nests commenced.

Nonetheless, we understand that the demand for Aboriginal language teachers still outstrips the available supply, both in Nest locations and more widely. This has significant implications for the further growth of Nests and in particular, any future expansion of the initiative. It will be important for language teaching workforce capacity to be considered in the NSW Aboriginal languages strategic plan being developed to guide the work of the Aboriginal Languages Trust.

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[239] Advice provided by NSW Department of Education, May 2018.
[240] NSW Department of Education and Communities, Submission to the House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs inquiry into Language learning in Indigenous communities, 2012, p.17.
[241] Advice provided by NSW Department of Education, May 2018.
[242] TAFE NSW, *Annual Report 2017-2018*, 2018, p.35.

Recognition of prior learning

A small but important way of growing the language teacher workforce is 'recognition of prior learning' (RPL), which may assist Elders and other language speakers to strengthen their claim to Nest Tutor positions and other teaching roles in the community. The need for a formal process to assess and recognise prior Aboriginal language skills held by community members was identified by community stakeholders early in the implementation of the Nest initiative and continues to be prioritised by Local Reference Groups. In 2015, our engagement with TAFE North Coast in Lismore led to an agreement that they would help to assess Elders and other Bundjalung speakers against the Certificate II in Aboriginal Languages course and, where appropriate, provide RPL.

Additional RPL workshops have since been delivered by TAFE Western's Yarradamarra Centre for languages, including Wiradjuri, Gamilaroi and Bundjalung.[243] In late 2017, the AECG also reported that Muurrbay Language Centre would support an RPL process for the Gumbaynggirr Nest.[244] The AECG has continued to demonstrate leadership in supporting processes for RPL to take place in Nest communities.

> **Case study 8: Recognising Bundjalung language speakers**
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> The Bundjalung Nest Local Reference Group has met monthly since forming in 2016, and is reportedly effectively governing the Nest. For example, the Local Reference Group helped to identify that two project officers, one male and one female, would be needed to cover support for the geographically large and diverse Nest catchment area. The group also identified the need for, and endorsed, a recognition of prior learning (RPL) process to be undertaken by Elders and identified language speakers.
>
> The Bundjalung Project Officer has been leading and coordinating RPL workshops for community members. In 2017, 12 Bundjalung community members graduated with a Cert I in Aboriginal Languages. Since then, members of the cohort have been continuing to meet during their own time to support each other's language learning and translate stories and documents from English into Bundjalung, and discuss language teaching and learning protocols. The Bundjalung RPL group has been described as forming an 'increase site' for Aboriginal language learning, meeting regularly, and progressing and supporting each other as a collective.[245]

Language Tutor retention

We understand there has been significant 'churn' in the Language Tutor workforce servicing the Nests and a range of factors appear to have influenced this, the most significant being that Tutors have been (until 2019) casual employees of Education. Understandably, the casual nature of the work and conditions originally offered, were a disincentive to employment for some, and we are aware of Tutors who have left the role after finding more secure work in other roles, including as school-based Aboriginal Education Officers. The long distances that some Tutors need to travel each day to service multiple schools has been another disincentive, and we understand this has been exacerbated by a lack of clarity in relation to the reimbursement of travel costs. As reflected in the SPRC's evaluation as well as feedback to our office, Nest community members have been stressing the need for Tutors to have better job security and conditions in order to achieve a sustainable workforce.[246]

In December 2018, we learned of Education's decision to transfer responsibility for the employment and payment of Nest Tutors over to the NSW AECG. According to Education, Tutors 'will now be on contracts and will have the employment security and benefits that come with this form of employment'.[247] While Education's responsiveness on this issue is commendable, we have stressed the importance of effectively

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[243] Advice provided by NSW Department of Education, May 2018.
[244] NSW AECG, *Quarterly report for Department of Education on Language and Culture Nests*, July-Sept 2017.
[245] NSW AECG, *Quarterly reports for the Department of Education on Aboriginal Language and Culture Nests*, Jan-Mar 2017 report, p.9; Apr-Jun 2017 report, p.10; and Oct-Dec 2017 report, p.4.
[246] Social Policy Research Centre, UNSW, *North West Wiradjuri Language and Culture Nest Stage 1 Summary Report*, Social Policy Research Centre UNSW, June 2018, p.5.
[247] Advice provided by NSW Department of Education, December 2018.

communicating the rationale for its decision and the operational implications of the change to key Nests stakeholders, including Local Reference Groups, Nest Teachers and school principals.

While the acquisition of proficient language skills and knowledge about Aboriginal languages and cultures are key elements required to perform the Nest Tutor role, a range of other capabilities are useful. In this regard, Aboriginal Language Tutors have indicated that they would benefit greatly from receiving more professional development and concentrated support, particularly in building their classroom teaching and management skills, and with planning the delivery of units of work.[248] We were told that, particularly in the first years of the initiative, more clarity about the responsibilities of Nests Teachers and schools in relation to supporting Tutors was needed. The lengthy delay in publication of the Nest Guidelines contributed to the lack of clarity in this area. The guidelines now clearly state the respective responsibilities of Nest Teachers and school principals in relation to providing professional learning for Tutors, and we understand that each school has been reminded of these obligations.

In 2018, Bundjalung Nest ran a local professional learning workshop for Tutors and Teachers working at Nest schools; Education also held a professional learning workshop for Language Tutors and Nest Teachers. Both workshops were well received. In 2019 we learned that the AECG also brought together all the Tutors it now employs on contract for the Nests, to take part in a day of professional learning in the school holidays. In our view, there is an ongoing role for Education and the AECG to support regular, collective opportunities of this kind, and ensure that these are inclusive of all Tutors working within the Nests.

Finally, some Tutors have indicated that they feel unsupported and less valued at certain schools.[249] All school principals have a responsibility to take proactive steps to create a supportive culture. One way that Education could practically communicate this is by requiring schools that participate in the Nests to access the NSW AECG's *Connecting to Country* immersion program, or another appropriate cultural awareness program. The OCHRE Plan envisaged that this would occur, and the Nest Guidelines state that schools employing Language Tutors are obliged to ensure their staff participate in professional learning to build cultural competency and appreciation of Aboriginal language and culture. However, Education has advised us that participation in *Connecting to Country* is at the discretion of individual schools and has not been monitored throughout the initiative.[250]

4.3.7   A community-based approach to language revitalisation

Aboriginal people in Nest communities have strongly emphasised to Education that the keeping and sharing of Aboriginal language and culture is important for improving the health and wellbeing of communities, and that it is part of the healing process. It is therefore vital for communities to be 'engaged and benefiting from the Nests' beyond the focus on school-based Aboriginal language teaching.[251]

> *The only sure-fire way of bringing an Indigenous community back to a state of positive cultural health and wellbeing, when it has suffered language and culture dispossession, is through whole of community education. Formal schooling is but one aspect of this … We need to think about what is happening at the adult level as well.* – Dr Shayne Williams[252]

The OCHRE Plan identified that a 'community-based approach' would be key to the success of the Nest model. The Plan describes this as an approach that 'aims to provide a continuous pathway for learning for Aboriginal people in communities and recognises the existing language skills and knowledge of Aboriginal community members'. It was envisaged that Nests would expand opportunities for members of Nest communities to take part in community-based language and culture activities, and that those with existing language knowledge would provide valuable intellectual resources for Nests. These would include via endorsement of Nest Teachers and content; participating in local projects to catalogue, restore and revitalise Aboriginal languages; or as employed Nest Tutors and Teachers.[253]

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[248] Advice provided by NSW Department of Education, May 2018.

[249] NSW AECG, *Quarterly report for the Department of Education on Aboriginal Language and Culture Nests*, Jun-Aug 2016, pp.4-5.

[250] NSW Department of Education, *Aboriginal Language and Culture Nest Guidelines*, 2018, p.6.

[251] Advice from Aboriginal Affairs NSW, August 2017.

[252] Williams, S, *The importance of teaching and learning Aboriginal languages and cultures: the triangularity between language and culture, educational engagement and community cultural health and wellbeing*, 2011, p.141.

[253] Aboriginal Affairs NSW, *OCHRE: Opportunity, Choice, Healing, Responsibility, Empowerment – NSW Government Plan for Aboriginal affairs: education, employment & accountability* (OCHRE Plan), April 2013, p.21.

While the school-based Nest teaching program has provided employment for Aboriginal community members, other aspects of the community-based approach have not yet been fully realised. We have nevertheless seen progress in terms of Nest community engagement since late 2016, with the Local Reference Groups now established and project officers in place to support them. We discuss below our observations about some of the important ways that communities are increasingly able to engage with the Nests and identify further opportunities for these to be enhanced.

Community ownership of and engagement with Nests

Our consultations, and the SPRC's Stage 1 evaluation, have both clearly identified that community members have a strong desire for meaningful involvement in the 'ownership' and control of the Nests, including the capacity to influence the design and management of Nest activities but also to access the Nests' language and teaching resources. Communities have stressed that language and culture belongs to the whole community, and the Nests must extend their activities beyond schools. On this point, some community members are particularly concerned about school children (including non-Aboriginal students) having greater access to opportunities to learn language through the Nests than adults in their communities, including Elders and members of the Stolen Generations, who were actively denied their language and culture due to past government policies.

The SPRC's Stage 1 evaluation emphasised the need to ensure clear governance structures are in place, which reflect community ownership; provide opportunities for Aboriginal communities' active engagement in decision-making; and ensure community members are able to have greater input into the design and management of the Nests.[254] We agree with these observations. The establishment of Local Reference Groups, supported by project officers, now provides a mechanism for the Nests to engage directly with Aboriginal communities. However, going forward, it will be important that this type of engagement is the subject of close monitoring by the Nest State-wide Steering Committee.

The delay in releasing the Nest operational guidelines contributed to a lack of clarity about how Nests should be operationalised, particularly beyond schools, for example, whether funding can be approved for Nest Teachers and Tutors to deliver community-based language activities. As a result, until at least 2017 there had been little, if any, expenditure on community-based Nest activities,[255] although some Nest Teachers and Tutors have been providing activities on a voluntary basis in their own time. While there is no expectation for Nest Teachers and Tutors to undertake unpaid work in relation to the Nest initiative, awareness raising in relation to community expectations may be an area for further work to ensure unrealistic expectations are not placed on Nest initiative staff.

Practical changes may be required to allow community access to language and culture activities to flourish. The SPRC identified that it was challenging for the Nest to provide community-wide access when 'based' within a school.[256] Presently, the Nest operational guidelines describe the roles of Nest Teachers and Tutors solely with reference to language teaching in schools and contain no guidance about the scope or funding for community-based language and culture teaching activities. This issue needs to be addressed and appropriate advice communicated.

We are aware that the project officers employed via the AECG since 2017 have been making a considerable difference in terms of providing opportunities for Nest community members to engage in Nest language activities (as described below). However, given a high level of demand for community access to language and culture activities and resources across Aboriginal communities, we recommend that Aboriginal Affairs, in consultation with Education and the AECG, consider whether the Nests require additional funding/resources to meet this demand.

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[254] Social Policy Research Centre, UNSW, *OCHRE Evaluation Synthesis Report – Stage 1 Final Report*, Social Policy Research Centre, UNSW, June 2018, pp.80, 83.

[255] Social Policy Research Centre, UNSW, *OCHRE Evaluation Synthesis Report – Stage 1 Final Report*, Social Policy Research Centre, UNSW, June 2018, p.l.

[256] Social Policy Research Centre, UNSW, *OCHRE Gumbaynggirr Language and Culture Nest Stage 1 Evaluation Report*, Social Policy Research Centre, UNSW, June 2018.

Community-based language activities

Since project officers were employed by the AECG in each Nest, beginning in late 2016, engagement with communities has increased. For example:

- In the Bundjalung Nest, the project officer has supported and promoted language and culture programs, translation and resource development for organisations including the Balund-a Correctional Facility in Tabulam, as well as a local Men's Group and a neighbourhood centre.[257]

- In the Paakantji Nest, the project officer has worked on dictionary additions and a partnership with a non-government organisation (NGO) to develop language resources for a local playgroup. A Facebook page has also been created to share language resources with the community.[258] Language classes for the families of students and community members are held in Menindee on Sundays, and in Wilcannia, Aboriginal community members have begun recording the local language and history.[259]

- In 2017, the project officer under the direction of the Gamilaraay/Yuwaalaraay/ Yuwaalayaay Local Reference Group worked with the AECG to organise a three day language gathering where participants began the process of planning a Gamilaraay language strategy.[260] In addition, a Gomeroi language, culture and dance camp was run, drawing together Aboriginal students from schools across the Nest region (Case study 9).[261]

- The Gumbaynggirr Nest works closely with the Muurrbay Aboriginal Language and Culture Cooperative, which offers language classes to community members for free. This includes the Nest Teacher running a three-hour class each Wednesday evening for the community.[262]

- The North West Wiradjuri project officer has supported the delivery of Recognition of Prior Learning workshops for Bundjalung speakers. Community members are also being supported to learn how to digitally record their language.[263]

Project officers, and the AECG, have also undertaken work to identify and make available additional language resources and teaching materials to support language revitalisation in Nest communities.

Case study 9: Nest hosts Gomeroi language gathering and dance camp

In early 2017, the newly established Gamilaraay/Yuwaalaraay/Yuwaalayaay Language and Culture Nest Reference Group decided to prioritise two activities: a Gomeroi language and culture conference and a language, culture and dance camp for students. Both events, which were coordinated by the AECG in collaboration with Education, took place in late 2017.

Approximately 100 community members and Education staff attended the Gaay Guumaldanha (language gathering) conference, which was held over three days in Tamworth and surrounding country. The gathering helped to raise awareness of the Nest and how and where language and culture are being taught across the Gomeroi nation. It also provided an opportunity for networking and sharing teaching resources. A range of concerns and issues were also discussed, including the need to increase access to teaching resources, run more community-based language classes and provide greater access to TAFE Aboriginal languages courses. TAFE's Gamilaraay and Yuwaalaraay teacher reported a spike in people wanting to enrol in TAFE language courses immediately following the conference. Education staff who participated also attained 13 hours of Quality Teaching Council (QTC) registered professional development.

The Gomeroi Language and Culture Dance Camp was held over two days at Lake Keepit and involved 107 Aboriginal students in Years 5 to 10 from schools from across the Nest. The

[257] NSW AECG, *Quarterly report for the Department of Education about Language and Culture Nests*, Jul-Sept 2017.
[258] NSW AECG, *Quarterly report for the Department of Education about Language and Culture Nests*, Jan-Mar 2017.
[259] Advice provided by NSW Department of Education, May 2018.
[260] NSW AECG, *Quarterly report for the Department of Education about Language and Culture Nests*, Jul-Sept 2017.
[261] Advice provided by AECG, March 2019.
[262] Advice provided by NSW Department of Education, May 2018.
[263] NSW AECG, *Quarterly report for the Department of Education about Language and Culture Nests*, Jul-Sept 2017.

event, which included contemporary and traditional dance workshops run by professional and local dancers, was aimed at increasing students' cultural knowledge and Gomeroi language use, and strengthening their cultural identity. A short documentary was made about the dance camp, which culminated in students performing at the opening corroboree/ceremony of the Gaay Guumaldanha conference.

Endorsement of Aboriginal language knowledge and teachers

In the context of teaching Aboriginal languages, local endorsement processes are implemented to prevent 'cultural knowledge content within a language/culture curriculum that is not widely considered accurate by a local Aboriginal community', and the engagement of teachers 'who are not widely respected within the local community as legitimate cultural instructors'.[264] As it took almost four years before Nest Local Reference Groups were formally established, Nest Teachers needed to be resourceful in obtaining endorsement through other temporary means, including consultation with local Elders and Local AECGs. With the establishment of Local Reference Groups, we understand that each Nest now has appropriate processes in place to allow endorsement of language and culture content, and the people who are authorised to teach it.

This issue of endorsement of language and culture knowledge, and of the people teaching within each Nest, needs to be given further consideration, both within and beyond the Nest initiative. In this regard, the AECG has published cultural protocols for the broader teaching of Aboriginal languages and cultures in NSW schools and TAFE institutes[265] to 'circumvent cultural problems that may arise when schools and TAFE Institutes unknowingly engage unendorsed language and culture teachers, allow teaching of unendorsed or restricted cultural content, or allow inappropriate teaching of gender specific cultural content'. The AECG advises schools and TAFE institutes to form partnerships with Aboriginal communities that encourage dual decision-making on all matters related to teaching Aboriginal language and culture, including endorsement of language and culture content and teachers.[266] However, it is also important to note that cultural protocols related to endorsement will differ in different Aboriginal communities.

An issue that has arisen during our consultation concerns reimbursement for local community members who provide endorsement and other expert advice about language and culture through their voluntary participation on Local Reference Groups. This requires a commitment of both time and effort on the part of individuals, who are likely to have other substantial responsibilities in their communities. The OCHRE Plan stated that 'an effective remuneration package for Elders and Aboriginal community members who share their knowledge would be developed.'[267] It is unclear whether this statement was intended to apply only to individuals obtaining employment as Nest Language Tutors, or more broadly to individuals providing other language services, including endorsement and activities such as making oral recordings, documenting vocabulary and approving pronunciation. To date, remuneration has not been provided to individuals providing these broader language services.

Keeping Places

Keeping Places are a feature of the Nests initiative not originally identified in the OCHRE Plan, but which were introduced as a result of the early emphasis by communities in Nest locations. A Keeping Place is a location, agreed to by the Aboriginal communities within each Nest, to provide advice about the local Aboriginal language endorsed by the Nest, and to house associated language resources for community use.[268] Keeping Places may be physical or virtual. Local Reference Groups are identified as holding responsibility for ensuring Keeping Places are run effectively.[269]

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[264] Dr Shayne Williams for NSW AECG, *Teaching Local NSW Aboriginal Languages and Cultures: A Guide for Schools*, 2014, p.9.
[265] NSW AECG, Cultural Protocols for Teaching Aboriginal Languages and Cultures – Factsheet, published online April 2017.
[266] NSW AECG, Cultural Protocols for Teaching Aboriginal Languages and Cultures – Factsheet, published online April 2017.
[267] Aboriginal Affairs NSW, *OCHRE: Opportunity, Choice, Healing, Responsibility, Empowerment – NSW Government Plan for Aboriginal affairs: education, employment & accountability* (OCHRE Plan), April 2013, p.21.
[268] Aboriginal Affairs NSW, *OCHRE: One year on*, 2014, p.11
[269] NSW AECG, *Project Plan for Aboriginal Language and Culture Nests*, June 2016, p.1.

It has taken considerable time to establish Keeping Places in each Nest. In June 2016, the AECG became responsible for supporting this work. By end of 2017 the AECG reported that the following Keeping Places had been identified:

- **North West Wiradjuri** – Yarradamarra Centre (TAFE Western) and personal collection of Nest Teacher[270]
- **Gumbaynggirr** – Coffs Harbour Education Campus and Muurrbay Aboriginal Language and Culture Co-operative
- **Gamilaraay/ Yuwaalaraay/ Yuwaalayaay** – Goondee Aboriginal Keeping Place, Lightning Ridge
- **Bundjalung** – Gnibi College, Southern Cross University
- **Paakantji** – Wilcannia Central School, pending appropriate office space to house resources for the Nest being secured, and possible set up of a mobile office.[271]

Concern has been expressed about a lack of clarity in relation to who is responsible for providing the human and financial resources to support a functioning and sustainable Keeping Place in each Nest. We understand there is a view in some communities that locating Keeping Places in 'partner organisations' can reduce the 'potential for community ownership and control'.[272] However, without the infrastructure and support provided by an auspicing organisation, a 'neutral' Keeping Place requires a sustainable source of funding. The different characteristics and preferences of communities in relation to the establishment and maintenance of Keeping Places needs to be considered as part of any further extension or expansion of Language and Culture Nests. We understand that some communities within Nest catchments have been asking why they cannot have a smaller local keeping place in each community to make language and culture resources more accessible, rather than one central keeping place per Nest.[273]

The value of establishing Keeping Places to preserve and provide access to language and culture resources has been strongly stated by communities in each of the Nest regions. In the early years of the initiative we understand there was no allocation of funding provided by Education to support the activities of Keeping Places. Since the AECG has been contracted to support Nest Keeping Places, it will be important for Education to clarify within the Nest Guidelines, who is responsible for ensuring the human and financial resources needed to support a functioning Nest Keeping Place in each Nest.

We understand that in 2019 the AECG established an office in each of the five Nest locations, where Nest Tutors employed by the AECG are now based, and where there may be capacity for Language and Culture teaching resources to be stored and accessed.[274] It is unclear at this stage whether these AECG offices will be endorsed by Local Reference Groups as identified Keeping Places for their Nests, either in addition to, or instead of, those listed above.

In our view, it will be vital to ensure that, as part of any future funding to extend or expand Language and Culture Nests, consideration is given to the different characteristics and preferences of communities in relation to the establishment and maintenance of Keeping Places.

4.3.8   Ensuring funding continuity and that funds are well targeted

Over the past four years we have observed considerable anxiety on the part of community members, Nest Teachers and base school Principals about whether ongoing funding will be provided to the Nest initiative. These key stakeholders have strongly emphasised the importance of continued government investment in the initial five locations. In 2017, when the original funding commitment was due to expire, we were told by Education that the initiative would be funded for a further six months until June 2018, and that an additional year of funding was in the process of being sought.[275] However, we have since been informed by Education that a 'decision of the Expenditure Review Committee in 2014 had secured ongoing funding for all

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[270] The North West Wiradjuri Nest has since been relocated from Yarradamarra, after the TAFE indicated it could no longer provide space for the Nest. We understand a suitable base school for the Nest in Dubbo is yet to be identified; however, a new location for the Nest Keeping Place for language and culture teaching resources was identified, in consultation with the Local Reference Group, as an office space the AECG has established in Dubbo. Advice from AECG, February 2019.
[271] NSW AECG, *Quarterly report for Department of Education on Aboriginal Language and Culture Nests*, Sept-Dec 2017.
[272] NSW AECG, *Quarterly report for Department of Education about Language and Culture Nests*, Jan-Mar 2017.
[273] Advice provided by AECG, February 2019.
[274] Advice provided by AECG, May 2019.
[275] Advice provided by NSW Department of Education, Nov 2017.

OCHRE initiatives' and that it was only 'growth funding' for each of the OCHRE initiatives that would be determined following evaluation.[276]

The SPRC evaluation of the Nest initiative was published in June 2018.[277] It identified insufficient resourcing of the initiative, and found that the level of 'reliance on staff goodwill to ensure the program's success fails to value their contribution and is not sustainable in the long-term for either the individual or the program'.[278] The SPRC recommended that increased human and financial resources be committed to the initiative to protect staff and ensure programming can continue in unforeseen circumstances like illness or staff changes.[279] Our consultations have revealed the very real risk of 'burnout' for Nest Teachers.

Related to this, the need to prioritise community access to the Nests must be factored into any consideration of future funding for the Nest initiative. As discussed at 4.3.7, facilitating this access may require funding of additional Nest Teacher positions and/or existing Aboriginal language organisations for this explicit purpose. Furthermore, as already noted, the different preferences of communities in relation to establishing Keeping Places, and the desirability of remunerating Aboriginal people who provide local endorsement of language and language teachers, also need to be considered in the context of ongoing funding of the Nests.

Finally, if the Nests are to be expanded to further locations, it will be important to ensure that an adequate assessment of community capacity, including a sufficient number of language speakers, informs the selection process – with consideration given to a staged approach to implementation if appropriate. However, it is equally important that consideration is given to implementing appropriate strategies to revitalise all Aboriginal languages, not just those strongest surviving languages where there continues to be a community of speakers.[280] This was strongly endorsed by communities consulted by the Ministerial Taskforce that recommended the rollout of Language and Culture Nests.

Expansion to satellite Nest sites

In 2016, the Parliamentary inquiry into Reparations for Stolen Generations in New South Wales recommended that consideration be given to increasing the number of Nests and that 'priority access be given to descendants of members of the Stolen Generations, given the loss of identity and culture they have personally experienced'.[281] The NSW Government responded that any decision to expand the initiative would depend on its evaluation.[282] The SPRC's Stage 1 evaluation reports on the Gumbaynggirr Nest and North West Wiradjuri Nests were published in June 2018.

In May 2018, the NSW Government announced that the Nest initiative would be expanded into two new 'satellite sites'.[283] The Department contracted the AECG to establish these satellite Nests, which would enable teaching of Gamilaroi and Dunghutti languages in schools, supported by two existing Nests.[284] We have subsequently learned that the Dunghutti satellite Nest has been established, while a base location is still being determined for the Gamilaroi satellite Nest.[285]

4.3.9   Establishing effective governance arrangements

We have previously reported our concern that the Nest initiative has suffered from weaknesses in

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[276] Advice provided by NSW Department of Education, July 2018.
[277] Available at https://www.sprc.unsw.edu.au.
[278] Social Policy Research Centre, UNSW, *OCHRE Evaluation Synthesis Report – Stage 1 Final Report*, Social Policy Research Centre, UNSW, June 2018, p.31.
[279] Social Policy Research Centre, UNSW, *OCHRE Evaluation Synthesis Report – Stage 1 Final Report*, Social Policy Research Centre, UNSW, June 2018, p.31.
[280] While 22.5% of those surveyed agreed the Nest initiative should focus on language groups where there was a lot of speakers, the majority did not, strongly emphasising the need to protect and revitalise more endangered languages also. (Ministerial Taskforce on Aboriginal Affairs, *Getting it right: The findings of the Round Two Consultations for the NSW Ministerial Taskforce on Aboriginal Affairs*, 2012, p.23; *Ministerial Taskforce on Aboriginal Affairs Final Report*, March 2013, p.7.)
[281] NSW Parliament, Legislative Council General Purpose Standing Committee No. 3, *Unfinished Business: Reparations for the Stolen Generations in New South Wales*, June 2016, p.160, Recommendation 24.
[282] NSW Government, *Unfinished Business: NSW Government response to the General Purpose Standing Committee Report into Reparations for the Stolen Generations*, 2016, p.10.
[283] Parliament of NSW, *Legislative Council Hansard*, Minister for Aboriginal Affairs, 3 May 2018.
[284] Advice provided by NSW Department of Education, May 2018.
[285] Advice from NSW Department of Education, April 2019.

governance and accountability at several levels. The SPRC's evaluation also identified that accountability for the initiative could be strengthened,[286] and recommended the need to clarify governance structures, decision-making processes and accountability mechanisms.[287]

Improving strategic leadership and oversight

As the government agency co-leading the Nest initiative and administering the associated public funding, Education has a critical leadership role to play in ensuring effective implementation of the Nests. This includes employing and supporting Nest Teachers and principals of base schools as well as working effectively with the AECG and other stakeholders, and monitoring the outcomes achieved. We understand that, at times, the Aboriginal Education and Communities Directorate has struggled to maintain the complement of staffing it needs to carry out these responsibilities.[288] The initial failure to fill the envisaged Nest coordinator roles and the delay in releasing operational guidelines for the Nests can be at least partly attributed to these difficulties. In our view, the operational needs of the Aboriginal Education and Communities Directorate in relation to leading and monitoring the Nest initiative should be reviewed, and if necessary, steps taken to enhance its capacity.

However, given that the Nests 'are not owned by any one individual, community, institution or organisation',[289] Education cannot, on its own, provide the strategic leadership and oversight of the initiative that is required to drive its effectiveness. An Aboriginal Language and Culture Nest Advisory Group was formed at the outset of the Nest initiative, and while it may have met in the early stages, no formal meeting records were retained. From January 2016, Aboriginal Education and Communities Directorate executives met regularly with the AECG President, but Education was unable to locate and provide us with minutes of these meetings.

The terms of the AECG's current contract include responsibility for establishing a State-wide Steering Committee.[290] We understand that, to date, the committee includes executives from Education's Aboriginal Education and Communities Directorate and the AECG President.[291] While regular meetings between Education and the AECG are critical given their close work in many spheres, consideration should be given to an expanded group of experts taking part in this critical strategic leadership committee.

For example, in 2016 we facilitated a meeting between Education, the AECG and NESA, which resulted in a renewed commitment to improve information-sharing and other aspects of collaboration. In addition to NESA, in our view the State-wide Steering Committee should also include TAFE (as the main provider of training to Aboriginal language teachers and tutors) and Aboriginal Affairs (given its broad range of responsibilities to Aboriginal communities include the coordination of the OCHRE Plan). As discussed at 4.3.5, there would also be benefit in the Steering Committee taking steps to engage with the independent and Catholic systemic schools sectors to explore opportunities for a more collaborative approach to Aboriginal language teaching.

Importantly, a committee of this type should also seek to involve senior Aboriginal language leaders, like elder Dr Stan Grant Snr. As well, Nest Teachers, base school Principals, project officers and community members of Local Reference Groups could be invited to periodically address the Steering Committee about the local implementation of the initiative in their communities. This would provide an opportunity to showcase and receive acknowledgement of good work, and assist the Committee to identify and monitor good practice as well as challenges needing to be addressed.

Enhancing operational guidelines

During consultations with our office, base school Principals have repeatedly raised the need for closer guidance from Education about their role in the Nest initiative, and in particular, how Nest funding can be

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[286] Social Policy Research Centre, UNSW, *OCHRE Evaluation Synthesis Report – Stage 1 Final Report*, Social Policy Research Centre UNSW, June 2018, p.34.
[287] Social Policy Research Centre, *OCHRE: Gumbaynggirr Language and Culture Nest – Stage 1 Evaluation Report*, Social Policy Research Centre UNSW, June 2018, p.33.
[288] Advice provided by NSW Department of Education, May 2017.
[289] NSW AECG, Aboriginal Language and Culture Nests Factsheet, accessed online 20 December 2018.
[290] Advice provided by NSW Department of Education, May 2018.
[291] Advice provided by NSW Department of Education, May 2018.

used. The development of the Nest Guidelines has clarified some areas; however, in our view they need to be strengthened in relation to others, such as whether Nest funding should be allocated to compensate language Tutors' travel expenses and 'on Country' language teaching, and critically, whether Nest Teachers can be paid for providing language and culture activities to community members.

Education has told us that the Principal of each base school and the Nest Teacher, along with the Local Reference Group, make decisions about expenditure for the Nest, particularly in relation to engaging schools and Tutors.[292] Effectively implementing this collaborative decision-making model in practice requires Education to demonstrate a preparedness to share information about funding and data with Local Reference Groups. It also requires Local Reference Groups to be well-functioning. Further, while the capacity for local decision-making is welcome, in the interests of consistency and transparency, we believe that some formal documented guidance is required in relation to issues such as travel expenses and the provision of language activities to community members.[293]

Collecting, monitoring and reporting better data

The collection of data is vital to planning and delivering well-targeted, high quality initiatives, and monitoring whether they are achieving their desired results. The Department's AEC Directorate is responsible for monitoring the Nest initiative. Our office has raised concerns about the adequacy of data collection and monitoring that has been undertaken to date. The SPRC also noted the limited data available to inform its Stage 1 evaluation of the Nests.[294]

As discussed in section 4.3.5, Education required Nest Teachers to collect, on a term basis, limited local data about the number of Language Tutors employed, schools participating and students receiving language tuition, and to record information about other Nest activities undertaken. However, it has acknowledged problems with the accuracy and consistency of the data that was captured by this method prior to 2018. Beyond the data captured by Nest Teachers, Education has not implemented a systemic approach to collecting data that could measure the intended outcomes of the initiative.

While there are some challenges involved in measuring indicators such as improved language proficiency across Western geographic boundaries, and whether learning language has directly led to increased school attendance and education outcomes, there are a range of indicators that would provide evidence of whether students learning language are doing better generally in terms of educational outcomes. The lack of a systematic approach to monitoring the outcomes of the Nest initiative makes it hard to assess whether the funding committed to the Nest initiative has been efficiently and effectively invested.[295]

Pleasingly, Education has now established a minimum data set for the initiative going forward[296] after engaging an independent consultant to recommend changes aimed at enhancing data relevance, consistency and reliability, and reducing the burden on Nest Teachers. An online data collection system has since been trialled in two Nests, with training provided to Nest Teachers and selected Tutors.[297] We have viewed the minimum data set and are confident that if usage of the online data system is appropriately monitored, it should address the previous problems with the data collected by Nest Teachers. The minimum data indicators include:
- count of Nest Teachers and Tutors, recording each person's level of qualification or qualification in progress, and the teaching and non-teaching hours they work
- count of Nest schools receiving tuition, the year level being taught, and the duration of classes, and
- count of students learning Aboriginal languages via Nests, by Aboriginality.

Education has also advised us that it is now separately collecting qualitative data about 'Nest milestones' nominated by individual Nests, in order to be able to 'tell the story' of each Nest.[298] In addition, Education

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[292] Advice provided by NSW Department of Education, July 2018.
[293] Advice provided by NSW Department of Education, July 2018.
[294] Social Policy Research Centre, *Gumbaynggirr Language and Culture Nest, Stage 1 Evaluation Report*, June 2018, p.3.
[295] Social Policy Research Centre, *OCHRE Evaluation Synthesis Report – Stage 1 Final Report*, prepared for NSW Coalition of Aboriginal Regional Alliances – NCARA, June 2018, p.36.
[296] Advice provided by NSW Department of Education, May 2018.
[297]Advice provided by NSW Department of Education, October 2018.
[298] Advice provided by NSW Department of Education, December 2018.

requires the AECG to provide quarterly reports as part of meeting its contractual requirements. It also has access to reports completed by Nest project officers each term, which include qualitative observations.[299]

While these are positive developments, there is still a need for Education, in partnership with the AECG and Local Reference Groups, to co-design a set of performance indicators against which progress can be meaningfully measured. Education's approach to collecting qualitative data about the Nests, to date, appears somewhat ad hoc. For example, it is not clear what guidance Education has provided to the AECG about the type of information that should be included in the AECG's quarterly reports, or whether Nest project officers are expected to report on the same type of information to the AECG.

In establishing the performance indicators, Education and the AECG should take into account (but not be limited by) success measures identified by Local Reference Groups. For example, through implementing a 'co-design approach' with relevant communities, the SPRC used the following success measures to guide its Stage 1 evaluation of the Gumbaynggirr and Wiradjuri Nests:

> **Gumbaynggirr:** Members of Aboriginal communities have access to Gumbaynggirr language classes; young Aboriginal people have access to language and culture, including learning 'on country'; people with cultural authority (Elders and Aboriginal people with cultural knowledge who are accepted by communities) are teaching Gumbaynggirr language and have job security; Gumbaynggirr Language and Culture Nest is community-controlled, properly funded and resourced.[300]

> **Wiradjuri:** Wiradjuri language and culture is being taught in every school in the North West Wiradjuri Nest area; a Wiradjuri cultural keeping place is established – for learning, resources and repatriation of important cultural objects and other artefacts; a locally based Wiradjuri language and cultural research centre is established; expanded resources for the teaching and learning of Wiradjuri language and culture are available including ongoing opportunities for Tutors to develop resources and share knowledge.[301]

In considering how to measure progress towards the intended outcomes of the initiative, Education should not be unduly concerned about whether it is possible to establish definitive causation. Rather, the focus should be demonstrating the contribution that Nests are making to achieving the desired outcomes. For example, while it may not be possible to directly attribute changes in student attendance or retention rates to Aboriginal language tuition, related data for participating students could be easily captured and certain observations made. Similarly, students receiving language tuition could be surveyed before and after in relation to basic wellbeing indicators, and the outcomes should be reported.

Finally, in the interests of transparency and to promote the value of the Nests initiative, as with other OCHRE initiatives, data about the outcomes achieved by the Nest initiative should be published annually.

4.3.10   Pursuing a coordinated, bilateral approach to language revitalisation

In announcing the Nests initiative, the NSW Government acknowledged that considerable language revitalisation work was already underway in a number of communities. For example, the Nests have benefited from access to existing Aboriginal language and culture resources, such as dictionaries, books and more recently, digital resources and apps, as well as training and other support provided by federally funded Aboriginal language and culture centres. A range of public institutions, such as the State Library, and other organisations are also playing an important role in language revitalisation.

Federally, support for Aboriginal language revitalisation is primarily provided through the Indigenous Language and Art (ILA) grant program, which among other things, contributes funding to 22 language centres around Australia, including the following four centres in NSW:

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[299] Advice provided by NSW Department of Education, December 2018.
[300] Social Policy Research Centre, UNSW, *Gumbaynggirr Language and Culture Nest Stage 1 Summary Report*, Social Policy Research Centre, UNSW, June 2018, p.18.
[301] Social Policy Research Centre, UNSW, *North West Wiradjuri Language and Culture Nest Stage 1 Summary Report*, Social Policy Research Centre, UNSW, June 2018, p.19.

1. *Muurrbay Aboriginal Language & Culture Co-operative* at Nambucca Heads, which supports revitalisation of six languages: Gumbaynggirr, Gathang, Bundjalung, Darkinjung, Dunghutti and Yaygirr.
2. *Wiradjuri Condobolin Corporation*, based in Condobolin and supporting four languages: Wiradjuri, Wemba, Yorta and Nari – see Case study 10.
3. *Miromaa Aboriginal Language and Technology Centre*, also known as Awabakal Cultural Resource Association Inc, based in Newcastle and supporting Awabakal language.
4. *Murdi Paaki Regional Enterprise Corporation*, to support nine languages in the Murdi Paaki region: Gamilaraay, Yuwaalaraay, Yuwaalayaay, Guyinbaraay, Waalaraay, Wirriyaraay, Paakantji/Baakantji, Wayilwan and Ngiyampaa. [302]

The establishment of language and culture centres was a recommendation of the Royal Commission into Aboriginal Deaths in Custody[303] and the *Bringing Them Home* report of the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families subsequently recommended that funding for the centres be expanded.[304] In July 2017, the Commonwealth Government announced that, in addition to $30 million already committed under the ILA program, it would provide funding for up to five years to 35 Indigenous arts and language organisations. The funding will enable the organisations to develop an online catalogue of language resources, Elder-run language camps and artistic cultural performances, and support younger community members to capture stories in their area.[305]

Case study 10: Revitalising language and culture in Condobolin

Since 2003, Aboriginal leaders from Condobolin have been able to facilitate a number of benefits for the community as a result of a partnership established between the community and a mining company. Rather than pursue royalties from the mine, the Wiradjuri Condobolin Corporation (WCC) sought resources for employment, education and training in the community, and for the strengthening of language and culture in the wider Wiradjuri region.

In 2011, the WCC built a community centre and garden and established a Wiradjuri Study Centre to promote the study and understanding of Wiradjuri culture. The Study Centre has worked closely with local schools in Condobolin to implement a school-based language and culture program. This has included developing appropriate teaching aides – such as a Wiradjuri language app that students and teachers can access on their mobile phones – and engaging recognised language experts to compile the first Wiradjuri-English dictionary.

The WCC also receives support from the Commonwealth Government (through its Indigenous Languages and Arts program) to restore, revive and reclaim the Wiradjuri, Nari Nari, Wemba Wemba and Yorta Yorta languages. It does this by developing digital and physical resources (for example, dictionary apps, flash cards, learning games, online learning platforms and language toolkits) and providing a range of other support (for example, audio and video production) to language groups and speakers.

While we support the continuation of the Nests initiative in NSW, it should be seen as one (important) component of a coordinated bilateral approach to language revitalisation across the nation. Communities have highlighted the need for sustained government investment of financial and practical resources to support the considerable efforts that NSW Aboriginal language communities have been undertaking for many years to maintain, reclaim and revitalise their languages.[306] In particular, we have heard that it is vital to ensure an adequate and ongoing commitment to Aboriginal language and culture centres, including (but not limited to) the four federally funded centres in NSW, to enable them to sustain and strengthen their efforts alongside the Nests. This theme also strongly emerged from the SPRC's Stage 1 evaluation of Nests.

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[302] Commonwealth Department of Communications and the Arts, *Indigenous Languages and Arts program: Language Centres*, accessed online 12 October 2018. .
[303] Royal Commission into Aboriginal Deaths in Custody, *National Report: Volume 2* (at 11.2), April 1991. Recommendation 56.
[304] Human Rights and Equal Opportunity Commission, *Bringing Them Home: Report of the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from their Families*, 1997. Recommendation 12a.
[305] Australian Government, Department of Communication and the Arts, *Funding for Indigenous languages and art*, Media release, 25 July 2017.
[306] Beetson & Associates Pty Ltd, *Aboriginal Languages Legislation NSW Community Consultations Final Report*, May-July 2017, p.8.

Those working in the Nests recognise the relationship between the Nests and Aboriginal language and culture centres as highly valuable. For example, the Gumbaynggirr Nest has substantially relied on the expertise and resources developed by Muurrbay Aboriginal Language and Culture Co-operative over many decades (see Case study 11). There is a risk, however, that as the Nests grow (and potentially expand to other locations), increasing demand will be placed on language centres to provide in-kind support and resources in a context where some centres report that they are already struggling with capacity. For example, Muurrbay have told us about difficulties meeting the costs of housing their organisation, with staff volunteering their time to meet growing demands for language tuition and fundraising to cover operational costs.[307]

Meanwhile, the Miromaa Aboriginal Language and Technology Centre in Newcastle reportedly does not have capacity to provide teaching in schools, despite receiving 40 messages on their answer machine during the school holiday period from schools seeking language tutors.[308]

Case study 11: Muurrbay Aboriginal Language and Culture Co-operative

According to Shayne Williams, the Muurrbay Aboriginal Language and Culture Co-operative 'stands out within NSW as an exemplar for creating functional community-school engagement'.[309] Muurrbay is one of four Aboriginal language centres funded by the Federal Government in NSW.[310] Before Nests started in this region, Muurrbay was teaching Aboriginal language in 10 schools.[311]

Founded by Gumbaynggirr Elders in 1986, the centre started teaching Gumbaynggirr classes in 1997, before expanding in 2004 to become a regional language centre that provides strategic support for the revitalisation of a further six Aboriginal languages of the central to north coast of NSW. This strategic support includes project planning, linguistics, IT and teaching expertise, assisting with language revival by publishing dictionary-grammars, developing teaching resources, employing language workers and delivering community-based language workshops and accredited courses.[312]

Since its establishment, the Gumbaynggirr Nest has greatly benefited from the language resources and teaching expertise that Muurrbay had developed over many decades. It is clear that the Nest and the centre also have numerous other links: Muurrbay offers free language classes for Aboriginal people who may wish to become a Nest Tutor, and the Nest Teacher is a Muurrbay board member who offers adult classes at the centre after hours. More recent developments have seen the Nest's project officer located in the Muurrbay office, which is also identified as one of two Keeping Places for the Gumbaynggirr Nest. While these crossovers and linkages between the centre and the Nest are important, it is unclear whether Muurrbay is being adequately compensated for its growing contribution to support the Nest, other than through one-off engagements, such as a classroom teaching skills workshop the Nest commissioned for its Tutors in 2017.

During our visit to the centre in May 2017, we learned that Muurrbay has been struggling to meet the growing demand for language resources, training and support for language revitalisation within its current funding. It will be important to ensure that the revitalisation work of language centres, like Muurrbay, is not overlooked when planning for the NSW Aboriginal Languages Strategy.

The NSW Government has an important role to play in advocating for ongoing support of federally funded language centres. In areas where current or future Nests are established, it should also consider giving language centres and other Aboriginal community organisations practical support and extra state funding

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[307] NSW Ombudsman visit to Muurrbay Aboriginal Language and Culture Co-operative, 17 May 2018.

[308] Panel discussion during National Indigenous Languages Convention, Gold Coast, 23 February 2018.

[309] Williams, S, *The importance of teaching and learning Aboriginal languages and cultures: the triangularity between language and culture, educational engagement and community cultural health and wellbeing*, 2011, p.vii.

[310] http://muurrbay.org.au, accessed 10 October 2018.

[311] Williams, S, *The importance of teaching and learning Aboriginal languages and cultures: the triangularity between language and culture, educational engagement and community cultural health and wellbeing*, 2011, p.81.

[312] Muurrbay Aboriginal Language and Culture Co-operative website, accessed 10 October 2018.

for implementation. There is also a clear role for government to facilitate access to archives and resources, like those held by the State Library, and to support the availability of up-to-date technologies, such as apps, to broaden language knowledge and accessibility.[313]

In passing the Aboriginal Languages Act, the NSW Parliament has recognised the need for a focused, coordinated and sustained effort in relation to Aboriginal language activities at local, regional and state levels. The provisions in the Act provide a strong basis through which to achieve this. Given the need to learn from and incorporate the Nests as part of a broader strategic approach to language revitalisation, it is positive that two Nest Teachers have been selected to be part of the Advisory Group for the Languages Trust (ALEAG). ALEAG is tasked with guiding the implementation of the Act, including the establishment of an independent Trust to coordinate and resource local language activities. Recognising the critical importance of the ALEAG's remit, Education should ensure the Nest Teachers are appropriately supported to undertake their role.

As part of securing a coordinated, bilateral approach to language revitalisation, closer alignment of key Commonwealth and state government initiatives is needed to avoid overlapping programs. Without this, there is a risk that scarce resources will be wasted. It is pleasing that the Interagency Working Group established in 2018 to guide the implementation of the Aboriginal Languages Act includes representation from the Federal Department of Communications and the Arts, creating a regular forum for bilateral dialogue about Aboriginal language policy and programs.[314] It will be important to ensure that this, and other forums, are utilised to ensure efficient coordination of efforts.
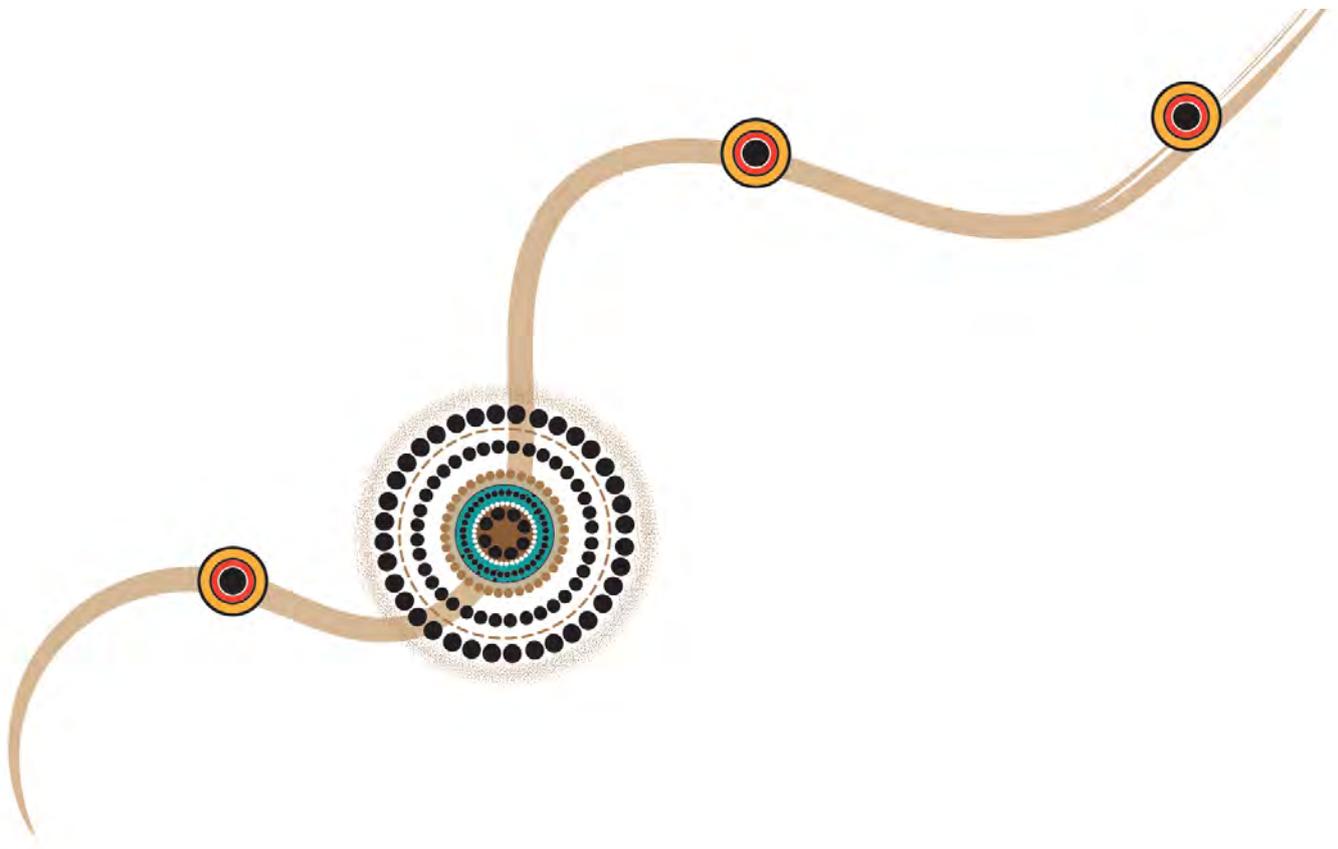
Recommendations

4. The Department of Education should:
    a. consider establishing a salary structure for Nest Teachers which recognises the different levels of experience and skill brought to the role by individuals
    b. clarify its policy on the teaching of Aboriginal languages to students 'on Country' and provide appropriate guidance about this issue in the Language and Culture Nests Guidelines
    c. consider what opportunities could be leveraged to promote a collaborative approach by the government and non-government education sectors to Aboriginal language teaching in schools and pre-schools
    d. consider, in consultation with the NSW AECG Inc. and Department of Communities and Justice (Youth Justice), what resources and infrastructure are needed to allow the North West Wiradjuri and Gumbaynggirr Nests to engage with juvenile justice centres in their communities, if the relevant Local Reference Groups consider this a priority.

5. The Department of Premier and Cabinet (Aboriginal Affairs) should ensure that language teaching workforce capacity is considered in the strategic plan developed to guide the work of the new Aboriginal Languages Trust.

6. The Department of Education should work with the NSW AECG Inc. to:
    a. ensure that the changes to the employment of Nest Tutors, including the rationale and operational implications, are communicated to Nest stakeholders, for example, Local Reference Groups, Nest Teachers and Principals
    b. monitor whether the new employment arrangements for Nest Tutors effectively address the issues discussed in this chapter that are impacting on the language tutor workforce.

7. The Department of Education should collaborate with the NSW AECG Inc. to:
    a. provide support for regular professional learning workshops for Nest Teachers and Tutors
    b. require schools that participate in the Nests to access the AECG's *Connecting to Country* immersion program, or another appropriate cultural awareness program, and monitor compliance with this requirement.

8. The Department of Education, in consultation with the NSW AECG Inc. and the Department of Premier and Cabinet (Aboriginal Affairs), should:

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[313] Ministerial Taskforce on Aboriginal Affairs, *Getting it right: The findings of the Round Two Consultations for the NSW Ministerial Taskforce on Aboriginal Affairs*, 2012, pp.27-28.
[314]Advice provided by NSW Department of Education, May 2018.

    a.   clarify who is responsible for providing the human and financial resources needed to support a functioning and sustainable Keeping Place in each Nest and reflect this advice in the Language and Culture Nest Guidelines

    b.   ensure that, as part of any future funding to extend or expand Language and Culture Nests, consideration is given to the different characteristics and preferences of communities in relation to the establishment and maintenance of Keeping Places

    c.   give consideration to developing a remuneration package for Elders and other community members who provide expert endorsement of language and culture content and teachers for schools, whether in Nest locations or elsewhere.

9.   The Department of Education should:

    a.   ensure the Language and Culture Nest Guidelines include clear guidance about the initiative's scope and funding for community-based (as opposed to school-based) language and culture activities, including whether Nest Teachers can be paid for these activities

    b.   ensure the State-wide Steering Committee for Language and Culture Nests develops a plan for monitoring the Nests' engagement with communities.

10. The Department of Premier and Cabinet (Aboriginal Affairs), in consultation with the Department of Education and the AECG, should consider whether the Nests require additional funding/resources to meet the demand for community access to language and culture activities and if appropriate, develop a business case for consideration by the NSW Government.

11. The Department of Education and the Department of Premier and Cabinet (Aboriginal Affairs) should:

    a.   provide advice about the funding status of the Aboriginal Language and Culture Nests, including whether additional funding/resources will be provided in response to the capacity issues raised in the SPRC's Stage 1 evaluation reports and this chapter

    b.   ensure that prior to any expansion of Nests to other locations, an adequate assessment of community capacity, including a sufficient number of language speakers, informs the selection process – with consideration given to a staged approach to implementation if appropriate

    c.   consider alternative strategies for supporting the revitalisation of Aboriginal languages in locations where the establishment of a Nest is not currently viable.

12. The Department of Education should:

    a.   review the operational needs of the Aboriginal Education and Communities Directorate in relation to effectively leading and monitoring the Nest initiative and if necessary, take steps to enhance the Aboriginal Education and Communities Directorate's capacity

    b.   in consultation with the AECG, ensure that the State-wide Steering Committee includes appropriate representation by key stakeholders, including (but not limited to) Aboriginal Affairs, NESA and TAFE and identify ways of strengthening the linkages between the Steering Committee, Local Reference Groups and other local Nest stakeholders

    c.   review and enhance the *Aboriginal Language and Culture Nest Guidelines*, having regard to the observations in this chapter about the need to provide greater clarity about a range of issues

    d.   in consultation with the NSW AECG Inc. and having regard to success measures identified by Local Reference Groups, establish a set of performance indicators for monitoring and reporting on the Nest initiative's progress and a systematic plan for collecting the required quantitative and qualitative data needed to facilitate this.

13. The Department of Premier and Cabinet (Aboriginal Affairs) should:

    a.   consider the merits of preparing a business case for consideration of additional funding of language and culture centres and other Aboriginal community organisations that provide practical support for the implementation of Nests

    b.   liaise with the Commonwealth Department of Communication and Arts to identify ways of ensuring ensure closer alignment and coordination of key Commonwealth and state government initiatives to support Aboriginal language revitalisation.

14. The Department of Education should ensure Nest Teachers are supported to undertake their role as members of the Languages Trust Advisory Group.

5   Local Decision Making

The United Nations Declaration on the Rights of Indigenous Peoples provides that Indigenous peoples have the right of self-determination, and by virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.[315]

In our 2011 report to Parliament about addressing disadvantage in Aboriginal communities, we emphasised the importance of government establishing more effective mechanisms to engage with Aboriginal representatives at a state-wide, regional and local level, and committing to providing information to Aboriginal representatives to facilitate informed decision-making.[316]

The OCHRE Local Decision Making (LDM) initiative is a ground-breaking practice and decision-making model directed at changing how the NSW Government works with Aboriginal leaders and communities. LDM represents a significant move towards supporting Aboriginal self-determination in NSW.

LDM is modelled on international approaches that demonstrate that self-governance is intrinsic to empowerment and community wellbeing, including in terms of health, education and economic outcomes. Similar models have been used successfully to improve community governance and service delivery for Indigenous populations in Canada, New Zealand and the United States.[317] LDM also aligns with the move towards government policy approaches being co-designed, consumer-driven and place-based. Previous state and federal agreements have included some elements of the LDM model,[318] but none has sought to shift the power differential between Aboriginal communities and government to the same extent, including by devolving certain decision-making and budgetary control.

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[315] United Nations, *Declaration on the Rights of Indigenous Peoples*, Article 3. Australia endorsed the treaty in 2009, but has not ratified it in domestic legislation.

[316] NSW Ombudsman, *Addressing Aboriginal disadvantage: the need to do things differently*, October 2011, p.7.

[317] The Hon. Victor Dominello MP, Media release, 4 December 2013.

[318] For example, see the *Murdi Paaki Regional Partnership Agreement* (RPA) 2009-2012 between the Murdi Paaki Regional Assembly, the NSW Government and the Commonwealth Government.

The vision for LDM is to:

- provide NSW with a clear framework for the government and Aboriginal communities to negotiate and collaborate on service delivery issues
- provide scope for regional Aboriginal governance bodies to operate as equal partners with government, and
- ensure that Aboriginal communities are more satisfied with government services.[319]

Consultations by the Ministerial Taskforce on Aboriginal Affairs indicated strong support for the proposed model, as well as some reservations about the possibility of effective implementation.[320]

When LDM took effect in November 2013, NSW became the first Australian jurisdiction to commence a process of devolving decision-making powers to Aboriginal communities. Originally, the initiative was intended to be a trial in three sites (urban, regional and remote). However, due to the strength of interest from, and capacity within Aboriginal communities, LDM was extended, and now operates in eight sites covering around 70 communities where over 100,000 Aboriginal people reside (almost half of the Aboriginal population in NSW).

LDM is enabling Aboriginal leaders to 'have a seat at the table' and negotiate directly with government on community priorities. The model is starting to shift how government works to support community priorities, and is helping to drive the delivery of region-wide outcomes. There is also a growing understanding of government processes among Aboriginal regional governance bodies (Regional Alliances), which is helping to build their capacity to take on greater delegated powers in the future; and a clearer picture of state government spending on service delivery.

While there have been a number of positive developments, the pace of implementation has been slower than anticipated. In part, this is due to the larger than expected number of communities and governance bodies involved in the initiative. It also reflects the significance of the challenge for government in making the necessary practical changes to share decision-making with Aboriginal communities. We expect that going forward, the lessons learned from early experience will lead to more rapid progress, but this will require maintaining the 'authorising environment' established for Accord negotiations to drive Accord delivery and monitor the resulting outcomes.

To date, formal and binding agreements between the NSW Government and Aboriginal Regional Alliances (known as Accords) have been struck with only three of the eight participating Alliances, and some key aspects of the model, particularly service redesign and supporting legislation, are yet to be fully realised. For tangible changes to happen 'on the ground' in communities, it is essential that service redesign now starts to occur with the Alliances that have already negotiated Accords.

Enhanced collection, analysis and reporting of outcomes data is also required. As we discuss in this chapter, for the first five years of LDM, outcomes were not tracked, limiting our ability to assess the impact of the initiative. We are pleased that going forward this weakness will be remedied. For this reason, our observations are largely informed by qualitative information provided by Aboriginal leaders and government officials involved in the implementation of LDM.

In this regard, we welcome the government's acknowledgement that additional investment is needed to realise the promise of power-sharing at the heart of LDM. From here on, it is critical that the government redouble its efforts, in partnership with the Alliances, to operationalise all components of the model, and realise the stated intent of LDM.

5.1   Key components of Local Decision Making (LDM)

LDM aims to empower Aboriginal regional governance bodies – known as 'Regional Alliances' (Alliances) – to make informed decisions about government funding and service delivery for the region and local communities they represent.[321] As capacity and good governance is demonstrated, Alliances are

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[319] Aboriginal Affairs NSW, *Local Decision Making Implementation Plan 2017-2020*, 2017, p.3.
[320] Ministerial Taskforce on Aboriginal Affairs, *Getting it right: The findings of the Round Two Consultations for the NSW Ministerial Taskforce on Aboriginal Affairs*, 2012.
[321] Aboriginal Affairs NSW, *Local Decision Making Policy and Operational Framework*, May 2017, p.3.

progressively delegated greater powers and budgetary control through three-staged phases and 'Accords' negotiated with the NSW Government. Ultimately, the intention is for Alliances to direct the allocation of specified funding, guide the delivery of services, and report formally to government – although every Alliance is different and some may not progress through the different stages of delegation either by choice or by circumstance.[322]

The outcomes sought through LDM are to:
• decrease the duplication of services
• increase the effectiveness of service delivery to better meet local needs, and
• increase the skill and capacity of Aboriginal governance bodies.[323]

The initiative is led by Aboriginal Affairs NSW, which was located in the Department of Education for the first five years of the implementation of LDM and transferred to the Department of Premier and Cabinet (DPC) in July 2019. DPC also manages the participation of other relevant state agencies in LDM, including coordinating Accord negotiations and service re-design where appropriate. NSW Treasury is expected to support service-mapping, develop funding models which can be implemented in LDM areas and allow a re-direction of state government resources if required, consistent with priorities agreed with Alliances.[324]

5.1.1   Aboriginal Regional Alliances

Between July and September 2013, Aboriginal Affairs ran an expression of interest (EOI) process, which was open to new or existing Aboriginal regional partnerships representing more than one town or location within a region. EOIs were initially evaluated against threshold criteria related to geographic scope, location and informed consent, as well as the sustainability, robustness and strength of the partnership. At the time of writing, the following eight Alliances were involved in the LDM initiative, each comprising a variety of structures and, having been established at different points in time, varying degrees of maturity:

• **Barang Regional Partnership** (Central Coast): Barang is a corporate entity with 'opt-in' Aboriginal community controlled organisational members (and, separately, a Commonwealth Empowered Communities backbone organisation); it comprises seven Aboriginal community-controlled organisations in the local government areas of Gosford and Wyong, where approximately 12,400 Aboriginal people live.[325]

• **Illawarra and Wingecarribee Alliance Aboriginal Corporation** (Illawarra South East): It is an Aboriginal incorporated body with individual and organisational members, representing 10 Aboriginal groups and corporations and covering four local government areas (Wollongong, Shellharbour, Kiama and Wingecarribee) where over 9,300 Aboriginal people reside.

• **Murdi Paaki Regional Assembly** (Far Western NSW): It is an assembly of local Community Working Parties covering 16 communities[326] in nine local government areas (Bourke, Brewarrina, Broken Hill, Central Darling, Cobar, Coonamble, Walgett, Wentworth and the Unincorporated Far West) where around 8,300 Aboriginal people reside.

• **Northern Regional Aboriginal Alliance** (New England North West): It is an unincorporated body comprising incorporated Aboriginal community-controlled organisations, other service providers to Aboriginal communities and Aboriginal community members. It covers 15 local government areas (Armidale, Dumaresq, Glen Innes Severn, Gunnedah, Guyra, Inverell, Liverpool Plains, Muswellbrook, Singleton, Tamworth, Tenterfield, Upper Hunter, Uralla, Walcha and Warrumbungles) where approximately 18,000 Aboriginal people live.

• **Regional Aboriginal Development Alliance** (RADA) (North Coast): It covers seven local government areas (Ballina, Byron, Clarence Valley, Kyogle, Lismore, Richmond Valley and Tweed) where almost 13,000 Aboriginal people reside.

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[322] Advice provided by Aboriginal Affairs NSW, May 2018.
[323] Aboriginal Affairs NSW, *Local Decision Making Policy and Operational Framework*, May 2017, p.3.
[324] NSW Department of Premier and Cabinet, *M2015-01-Local Decision Making*, 2015.
[325] Estimates are based on 2016 Census data and profiles published by Aboriginal Affairs NSW.
[326] Bourke, Brewarrina, Broken Hill, Cobar, Collarenebri, Coonamble, Enngonia, Goodooga, Gulargambone, Ivanhoe, Lightning Ridge, Menindee, Walgett, Weilmoringle, Wentworth/Dareton, Wilcannia.

- **Riverina-Murray Regional Alliance** (RMRA) (Riverina-Murray): It covers 10 local government areas (Albury, Cootamundra, Cummeragunja, Deniliquin, Griffith, Hay, Leeton, Narrandera, Tumut and Wagga) where over 8,500 Aboriginal people live.

- **Three Rivers Regional Assembly** (TRRA) (Central West): It comprises community representatives from Local Aboriginal Land Councils (LALCs) and Community Working Parties (CWPs). It covers 12 communities[327] in 16 local government areas (Blayney, Bogan Shires, Bathurst Regional, Cabonne, Dubbo, Forbes, Lachlan, Gilgandra, Lithgow, Mid-Western Regional (Mudgee), Narromine, Oberon, Orange, Parkes, Warren and Wellington) where approximately 22,000 Aboriginal people reside.

- **Tribal Wave Regional Assembly** (Lower North Coast): It comprises collaborative networks made up of individual community members coming together around issues of interest. It covers 10 local government areas (Bellingen, Coffs Harbour, Gloucester, Greater Taree, Kempsey, Nambucca, Port Macquarie-Hastings, Williamtown, Medowie and Karuah) where almost 15,000 Aboriginal people live.

As part of the OCHRE 'refresh' this year, consideration is currently being given to the pathway for other Aboriginal communities to form Alliances and enter the LDM initiative.[328] The LDM *Good Governance Guidelines* published by Aboriginal Affairs clarify that in order to participate and progress to the first LDM stage, Alliances need to demonstrate that they have developed key governance processes, including how decisions are made as a group, and the scope of their decision-making responsibility; and how they will be accountable to the broader community.

5.1.2   NSW Coalition of Aboriginal Alliances (NCARA)

The NSW Coalition of Aboriginal Alliances (NCARA) brings together representatives from each of the LDM Alliances. It operates as a forum to exchange ideas, collaborate across regions and provide advocacy when necessary.[329] From its early meetings, NCARA signalled a desire to be involved in broader policy development relevant to Aboriginal people in the state and to consider related agency budgets. This is reflected in NCARA's work undertaken under its strategic plan.[330]

In late February 2019, NCARA signed a state-wide Accord with the NSW Government with each party agreeing to work together to decrease the number of Aboriginal young people entering the juvenile justice system, and improve early childhood outcomes for Aboriginal children.[331] The state-level Accord also commits to strengthening the relationship between NCARA and the NSW Government; and addressing common challenges arising from Accords. Additionally, it commits the parties to work in partnership to expand the LDM footprint across NSW 'to ensure equity and opportunity in decision making for all Aboriginal peoples across NSW'.[332]

NCARA's terms of reference and strategic plan make clear that it will not address issues that are clearly the responsibility of other peak organisations; and that it will seek to establish positive working relationships with key peak bodies in order to influence priority issues experienced at the community level.

We have encouraged government agencies to engage NCARA as a key stakeholder. We have also facilitated partnerships between NCARA and other stakeholders, including leading law firms able to provide independent, pro bono legal advice (see section 5.2.5).

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[327] Bathurst, Dubbo, Gilgandra, Mudgee, Narromine, Nyngan, Orange, Parkes, Peak Hill, Trangie, Warren and Wellington.
[328] Advice provided by Aboriginal Affairs NSW, November 2018.
[329] NSW Coalition of Aboriginal Regional Alliances, NSW Coalition of Aboriginal Regional Alliances Terms of Reference, 2016.
[330] NSW Coalition of Aboriginal Regional Alliances, *Strategic Plan 2017-2019*, 2017, p.10.
[331] NCARA and NSW Government, NSW Coalition of Aboriginal Regional Alliances (NCARA) Local Decision Making Accord, 27 February 2019.
[332] NCARA and NSW Government, NSW Coalition of Aboriginal Regional Alliances (NCARA) Local Decision Making Accord, 27 February 2019, p.2.

5.1.3   Delegation of decision-making

To progress through the three stages of delegated decision-making under LDM, Alliances and the NSW Government must take the steps, and demonstrate the principles, set out in the LDM *Good Governance Guidelines* published by Aboriginal Affairs:[333]

- **Phase 1: 'Advisory delegation'** – government expenditure and funded services in the Alliance region are mapped to assist Alliances in identifying their priority issues to be dealt with in the Accord; both the NSW Government and Alliance prepare for Accord negotiations; Accords are negotiated; and joint governance arrangements are put in place to drive accord implementation.

- **Phase 2: 'Planning delegation'** – Alliances become Boards of Management; a business plan is negotiated and formalised through a new Accord; the Board of Management works with a single Senior Officer from government who can direct government activity in line with the Board's decisions; and the Senior Officer manages pooled government funds consistent with the accord.

- **Phase 3: 'Implementation delegation'** – Boards of Management manage some government resources and/or services with associated accountability and may also be in charge of some government staff. This may be supported by the government passing legislation that turns the Board of Management into an independent regional authority.[334]

All eight LDM Alliances currently have 'advisory delegation' (Phase 1). We understand that the mechanisms to give effect to Phases 2 and 3 have not yet been settled by the NSW Government.[335]

5.1.4   Accords

The March 2015 Premier's Memorandum on LDM directs NSW Government agencies to work respectfully, constructively and cooperatively with Alliances and to strike 'formal and binding' agreements or 'Accords'.[336] Accords aim to:
- 'Redefine the relationship between government and Local Decision Making communities, where information and decision making is shared.
- Direct service delivery redesign and reinvestment according to the needs and priorities defined and negotiated between government and Alliances.
- Demonstrate to communities the commitment by government agencies to the aims and objectives of Local Decision Making.'[337]

Prior to Accord negotiations, both the Alliance and the NSW Government need to demonstrate their readiness to participate in the process against the *Good Governance Guidelines* criteria. The Alliance is expected to settle its internal governance, choose up to five priorities to negotiate, and identify what further governance and leadership skills it needs assistance with.

The NSW Government is expected to prepare for Accord negotiations by conducting preliminary service mapping, nominating agencies to participate, and identifying a lead officer with sufficient delegation to respond to community priorities, while taking into account agency resourcing and existing government commitments.[338]

Both parties nominate negotiators with appropriate delegation to speak on behalf of their Alliance/agency. Government 'lead negotiators' are responsible for bringing agency negotiators together to broker collaborative proposals and negotiate innovative responses to priority issues identified by Alliances.[339] Advisers or other experts may be used to advise negotiators but cannot negotiate or speak on behalf of the Alliance/agency; and either party may invite observers to witness the negotiations.[340] Independent

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[333] There is no requirement for Alliances to be at a certain phase for a set length of time, and not all Alliances may seek to progress to Phase 3. If an Alliance's capacity diminishes, it may go back to an earlier phase and lower delegation. See Aboriginal Affairs NSW, *Good Governance Guidelines September 2017*, 2017, pp.8 and 11.
[334] Aboriginal Affairs NSW, *Local Decision Making Policy and Operational Framework, May 2017*, p.12.
[335] Advice provided by Aboriginal Affairs NSW, May 2018.
[336] NSW Department of Premier and Cabinet, *M2015-01-Local Decision Making*, 2015.
[337] Aboriginal Affairs NSW, Accord negotiations page of Aboriginal Affairs website, accessed 29 June 2018.
[338] Aboriginal Affairs NSW, Accord Process: Accord Readiness, Commencement and Negotiation, October 2017.
[339] Aboriginal Affairs NSW, Role Description: Lead Negotiator NSW Government – LDM Accord Negotiations, n.d., p.1.
[340] Social Policy Research Centre, NSW, *OCHRE Local Decision Making Accords: Three Rivers Regional Assembly, May 2019*, p.33.

facilitators are engaged by government to assist with Accord negotiations and to ensure a fair, equitable and timely process as well as endorsement by all parties.[341]

To date, Accords have been struck with Murdi Paaki Regional Assembly (19 February 2015), Illawarra and Wingecarribee Alliance Aboriginal Corporation (14 May 2018) and Three Rivers Regional Assembly Accord (10 December 2018).[342]

Funding to support the operation of Alliances

For the first five years of the initiative, $845,000 per annum was allocated to the LDM initiative to cover Alliances' operational funding, Accord negotiations, a contribution to evaluation costs, consultancies and reviews, and networking activities. Annual allocations of $79,000 are usually made to each of the eight Alliances with occasional additional payments being made.[343]

Government staffing costs, including 10 full-time dedicated positions in Aboriginal Affairs, as well as roles in other agencies with Accord responsibilities, are generally met by the relevant agencies' existing funding envelope.

In August 2018, the NSW Government allocated a one-off injection of $3 million for the LDM initiative in 2018-2019. NCARA recommended that this funding be allocated equally between the eight Alliances and NCARA.[344] Aboriginal Affairs has followed this advice and made allocations accordingly, and is continuing to seek additional funding for forward years.[345] We understand the potential for contributions from other tiers of government[346] and the corporate and philanthropic sectors may also be explored.[347]

5.1.5   Governance mechanisms

DPC established a new state-wide governance structure for the LDM initiative in mid-2018. The 'LDM Strategic Implementation Group' aims to strengthen the participation of NSW Government agencies in LDM and monitor progress on a state-wide basis.[348] Among its responsibilities are seeking to find solutions for state-level issues; sharing good practice; and escalating problems to the Head of Aboriginal Affairs and relevant senior officers groups within government where required. Co-chaired by DPC and Aboriginal Affairs directors with experience in negotiating Accords, the group also comprises senior representatives from key agencies, including Accord lead negotiators.

For individual Accords, joint governance structures are established between Alliances and agencies to drive implementation, which are linked to the cross-cluster Regional Leadership Executive (RLE) groups led by DPC. Accord priorities are included in the business plan for the relevant RLE, which receives reports from the joint governance body for each Accord. RLEs are expected to address blockages with the implementation of individual Accords.

In late 2018, the NSW Government endorsed an 'Executive Sponsor' role to support LDM. This will see nominated Deputy Secretaries in each department taking responsibility for championing LDM, spearheading Accord negotiations, and brokering solutions to issues which cannot be resolved through agency line management structures or RLE groups.[349] DPC expects this role to enhance the authorising environment, and facilitate greater opportunities for place-based solutions, and state-wide policy innovation.

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[341] Beetson, J, Murdi Paaki Local Decision Making (LDM) Accord Negotiation: Facilitator Report, 8 December 2014 (unpublished).
[342] Evaluation reports on the negotiation of the Three Rivers Regional Assembly and Murdi Paaki Regional Assembly Accords provide more detail on the process involved. See Cultural & Indigenous Research Centre Australia (CIRCA), *NSW Government: Murdi Paaki LDM Accord negotiation evaluation*, 3 June 2015; and Social Policy Research Centre, NSW, *OCHRE Local Decision Making Accords: Three Rivers Regional Assembly*, May 2019, p.33; and Social Policy Research Centre, NSW, *OCHRE Local Decision Making Accords: Illawarra Wingecarribee Alliance Aboriginal Corporation*, July 2018.
[343] Advice provided by Aboriginal Affairs NSW, May 2018. Including additional payments, annual allocations to each Alliance up to 2017-2018 did not exceed $115,000.
[344] Advice provided by Aboriginal Affairs NSW, November 2018.
[345] Advice provided by Aboriginal Affairs NSW, September 2018.
[346] For example, the Commonwealth Government announced in the 2019-2020 federal Budget that $7.3 million would be invested to further support local and regional decision-making processes.
[347] Aboriginal Affairs NSW, *Local Decision Making Implementation Plan 2017-2020*, 2017.
[348] Aboriginal Affairs NSW, *OCHRE: Five Years On*, December 2018, p.30.
[349] Advice provided by the Department of Premier and Cabinet, February 2019.

Supporting legislation was contemplated in the original design of LDM.[350] The Ministerial Taskforce heard from a majority of participants that 'laws are needed to make agencies give Aboriginal communities their power back' and the Taskforce saw this as a distinctive feature of the model that differed from previous approaches.[351] The government has indicated that a relevant statute could cover the role for the Minister, ensuring effective partnerships between Alliances and the NSW Government, the establishment of pooled government funding, and financial and legal liability limitations.[352] We understand that the government will consider the need for a statutory framework with NCARA, Alliances and other stakeholders, once remaining Accords are finalised.[353]

5.1.6   Monitoring the progress of LDM's implementation

The implementation of LDM has been guided by three-yearly plans with regular progress reports provided to the Aboriginal Affairs Executive and the Minister for Aboriginal Affairs and, on occasion, to the Secretaries Board. The OCHRE Annual Reports have also included public progress reports. Beginning in 2018, quarterly reporting on the LDM Implementation Plan 2017-2020 has occurred through the LDM Strategic Implementation Group.

Activities and outputs relating to the delivery of individual Accord commitments are tracked through a software package used by government agencies specifically for LDM. We understand there have been a number of issues with the capabilities of this software, as well as the information entered by agencies.[354] For example, the software has not been used to capture outcomes, and there is no mechanism in place for Alliances to verify the information self-reported by agencies. Aboriginal Affairs intends to strengthen training for agency staff to improve the data collected, and supplement it by building in a minimum dataset to capture activity data for all parties involved in LDM.[355] Retrospective data was being entered into the dataset at the time of writing.

Work is currently underway to develop and implement 'results frameworks' for each Alliance to identify how Accord actions link to intended outcomes (frameworks are already in place for the Illawarra/Wingecarribee and Three Rivers Accords).

The 10 year OCHRE evaluation commissioned by Aboriginal Affairs is exploring the experiences of the Murdi Paaki and Illawarra/Wingecarribee Alliances in participating in LDM.[356] The separate reports on each Alliance from Stage 1 of the evaluation, which focused on implementation in their regions, were published in August 2018 and May 2019 respectively.[357] The next three years of the evaluation will seek to identify the outcomes achieved through LDM, including examining the extent to which the recommendations from the first three years of the evaluation have been successfully implemented, and how the initiative has positively changed the relationship between Alliance members and the NSW Government by realising the aspirations of individual communities. The report on the evaluation is expected to be released in 2022. Aboriginal Affairs also commissioned separate evaluations of the Accord negotiations for the Murdi Paaki Regional Assembly which reported in June 2015,[358] and for the Three Rivers Regional Assembly and Illawarra/Wingecarribee which were published in May 2019.[359]

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[350] Aboriginal Affairs NSW, *Local Decision Making Policy and Operational Framework, May 2017*, p.25.
[351] Ministerial Taskforce on Aboriginal Affairs, *Getting it right: The findings of the Round Two Consultations for the NSW Ministerial Taskforce on Aboriginal Affairs*, 2012, p.50.
[352] Aboriginal Affairs NSW, *Local Decision Making Policy and Operational Framework, May 2017*, p.25.
[353] Advice provided by Aboriginal Affairs NSW, October 2018.
[354] Aboriginal Affairs NSW, *Review of the Murdi Paaki Regional Assembly Accord*, May 2018 (unpublished), p.8.
[355] Advice provided by Aboriginal Affairs NSW, July 2018.
[356] These two Alliances were included in the first three years of the evaluation. The next three years of the evaluation will examine the five Alliances and the state Accord.
[357] Social Policy Research Centre, NSW, *OCHRE Murdi Paaki Regional Assembly, Local Decision Making – Stage 1 Evaluation Report, June 2018*; and *OCHRE Local Decision Making Accords: Illawarra Wingecarribee Alliance Aboriginal Corporation, July 2018* (the latter report was provided to Aboriginal Affairs on 20 May 2019).
[358] Cultural & Indigenous Research Centre Australia (CIRCA), *NSW Government: Murdi Paaki LDM Accord negotiation evaluation*, 3 June 2015.
[359] Social Policy Research Centre, NSW, *OCHRE Local Decision Making Accords: Three Rivers Regional Assembly, May 2019*.

5.2 How has LDM been implemented?

To inform our assessment of the implementation of LDM, we asked Aboriginal Affairs for a range of advice and information relating to governance, data, cross-cluster and escalation mechanisms, service mapping and redesign, Accord implementation, action taken in response to identified issues, and evidence of relevant changes within government to share decision-making. We considered the responses to these requirements for information, as well as published LDM policy documents and Aboriginal Affairs' annual OCHRE reports. We also drew on the findings from Stage 1 of the OCHRE evaluation (which looked at the experiences of just two of the eight Alliances) and the two separate evaluations of Accord negotiations. For the reasons outlined in section 5.1.6 above, outcomes data was not available.

A critical source of evidence has been advice from NCARA, as well as the individual Alliance chairs and members whom we consulted regularly. The Deputy Ombudsman (Aboriginal Programs) and our audit team have visited each of the Alliances, including 15 of the 16 Chairs of the Community Working Parties represented by Murdi Paaki Regional Assembly, to hear from them directly about how the LDM initiative is working. We have also regularly consulted senior representatives from DPC, Aboriginal Affairs NSW, Treasury and relevant agencies responsible for delivering on Accord commitments.

The focus of our monitoring and assessment role is on the work carried out by government agencies to implement LDM; Alliances themselves are ultimately accountable to the Aboriginal communities they represent.

5.2.1 Changing the relationship between government and Aboriginal communities

There is no doubt that LDM has begun to change the relationship between the NSW Government and communities represented by the participating Alliances. A number of Alliance Chairs have told us they have 'never seen anything like LDM' before, and that they consider it to be a once-in-a-generation opportunity to better meet the needs of their communities. Many have told us that participating in LDM has significantly enhanced their practical understanding of the workings of government. This is a notable outcome in and of itself, as well as being a necessary foundation for Alliances to progress through the various phases of decision-making delegation.

From a NSW Government perspective, the (then) Minister for Aboriginal Affairs noted in February 2019 that she had observed a growing awareness and respect for LDM on the part of involved agencies, as well as keen interest from other parts of government.[360] DPC also reports witnessing positive changes in the way that agencies are approaching business with Aboriginal communities. For example, agencies are starting to view their resourcing through the lens of implementing Accord priorities rather than seeing it as 'Aboriginal program funding' – a subtle but important shift in thinking.[361] In addition, we identified evidence of good 'reflective practice' on the part of government agencies, via the NSW Government self-assessment process which documents how relevant senior regional officials worked collaboratively with the Illawarra/Wingecarribee Alliance over a period of more than two years before the signing of the Accord.[362] Prepared by DPC, it illustrates how the requirement for self-assessment focuses government attention, in a very practical way, on what is required to effectively partner with Alliances. In our view, the process could be further enhanced by requiring each agency with responsibility for a priority area to individually consider and assess its readiness, including confirming that issues for negotiation fall within its scope, and to seek feedback on this assessment from the Alliance.

In 2015, Aboriginal Affairs commissioned Cox Inall Ridgeway to develop a cross-cultural partnership and collaboration framework for the LDM initiative. The framework sets out principles, indicators and 'partnership health check' surveys that can be used by Alliances and NSW Government agencies to regularly reflect on the health of their relationship, and identify issues to be managed before they escalate to conflicts or disputes.[363] While a process to support the health check surveys is still being developed,

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[360] Remarks of the Hon. Sarah Mitchell MLC, Minister for Aboriginal Affairs, at the signing of the NSW Coalition of Aboriginal Regional Alliances (NCARA) state-wide Accord, 27 February 2019.
[361] Advice provided by NSW Department of Premier and Cabinet, June 2018.
[362] NSW Department of Premier and Cabinet advice, provided by Aboriginal Affairs NSW, August 2016.
[363] Cox Inall Ridgeway, *Development of principles and indicators for successful cross-cultural partnership and collaboration for Aboriginal Affairs*, August 2016.

Alliances with Accords have reported concrete examples of having greater input into key priorities for their regions, including Aboriginal procurement policies, social housing and youth detention.

It has not all been 'smooth sailing' – there is also evidence of delays by government agencies in readying for Accord negotiations and implementation, failing to involve senior leaders able to make innovative and binding decisions, and not sharing critical information with Alliances early enough. We discuss these issues further in the following sections.

It is difficult to determine, without a solid evidence base, the extent to which the positive examples shared with us are changing the old 'business as usual' ways of working with Aboriginal people. For example, we have been unable to obtain evidence of how NCARA and Alliances have been engaged by agencies to provide input into key policy areas. It would also appear that neither DPC nor the OCHRE evaluation is monitoring this type of engagement as a key indicator of the extent to which shared decision-making is occurring.[364] This type of engagement, in our view, should be included in enhanced performance monitoring and related data collection processes.

5.2.2 Determining community priorities

Empowering Alliances to determine their own priority areas is a critical component of LDM. Table 1 shows considerable commonality in the priority areas nominated to date by seven of the eight Alliances. (Riverina-Murray Regional Alliance, as the newest Alliance, has not yet identified its priority areas.)

Table 1: Common priority areas for LDM Regional Alliances

Priority area	Alliances							Relevant agencies
	Barang	IWAAC	Murdi Paaki	NRAA	RADA	Three Rivers	TWRA	
Economic development	✓	✓	✓	✓	✓	✓	✓	NSW Treasury (previously NSW Department of Industry)[365]
Education and early childhood	✓	✓	✓	✓		✓	✓	NSW Department of Education
Housing		✓	✓	✓	✓	✓	✓	NSW Housing; NSW Land and Housing Corporation; Aboriginal Housing Office
Health and wellbeing	✓	✓		✓	✓	✓		NSW Health
Justice		✓		✓				NSW Department of Justice
Culture, healing	✓			✓			✓	NSW Department of Premier and Cabinet (Aboriginal Affairs NSW); NSW Health; NSW Public Service Commission
Governance and capacity		✓	✓			✓		NSW Department of Premier and Cabinet (Aboriginal Affairs NSW)

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[364] Advice provided by Aboriginal Affairs NSW, May 2018.
[365] In changes to administrative arrangements made after the state election in March 2019, responsibility for economic development functions from the former Industry cluster were moved to NSW Treasury. Advice provided by the NSW Department of Premier and Cabinet, April 2019.

The agreed actions for each priority area vary depending on local needs and what is negotiated with agencies at the regional level; however, common actions include:

- engaging parents and carers in their child's education, increasing investment in early childhood education, improving suspension processes, increasing attendance and retention at school, and tailoring learning to the individual
- auditing existing housing stock and strategically planning for housing needs, identifying options to combat homelessness, streamlining social housing waitlists, and creating pathways to home ownership, and
- increasing Aboriginal employment and supplier opportunities from government procurement, implementing regional economic development strategies (with a particular focus on tourism), and growing the Aboriginal business sector in regions.

Given the similarities in the priority areas (and actions) nominated by Alliances, Accord negotiations will usually involve the same government agencies, providing significant scope to build government capacity and efficiency in this area.

In our 2011 report to Parliament, we emphasised that, for Aboriginal community governance structures to be effective, government must be ready and able to respond to the priorities that communities identify. Government agencies need to be clear about their own decision-making and governance processes to make real, tangible changes.[366] Pleasingly, the Premier's Memorandum on LDM explicitly addressed these issues. However, even though the 2015 evaluation of the Murdi Paaki Accord negotiation identified the need to improve the process through ensuring government representatives have delegated authority, Alliances were still reporting in 2018 that too often, agencies are failing to send the right people 'to the negotiating table'– that is, representatives with sufficient seniority or mandate to bind the agency to agreements.[367] Alliances also told us that they were spending significant time consulting separate agencies about different policies, services and related data and that some agency representatives insisted that existing programs/initiatives addressed Alliance priorities, without considering innovative approaches.[368]

After raising these concerns with senior government officials, we were encouraged to see the development in late 2018 of the Executive Sponsor role outlined in section 5.1.5. By nominating a Deputy Secretary in each relevant department to champion LDM and authorise the department's participation and innovation, the model should strengthen governance of the initiative. We will continue to monitor this closely.

5.2.3   Negotiating and delivering on Accord priorities

To date, the process of striking Accords has been slow. While we have often heard that government is trying to respect 'the pace of community', Alliances have expressed concerns about the time it has taken for the government to come to the negotiation table, and then to reach agreement. Delays have knock-on effects in terms of maintaining community engagement with LDM,[369] extending the time taken by agencies to establish the governance arrangements for implementing the Accord, launch new initiatives and (where relevant) secure funding in budget cycles to give effect to accord commitments.

Following through on Accord commitments in order to effect change 'on the ground' is pivotal to the success of LDM. However, only limited data is available to assess progress (that is, periodic reports on the implementation of the Murdi Paaki Accord, and a May 2018 review by Aboriginal Affairs of the delivery of that Accord's actions).[370]

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[366] NSW Ombudsman, *Addressing Aboriginal disadvantage: the need to do things differently*, October 2011, p.9.
[367] Advice provided by representatives at NCARA meeting, May 2018. See also Social Policy Research Centre, NSW, *OCHRE Local Decision Making Accords: Three Rivers Regional Assembly*, May 2019.
[368] Advice provided by Murdi Paaki Services, October 2018. See also Social Policy Research Centre, NSW, OCHRE Local Decision Making Accords: Three Rivers Regional Assembly, May 2019 and OCHRE Local Decision Making Accords: Illawarra Wingecarribee Alliance Aboriginal Corporation, July 2018, p.3.
[369] This is exacerbated by government's use of confidentiality agreements for Accord negotiators, which prevent Alliance representatives from informing community members of progress and sticking points in negotiations. See Social Policy Research Centre, NSW, *OCHRE Local Decision Making Accords: Three Rivers Regional Assembly*, May 2019; and *OCHRE Local Decision Making Accords: Illawarra Wingecarribee Alliance Aboriginal Corporation*, July 2018.
[370] Aboriginal Affairs NSW, *Review of the Murdi Paaki Regional Assembly Accord*, May 2018 (unpublished).

We analysed the Murdi Paaki Accord reports provided to our office, which covered the period between November 2015 and May 2018, by the categories used in the reports: 'not commenced', 'planning', 'commenced', 'closed' and 'achieved'.[371] We identified that work on most (63%) of the actions had started nine months after the Accord was signed.[372] By May 2018, more than three years after the Accord was struck, work on 80% of the actions had started. However, only 27% of the actions had been achieved, while 11% had not been commenced at all and 13% of the actions were closed (i.e. agreed between the parties to no longer be required).

A review conducted by Aboriginal Affairs found that key obstacles included identifying an appropriate agency to lead actions, and allocating 'deliverables' that fell outside the normal scope of participating agencies' responsibilities.[373] These findings reinforce the critical need to ensure that government is adequately prepared before negotiating Accords, and that problems are promptly escalated and addressed through the LDM 'governance hierarchy'.

Over the past four years we have repeatedly raised our concerns about the timeliness of Accords being agreed and implemented. We have stressed to government the need to expedite its Accord readiness, and ensure that the 'authorising environment' created for Accord negotiations remains in place to drive results. We are keen to see the LDM Strategic Implementation Group, the Executive Sponsors and the DPC Regional Leadership Executives, play an active role both before and *after* Accord signing, to ensure agencies effectively implement the commitments made.

5.2.4 Balancing local and regional representation

Although the Alliances are regional, they are made up of representatives from a number of local communities. There are several benefits to this model. It facilitates engagement with government on state-wide and regional initiatives; enables local communities to leverage off regional workforces; creates economies of scale and helps to minimise the cost of service delivery; and allows varied approaches in different sites to be tested before committing to those that prove most effective.

However, a key challenge with the regional model is ensuring that the work and priorities of the Alliances are informed by effective engagement with, and reflect the needs of, the local communities they represent. It is equally important that strategies and initiatives being pursued at a local level align with or complement regional priorities. Aboriginal Affairs has recognised that, although service coordination can be most effectively driven at the regional level, effective linkages to strong local governance structures are vital.

The Ministerial Taskforce on Aboriginal Affairs intended the LDM model to build on the strengths of existing Aboriginal community networks and on the work of other community governance structures.[374] However, the branding of the initiative and its approach has created concern among a number of communities that regional Alliances will assume delegated decision-making power on their behalf or speak for them on local issues. The OCHRE evaluation observed that, with LDM being implemented at a regional scale, it is important for Aboriginal communities to see meaningful changes locally resulting from the LDM processes. It recommended that the name of the initiative be changed to remove further confusion about the regional level at which decision-making is being shared.

We have highlighted the need for effective interaction between regional and local Aboriginal governance structures in our recent annual reports. In 2016-2017, we convened a meeting with DPC and Aboriginal Affairs to clarify the avenues available for local representatives to articulate their priorities and needs –

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[371] Aboriginal Affairs advises that 'commenced' indicates that work is underway/starting to be delivered; 'closed' indicates that the action is no longer required for whatever reason (and the decision to close an action is always a negotiated agreement between both government and the Alliance). 'Planning', 'not commenced' and 'achieved' were not defined and we assume these have the meaning generally understood by these terms. Advice provided by Aboriginal Affairs NSW, October 2018.

[372] Due to consistency issues in data recording and related reporting, there were significant fluctuations in the total number of Accord actions recorded in each report. For this reason, we compared the progress of Accord actions as a proportion of the total number of actions for the relevant priority area at each point in time. Aboriginal Affairs advises that it is continuing to work to resolve discrepancies that result from reporting and software configuration, including trialling alternative reporting arrangements. Advice provided by Aboriginal Affairs NSW, October 2018.

[373] Aboriginal Affairs NSW, *Review of the Murdi Paaki Regional Assembly Accord*, May 2018 (unpublished).

[374] Ministerial Taskforce on Aboriginal Affairs, *Getting it right: The findings of the Round Two Consultations for the NSW Ministerial Taskforce on Aboriginal Affairs*, 2012, p.50.

particularly if these fall outside the focus areas or timing of an accord – and for government to respond. Participants agreed on the need for clearer processes and improved communication between government, Alliances and their members. DPC was clear that all agencies have an obligation to deliver services to Aboriginal people and communities, which includes engaging with community as well as Alliance representatives.[375]

5.2.5   Strengthening the capacity of Alliances

A key focus of LDM is to increase the skill and capacity of Aboriginal governance bodies, enabling them to take on greater levels of responsibility through stepped phases. There is evidence that the government has supported capacity building for Alliances in the first five years of LDM, although this has been constrained by the availability of resourcing to support the initiative.

Capacity building is expected to form part of the Accord negotiation process, and involve 'the strategic investment of NSW Government resources'.[376] Each of the three Accords struck to date include governance and capacity support for the relevant Alliances as priorities or part of the processes for implementation.[377] Aboriginal Affairs also established a panel of service providers from which Alliances may choose to purchase assistance (as well as from other service providers outside the panel).

Extending the trial of LDM beyond the three sites originally planned meant that the annual funding available to each Alliance was reduced. Aboriginal Affairs have advised us that in this context, Alliances have predominantly chosen to use their LDM funding for operational purposes (meetings and administration) rather than for training and development.[378]

While recognising that LDM is a trial, over the past four years we have noted the consistent calls from Alliances about the need to adequately invest in capacity building in order for the model to be properly implemented.[379] We have also taken practical steps to secure hands-on support for Alliances to discharge their responsibilities.

We have facilitated capacity-building partnerships between:
- Murdi Paaki and Westpac Bank, focused on building financial literacy in communities and supporting the economic development priorities of the Accord[380]
- RADA and lead construction companies, focused on employment and business opportunities under significant government infrastructure projects in the region
- Rotary International and several Alliances (Tribal Wave Regional Assembly, Barang and RMRA) to explore volunteer secondment support, and
- all Alliances and one of eight law firms in a new 'community of practice', established to make free legal work available to individual Alliances as needed.[381]

We also suggested to DPC that the potential for agency and corporate staff secondments to Alliances be explored. It was subsequently decided that secondment requests would be considered by the LDM Strategic Implementation Group on a case-by-case basis, with Accords continuing to include governance and capacity building support.[382]

It will be important for Aboriginal Affairs to identify and address the capacity building needs of those Alliances without an Accord, which should assist in expediting the finalisation of remaining agreements.

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[375] Advice provided by Aboriginal Affairs NSW, July 2018.
[376] Aboriginal Affairs NSW, *Local Decision Making Policy and Operational Framework, May 2017*, p.13.
[377] For example, Social Policy Research Centre, NSW, *OCHRE Local Decision Making Accords: Illawarra Wingecarribee Alliance Aboriginal Corporation, July 2018*, p.2.
[378] Advice provided by Aboriginal Affairs NSW, July 2016.
[379] See, for example, NSW Ombudsman, *NSW Ombudsman Annual Report 2014-15*, 2015, p.117.
[380] See Case study 15 in Chapter 6 - Economic development.
[381] Allens Linklaters, Ashurst, Clayton Utz, Colin Biggers & Paisley, Gilbert + Tobin, Hall & Wilcox, HWL Ebsworth, Sparke Helmore, *Law firms partner with Aboriginal alliances to facilitate local decision making*, Media release, 31 May 2018.
[382] Advice provided by Aboriginal Affairs NSW, July 2018.

5.2.6 Mapping services and government spending in regions

As part of pre-Accord negotiation processes, NSW Treasury has been mapping state government spending in each Alliance area and has developed an expenditure estimate model for this work.

The model disaggregates all NSW Government expenditure into geographical areas, including specific funding provided to services on the ground, as well as an attribution of the costs of central functions of government to the community. Where location-specific data is available from Treasury's liaison with agencies, it is also included in the model (such as funding tied to specific schools and Local Health District budgets). However, most expenditure data is not available at the regional or local level, and in these cases, population weights are used.[383]

The model displays the type and cost of services provided or purchased by the NSW Government annually, but does not capture the actual outputs delivered by government programs or service providers (such as hours of service) nor the outcomes achieved for individuals (such as health improvements).

In 2015, Treasury advised that, with active assistance from agencies to source and interpret relevant data, program outputs and outcomes should ultimately be able to be mapped against expenditure to enable an analysis of the effectiveness and efficiency of services.[384] However, this has not yet occurred and we were advised in September 2018 that it remains a long-term work in progress. So far, Treasury has identified the limitations of existing data collections, and scoped what is needed to better understand the data held and deliver meaningful responses to the Alliances. It is in the process of developing a prototype for a more comprehensive database and related data analytics capacity, and intends to run a place-based trial later in 2019.[385]

Alliance Chairs have indicated they found the expenditure mapping process beneficial in helping to target their priorities for Accord negotiations and in developing an understanding of government budgeting processes, which should lay the foundation for pooled funding arrangements if they opt to move to the next LDM phase.[386]

A key challenge for the mapping undertaken to date is that it does not chart services in the context of needs and outcomes achieved. For many years now we have said that a starting point for agencies should be undertaking a community needs analysis together with service mapping, to establish whether there is an appropriate suite of services available to address the range of needs identified. Local community leaders and service providers are well placed to identify the key vulnerabilities in their communities and how best to address them. Their involvement in a mapping exercise of this type is critical.[387]

The limitations of the current approach make it difficult for the Alliances to have a well-informed discussion with government about necessary service reforms in their regions. It is also not yet possible to assess whether two of the three outcomes sought through the LDM initiative are on track (decrease the duplication of services, and increase the effectiveness of service delivery to better meet local needs). Further, Alliances are not yet sharing decision-making with government about services in their region. While negotiating Accords has enabled them to identify priorities in terms of broad policy parameters and specific actions, this has not yet translated into:
- considering performance data on services to Aboriginal people in their region,
- advising on existing service provision, or
- jointly deciding on procurement, program/contract renewals or the redirection of existing funding.

The evaluation found this was a particular concern for Alliances,[388] and NCARA's response to the evaluation reinforced this.[389]

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[383] NSW Government submission to the Parliamentary inquiry into economic development in Aboriginal communities (sub no. 28), p.12.
[384] Advice provided by NSW Treasury, October 2015.
[385] Advice provided by NSW Treasury, September 2018.
[386] Advice provided by Aboriginal Affairs NSW, October 2016.
[387] NSW Ombudsman, Inquiry into service provision to the Bourke and Brewarrina communities, December 2010, pp.37-38.
[388] Social Policy Research Centre, NSW, *OCHRE Evaluation Synthesis Report – Stage 1 Evaluation Report*, June 2018, p.i.
[389] NSW Coalition of Aboriginal Regional Alliances, *A Step Closer: A report with recommendations from NCARA to the New South Wales Government following Stage One of the OCHRE Evaluation*, August 2018, p.9.

The Maranguka Just Reinvestment project in Bourke, which operates outside of LDM, is a good example of community-led decision-making in relation to identifying community need and outcome tracking via a community-level report card, informed by community feedback and agency holdings. A partnership between the Maranguka community hub and the government's Data Analytics Centre is also being established. Project leaders recently agreed to explore the negotiation of the first localised Accord under LDM, as well as the incorporation of principles and target outcomes from the community-driven plan *Safe, Smart, Strong* into local service delivery contracts (see also Case study 44 in Chapter 9). The work unfolding in Bourke clearly demonstrates what progress has been made; however, it is our strong view that the Aboriginal communities within Murdi Paaki and other Alliance regions should not have to be part of a process like the Maranguka Justice Reinvestment Project to access the community level data necessary for them to contribute to service integration work.

5.2.7   Joint decision-making about service planning and delivery

It is not until Phase 2 under LDM that Alliances have delegation over service planning and delivery. We are keen to see this work expedited so that Alliances can start participating in joint decision-making about services as soon as they have an Accord in place. In our view, there is sufficient evidence available to support this work, including the lessons from LDM to date, the Commonwealth Empowered Communities pilots (see Case study 12 below) and place-based service delivery reforms such as those being implemented in Bourke with the Maranguka Just Reinvest project.

In addition, the very act of becoming involved in joint service review and redesign will assist Alliances to develop relevant capacities, which is supported by research.[390] From here on, enacting service redesign with Alliances – as well as the governance and data monitoring needed to support this process – should be a priority focus.

We welcome recent advice from Aboriginal Affairs NSW that government is reconsidering the original LDM design to reflect the learnings to date, as well as lessons from government service and commissioning reforms in other portfolios.[391] A state-wide Accord between NCARA and the NSW Government in February 2019 includes a commitment that the parties will share information and data to inform decisions about service design and delivery.

We understand that Treasury and Aboriginal Affairs NSW have begun examining alternative approaches to enable Alliance involvement in funding decisions – such as through making the distribution of relevant funds contingent on joint agreement between Alliances and government – without insisting on the formal requirements of LDM Phase 2.[392] We encourage the government to settle and commence arrangements for shared decision-making on services as soon as possible.

Adjusting procurement processes to include Alliances

NCARA have suggested that, once Alliances submit their statement of claim for Accord negotiations to the government, this should trigger a period like the Parliamentary 'caretaker convention'. Under this proposal, government would refrain from making binding determinations about new services it directly provides, and from signing or renewing multi-year contracts with funded services, relating to the priority areas in the Alliance region, until the Accord is finalised.

In our view, there is merit in exploring the feasibility of this proposal. At the very least, we believe the government should not take unilateral decisions that preclude Alliances from contributing to service reforms in their regions in the future – such as by signing or renewing multi-year contracts during Accord negotiations. In addition, government agencies need to work jointly with community leaders to 'co-design' key performance indicators (KPIs) for service contracts. Case study 12 illustrates how this is possible.

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[390] Hunt, J, 'Self-determination' in Aboriginal Affairs NSW, *Transforming the relationship between Aboriginal peoples and the NSW Government: Aboriginal Affairs NSW research agenda 2018-2023*, 2017, p.89.
[391] Such as the *Their Futures Matter* (TFM) reforms discussed in Chapter 9. Advice provided by Aboriginal Affairs NSW, November 2018.
[392] Advice provided by Aboriginal Affairs NSW, November 2018.

Case study 12: Inner Sydney Empowered Communities and service planning

Empowered Communities (EC) is a national, Indigenous-led reform agenda. One of the eight EC regions is 'Inner Sydney', comprising the Redfern and La Perouse Aboriginal communities.

In 2017, Inner Sydney Empowered Communities (ISEC) began piloting a new Joint Decision-Making process for grants made by the Commonwealth Department of Prime Minister and Cabinet (PM&C) through the Commonwealth Government's Indigenous Advancement Strategy (IAS) fund.[393] The then (federal) Minister for Indigenous Affairs had earlier directed that procurement rules for Commonwealth IAS grant funding should be adjusted so that EC views are given a weighting of 75% in the evaluation of applications and tenders for mainstream services and programs in EC regions. The pilot was successful and has now been adopted as standard practice in Inner Sydney.[394]

The ISEC Joint Decision-Making process has five phases, once ISEC confirms it has no conflict of interest in reviewing the relevant service:

1. **Notification**: When the IAS contract for a federally-funded mainstream service delivered in the ISEC region is ceasing, the organisation funded to deliver the service is notified by PM&C and undertakes a self-assessment for the service against the ISEC 'Pathway of Empowerment' model.

2. **Data collection**: Additional information is gathered by PM&C to assess the service's alignment to the ISEC empowerment model.

3. **Assessment**: Two community panels of six people assess the organisation's contract performance and service delivery to determine how far the service aligns with the ISEC empowerment model.

4. **Recommendation**: The ISEC board reviews the evidence and provides a recommendation about the funded service (or requests further information/clarification from PM&C).

5. **Sign off**: Deliberation and joint decision-making is undertaken by ISEC and PM&C on different courses of action. Options include to: renew the contract without variation; renew the contract with variation;[395] cease the contract and transition to another provider; or hold the funding until an appropriate alternative service working in line with the ISEC empowerment model is found. If the Minister endorses the ISEC Board recommendation and the contract is renewed, the service provider is required to commit to the decision with reporting on relevant key performance indicators.

At the time of writing, approximately $800,000 in IAS funding to mainstream services in the ISEC region had been redirected to local Aboriginal community-based programs, and other services have retained funding but adopted relevant KPIs with reporting to ISEC. Over the longer term, ISEC seeks to co-design with government a pooled funding mechanism that enables funds to be invested and the community to control their distribution in line with community priorities and the region's empowerment agenda.[396]

In the context of greater involvement in service commissioning, it is important for Alliances and the NSW Government to be thinking ahead about the roles that Alliances might play, and positioning governance arrangements and processes to facilitate different options. This will require:

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[393] Empowered Communities, *Inner Sydney Regional Report 2017*, 2017.

[394] Advice provided by Inner Sydney Empowered Communities, May 2019.

[395] Options for renewing the contract with a variation include: inserting new key performance indicators in the contract; requiring the organisation to partner with or adopt a non-competition policy with respect to Aboriginal community-controlled organisations operating in the service area.

[396] Advice provided by Inner Sydney Empowered Communities, February 2018 and May 2019.

- consideration of the legal forms of Alliances, their members, and potential for separate commercial arms
- transparent and rigorous procurement processes to enable joint assessment of tenders for service contracts, and
- procurement probity requirements to guard against conflicts of interest where Alliances or their organisational members seek to win service contracts in their region.

For example, Murdi Paaki has established a separate commercial operating arm, Murdi Paaki Services, to design, deliver and evaluate multifaceted services and projects in the region, with power to hold funds.[397] Another approach involves creating a joint Alliance-government committee, which shares authority for distributing funds in line with agreed directions, as detailed in the following case study.

Case study 13: Murdi Paaki social housing agreement

Affordable and appropriate housing is one of five priority areas for joint action in the Murdi Paaki Accord. A specific social housing agreement was subsequently reached under the Accord in December 2018. This establishes a new joint decision-making body (known as the Regional Aboriginal Housing Leadership Assembly: RAHLA) which will comprise senior Murdi Paaki and NSW Government representatives and an independent chair agreed by both parties and appointed by the Minister.[398]

RAHLA will operate at arm's length from both Murdi Paaki and the relevant government agency (the Aboriginal Housing Office) to direct the expenditure of $15 million dollars earmarked for the Murdi Paaki region through the former Commonwealth-NSW National Partnership Agreement on Remote Indigenous Housing (NPARIH). As an incorporated body, the commercial arm of Murdi Paaki Regional Assembly – Murdi Paaki Services – is expected to provide secretariat support and auspice the funding for RAHLA. An Aboriginal social housing plan will be co-designed for the region and RAHLA will commission housing services in line with the plan. Murdi Paaki Services intends to become a recognised service agent to be able to tender for contracts separately, bound by government procurement rules.[399] It has proposed establishing a consortium model for delivery, inviting existing housing providers in the region to join.

Whatever the model used in different Alliance regions, we believe that effective co-design for service reforms should start to be established once an Accord is in place.

5.2.8   Driving and measuring outcomes

While we welcome Aboriginal Affairs' advice that new mechanisms are being established to capture outcomes from individual accords, we consider it a missed opportunity that these were not in place earlier. Data needs to include feedback from, and be considered with, Alliances. As NCARA has argued, this should respect the principles of 'Indigenous data sovereignty', which calls for Aboriginal people and organisations to be included in decision-making on what data should be collected, where it is held and how it is used.[400]

In our view, LDM outcomes need to be tracked at three levels, as follows:
1. The achievements secured through individual accords and the efforts of individual Alliances.

2. Outcomes achieved through government and funded service delivery in the priority areas that Alliances have identified as critical – including education, housing, economic development, health – by regions.[401]

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[397] Murdi Paaki Regional Assembly, *Strategic development action plan*, June 2016.
[398] Aboriginal Affairs NSW and Murdi Paaki Regional Assembly, Agreement to improve Aboriginal social housing outcomes in the Murdi Paaki region, December 2018.
[399] Advice provided by Murdi Paaki Services, October 2018.
[400] NSW Coalition of Aboriginal Regional Alliances, *A Step Closer: A report with recommendations from NCARA to the New South Wales Government following Stage One of the OCHRE Evaluation*, August 2018, p.6.
[401] For example: school attendance and academic achievements for Aboriginal students, government contracts awarded to Aboriginal businesses, uptake of health programs and management of chronic conditions by Aboriginal community members.

3.   Outcomes of the Local Decision-Making initiative as a whole – including the extent to which power is being shared by government, services better meet Aboriginal community needs, and the capacity of Aboriginal governance bodies is strengthened.

The move by Aboriginal Affairs towards co-designed results frameworks that articulate and track the population-level outcomes achieved through individual accords is a promising, albeit an ambitious, step. This should inform tracking at the first level above. It should be recognised that attempting to match Accord priorities with results in order to isolate the changes that are due to LDM alone is a complex exercise given the variety of influences at play. However, tracking outcomes need not require that changes can be attributed to LDM solely. If it can be established that LDM has contributed to population-level outcomes along with other practices and initiatives, this acts as an important indicator as to the value of the initiative. Either way, change should be measured against 'baseline' data showing the status quo for key outcome indicators before LDM was implemented or, at least, year-on-year progress.

With regard to the second level, Alliances have so far struggled to access both administrative and outcomes data about NSW Government services/initiatives in their region. They report being either swamped with volumes of confusing or irrelevant material or, conversely, being told they could only have access to information that was already publicly available. We have suggested to Aboriginal Affairs and DPC that through the new LDM Strategic Implementation Group and executive sponsor model, the NSW Government should work with NCARA and relevant agencies to develop a database of key outcome measures for programs/services by region. Periodic reports should be provided to Alliances and their members, and reported publicly on an annual basis.

Outcome measures for the LDM initiative as a whole should be designed with Alliances. The SPRC worked with Murdi Paaki in conducting stage 1 of the OCHRE evaluation to identify how 'success' for LDM should be understood and measured by the evaluation in Stage 2 (which will report in 2021). Aboriginal Affairs will need to ensure that the means to measure initiative-level outcomes are in place now to start tracking how LDM has changed 'business as usual' government dealings with Aboriginal communities, and what is changing on the ground.

5.2.9   Responding to community calls for adequate resourcing

From the beginning of LDM, Aboriginal leaders have consistently argued that the funding available is inadequate for Alliances to discharge their responsibilities under the initiative, and to address the power imbalance between government and Alliance representatives. Alliance officers are not paid salaries or otherwise remunerated for their time and expertise. Many hold full-time jobs and have had to take personal leave to attend to LDM business.[402]

The first report of the OCHRE evaluation found that OCHRE programs including LDM need increased resources to properly fulfil their aims and objectives, and NCARA endorsed this finding.[403,404] The government's interim response to the OCHRE evaluation noted that the evidence was clear that 'additional resources are needed'.[405] A one-off allocation of $3 million was subsequently made for the LDM initiative in 2018-2019. However, ongoing funding for future years is reported to be insufficient according to Alliances (and the evaluation).

Increased funding makes robust governance and capacity strengthening for Alliances even more critical. In this context, we have identified a clear gap in the advice and support provided to Alliances about probity safeguards related to screening prospective board members, employees and other volunteers, and recommended that this be addressed through concrete examples in the *Good Governance Guidelines*.

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[402] Social Policy Research Centre, NSW, *OCHRE Local Decision Making Accords: Three Rivers Regional Assembly, May 2019*, p.38.
[403] With respect to LDM in particular (through a case study on the Murdi Paaki accord), the evaluation also recommended that Murdi Paaki should be resourced to match the size and diversity of the region and the accord priorities. Social Policy Research Centre, NSW, *OCHRE Murdi Paaki Regional Assembly, Local Decision Making – Stage 1 Evaluation Report*, June 2018, p.10.
[404] NSW Coalition of Aboriginal Regional Alliances, *A Step Closer: A report with recommendations from NCARA to the New South Wales Government following Stage One of the OCHRE Evaluation, August 2018*, p.5.
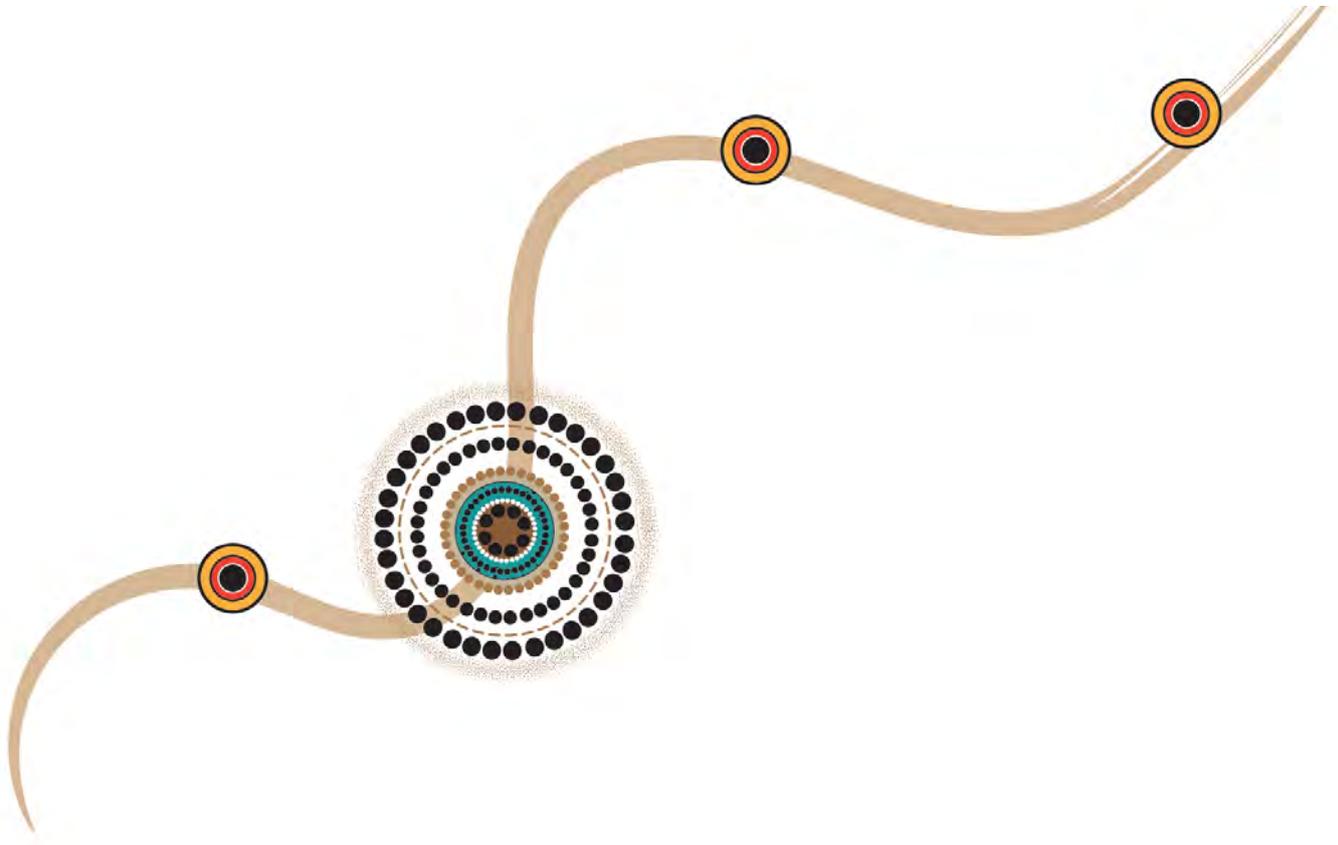[405] Aboriginal Affairs NSW, *OCHRE: Five Years On*, December 2018, p.27.

We welcome the government's acknowledgement of the need for additional investment in LDM. In addition, we recognise that the government has had to make the initial LDM funding stretch further by accommodating eight sites, rather than the original three envisaged, due to the strength of interest and capacity among Aboriginal communities across the state. It is also reasonable that the government has waited for our office to report our findings on the implementation of OCHRE, along with the first evaluation report, before expanding, or enhancing resourcing of, the LDM initiative.

Recommendations

15. The Department of Premier and Cabinet (Aboriginal Affairs NSW) should:
    a. enhance the 'Accord readiness' self-assessment process by requiring each agency with responsibility for a priority area to individually confirm that issues for negotiation fall within its scope; consider and assess its readiness; and seek feedback on this assessment from the relevant Alliance
    b. work with Alliances that have not yet struck Accords to identify and address their capacity-building needs; and ensure that Accords include details about governance mechanisms and capacity building support.

16. The Department of Premier and Cabinet should ensure that:
    a. agencies improve their readiness for outstanding Accord negotiations, and have robust internal governance arrangements in place to effectively negotiate Accords in a timely fashion
    b. the authorising environment established to negotiate Accords (governance arrangements driven by senior executives, including the Executive Sponsor role) is maintained to drive Accord delivery and monitor results.

17. The Department of Premier and Cabinet and NSW Treasury should, in partnership with the NSW Coalition of Aboriginal Regional Alliances (NCARA), examine how service needs, capacity and outcomes can be mapped at a local community level within LDM regions, and implement the agreed approach as a matter of priority. This work should involve examining approaches such as the Maranguka Just Reinvestment project in Bourke and the Inner Sydney Empowered Communities joint decision-making process for federal funding.

18. The Department of Premier and Cabinet and NSW Treasury should:
    a. establish mechanisms to enable Alliances to share decision-making with agencies about regional service planning and commissioning once Accords are struck
    b. ensure agencies work jointly with community leaders to 'co-design' key performance indicators for service contracts – taking account of the observations in this chapter.

19. The Department of Premier and Cabinet (Aboriginal Affairs NSW) should:
    a. progress the development of enhanced data collection and analytics systems to better capture outcomes from Accords and the Local Decision Making initiative as a whole
    b. ensure that line agencies are capturing and tracking outcomes data in relation to:
        i. government and funded service delivery at the regional level in the portfolios/sectors that Alliances identify as important
        ii. how Alliances are being engaged for advice on policies and services, and how policies and services have changed (or not) as a result
    c. provide regular reports on the outcomes achieved through Local Decision Making to Alliances to their local communities and the NSW Parliament.

20. The Department of Premier and Cabinet (Aboriginal Affairs NSW) should:
    a. develop a business case for adequate funding for Alliances and the Local Decision Making initiative over the full forward estimates, taking into account comparative programs and experience to date in estimating the required investment
    b. provide specific guidance and relevant practical examples to Regional Alliances about the NSW Government's expectations relating to probity standards for individual representatives.

21. The Department of Premier and Cabinet should consider renaming the Local Decision Making initiative to reduce confusion about the level at which decision-making with Aboriginal communities is intended.

22. The Department of Premier and Cabinet (Aboriginal Affairs NSW) should ensure that other mechanisms are in place and promoted to Aboriginal community leaders to engage directly with the NSW Government about local matters that are not suitable to be addressed through Accords or the LDM initiative, and receive an appropriate response.

23. The Department of Premier and Cabinet and relevant agencies should expedite work to implement service redesign, devolved budgetary control, and supporting legislation, having regard to the observations in this chapter.

6 OCHRE Aboriginal Economic Prosperity Framework

For almost a decade, our office has been putting a spotlight on the need for substantial progress to build the economic capacity of Aboriginal communities, and we have argued that a coordinated state-wide approach is needed to achieve this.[406] In response, the NSW Government committed to developing the first ever state-wide framework for Aboriginal economic development when it released OCHRE in 2013.[407]

Our first public report on the implementation of OCHRE in May 2016 was designed to inform the development of this framework, as well as a NSW Parliamentary inquiry into economic development in Aboriginal communities, which commenced in August 2015.[408]

Our report highlighted that poor child protection and educational outcomes cannot be turned around without Aboriginal people having real economic opportunities. We said the reform agenda must be driven by a vision of prosperity and independence for Aboriginal people that puts them at the centre of decision-making. We drew attention to the fact that, despite the considerable expenditure of public funds and attention on building Aboriginal economic capacity by state and federal governments, the return on investment had so far been unsatisfactory due to poorly targeted measures and overlapping programs operated by multiple agencies, with no lead agency held responsible for driving Aboriginal economic development. We highlighted the resulting inefficiency and waste, and a lack of tangible outcomes for Aboriginal communities.[409]

We recognised, however, that the state-wide framework for Aboriginal economic development had the potential to provide an important platform for promoting economic growth and independence in Aboriginal communities. We made a number of recommendations to inform the development of the framework, including that:

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[406] NSW Ombudsman, *Addressing Aboriginal disadvantage: the need to do things differently*, October 2011, p.48; *Responding to Child Sexual Assault in Aboriginal Communities*, December 2012, Recommendation 83, p.20.
[407] Aboriginal Affairs NSW, *OCHRE: Opportunity, Choice, Healing, Responsibility, Empowerment – NSW Government Plan for Aboriginal affairs: education, employment & accountability* ('OCHRE Plan'), April 2013, p.17.
[408] NSW Legislative Council Standing Committee on State Development, *Inquiry into economic development in Aboriginal communities* (final report), September 2016.
[409] NSW Ombudsman, *Fostering economic development for Aboriginal people in NSW*, May 2016, pp.3-5.

- a tiered approach be used to provide opportunities for individuals, enterprises and communities/regions
- the roles and responsibilities of particular agencies are clearly articulated and they are given authority to work across portfolios, facilitated by robust governance arrangements, and
- a body with a strong mandate be appointed, or a new entity created, which has the skills, experience and clout to drive the implementation of the framework in partnership with the business community and Aboriginal leaders.

We further emphasised the need for the framework to tackle key barriers to Aboriginal people successfully participating in the economy – including higher rates of unemployment, lower educational attainment, comparatively high rates of incarceration, financial exclusion and low rates of home ownership. At the same time, we pointed out that considerable opportunities existed to enhance Aboriginal economic development, including the government's record infrastructure investment; the unique assets held by Aboriginal communities; a solid Aboriginal business sector; and supportive government procurement policies.

The final report of the Parliamentary inquiry tabled in September 2016 observed that:

> The NSW Ombudsman has condensed the views of many stakeholders in stating that increasing the economic prosperity of Aboriginal people is crucial to improving social outcomes, and sustaining and renewing Indigenous culture and languages.[410]

The committee concluded that a major push from the government was needed to generate momentum in the area of economic development in Aboriginal communities, and to sustain it. A number of the committee's recommendations were consistent with those in our 2016 report, including establishing an advisory board and embedding place-based, community-driven approaches to drive Aboriginal economic development.

The OCHRE *Aboriginal Economic Prosperity Framework* (*Growing NSW's First Economy)* was released in December 2016. Reflecting most of our previous recommendations. The framework does not prescribe specific programs or initiatives, but instead integrates strategies aimed at increasing Aboriginal economic participation into the delivery mechanisms for existing government priorities – with the aim being to position 'Aboriginal economic prosperity' within the 'everyday business' of government and industry.

Over the coming years, the framework's targets will be assessed to determine whether they, and the strategies to achieve them, remain valid.[411] An associated *Aboriginal Economic Prosperity Outcomes Framework* will also be finalised by Treasury to help track and drive a stronger focus on the results achieved 'on the ground'. Our observations in this chapter are intended to inform these processes.

What has the Framework achieved and what challenges remain?

In NSW, as in most Australian jurisdictions, economic development for Aboriginal communities is a relatively new policy objective. The *Aboriginal Economic Prosperity Framework* (AEPF) has established an important new lens through which to view Aboriginal affairs, as well as a much-needed mechanism for taking a cross-portfolio approach to fostering economic empowerment.

Over the last two and a half years, good progress has been made against most of the 12 targets in the framework relating to education, public sector employment, construction procurement, Aboriginal business support and regional/district planning. Progress has been more limited with respect to addressing barriers to employment outside of the public sector, increasing skills acquisition through scholarships, apprenticeships and traineeships, and supporting transitions out of social housing. Unsurprisingly, robust accountability, in the form of senior leadership, mandatory policies, external scrutiny and public reporting, appears to be a common factor in the success of those targets that are on track.

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[410] NSW Legislative Council Standing Committee on State Development, *Inquiry into economic development in Aboriginal communities* (final report), September 2016, p.1.
[411] Advice provided by Aboriginal Affairs NSW, May 2018.

It is critical that the government now takes decisive steps to consolidate the progress achieved to date, and ensure that the *Aboriginal Economic Prosperity Framework* delivers results in those areas where further work is required.

In our view, to promote social inclusion and deliver benefits for the broader economy, the framework needs to better reflect that particular cohorts of Aboriginal people – including those with low financial literacy or resilience, people with disability, and current and former inmates – are more likely to require tailored support to overcome specific barriers to economic participation. For this reason, we have recommended refining and, where necessary, creating new targets.

In addition, while some targets are supported by sound accountability mechanisms, stronger governance arrangements are needed to drive the overall *Aboriginal Economic Prosperity Framework,* and hold agencies to account for delivering target strategies.

After we again highlighted this gap, the government's cross-cluster Economic Development Committee agreed in late 2018 to adjust its terms of reference to act as a single point of 'coordination' for the *Aboriginal Economic Prosperity Framework*.[412] The Committee, which comprises Deputy Secretaries of several agencies, is well-placed to play a role in implementing the *Aboriginal Economic Prosperity Framework.* However, we maintain the view that, ultimately, achieving sustained economic development in Aboriginal communities requires the appointment or creation of a single entity with sufficient expertise, focus and clout to drive action – in partnership with Aboriginal leaders and the private sector – across all sectors, agencies and locations.[413]

As part of changes to the machinery of government following the March 2019 state election, Aboriginal Affairs was brought within the Department of Premier and Cabinet (DPC) from 1 July 2019, and the Treasury cluster given the lead on all matters relating to the economy, jobs and investment. These changes provide a timely opportunity to re-examine what economic prosperity looks like for Aboriginal communities, what results have been achieved by the investments made so far, and how to build on the important momentum created by the *Aboriginal Economic Prosperity Framework* in order to continue to make a real and lasting difference to the lives of Aboriginal people.

6.1   The Aboriginal Economic Prosperity Framework

The *Aboriginal Economic Prosperity Framework* was released on 2 December 2016. It notes that economic prosperity is not new for Aboriginal people as, for millennia, Aboriginal communities managed Australia's land and natural resources sustainably, engaged in trade, and developed and impressive bank of intellectual property. The framework articulates a vision of 'wealth creation for Aboriginal people through increased employment and enterprise development' to return the state's First Peoples to prosperity. It aims to ensure that Aboriginal people contribute to, and benefit from, the NSW economy through NSW Government commitments to employ more Aboriginal people, use its purchasing decisions to drive Aboriginal employment and business development, and support Aboriginal people to attain relevant education and skills.

The *Aboriginal Economic Prosperity Framework* comprises 12 commitments (targets) linked to the NSW Government's State and Premier's Priorities across three economic pillars: jobs and employment; education and skills; and economic agency. Aboriginal Affairs is the lead agency for the *Aboriginal Economic Prosperity Framework*, with six other agencies responsible for delivering and reporting on individual commitments in its first two years:
1.   Department of Education
2.   Department of Family and Community Services (FACS)
3.   NSW Treasury
4.   Department of Industry

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[412] Advice provided by the Department of Industry, December 2018. It is anticipated that Treasury will chair the Economic Development Committee from 2019-2020.
[413] NSW Ombudsman, *Addressing Aboriginal disadvantage: the need to do things differently*, October 2011, pp.55-56.

5. Department of Planning and Environment (DPE), and
6. NSW Public Service Commission.[414]

All NSW Government agencies are responsible for meeting the whole-of-government targets relating to Aboriginal participation policies for government procurement and employment in the public service (see table 2 on page 115).

As the *Aboriginal Economic Prosperity Framework* targets are tied to existing commitments, there is no new funding for the framework. However, the framework includes an important undertaking from the government – in line with another of our recommendations – to strengthen its spend with Aboriginal businesses. This commitment was realised by the new Aboriginal Procurement Policy (APP) and the revised Aboriginal Participation in Construction (APIC) Policy, released on 1 July 2018. The APP has mandatory targets to increase Aboriginal jobs and business procurement through government contracts, and there are Aboriginal participation requirements in the APIC Policy in conjunction with the NSW Government's unprecedented $84 billion infrastructure investment. This has the potential to generate over $1 billion in Aboriginal supplier contracts and salaries through employment.

In addition to the *Aboriginal Economic Prosperity Framework*, other OCHRE initiatives are also important levers for promoting and implementing economic empowerment, including:
*   Opportunity Hubs to better coordinate employment and training opportunities between schools, local businesses and communities (see Chapter 8).
*   Local Decision Making to bring the community into key government decision-making in relation to regions. Accords struck between Aboriginal Regional Alliances and the government identify a range of priorities for joint action, and each includes economic development priorities and related actions (see Chapter 5).
*   Industry Based Agreements (IBAs) between the government and peak industry bodies to increase Aboriginal employment and business opportunities (see pp. 123–124).
*   Solution Brokerage, a mechanism that enables the Head of Aboriginal Affairs to trigger a structured process by which relevant government agencies are required to coordinate and deliver practical solutions to significant issues for Aboriginal communities (see Chapter 7). Two of the first four solution brokerage projects have focused on unlocking the economic potential of land for relevant communities.

Although not part of OCHRE, other NSW Government investments complement the *Aboriginal Economic Prosperity Framework* targets:
*   A $10 million program (over four years) to identify proposals for social impact investments that promote Aboriginal economic development and growth, announced in the 2018-2019 Budget.[415]
*   A $20 million commitment to establish a Western Sydney Aboriginal Centre for Excellence, Kimberwalli, to deliver programs and services that support Aboriginal young people make the transition from the school environment into further education and employment.[416] It will open its doors in 2019.
*   Aboriginal Land Agreements to process the backlog of land claims under the *Aboriginal Land Rights Act 1983*, and better support Local Aboriginal Land Councils to leverage the value of their land holdings for economic development where desired and prudent.[417]

6.1.1   Governance arrangements for the Aboriginal Economic Prosperity Framework

Separate governance arrangements are in place for each of the commitments contained in the *Aboriginal Economic Prosperity Framework*, established by the implementing agencies. For the first two years, however, there were no overarching governance arrangements to support the implementation of the framework.

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[414] Some of these entities have changed as a result of machinery of government changes effective from 1 July 2019.
[415] The Hon. Sarah Mitchell MLC, Minister for Aboriginal Affairs and the Hon. Victor Dominello MP, Minister for Finance, 'NSW Government's plan to boost Aboriginal economic development', Media release, 12 July 2018.
[416] Aboriginal Affairs NSW, 'New development – Aboriginal Centre for Excellence – Western Sydney', Media release, 28 July 2015.
[417] In part, these respond to the recommendations of the NSW Legislative Council Standing Committee on State Development, *Inquiry into economic development in Aboriginal communities* (final report), September 2016, chapter 4; and our May 2016 report observations – see NSW Ombudsman, *Fostering economic development for Aboriginal people in NSW,* May 2016, p.22.

Governance arrangements for the overall framework

Following the launch of the *Aboriginal Economic Prosperity Framework* in December 2016, Aboriginal Affairs initially assumed overall responsibility for coordinating agency reporting against the framework, with implementing agencies expected to deliver the relevant commitments and report annually on their own performance. However, carrying out this responsibility was difficult for Aboriginal Affairs without having the direct backing and influence of a central agency behind them, as well as the requisite policy expertise. Sensibly, Aboriginal Affairs proposed that the framework be driven by an entity responsible for the state's broader economic development, such as the Department of Industry or the government's cross-cluster Economic Development Committee.

We previously highlighted the challenges associated with Aboriginal Affairs having the function to coordinate the delivery of programs and services when it is at a 'remove' from key agencies, and lacks the requisite authority to have influence over those agencies. We argued that it is essential that Aboriginal affairs be seen as core business for all agencies and that this change needs to be driven from the centre of government.[418]

The Parliamentary inquiry into economic development in Aboriginal communities subsequently recommended that Aboriginal Affairs be located in the DPC to promote a whole-of-government approach. It also recommended that the Premier convene an advisory board on Aboriginal economic development comprising key ministers, Aboriginal representatives and the broader community to test approaches and monitor outcomes. This would be supported by an interdepartmental committee with a broad mandate for Aboriginal affairs, which would measure and report on outcomes to the advisory board.[419]

The NSW Government did not accept the recommendation that Aboriginal Affairs be moved to DPC at that time, as it held the view that the whole-of-government authority it envisaged was being achieved through other means including Aboriginal Affairs having lead responsibility for OCHRE and solution brokerage.[420] However, in subsequent changes to administrative arrangements made after the state election in March 2019, Aboriginal Affairs moved to DPC from 1 July 2019. The government accepted, in-principle, that an advisory board be established, and indicated that it would examine the internal and external mechanisms to progress the reforms, and strengthen these where necessary. The government also indicated that internal oversight for the *Aboriginal Economic Prosperity Framework* would be provided by the Economic Development Committee.[421]

The Economic Development Committee comprises Deputy Secretaries from relevant clusters. It provides advice on growth, innovation and productivity, jobs and unemployment, cost of living issues, skills and education, and resulting social outcomes.[422] Aboriginal Affairs recognised the importance of bringing the *Aboriginal Economic Prosperity Framework* within the remit of the Economic Development Committee to draw on the committee's expertise and to give the framework greater visibility across government. Aboriginal Affairs also suggested that the committee could identify other opportunities for Aboriginal participation early in the development of new government initiatives.[423]

After the *Aboriginal Economic Prosperity Framework* was launched, the Economic Development Committee asked Aboriginal Affairs, DPC, Treasury and Industry to work together on building an outcomes framework to support its monitoring of progress.[424] However, it did not otherwise drive or oversee the implementation of the framework or Aboriginal economic prosperity more broadly. It was not until the end of 2018 – after we highlighted this overarching governance gap – that the Economic Development Committee formally agreed to act as a single point of coordination for the *Aboriginal Economic Prosperity Framework*.[425] By this time,

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[418] NSW Ombudsman, *Addressing Aboriginal disadvantage: the need to do things differently*, October 2011, p.5.
[419] NSW Legislative Council Standing Committee on State Development, *Inquiry into economic development in Aboriginal Communities (final report), September 2016* (recommendations 3, 4 and 5), pp.7-8.
[420] NSW Government, NSW Government response to supplement to C2017-0118 FS Economic Development in Aboriginal Communities – NSW Government Response to the Standing Committee Report, 2017, p.4.
[421] NSW Government, NSW Government response to supplement to C2017-0118 FS Economic Development in Aboriginal Communities – NSW Government Response to the Standing Committee Report, 2017, p.5.
[422] NSW Department of Industry advice, provided by Aboriginal Affairs NSW, May 2018.
[423] Advice provided by Aboriginal Affairs NSW, September 2016 and May 2018.
[424] NSW Department of Industry advice, provided by Aboriginal Affairs NSW, May 2018.
[425] Advice provided by NSW Department of Industry, December 2018.

the Western Sydney Cities Deal – a 20 year partnership between the local, state and federal governments aimed at triggering jobs and investment in the Western Sydney area – was in place and provided a concrete model to emulate.

At the time of writing, there was no separate advisory board, or single entity, responsible for leading the implementation of the framework. We discuss this in section 6.3.

6.1.2   How the targets are tracked and measured

Most of the *Aboriginal Economic Prosperity Framework* targets were pre-existing government commitments and the lead agency for each had established related governance arrangements before the framework was released. In some cases, a single entity is responsible for leading and supporting whole-of-government action (e.g. the NSW Public Service Commission and the NSW Procurement Board). Other targets are governed via external scrutiny by departments outside of the implementing agency (e.g. DPC when targets are state or Premier's priorities) or where other jurisdictions are involved (e.g. Council of Australian Governments (COAG) or when targets are part of National Partnership Agreement commitments). Some targets involve internal governance arrangements only, with senior leaders in the implementing agency driving and monitoring relevant actions.

Performance data on the *Aboriginal Economic Prosperity Framework* targets is collected and tracked individually by the six implementing agencies – no single entity was tasked with actively monitoring the implementation of the framework as a whole for the first two years. Aboriginal Affairs intends to review the framework targets through a broader OCHRE policy refresh in the second half of 2019.[426]

At the direction of the Economic Development Committee, Aboriginal Affairs and Treasury commenced a separate workstream on developing an *Aboriginal Economic Prosperity Outcomes Framework* (AEPOF). The purpose of the outcomes framework is to provide a vehicle for measuring the extent to which NSW Government programs and services are making long-term, positive differences to people's lives as a result of the *Aboriginal Economic Prosperity Framework* and other efforts.[427] Treasury rightly identified the limitations with using the *Aboriginal Economic Prosperity Framework* alone as the foundation for measuring changes in this area, given the contributions of other factors such as health, empowerment and social wellbeing.

For this reason, the AEPOF will be based on the existing cross-agency *NSW Human Services Outcomes Framework*, which is used elsewhere to drive outcomes-focused contracts and service delivery;[428] and will extend to domains beyond those covered in the *Aboriginal Economic Prosperity Framework*.

The purpose of the AEPOF

The AEPOF will include both economic prosperity outcomes (e.g. economic empowerment, social and community, and education) and foundational outcomes that underpin the prosperity outcomes (such as home, health and safety) with the identified outcomes intended to evolve over time. It will also be critical for the AEPOF to capture other relevant outcome domains, including child protection and justice given that both areas can signal economic marginalisation and hamper the ability of families and communities to take up economic opportunities. We considered that the intention is to include 'child safety' as an outcome, that is, a reduction in children at risk of significant harm.

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[426] Advice provided by Aboriginal Affairs NSW, May 2018.
[427] Advice provided by NSW Treasury, December 2018 and March 2019.
[428] NSW Department of Finance, Services and Innovation, *Human Services Outcomes Framework Guide*, July 2017, p.7.

Figure 1: Draft Aboriginal Economic Prosperity Framework
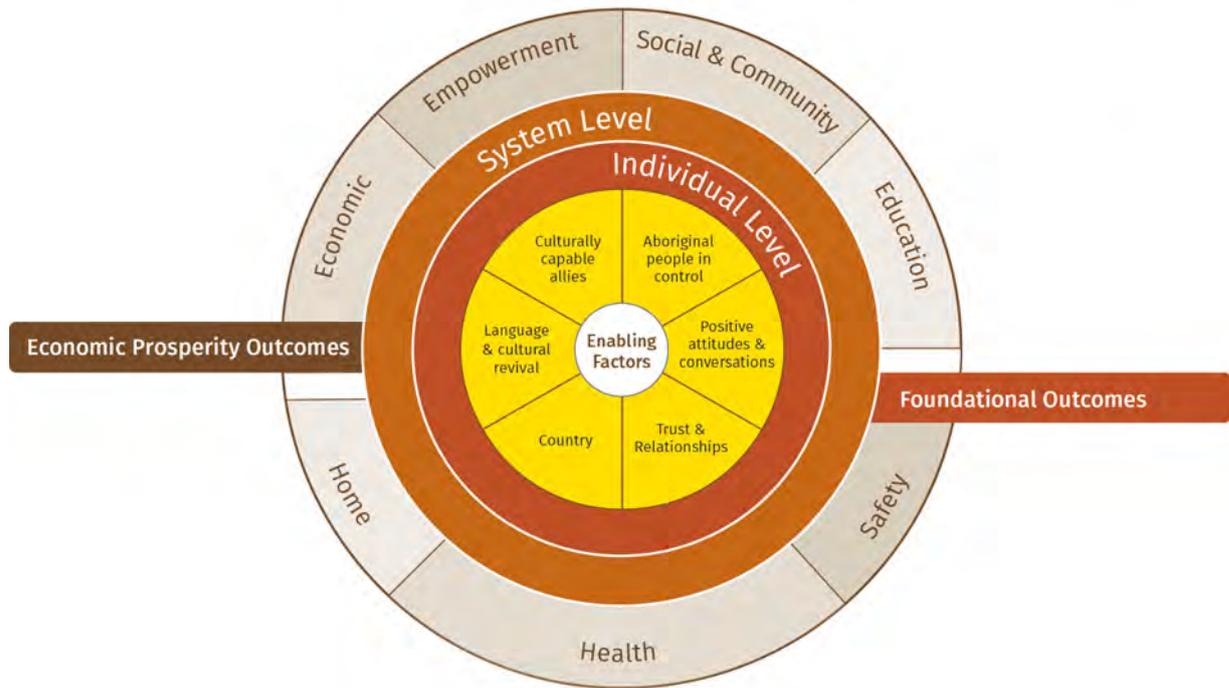
The AEPOF is expected to:

- identify the high-level outcomes relevant to measuring the economic prosperity of Aboriginal people as delivered through NSW Government programs and services, along with relevant indicators and data sources
- help set the direction for all NSW Government Aboriginal service delivery by providing the high-level outcomes for future policy development and investments, and
- facilitate evaluation and monitoring of program effectiveness over time.[429]

We have provided feedback to Aboriginal Affairs and Treasury on an early draft of the framework, welcoming its co-design and focus on the outcomes sought, rather than on existing program/agency parameters. We stressed the importance of including clear indicators of success jointly defined with Aboriginal leaders for achieving outcomes. Without this, there is a risk that the AEPOF will not drive tangible change but simply end up tracking the limited results of a 'business as usual' approach. The AEPOF should be utilised by agencies to drive policy development, commissioning and funding decisions. We also flagged the benefits of broadening the application of the AEPOF to broader Aboriginal initiatives across government.

Once the AEPOF is settled, data on the current level of economic prosperity will be reported against the outcomes from one or two programs to give a 'baseline' against which the progress of NSW Government service delivery in the future can be measured.[430] We suggest that consideration could also be given to publishing a regular report on outcome indicators, such as the Aboriginal Economic Benchmarking Report and subsequent progress reports published by the Canadian National Indigenous Economic Development Board.[431]

The AEPOF has also been used to inform the development of the new Social Impact Investment in Aboriginal Economic Development.[432,433]

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[429] NSW Treasury, *Aboriginal Economic Prosperity Framework*, Early Draft (not published), November 2018, pp.6-8.

[430] Advice provided by NSW Treasury, August 2019.

[431] The National Aboriginal Economic Development Board, *The Aboriginal Economic Benchmarking Report*, June 2013.

[432] Source: Broadly, social impact investments bring together capital and expertise from the public, private and not-for-profit sectors to achieve a social objective. These come in different forms and funding models but generally pay only on proof of achieving agreed social outcomes, rather than on inputs or activities. In turn, this allows contractors greater leeway to develop and adjust their approaches towards achieving the outcomes sought than that found in traditional funded service delivery, NSW Office of Social Impact Investment, 'What is social impact investing?', https://www.osii.nsw.gov.au, accessed 18 December 2018.

[433] Led by NSW Treasury along with Aboriginal Affairs, the Social Impact Investment in Aboriginal Economic Development aims to bring forward innovative ideas that take a strengths-based approach to delivering economic outcomes with Aboriginal

While Treasury and AANSW will continue to develop the AEPOF, it is expected that the implementing agencies will remain responsible for their own data collection, monitoring and reporting for each target. Treasury will help to grow the capacity of agencies to collect and analyse reliable outcomes data (which requires more engagement with service users, linking datasets and collection over longer periods than program administration data). The Economic Development Committee has taken ownership of the development of the AEPOF, which should be finalised in late 2019/2020, and will be accountable for its ongoing reporting and refinement.

6.2   Meeting the 12 Aboriginal Economic Prosperity Framework targets

The *Aboriginal Economic Prosperity Framework* commenced in December 2016 and latest available data covers 2017-2018 or the 2018 calendar year. To assess the impact of the framework, we asked Aboriginal Affairs to provide baseline data, and latest data available, relevant to the targets. We were advised that data publicly reported in *OCHRE Four Years On*[434] (which covered 2016-2017 and did not include baseline data) was the most current.[435] Aboriginal Affairs clarified that, as individual agencies are responsible for delivering on the *Aboriginal Economic Prosperity Framework* commitments, each agency reports on its own performance in meeting targets:

> *In most cases, these are also aligned with targets and baselines established within the Premier's Priorities. Data on these are provided to the Premier's Implementation Unit and where relevant to the AEPF, [Aboriginal Affairs] requests and collates this info for the OCHRE annual progress reports. This means that, while individual agencies may track progress more regularly, data is only collated annually for reporting on AEPF progress. [Aboriginal Affairs] does not track progress of AEPF initiatives against baseline data.[436]*

Aboriginal Affairs subsequently liaised with implementing agencies to provide us with data for each target covering the first two years of the framework's operation. At our request, Aboriginal Affairs also provided us with copies of the minutes from all meetings of the Economic Development Committee concerning the implementation and outcomes of the *Aboriginal Economic Prosperity Framework*.[437] In addition, the Deputy Ombudsman (Aboriginal Programs) met with the chair of the Economic Development Committee in June and December 2018 to understand how the Committee would discharge its function for monitoring the *Aboriginal Economic Prosperity Framework* and the nature of its links with Aboriginal representatives, the Aboriginal business sector and private sector more broadly.

Table 2 on the following page provides our summary of the progress made against each of the framework's 12 targets in the first two years, according to the latest available data.

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communities. Successful proposals will need to complement existing initiatives and be implementable in specific locations. NSW Government, *Request for Proposals: Social impact investment in Aboriginal economic development*, July 2018, pp.24 and 28.
[434] Aboriginal Affairs NSW, *OCHRE: Four years on,* December 2017, p.25.
[435] Advice provided by Aboriginal Affairs NSW, May 2018.
[436] Advice provided by Aboriginal Affairs NSW, July 2018.
[437] Advice provided by Aboriginal Affairs NSW, May 2018 and July 2018.

Table 2: Summary of progress towards meeting the Aboriginal Economic Prosperity Framework targets

Economic pillars	Government priority	Commitments to Aboriginal people in NSW (targets)	Agency (2017-2018)	Status
Jobs and employment	Driving public sector diversity	Double the number of Aboriginal people in senior leadership roles in the NSW Public Service by 2025	PSC	On track
		Aboriginal employment in all NSW Public Service clusters and salary bands to reach 1.8% by 2021	PSC	On track
	Creating jobs and supporting businesses	Every government construction contract over $1 million (and/or contracts specifically for Aboriginal communities) includes a target for expenditure on Aboriginal participation which is at least 1.5% of the design and construction costs	DFSI	On track
		Strengthen the NSW Government's procurement commitment beyond construction contracts	DFSI	Met
		Barriers to Aboriginal employment to be addressed so NSW becomes the best state for Aboriginal people to work under the NSW Government's *Jobs for the Future* commitment	Unallocated	Off track (not being actioned or monitored)
Education and skills	Improving Aboriginal education outcomes	95% of Aboriginal children to be enrolled in the year before full-time school in quality education programs	Education	Exceeded in 2017
		The proportion of Aboriginal and Torres Strait Islander students in the top two NAPLAN bands for reading and numeracy to increase by 30%	Education	On track
	Boosting apprenticeships	15% of 25,000 Jobs of Tomorrow scholarships to be awarded to Aboriginal young people	Industry	Unlikely to be met by target date
		Completion rate for Aboriginal apprentices and trainees to reach 65% by 2021	Industry	Unlikely to be met by target date
Economic agency	Building infrastructure	All regional and district plans to include Aboriginal economic participation by 2019	DPE	Met
	Making NSW the easiest state to start a business	At least 5% of Aboriginal owned and operated small and medium enterprises in NSW are supported by the NSW Government's small business advisory services each year	Industry	Exceeded each year
	Creating sustainable social housing	The proportion of Aboriginal households successfully transitioning from social housing into private rental and/or home ownership to increase by 20% by 2019	FACS	Unlikely to be met by target date

The data indicates that good progress has been made against eight of the 12 *Aboriginal Economic Prosperity Framework* targets relating to early childhood and primary/secondary education, public service employment, procurement, Aboriginal business support and regional/district planning. We are yet to assess the impact of individual strategies used, but early signs suggest that strong accountability arrangements – in the form of senior leadership, mandatory policies, scrutiny from outside the implementing agency and public reporting – is a common factor where progress has been made.

The data also suggests that the targets relating to Jobs of Tomorrow scholarships, completion of apprenticeships and traineeships, and successful transitions out of social housing, are unlikely to be met within the original timeframe. The latter two targets reflect broader 'mainstream' State Priorities[438] that are also unlikely to be met within the original timeframe. Although governance arrangements and data tracking are in place for these *Aboriginal Economic Prosperity Framework* targets, there is less external scrutiny built into the associated governance arrangements. It also appears that these targets are subject to market forces to a greater extent than others. As no implementing agency has yet been identified, data was not available for the *Aboriginal Economic Prosperity Framework* target relating to addressing barriers to Aboriginal employment.

We recognise that a variety of factors influence the ability to achieve the real world change sought by individual targets, even where every effort has been made to implement them well. However, we have looked for evidence of the steps taken by agencies to demonstrate they are tracking progress, and taking steps to address issues and adjust strategies if things are off track.

6.2.1   Jobs and employment

The first economic pillar of the *Aboriginal Economic Prosperity Framework* comprises five commitments relating to the domains of public service employment, government procurement and addressing barriers to Aboriginal employment:

1.   The NSW Public Service is to double the number of Aboriginal people in senior leadership roles.[439]

2.   Aboriginal employment in all clusters and salary bands is to reach 1.8% by 2021.

3.   Every government construction contract over $1 million (and/or contracts specifically for Aboriginal communities) is to include a target for expenditure on Aboriginal participation. The target must be at least 1.5% of the construction and design costs.

4.   The NSW Government will strengthen its current procurement commitment beyond construction contracts.

5.   Barriers to Aboriginal employment are to be addressed, so NSW becomes the best state for Aboriginal people to work under the NSW Government's *Jobs for the future* commitment.

Commitments 1 to 4 are on track to meet the related targets; however, commitment 5 is not yet allocated to an agency so has not been progressed at the time of writing.

Aboriginal representation in the NSW public sector

In 2014, the NSW Public Service Commission released the sector-wide *NSW Public Sector Aboriginal Employment Strategy 2014-17* (AES) in response to our 2012 recommendation that it should develop a whole-of-government workforce strategy for Aboriginal people, from entry level through to supported

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[438] NSW Government, 'New priorities announced for NSW', 14 September 2015, https://www.nsw.gov.au/news-and-events, accessed 15 June 2019.

[439] The *Aboriginal Economic Prosperity Framework* refers to employment in the Public Service but the Premier's Priority uses the government sector as the measure for the related commitment. The NSW Public Service includes those employed under Part 4 of the *Government Sector Employment Act 2013* in the service of the Crown. The government sector, as defined by the *Government Sector Employment Act 2013*, includes the Public Service, the Teaching Service, the NSW Health Service, the Transport Service of New South Wales, the NSW Police Force and other Crown services such as TAFE. The public sector incorporates the government sector and other government agencies, including independent oversight bodies and state-owned corporations, such as water and energy companies. See NSW Public Service Commission, *State of the NSW Public Sector Report 2018*, November 2018, p.5.

progression for senior positions.[440] The strategy also aimed to support NSW to meet and sustain a national Council of Australian Governments (COAG) target to increase Aboriginal representation in public sectors to 2.6% by 2015.

While NSW achieved the COAG target ahead of schedule, the data showed that as the NSW public sector hierarchy ascended, the level of Aboriginal representation within grades and bands descended. Accordingly, the AES introduced a new target of 1.8% Aboriginal employment for each of the sector's salary bands by 2021, while maintaining a minimum 2.6% target for Aboriginal representation across the sector as a whole.[441] The AES provided programs, guidance and resources to assist agencies to meet these targets. In addition, the Premier's Priorities announced in 2015 include a target to double the number of Aboriginal people in senior leadership roles in the public sector from a baseline of 57 in 2014 to 114 by 2025.

We recommended in our 2016 report that the *Aboriginal Economic Prosperity Framework* include the means by which employment opportunities in the public and private sectors would be fostered.[442] These targets for increased Aboriginal representation across the sector and salary bands, including in senior leadership roles, are reflected in the framework.

In addition to responsibilities for driving the AES, the Public Service Commission also had a role in funding and implementing related central or sector-wide activities, including the flagship Aboriginal Employment Development Program[443] and the Aboriginal Career and Leadership Development Program.[444] The Public Service Commission also established a cross-cluster Aboriginal Employment Advisory Committee, comprising Aboriginal staff representatives from each department, to guide the implementation of the strategy and provide advice on employment matters. An Aboriginal Workforce Development Community of Practice was also formed, open to any NSW government sector staff in human resources and Aboriginal workforce development, to discuss emerging issues, share good practice and assist in workforce diversity planning.

Has Aboriginal representation improved?

The Public Service Commission reports on Aboriginal representation in the NSW public sector through its annual *State of the NSW Public Sector* reports. In May 2018, it also commissioned an independent evaluation of the AES.[445] We were provided with a copy of the evaluation report, which will be published in 2019.[446] The evaluation concluded that, compared to other Australian jurisdictions (including the Commonwealth), NSW is well progressed in its approach to employment and career development of Aboriginal staff in the public sector, and that the AEC is an example of leading practice.[447] The evaluation found that, between 2014 and 2017, Aboriginal representation grew from 2.8% of total employment to 3.2%.[448] The Public Service Commission separately reported that in 2018 (the year after the term of the strategy ended), 3.3% of the NSW public service workforce was Aboriginal – the highest proportion it has ever been.[449] This reflects a long-term trend in increasing numbers and proportion of Indigenous employees in the NSW public sector over the past decade.[450]

The evaluation found that good progress has been made to achieve the headline target of 1.8% of Aboriginal representation across all salary bands, but estimated that the target will not be reached

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[440] NSW Ombudsman, *Responding to Child Sexual Assault in Aboriginal Communities*, December 2012, recommendation 88.
[441] NSW Public Service Commission, *Aboriginal Employment Strategy 2014-2017*, 2014, p.2.
[442] NSW Ombudsman, *Fostering economic development for Aboriginal people in NSW, May 2016*, p.32 (recommendation 1.d.iv.).
[443] A whole-of-sector initiative aiming to attract Aboriginal candidates for Clerk Grade 3/4 vacancies as new entrants to the public service.
[444] The program targets Aboriginal employees who are in ongoing employment, demonstrating leadership capabilities and aspire to undertake senior management roles.
[445] Inside Policy, *An evaluation of the NSW Public Sector Aboriginal Employment Strategy 2014-2017: Final Report*, 20 July 2018.
[446] Advice provided by NSW Public Service Commission, March 2019.
[447] Inside Policy, *An evaluation of the NSW Public Sector Aboriginal Employment Strategy 2014-2017: Final Report*, 20 July 2018, p.6.
[448] Inside Policy, *An evaluation of the NSW Public Sector Aboriginal Employment Strategy 2014-2017: Final Report*, 20 July 2018, p.36.
[449] Aboriginal Affairs NSW, *OCHRE: Four years on,* December 2017, p.25.
[450] NSW Public Service Commission, *Workforce Profile Report 2018*, November 2018, p.30.

until 2022.[451] There has been an increase in Aboriginal representation[452] in every salary band over the period 2014-2018. The greatest growth has been in the Senior Executive Service (SES) band (although representation remains below 1.8% in the two highest non-executive salary bands, and highest in the lowest salary band).[453] This growth is likely to reflect the Premier's Priority to double the number of Aboriginal people in senior leadership roles by 2025. The data indicates the NSW Government is on track to meet this target,[454] with the Public Service Commission forecasting that the target will be reached in 2022. Annual public sector exit rates[455] for Aboriginal people in senior executive roles have also decreased and are now lower than for their non-Aboriginal counterparts.[456]

As the AES did not include a target to drive increased distribution of Aboriginal employees across clusters, this was not examined by the evaluation. However, the *Aboriginal Economic Prosperity Framework* specifies that 'Aboriginal employment in all clusters and salary bands [is] to reach 1.8% by 2021'. Data provided to us by the Public Service Commission shows that every cluster increased the Aboriginal proportion of its workforce between 2014 and 2018, except Planning and Environment (in which Aboriginal representation decreased) and Treasury (in which it remained the same).[457] The biggest increase was in the Transport cluster, which doubled its proportion of Aboriginal staff (although at 1.6% it remained below the target in 2018). The Family and Community Services cluster had the largest proportion of Aboriginal staff in both 2014 and 2018, at 4.5% and 5.6% respectively.

The Public Service Commission reports that, unsurprisingly, the data shows a significant relationship between the number of Aboriginal people in a cluster's 'leadership pipeline' and those in the senior leadership cohort.[458] In addition, strong governance and a sustained focus are likely to substantially influence progress. In this regard:

- Increasing Aboriginal representation across the public sector has been a NSW Government policy objective for at least 10 years prior to the *Aboriginal Economic Prosperity Framework*.

- Legislative provisions make the heads of state government sector agencies responsible for workforce diversity within the agency and requires the Public Service Commissioner to produce periodic reports on workforce diversity across government sector agencies.[459]

- Progress is scrutinised from outside implementing agencies, by the Public Service Commission and by COAG. This also enables successes and lessons learned from similar endeavours in other agencies and jurisdictions to be shared.

In July 2019, the Public Service Commission released a new *Aboriginal Employment Strategy* (2019-2025). We provided feedback to inform the development of the new strategy, suggesting that consistent with our previous observations in 2012 and 2016:

- The new AES should include a goal for minimum Aboriginal representation across clusters (as well as across salary bands), as the *Aboriginal Economic Prosperity Framework* does – particularly given the evidence of a correlation between the number of Aboriginal people in a cluster's leadership pipeline and in its senior leadership cohort.

- The Public Service Commission should identify where agencies are lagging and need support; and facilitate the sharing of lessons and best practice from high-performing agencies and proven initiatives.

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[451] Inside Policy, *An evaluation of the NSW Public Sector Aboriginal Employment Strategy 2014-2017: Final Report*, 20 July 2018, p.36.

[452] The PSC advises that Aboriginal representation is calculated as an estimate to address under-reporting. Employees self-identify in response to diversity questions at the agency, collected as part of the workforce profile. Estimates are calculated if agencies meet the Diversity Response Rate threshold of 65%. The estimate is calculated by counting the number of Aboriginal employees divided by the number of respondents and multiplied by the total number of employees. Actual figures have at times been used in other published reports, depending on the context. As such, this may result in data discrepancies with other publications.

[453] Based on data provided by the NSW Public Service Commission, March 2019.

[454] NSW Public Service Commission, *State of the NSW Public Sector Report 2018*, November 2018, p.57.

[455] The number of employees separated from the public sector during the year as a proportion of the average number of people employed during the year.

[456] Data provided by NSW Public Service Commission, February 2019.

[457] Data provided by NSW Public Service Commission, April 2019.

[458] NSW Public Service Commission, *State of the NSW Public Sector Report 2018*, November 2018, p.57.

[459] *Government Sector Employment Act 2013*, s.63.

- Given existing links between the public sector and funded service providers, opportunities for career pathways and capability development between these sectors should be examined.

- Agencies' Aboriginal employment strategies should be targeted to high-need locations with high rates of unemployment and/or strong demand from Aboriginal people for government services but a shortage of staff to deliver them – particularly health, community services and education.

- There should be consideration of the scope for the goals, approaches and lessons from the AES to be extended to the local government sector.[460]

The new AES sets a target of 3% Aboriginal employment at each non-executive salary classification of the public sector by 2025. This new target replaces the previous target of 1.8% across these classifications by 2021. It will be important to ensure that the new headline targets are reflected in the *Aboriginal Economic Prosperity Framework*.

To achieve this target, the strategy aims to develop a 'pipeline' of Aboriginal talent from entry level to senior roles, identifying and creating career development opportunities at all levels and promoting career mobility and flexibility across agencies and regional areas. The Public Sector Commission will establish an Aboriginal Talent Manage Team to work across the sector to identify high-potential Aboriginal employees and facilitate career development and leadership opportunities for employees. It will also develop a policy to support career mobility for Aboriginal employees between the NSW public sector and into the Australian Government, non-government and private sectors. Pleasingly, the strategy also commits the Public Service Commission to working with regions and local decision-making structures to find and facilitate regional Aboriginal workforce development opportunities.

From January 2020, culturally capable and trauma-informed workforce training will also be delivered to all NSW public sector employees, and agencies will be strongly encouraged to build on this training through cultural capability development programs with non-government organisations or Aboriginal communities. An Aboriginal 'Champions of Change' Network will be established across the public sector to further support increased cultural capability and safety across the sector.

The Public Service Commission will continue to have primary responsibility for the strategy's oversight, governance and reporting. By June 2020, it will develop and launch improved online reporting of strategy results and outcomes. It will also provide an annual strategy progress report to the Secretaries Board and ongoing feedback to Deputy Secretaries and Human Resources Directors groups.[461] The strategy will be formally reviewed in 2022, and independently evaluated at its completion in 2025.

According to the Public Service Commission, the strategy will be successful if the specified employment targets are met, but also if Aboriginal people are employed in a wider range of departments, agencies, regions and job types; have similar staff retention, transfer and promotion rates to non-Aboriginal staff in all salary classes; and experience improved cultural respect and understanding in the workplace. We welcome the ambitious vision articulated by the strategy and the commitment to robust governance and accountability arrangements for driving and monitoring its implementation.

Government procurement policies

Government Aboriginal procurement policies direct part of the government's spend on goods and services to Aboriginal enterprises and are intended to generate demand for Aboriginal businesses and employees, increasing their opportunities to successfully participate in the economy.

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[460] NSW Ombudsman, *Fostering economic development for Aboriginal people in NSW,* May 2016, p.18; and *Responding to Child Sexual Assault in Aboriginal Communities,* December 2012, p.6 and Recommendations 26 and 88.
[461] NSW Public Service Commission, *The NSW public sector Aboriginal employment strategy: NSW Working together for a better future* (2019–2025), July 2019, https://psc.nsw.gov.au, accessed 15 July 2019.

The *Aboriginal Economic Prosperity Framework* reflects our 2016 recommendation to specify the opportunities to harness the significant investment in growing the NSW economy to support Aboriginal business and employment, including through government procurement processes.[462]

There are now two mandatory state government policies that require all agencies to use part of their annual procurement to increase Aboriginal economic participation:

- The *Aboriginal Participation in Construction* (APIC) policy, which became mandatory on 1 July 2016, was revised in June 2018 to reflect the findings of a review of the first year of its operation. The APIC policy requires a minimum of 1.5% of project spend in certain government construction contracts to be dedicated to 'Aboriginal participation' (employment, engagement of Aboriginal owned businesses, education and training, and engagement or consultation with Aboriginal organisations or businesses). Applicable contracts are:
  o Projects nominated by an agency that are primarily directed to one or more Aboriginal communities (including projects where an Aboriginal community is the sole or predominant beneficiary, a key user group or a predominant stakeholder).
  o All other construction projects where the estimated value is over $1 million.[463]

- The *Aboriginal Procurement Policy* (APP), which was launched on 12 May 2018 and became mandatory on 1 July 2018, sits alongside the APIC policy. The APP sets whole-of-government targets for:
  o Aboriginal businesses to be awarded at least 3% of the total number of domestic contracts for goods and services issued by NSW Government agencies by 2021, and
  o together with the APIC policy, supporting an estimated 3,000 full-time equivalent (FTE) employment opportunities for Aboriginal people through NSW Government procurement activities by 2021.

  The APP applies to the procurement of goods and services of any kind by all NSW Government agencies. The NSW Procurement Board may also allocate specific targets to agencies or for different categories of expenditure, where opportunities exist or it is considered applicable to help achieve the overall whole-of-government target.[464]

  The APP also requires every agency to publish an Aboriginal Participation Strategy annually that describes how it will increase Aboriginal participation through its procurement of goods and services, and identify upcoming procurement opportunities for Aboriginal participation. Agencies are required to ensure all suppliers are made aware of their relevant obligations, and incorporate Aboriginal participation obligations into supplier contracts.

To achieve APP and APIC objectives, agencies are also authorised to use additional measures, for example:
- For goods and services procurement, giving first consideration to, or directly negotiating with, Aboriginal-owned businesses that are on prequalification schemes that can demonstrate value for money, for procurements valued up to $250,000 (excluding GST), where appropriate.

- For construction projects, agencies may give first consideration to suitably qualified Aboriginal-owned businesses for procurements up to $250,000. Agencies may also run a closed tender with prequalified Aboriginal-owned businesses for procurements valued up to $1 million.

- Using mechanisms to encourage suppliers to exceed Aboriginal participation targets, such as awarding repeat contracts, publicly recognising suppliers and/or providing financial rewards.

- Imposing consequences to suppliers that do not meet the targets, such as treating this as a breach of contract terms, instituting additional key performance indicators and service levels, and/or withholding payment.[465] The APIC policy also requires suppliers that do not meet the 1.5% (or

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[462] NSW Ombudsman, *Fostering economic development for Aboriginal people in NSW*, May 2016, p.32 (recommendation 1.e.vi.).
[463] NSW Department of Finance, Services and Innovation, *Aboriginal Participation in Construction Policy*, June 2018, p.3.
[464] NSW Department of Finance, Services and Innovation, *Aboriginal Procurement Policy*, May 2018, p.2.
[465] NSW Department of Finance, Services and Innovation, *Aboriginal Procurement* Policy, May 2018, p.7.

more) Aboriginal participation requirement to direct the funds to an approved body, being Literacy for Life or NSW Master Builders Association.

The NSW Procurement Board is ultimately responsible for administering, monitoring and reporting on the Aboriginal procurement policies. Under the authority of the NSW Procurement Board, the NSW Treasury is the lead agency for the APP and APIC policies. NSW Treasury provides sector-wide support for the policy through handling complaints; maintaining a central database/dashboard to track progress and results; annually reviewing the APP and APIC policy and publishing findings.

The latest data suggests that agencies are on track to meet the *Aboriginal Economic Prosperity Framework* target that every government construction contract over $1 million (and/or contracts specifically for Aboriginal communities) includes a target of at least 1.5% of the construction and design costs for expenditure on Aboriginal participation. NSW Treasury is collecting performance data through reporting mechanisms. Performance data against targets is not currently available due to the low number of construction projects reaching completion since the implementation of the policy.

In October 2017, NSW Treasury conducted a 12 month review of the first year of mandatory operation of the APIC policy.[466] This identified 105 eligible contracts, totalling $135 million, in the period 1 July 2016– October 2017. The review found that the vast majority (95%) of these contracts were assigned the minimum 1.5% contract spend target by agencies (22% of those were assigned a higher target of up to 6.9%).[467]

This suggests a strong level of compliance by agencies with the APIC policy. The Department of Finance, Service and Innovation (DFSI) anticipates that compliance will continue to be promoted by further clarity around the binding requirements of the project spend target through the 2018 policy update, and increased visibility and monitoring will be provided by a new data platform (the Aboriginal participation portal).[468] For these reasons, we consider it likely that the *Aboriginal Economic Prosperity Framework* target will be met in 2017-2018.

The second *Aboriginal Economic Prosperity Framework* procurement target was to strengthen the government's procurement commitment beyond construction contracts. This target was met via the launch of the Aboriginal Procurement Policy in May 2018.

As part of ongoing refinement of the governance arrangements for Aboriginal economic capacity, there would be benefit in the *Aboriginal Economic Prosperity Framework* replacing the existing procedural procurement targets with the outcomes currently being pursued via the procurement policies – that is, increased Aboriginal employment and Aboriginal business engagement. Measuring progress would need to involve obtaining ongoing feedback from the Aboriginal and non-Aboriginal business sector, NSW Government agencies, and Aboriginal leaders or representatives on how the policies are achieving their intent.

It is for this reason that, with the support of the relevant Ministers, in September 2018 the Deputy Ombudsman (Aboriginal Programs) worked with industry experts to establish the Aboriginal Procurement Advisory Committee (APAC). Members include senior executives from relevant agencies;[469] the NSW Indigenous Chamber of Commerce and Supply Nation peak bodies for Aboriginal businesses; the NSW Aboriginal Land Council; the First Peoples Disability Network; and NSW Aboriginal business owners. Leading 'Tier 1' contractors that are demonstrating success in increasing Aboriginal participation are also invited to attend certain committee meetings. The APAC aims to support the implementation of the APP and APIC by bringing together feedback from the Aboriginal business sector with data and advice from agencies, to put a spotlight on the practical operation of the policies, as

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[466] NSW Department of Finance, Services and Innovation, *Aboriginal Participation in Construction (APIC) Policy Review*, June 2018.

[467]. NSW Department of Finance, Services and Innovation, *Aboriginal Participation in Construction (APIC) Policy Review*, June 2018, p.6.

[468] Advice from NSW Department of Finance, Services and Innovation, March 2018.

[469] Aboriginal Affairs NSW, Department of Finance, Services and Innovation, Department of Industry, Infrastructure NSW, Department of Justice, Department of Premier and Cabinet, Roads and Maritime Services NSW, NSW Treasury, Health Infrastructure, Office of the NSW Small Business Commissioner, NSW Trains and Group Rail.

well as systemic issues and opportunities. The APAC is looking at a number of issues, including the need for:

- ensuring that Aboriginal people – as business owners and employees – are the beneficiaries of the procurement policies (through robust and consistent processes used to confirm the Aboriginal identity of employees and business founders)
- an assessment of what capability support is required to facilitate increased participation of Aboriginal people and businesses
- increased awareness of business opportunities, including publishing accurate pipelines of relevant contracts and works, and providing support to Aboriginal businesses to access pre-qualification schemes
- clear directives to agencies on implementing reasonable incentives and consequences with suppliers if the APP and APIC targets are exceeded or not met, and
- promotion of what is working, to sustain momentum and facilitate replication.

We have also encouraged NSW and the Commonwealth to establish stronger coordination in this space, given the similar objectives and strategies under the NSW and Commonwealth Aboriginal procurement policies competing for the same market. In 2017, we brought relevant officers together to explore the potential for aligning reporting systems and sharing data on contractor performance in increasing Aboriginal employment and business opportunities. As other jurisdictions move to adopt Indigenous procurement targets for government expenditure, there will be potential for a single national reporting system to be adopted in future.

Addressing barriers to Aboriginal employment

The *Aboriginal Economic Prosperity Framework* includes a specific target, tied to the NSW Government's *Jobs for the Future* commitment, to address barriers to Aboriginal employment. A 20 year plan released in August 2016, *Jobs for the Future* was developed by Jobs for NSW, a NSW Government agency established to support industries and entrepreneurial businesses that generate sustainable jobs across the state, by providing strategic advice to government and managing an associated $190 million fund. Jobs for NSW, which aimed to help generate 20,000 jobs as part of the Premier's Priority to create 150,000 new jobs by 2019, ceased to be an independent agency from 1 July 2019 when its functions merged into the Treasury cluster.

Jobs for the Future outlines a range of strategies for the public and private sectors to prepare for future jobs growth. The plan notes that several specific groups offer a wealth of currently under-utilised talent, including people with disability, Aboriginal people and people from linguistically and culturally diverse backgrounds, and that proposed actions should be implemented in a way that is sensitive to their needs and fosters their greater inclusion in the workforce. However, the plan does not include targeted actions for these groups (as it does for seniors, female carers and regional youth).[470]

Relevant agencies are responsible for preparing and executing implementation plans under the various *Jobs for the Future* strategies.[471] While we understand that a draft implementation plan 'to make NSW the best place to live and work for Aboriginal people' was prepared by Aboriginal Affairs, we have been advised that this is not being taken forward.[472] Accordingly, no data is available on this *Aboriginal Economic Prosperity Framework* target. For these reasons, we consider this target to be 'off track'.

The NSW Government should promptly task the most suitable agency – ideally NSW Treasury, since it recently assumed the government's economic development functions, including Jobs for NSW – to develop and operationalise the implementation plan in consultation with Aboriginal Affairs and relevant stakeholders.

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[470] Jobs for NSW, *Jobs for the Future: Adding 1 million rewarding jobs in NSW by 2036*, August 2016, p.60.
[471] Advice provided by Jobs for NSW, November 2018.
[472] Advice provided by Aboriginal Affairs NSW, January 2019.

In our May 2016 report, we said that strategies to support Aboriginal job seekers need to take account of the evidence on what works, as well as credible forecasts of the likely future industries of employment.[473] It is also imperative to understand whether or not new job opportunities generated through government efforts are being taken up by Aboriginal people previously not in the workforce, or working fewer hours than they would like. This will highlight whether specific action is required to reach and support particularly vulnerable cohorts who may face additional barriers, such as young people, people with disability, or people with a criminal history (among others). Without understanding the nature of both the jobs created and the people recruited to them, there is a risk that initiatives will not reduce Aboriginal unemployment or underemployment rates. Indeed, while the broader Premier's Priority to create 150,000 new jobs by 2019 has been exceeded, Aboriginal unemployment rates remain more than double that of non-Aboriginal people in NSW.

In this context, we encouraged the DPC to develop a Premier's Priority on increasing Aboriginal workforce participation for the NSW Government's consideration. This would complement targets in the existing Premier's Priority and Aboriginal procurement policies to generate new jobs, with a focus on supporting unemployed and other vulnerable cohorts of Aboriginal people into the labour force. Even if this proposal is not taken up, the government needs to ensure that employment opportunities generated under the *Aboriginal Economic Prosperity Framework* are connected to efforts to support those who need additional support to be job-ready into the workforce.

Industry Based Agreements

Separately, Aboriginal Affairs is focused on growing Aboriginal employment through the OCHRE Industry Based Agreements (IBAs), which were in place before (but are not included in) the *Aboriginal Economic Prosperity Framework*. IBAs are public commitments from peak industry bodies and the NSW Government to increase the employment and retention of Aboriginal employees, and to engage Aboriginal enterprises in the private sector, to achieve progressive social and economic outcomes.[474] In the first five years of OCHRE, four state-wide IBAs were established between the government and the Minerals Council of NSW (2013); the Master Builders Association of NSW (2014); the Civil Construction Federation of NSW (2015); and the NSW Indigenous Chamber of Commerce (2016).

Aboriginal Affairs allocated $200,000 per annum to the negotiation and implementation of the agreements. Each agreement included an action plan and a steering committee. The action plans included a range of activities directed at the relevant industry partner's members, including awareness-raising and surveying the existing landscape to understand successful approaches and hurdles that need to be tackled.[475]

Over the term of each IBA we met with the relevant industry partner to discuss progress. Planned activities were generally delivered, and industry partners reported that awareness and interest had improved among their member base, which they considered would translate into increased job and supplier opportunities for Aboriginal people in the future. Industry partners were keen to see the agreements and funding extended beyond the initial two years to build upon the momentum generated. However, there was no effective data monitoring in place to assess the employment and business outcomes resulting from the IBAs. Industry partners perceived that government had pulled back on its involvement in the second year, and had not established effective links between the IBAs and other relevant government programs/services, which in turn affected the outcomes that could be achieved.

The government opted not to renew the state-wide IBAs in line with an expectation that industry would independently progress the agreements' objectives after the first two years. We advised Aboriginal Affairs that it would be difficult to encourage industry to do this without an evaluation demonstrating the 'return on investment' so far.

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[473] NSW Ombudsman, *Fostering economic development for Aboriginal people in NSW*, May 2016, p.17.
[474] Aboriginal Affairs NSW, *NSW Government and industry working together to strengthen economic outcomes for Aboriginal people: An introduction to OCHRE's Industry Based Agreements and Other Related Initiatives*, n.d., IBA prospectus.
[475] Master Builders Association NSW, *Final Action Plan – Detail: Aboriginal Employment and Enterprise Development*, 2013. NSW Minerals Council, *Aboriginal Employment and Enterprise Development Industry Based Agreement Action Plan* 2014.

In our May 2016 report we observed that the capacity of IBAs to deliver tangible employment and business outcomes for individuals and enterprises could be strengthened by incorporating the outcomes into specific targets in the agreements; and by improving practical linkages between IBAs and other measures (such as government procurement policies and Jobs for NSW).[476] Reflecting feedback from Aboriginal leaders, we also suggested that IBAs take a stronger regional focus and seek to implement commitments in specific regional areas in partnership with the OCHRE Local Decision Making (LDM) Aboriginal Regional Alliances. We pointed out that IBAs need not be limited to specific industries – for example, developing an IBA with the Business Council of Australia would reach some of Australia's largest companies across a range of sectors. We also highlighted that existing industry and employer partners could become involved in promoting IBAs to potential partners in other sectors, and in building their capacity to enter into agreements.[477]

The NSW Parliamentary inquiry into economic development in Aboriginal communities similarly recommended in late 2016 that IBAs include rigorous accountability mechanisms, and public reporting on objectives and outcomes.[478] A subsequent review of IBAs commissioned by Aboriginal Affairs reported in August 2017;[479] however, it did not assess or verify the potential training, employment or business outcomes achieved through the agreements, focusing instead on recommended ways to strengthen the operation of future IBAs.

In 2017, the government announced that a regional approach would be trialled with two Aboriginal community alliances participating in the LDM initiative, with the aim of identifying industry sectors in a region that have the best prospects for employment, taking account of the broader economic, social and cultural context.[480] Regional IBAs are currently being discussed with the Illawarra-Wingecarribee Alliance Aboriginal Corporation and the Three Rivers Regional Assembly. Aboriginal Affairs has made an initial allocation of $150,000 to facilitate the involvement of these Alliances in the development of the agreements.[481]

We asked Aboriginal Affairs how regional IBAs had been adjusted to reflect lessons learned from the implementation of the state-wide IBAs. We were advised that Aboriginal communities and organisations are more engaged in developing the regional IBAs, with a stronger emphasis being given to employment outcomes, and establishing processes for enhanced data collection and monitoring.[482] Aboriginal Affairs intends to evaluate the regional IBAs trials as part of the OCHRE evaluation of the LDM initiative in future stages of the evaluation. If regional IBAs are effectively rolled out, they have the potential to be an important lever for supporting the *Aboriginal Economic Prosperity Framework* target to reduce barriers to Aboriginal employment, and should be included in the framework.

6.2.2   Education and skills

The second of the *Aboriginal Economic Prosperity Framework* economic pillars is education and skills. This comprises four commitments:

1. There should be 95% of Aboriginal children enrolled in the year before full-time school in quality early childhood education programs.

2. The proportion of Aboriginal and Torres Strait Islander students in top two NAPLAN[483] bands for reading and numeracy should increase by 30%.

3. There should be 15% of 25,000 Jobs of Tomorrow Scholarship Fund scholarships (available over four years: 2016-2020) awarded to Aboriginal young people.

4. The completion rate for Aboriginal apprentices and trainees should reach 65% by 2021.

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[476] NSW Ombudsman, *Fostering economic development for Aboriginal people in NSW*, May 2016, (recommendation 4), p.33.
[477] Recommendation 4.
[478] NSW Legislative Council Standing Committee on State Development, *Inquiry into economic development in Aboriginal communities (final report), September 2016,* Recommendations 9 and 10, pp.17-18.
[479] Centium, *Review of the Industry Based Agreements: Lessons learnt*, 2017.
[480] Advice provided by Aboriginal Affairs NSW, May 2018.
[481] Advice provided by Aboriginal Affairs NSW, May 2018.
[482] Advice provided by Aboriginal Affairs NSW, May 2018.
[483] National Assessment Program – Literacy and Numeracy.

The first two commitments, relating to education, are on track to meet the targets; the latter two, relating to skills, are not.

Early childhood education

The *Aboriginal Economic Prosperity Framework* early childhood target reflects a 2008 COAG national target under the *Closing the Gap* strategy for 95% of all Indigenous four-year-olds to be enrolled in early childhood education by 2025. This target was driven by accumulating evidence about the importance of the early years in children's lives in terms of cognitive, physical, social and emotional development.[484] All states and territories have committed to provide universal access to a quality early childhood education program, delivered by a qualified early childhood teacher for 15 hours per week in the year before they attend full-time school (600 hours total).[485]

While states and territories are responsible for preschool delivery, the Commonwealth Government has contributed funding since 2008 through a series of National Partnership Agreements, which make up approximately 70% of total preschool funding (each state and territory government provides the balance).[486] In NSW, the state government's funding is provided through its 'Start Strong' reforms. This initiative aims to ensure affordability is not a barrier for families with young children and links needs-based funding to 600 hours of enrolment in quality early childhood education in the year before school. Start Strong also enables children from Aboriginal or low-income families to receive additional support for two years before school. The Department of Education reports that this funding has reduced daily fees by more than 40% between 2016 and 2017 for children from Aboriginal or low-income families.[487]

Latest publicly available data shows that, in NSW:
- 98.1% of eligible Aboriginal children were enrolled in early childhood education in the year before school in 2016, which increased to 100% in 2017[488]
- 80.6% of enrolled Aboriginal children were enrolled for 600 hours in 2016, which increased to 94.4% in 2017, and[489]
- 77% of Aboriginal children aged 4-5 years who were enrolled actually *attended* for 600 hours or more in 2017, although – as across Australia – there are regional variations in attendance and this was lower (65%) in remote/very remote areas of the state.[490]

It is recognised that Aboriginal children are more than twice as likely to be developmentally vulnerable than their peers. Research shows that accessing at least 600 hours of an early childhood education program can support the developmental outcomes of all children. The NSW government is addressing the overall health of all children through its First 2000 Days Framework. In addition, the NSW Government is providing support in community preschools and mobile preschools through its Disability and Inclusion program to ensure the education setting is supportive and inclusive of all children.

COAG recognise that more work is needed to improve attendance rates for Indigenous children to ensure they receive the full benefits from participation in early childhood education programs.[491] In line with this, the NSW Government announced in late 2018 that it would provide additional funding to extend two key programs focused on factors relevant to Aboriginal preschool attendance.[492] Through the first state-wide Accord struck under the OCHRE LDM initiative with the NSW Coalition of Aboriginal Regional Alliances (NCARA) in December 2018, the NSW Government has also committed to work with

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[484] See, for example, the summary of evidence given in the Department of the Prime Minister and Cabinet, *Closing the Gap: Prime Minister's Report 2018*, February 2018, p.42.

[485] Commonwealth Department of Education and Training, 'National Partnership Agreements', https://www.education.gov.au/national-partnership-agreements, accessed 15 November 2018.

[486] Advice provided by the NSW Department of Education, November 2018.

[487] NSW Department of Education, *Annual Report 2017*, May 2018, p.12.

[488] Advice provided by NSW Department of Education, March 2019.

[489] NSW Department of Education data, provided by Aboriginal Affairs NSW, November 2018.

[490] Australian Bureau of Statistics, *Preschool Education, Australia, 2017*, May 2018, cat.no.4240.0, table 4.

[491] Department of the Prime Minister and Cabinet, *Closing the Gap: Prime Minister's Report 2018*, February 2018, pp.42 and 59.

[492] The Hon. Sarah Mitchell MLC, Minister for Early Childhood Education, Minister for Aboriginal Affairs, Assistant Minister for Education, 'Aboriginal preschool attendance front-and-centre for NSW Government', Media release, 29 November 2018.

NCARA on improving early childhood outcomes for Aboriginal children.[493] In this context, we believe there would be benefit in the *Aboriginal Economic Prosperity Framework* including a target related to improving attendance for Aboriginal children in quality early childhood education across the state.

NAPLAN performance

The *Aboriginal Economic Prosperity Framework* NAPLAN target is a State Priority sitting alongside a broader Premier's Priority to increase the proportion of NSW students in the top two NAPLAN bands by 8%. The target/Priority is informed by evidence that students with sound literacy and numeracy skills are more likely to stay at school, complete their Higher School Certificate and continue on to tertiary education.[494]

The overall proportion of Aboriginal students in the top two NAPLAN bands represents an average across Years 3, 5, 7 and 9 reading and numeracy.[495] The *Aboriginal Economic Prosperity Framework* target/State Priority is to increase the proportion of Aboriginal and Torres Strait Islander students in these bands by 30% – from a baseline of 9.1% in 2014, to 11.6% by 2019.[496]

The data shows that, in 2017, the overall proportion of Aboriginal students achieving in the top two performance bands was 10.4%, an increase of 1.3 percentage points from 9.1% in both 2016 and the 2014 baseline, and up from 8.9% in 2015. Accordingly, Education considers the target for 2019 to be on track, while the broader Premier's Priority was achieved in 2017 (two years early).[497]

Both the early childhood and NAPLAN targets in the *Aboriginal Economic Prosperity Framework* reflect established policy objectives that preceded the framework, and this sustained focus is likely to be a factor in the targets being on track. In addition, each target incorporated external oversight into the related governance arrangements by virtue of being national and whole-of-state-government commitments. In this regard, the Department of Education is regularly engaging with its counterparts in other jurisdictions, and with DPC, on the progress made. Regular public reporting has also heightened external scrutiny – particularly through the Prime Minister's annual *Closing the Gap* address given to the Australian Parliament. It will be important that sustained policy focus and strong governance remain in place to maintain the positive progress made.

Skills training

Nationally, although the vocational education and training (VET) participation rate for Indigenous people is double that for non-Indigenous people,[498] Indigenous students are more likely to enrol in lower level courses and have lower training completion rates.[499]

One of the NSW Government's broader State Priorities adopted in 2014 is to increase the proportion of people completing apprenticeships and traineeships to 65% by 2019. The *Aboriginal Economic Prosperity Framework* reflects this State Priority with a target to increase the completion rate for Aboriginal apprentices and trainees to 65% by 2021. The NSW Department of Industry is the lead agency.

The government committed to pursue a number of initiatives with infrastructure contractors, registered and group training organisations (RTOs/GTOs) and other stakeholders to increase the proportion of people completing apprenticeships and traineeships. Initiatives include fee-free pre-

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[493] NSW Coalition of Aboriginal Regional Alliances (NCARA) and NSW Government, *Local Decision Making Accord*, 27 February 2019.

[494] NSW Department of Premier and Cabinet, 'Improving education results: increase the proportion of NSW students in the top two NAPLAN bands by eight per cent by 2019', https://dpc.nsw.gov.au, accessed 3 October 2018.

[495] NSW Department of Education, *Annual Report 2017*, May 2018, p.17.

[496] NSW Department of Education advice, provided by Aboriginal Affairs NSW, November 2018.

[497] NSW Department of Education, *Annual Report 2017*, May 2018, pp.15-17 and *Annual Report 2016*, May 2017, p.16.

[498] National Centre for Vocational Education Research, *Indigenous VET participation, completion and outcomes: change over the past decade*, NCVER Research Report, 2017, p.21.

[499] National Centre for Vocational Education Research, Indigenous VET participation, completion and outcomes: change over the past decade, *NCVER Research Report, 2017*, p.35. See also The Hon. Steven Joyce, Strengthening Skills: Expert Review of Australia's Vocational Education and Training System, April 2019, p.107.

training so young people can 'try before they buy'; incentive payments to training organisations;[500] and prioritising the employment of trainees/apprentices on significant government infrastructure projects.[501]

All apprenticeship qualifications and most traineeship qualifications for trainees who are new entrants are subsidised under the *Smart and Skilled* reforms, and fee exemptions are offered to Aboriginal students. Support is also available through the government's Aboriginal training programs administered by Training Services NSW (such as mentors under *The Way Ahead* program).[502]

In addition, since 2016 the NSW Government has offered 25,000 new *Jobs of Tomorrow* scholarships (available over four years) to students commencing selected higher-level VET qualifications from Certificate III to Advanced Diploma level under *Smart and Skilled*. The qualifications are listed on the NSW Skills List, which represent those that are considered to have good job prospects.[503] The *Aboriginal Economic Prosperity Framework* sets a target for 15% of 25,000 *Jobs of Tomorrow* Scholarship Fund scholarships to be awarded to Aboriginal young people (equivalent to 3,750 scholarships by 2020).

As at June 2019, 279 out of 6,075 approved scholarships (4.6%) have been awarded to Aboriginal recipients.[504] Significant growth in scholarships awarded would be required in order to meet the target within the expected timeframe. The Department of Industry advises that it is engaging directly with TAFE NSW, and contacting eligible students enrolled with registered training organisations to increase awareness of the scholarship and boost uptake.[505]

Completion rates for traineeships and apprenticeships

Data indicates that 53% of Aboriginal apprentices and trainees completed their qualification in 2018, compared to 60% of all apprentices and trainees.[506] Completion rates for Aboriginal apprentices and trainees will need to increase by 10 % over the next three years (2019-2021) to meet the *Aboriginal Economic Prosperity Framework* target. Modelling would be required to determine whether or not this is feasible; a downward trend is evident in the data from recent years.

A recent national review of the VET system observed that improving completion rates for courses and qualifications requires learners to be fully engaged in their learning. The review also reported concerns from Indigenous Australians about the suitability and effectiveness of some training being provided to Indigenous learners. Research by the National Centre for Vocational Education and Research (NCVER) suggests that Indigenous students are more successful when taught by local trainers and able to engage in learning on their country and in their own language.[507] The review noted this, as well as attrition in course attendance due to other factors such as health, housing, transport and family issues. It recommended that:
- more quality Indigenous-owned-and-led RTOs be supported across Australia
- levels of enrolment, progress and outcomes for Indigenous learners at all relevant funded RTOs be measured as part of a new Commonwealth-State vocational education funding agreement, and
- new funding models be developed to provide flexible wrap-around social support services in communities where there is high disadvantage so that vocational educators do not have to search

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[500] NSW Department of Industry advice, provided by Aboriginal Affairs NSW, November 2017.

[501] Under the Infrastructure Skills Legacy Program (ISLP) launched in 2016-2017, the NSW Government has set minimum targets on employment and training for its significant infrastructure projects across the state (valued at $100 million or above), including that 20% of all trades positions must be apprentices; and at least 1.5% of the total contract value of a project must support Aboriginal participation. Other projects may be considered for the ISLP where there are opportunities for sustainable apprenticeships/traineeships and/or employment over time, and/or for workers to follow work to other locations once the project ends. At the time of writing, over 1,000 Aboriginal people were participating in ISLP projects. (Advice provided by Training Services NSW, April 2019). See also NSW Department of Industry, 'Infrastructure Skills Legacy Program: Future proofing the construction of NSW', Factsheet, 2017.

[502] NSW Department of Industry, 'Smart and Skilled and Deadly: Training for Aboriginal people in NSW' Factsheet, 2016.

[503] NSW Department of Industry, 'Jobs of Tomorrow Scholarships: Smart and Skilled Information for Students', Factsheet, March 2018.

[504] Data provided by NSW Department of Industry, June 2019.

[505] Advice provided by NSW Department of Industry, June 2019.

[506] Data provided by NSW Department of Industry, 20 June 2019. Data is based on expected completion in 2018.

[507] Guenther, J, Bat, M, Stephens, A, Skewes, J, Boughton, B, Williamson, F, Wooltorton, S, Marshall, M & Dwyer, A, *Enhancing training advantage for remote Aboriginal and Torres Strait Islander learners*, NCVER, 2017.

through myriad targeted funding programs to find additional support to keep their learners engaged.[508]

These national recommendations are relevant to the NSW context. While the state government has sought to increase Aboriginal VET completion rates through removing fees and increasing placement opportunities, there has not been as strong a focus on the support services that apprentices and trainees may need to reduce barriers to learning. This stands in contrast to the approach taken to support Aboriginal students in primary and secondary education under the Connected Communities strategy (see Chapter 9).

We acknowledge that the administration of the VET sector is more complex than it is for the education sectors, with a combination of Commonwealth and state/territory government direct service provision, subsidies and funding channels; and a significant proportion of activity undertaken by non-government providers on a fee-for-service basis.[509] This complex array of arrangements can dilute the direct influence that the NSW Government can exercise over VET outcomes compared with early childhood and primary/secondary education in public schools. However, as the VET review identified, more can be done to improve the support given to Aboriginal vocational learners by looking outside of the sector and working in a joined-up way across agencies; indeed, this is the direction that skills training is moving globally.[510]

Converting apprenticeships and traineeships into jobs

While completion of apprenticeships and traineeships are an important outcome, it is critical that 'conversions' into jobs are also tracked and supported – and, of course, greater employment prospects for skills training contributes to completion rates.

Department of Industry data for 2018 indicates that 67% of Aboriginal students were employed after *Smart and Skilled* training, compared to 71% of non-Aboriginal students.[511] In our 2016 report we highlighted that there is likely to be significant regional variation in this trend, and argued that stronger partnerships and collaborative planning between Training Services NSW, Aboriginal leaders, the VET sector and industry were required to ensure training is targeted to future need, and results in Aboriginal graduates being competitive for employment.[512] The Parliamentary committee inquiring into economic development in Aboriginal communities agreed with our observations, and made a specific recommendation that Training Services NSW continues to investigate, develop and implement stronger pathways between VET and meaningful employment opportunities for Aboriginal people.[513]

The *Aboriginal Economic Prosperity Framework* target does not focus on the proportion of Aboriginal apprentices or trainees who have completed their qualification and have secured employment. This should be considered for the next iteration of the framework developed through the 2019 OCHRE refresh.

6.2.3   Economic agency

The last of the *Aboriginal Economic Prosperity Framework* economic pillars is economic agency. This comprises three commitments:

1.   All regional and district plans to include Aboriginal economic participation by 2019.

2.   At least 5% of Aboriginal owned and operated small and medium enterprises in NSW are supported by the NSW Government's small business advisory services each year.

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508 The Hon. Steven Joyce, *Strengthening Skills: Expert Review of Australia's Vocational Education and Training System*, April 2019, pp.109-110 (recommendations 8.5, 8.6 and 8.7).
509 Commonwealth Department of Parliamentary Services, *The vocational education and training sector: a quick guide*, 19 November 2018, pp.2-4.
510 Organisation for Economic Co-operation and Development, *The Future of Work: OECD Employment Outlook 2019*, May 2019, p.8.
511 Advice provided by NSW Department of Industry, June 2019.
512 NSW Ombudsman, *Fostering economic development for Aboriginal people in NSW*, May 2016, p.12.
513 NSW Legislative Council Standing Committee on State Development, *Inquiry into economic development in Aboriginal communities (final report)*, September 2016, Recommendation 16, pp.33-34.

3. The proportion of Aboriginal households successfully transitioning from social housing into private rental and/or home ownership is to increase by 20% by 2019.

The first two of these commitments are on track to meet the targets. Progress has been made towards the last target but data trends suggest it will not be met within the timeframe set.

Regional and district plans

The *Aboriginal Economic Prosperity Framework* includes a specific target that all regional and district plans include Aboriginal economic participation by 2019. District and regional plans are whole-of-government documents developed and implemented by the NSW Department of Planning and Environment (DPE) and tracked through existing coordination and monitoring committees. Plans are generally reviewed every five years. These plans are intended to 'provide an effective mechanism to exploit local economic opportunities by building better alignment between the demands for, and supply of, Aboriginal employees and businesses'.[514]

The target responds to our previous recommendations in our 2012 and 2016 reports for the government to develop and implement place-based approaches to service delivery and to economic development reforms. In the context of Aboriginal economic development, we said that a place-based approach should include:

- identifying – with Aboriginal communities – the unique potential, capacities and assets, as well as constraints and risks, they and their physical location hold
- whole-of-community or regional planning between relevant government agencies (at the local, state and federal level), Aboriginal representative bodies, industry leaders and educational institutions to scope future growth industries and regions, forecast potential skills and supply shortages, and prepare Aboriginal stakeholders to exploit these, and
- exploring other ways in which local economies can be grown so that Aboriginal people are central actors – for example, by fostering local Aboriginal businesses to provide the goods and services consumed by their community.[515]

The following case study illustrates how Bourke is adopting a place-based approach to economic prosperity.

> **Case study 14: Bourke Aboriginal Economic Prosperity Strategy**
>
> Following our visit in April 2017 to Bourke, where we attended a meeting about Bourke's draft Aboriginal employment and prosperity strategy, we arranged and facilitated a roundtable between Aboriginal, Shire Council and business leaders from the community, and the Deputy Premier, the Minister for Financial Services and Innovation, and the Minister for Aboriginal Affairs. The meeting discussed the importance of place-based economic strategies and community-led collaborations. The Deputy Premier subsequently announced $320,000 in funding for the Bourke Shire Council to hire an employment strategy officer to work in partnership with the Aboriginal community on promoting training and job opportunities.
>
> In February 2018, the Deputy Ombudsman (Aboriginal Programs) convened a workshop in Bourke with the DPC, the shire council, funded services, local employers and Aboriginal leaders to help kick-start key actions in the strategy. With a new goat abattoir opening in 2019, our focus has been on ensuring that a trained-up workforce is in place to maximise local employment opportunities for Bourke people. The abattoir is aiming to recruit up to 200 FTE positions from the local community.

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[514] NSW Government, *NSW Government response to supplement to C2017-0118 FS Economic Development in Aboriginal Communities – NSW Government Response to the Standing Committee Report*, 2017, p.2.

[515] As we noted in our 2011 report on addressing Aboriginal disadvantage, in many of the Aboriginal communities in remote and rural NSW that we have visited, we have seen low levels of Aboriginal involvement with local businesses. Our consultations with Aboriginal communities elsewhere have revealed that NSW is some way behind other states and territories in establishing Aboriginal-owned local businesses, such as grocery stores, motels and fuel stations. There appears to be no current strategy for identifying and facilitating these types of opportunities across this state, and the necessary associated business and technical skill capacity building.

Since the February workshop, the Deputy Ombudsman has undertaken the following:
- facilitated the establishment of a governance model to drive the implementation of the employment strategy, which includes: a co-chairing arrangement shared by the Bourke Shire Council and an Aboriginal leader from Bourke; and representatives of local employers, job service providers; government agencies and local NGOs
- fostered a partnership between the abattoir company and the two local employment service providers to identify and train up a supply of local workers
- led discussions aimed at identifying the barriers preventing local people from being job ready, and planning to transition them into the workforce by sourcing training courses which match local and regional employment opportunities, and
- facilitated improved connections between small to medium enterprises in Bourke with those leading the implementation of the economic prosperity strategy.

At the time of writing, 17 Aboriginal employees had secured positions with the abattoir.[516]

The NSW Parliamentary committee inquiring into economic development in Aboriginal communities similarly recommended in its September 2016 report that the NSW Government ensure place-based, community-driven approaches are embedded as a key component of initiatives to drive Aboriginal economic development. The committee also made a specific recommendation that (among other things) DPE continue to amend the regional planning processes to include consultation with Local Aboriginal Land Councils and Aboriginal groups in the formation of regional plans.[517]

Aboriginal Affairs advises that the *Aboriginal Economic Prosperity Framework* commitment was achieved in 2017, and all regional plans now include Aboriginal economic participation. Reference to Aboriginal communities and governance mechanisms (including Local Decision Making Regional Alliances and Local Aboriginal Land Councils) are also included in the government's *20 Year Regional Economic Vision for NSW*, and service delivery projects.[518]

We understand that, as a result, several Local Aboriginal Land Councils will now work with the NSW Government to identity and assess the strategic economic value of their landholdings. Overall, district plans 'recognise the need to improve decision-making with Aboriginal communities to implement the initiatives, founded on the framework of self-determination and Aboriginal control'.[519] A particular area of economic growth identified through the planning process is tourism related to Aboriginal cultural heritage.[520] DPE is also implementing other strategies to improve the planning system to respond to the aspirations of Aboriginal communities, detailed in Chapter 7.

Going forward, the Economic Development Committee should receive periodic reports from DPE on the implementation and results achieved via the regional and district plans. This will enable the target's objective – that Aboriginal economic participation be a focus of local and regional planning, with the initiatives and resourcing that follow – to be driven alongside other *Aboriginal Economic Prosperity Framework* and broader government efforts.

Supporting Aboriginal enterprises

We recommended in our May 2016 report that the *Aboriginal Economic Prosperity Framework* specify how the government's investment in growing the NSW economy can be harnessed to support growth of the entrepreneurial capacity of Aboriginal people and organisations.[521]

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[516] Advice received from Bourke Shire Council, June 2019.
[517] NSW Legislative Council Standing Committee on State Development, *Inquiry into economic development in Aboriginal communities (final report),* September 2016, Recommendation 11 at p.xi. and Recommendation 32 at p.xiii.
[518] Advice provided by Aboriginal Affairs NSW, May 2018.
[519] NSW Department of Planning and Environment advice, provided by Aboriginal Affairs NSW, November 2018.
[520] NSW Department of Planning and Environment advice, provided by Aboriginal Affairs NSW, November 2018.
[521] NSW Ombudsman, *Fostering economic development for Aboriginal people in NSW*, May 2016, Recommendation 1.e.v.

The *Aboriginal Economic Prosperity Framework* includes a specific target for at least 5% of Aboriginal owned and operated small and medium enterprises in NSW to be supported by the NSW Government's small business advisory services each year. The NSW Department of Industry is responsible for related actions and reporting against the target. The Department plans to meet the target through delivering its existing business advisory programs and services including: Business Connect (formerly SmallBiz Connect) and the Aboriginal Enterprise Development Officer (AEDO) program.

- Business Connect is a small business advisory service. Providers support start-ups and small/medium enterprises through advice and information, business skills workshops, promoting digital readiness and supporting regional business development.[522]

- The AEDO program selects non-profit, community-based sponsor organisations through a periodic competitive tender process. Sponsor organisations are required to recruit Aboriginal staff as Aboriginal business advisers to work with Aboriginal people who are considering setting up or expanding their own business.[523]

- The NSWICC is the premier peak body for Aboriginal businesses in NSW. The NSW Government signed a memorandum of understanding with the NSWICC in 2014, under which both agreed to work with interested Aboriginal businesses to realise potential opportunities in targeted industry sectors in NSW.[524] Following our 2016 report, the NSW Government entered into an IBA with the Chamber for Aboriginal business development and support, and provided $100,000 in funding to support its participation in the agreement.[525]

The Department of Industry is currently updating and streamlining the delivery of its services for Aboriginal enterprises, with the aim of strengthening the connections between its services and other industry-led programs and opportunities delivered by the state and Commonwealth Government. For example, while the department believes the AEDO program has a long history of culturally appropriate support for Aboriginal business start-ups and operators, to evolve this program to meet the needs of a growing sophistication of Aboriginal entrepreneurship, a more commercially-focused program is being considered, building on the existing cultural assets of the program. Consideration is being given to combining the strengths of both the AEDO and Business Connect services into a single 'Aboriginal Business Advisory' program. This should be in place by the end of 2019.[526]

Aboriginal enterprises accessing NSW Government support services

The Department of Industry collects and monitors performance data on the Business Connect while Training Services NSW tracks AEDO services. Indicators include the numbers of clients assisted, businesses established, new jobs created and (for Business Connect) improvements in clients' self-reported business confidence.

Table 3 presents the latest data available on the *Aboriginal Economic Prosperity Framework* target for Aboriginal enterprise use of government business advisory services, compared to the year before the framework commenced.

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[522] NSW Department of Industry, 'Supporting business in New South Wales', https://www.industry.nsw.gov.au, accessed 19 October 2018.

[523] Training Services NSW, 'Aboriginal Enterprise Development Officer (AEDO) Program', https://www.industry.nsw.gov.au, accessed 16 October 2018.

[524] Aboriginal Affairs NSW and NSW Indigenous Chamber of Commerce, *Memorandum of Understanding*, 2014.

[525] NSW Government and NSW Indigenous Chamber of Commerce, *Industry Based Agreement for Aboriginal Business Development and Support: 2016/2017 – 2017/18*, October 2016.

[526] Advice provided by Training Services NSW, October 2018 and November 2018.

Table 3: Number of Aboriginal enterprises (AEs) in NSW accessing the AEDO and Business Connect/Small Biz Connect programs, 2015-2016 to 2017-2018. Source: NSW Department of Industry.[527]

Year	Est. # AEs in NSW[528]	Accessing AEDO	As % AEs in NSW	Accessing Business Connect (formerly Small Biz Connect)	As % AEs in NSW	Total	Accessing both services as % AEs in NSW
2015-2016	2,939	215	7%	232	8%	447	15%
2016-2017	4,330	1,510	35%	203	5%	1,713	40%
2017-2018	4,330	1,518	35%	153	4%	1,671	39%

The data indicates that the 5% support target was exceeded before the launch of the *Aboriginal Economic Prosperity Framework*, with 15% of Aboriginal businesses accessing advisory services through the AEDO or Business Connect/Small Biz Connect, growing to 40% in subsequent years. The Department of Industry has recently suggested that the target may have originally been intended to apply only to potential Business Connect clients. On this count, 8% of Aboriginal businesses in NSW accessed Business Connect/Small Biz Connect services in the baseline year (2015-2016) and this halved by 2017-2018. If both programs are intended to be captured by the framework target, the Department of Industry considers that the target could be raised given recent trends.[529] The target should be reviewed as part of the 2019 OCHRE refresh process.

The data also suggests there was a seven-fold increase in the number of Aboriginal businesses accessing the AEDO program between 2015-2016 and 2016-2017.[530] In contrast, there was a 34% decline in the Aboriginal take-up of Business Connect services between 2015-2016 and 2017-2018, even though Business Connect reports consistently positive feedback from Aboriginal clients.[531]

As we observed in our 2016 report, without 'warm' referrals from Aboriginal services and representatives (such as the AEDO or the NSWICC), universal supports such as Business Connect may not be well-utilised by Aboriginal entrepreneurs or enterprises because they may not appear to be sufficiently tailored or culturally competent.[532] This is further supported by the findings of recent Commonwealth and NSW Government research with Indigenous entrepreneurs in metropolitan Sydney and regional Northern Territory which found that, overwhelmingly, most Indigenous businesses are more aware of the Indigenous specific support available, and are more likely to access it, in comparison to mainstream business support.[533]

Extending support to deliver results

While it is positive that the target for supporting Aboriginal small/medium enterprises has been exceeded each year, there is scope to broaden it so that it focuses on the desired outcomes from the support provided.

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[527] Data provided by NSW Department of Industry, December 2018 and February 2018.
[528] There is no comprehensive register of Indigenous businesses in NSW by which to obtain annual counts. The NSW Department of Industry estimates by using Australian Bureau of Statistics Census statistics on Indigenous owner managers, with the count from the census year used for each subsequent year until the next census data is released. (Advice and data provided by the NSW Department of Industry, February 2019.)
[529] Advice provided by the NSW Department of Industry, December 2018.
[530] Although there are known quality issues with the data which the Department of Industry intends to remedy for the future.
[531] Advice provided by the NSW Department of Industry, February 2019.
[532] NSW Ombudsman, *Fostering economic development for Aboriginal people in NSW*, May 2016, p.28.
[533] Commonwealth Department of Industry, Innovation and Science, *Supporting Indigenous Business Project: Research Report*, December 2018, p.7.

Whether, and to what extent, support from the NSW Government's small business advisory services has a positive impact for Aboriginal business owners – such as through assisting them to sustain the business, grow revenue and hire more employees – is monitored through the program data. However, there are known reliability issues with the AEDO program data, as Business Connect data on program outcomes is not collected specifically for Aboriginal businesses.[534] This should be remedied through the department's planned program reforms and Treasury's *Aboriginal Economic Prosperity Outcomes Framework*. It would also be beneficial for outcomes to be monitored over the short to medium term after services have been accessed, to understand how impacts endure and support can best assist enterprises at different points in the business cycle.

While both the state and national Aboriginal business sectors have been growing strongly over the past two decades, there remains considerable scope for further expansion before parity is reached with other minority supplier sectors in the USA and Aotearoa/New Zealand,[535] and with non-Indigenous Australian business owners.[536] The need for quality services to boost the capacity of the NSW Aboriginal business sector is now time-critical in order to ensure there is sufficient 'supply' to meet the demand being generated by the government's new Aboriginal procurement policies. To this end, the government should seek regular advice from the NSWICC and Aboriginal business sector on its support needs, including the need for: 'wrap around' services available at different points in the business cycle; and access to affordable capital. If gaps remain that cannot be met by existing state/federal services or the market, the government should move to address these to ensure the growth and ongoing health of the NSW Aboriginal business sector.

Transitions from social housing to private rental and/or home ownership

In our May 2016 report, we noted that home ownership is a significant vehicle for financial stability, economic activity and intergenerational wealth. We recommended that the *Aboriginal Economic Prosperity Framework* specify how pathways to home ownership would be met.[537]

Almost one-quarter of Aboriginal households in NSW were in social housing in 2017.[538] Social housing has the potential to facilitate increased home ownership through strategies such as 'sweat equity' schemes, 'rent-to-buy' programs[539] and capacity support for tenants to apply for and maintain a home loan. We stressed in our 2016 report that looking for innovative ways to create clear pathways from social housing to home ownership for Aboriginal residents should be a specific focus for the government's 10 year strategy *Future Directions for Social Housing in NSW*[540] and the *Aboriginal Economic Prosperity Framework*.

The *Aboriginal Economic Prosperity Framework* includes a target that 'the proportion of Aboriginal households successfully transitioning from social housing into private rental and/or home ownership increases by 20% by 2019'. This target aligns with an existing State Priority announced by the government in 2015 to increase the number of households successfully transitioning out of social housing by 5% over three years.

The Department of Community and Justice (DCJ), including the Aboriginal Housing Office, is the lead agency for both the State Priority and the *Aboriginal Economic Prosperity Framework* target.[541] DCJ defines 'positive exits' as the number of tenant households from public housing, Aboriginal public

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[534] Advice provided by the NSW Department of Industry, November 2018 and February 2019.

[535] PwC Indigenous, *The contribution of the Indigenous business sector to Australia's economy*, April 2018, p.18.

[536] Shirodkar, S, Hunter, B & Foley, D, *Ongoing growth in the number of Indigenous Australians in business*, October 2018, CAEPR Working Paper 125/2018, Australian National University.

[537] NSW Ombudsman, *Fostering economic development for Aboriginal people in NSW*, May 2016, p.20.

[538] Australian Institute of Health and Welfare (AIHW), *Aboriginal and Torres Strait Islander people: a focus report on housing and homelessness*, March 2019, p.35.

[539] Based on the UK model under the *Shared Ownership and Affordable Homes Programme* – see Australian Housing and Urban Research Institute (AHURI), *'Rent to buy' in the UK is something quite different in Australia*, AHURI Brief, October 2017.

[540] NSW Department of Family and Community Services, *Future Directions for Social Housing in NSW*, January 2016. The plan is underpinned by three strategic priorities: more social housing; more opportunities, supports and incentives to help people avoid or leave social housing; and providing tenants with a better social housing experience.

[541] On 1 July 2019 FACS became the Department of Family, Communities and Justice. For consistency, we refer to FACS throughout this chapter.

housing and community housing that transition to private home ownership or private rental during the reporting period.[542] DCJ has advised that the target is set against a 2015-2016 baseline of 323 positive exits from public housing, Aboriginal public housing and community housing. This means that 388 positive exits annually would be required by 2019 to meet the target (or an extra 65 households per annum).[543]

DCJ subsequently released its organisation-wide *Aboriginal Outcomes Strategy* in June 2018, which includes related targets for social housing (20% increase in positive exits from social housing for Aboriginal clients by 2021, and 20% reduction in negative exits for social housing tenants by 2019).[544]

Monitoring and reporting for the *Aboriginal Outcomes Strategy* social housing target is also used to track the *Aboriginal Economic Prosperity Framework* target, although there are differences between the target dates (2021 and 2019 respectively) and baseline year (2016-2017 and 2015-2016 respectively). A report on the first year of the delivery achievements and target progress for the *Aboriginal Outcomes Strategy* will be published after the end of 2018-2019.[545]

The primary means by which DCJ is seeking to support successful exits from social housing is through growing the stock of affordable properties and bolstering client independence (through education and employment support).[546] DCJ reports that key results in 2017-2018 included:

- assisting 18,501 households to avoid or leave social housing through the use of private rental assistance
- providing 422 new affordable rental homes through the National Rental Affordability Scheme (bringing the total of homes delivered under the scheme to 6,549)
- commencing the new Build-for-Rent housing model, where government provides land to proponents under a long-term lease on condition that they fund, build and manage a mixed tenure community of social, affordable and private rental housing
- continuing to implement the Social and Affordable Housing Fund, which offers residents coordinated access to support tailored to their individual lives, and
- awarding Smart and Skilled vocational education and training fee-free scholarships and approving Start Work Bonuses for tenants to improve training and employment outcomes.[547]

The data shows that there has been growth in the number of positive exits in each of the first two years of the *Aboriginal Economic Prosperity Framework*. The first year results (17.3% in 2016-2017) approached the target, but this rate was not sustained in 2017-2018 (4.6%) and DCJ has advised that the rate of general positive exits in social housing is trending downwards.[548]

DCJ has identified that key drivers impacting on positive exits include the relative security of tenure[549] of social housing compared to the private rental market, and the availability of other supports after exiting the social housing system. The social housing commitment is subject to market influences – housing and rental market affordability – to a greater extent than the other AEPF targets, which weakens the control that the NSW Government can exercise on its implementation and results. Despite their efforts, DCJ advises that positive exits have been far more challenging in the current market'.[550]

It is worth noting that the private rental and property market are not the only means by which Aboriginal social housing tenants may 'exit' and take steps towards home ownership. As mentioned earlier, we also suggested in our 2016 report that the government look at the potential to support

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[542] NSW Department of Family and Community Services advice, provided by Aboriginal Affairs NSW, November 2018.
[543] NSW Department of Family and Community Services advice, provided by Aboriginal Affairs NSW, November 2017.
[544] NSW Department of Family and Community Services, *FACS Aboriginal Outcomes Strategy 2017-2021*, 2018.
[545] Advice provided by the NSW Department of Family and Community Services, March 2019.
[546] Under Communities Plus and the Social and Affordable Housing Fund and the Opportunity Pathways commencing in 2019.
[547] NSW Department of Family and Community Services, *Family and Community Services 2017-18 Annual Report*, pp.16 and 24-25.
[548] NSW Department of Family and Community Services advice, provided by Aboriginal Affairs NSW, December 2018.
[549] Security of tenure is the extent to which households can make a home and stay there for reasonable periods if they wish to do so, provided that they meet their legal obligations (such as paying the rent and respecting the property). See Australian Housing and Urban Research Institute (AHURI), *How does Australia compare when it comes to security of tenure for renters?* AHURI Brief, June 2018.
[550] Department of Family and Community Services advice, provided by Aboriginal Affairs NSW, December 2018.

social housing tenants into home ownership in their existing social housing property (through mechanisms such as 'sweat' or shared equity schemes).[551] Disincentives and barriers to Aboriginal social housing tenants to enter the private rental market are not the same for becoming an owner-occupier in social housing property. Indeed, this was a finding of recent research among Aboriginal tenants in Far West NSW commissioned by the Murdi Paaki Regional Assembly, an OCHRE LDM Aboriginal Regional Alliance.[552] Housing and pathways to home ownership are a key priority for Murdi Paaki and other Alliances negotiating agreements with the NSW Government under LDM (see Chapter 5).

Given both the economic impact from home ownership, and interest among Aboriginal leaders and communities in this option, it is our view that the *Aboriginal Economic Prosperity Framework* target should be retained and new strategies tested to enhance the number of positive exits from social housing. In addition, the government should consider whether a further *Aboriginal Economic Prosperity Framework* target to support Aboriginal home ownership beyond social housing is warranted.

6.2.4 Extending the targets to foster 'inclusiveness'

In our 2016 report we pointed out that economic development involves providing opportunities which equip individuals to successfully participate in the economy, as much as policies/initiatives which support businesses to flourish or encourage regional or industry growth. For this reason, we recommended that the *Aboriginal Economic Prosperity Framework* take a 'tiered approach' to ensure a focus on individuals, enterprises and communities.[553] Pleasingly, the framework does this through the range of different commitments and targets adopted.

However, as we have previously observed, there are particular cohorts of people who may need tailored support to overcome specific barriers to economic participation. It will be important that, in every relevant *Aboriginal Economic Prosperity Framework* target, these cohorts are given consideration – and specific new targets developed where necessary. By extending the targets to foster inclusiveness, greater participation will also deliver quantifiable benefits to the broader economy.

Reducing barriers to economic participation for people with disability

The significantly higher prevalence of disability among Aboriginal people, and the socio-economic disadvantage associated with it, is a considerable constraint on Aboriginal economic participation and prosperity. Data analysis undertaken by peak body, First Peoples Disability Network Australia, and the Australian Bureau of Statistics has concluded that Indigenous Australians with disability experience significantly higher rates of disadvantage on a wide range of measures including access to employment.[554]

We identified this as an important area for action in our 2010 report on improving service delivery to Aboriginal people with a disability, noting that creating direct employment for Aboriginal people benefits both the individuals concerned and the communities they live in.[555] We observed that there was promising early progress as a result of the government's plan to increase the direct employment of Aboriginal people. Further, we stressed the need to extend these strategies to funded services (as well as sufficiently robust governance arrangements to track outcomes more broadly).

Since then, significant 'person-centred' reforms have been promised under the National Disability Insurance Scheme (NDIS) to enable people with disability to direct and purchase the supports they require. In February 2017, the Audit Office of NSW found that service capacity risks were present for Aboriginal communities in NSW due to the low number of disability service providers with expertise in

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[551] NSW Ombudsman, *Fostering economic development for Aboriginal people in NSW*, May 2016, p.20.
[552] Murdi Paaki Regional Assembly and Maari Ma Health Aboriginal Corporation, *Murdi Paaki Regional Housing and Business Consortium: A project synopsis*, August 2017, p.18.
[553] NSW Ombudsman, *Fostering economic development for Aboriginal people in NSW*, May 2016, p.5.
[554] First Peoples Disability Network and Australian Bureau of Statistics, *Social and economic wellbeing of Aboriginal and Torres Strait Islander people with disability*, May 2017.
[555] NSW Ombudsman, *Improving service delivery to Aboriginal people with a disability*, September 2010, p.12.

working with Aboriginal people with disability, and the additional costs in establishing a market to serve remote communities.[556] It highlighted the argument of the First Peoples Disability Network that there is an existing workforce in many Indigenous communities, because family members provide support informally. The report notes that '[g]iving resources to people already providing informal support may help fill capacity gaps in a culturally appropriate way. Additionally, area or community-based cooperatives could be used to develop capacity in Aboriginal and Torres Strait Islander communities.'[557]

Research by First Peoples Disability Network also identifies that ableism and racism are more relevant factors in lower rates of employment for Aboriginal people with disability than willingness or ability to work.[558] The organisation calls for the development and implementation of programs for inclusive education and employment for First People with disability in line with national strategies for their full social participation.[559]

Under the NSW Government's 'Smart, Skilled and Hired' initiative announced in the 2016-2017 Budget, $18.9 million was allocated to the Disability Sector Scale-Up program to assist NSW citizens and businesses to benefit fully from economic opportunities in the NDIS rollout as well as to support access to quality services.[560] Under this program, the NSW Department of Industry worked with Aboriginal Affairs and key community stakeholders to co-design a new program to provide advice and support to Aboriginal people wishing to provide disability services. The 'Making it our Business' program was subsequently launched in May 2018, offering grants of up to $1 million to Aboriginal businesses and Aboriginal Community Controlled Organisations to enter or expand into the disability sector and improve the delivery of culturally appropriate supports to Aboriginal people with disability.[561] Following a competitive tender process, 13 businesses were awarded grants ranging in value from approximately $28,000 to $671,000.[562]

This focus on harnessing the economic opportunities for Aboriginal people and businesses through the NDIS is positive. However, there remains scope to strengthen the efforts and investment made in supporting Aboriginal people with disability to directly participate in the economy. It is for this reason that our office sought the membership of the First Peoples Disability Network on the Aboriginal Procurement Advisory Committee, which is assisting the NSW Government to ensure that Aboriginal procurement policies realise their intent to generate significant numbers of jobs and supplier contracts. In the same way, the needs and strengths of Aboriginal people with disability should be specifically considered in relation to each of the *Aboriginal Economic Prosperity Framework* targets to ensure they can participate in and benefit from the reforms pursued.

Reducing the ongoing economic impact of detention and incarceration

In our 2016 report we observed that significant over-representation of Aboriginal people in the juvenile justice and prison systems[563] is a particularly insidious barrier to economic enfranchisement.[564] For obvious reasons, detention and imprisonment have negative impacts on an individual's employment and financial inclusion prospects. They also cost the broader economy through the lost productivity of

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[556] Audit Office of New South Wales, *New South Wales Auditor-General's Report – Performance Audit: Building the readiness of the non-government sector for the NDIS: Department of Family and Community Services*, February 2017.

[557] Audit Office of New South Wales, *New South Wales Auditor-General's Report – Performance Audit: Building the readiness of the non-government sector for the NDIS: Department of Family and Community Services*, February 2017, p.15.

[558] Avery, S, *Culture is Inclusion*, First Peoples Disability Network Australia, 2018.

[559] First Peoples Disability Network Australia, *Ten priorities to address disability inequity*, 2018.

[560] Program components included advice and assistance to NSW small business that wish to start or scale up disability services; information to increase awareness of the opportunities for work through the NDIS; and up to 6,000 fee-free Smart and Skilled vocational education and training places for a broad range of relevant qualifications.

[561] Advice provided by the NSW Department of Industry, May 2018.

[562] NSW Department of Industry, 'Making It Our Business', https://www.industry.nsw.gov.au, accessed 19 March 2019.

[563] In 2017, Aboriginal people in NSW were 11.6 times more likely than non-Aboriginal people to be imprisoned; and 71% of Aboriginal people in prison in NSW had experienced prior imprisonment, compared with 46% of non-Aboriginal people. In 2015-2016, Aboriginal young people were detained at 24 times the rate of non-Aboriginal young people in NSW. See Aboriginal Affairs NSW, *Key data – NSW Aboriginal people*, January 2018.

[564] NSW Ombudsman, *Fostering economic development for Aboriginal people in NSW*, May 2016, p.13.

detainees/inmates and direct costs to government.[565] Perversely, lack of employment opportunity and educational attainment are themselves factors contributing to entry into the criminal justice system.[566] Inadequate housing and housing insecurity are also associated.[567] This underscores the importance of the *Aboriginal Economic Prosperity Framework* targets focusing on improving employment, housing, education and training opportunities for Aboriginal people.

Our 2016 report highlighted gaps in the support available to Aboriginal inmates to gain education and training while in detention and employment on release, noting that many were not focused on job skills and/or were not available to inmates on short sentences (the majority of the Aboriginal prison population). We argued that education, training and work experience opportunities should be widely available to inmates to improve their knowledge, skills and employability on release, and that post-release support should ideally include connecting former inmates with real jobs or further education opportunities. We recommended that the *Aboriginal Economic Prosperity Framework* include specific targets aimed at reducing the ongoing impact of incarceration on economic outcomes. We also suggested that NSW's commitment under the COAG agreement to better address barriers to employment for Indigenous inmates on release, and to support them as they transition from incarceration to employment, be reflected in the *Aboriginal Economic Prosperity Framework*.

Given the role that economic marginalisation plays in imprisonment and recidivism, it is critical that significant efforts are made to address the over-representation of Aboriginal people in custody, and ensure that Aboriginal inmates are equipped for successful reintegration into the community and economy.

It is important to acknowledge the range of state/Commonwealth planned and current initiatives in NSW. However, without a specific focus, there is a risk that these will be piecemeal and not sustained. We highlighted in our 2016 report some positive moves that were planned or underway. These include justice reinvestment trials;[568] Corrections NSW planning to refocus courses for inmates on job skills and increase places available;[569] and a commitment made by COAG to better address barriers to employment for Indigenous inmates on release through a new Commonwealth-funded national 'prison to work' service.[570]

The impact of incarceration is not specifically addressed within OCHRE. We were advised by Aboriginal Affairs that the view was taken that it is a complex and multifaceted issue which sits under the responsibility of the Department of Justice. Aboriginal Affairs noted that other components of the *Aboriginal Economic Prosperity Framework* and OCHRE Plan seek to build Aboriginal employment and business growth, and support Aboriginal people achieve their aspirations, which help address some determinants of crime and incarceration.[571]

While appreciating the complexities associated with incarceration, we believe that unless a spotlight is put on this issue through the lens of economic development, current and former Aboriginal inmates may not be specifically supported to take up the opportunities generated through OCHRE. We are not suggesting that OCHRE be used as the vehicle for addressing all post-incarceration issues, but it can

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[565] It is estimated that Indigenous incarceration cost the Australian economy $7.9 billion per annum in 2017, comprising whole-of-economy impacts including loss of productive output and direct costs to governments. PwC Indigenous Consulting, *Indigenous incarceration: Unlock the facts*, May 2017.

[566] Australian Law Reform Commission, *Pathways to Justice – An inquiry into the incarceration rate of Aboriginal and Torres Strait Islander peoples*, ALRC Report 133, December 2017, p.63. The NSW Government highlighted that only 16% of Aboriginal prisoners in NSW in 2016-2017 had been employed in the community on entry into prison, compared with 39% of non-Indigenous prisoners.

[567] Australian Law Reform Commission, *Pathways to Justice – An inquiry into the incarceration rate of Aboriginal and Torres Strait Islander peoples, ALRC Report 133*, December 2017, pp.41-42.

[568] 'Justice reinvestment' is one promising model that is being trialled in Bourke and Cowra in NSW to test how redirecting funding for prisons towards localised early intervention, prevention and diversionary solutions works to reduce crime and strengthen communities. We discuss our efforts in supporting and monitoring the community-led place-based justice reinvestment initiative in Bourke in Chapter 9.

[569] The Hon. David Elliot MP, 2016, 'Improvements to inmate education and training', Media release, 10 May 2016.

[570] The Commonwealth Government's 'Time to Work Employment Service' (2018-2021) engages specialist organisations to provide services that are designed to assist Indigenous prisoners access the support they need on their release, better prepare them to find employment and reintegrate into the community.

[571] Advice provided by Aboriginal Affairs NSW, May 2018.

be used to create better linkages between supports within the corrections setting and economic opportunities driven by the *Aboriginal Economic Prosperity Framework.*

Indeed, Aboriginal Affairs has recently supported the NSW Coalition of Aboriginal Regional Alliances (NCARA) to negotiate the first state-wide Accord with the NSW Government under the OCHRE Local Decision Making initiative, which includes decreasing the number of Aboriginal youth entering the juvenile justice system, as one of its two priorities.[572]

It will be critical that a model is established between Aboriginal communities, the NSW and Commonwealth Governments, businesses and NGOs to ensure that the employment opportunities generated by the Aboriginal procurement policies are not out of reach of those who need additional support to take them up – including people with disability and people with a criminal history. In this regard, we have been working with the Department of Industry and Corrections NSW to develop a proposal for a place-based pilot connecting select Aboriginal inmates to pre-release targeted skills training and post-release supports with employment on an Infrastructure Skills Legacy Program construction project. We suggested that the pilot should involve selecting a demonstration site; establishing an outcomes data framework; and regular updates on progress to the NSW Government's Economic Development Committee.

Fostering financial literacy and inclusion

Financial exclusion – characterised by lack of access to appropriate and affordable financial services and products – and financial stress are more pronounced for Aboriginal people than other Australians.[573] We recommended in our 2016 report that the *Aboriginal Economic Prosperity Framework* specify how it will seek to address existing barriers contributing to economic marginalisation of Aboriginal people/enterprises, including through eliminating pockets of financial exclusion and building financial literacy.[574]

Since then, the Royal Commission into Misconduct in the Banking, Superannuation and Financial Services Industry, and the subsequent Commonwealth Senate Economics Reference Committee inquiry into the non-bank lending sector, have highlighted issues for Indigenous communities concerning basic accounts, informal overdrafts, dishonour fees, identification issues[575] and some poor sales practices.[576] They highlighted evidence suggesting that some Indigenous communities are specifically targeted and exploited. The Royal Commission and Committee inquiry each made recommendations to address the issues identified.[577]

The following case study outlines how financial exclusion is being tackled in Far West NSW through a partnership between the OCHRE Local Decision Making Aboriginal Regional Alliance and an Australian bank.

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[572] NSW Coalition of Aboriginal Regional Alliances (NCARA) and NSW Government, *Local Decision Making Accord*, 27 February 2019.
[573] See for example: Centre for Social Impact, First Nations Foundation, and NAB, *Money stories: Financial resilience among Aboriginal and Torres Strait Islander Australians*, April 2019; Connolly, C, Georgouras, M & Hems, L, *Measuring Financial Exclusion in Australia*, Centre for Social Impact, 2012; Daly, A & Preece, C, *An investigation of financial literacy in six Indigenous communities*, Australian National University, 2009; and P. Gerrans, Clark-Murphy, M & Truscott, K, *Financial Literacy and Superannuation Awareness of Indigenous Australians: Pilot Study Results*, Australian Journal of Social Issues, Vol 44, Issue 4, 2009, p.417.
[574] NSW Ombudsman, *Fostering economic development for Aboriginal people in NSW*, May 2016, p.16.
[575] Royal Commission into Misconduct in the Banking, Superannuation and Financial Services Industry, *Interim Report Volume 1*, September 2018, pp.257-262.
[576] Commonwealth of Australia, The Senate Economics References Committee, *Credit and hardship: report of the Senate inquiry into credit and financial products targeted at Australians at risk of financial hardship*, February 2019, pp.14, 33 and 44.
[577] Royal Commission into Misconduct in the Banking, Superannuation and Financial Services Industry, *Final Report, Volume 1*, February 2019, p.22, Recommendation 1.8.

Case study 15: Murdi Paaki Regional Assembly/Westpac Group partnership for financial inclusion

Murdi Paaki Regional Assembly (MPRA) sought assistance to build the capability to deliver on its Accord agreement with the NSW Government under Local Decision Making. MPRA aimed to secure support for its community members through mentoring, financial governance training, microfinance services, financial literacy training, and home ownership. The Deputy Ombudsman (Aboriginal Programs) facilitated discussions on a working partnership with Westpac in 2015, and a Memorandum of Understanding was struck between Westpac and MPRA for a five year term (2016-2021).[578]

Under the MOU, Westpac, including its financial literacy team known as the Davidson Institute, is delivering a series of tailored, face-to-face forums in MPRA communities in response to the financial priorities of each community. In the first two years of the partnership, 11 tailored forums have been delivered to seven communities with 225 attendees in total. These have included a strong focus on building financial foundations, such as the importance of spending within means, saving and avoiding unmanageable personal debt. There has also been some interest in establishing micro-enterprises and other businesses.

A mentorship arrangement is also being developed between Westpac business leaders and participants in the Murdi Paaki Aboriginal Young and Emerging Leaders program. This is expected to provide mutual benefits to both mentors and mentees through an exchange of commercial and cultural knowledge. In addition, Westpac Group's Indigenous Trainee Program has been extended to its branch locations within MPRA's geographical area to provide additional pathways to employment for local Aboriginal community members.

Indicators of success have been agreed between the parties, which are measured through surveying MPRA community members on their financial understanding, confidence and skills before, and three months after, their participation in forums. A long-term indicator is that the Westpac Group becomes the 'banker of choice' for MPRA and the communities it represents. Westpac has also undertaken to conduct a longitudinal study of the impact of this partnership with MPRA.

Aboriginal Affairs has advised that the approach being taken through the *Aboriginal Economic Prosperity Framework* is to focus on raising the overall level of economic prosperity in Aboriginal communities across the state and take a strengths-based approach, rather than a narrow focus on 'pockets of disadvantage'.[579] In our view, this overlooks the need to strengthen a key foundation for economic participation and prosperity. Serious consideration should be given to how the refreshed *Aboriginal Economic Prosperity Framework* can address the issues identified to build financial inclusion and literacy in Aboriginal communities in NSW.

6.3   Strengthening governance and leadership

As outlined in the previous section, it became apparent as we assessed the progress made in meeting the *Aboriginal Economic Prosperity Framework* targets that robust governance was a key factor in those targets tracking well. This comes as no surprise given our repeated efforts to highlight the importance of strong accountability arrangements to delivering tangible results.

However, a central challenge in the first two years of the implementation of the *Aboriginal Economic Prosperity Framework* was a lack of overarching governance. There was no single entity driving the framework enabling it to leverage synergies across target strategies and hold agencies to account for delivery. From 2019, the government's cross-cluster Economic Development Committee is expected to

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[578] Westpac Group & Murdi Paaki Regional Assembly, *Memorandum of Understanding,* 2016.
[579] Advice provided by Aboriginal Affairs NSW, May 2018.

act as a single point of coordination for the *Aboriginal Economic Prosperity Framework*, but at the time of writing, this had not yet occurred.[580]

6.3.1   Establishing a body to drive the implementation of the *Aboriginal Economic Prosperity Framework*

Since 2011, we have been calling for the establishment or identification of an appropriate body with responsibility for improving economic outcomes in partnership with Aboriginal leaders and the private sector.[581] This could be a new entity or an existing one – as long as it has the skills, experience and clout to drive results in partnership with the business community and Aboriginal leaders. Similarly, the Ministerial Taskforce on Aboriginal Affairs formed in 2011 to provide advice on developing OCHRE also recognised the need for central and deliberate coordination of NSW Government activity to improve economic outcomes for Aboriginal people.[582]

We observed in 2011, as the NSW Government had recognised through the establishment of Infrastructure NSW, that private sector expertise was needed for the successful delivery of major state infrastructure projects. It is also essential that a strategic body is established, which enables the private sector to partner with government and Aboriginal communities to identify ways to maximise mutually beneficial economic opportunities.[583] We reiterated this in our 2016 report recommendations, and noted that it would be critical for the entity driving the *Aboriginal Economic Prosperity Framework* to be closely tied to the work of the private sector-led Jobs for NSW agency.[584]

While the establishment of the cross-cluster Economic Development Committee to oversee the implementation of the *Aboriginal Economic Prosperity Framework* is positive, at the time of writing it had not been operationalised, nor is it clear how the committee will work with the business sector and Aboriginal leaders. We asked Aboriginal Affairs how the business sector and Aboriginal leaders[585] were being engaged through the governance arrangements in place for the *Aboriginal Economic Prosperity Framework*. We were advised that the Economic Development Committee is not a stakeholder engagement mechanism, and NSW government agencies are expected to consult and engage with a very wide range of Aboriginal and non-Aboriginal stakeholders in the course of their work.[586]

The government left open the possibility that an advisory board may be established in its May 2017 response to the Parliamentary Committee inquiry.[587] We maintain there is a need for an entity/advisory board comprising Aboriginal leaders, public sector and business sector leaders. The following case study, about the Victorian Aboriginal Economic Board, provides a concrete example.

> **Case study 16: Victorian Aboriginal Economic Board**
>
> The Victorian Aboriginal Economic Board was established in 2016 to provide guidance to lead Ministers[588] and the Secretaries' Leadership Group on Aboriginal Affairs to deliver the *Victorian Aboriginal Economic Strategy 2013-2020*. Board members are appointed by the Ministers and include members from the relevant sectors and Aboriginal business leaders. The strategy notes:
>
> *'Commercially focused governance arrangements are needed for commercial activities. Board members will be appointed for the skills and experience they can bring to the table. This will ensure that the Strategy is supported and driven by strong*

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[580] Advice provided by the Department of Industry, December 2018.
[581] NSW Ombudsman, *Addressing Aboriginal disadvantage: the need to do things differently*, October 2011, p.48.
[582] Aboriginal Affairs NSW, Ministerial Taskforce on Aboriginal Affairs: *Final Report*, March 2013, p.8.
[583] NSW Ombudsman, *Addressing Aboriginal disadvantage: the need to do things differently*, October 2011, pp.55-56.
[584] NSW Ombudsman, *Fostering economic development for Aboriginal people in NSW*, May 2016, Recommendation 2, p.8.
[585] Including the Aboriginal business sector in NSW, relevant peak bodies such as the NSW Indigenous Chamber of Commerce, the Business Council of Australia, the Australian Industry Group, the NSW Coalition of Aboriginal Regional Alliances and the NSW Aboriginal Land Council.
[586] Advice provided by Aboriginal Affairs NSW, May 2018.
[587] NSW Government, *NSW Government response to supplement to C2017-0118 FS Economic Development in Aboriginal Communities – NSW Government Response to the Standing Committee Report*, 2017, p.4.
[588] Lead Ministers are those responsible for the following portfolios: Aboriginal Affairs, Employment and Trade, Tourism and Major Events, Innovation, Services and Small Business.

leadership that can bring specific expertise and advice to deliver the Strategy's vision.'[589]

The Board has three key objectives:
1. encourage more businesses to procure Aboriginal goods and services
2. encourage Aboriginal entrepreneurialism and enterprise, and
3. support and promote place-based Aboriginal economic development opportunities.[590]

The Board is co-chaired by the Chair of the Kinaway Aboriginal Chamber of Commerce and the Chief Executive of the Victorian Chamber of Commerce and Industry. The co-chairs meet with the Minister quarterly. Board members include representatives of Victorian Aboriginal businesses, Traditional Owners, the Victorian Government, the Australian Retailers Association, Crown Casino, Bank of Melbourne and Lendlease. The Board also includes a member of the Premier's Job and Investment Panel to ensure crossover between the two advisory bodies.

Effective governance arrangements for individual targets

Unsurprisingly, early results suggest that effective governance and accountability arrangements are key factors in the success of those individual *Aboriginal Economic Prosperity Framework* commitments that are on track to meet the targets.

This was particularly evident where these arrangements involved external scrutiny from sources outside the implementing agency (such as COAG and DPC), binding requirements through mandatory targets or legislative provisions, and regular public reporting on outcomes. In our 15 years of auditing and reviewing service delivery to Aboriginal communities across a range of portfolios, the presence or absence of effective governance arrangements has been a critical factor in whether or not policy objectives were delivered on the ground.

The Economic Development Committee will need to ensure that adequate governance arrangements are in place for each of the *Aboriginal Economic Prosperity Framework* targets going forward. The positive elements of the governance arrangements in place for targets, which are 'on track', provide a useful example. The Economic Development Committee should also play a critical role in leveraging recent changes to the machinery of government that have the potential to further strengthen implementation of the framework in future. These changes include the creation, from 1 July 2019, of a new Planning, Industry & Environment cluster with responsibility for driving greater levels of integration across long-term planning, infrastructure, natural resources, energy, and industries with a strong emphasis on regional NSW. In addition, a new Coordinator-General for Regions, Industry, Agriculture and Resources has been appointed, with a mandate to coordinate government efforts aimed at achieving concrete outcomes in regional development.

Tracking progress towards the targets and identifying future opportunities

In the first two operational years of the *Aboriginal Economic Prosperity Framework*, performance data on the individual targets was being monitored by individual agencies, but not by the Economic Development Committee. With this committee assuming a central role from 2019, a regular process of reporting *Aboriginal Economic Prosperity Framework* target data to the committee should be instituted as a matter of priority. This will need to include a breakdown by regions and, where possible, at the local level. State-wide data can mask areas where attention and effort is required (as illustrated by the variable regional rates of early childhood education attendance and of apprenticeship/traineeship employment, discussed earlier). There would be merit in developing a data dashboard for the framework's targets to enable progress at any point in time to be visible to the committee, the Secretaries Board and – where appropriate – the public.

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[589] State Government of Victoria, *Victorian Aboriginal Economic Strategy 2013-2020*, p.16.
[590] Office of Aboriginal Affairs Victoria, 'Victorian Aboriginal Economic Board', https://www.vic.gov.au, accessed 20 February 2019.

The Economic Development Committee will also need to examine the effectiveness of the current strategies being used to achieve the 12 targets and make adjustments were necessary.

A process of regular review of the *Aboriginal Economic Prosperity Framework* should be instituted for the future. We recommended in our 2016 report that the framework include flexibility, so that adjustments can be made where problems are identified along the way and/or new information comes to light about better approaches.[591] Aboriginal Affairs pointed to the broader OCHRE evaluation and the five year refresh of the OCHRE Plan as key review mechanisms.[592] While these are important mechanisms, the framework was not subject to the first stage of the OCHRE evaluation and – going forward – five yearly policy reviews may miss emerging economic opportunities and risks that need to be addressed as they arise.

The Economic Development Committee (and/or any new entity established) will need to take a more active role in driving the framework rather than simply 'tracking' progress or lack of it, informed by outcomes data and qualitative information, as well as learnings from other jurisdictions. The Canadian Government's Strategic Partnerships Initiative, which uses funding to incentivise a collective approach between government agencies and other stakeholders in identifying and pursuing economic development opportunities for First Nations communities, is a case in point.

> **Case study 17: Government of Canada's Strategic Partnerships Initiative**
>
> Launched in 2010, the Canadian Government's Strategic Partnerships Initiative (SPI) works to increase Indigenous participation in complex, multi-year economic opportunities that span a range of sectors and tiers of government. SPI provides a collaborative mechanism for federal partners to identify investment opportunities, approve proposals, leverage non-federal/private sector sources of funding and monitor progress.
>
> SPI is both a fund and vehicle that supports federal government investment strategies in addressing programming gaps in economic development opportunities. Administered by the federal departments for Crown-Indigenous Relations and Indigenous Services, SPI is shared by a network of 17 federal partners responsible for other portfolio areas. Representatives from all SPI partners, and the Canadian National Indigenous Economic Development Board, guide investments, which are expected to leverage other funds. First Nations governments, businesses, communities, not-for-profit organisations as well as non-Indigenous academic institutions and provincial/territorial governments can receive funding for SPI initiatives if they meet the criteria (which include evidence of need and filling a program gap).
>
> Between 2010 and 2017, CAD$101 million in SPI funds leveraged CAD$190 million (totalling CAD$291 million) for 38 initiatives involving 400 communities and 125 partnerships in key sectors including energy, mining, fisheries, forestry, agriculture, environment and regional development.[593]

Recommendations

24. The NSW Public Service Commission should consider, as part of implementing the next sector-wide *Aboriginal Employment Strategy*:
    a. providing guidance to agencies about encouraging funded services to increase their employment of Aboriginal staff
    b. supporting agencies to target Aboriginal employment strategies to locations with high unemployment and/or strong demand from Aboriginal people for government services but a shortage of staff to deliver them

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[591] NSW Ombudsman, *Fostering economic development for Aboriginal people in NSW*, May 2016, Recommendation 1(f).
[592] Advice provided by Aboriginal Affairs NSW, May 2018.
[593] Government of Canada, 'Partnering for Indigenous Prosperity: SPI Overview July 2018', provided by the Department of Crown-Indigenous Relations and Northern Affairs Canada, September 2018.

    c.   working with the Office of Local Government and sector representatives to support the adoption of Aboriginal employment strategies by local government.

25. NSW Treasury, in coordinating the implementation of the NSW Aboriginal Procurement Policy (APP) and Aboriginal Participation in Construction (APIC) policy, should:

    a.   effectively track Aboriginal participation outcomes

    b.   provide clear guidance to agencies, including practical case studies, to encourage consistent application of the policies

    c.   examine the use of incentives and consequences by agencies where targets for Aboriginal participation are exceeded or not met by contractors, and promote these mechanisms to other agencies where compliance or outcomes are poor

    d.   with relevant agencies (including Education), assess what capability support is required to facilitate the increased participation of Aboriginal people and businesses in jobs and supplier contracts generated through the APP and APIC

    e.   ensure agencies publish and adhere to all aspects of their Aboriginal Participation Strategies required under the APP

    f.   with relevant federal government agencies, strengthen the coordination of Aboriginal procurement policies in NSW, including by exploring mechanisms for sharing data about the performance of contractors in meeting relevant targets

    g.   develop, with the Department of Premier and Cabinet (Aboriginal Affairs) and relevant Aboriginal stakeholders, a consistent and robust process to confirm Aboriginal identity for the application of the Aboriginal procurement policies, and ensure its implementation by agencies and contractors.

26. Treasury should develop targets and strategies to achieve the *Aboriginal Economic Prosperity Framework* commitment to address barriers to Aboriginal employment in NSW.

27. The NSW Department of Premier and Cabinet (Aboriginal Affairs) should include in the *Aboriginal Economic Prosperity Framework* the targets within the NSW Aboriginal Procurement Policy; targets for achieving Aboriginal employment and supplier contract outcomes through regional Industry Based Agreements; and targets within the NSW public sector *Aboriginal Employment Strategy*.

28. The NSW Department of Education (Training Services NSW) should work with human services agencies and Aboriginal leaders to identify additional strategies to support Aboriginal people to complete apprenticeships and traineeships.

29. The NSW Department of Premier and Cabinet (Aboriginal Affairs) and the NSW Department of Education (Training Services NSW) should develop and include in the *Aboriginal Economic Prosperity Framework*:

    a.   a target for improving the employment outcomes for Aboriginal apprentices and trainees, and related strategies to achieve this, including stronger partnerships and collaborative planning with Aboriginal leaders, the vocational education and training sector, and industry representatives to target training to future industry need

    b.   a target for improving attendance at quality early childhood education, and related strategies to achieve this, particularly in remote areas and high needs locations.

30. The NSW Department of Planning, Industry and Environment should develop with Aboriginal stakeholders, including Local Aboriginal Land Councils, periodic reports to the Economic Development Committee about:

    a.   the implementation and outcomes of strategies within regional and district plans to promote Aboriginal economic aspirations

    b.   the periodic reports referred to in recommendations should feed into the related reporting by the Economic Development Committee in connection with the development of the Economic Blueprint.

31. The NSW Department of Premier and Cabinet (Aboriginal Affairs) should, in consultation with Treasury, clarify the Aboriginal enterprises target in the *Aboriginal Economic Prosperity Framework*, and ensure appropriate strategies are in place to achieve the outcomes sought through the provision of support services.

32. NSW Treasury should:
    a. develop and publish an annual 'state of the NSW Aboriginal business sector' profile, based on relevant data and advice from the NSW Indigenous Chamber of Commerce and other sector representatives
    b. ensure business advisory programs and services are culturally competent and well connected to their Aboriginal-specific counterparts, and informed by regular advice from Aboriginal business sector representatives
    c. track the NSW Aboriginal business sector's support needs, capacity and diversity, and develop and implement supports to meet the needs of the NSW Aboriginal business sector where existing state/federal government and/or market options are insufficient.

33. The NSW Department of Premier and Cabinet (Aboriginal Affairs) and NSW Department of Communities and Justice should:
    a. retain the social housing target in the *Aboriginal Economic Prosperity Framework*, and test new strategies in partnership with Aboriginal stakeholders to enhance the number of positive exits
    b. consider adding a target focused on supporting Aboriginal home ownership beyond the social housing context in the *Aboriginal Economic Prosperity Framework*.

34. The NSW Department of Education (Training Services NSW) and the NSW Department of Communities and Justice (Corrections) should:
    a. pilot a model to connect Aboriginal inmates to pre-release targeted skills training and post-release wrap-around support accompanying employment on government infrastructure projects
    b. expand the approach if positive outcomes result from the pilot.

35. NSW Treasury and the Department of Premier and Cabinet (Aboriginal Affairs) should ensure the *Aboriginal Economic Prosperity Outcomes Framework* captures all relevant outcome domains are actively used by agencies to drive policy development, commissioning and funding decisions

36. NSW Treasury, as chair of the Economic Development Committee, should request that the committee:
    a. examine the effectiveness of the strategies being used by implementing agencies to pursue the *Aboriginal Economic Prosperity Framework* targets, as well as the outcomes being achieved
    b. consider how each *Aboriginal Economic Prosperity Framework* target and related strategies are fostering economic inclusion for specific cohorts including:
        i. Aboriginal people with disability
        ii. current and former detainees/inmates in prison
        iii. people with low levels of financial literacy and financially excluded communities
    c. directs implementing agencies to better address the needs of these cohorts where necessary; and develops new *Aboriginal Economic Prosperity Framework* targets focused on the economic inclusion of these and other vulnerable cohorts where appropriate
    d. establishes a process of regular review for the *Aboriginal Economic Prosperity Framework*.

37. The NSW Government should establish an advisory board comprising senior Aboriginal leaders, public sector executives and private sector experts, to provide strategic advice to relevant Ministers on the implementation of the *Aboriginal Economic Prosperity Framework* and related social impact investment.

7   Solution Brokerage

The need for an effective and streamlined mechanism to resolve issues of significant concern to Aboriginal communities is widely accepted, and has been promoted by this office and others over many years.

Extensive community consultations conducted by the Ministerial Taskforce on Aboriginal Affairs reiterated the importance to the community of solving longstanding and complex concerns. Consequently, in 2013 the Taskforce proposed a new accountability framework for Aboriginal affairs with 'improved coordination and oversight' and a 'solution broker' role 'mandated within government to deal with systemic issues and matters requiring cross-government coordination'.[594] The kinds of issues involved are likely to be complex, require a commitment from numerous government agencies and sometimes multiple levels of government – all have been the subject of attempted resolution over a number of years and have the potential to undermine trust between government and Aboriginal communities if they remain unresolved.

It was essential for the Solution Brokerage model to represent a clear departure from past approaches where community expectations of a solution were raised but little was delivered. However, after four years of operation, only a handful of projects have been declared 'issues for solution brokerage' and, while some significant outcomes have been achieved, one project has stalled and all have run considerably over the stipulated timeframe.

Solution Brokerage has achieved several successes. One of these, a project to build community resilience in a northern NSW township, has gone a long way to delivering on promises and restoring trust. Reportedly driven through the sheer force of will of a senior bureaucrat, Solution Brokerage in Bowraville has effectively brought agencies and community together to achieve concrete results in line with community priorities. Critically, plans are in place to sustain momentum, finalise longer-term objectives, and ensure strong community and government leadership continues.

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[594] Ministerial Taskforce on Aboriginal Affairs, *Ministerial Taskforce on Aboriginal Affairs Final Report*, March 2013, p.5.

Another successful Solution Brokerage project paved the way for a commitment of $55 million in the 2019 state budget to support 'Roads to Home', which will address a backlog of repairs to roads, lighting and drainage in 10 Aboriginal communities. The project also introduced initiatives to improve the alignment of the planning system with the *Aboriginal Land Rights Act 1983*, to grow the cultural competency of the planning sector and develop the capacity of Aboriginal communities to engage with the planning system, with the overall aim of supporting Aboriginal communities to utilise the economic potential of their land.

Aboriginal Affairs has recognised the need to analyse the last four years of Solution Brokerage, to build on key factors for success, and re-think the elements of the model that may have hindered progress. It will also be important to find a way forward for those projects that have faltered. The commentary and recommendations set out in this chapter are designed to contribute to this process, and support the continued development of a streamlined and flexible framework to manage complex and/or systemic issues impacting Aboriginal communities in NSW.

7.1 What is Solution Brokerage?

Solution Brokerage is a mechanism to address issues effecting Aboriginal communities which no single government agency has a clear mandate to resolve and which consequently may 'fall between the cracks'. Solution Brokerage aims to provide a structured way forward, encouraging fresh and innovative proposals to solve difficult issues.

In our 2011 report, *Addressing Aboriginal Disadvantage*, we discussed the challenges associated with Aboriginal Affairs' function to 'coordinate the delivery of programs and services' when it does not have direct responsibility for designing, funding and delivering programs and services for Aboriginal people, and lacks the requisite authority to have influence over the responsible line agencies. The need for stronger accountability mechanisms was also a major finding of the NSW Auditor-General's performance audit of *Two Ways Together*, the (then) NSW Government plan to improve the social, economic, cultural and emotional wellbeing of Aboriginal people in NSW.[595]

Taking into account the reports of the Auditor-General and our office, community consultations and Taskforce deliberations, the Ministerial Taskforce on Aboriginal Affairs recommended that a new accountability framework for Aboriginal affairs be developed and implemented, including a 'solution broker' role. Fundamental to the introduction of these accountability measures was the need to strengthen the voices of the Aboriginal community and ensure 'greater government accountability and transparency back to communities, especially at a local and regional level'.[596]

In February 2015, the Premier issued a memorandum vesting power in the Head of Aboriginal Affairs to declare an issue for Solution Brokerage and outlining the expectation that NSW Government agencies will work flexibly with Aboriginal Affairs, and collaborate with Aboriginal communities, non-government organisations and other tiers of government to find practical solutions to declared issues.

According to the memorandum, issues can only be declared for Solution Brokerage if they meet specified criteria. The issue must:
- be current
- require multiple agency engagement
- have the potential to bring about significant benefit or avoid significant harm
- be capable of a sustainable solution which can be implemented within six months, and
- be managed within existing agency resources.[597]

The (then) Department of Education and Communities released the *Solution Brokerage Policy and Operational Framework* (the 'Solution Brokerage Framework') in April 2015.[598] The framework envisions

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[595] Audit Office of NSW, *Performance Audit of Two Ways Together – NSW Aboriginal Affairs Plan*, May 2011.
[596] Ministerial Taskforce on Aboriginal Affairs, *Ministerial Taskforce on Aboriginal Affairs Final Report*, March 2013, p.5.
[597] Department of Premier and Cabinet, Premier's Memorandum M205-02, *Solution Brokerage*, 3 March 2015.
[598] Aboriginal Affairs fell within the Department of Education until the recent machinery of government changes. Following the March 2019 election, the government re-located Aboriginal Affairs into the Department of Premier and Cabinet (DPC), a

that Solution Brokerage will cover three broad categories – co-ordination; emergency response; and problem solving and advocacy. To date, Solution Brokerage projects have fallen into the first and last of these categories, and no emergency responses have been actioned under the initiative.

7.2 How does Solution Brokerage work?

Solution Brokerage allows for broad participation in the nomination of issues – any organisation or individual may put forward an issue, and matters may also be identified by the Secretaries Board[599] or Aboriginal Affairs (the Head of Aboriginal Affairs is not a member of the Secretaries Board).

The Head of Aboriginal Affairs then assesses whether the issue meets the Solution Brokerage criteria (set out at 7.1). Four issues have been declared as suitable for Solution Brokerage since 2015:
1. Developing an integrated early childhood service model for the Murdi Paaki region
2. Resolving land and economic participation issues in Eden
3. The Aboriginal Community Land and Infrastructure Project – known as 'ACLIP', and
4. Building community resilience in Bowraville.

According to Aboriginal Affairs these issues were 'identified through a process of community engagement and consultation, based on pre-existing understanding of critical issues across communities'.[600] Issues which fall outside the criteria are either referred to the appropriate line agency for action or listed on a register for review.[601] Over the four years since the release of the Solution Brokerage Framework, only one nominated issue did not meet the assessment criteria and we discuss Aboriginal Affairs' efforts to progress this issue at 7.3.5.

The declaration of an issue for Solution Brokerage includes a written statement that identifies which of three 'tiers' the issue falls under:
1. Tier One applies to local or community specific issues
2. Tier Two is for more complex local or regional issues, and
3. Tier Three deals with major policy reform, including state-wide issues.[602]

According to the Solution Brokerage Framework, the tiered approach enables 'tailored responses to the complexity and scale of the issue'.[603] The tier assigned to a particular issue does not impact funding or timeframes. Theoretically, the higher the tier the greater the level of scrutiny and accountability is over the response plan and reporting. For example, Tier Three response plans are approved by the Secretaries Board, while Tier One issues are approved by the Regional Leadership Executive.[604]

Once an issue has been declared, the Head of Aboriginal Affairs appoints an 'officer in charge' (OIC) who may be an officer from Aboriginal Affairs, or another NSW Government agency. The framework anticipates that Tier One issues will usually be led by an Aboriginal Affairs Senior Regional Coordinator. More complex Tier Two issues are led either by a Senior Regional Coordinator or a member of the Aboriginal Affairs senior executive, and the Head of Aboriginal Affairs (or another senior executive) assumes the OIC role for Tier Three issues.[605] To date, no Tier One issues have been declared, and OICs have included a Departmental Secretary, Deputy Secretary, and Aboriginal Affairs staff at Director, Regional Coordinator and Program Manager level. As discussed at 7.4.3, we understand

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move that is likely to provide greater leverage for Solution Brokerage, given DPC's cross-governmental influence and its focus on whole-of-government coordination.

[599] The Secretaries Board, until recently, comprised the cluster Secretaries of the 10 NSW Government Departments and the Public Service Commissioner. After the March 2019 state election, along with other administrative changes by government, the Secretaries Board was expanded to include those Deputies, Commissioners and other leaders who have direct accountability for delivering the Premier's Priorities (advice provided by the Department of Premier and Cabinet, April 2019).

[600] Advice received from Aboriginal Affairs NSW, May 2018.

[601] Aboriginal Affairs NSW, *Solution Brokerage – Policy and Operational Framework*, April 2015, p.8.

[602] Aboriginal Affairs NSW, *Solution Brokerage – Policy and Operational Framework*, April 2015, p.11.

[603] Aboriginal Affairs NSW, *Solution Brokerage – Policy and Operational Framework*, April 2015, p.11.

[604] Previously known as Regional Leadership Groups, the Department of Premier and Cabinet established Regional Leadership Executives, which include the local leadership of each state government agency in the region and meet regularly to consider economic and social priorities for the relevant region.

[605] Aboriginal Affairs NSW, *Solution Brokerage – Policy and Operational Framework*, April 2015, pp.12, 13.

that the seniority of the OIC position and questions about Aboriginal Affairs staff assuming the role are being considered as part of the 'rebuild' of Solution Brokerage.

Strong leadership from the OIC is critical to the successful resolution of projects. OICs lead a project team of government and non-government stakeholders and manage the development and implementation of a 'response plan' – within a six month timeframe. The response plan includes desired outcomes, measures of success, timeframes, actions and milestones, resources (including financial) and responsibilities, and reporting lines.[606] As we discuss at 7.4.3, response plans for declared Solution Brokerage issues have largely not been utilised as intended.

Solution Brokerage is not a funded OCHRE initiative, and OICs must garner the commitment of involved agencies to find necessary resources within their current budget to implement the response plan. Where outcomes are unable to be achieved without additional resources, applications for funding may be considered by the Expenditure Review Committee or via the budget process.[607]

For example, in relation to the ACLIP Solution Brokerage initiative, despite immediate action being taken and resources being made available, the Department of Planning and Environment was unable to progress the directions as far as desired. This was due to the delay in obtaining the considerable capital funding required to deliver the planning and infrastructure upgrades for 61 discrete Aboriginal communities across NSW. However, pleasingly, the NSW government announced in March this year that it would commit significant additional funds to implement this direction in the first 10 communities,[608] and subsequently $55 million was allocated to the project over four years.[609] We discuss the implications of the 'existing funding' approach to investment in Solution Brokerage at 7.4.2.

The governance arrangements, which underpin Solution Brokerage, are robust. The Solution Brokerage Framework stipulates that Aboriginal Affairs will regularly report on progress to the Secretaries Board. Ministerial oversight was also incorporated into the governance framework, with the Minister for Aboriginal Affairs providing regular progress reports to the Cabinet Standing Committee on Social Policy. Escalation mechanisms prescribe that disputes which are unable to be resolved locally, should be referred to the Head of Aboriginal Affairs, and the Premier's Memorandum obliges agencies to comply with the Head's requests. Issues unable to be resolved in this manner may then be referred to the Secretaries Board for determination.

Where Solution Brokerage options have been exhausted without a satisfactory resolution of the issue, the Framework highlights the potential for the Deputy Ombudsman (Aboriginal Programs) to exercise his or her discretion under the *Ombudsman Act 1974* to conciliate or otherwise resolve any dispute.[610] However, engaging our office need not wait until other options have been exhausted, and the Deputy Ombudsman may bring parties together to help broker solutions at any time, particularly where community members have sought our assistance.

7.3   Solution Brokerage in practice – monitoring the four declared issues

In assessing Solution Brokerage, we have considered information provided by Aboriginal Affairs in response to our requirement for information. We have also taken into account our consultations with implementing agencies and representatives of the participating communities, and site visits to Eden and Bowraville.[611]

In this section we describe the progress of the four issues declared for Solution Brokerage between April 2015 and September 2016, and highlight emerging issues.

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[606] Aboriginal Affairs NSW, *Solution Brokerage – Policy and Operational Framework*, April 2015, p.13.
[607] Aboriginal Affairs NSW, *Solution Brokerage – Policy and Operational Framework*, April 2015, p.7.
[608] Han, E, '"They deserve it": State to fix roads and lights in Aboriginal communities', *Sydney Morning Herald*, 14 March 2018.
[609] NSW Treasury, *NSW Budget 2019-2020 – Election Commitments*, 18 June 2019, p.25.
[610] Aboriginal Affairs NSW, *Solution Brokerage – Policy and Operational Framework*, April 2015, p.15.
[611] Eden site visits took place in May 2018 and February 2019, and a Bowraville site visit occurred in May 2018.

7.3.1 Developing an integrated early childhood service model for the Murdi Paaki Region

The Murdi Paaki Regional Assembly (MPRA) is the body representing the interests of Aboriginal people in 16 communities across Western NSW.[612] These communities identified improved early childhood outcomes as a key issue to be addressed as part of the development of a local Accord with the NSW Government through the OCHRE Local Decision Making (LDM) initiative (see Chapter 5). As well as issues of cost, quality and availability, local Aboriginal communities saw a need for greater inclusion of Aboriginal cultural values in early childhood services, and better integration of services offering broader health and wellbeing support.

When the MPRA Accord was signed in February 2015 it included a specific commitment to 'develop a model for the provision of integrated and sustainable early childhood services across the Murdi Paaki region incorporating education, health, parental engagement and other related supports'.[613] Recognising that the delivery and funding of early childhood services involves a number of NSW government agencies, including the Department of Education, the former Department of Family and Community Services (FACS) and the Department of Health, as well as the Commonwealth Government, the MPRA Accord sought to declare the strategy as a Tier Two Solution Brokerage issue. Aboriginal Affairs was responsible under the Accord for brokering with other agencies, the scoping process for the development of a model within 6 to 12 months.

In April 2015, the issue was declared for Solution Brokerage, with Aboriginal Affairs as lead agency and, in a departure from the Solution Brokerage Framework, one of the agency's program managers was appointed as OIC rather than a Senior Regional Coordinator or member of the Senior Executive of Aboriginal Affairs. The project continued to be managed as part of the MPRA Accord and, although work commenced on development of a Solution Brokerage response plan, it was never finalised for endorsement.[614] Progress was regularly documented and reported to the MPRA Accord Implementation Group and related MPRA meetings.[615] These reporting arrangements replaced those established as part of the Solution Brokerage Framework.

Additional 'deliverables' under the MPRA Accord included mapping existing early childhood models and initiatives across the Murdi Paaki communities, and ensuring a smooth and sustainable transition of local Aboriginal Child and Family Centres (ACFC) to Aboriginal control.[616] Prior to the declaration of the issue for Solution Brokerage, Aboriginal Affairs completed the mapping task and set out options for the proposed new early childhood model.[617] The transition of the two ACFCs[618] in Brewarrina and Lightning Ridge to Aboriginal control was significantly delayed. However, it was ultimately finalised in March 2018, when Winanga-Li successfully bid for contracts to deliver services in both locations over three years.[619]

A submission outlining options for costed service delivery reform was developed; however, progress halted, and by December 2015, Aboriginal Affairs with the MPRA's consent, paused the project to reconsider the project leadership and representation on the working group.[620]

In May 2016 the project was restarted under the co-leadership of Education (Early Childhood and Education Care) and Aboriginal Affairs, and renewed efforts were made to define baseline data and other information requirements, and consult with external specialists and Commonwealth Government

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[612] Murdi Paaki Regional Assembly, http://www.mpra.com.au, accessed 30 October 2018.
[613] Murdi Paaki Local Decision Making Accord, 19 February 2015, cl. 4.1.
[614] Murdi Paaki Accord Progress Report, 11-13 June 2015.
[615] Advice provided by Aboriginal Affairs NSW, May 2018.
[616] Murdi Paaki Local Decision Making Accord, 19 February 2015, cl. 4.1.
[617] Murdi Paaki Accord Progress Report, May 2017, p.17.
[618] The National Partnership Agreement on Indigenous Early Childhood Development funded 38 Children and Family Centres nationally until mid-2014 when federal funding ceased. (former) FACS provided reduced funding to the Centres for the following two years to provide a mix of culturally safe services and supports for Aboriginal children aged 0 to 8 years and their families.
[619] SNAICC, Aboriginal and Torres Strait Islander Child and Family Centres, *Changing futures with our children and families* NSW Profiles: May 2018, p.6; Report on Proceedings Before the Committee on Community Services – Support for New Parents and Babies in NSW, 4 June 2018, p.7.
[620] Advice provided by Aboriginal Affairs NSW, May 2018.

representatives.[621] We understand that Aboriginal Affairs also promoted the project within government and sought increased resources to speed up progress. However, despite this activity, no significant progress was made and the Accord commitment was consistently labelled as 'delay/at risk' in consecutive Accord Progress Reports.[622]

Aboriginal Affairs has reflected that its limited expertise and experience in the early childhood sector presented challenges for it as the lead agency and contributed to the slow progress, especially given the complexities and intricacies of the sector. In addition, the OIC, as a relatively junior officer, had difficulties exerting authority within partner agencies and had few prior contacts in the early childhood sector to leverage cross-agency collaborative work. Relationships with partner agencies were also problematic, hampering access to relevant data and leading to inconsistent and inappropriate agency representation on the project working group. The level of staff resourcing required was also underestimated.[623] In addition, despite the early identification of the Commonwealth Government as a significant player, it was not an active contributor to the project.[624] It is also unclear why such an initiative, which clearly requires strong buy-in and leadership from both the NSW and Commonwealth Departments of Education, would be allocated to Aboriginal Affairs to manage.

Given that an issue of this type has state-wide relevance, it also lends itself well to being driven through the Accord process. We understand that for a number of reasons this did not occur at the time the Accord was being negotiated; however, on 27 February 2019, the NSW Coalition of Aboriginal Regional Alliances (NCARA) signed a state-wide accord with the NSW Government as part of the LDM initiative. The Accord has two priorities – one of which is early childhood education outcomes, including school readiness, pre-school education, health outcomes and family engagement. Ideally, there will be scope to address the concerns of the MPRA, as well as other LDM bodies, through this state-wide agreement process.

7.3.2 Resolving land and economic participation issues for Eden Local Aboriginal Land Council (LALC)

In August 1999, the NSW and Commonwealth Governments established the *Eden Regional Forestry Agreement* ('Eden RFA'), which outlined a 20 year framework for the management and use of major forested areas in the Eden region on the far south coast of NSW.[625] The Eden RFA also provided for the development of a package of measures to ensure the appropriate management of Aboriginal heritage, and to facilitate ongoing Aboriginal involvement in the management of the Eden region.[626]

Since commencement of the RFA, Eden LALC pursued the delivery of what it saw as key commitments for the local Aboriginal community under the RFA (and prior to this, the Forestry Agreement (FA))[627] in relation to the management of public land, economic development opportunities, and access to conservation lands for cultural purposes. The LALC's concerns were communicated to Aboriginal Affairs and directly to the responsible line agencies several times over the life of the RFA, but the LALC remained dissatisfied with government responses and wrote again to Aboriginal Affairs in January 2015.

After identifying the issues as meeting the Solution Brokerage criteria,[628] Aboriginal Affairs consulted with stakeholders, and in April 2015, the Head of Aboriginal Affairs declared 'addressing land and economic participation issues for Eden LALC' as a Tier 2 issue.[629] An Aboriginal Affairs Director, Regional Coordination was appointed as OIC. Three months later, agreement was secured from Eden LALC to participate in Solution Brokerage.[630]

[621] Advice provided by Aboriginal Affairs NSW, May 2018.
[622] *Murdi Paaki Accord Progress Report*, May 2017, p.31; Murdi *Paaki Accord Progress Report,* October 2016, p.31.
[623] *Murdi Paaki Accord Progress Report*, October 2016.
[624] Advice provided by Aboriginal Affairs NSW, May 2018.
[625] Australian Government, Department of Agriculture and Water Resources, http://www.agriculture.gov.au/forestry/policies/rfa/regions/new-south-wales.
[626] Regional Forest Agreement for the Eden Region of NSW, August 1999, p.21 (accessed online).
[627] As well as issues the LALC had originally wanted included in the Regional Forestry Agreement. However, we note advice from Aboriginal Affairs that most matters Eden LALC raised were and remain outside of the scope of both the FA and RFA.
[628] Advice provided by Aboriginal Affairs NSW, May 2018.
[629] Advice provided by Aboriginal Affairs NSW, May 2018.
[630] Aboriginal Affairs NSW, *Response Plan: Eden LALC – Resolution of land and economic participation issues*, July 2015.

A range of government agencies, the NSW Aboriginal Lands Council (NSWALC) and Bega Valley Shire Council were involved in the negotiations with Eden LALC. [631] The initial Response Plan identified broad outcomes, which were later refined into the following areas: [632]

- priority assessment of identified existing land claims
- planning and zoning considerations on Eden LALC land[633]
- access to areas of National Park for cultural tourism ventures, and
- transfer of crown land adjacent to the historic Davidson Whaling Station to the LALC.

The project was expected to be completed by January 2016, but none of the priorities was able to be fully negotiated within the mandatory six month timeframe that is assigned under the Solution Brokerage model. Aboriginal Affairs reported that the 'limited tangible outcomes' achieved over the period reflected the complex and diverse issues involved. Aboriginal Affairs also observed that strained relationships resulting from the long-term dispute had been a significant barrier to collaborative work, noting that substantial time was 'spent sharing knowledge and creating a common sense of purpose' between the parties.[634]

Aboriginal Affairs also identified that one of the major challenges during the six month period was establishing 'buy in' from the relevant agencies regarding the Solution Brokerage process and educating them about their responsibilities under the initiative. Aboriginal Affairs also identified that agencies initially adopted a 'business as usual' approach rather than adopting more innovative solutions and consequently at the time, 'failed to meet any of the outcomes Eden LALC had considered reasonable'.[635] However, we note that officer in charge quickly took action to adapt the negotiation process to address the situation.

In November 2016, agreement was reached to create a local Accord[636] between the NSW Government, Eden LALC, Bega Valley Shire Council and NSWALC, to complete the work commenced under Solution Brokerage.[637] Signed on 19 October 2017, the *Eden Local Aboriginal Land Council Land and Economic Participation Solution Brokerage Accord* brought the Solution Brokerage process to an end. The Accord details specific projects and deliverables to: advance the negotiation of an Aboriginal Land Agreement,[638] including prioritising determination of existing land claims; working towards transferring title of an agreed area of national park; developing a land capability assessment database to drive future land use and land dealing opportunities; and collaborating with government and non-government agencies in land management, tourism, business development and capacity building.[639]

The local Accord has achieved significant progress across all agreed priorities and completion was due by the end of September 2019, in line with agreed timeframes.[640] Stakeholders have told us that one of the strengths of the accord process has been the establishment of stronger relationships between community and government, partly by establishing proper tracking and reporting back to the community on progress against clear project milestones.

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[631] Including the Department of Premier and Cabinet (DPC), the Office of Environment and Heritage, the Department of Primary Industries (Crown Lands), (then) Forest Corp NSW and South East Local Land Services.

[632] Aboriginal Affairs NSW, *Solution Brokerage: A coordinated approach to addressing land & economic participation issues with Eden Local Aboriginal Land Council*, November 2016, p.8.

[633] Including opportunities to realise the value of some of their land holdings to assist in funding the Bundian Way walk from the coast to the Snowy Mountains and other economic ventures.

[634] Advice provided by Aboriginal Affairs NSW, June 2016; Aboriginal Affairs NSW, *Solution Brokerage: A coordinated approach to addressing land & economic participation issues with Eden Local Aboriginal Land Council*, November 2016, p.3.

[635] See Aboriginal Affairs NSW, *Solution Brokerage: A coordinated approach to addressing land & economic participation issues with Eden Local Aboriginal Land Council*, Nov 2016: 2018/057687.

[636] This Accord fell outside the Local Decision Making initiative.

[637] Other agencies responsible for discharging tasks include: Department of Premier and Cabinet; Department of Planning and Environment; Department of Industry; Office of Environment and Heritage; National Parks and Wildlife Service; NSW Aboriginal Tourism Operators Council.

[638] Aboriginal Land Agreements are voluntary and legally binding agreements to resolve land claims, reducing the need for costly and lengthy land claim determinations. Among other things, they can make provision for the exchange, transfer or lease of land to a LALC, financial payments, and the settlement of multiple land claims at the same time. Aboriginal Land Agreements are currently being piloted in a number of locations across the state: 'Administering the Aboriginal Land Rights Act 1983' (webpage) on Aboriginal Affairs website, accessed 11 June 2019.

[639] *Eden Local Aboriginal Land Council Land and Economic Participation Solution Brokerage Accord*, October 2017, pp.3, 4.

[640] There has been a collective acknowledgement that this timeframe will not be met and the project team is exploring what actions will need to be undertaken post-September.

7.3.3   Aboriginal Community Land and Infrastructure Project

The Aboriginal Community Land and Infrastructure Project (ACLIP) aims to develop a coordinated response to land use planning and municipal infrastructure issues on particular Aboriginal lands across NSW. The project has its origins in the transfer of 61 discrete Aboriginal communities (mostly former missions) from the NSW Government to Local Aboriginal Land Councils (LALCs) in accordance with the *Aboriginal Land Rights Act*.

The road infrastructure assets in these communities were generally in a state of disrepair when the titles were transferred; properties do not meet current engineering or building standards; and action had not been taken to ensure that the relevant LALCs were in a financial position to meet the upgrade costs or ongoing maintenance. The legacy planning issues combined with the poor state of roads contribute to the following adverse socio-economic outcomes for these communities, including:
- Emergency services vehicles are unable to access some communities, or locate the residents because houses have no publicly available street addresses and are not identifiable through GPS.
- School buses are often unable to service some communities due to stormwater management issues.
- Australia Post often does not deliver mail to individual households.
- Residents do not receive the same level of municipal services as their neighbours.
- Home ownership or other tenure options for residents are prevented.

Typically, all the dwellings within the discrete Aboriginal communities are located on a single large property title. The current poor condition of the road infrastructure is a barrier to subdivision and equality of access to essential services. Road infrastructure upgrades to local government engineering standards is a prerequisite to subdivision of any land. Once subdivided, the road reserve can be dedicated to the local council to secure long-term maintenance and management.

The road upgrades will provide:
- improved access for services, including household waste collection, postal services, emergency vehicles and community transport, and
- the opportunity for roads to be dedicated to local government, providing a sustainable, long-term solution to ongoing maintenance.

Subdivision of the single title lots will also provide improved land management options, security of tenure and create home ownership opportunities. This will create the potential for greater economic independence for these Aboriginal communities.

In addition to the 61 discrete communities, many other land areas have been transferred to LALCs in accordance with the Aboriginal Land Rights Act, retaining their original land zonings and planning controls, which reflect their former status as Crown Lands.[641] LALCs have been frustrated in their efforts to manage these lands to maximise economic and other benefits for their communities.

In response, in February this year the NSW Government published the Aboriginal Land Framework, a package of planning measures aimed at assisting LALCs in deriving economic improvement on Aboriginal owned lands. The framework includes:
- **A State Environmental Planning Polic**y (Aboriginal Land) 2019 – providing for a new category of strategic land use plan (known as a 'development delivery plan') that may be prepared by LALCs. These plans will identify objectives and proposals for LALC lands and will need to be taken into account by planning authorities in assessment processes.
- **LALC development proposals** – in certain circumstances, proposals may be considered regionally significant developments, and would then be determined by a regional planning panel.
- **A Ministerial Direction** – directing all planning authorities to take into account any LALC development delivery plan (or interim delivery plan) when considering planning proposals.
- **A Planning circular** – advising planning authorities about the new State Environmental Planning Policy, and setting out the process for LALCs to request an independent review of LALC planning

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[641] According to the solution brokage declaration, over 127 000 ha of land has been transferred to LALCs since 1983.

proposals. A LALC can only request an independent review if a LALC development delivery plan (or interim plan) is in place.

The framework is currently the subject of a pilot in Darkinjung LALC, but is expected to be extended to other LALCs after a review has taken place.

ACLIP was declared as a Tier Three Solution Brokerage issue on 18 September 2015, and a Deputy Secretary from the Department of Planning and Environment (DPE) assumed the OIC role. The OIC formed a dedicated ACLIP team of three Aboriginal policy officers and planners seconded from the DPE's Planning Branch to work on the project.

The Solution Brokerage Response Plan nominated two policy areas for a coordinated response.[642] The first addressed the discrete Aboriginal communities planning and infrastructure upgrades and became known as 'Roads to Home'.[643] The second dealt with planning and policy barriers affecting the economic development of other LALC land holdings. The Response Plan was finalised in May 2018 – almost three years after the project commenced. We have been advised that given the evolution of planning solutions and changes in the environment policy generally, the Response Plan has not yet been signed-off by the Secretaries Board.

Roads to Home has been guided by a stakeholder group, including a range of NSW Government agencies, the NSWALC and representatives from the Department of Prime Minister and Cabinet (DPC) and other Commonwealth Government agencies. The stakeholder group developed a staged program to address the planning and infrastructure needs of the discrete communities, and to improve economic, social and health outcomes. By December 2016, the ACLIP team had selected 10 communities as the focus for stage one of *Roads to Home*.[644] These sites were prioritised to provide a range of environments for implementation to help refine the approach in later rollouts.

Our office provided advice to the DPE to assist with the identification of these priority communities and to pass on relevant community concerns about infrastructure raised with us during community visits. In particular, we explored with the DPE the scope for the ACLIP to address community concerns raised with us by the Walgett Gamilaraay Aboriginal Community Working Party (WGACWP). We facilitated meetings between the Walgett Shire Council and the WGACWP and Walgett LALC respectively, to discuss these concerns and to help establish working partnerships into the future.

As part of our monitoring of ACLIP, we also provided advice to the DPE about the opportunity for links with pro bono industrial design work by students from the University of Technology Sydney (UTS). We introduced UTS Spatial Design faculty academics to representatives from the DPE, which led to on-site 'design studios' in Walgett's two Aboriginal communities, Gingie and Namoi. During the design studios, students generated cost-effective design concepts to respond to community aspirations, and improve liveability and use of public space in communities. Links with the UTS program have the potential to extend the *Road to Home*'s infrastructure upgrades to meet broader community objectives.[645]

As noted previously, through ACLIP, the DPE has made amendments to the planning system to respond to the aspirations of Aboriginal communities and reinforce the objectives of the Aboriginal Land Rights Act. Under the project, all regional and district plans were enhanced to include directions or actions which consider the economic potential of Aboriginal community owned land in strategic land use planning. Work was also undertaken to develop capacity in Aboriginal communities to engage with the planning system, including rollout of a training program for LALC staff and Aboriginal community members. The ACLIP team also facilitated the mapping of LALC-owned land to assist them with land management decisions.

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[642] The Department of Planning and Environment completed documentation of the response plan in May 2018. However, project implementation was delayed.
[643] Aboriginal Affairs NSW, *Draft Response Plan: Aboriginal Community Land and Infrastructure project* (ACLIP), May 2018.
[644] Cabarita community on the Mid Coast; Narwan Village at Armidale; Bowraville Reserve, Gulargambone Top and Bellwood near Nambucca; Three Ways at Griffith; Gingie and Namoi Reserves at Walgett; Wallaga Lake Koori Village in Eurobodalla Shire; and La Perouse Reserve in Randwick.
[645] University of Technology Sydney, 'Bridging the gap in Walgett, where design and community meet', UTS webpage, accessed 25 October 2017.

As part of ACLIP's focus on building a 'culturally competent' planning sector, the DPE developed an Aboriginal Employment Plan, commenced an Aboriginal Inclusion Framework and rolled out online cultural awareness training for its staff. The DPE also negotiated a scholarship program for Aboriginal students in collaboration with planning schools at the University of Western Sydney[646] and the University of NSW, and developed cultural competency training for planning sector academics.

While the DPE and Aboriginal Affairs made some headway, the core commitments of *Roads to Home* could not progress without additional targeted funding. We understand that in late 2018 a coordinated funding bid to the Expenditure Review Committee to commence work within the 10 *Roads to Home* sites was prepared by the DPE with assistance from the DPC.[647] In March 2019 the NSW Government announced that it would commit $55 million over four years to fund the first 10 communities in the program.[648] This is a welcome development and showcases the potential of Solution Brokerage. As we discuss later, this allocation of funding is the exception, and in our view there needs to be a streamlined process for funding Solution Brokerage projects in future. We will continue to monitor the rollout of *Roads to Home* in the 10 communities, as well as the nature and impact of funding decisions.

7.3.4   Building community resilience in Bowraville

In September 2016, 'building community resilience' in the Bowraville township was declared as an issue for Solution Brokerage. The Tier Three project aimed to address the healing needs of the Bowraville families, which have been profoundly affected by the unsolved murders of three Aboriginal children in the early 1990s. The response plan, finalised in August 2018, focused on four key priority areas: health, youth, affordable housing, and education and training. These priority areas, identified through a wide community consultation, aimed to strengthen the resilience of the whole of Bowraville.

As we detail in our chapter on Healing, the Bowraville example illustrates the potential of place-based approaches when coupled with the leadership of senior officers able to marshal resources across government, directly engage with community and other stakeholders, and make binding decisions in response to agreed objectives seen through the lens of Aboriginal people. The sustained high-level commitment by agencies to drive solutions was largely attributed to the leadership and authority of the OIC, the Secretary of the Department of Planning and Environment, the expertise of Aboriginal Affairs and importantly, the leadership of members of the Bowraville community.[649] Bowraville is also an excellent example of the government working with the community to ensure that the approach adopted had integrity, was culturally safe and that engagement and inclusion were a focus at every stage.

Solution Brokerage projects often commence in low-trust environments flowing from past failures to address concerns, despite persistent efforts by communities. In Bowraville, re-building trust in the NSW Government was critical to achieving real engagement with the community. Aboriginal Affairs' role in the establishment of the Jaaynmilli Bawrunga community reference group in the first phase of the Bowraville Solution Brokerage project was fundamental to the project's success, as was the role they played in swiftly bringing the community together and 'vouching' for the team that would be involved in the initiative. In addition, the OIC and other senior public servants spent time regularly in the township and carried out extensive community consultations, building trust and broadening participation prior to the project commencing in March 2017.[650] The approach used in Bowraville also led to a number of adjustments to the Solution Brokerage model being recommended by Aboriginal Affairs in its report to the Social Policy Committee of Cabinet in mid-2016.[651]

While the outcomes in Bowraville are laudable, we are mindful that relying on hands-on involvement of a Departmental Secretary is unlikely to be a sustainable feature of Solution Brokerage – a concern

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[646] The University of Western Sydney now offers the 'NSW Planning & Environment ATSI Scholarship' with a value of $12,500 per year for four years: University of Western Sydney, NSW Planning & Environment ATSI Scholarship webpage, accessed 17 October 2018.

[647] Estimated at $50 million dollars to implement Stage One in 10 implementation sites.

[648] NSW Treasury, NSW Budget 2019-2020 – Election Commitments, 18 June 2019, p.25.

[649] NSW Government, *Our Children, Our Future – Bowraville Solution Brokerage Response Plan*, August 2018, p.5.

[650] Advice provided by Aboriginal Affairs NSW, May 2018.

[651] Advice provided by Aboriginal Affairs NSW, November, 2018.

shared by other government stakeholders. However, it is critical that the core elements of the success achieved in Bowraville – that is, Secretary level buy-in – are replicated in the governance and accountability frameworks established for future initiatives, and importantly, how these frameworks are utilised. In this regard, it is important to note that there was a Secretary-level presence in discussions with relevant agencies, and this helped to facilitate buy-in from across the public sector, and challenged agencies to eschew traditional ways of working.

7.3.5   Issues falling outside Solution Brokerage

In addition to the four declared issues, Aboriginal Affairs has advised that only one other concern has been referred for Solution Brokerage since commencement of the initiative. This issue was raised in October 2016 by the Nulla Nulla Local Aboriginal Land Council, and related to long-standing community concerns about the poor state of housing and a lack of maintenance at Alice Edwards Village, a former reserve in Bourke, Western NSW.[652]

After assessing the issue, Aboriginal Affairs concluded that it did not meet the solution brokerage criteria but could be progressed through targeted work with the Aboriginal Housing Office (AHO) and the land council. In May 2018, Aboriginal Affairs advised that a response to the request was being prepared. In late 2018, Aboriginal Affairs secured cooperation within government to conduct condition assessments of the properties in Alice Edwards Village, and has advised that these condition assessments are the first step in resolving these issues.[653] In this regard, condition assessments were completed in May 2019, and work to repair 13 properties was scheduled to commence in August 2019.

7.4   Strengthening Solution Brokerage

The whole-of-government model to problem-solving offered by Solution Brokerage, that is, bringing community and government together to design and implement solutions, should be the bread and butter business of Aboriginal Affairs. Our work has shown us that there is no shortage of significant and longstanding issues, which would benefit from such an approach. Yet despite this, in the four years since the Premier's Memorandum on Solution Brokerage was issued, only five issues have been nominated, and four declared for Solution Brokerage. All but one of the projects progressed slowly, and so far only two have achieved demonstrable outcomes.

This limited progress reflects a number of fundamental problems with the design and implementation of the initiative. As we discuss later in this section, Solution Brokerage has not been adequately promoted to Aboriginal communities nor within government, resulting in few projects being nominated for consideration. In addition, the selection criteria against which nominated issues are assessed are overly bureaucratic and complex, potentially discouraging proposals. Many of the operational features of Solution Brokerage appear to be ill-suited to the kinds of complex issues which the mechanism attempts to address and crucially, while the governance processes set out in the Solution Brokerage Framework are robust, for the large part they have not been implemented. While the positive experience in Bowraville and *Roads to Home* communities is instructive, each new issue will need to be dealt with according to its unique defining features and the aspirations of the individual communities affected.

7.4.1   More actively promoting Solution Brokerage

The small number of issues declared for Solution Brokerage appears to be a product of its very limited promotion both within government and among Aboriginal communities and organisations.

As early as March 2015 Aboriginal Affairs advised that it had prepared a communication plan to promote Solution Brokerage. However, three years into the initiative the only promotion of the initiative was via the Aboriginal Affairs website and OCHRE Annual Reports; the 2015 Premier's Memorandum; and Aboriginal Affairs staff at government and community meetings, events and forums. We are unaware of any specific promotional materials or targeted communications used to increase

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[652] P McDonald, 'Reprieve for Indigenous tenants in housing dispute', ABC News (online), accessed 25 October 2018.
[653] Advice provided by Aboriginal Affairs NSW, February 2018.

awareness of the scheme. Aboriginal Affairs has indicated that 'the reality of current resourcing' – with no dedicated budget or staff – influenced its low-key approach to promotion.[654] No new issues have been nominated or declared since September 2016, and in mid-2018 Aboriginal Affairs advised that the declaration of new issues was on hold until the 'Rebuild of Solution Brokerage project' was complete.[655]

Solution Brokerage is a significant initiative, providing the government's key whole-of-government strategy for Aboriginal affairs. Clearly it cannot operate effectively if few are aware of its existence or purpose. Participants involved in the four declared projects confirm that there is 'a lack of understanding across community and government agencies about the purpose and operation of Solution Brokerage'.[656] Inadequate promotion works against the open nomination process described in the Framework, and effectively leaves the proposed issues to those 'in the know' rather than more accessible and transparent selection processes.

Developing and implementing a targeted and multi-faceted communication strategy is needed to encourage the community to bring forward proposals for Solution Brokerage. It will be important to engage the range of community structures as well as those regional alliances already connected with government as part of implementing any communication strategy. Aboriginal Affairs has a critical role to play in supporting community organisations to develop proposals, and bringing government agencies to the table.

Promoting Solution Brokerage throughout the public service would encourage input from officers regularly working with Aboriginal communities, and providing targeted information packages to key Commonwealth and local government stakeholders would also help avoid Aboriginal Affairs staff spending considerable time educating agencies at project commencement, contributing to delays. Aboriginal Affairs has acknowledged the need to raise awareness and support future engagement of Commonwealth and local governments in Solution Brokerage.[657]

7.4.2   Developing more meaningful selection criteria

The rationale behind the current Solution Brokerage criteria is unclear beyond the need for Aboriginal Affairs' limited resources to be applied in the most effective and efficient manner.[658] Rather than providing a vehicle to draw out the most significance issues of concern for communities or with the most potential to deliver benefits to communities, the criteria confine Solution Brokerage to issues that appear to be compatible with bureaucratic requirements. As we discuss below, there is a real question as to whether the criteria are useful for selecting issues.

The criteria relating to issues needing to be both 'significant' and 'current' are uncontentious. However, the criteria requiring issues to involve multiple agencies; be resolvable within six months; and use only existing resources, are too restrictive and unlikely to draw out those issues of most significance to communities.

Even when viewed solely through an operational lens, these criteria are too rigid. For example, the six month window has proven to be unachievable, with all projects 'greatly exceeding' this timeframe.[659] The lack of a 'quick fix' is unsurprising given that Solution Brokerage targets complex and often long-standing issues, involving multiple agencies.

As Aboriginal Affairs has observed, Solution Brokerage encourages the use of creative and innovative solutions, which take time to develop and be accepted by stakeholders;[660] however, short timeframes do not allow for capacity building within the government and the community to strengthen participation, collaboration and leadership.

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[654] Advice provided by Aboriginal Affairs NSW, May 2018.
[655] Advice provided by Aboriginal Affairs NSW, May 2018.
[656] Advice provided by Aboriginal Affairs NSW, November 2018.
[657] Advice provided by Aboriginal Affairs NSW, June 2016.
[658] Aboriginal Affairs NSW, *Solution Brokerage – Policy and Operational Framework*, April 2015, p.8.
[659] Aboriginal Affairs NSW, *Summary of Solution Brokerage participant interviews*, [unpublished], 7 December 2017.
[660] Advice provided by Aboriginal Affairs NSW, June 2016.

Participants in declared projects have reflected that the need to rebuild trust is a critical but time-consuming antecedent of productive collaboration, with community consultations commonly taking up to six months to complete.[661] In Bowraville, for example, a six month period of community engagement 'establishing relationships, trust and rapport' was the precursor to a further 'official' six month period of collaborative work to develop a response plan to guide ongoing work with the community.[662]

The time required to resolve an issue should not be a factor in determining whether it is suitable for a whole-of-government response. In our view, rather than a 'one-size-fits-all' approach, timeframes should be aligned with the nature of each issue and the components of its response plan, to avoid raising community expectations of fast solutions that are not achievable. To ensure focus and discipline, the Solution Brokerage Framework should set out clear requirements for detailed reporting against approved milestones and to a suitably authoritative body (see 7.4.4).

The Solution Brokerage Framework cautions against Aboriginal Affairs becoming 'tied up in other agency core business'.[663] However, it is equally of concern that issues facing Aboriginal communities too often are viewed as peripheral to core business and are consequently accorded low priority. In our view a central role of Aboriginal Affairs is to shift agencies' perspectives about what is and is not part of core business and to build a bridge between government and community to facilitate dialogue, build relationships and encourage joint solutions.

Solution Brokerage criteria also require that declared issues be resolved without the injection of additional resources, envisioning that '… Aboriginal Affairs will be able to direct cross-agency resources in accordance with approved Solution Brokerage Response Plans'.[664] Only in exceptional cases can funds be requested via the Expenditure Review Committee or through normal budget processes – potentially a slow and uncertain process. Aboriginal Affairs has commented that lack of funding has restricted its ability to build capabilities of agency staff to work with Aboriginal communities, and to successfully run collaborative or co-designed projects.

In our view, there is merit in mandating that agencies find funds within their own or other agencies' existing budget allocations to participate in Solution Brokerage and deliver sustainable solutions. Agencies need to take ownership of issues impacting Aboriginal communities and build interagency work into core business, including through routine budget processes. The Bowraville experience, in particular, demonstrates that this is not unachievable – the OIC secured significant funding from a range of government agencies,[665] providing for refurbishment of health facilities, improved community and public transport, better access to youth programs, development of a youth hub, redesign of a skate park and BMX track, and more.

Nonetheless, there are likely to be occasions where additional funding is needed to provide a buffer for agencies until sustainable solutions can be fully embedded, or where the nature of the project requires significant additional funding, such as the ACLIP *Roads to Home* project. Pooled funding arrangements are one option, which could be utilised to make funds more readily available in the short-term. However, to avoid ongoing dependence on additional funding, access to funds should be accompanied by evidence of proper planning to integrate solutions within agencies. It is critical that the right balance is struck between normalising Solution Brokerage projects within agency core business and ensuring that agencies are supported and encouraged to take on projects which require substantial additional funding. This could be done through Aboriginal Affairs seeking global funding for Solution Brokerage to enable resources to be provided to implementing agencies when they lead a Solution Brokerage project. However, we caution against Aboriginal Affairs bearing responsibility for managing the finances and implementation for all Solution Brokerage declarations. As noted, it is important for Solution Brokerage projects to be integrated within line agency responsibilities.

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[661] Information provided by Aboriginal Affairs NSW, 12 November 2018.

[662] NSW Government, *Our Children, Our Future – Bowraville Solution Brokerage Final Report*, August 2018, p.1-3.

[663] Aboriginal Affairs NSW, *Solution Brokerage – Policy and Operational Framework*, April 2015, p.8.

[664] Aboriginal Affairs NSW and Department of Education and Communities, *Solution Brokerage – Policy and Operational Framework*, April 2015, p.7

[665] Including Transport, Justice, DPE, FACS, Health, Education.

It will be important for Aboriginal Affairs to develop more meaningful criteria for Solution Brokerage, which address significance and impact on the community of potential issues and can accommodate more flexible and nimble responses.

7.4.3 Embedding strong and effective leadership

'Strong and effective leadership' is widely recognised as a critical component for success in cross-government work and is cited in the NSW Public Service Commission's *Collaboration Blueprint*[666] as one of four critical enablers of successful collaboration. According to the Solution Brokerage Framework, Aboriginal Affairs is responsible for the appointment of a suitably authoritative and dynamic leader – the officer in charge – for each declared issue. The OIC is charged with directing and coordinating action, managing senior staff and shifting bureaucratic cultures to support collaboration.[667] The OIC must have the requisite expertise and networks to gather the right people together to implement an effective response.

We have previously highlighted our view – which is shared by Aboriginal Affairs – that lead agency representatives must have sufficient subject matter knowledge, capacity and authority to commit to and drive the implementation of real and lasting change.[668] The success of the response plan for the Bowraville project has been largely due to the authority and mandate of the Secretary of the DPE as OIC. Bowraville illustrates the potential of place-based approaches to succeed if led by senior officials capable of marshalling resources across government, directing engagement with community and other stakeholders, and making binding decisions in response to agreed objectives. On the flip side, the Murdi Paaki experience demonstrates that OICs who are not at a suitably senior level nor sufficiently connected and knowledgeable in the relevant field, through no fault of their own, are likely to struggle in the role.

While there is scope to appoint an OIC from any key agency, the Solution Brokerage Framework favours an appointment from Aboriginal Affairs,[669] emphasising the 'trust, support and knowledge' of the agency's regional staff and its majority Aboriginal workforce.[670] Reflecting on the experience of the last four years, Aboriginal Affairs has concluded that it should not assume the OIC role simply as a default when no agency clearly emerges to take the lead. The agency has also questioned whether OICs should ever be nominated from its own ranks, rightly pointing to the need for separation between implementation and monitoring, reporting and evaluation to ensure independence and rigour in these roles.[671]

In our view, even with the authority conferred by the Premier's Memorandum, Aboriginal Affairs is unlikely to hold the requisite portfolio expertise, decision-making authority and budget insight to effectively drive change in established agency practice. Aboriginal Affairs' strength lies in its ability to both engage with community and speak the language of government. It is able to provide insights to line agencies about project design, community consultation, and coordinating and monitoring reporting across all Solution Brokerage projects, ensuring that issues are escalated to a suitably authoritative body in a timely and systematic manner. The role of Aboriginal Affairs in individual Solution Brokerage projects is likely to be most intense at project commencement, and ideally will diminish as key agencies assume responsibility and work effectively with the community. Aboriginal Affairs, in consultation with the relevant agency, should nominate an appropriately high level OIC at the time an issue is declared, but should not fill the OIC role from within its own ranks.

During the Deputy Ombudsman's consultations with certain government stakeholders, the view was expressed that future Solution Brokerage declarations will not be sustainable if they are dependent on substantial involvement at Departmental Secretary level. The Public Service Commission has separately noted concern that where cross-agency collaboration is driven by a singular impressive leader it may suffer from being *hero dependent* – where individual leaders with the 'courage,

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[666] NSW Public Service Commission, *Collaboration Blueprint,* October 2013, p.7.
[667] Aboriginal Affairs NSW, *Solution Brokerage – Policy and Operational Framework*, April 2015, p.3.
[668] NSW Ombudsman, *Annual Report 2015-16*, 2016, p.127.
[669] Aboriginal Affairs NSW, *Solution Brokerage – Policy and Operational Framework*, April 2015, p.12.
[670] Aboriginal Affairs NSW, *Solution Brokerage – Policy and Operational Framework*, April 2015, p.9.
[671] Advice provided by Aboriginal Affairs NSW, June 2016.

commitment and persistence' to build true partnerships and drive reform, achieve impressive initial outcomes, only for the collaboration to lose energy or fail when the hero moves on.[672] The perspective from Aboriginal Affairs on this issue is that:

> … it depends on the complexity and scale of the issue trying to be resolved. If an issue is long standing, and in some respects 'intractable', then it is reasonable to assume that having a very senior public servant to drive the resolution is actually what is required – part of the objective of Solution Brokerage is to create an authorising environment for a different approach, which will by its nature require leadership at senior levels.

While we would agree that project leadership from suitably high ranking and driven officers is critical to the success of certain initiatives, simply adding a complex solution brokage project to the already full plate of senior executives, with no re-allocation of existing workload is unlikely to be sustainable. In this regard, Aboriginal Affairs has identified the need for a back-up for the OIC to cover situations where the OIC is unable to perform their duties. In some instances, it may be sufficient for OICs at Secretary or Deputy Secretary level to be directly accountable to the Secretaries Board for progress, but to strategically focus their involvement in projects, working closely with a suitably senior delegate.

Project teams, which support the OIC, are the engines of solution-brokering and need to include sufficiently senior operational officers with authority to make decisions, and capacity to drive project objectives within their own agency. Responsibilities should not automatically default to Aboriginal Affairs nor to Aboriginal staff (if not involved in operationally relevant roles) in partner agencies. Aboriginal Affairs has observed that some agencies nominate staff from their Aboriginal Program areas to participate in Solution Brokerage but that these officers may not have the particular expertise or authority required to drive change. Ideally, the composition of project teams will be documented in response plans and should be signed-off (for example, by the Secretaries Board) as part of initial accountability measures. Unfortunately, as we discuss below, response plans have not been subject to scrutiny or approval processes as originally envisaged, and agency nominations of project staff have gone unchallenged.

A key function of the OIC is to develop and lead the implementation of the Solution Brokerage Response Plan. However, to date these plans have not played a significant role as project planning tools. A draft plan was developed, but never agreed, for the MPRA early childhood project; the ACLIP plan was finalised two and a half years after the project was declared; and the Eden response plan essentially functioned as a referral document to hand over the project to the local Accord process.

A different approach was taken in Bowraville where Solution Brokerage essentially focussed on the development of a community directed response plan including 23 'deliverables' sitting within four central priority areas. The response plan documents the way forward in Bowraville after finalisation of the formal Solution Brokerage process. At the same time as engaging in planning, government agencies were actively responding to a number of identified priority areas, particularly in relation to health services, securing for example, two general practitioners to service the town from mid-2018, and other outcomes noted in our case study in Chapter 3. This meant that the community could see real progress being made as well as plans for the future.

Participant feedback confirms that response plans were largely unhelpful, and at best, they provided documentation of activities and milestones *after* they had been completed. Poor compliance with accountability and governance measures meant that agencies and OICs were not held accountable for proper planning or achievement of milestones.[673] Although the Bowraville Response Plan was submitted to the Secretaries Board for endorsement, it was both the result of Solution Brokerage and a plan for the future rather than a project management tool.

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[672] NSW Public Service Commission, *Collaboration Review,* 2017, p.22.
[673] Aboriginal Affairs NSW, Summary of Solution Brokerage participant interviews [unpublished], 7 December 2017.

No other response plans were endorsed by the Regional Leadership Executive,[674] OCHRE Senior Executive Committee (SEC) or Secretaries Board. As we discuss at 7.4.4, Aboriginal Affairs needs to ensure compliance with accountability arrangements and be prepared to expose significant non-compliance where more cooperative efforts fail.

7.4.4   Strengthening accountability and governance measures

Our experience in reviewing agency service delivery over many years has shown that without strong governance and accountability arrangements – including allocating an individual with sufficient authority and overall responsibility to lead initiatives – the requisite change is unlikely to occur. Despite the existence of a strong accountability Framework, most Solution Brokerage projects have been carried out largely without external scrutiny. A distinguishing feature of the successful approach to Solution Brokerage in Bowraville was the effective utilisation of governance arrangements. For example, making use of existing forums such as the Regional Leadership Executive and Social Policy Senior Officers Group, and with key involvement from the DPC.[675] Had compliance with provisions for direct oversight and leadership by the Secretaries Board occurred, the agency 'buy-in' necessary to drive significant progress may have followed.

While the Framework specifies that Solution Brokerage would be a 'regular item' on the Secretaries Board agenda, and the Premier's Memorandum requires the Head of Aboriginal Affairs to report to the Board on the performance of Solution Brokerage, in practice reporting has been limited to the provision to Secretaries of copies of OCHRE Annual Reports, which include brief updates about Solution Brokerage.[676] The Premier's Memorandum also requires the Minister for Aboriginal Affairs to report quarterly on Solution Brokerage to the Social Policy Committee of Cabinet. However, at the behest of Aboriginal Affairs the frequency of this reporting was reduced to half yearly intervals. We were advised by Aboriginal Affairs that six-monthly reporting was 'disproportionately onerous' given the lack of funding, complexity of projects and lengthy timeframes, and resulted in 'the diversion of resources away from actually resolving the declared issue'.[677] In the circumstances, we support the approach suggested by Aboriginal Affairs.

Mechanisms in the Framework to escalate unresolved disputes or delays, first to the Head of Aboriginal Affairs and then to the Secretaries Board, also remain contested. Consequently, neither the Secretaries Board nor the Social Policy Committee of Cabinet has been actively involved in the high-level oversight of Solution Brokerage. As we have already observed, other accountability and reporting mechanisms prescribed by the Framework, such as authoritative bodies approving response plans, have mostly not been observed; however, we note that this is also in part a reflection of the nature of the issues, rather than any attempt to deliberately avoid the mechanisms.[678]

The failure by implementing agencies to adhere to the prescribed accountability arrangements has been a missed opportunity to review and reset projects which have stalled or diverged from their original purpose.

To enhance agency accountability, agency heads should report directly to the Board at significant project milestones. Requiring Aboriginal Affairs to report on behalf of project OICs dilutes the impact of the Secretaries Board's oversight and fails to recognise that Aboriginal Affairs is not well positioned to compel OICs to change practices, re-direct resources or otherwise lift their game. Aboriginal Affairs should monitor and report on progress of the initiative at a higher level, including analysing and

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[674] The response plan for Eden is being monitored through the Regional Leadership Executive, as written into the Accord, and it is also being monitored through Eden LALC's existing governance structure (i.e. the LALC Board). Responsible agencies sought endorsement of the response plan through their agencies, and Aboriginal Affairs wrote to all relevant Secretaries seeking their endorsement/approval prior to signing the Accord. Responses were received from all Secretaries. The parties at the table (including Eden LALC, NSWALC and local government) had all agreed that the best approach was to negotiate an Accord and this formed part of the final response plan.

[675] NSW Government, *Bowraville Solution Brokerage Response Plan*, August 2018, p.4.

[676] Advice provided by Aboriginal Affairs NSW, January 2019.

[677] Advice provided by Aboriginal Affairs NSW, November 2018.

[678] We note that the Premier's Memorandum states that response plans for Tier one and Tier two issues are jointly developed and approved by relevant agencies and coordinated by Aboriginal Affairs. The Solution Brokerage Framework also provides (at p.11) for exceptions to the usual approval process where 'approving bodies may decide it is necessary for a smaller, subgroup of relevant agencies to meet out of session' to approve response plans.

communicating to agencies the critical factors for success, and incorporating these into guidance documents.

Agency commitment to Solution Brokerage projects and accountability for their delivery would also be enhanced by the joint declaration of issues by both Aboriginal Affairs and lead agencies. Aboriginal Affairs currently has sole authority to declare issues 'independent of other agencies'. While this acknowledges Aboriginal Affairs' expertise and connection with Aboriginal communities, it potentially weakens agency commitment to issues which they are not officially seen to have endorsed or prioritised. Where agencies have specific concerns about a project, these should be addressed by referral to the Secretaries Board for final determination.

Finally, while the Solution Brokerage Framework makes provision for accountability within government, it provides no guidance about accountability to Aboriginal communities. Aboriginal Affairs has found value in connecting Solution Brokerage activities to existing accountability mechanisms – such as the LDM Accords that require government agencies to respond to regional and community priorities. However, projects operating outside of Accords have no built-in guarantee of community oversight. Existing public reporting, in the form of OCHRE Annual Reports, provides insufficient detail about Solution Brokerage projects for effective scrutiny. We understand that Aboriginal Affairs will investigate additional public accountability measures to enhance the effectiveness of Solution Brokerage as part of its rebuild of the initiative. It will be important that regular feedback to the community about performance and outcomes is included.

7.5   Future directions

Over the last four years Aboriginal Affairs has pursued its initial vision, informed by the Ministerial Taskforce and its own research, of how a Solution Brokerage function might operate. Each time Government embarks on a new initiative in Aboriginal affairs, community expectations are raised, and when the reality of implementation falls short of the mark, trust in government may be eroded. Agencies and communities have invested time and resources in each of the four Solution Brokerage projects, and efforts now need to be directed both at getting projects back on course and re-thinking how the Solution Brokerage model might operate to achieve more positive outcomes. It will be important that a way forward is identified in relation to the project which has stalled (i.e. the MPRA early childhood initiative), and that reporting and accountability mechanisms are brought back online. Where relevant, it may be fruitful for Aboriginal Affairs to seek advice from NCARA and/or individual Regional Alliances about where Solution Brokerage can be used to resolve multi-agency issues and how alliances can best contribute to Solution Brokerage projects.

Aboriginal Affairs is mid-way through its review of Solution Brokerage. Its executive has recently considered an internal 'phase one' report based on interviews and surveys of participants involved in Solution Brokerage over the last four years. The report includes 18 recommendations to reform the current model, and pleasingly, there are synergies with our observations and recommendations.

It is encouraging that Aboriginal Affairs refers to its review process as a 're-build' recognising that, in addition to revising operational detail, it may be necessary to re-think some core aspects of the initiative to better align with community expectations addressed by the Ministerial Council. Solution Brokerage was originally envisioned as a pathway for the community to bring forward to Government, longstanding and seemingly intractable concerns for a refreshed and innovative approach to resolution. The criteria for Solution Brokerage need to reflect this aspiration, and provide a better vehicle for prioritising issues of significance to the community where resolution would bring demonstrable positive outcomes.

Unlike other elements of OCHRE, Solution Brokerage has not benefitted from the independent evaluations conducted by the Social Policy Research Centre, UNSW, which have prioritised community feedback and assessment. Aboriginal Affairs has advised that Aboriginal community members were not engaged in Phase One of the Solution Brokerage review in order to avoid consultation fatigue. It will be important for Solution Brokerage to be included in the ongoing independent evaluation of OCHRE, and that communities are involved in evaluating the initiative in future.

Central to the Solution Brokerage model is its design as a time-limited, project-based approach. However, nothing has been built into the Solution Brokerage Framework to ensure sustainability of outcomes once a project is 'completed'. Building sustainability measures into the Framework and individual response plans, coupled with proper scrutiny of project plans at the outset, would better equip OICs and project teams to ensure Solution Brokerage brings enduring benefits to the community.

Solution Brokerage in Bowraville includes a sustainability plan which relies on DPC to lead the future monitoring and coordination of the response plan, as well as multi-agency investment 'for the establishment of a Project Officer to be based in Bowraville' to support the reference group Jaaynmilli Bawrunga to maintain their involvement in the project. Discussions have also commenced with the Tribal Wave Regional Assembly[679] to include the work of the community reference group in the LDM process.[680]

Future iterations of Solution Brokerage will need to build in accountability measures more firmly and embed ongoing work into agency core business to avoid projects operating on the periphery. There is a real risk that, coupled with a lack of funding, projects may be viewed by agencies as burdensome and essentially outside their remit. In future, there could be merit in successful OICs taking on a mentoring role to provide support for the OICs of new Solution Brokerage projects.

As Aboriginal Affairs is now within DPC, this is likely to bolster its influence in seeking behavioural change, collaboration and innovation among agencies in their work with Aboriginal communities and better equip Aboriginal Affairs to drive outcomes-focused interagency responses.

The Solution Brokerage Framework relevantly observes the need for an on-going change management process to ensure Aboriginal Affairs has an effective mandate to direct and influence longer-term change across public sector agencies and non-government bodies, and notes the intention of the DPC to lead a whole-of-government change plan to support greater cross-cluster collaboration and innovation.[681]

Recommendations

38. The Department of Premier and Cabinet (Aboriginal Affairs) should develop and implement a targeted and multifaceted communication strategy for Solution Brokerage that includes:
    a. engaging with Aboriginal community governance structures (including Regional Alliances), to encourage Aboriginal communities to bring forward issues for Solution Brokerage
    b. promoting Solution Brokerage to key local, state and federal government agencies to encourage awareness of, and support for future engagement with the initiative.

39. Having regard to the observations in this chapter, the Department of Premier and Cabinet (Aboriginal Affairs) should amend the Solution Brokerage Framework to strengthen the initiative's governance arrangements by including the following:
    a. more meaningful selection criteria for Solution Brokerage which address the significance and impact of issues on Aboriginal communities, and can accommodate flexible responses
    b. the feedback (including timeframes) and alternative resolution process that will apply when a nominated issue is assessed as not suitable for Solution Brokerage
    c. a requirement that when an issue is declared for Solution Brokerage, in consultation with the relevant line agency, it will nominate an appropriately senior officer in charge, together with a suitably senior back up delegate, from within that agency
    d. clear requirements for detailed reporting against approved milestones and to a suitably authoritative body (such as the Secretaries Board).

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[679] Tribal Wave Regional Assembly covers the Bellingen, Coffs Harbour, Gloucester, Greater Taree, Kempsey, Nambucca and Port Macquarie-Hastings, Williamtown, Medowie and Karuah Local Government Areas.
[680] NSW Government, *Bowraville Solution Brokerage Final Report*, August 2018, p.14 [unpublished].
[681] Aboriginal Affairs NSW, *Solution Brokerage – Policy and Operational Framework*, April 2015, p.5.

40. The Department of Premier and Cabinet (Aboriginal Affairs) should seek global funding for Solution Brokerage to enable resources to be provided to implementing agencies when they are responsible for leading a Solution Brokerage project and cannot meet resourcing requirements from within their own or another agency's existing budget allocations.

41. The Department of Premier and Cabinet should require lead agencies to:
    a. provide Solution Brokerage response plans, which include the composition of project teams and sustainability measures, to the Secretaries Board for approval
    b. require agencies to report on the implementation of individual Solution Brokerage projects, at significant milestones, to the Secretaries Board
    c. jointly declare issues, with Aboriginal Affairs, for Solution Brokerage.

42. The Department of Premier and Cabinet (Aboriginal Affairs) should:
    a. seek advice from NCARA and/or individual Regional Alliances about where Solution Brokerage can be used to resolve multi-agency issues and how Regional Alliances can best contribute to Solution Brokerage projects
    b. monitor and report to the Secretaries Board on the overall progress of Solution Brokerage, including analysing and communicating to agencies the critical factors for success, and incorporate these into guidance documents
    c. enhance public reporting about the implementation of, and outcomes achieved through, Solution Brokerage, including through providing communities with regular feedback about performance and outcomes relating to projects involving their community
    d. ensure that Solution Brokerage is included in the ongoing independent evaluation of OCHRE.

8 Opportunity Hubs

In our 2011 report to Parliament, *Addressing Aboriginal disadvantage: the need to do things differently*, we stressed the need to build economic capacity in Aboriginal communities through practical initiatives, including school-to-work transition programs.[682] The Ministerial Taskforce for Aboriginal Affairs subsequently recommended a trial and evaluation of a new service model called Opportunity Hubs, which aim to provide Aboriginal young people with the confidence and knowledge to move from secondary school to further education and/or employment.

Since 2014, four Opportunity Hubs have operated across the state, with plans to establish a fifth site announced in 2018. Each Hub is operated by a local service provider under a contract with the former Department of Industry.[683] Hubs are responsible for building local partnerships between schools, employers, education and training providers, and the local community to facilitate employment, training and further education opportunities matched to the aspirations of individual students.[684] The Hub model, which received strong endorsement during consultations by the Ministerial Taskforce,[685] is designed to complement the Connected Communities strategy and the Aboriginal Economic Prosperity Framework.

During the last four years, we have directly observed the potential of Opportunity Hubs through the significant efforts made by Hub staff to achieve positive outcomes for students. The Social Policy Research Centre's (SPRC) stage one evaluation report also commented positively on the commitment shown by Hub staff in the locations subject to their evaluation (Tamworth and Campbelltown). While each Hub has progressed at a different pace, and faced particular challenges associated with their local communities and economies, all have undertaken intrinsically valuable work.

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[682] NSW Ombudsman, *Addressing Aboriginal disadvantage: the need to do things differently*, October 2011.
[683] Since 1 July 2019, the Department of Planning, Industry and Environment brings together the functions from the former Planning and Environment and Industry clusters. We refer to the former Department of Industry throughout this chapter as it was the relevant entity at during the period of our monitoring and assessment.
[684] Aboriginal Affairs NSW, *Opportunity Hubs*, https://www.aboriginalaffairs.nsw.gov.au, accessed 25 February 2019.
[685] In the survey, 80% of participants thought the initiative was 'a really good idea' and a further 17% thought it was 'worth a go'. (Aboriginal Affairs NSW, *Getting it right – The findings of the Round Two Consultations for the NSW*, Ministerial Taskforce on Aboriginal Affairs, 2012, p.8.)

We have heard many examples of Hub staff forging genuine connections with students and their families, encouraging them to stay at school, expand their post-school horizons and gain the skills needed to achieve their goals. However, inconsistent quantitative data collected by Training Services NSW (TSNSW), the branch of the Department of Industry responsible for the contract management of the Hubs, has made it difficult to determine the extent to which the initiative's key performance outcomes have been met. TSNSW has recently taken more concrete steps to address the following feedback that we provided last year. These steps include making a number of refinements to the Services Contract between Hub providers and the Department of Industry to better target Hub services at areas of unmet need.

From 1 July 2019, TSNSW has relocated to the Department of Education. This move has the potential to benefit the implementation of Opportunity Hubs going forward, as a close connection between TSNSW and schools is, in our view, critical to the success of the initiative. At the same time, it will be important for TSNSW to maintain strategic links with the newly named and configured Department of Planning, Industry and Environment to ensure that Hubs are effectively leveraging regional and state-wide infrastructure investments and industry initiatives that can provide training and employment opportunities for Aboriginal students.[686] It is also critical that Opportunity Hubs are supported by robust governance and accountability arrangements.

In addition to remedying deficiencies in the collection, monitoring and reporting of data, more strategic guidance is required to support Hubs to target their efforts at schools and students most in need; to ensure schools and Hubs work effectively together; and to maximise Hubs' ability to leverage off other initiatives aimed at improving employment and training outcomes for Aboriginal people. TSNSW has indicated that it is committed to continuing and expanding the Hubs initiative.[687] We support continued funding given the strong community support for the initiative,[688] the promising efforts we have observed to date and the clear potential for the model to positively impact on the lives of Aboriginal young people. However, this support is contingent on a much stronger commitment to good governance, including the public reporting of data about the outcomes achieved by individual Hubs and the initiative as a whole.

8.1   About Opportunity Hubs

Opportunity Hubs are located in the Dubbo,[689] Tamworth and Campbelltown local government areas (LGAs) and the Upper Hunter region (incorporating Muswellbrook, Singleton and Upper Hunter LGAs). According to Aboriginal Affairs NSW, these locations were chosen following extensive consultations with local Aboriginal communities and education and training stakeholders, because of their strong performance against the following criteria:
- the existence of strong Aboriginal leadership
- a significant or growing proportion of Aboriginal students in school populations
- real and sustainable employment opportunities
- genuine opportunities for non-government sector and business sector buy-in
- available career champions and mentors, and
- a VET or tertiary education provider presence.[690]

Of the four locations, Tamworth LGA also hosts a Connected Communities school (Hillvue Public School), while Dubbo LGA takes in the North West Wiradjuri Language and Culture Nest and the Three Rivers Regional Assembly established under Local Decision Making.

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[686] On 1 July 2019 the Department of Industry became the Department of Planning, Industry and Environment.
[687] Advice provided by Training Services NSW, June 2018.
[688] Aboriginal Affairs NSW, *Getting it right – The findings of the Round Two Consultations for the NSW*, Ministerial Taskforce on Aboriginal Affairs, 2012, pp.43-44.
[689] We note that in May 2016, Wellington Shire and Dubbo Regional Council merged to form the Western Plains Regional Council. As a result, the Service Area for the Dubbo Hub also expanded to include an additional eight schools and the contracted Hub provider received a commensurate increase in funding (http://www.troygrant.com.au, accessed 4 September, 2018 and Opportunity Hubs Briefing for Executive Director, Training Services NSW, January 2017).
[690] Aboriginal Affairs NSW, Opportunity Hubs Factsheet, October 2016, p.2, http://www.aboriginalaffairs.nsw.gov.au, accessed 25 September 2018.

Table 4 shows that each Hub's Service Area covers between 30 and 40 government and non-government schools, with the exception of the Campbelltown Service Area which has almost 70 schools. The majority of schools in the four Service Areas (between two-thirds and three-quarters, depending on the location) are government (public) schools.

Table 4: Number of schools in Hub Service Areas, August 2017

	Government	Catholic	Independent	Total schools
Tamworth	27	7	4	38
Campbelltown	52	7	10	69
Dubbo	21	6	5	32
Upper Hunter	24	6	3	33

Source: NSW Department of Education data, provided by TSNSW, 14 November 2018.

The target group for Opportunity Hubs is Aboriginal students enrolled in Years 5-12. Table 5 shows that in 2017, the Dubbo, Tamworth and Campbelltown Service Areas each had more than 1,000 government students in this cohort at government schools; Upper Hunter Service Area had about half this number. TSNSW was unable to provide us with data about the number of Aboriginal students enrolled at non-government schools in each Service Area.

Table 5: Aboriginal student enrolments in years 5-12 at *government schools* in Hub Service Areas, August 2017

	Tamworth	Campbelltown	Dubbo	Upper Hunter
Primary*	338	386	427	187
Junior Secondary*	760	674	854	382
Total	1098	1060	1281	569

*Includes ungraded enrolments.[691]

Source: NSW Department of Education data, provided by TSNSW, 14 November 2018.

In March 2018, the NSW Government announced that as part of the Western Sydney City Deal – a tri-government partnership aimed at creating opportunities for education, business and employment – it would expand the Campbelltown Hub and establish an additional Hub in Liverpool.[692] TSNSW is working with Aboriginal Affairs on the implementation of the Western Sydney City Deal as it relates to OCHRE and the Opportunity Hubs.[693]

8.1.1   Funding and tendering

Initial funding of $6,369,144 was allocated over four years (2013-2014 to 2016-2017) to pilot four Hubs,[694] with $135,000 set aside for program evaluation, and the remainder allocated equally across the four years of the pilot and 'distributed to each Hub in accordance with estimated Aboriginal student numbers, school numbers and spatial spread' of each region.[695]

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[691] Enrolled students without a specified grade.
[692] Commonwealth of Australia, Western Sydney City Deal Factsheet, March 2018, p.13.
[693] Advice provided by Training Services NSW, June 2018.
[694] Agency staffing costs are met from agencies' base allocations.
[695] Advice provided by Department of Education (Aboriginal Affairs), March 2015.

Following a tender process in the second half of 2013,[696] 12 month contracts (with the possibility of extension) were awarded to an Aboriginal employment service in the Upper Hunter; a non-government community services organisation in Dubbo; a Local Aboriginal Land Council in Tamworth; and a registered training organisation and employment service in Campbelltown.[697] The Dubbo and Upper Hunter Hubs began operating in November 2013 and the Campbelltown and Tamworth Hubs commenced in March 2014.[698] In January 2015, a new provider (TAFE Western) was awarded the tender to operate the Dubbo Hub and commenced operating in March that year. In the first quarter of 2015, each of the other Hubs signed a new contract with TSNSW.[699] In November 2016, the Minister for Aboriginal Affairs approved the extension of all Hub contracts until 31 March 2019,[700] and an additional $3,334,078 was allocated for this purpose.[701]

A fresh tendering process for the four existing Hubs and the new Hub proposed for Liverpool as part of the Western Sydney City Deal commenced in November 2018.[702] In response to feedback from Hub providers, the SPRC,[703] our office and other stakeholders about the benefits of longer-term contracts, the Department of Industry has offered three year contracts, with two 12 month extension options.[704] We support this change, which will provide better security for Hub providers, strengthening their capacity to provide continuity and engage in strategic forward planning. While final funding for the new tenders has not been announced, TSNSW has indicated that it expects funding for all Hubs to increase.[705]

8.1.2   The role of Training Services NSW

TSNSW is responsible for managing the contracts with Hub providers, including monitoring their performance and outcomes. This role is consistent with TSNSW' broader responsibility for leading and managing the implementation of funded vocational education and training programs and services in NSW, including several longstanding Aboriginal employment and training programs.[706]

At the start of Opportunity Hubs, TSNSW was located in the Department of Education but in July 2015, it transitioned to the Department of Industry. From 1 July 2019, it moved back to Education.

Until 2018, TSNSW' central office was responsible for the day-to-day contract management of Opportunity Hubs. This responsibility now rests with its Aboriginal Program Managers in the TSNSW regional offices, which service the needs of local employers, training providers and individuals in nine locations.[707] It is not yet clear what contract management arrangements will apply now that TSNSW has relocated to Education. As we discuss at 8.3.4, we strongly support a continued regional approach to managing contracts.

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[696] Procurement processes for Opportunity Hub services for Dubbo and the Upper Hunter were initiated in August 2013, and Campbelltown and Tamworth in October 2013: https://tenders.nsw.gov.au, accessed 4 October 2018.
[697] Aboriginal Affairs NSW, *OCHRE: Three years on*, December 2016, p.18.
[698] Standard Services Agreement (2015), *Provision of Opportunity Hub Services*, clause 7.
[699] Some Hub contracts were extended on an interim basis prior to March 2015 because of the inconsistent commencement dates.
[700] Standard Services Agreements (2015). Although Training Services NSW oversees the administration and contract compliance for the Hubs initiative, the Minister for Aboriginal Affairs is responsible for approving the extension, or otherwise, of Hub contracts.
[701] Correspondence from Deputy Secretary, Economic, Skills and Regional Development to Chief Executive Officers/TAFE Institute Directors of the four Opportunity Hubs, November 2016.
[702] https://tenders.nsw.gov.au, accessed 29 November 2018.
[703] Social Policy Research Centre, *OCHRE Campbelltown Opportunity Hub: Stage 1 Evaluation Report, June 2018*, p.g; Social Policy Research Centre, *OCHRE Tamworth Opportunity Hub: Stage 1 Evaluation Report*, June 2018, p.i.
[704] Advice from Training Services NSW, November 2018; NSW Department of Industry, Part D: Proforma Draft Services Agreement Contract, pp.1, 2, https://tenders.nsw.gov.au, accessed 12 November 2018.
[705] Advice provided by Training Services NSW, June 2018.
[706] Training Services NSW, https://www.industry.nsw.gov.au, accessed 2 October 2018.
[707] Advice provided by Training Service NSW, October 2018. In a move designed to an increase employment services offered to Aboriginal people, including the development of career pathways, each Training Services NSW regional office will employ an Aboriginal Training Service Manager, Aboriginal Training Coordinator and Aboriginal Training Advisor (Aboriginal Affairs NSW, *OCHRE: Four Years On*, December 2017, p.25).

8.1.3   Strategic governance arrangements

The following arrangements were in place to provide strategic direction for the implementation of Opportunity Hubs when the initiative commenced:
- monthly progress meetings between the Minister for Aboriginal Affairs, the Secretary and Executive Director of the (then) Public Schools Office of the Department of Education, and TSNSW
- OCHRE Program Control Group reviews of progress and issues for all OCHRE initiatives, and
- liaison between the General Manager, TSNSW and the Executive Director, Public Schools Office (Department of Education).[708]

In June 2018, TSNSW advised that it liaises with Aboriginal Affairs and Education about Opportunity Hubs 'as required' and attends OCHRE Program Manager meetings,[709] although the frequency and purpose of these meetings remains unclear. We understand the OCHRE Program Control Group no longer meets.

8.1.4   Key deliverables

Opportunity Hubs do not have a fixed operating model.[710] Each Hub may operate, within the parameters set out in a Services Agreement with the Department of Industry, in a way that reflects the needs of their local community and is designed to achieve an increase in the following:
- attendance and retention of Aboriginal school students
- aspiration and expectation of career pathways by Aboriginal school and post-school education and training students
- enrolment in post-school education and training by Aboriginal young people including enrolment in higher-level post-school education and training
- completion of post-school education and training by Aboriginal young people, and
- attainment of sustainable jobs by Aboriginal young people including attainment of higher-level sustainable jobs.[711]

The initial Services Agreement also included six activity and process-based key performance indicators (KPIs) focusing on the establishment of productive relationships with schools, employers, and educational institutions; the development and brokering of programs, career plans and opportunities for students; accurate monitoring of school leavers' progress; and adherence to program reporting requirements.[712]

In addition, the Agreement included six service requirements (each with a number of subsidiary requirements).[713] The Services Agreement required Hub providers to supply TSNSW with quarterly narrative and data reports to demonstrate fulfilment of these requirements.[714] The template for this reporting includes mainly quantitative measures of activity and output,[715] but also detailed data about each student they engage, including school enrolment, program participation, mentoring, academic performance, work experience, employment, referral and career planning information. Hub providers are also required, annually, to demonstrate how they have addressed nine separate elements. Indicators and focus areas in the initial Service Agreement were informed by the expectations of the strategic governance arrangements for the Hubs.

As discussed at 1.4.5, in response to feedback from our office and the Hubs providers, TSNSW has acknowledged the need to streamline the measures that providers are required to report against. It has also agreed to make the reporting process less arduous and acknowledges that the current system

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[708] Advice provided by Training Services NSW, March 2015.
[709] Advice provided by Training Services NSW, June 2018.
[710] Aboriginal Affairs, *Getting it right – The findings of the Round Two Consultations for the NSW Ministerial Taskforce on Aboriginal Affairs, Ministerial Taskforce on Aboriginal Affairs*, 2012, p.37.
[711] Standard Services Agreement (2015), Schedule 4, pp.22-23.
[712] Standard Services Agreement (2015), Schedule 3 (Services and Payment), clause 3 'Key Performance indicators', p.20.
[713] Standard Services Agreement (2015), Schedule 3, pp.18-20.
[714] Standard Services Agreement (2015), Schedule 3, p.20.
[715] Number of students engaged with the Hub and the type of engagement activity; number of employers engaged and the nature of the engagement; number of training and employment opportunities 'banked' with the Hub; number of meetings held with local Aboriginal organisations; number of career plans developed; and employment and training outcomes for school leavers.

has 'several limitations', including that the Hubs find it cumbersome, and inadequate for capturing key aspects of their work.[716]

8.2   Our approach to assessing and monitoring Opportunity Hubs

Since 2014, we have visited each of the Hubs annually to hear first-hand from providers and stakeholders about the implementation of the initiative. We also observed presentations by the Hubs at their joint meeting with TSNSW in December 2017 and consulted with three of the Hubs at a combined Hubs meeting hosted by TSNSW in May 2018.

In addition, we have met on a number of occasions with a selection of Hub stakeholders including young people, school principals and Directors, Educational Leadership.[717] We have considered the Kingsley Review of the Hubs' first year of operation commissioned by TSNSW and based mainly on qualitative evidence obtained through interviews.[718] We have also had regard to the SPRC's stage one evaluation of the Tamworth and Campbelltown Hubs, published in June 2018,[719] as well as information about Opportunity Hubs included in the OCHRE annual reports published by Aboriginal Affairs. In addition, between 2015 and 2018 we required TSNSW, Education and Aboriginal Affairs to provide us with a range of information.[720]

In April 2016, drawing on our analysis of information provided by TSNSW and individual Hubs, we gave feedback to TSNSW that, rather than requiring Hubs to spread their attention across all the activity and process-focused KPIs in the Services Agreement, they should prioritise focusing Hubs' activities on addressing service gaps and/or unmet demand, as well as assisting Hubs to form stronger relationships with schools.

We also suggested that it may be beneficial to clarify the performance measures in the Services Agreement to encourage Hubs to focus on optimising outcomes for individual Aboriginal students, rather than maximising outputs, such as the number of students reached.[721] (The Kingsley Review had also identified, in early 2015, the need to develop appropriate outcome measures and consistent definitions of key terms used in reporting.)

In September 2016, we met with TSNSW to discuss a range of issues, including their engagement with Education and assessment of Hub providers' performance, the strengths and weaknesses of the various Hub models, contract renewal and possible extension of the Hubs' initiative.

8.2.1   Obtaining outcomes data

In April 2018, we asked TSNSW to provide us with evidence of the outcomes achieved by the Hubs, including the number of young people who had found jobs or commenced further education, training or tertiary studies, and data demonstrating the impact of involvement with a Hub on individual students' school engagement (for example, attendance, suspension and academic performance). We also asked TSNSW to provide their assessment or analysis of the impact of each Hub.

In response, TSNSW advised us that it had not completed any 'formal assessment or analysis' of the impact of individual Hubs since the Kingsley Review in 2015,[722] and provided us with raw data and narrative reports supplied by each of the Hubs quarterly. While the narrative reports have informed our understanding of how the Hubs have operated, our review of the raw data identified significant problems with its appropriateness, completeness and reliability. These problems were also highlighted

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[716] Advice provided by Training Services NSW, June 2018.
[717] Throughout this chapter we use 'Director, Educational Leadership' to include all previous titles for this position, such as Director, Public Schools.
[718] *Reviews of Opportunity Hubs* by Ian Kingsley [unpublished and undated]. Mr Kingsley's reports on each Opportunity Hub were provided to the NSW Ombudsman in April 2015.
[719] Social Policy Research Centre, *OCHRE Campbelltown Opportunity Hub: Stage 1 Evaluation Report*, June 2018. Social Policy Research Centre, *OCHRE Tamworth Opportunity Hub: Stage 1 Evaluation Report*, June 2018.
[720] Aboriginal Affairs in January 2015; *Training Services NSW and Education in April 2018*; and *Training Services NSW in June 2018*.
[721] NSW Ombudsman, correspondence to Training Services NSW, April 2016.
[722] Advice provided by Training Services NSW, May 2018.

by the SPRC in their stage one evaluation report, which noted that program data provided to the evaluators did not measure or describe outcomes;[723] that reporting was largely input-based;[724] and that data collected by the Hubs did not capture the intensity or frequency of support provided to young people, nor any characteristics that would identify the impact of the program.[725]

In October 2018, we requested clarifying information from TSNSW, and later met with the agency to discuss our concerns about the adequacy of data collection, monitoring and reporting for the Hubs initiative. TSNSW confirmed that it was not in a position to provide reliable data about the outcomes or progress of either the Hubs' initiative overall, or the individual Hubs, citing 'constraints in the data availability' and 'significant inconsistencies across Opportunity Hubs in regard to the type of data that is recorded and reported to TSNSW'.[726]

The problems with data consistency has meant that it is not possible to accurately assess the Hubs' impact, either overall or individually, despite our efforts to highlight problems as the initiative was being rolled out.

The remainder of this chapter draws principally on qualitative evidence about the operation of the Hubs. While we refer to some limited data previously included in the OCHRE annual reports, this data should be treated cautiously for the reasons outlined above. As discussed in section 8.3.5, TSNSW has now given a firm commitment to improve its data collection, reporting and performance monitoring framework for Opportunity Hubs. While significantly overdue, this framework will result, if well implemented, in much stronger accountability, generating a much needed evidence base for the model in future.

8.3   The implementation of Opportunity Hubs

The various ways that Hubs have sought to engage with schools and students and support young people's transitions to work, training and further education are discussed below. We also examine the governance and accountability arrangements in place to drive implementation and monitor the impact of Opportunity Hubs.

8.3.1   Engaging with schools

As the SPRC's stage one evaluation report emphasised, effective engagement with schools is critical to the success of Hubs.[727] While young people may self-refer or be referred by their parents or others, Hubs primarily establish contact with students by connecting with school principals, career advisors and Aboriginal Education Officers. Hubs require permission from school principals to promote their services and conduct on-site programs, and schools usually require parental approval prior to referring students to a Hub for support.

TSNSW was not able to provide us with reliable data about school engagement. Data included in the OCHRE annual reports indicates that the number of schools engaged with a Hub was stable in the first two years of the initiative (95 schools in 2014-2015 and 96 schools in 2015-2016), but increased considerably to 178 schools during the 12 months to June 2017.[728] The data does not show how many schools, or what type of schools, were engaged by each Hub. However, the SPRC's stage one evaluation found a low level of engagement with the Campbelltown Hub by Catholic and independent schools,[729] and a decrease in the number of Catholic schools engaged by the Tamworth Hub since 2014 (from four to two).[730] Quarterly data reports for another Hub indicate nil engagement with non-government schools since 2015.[731]

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[723] Social Policy Research Centre, *OCHRE Tamworth Opportunity Hub: Stage 1 Evaluation Report*, June 2018, p.6.
[724] Social Policy Research Centre, *OCHRE Campbelltown Opportunity Hub: Stage 1 Evaluation Report*, June 2018. p.45.
[725] Social Policy Research Centre, *OCHRE Campbelltown Opportunity Hub: Stage 1 Evaluation Report*, June 2018, pp.6, 34, 42.
[726] Advice provided by Training Services NSW, June 2018.
[727] Social Policy Research Centre, *OCHRE Tamworth Opportunity Hub: Stage 1 Evaluation Report*, June 2018, p.22.
[728] OCHRE annual reports are available at https://www.aboriginalaffairs.nsw.gov.au, accessed 25 September 2018.
[729] Social Policy Research Centre, *OCHRE Campbelltown Opportunity Hub: Stage 1 Evaluation Report*, June 2018, p.45.
[730] Social Policy Research Centre, *OCHRE Tamworth Opportunity Hub: Stage 1 Evaluation Report*, June 2018, p.36.
[731] Opportunity Hub Quarterly Data Reports (2015-2017) provided by Training Services NSW. We did not receive a full set of data reports.

Promoting Hubs to schools

In preparing for the rollout of the Hubs, Education provided Directors, Educational Leadership and school principals in the relevant Service Areas with information about the initiative and guidance about engaging with the Hubs. The Catholic Education Commission and Association of Independent Schools also provided advice and information to relevant non-government schools.[732] Despite these efforts, Hubs indicated that they had to spend significant time during the first year (and much longer, in some cases) promoting themselves to schools.[733]

In late 2015, we helped a Hub that was struggling to engage with local Catholic schools by raising the issue with TSNSW, who subsequently met with the relevant Diocese and secured a commitment to facilitate the participation of the local Catholic schools.[734] At the time, we suggested that TSNSW could seek a similar commitment from relevant Directors, Educational Leadership within Education. We also passed on a suggestion, communicated to us by some principals, that a regular e-newsletter to schools about the Hubs could be an effective way of promoting the initiative.[735]

While there now appears to be a reasonable level of awareness of Opportunity Hubs across the existing Service Areas, TSNSW should consider implementing the above strategies to encourage schools to value and take up the services provided by the new Liverpool Hub (and any future additional Hubs).

Better targeting Hub services

Early in the implementation of Opportunity Hubs, we identified potential for duplication given similarities between some Hubs' activities and existing work performed by school career advisors and other programs with comparable objectives. In one region, a number of principals of high schools with full-time career advisors told us it was not clear what additional value the Hub could offer. (On the other hand, some principals from smaller, more isolated schools in the same region were keen to receive support from the Hub.) Hub providers have also complained that it has been difficult to gain traction with some schools due to the large number of other service providers engaged with these schools. For example, the Western Plains Regional Council (which includes Dubbo LGA) has been described as 'a crowded marketplace', with one school reportedly having '17 different Indigenous education programmes operating concurrently [entailing] ... a risk of actual detriment, with some students involved in so many programmes they were missing out on core schooling'.[736] Another Hub reported that a school was concerned there 'were too many services within the school and students are spending too much time out of class';[737] we heard of one young person who was 'double-booked' for two opportunities over the same period, each furthering different (and largely incompatible) career objectives.[738]

Each Service Area covers a large number of schools and Aboriginal students. It is unrealistic to expect Hubs to provide an equal service to them all and in attempting to do so, there is a real risk of diluting the potential impact of Opportunity Hubs. According to advice from TSNSW, the expectation of Hubs since their inception has been to identify the gaps in service, or to mobilise existing services to support Aboriginal young people, and that a fundamental challenge for the Hubs has been the willingness, or interest of principals to support the Hubs to work with students in their schools.

Our view, which we have consistently expressed over the last four years, is that Hubs should target their resources towards those schools and students with the greatest need. In early 2016, we suggested

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[732] Advice provided by Department of Education (Aboriginal Affairs), March 2015.

[733] NSW Ombudsman, *Annual Report 2014-15*, 2015, p.116.

[734] NSW Ombudsman meeting with Opportunity Hub, June 2016. Unfortunately, the Hub later reported that while it had continued to receive referrals for students attending some Catholic schools within its Service Area, it needed to make alternative arrangements to support students without the involvement of the schools (Opportunity Hub Quarterly Report, December 2016.).

[735] NSW Ombudsman, Correspondence to Training Services NSW, April 2016.

[736] Department of Prime Minister and Cabinet (prepared by synergistiq), *Clontarf Foundation Expansion Measure Final Report*, February 2017, p.99.

[737] *Opportunity Hub Quarterly Report*, June 2016.

[738] NSW Ombudsman meeting with Opportunity Hub, May 2018.

to TSNSW that the Services Agreement could be amended to more strongly emphasise this. The draft Services Contract, issued as part of the most recent procurement process, indicates that Hubs must annually identify the schools they will prioritise for service delivery, based on factors including the number of enrolled Aboriginal students, schools' needs and requirements, data from Education, and/or a lack of targeted support programs for Aboriginal students.[739] The draft Services Contract also emphasises that 'rather than building new or duplicating existing programs', Hubs should now complement, coordinate and form links with existing services.[740]

To effectively meet these proposed requirements, Hubs need to have a good understanding of their Service Area, including the number and profile of Aboriginal students enrolled at local schools and the existing capacity of those schools (and other local programs and services). The best way for Hubs to acquire this knowledge is to involve schools and regional executives from Education or Catholic Dioceses in service mapping and planning. Some Hubs have already done this. For example, the Campbelltown Hub (Case study 18) has school representatives on its advisory group and holds an annual principals forum,[741] while Tamworth Hub has Education staff, including school principals, as members of its governing Consortium.

Case study 18: Campbelltown Hub's approach to engaging with schools

In early 2015, Campbelltown Hub sent a letter of introduction to the schools it had not yet engaged with and followed up with visits to principals and/or Aboriginal Education Officers (AEOs). Shortly afterwards, the Hub was invited by the relevant Director, Educational Leadership to address the local School Principals Meeting. The Hub also developed and distributed a newsletter to school principals, career advisors and AEOs about the Hub's activities, opportunities and success stories.[742] By March 2015, the Hub reported working with 32 schools – almost half the schools in the LGA. In February 2017, the Hub organised a morning tea to engage with school principals and AEOs about the Hub's goals and strategic planning for the year ahead, seek feedback and strengthen relationships, and arrange follow-up meetings with schools to better cater to their needs.[743] The event was well attended and is now a regular feature of the Hub's engagements with schools.[744]

TSNSW has advised us that since moving to a regional contract management model for Opportunity Hubs, its regional staff have established stronger relationships with Education to facilitate Hubs' engagement with schools.[745] It has also indicated that it will work with the Upper Hunter and Dubbo Hubs to develop local governance models similar to those in place in Campbelltown and Tamworth in light of their effectiveness.[746] The relocation of TSNSW to Education from 1 July this year also provides an opportunity to consolidate progress in this area. Although far fewer non-government schools fall within the Hub Service Areas, TSNSW should also work with Hubs to identify effective ways of increasing their engagement with these schools.

In light of the need to ensure that Hub services are better targeted, we commend TSNSWs' decision, in response to feedback from Hubs who have been approached by schools outside their boundaries for assistance, to adopt a more flexible approach to defining Hub Service Areas in future. In this regard, Tamworth Hub has been keen for some time to expand to more remote areas such as Quirindi and Gunnedah, as well as the regional town of Armidale. Campbelltown Hub has also sought to expand to high schools in Camden, Picton and Wollondilly – areas recognised by TSNSW as having a large number of Aboriginal students and an identified need for a program.[747] The SPRC's evaluation confirmed the

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[739] NSW Department of Industry, Part D: Proforma Draft Services Agreement Contract, p.22, https://tenders.nsw.gov.au, accessed 12 November 2018.

[740] NSW Department of Industry, Part D: Proforma Draft Services Agreement Contract, p.18, https://tenders.nsw.gov.au, accessed 30 November 2018.

[741] Social Policy Research Centre, *OCHRE Campbelltown Opportunity Hub: Stage 1 Evaluation Report*, June 2018, p.44.

[742] Campbelltown Opportunity Hub Newsletter, March 2015.

[743] NSW Ombudsman meeting with Opportunity Hub, May 2018.

[744] NSW Ombudsman meeting with Opportunity Hub, May 2018.

[745] Advice provided by Training Services NSW, June 2018.

[746] Advice provided by Training Services NSW, June 2018.

[747] Opportunity Hubs Briefing for Executive Director, Training Services NSW, January 2017.

strong desire from community stakeholders to extend the reach of the Campbelltown Hub to the Aboriginal communities of Picton and Camden, and to other Campbelltown schools not currently being served.[748] As noted earlier, the Department of Industry has since agreed to expand the Campbelltown Hub. It has also included a provision in the new draft Services Agreement that allows other areas/schools to be approved for inclusion in a Hub's Service Area.[749]

TSNSW should provide guidance to Hub providers and schools about the factors it will consider when assessing the merits of any request to include additional schools or locations within a particular Hub's Service Area.

8.3.2   Engaging with students

According to data included in OCHRE annual reports, between 2014-2015 and 2016-2017 the number of students 'engaged' with a Hub (including students receiving one-on-one advice and services, as well students attending events or courses)[750] doubled from 1,102 to 2,291. However, the data does not show what proportion of 'eligible' Aboriginal students (those enrolled in in Years 5-12) in each Service Area were engaged. As well, the count of engaged students may include some non-Aboriginal students.[751]

A significant feature of Opportunity Hubs is that Aboriginal children are engaged much earlier than many other programs with similar objectives, starting with group work for students in Years 5 to 8 to forge trusting relationships, promote cultural engagement and nurture early career awareness and aspirations. By Years 9 to 12, this engagement shifts to more intensive one-on-one mentoring and career advice, tailoring pathways for young people between secondary school and further education, training and/or employment. In our view, this staged model of engagement is an important feature of Opportunity Hubs.

Activities designed to build positive relationships

The available qualitative evidence indicates that Hubs have used a range of sporting and cultural activities to reach out to Aboriginal students, support their self-esteem and wellbeing, and encourage the development of aspirational thinking and goal setting. The Bounce Back program operated by Tamworth Hub (Case study 19) is a good example of this approach.[752]

> **Case study 19: Tamworth Opportunity Hub – Bounce Back**
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> Held on Saturday nights, Bounce Back offers dinner, compulsory life skills workshops, tournament basketball games and transport home for school-aged young people. A wide range of community volunteers, including leaders, Elders and youth mentors, attend the tournaments which also provide an opportunity for Hub staff to build relationships with the players (some of whom may not be attending school), and identify relevant issues to tackle as part of their work in schools.
>
> The program has been successful in regularly attracting more than 60 participants to tournaments and linking them with services like independent living skills, drug and alcohol awareness, conflict resolution, nutrition advice, and information about careers and higher education pathways. In its first year the program offered 'First Aid for Bush Kids' training, with some young participants subsequently requesting more advanced training linked to a qualification. In response, the Hub arranged for 15 senior students from local high schools to attend a First Aid Course facilitated by the University of Newcastle. All students passed the course and were able to familiarise themselves with the university campus and receive mentoring from physiotherapy students.

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[748] Social Policy Research Centre, *OCHRE Campbelltown Opportunity Hub: Stage 1 Evaluation Report*, June 2018, p.30.
[749] NSW Department of Industry, Part D: Proforma Draft Services Agreement Contract, p.18, https://tenders.nsw.gov.au, accessed 12 November 2018.
[750] The breakdown of these figures into students supported individually and via group work is not reported.
[751] *OCHRE: Four years on* notes that Opportunity Hubs are including non-Aboriginal students in their regular reports to Training Services NSW.
[752] Previously known as Midnight Basketball, Bounce Back is funded by the Commonwealth Government.

> Former students have continued to be involved as volunteer coaches, scorers and workshop managers for the tournaments. A few have also taken up referee positions, which attract a small payment as well as training for a Referee Certificate, and invoicing and related financial skills.

Community members consulted by the Ministerial Taskforce 'repeatedly identified' the importance of Hubs developing strong links with other programs and initiatives that aim to build cultural pride and self-respect.[753] Consistent with this, Hubs have also sought to engage and support students by hosting a range of cultural activities – for example, providing experiences of traditional music, language, arts, dance, foods, smoking ceremonies, spear-throwing, examining local artefacts and local cultural walks and tours – often combining these with the provision of career information/workshops.[754] In addition, 'youth story mapping' has been utilised, often as part of Hub intake and career planning processes, to encourage students to tell and record their own stories. Mapping also guides students through a process to draw out a personal story from Elders in their community as a way of reinforcing the importance of connection with Elders.[755] Family tree exercises are used to promote understanding and pride in identity, including knowledge of totems and Dreaming stories.

All of the Hubs have provided access to mentoring activities, reflecting another priority stressed by participants during the Ministerial Taskforce's consultations.[756] Mentoring helps forge connections between students and Hub staff, community Elders and business people. Like several Connected Communities schools, some Hubs have facilitated the SistaSpeak[757] and BroSpeak mentoring programs. These programs, which involve the local community, the Hub and school staff, focus on connecting girls and boys to their traditional women's and men's cultural responsibilities, and cover a range of other relevant topics such as healthy eating, confidence building and mindfulness strategies.

The new draft Services Agreement appears to place an increased emphasis on Hubs 'facilitating connection to culture, identity and community' and supporting 'a holistic approach' to wellbeing.[758] While there is a valid role for Hubs in this space, in our view it is important that they remain focused on the initiative's primary aim of supporting Aboriginal young people to transition between secondary school and further education and/or employment. Wherever possible, Hubs should be linking students with other local programs and initiatives to support their connection to culture and wellbeing, rather than directly providing these services to students. For example, within the Dubbo Service Area, there is scope for the Hub to engage with the Wiradjuri Language and Culture Nest to provide students with access to language and culture teaching.

While the new draft Services Agreement stresses that Hubs should coordinate services, provide links and avoid duplication of existing programs,[759] we have suggested to TSNSW that it should be alert to the potential for Hubs to drift into direct service provision, particularly in relation to culture and wellbeing programming,[760] rather than focus on linking students with existing opportunities in this area.

Developing career plans

Hubs have a strong focus on developing personalised goal setting, career and transition plans for students in Years 9 to 12. Being independent of schools can place Hubs at an advantage in this area, especially in circumstances where a student may be at risk of disengagement from school and/or have behavioural issues or other complex needs. At the same time, Hubs need to work 'hand-in-glove' with schools to deliver an integrated approach to career planning and support for Aboriginal students. To

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[753] Aboriginal Affairs, *Getting it right – The findings of the Round Two Consultations for the NSW Ministerial Taskforce on Aboriginal Affairs, Ministerial Taskforce on Aboriginal Affairs*, 2012, p.35.

[754] *Opportunity Hub Quarterly Report*, December 2017, p.6.

[755] *Opportunity Hub Quarterly Report*, September 2016, p.1.

[756] Aboriginal Affairs, *Getting it right – The findings of the Round Two Consultations for the NSW Ministerial Taskforce on Aboriginal Affairs. Ministerial Taskforce on Aboriginal Affairs*, 2012, p.39.

[757] NSW Department of Education, 'Working in Partnership', https://education.nsw.gov.au, accessed 2 October 2018.

[758] NSW Department of Industry, Part D: Proforma Draft Services Agreement Contract, https://tenders.nsw.gov.au, accessed 30 November 2018.

[759] NSW Department of Industry, Part D: Proforma Draft Services Agreement Contract, p.18, https://tenders.nsw.gov.au, accessed 12 November 2018.

[760] NSW Ombudsman meeting with Training Services NSW, October 2018.

do this, they require information about each student's school performance and career aspirations so that they can tailor mentoring, identify appropriate extra-curricular opportunities, help students make relevant in-school choices (such as subject selections), and position them for opportunities like school-based traineeships or VET courses.

Education recommends that all Aboriginal students have a regularly reviewed and updated Personalised Learning Plan (PLP).[761] PLPs are developed with students, their parents/carers and teachers and outline the student's learning goals, in the context of their cultural, social and academic aspirations, and agreed strategies to achieve these goals. Schools also use a range of other tools apart from PLPs to identify and develop strategies for achieving students' learning and career goals. Regardless of the particular type of planning tool used by different schools for individual students, they are an important mechanism through which schools and Hubs can and should coordinate their efforts and this is reflected in the Services Agreement.[762]

The Dubbo Hub (Case study 20) has been particularly successful in utilising PLPs to develop students' career aspirations.

Case study 20: Dubbo Opportunity Hub Career Aspirations Workshops

Since the beginning of 2018, the Dubbo Opportunity Hub has worked in conjunction with four high schools and their AEOs to implement 'career aspirations workshops'. Based on Year 10 students' individual PLPs, the 10 week program (one day per week) facilitates hands on experience at Dubbo TAFE, linking students with TAFE teachers in their chosen areas of interest. Workshops to date have included construction, spray-painting, hospitality and beauty services, with plans to run workshops on plumbing, nursing/midwifery, personal training and diesel mechanic workshops in the future. Approximately 65 Aboriginal students have participated in the workshops, with around 12 students attending each session. The workshops have also been particularly successful at engaging students from a local alternative education high school for young people who have disengaged from traditional education. One student who participated in the construction workshops was accepted for a full-time apprenticeship in 2019.

In the early stages of the initiative, Hubs reported to us that they were experiencing difficulties accessing PLPs (or other relevant student planning tools) from certain schools, or that plans obtained were often lacking in detail or out-of-date.[763] Hubs told us that some schools were concerned about breaching confidentiality by sharing students' plans.[764] At the time, we advised the Hubs that this issue could be dealt with by obtaining the consent of the relevant students and their parents/caregivers. We also suggested it was working seeking advice from Education's legal division about whether or not the sharing of this type of information would meet the 'safety, welfare or *wellbeing*' test in Chapter 16A of the *Children and Young Persons (Care and Protection) Act 1998*.[765]

Because of the difficulty accessing PLP's, some Hubs had elected to create separate career plans. When we learned this, we raised with TSNSW our concern that having multiple, uncoordinated plans for each student was unnecessarily complex and could lead to conflicting approaches. TSNSW agreed that forming effective working relationships with schools (including accessing PLPs/other relevant student plans) was an ongoing challenge for Hubs that needed to be resolved. We encouraged TSNSW to work with Education to establish a workable policy that would resolve local impasses.[766]

Data included in OCHRE annual reports shows the overall number of career plans developed and linked with PLPs has increased each year since the start of Opportunity Hubs – rising from 363 in 2014-

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[761] Aboriginal Education and Community Engagement, *Personalised Learning Pathways Guidelines*, no date.
[762] Standard Services Agreement (2015), Schedule 3 (Services and Payment), Standard Services Agreement (2015), Schedule 3 (Services and Payment), KPI 4, p.20.
[763] NSW Ombudsman meetings with Opportunity Hub, November 2015 and October 2016.
[764] This issue was also examined by the Kingsley Review.
[765] See section 245(c)(1) of the *Children and Young Persons (Care and Protection) Act 1998*.
[766] NSW Ombudsman correspondence to Training Services NSW, April 2016.

2015 to 650 in 2016-2017.[767] Unfortunately, the data is not broken down by each of the four Hubs, so their individual performance against this indicator is unclear, as is the proportion of linked career plans for Aboriginal students at each year level.

We understand that engaging with some schools and gaining access to PLPs remains an ongoing concern for Hubs. As discussed in section 8.3.2, TSNSW advised us in 2018 that it was taking steps to negotiate an agreement with Education to address coordinated career planning and related issues. It makes sense for a single, 'all-inclusive' learning and career plan to be developed for each student engaged with a Hub, and for data to be captured and monitored accordingly. TSNSW now expects that Hubs will develop career plans for more than 90% of Aboriginal students in Year 9 or above who are engaged with the Hub.[768] To give Hubs the best chance of meeting this expectation, TSNSW should act promptly to finalise the above agreement. This process should be simplified by TSNSW' move back to Education from July this year. TSNSW should also make equivalent arrangements with non-government schools in Hub Service Areas.

Working with highly disengaged students and students with complex needs

Hubs have reported that some schools are choosing to refer their most seriously disengaged and disadvantaged students for assistance. While working with this cohort of students can be resource intensive and take more time to yield positive results than working with students with less complex needs, it is appropriate, in our view, that Hubs target their services where the need is greatest.

In the early stages of the Hubs initiative, we identified that there was particular scope to explore how Hubs could work with Aboriginal young people in juvenile detention to support their learning and training needs and foster greater access to post-release employment opportunities. In 2015, we facilitated contact between the Campbelltown Hub and Education to support the Hub's relationship with the Dorchester School located at Reiby Juvenile Justice Centre.[769] The Hub runs a 10 week program at Dorchester, covering career planning, exploration of culture, resilience, legal issues, and resume and interview skills.[770] This allows continuity of service provision during detainees' time in juvenile justice facilities and after their release. Tamworth Hub also works with Juvenile Justice to engage with a small number of young people who have transitioned out of detention. The Hub has provided assistance with housing for these young people and supported them to continue with their schooling by involving its consortium partners to provide further assistance. TSNSW reports that Juvenile Justice has provided positive feedback about the outcomes achieved and that school attendance increased for those students engaged with the Hub.[771]

Some Hubs are also working with young people living in residential out-of-home care (OOHC), for example, by providing support and programs during school holidays when they are more likely to feel isolated. Hubs also provide practical assistance, for example, by helping young people to obtain birth certificates, and supporting them by providing free driving lessons so they can apply for a driver's licence.[772] Hubs have had some success in introducing disengaged students to Transition to Work Programs, and providing tailored support.[773]

The initial Services Agreement did not facilitate Hubs servicing young people who have completely disengaged from school. One Hub reported that it had seen a growing number of these students in its Service Area and observed there are insufficient case management services to assist them. In December 2016, the Hub reported it had received 23 referrals of young people not enrolled in a mainstream school, and although it provided 'off the book' support, this work could not be included in data reporting to TSNSW. Other Hubs have reported similar feedback to us, and the SPRC's evaluation

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[767] OCHRE annual reports (2015-2017), https://www.aboriginalaffairs.nsw.gov.au, accessed 25 September 2018.
[768] Advice provided by Training Services NSW, November 2018.
[769] NSW Ombudsman, *Annual Report 2014-15*, Case study 88, p.115.
[770] Advice provided by Training Services NSW, July 2018.
[771] Advice provided by Training Services NSW, June 2018.
[772] NSW Ombudsman meeting with Opportunity Hub, October 2016.
[773] *Opportunity Hub Quarterly Report*, September 2016.

recommended that Opportunity Hubs should be expanded to 'include young people who have left school and young people who are disengaged from school as eligible participants in Hub programs'.[774]

Pleasingly, the new draft Services Agreement clarifies that Hubs can work with Aboriginal young people who have left without finishing school – as well as school leavers who have completed their studies in the past 12 months.[775] TSNSW has also ensured the new draft Services Agreement includes provisions to encourage Hubs to focus their efforts on adding value for these young people.[776]

Going forward, TSNSW should support Hubs to focus on servicing highly disengaged Aboriginal students and students with complex needs by ensuring that at a local/regional level, appropriate arrangements – including partnerships with schools, OOHC agencies, juvenile justice centres and juvenile justice community officers – are in place to help Hubs to identify, access and provide these students with coordinated services.

8.3.3   Supporting transitions to work, training and further education

Increasing the number of Aboriginal young people attaining 'higher level' post-school education and training and 'higher level' sustainable jobs are key performance outcomes for the Hubs.[777] TSNSW was unable to provide us with data, either overall or broken down by each Hub, about how many school leavers who had previously engaged with a Hub were employed or in further training or education.[778] While TSNSW required Hubs to collect data about post-school (up to 12 months) outcomes for Aboriginal young people, providers have lacked capacity to do this systematically, relying instead on ad hoc and informal catch-ups with young people to keep track of their progress.[779]

The 2016 OCHRE annual report (*OCHRE: Three years on*) reported that TSNSW would work with Hubs to 'track school leavers more effectively to ensure they are assisted to make successful transitions to post-school education, training or jobs'.[780] The 2017 OCHRE annual report stated that 126 school leavers 'connected' to a Hub transitioned into further education, training and/or employment in the 2016-2017 financial year;[781] however, given previous OCHRE annual reports reported differently against this outcome,[782] it is difficult to identify any trends.

Notwithstanding the lack of robust data by which to measure post-school outcomes, qualitative evidence suggests that Hubs have used a range of methods, outlined below, to build the capacity of young people to successfully transition to employment, education and training opportunities.

Drawing on local community expertise to guide Hubs' activities

It makes sense that actively engaging with a range of Aboriginal, community and government organisations will make Hubs well placed to identify and link students with the right resources and services within the local area. One of the strengths of Campbelltown Hub is that its Advisory Group includes members from more than a dozen local agencies and groups, and meets bi-monthly to provide community knowledge and support to the Hub team.[783] Case study 21 shows how the Tamworth Hub (the only Hub operated by an Aboriginal organisation), which is governed by a consortium of

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[774] Social Policy Research Centre, *OCHRE Tamworth Opportunity Hub: Stage 1 Evaluation Report*, June 2018, p.l.

[775] NSW Department of Industry, Part D: Proforma Draft Services Agreement Contract, p.18, https://tenders.nsw.gov.au, accessed 30 November 2018.

[776] NSW Department of Industry, Part D: Proforma Draft Services Agreement Contract, p.19, https://tenders.nsw.gov.au, accessed 12 November 2018.

[777] Standard Services Agreement (2015), Schedule 4 (Reporting Requirements), pp.22-23.

[778] School leaver destinations data for engaged students (that is, employment, training or further education) appear to have been reported by Opportunity Hubs for most quarters since March 2016. Training Services NSW did not provide all quarterly data reports for 2016-2018 and not all reports which were provided were complete. Training Services NSW was unable to provide annual aggregate data for individual Hubs (or for all Hubs combined) in relation to post-school destinations.

[779] NSW Ombudsman, Joint consultation with three Opportunity Hubs, May 2018.

[780] Aboriginal Affairs NSW, *OCHRE: Three years on*, December 2016, p.26.

[781] Aboriginal Affairs NSW, *OCHRE: Four years on,* December 2017, p.14.

[782] Transition outcomes for 2014-2015 and 2015-2016 were reported as percentages – 65% and 73% respectively. However, the number (126) of students transitioning was reported in 2016-2017, and data for this period included non-Aboriginal students who were not included in previous reports.

[783] Social Policy Research Centre, *OCHRE Campbelltown Opportunity Hub: Stage 1 Evaluation Report*, June 2018, pp.12, 24.

stakeholders, has also sought to build the community and local partners into its governance and delivery of services.

Case study 21: Tamworth Opportunity Hub

When we first visited Tamworth Hub in April 2015, we saw that it had quickly found a place within the local community and were impressed that it already had a number of success stories.[784] We have visited the Hub twice since then, and have noted its growing reputation for achieving results and adopting innovative approaches.

The Hub is operated by the Tamworth Local Aboriginal Land Council (LALC) and governed by a consortium of seven partner organisations, which meet quarterly to advise the Hub. This consortium approach is one of the strengths of the Tamworth Hub, and has contributed to its broad community support, enabling it to draw from and build on existing networks and programs servicing the local community. Its activities include:

- Hub staff have identified students to take part in School Based Apprenticeships and Traineeships run by their consortium partner, the Aboriginal Employment Strategy.
- Tamworth Regional Council is a member of the consortium, and the Hub successfully negotiated the establishment of a satellite Hub office at the Council's youth centre (the 'Youthie') providing better access to the Hub for young Aboriginal students in Western Tamworth.
- The Hub has also organised mental health awareness activities in schools with consortium partner Headspace.

Today the breadth of the Hub's activities, as well as the intensive support it provides to students and young people with complex needs through its strong service partnerships, shows what can be achieved through the Hub initiative. On any given day (or evening) staff at the Opportunity Hub could be involved in:

- arranging visits to local cultural sites, cultural or careers-based workshops like didgeridoo-playing and making workshops, weaving workshops resulting in the award of a certificate II for grass identification on completion,[785] and 'mob mapping' which helps students understand their family tree and cultural connections
- anger management and anti-bullying workshops
- coordinating and assisting with educational programs,[786] a homework centre, and delivering their tailor-made aspiration program for Aboriginal students in Years 4-6
- facilitating 'Bounce Back' basketball on weekends, and
- coordinating work experience placements and school holiday programs and liaising with employers in the region such as Nestle, McDonalds, Hungry Jacks, the Australian Army, John Holland Group, and ANZ Bank, as well as with group training organisations, training providers and universities.

In 2018 the Tamworth Hub has also been involved in re-engaging distance education students at the request of the Department of Education, as well as renewing its focus on supporting young people with low self-esteem to develop career and life aspirations.[787]

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[784] NSW Ombudsman meeting with Opportunity Hub, April 2015.
[785] Report of proceedings before the Standing Committee on State Development Inquiry into Economic Development in Aboriginal Communities, Tamworth, 27 April 2016.
[786] Such as the previous Norta Norta program providing targeted literacy and numeracy support to Aboriginal students and the Yo2Ed (Youth Opportunities to Education) program.
[787] Opportunity Hub Implementation Plan, 1 Jan 2018-31 December 2018; *Opportunity Hub Quarterly Report*, December 2017.

Building partnerships with employers and training providers

Hubs also need to build strong partnerships with local employers and training and further education providers to help generate or identify employment, training and work experience opportunities for Aboriginal students and match them with suitable young people.

There is very limited data about the number and type of partnerships that Hubs have built with employers and training/further education providers, either in particular locations or overall. In 2015, the OCHRE annual report stated that 54 employers had partnered with a Hub, but no further breakdown of this data was provided.[788] Anecdotally, we understand that Hubs have engaged with retail, tourism, mining, manufacturing, defence, construction, hospitality and other employers, resulting in a range of work experience and part-time or full-time employment opportunities, student workshops (for example, about customer relations and financial literacy) and School Based Traineeships.[789]

Hubs encourage local employers and training providers to register job vacancies and training opportunities with them – a process referred to as 'banking'– so that these opportunities can be matched with suitable young people.[790] These opportunities are not exclusively set aside for young people engaged with the Hubs. The number of opportunities banked by a Hub is likely to reflect factors such as the strength of the Hub's relationships with employers, local employment conditions, and the efforts of Hubs to seek out job and training opportunities for the young people they support.

Data included in OCHRE annual reports indicates steady growth over time in the number of employment and training opportunities 'banked' by Hubs – from 120 in 2014-2015 to 403 in 2016-2017.[791] However, the data does not make clear how many of these opportunities related to training versus employment; how many were 'banked' with each Hub; or how many resulted in outcomes for young people engaged with the Hubs. The reasons for the increase in the number of banked opportunities are also unknown. For example, how much of the overall increase relates to existing partnerships with employers 'bearing fruit' in the form of training and employment opportunities, versus new partnerships being formed or improvements in the local economy? Once again, better data collection and reporting is required to ascertain where gains are being made, as well as how and why.

Despite the data limitations, it is clear that some good work is taking place to build partnerships with employers – Case study 22 illustrates some examples of this.

Case study 22: Building relationships in Dubbo and Tamworth

In September 2018, the Dubbo Hub held a Jobs Expo which was attended by approximately 115 students, and 35 employers and services providers representing a broad range of industries such as government, retail, food and beverage, health and community. Organisations represented at the Expo provided information about their industry and a range of employment opportunities, with several traineeships on offer including from Family and Community Services (FACS), Roads and Maritime Services (RMS) and Dubbo Zoo. Recognising the value of these types of events, TSNSW has incorporated their provision into its new draft Service Agreement.[792]

In Tamworth, the Hub identified that young people in their area often lack the necessary skills or support to get a part-time job to earn some money and gain experience. The Hub developed partnerships with two local fast food businesses, which now employ a number of students. Knowing that the Hub is available to provide mentoring to young workers if they experience problems, helps the businesses feel

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[788] Aboriginal Affairs NSW, *OCHRE: Two years on*, 2015, p.8.
[789] *Opportunity Hub Quarterly Report*, September 2016.
[790] Advice provided by Training Services NSW, June 2018.
[791] Aboriginal Affairs NSW, OCHRE Annual Reports, https://www.aboriginalaffairs.nsw.gov.au, accessed 25 September 2018.
[792] NSW Department of Industry, Part D: Proforma Draft Services Agreement Contract, p.19, https://tenders.nsw.gov.au, accessed 30 November 2018.

confident to take them on in circumstances where they might otherwise have been reluctant to do so.[793]

Leveraging off major infrastructure investments and industry initiatives

Early in the implementation of Opportunity Hubs, we emphasised with TSNSW that there was significant potential to strategically connect Hubs with growing infrastructure investment in NSW (and other initiatives of the Department of Industry) aimed at improving outcomes for Aboriginal people.

In mid-2017, TSNSW indicated that it would examine the capacity for the Hubs to leverage employment opportunities generated through the NSW Government's new investments in infrastructure, together with strategies that set mandatory targets for Aboriginal employment and training outcomes in government construction projects (the Aboriginal Participation in Construction (APIC) policy[794] and the Infrastructure Skills Legacy Program (ISLP)).[795] TSNSW has assisted Hubs by providing advice and information about these policies, as well as supporting individual Hubs to make linkages where appropriate (for example, with assistance from Training Services, Dubbo Hub has connected with the Rail Maintenance Program in Dubbo).[796] TSNSW has told us that the proposed Liverpool Hub will have a specific focus on building these links.[797]

TSNSW is well placed to promote the Hubs to lead contractors working on major infrastructure projects in their Service Areas and facilitate partnerships between Hubs and large employers. Case study 23 is an example of this.

Case study 23: Creating employment opportunities in Western Sydney

In early 2017, we assisted Roads and Maritime Services NSW to establish a 'Service Assurance Group' to facilitate the practical application of the APIC policy and the ISLP in Western Sydney where large RMS projects are underway or planned, and where there is also a sizeable Aboriginal population. This group is expected to provide operational guidance to RMS staff and contractors to help achieve APIC's intended outcomes of increasing Aboriginal employment and business engagement, including through coordinating relevant services and programs, such as skills training and business supports. (See Chapter 6.) Training NSW is a key member of this group.

The new Services Contract specifies that Hubs will identify and promote employment opportunities and initiatives for Aboriginal young people by making referrals to TSNSW' Aboriginal programs.[798] It also requires Hubs to promote opportunities in government construction projects through the ISLP; and support government commitments set out in the APIC policy and the Aboriginal Procurement Policy.

In response to our feedback, TSNSW has assured us that, going forward, it will also provide more proactive support to Hubs by brokering introductions to key industry sector associations and stakeholders; exploring and brokering options for corporate partnerships in industries such as digital technology, finance, defence, aerospace and infrastructure; and monitoring evolving developments and associated industry opportunities across the regions to ensure linkages are made with the Hubs at appropriate junctures – for example, connecting the (new) Liverpool and Campbelltown Hubs with the Western Sydney City Deal infrastructure and industry opportunities.[799]

In order for TSNSW to provide this kind of support effectively, it will need to maintain strong strategic links with Infrastructure NSW and key agencies such as Education, Health and the Department of Communities and Justice. Industry also has an important leadership role to play in facilitating Hubs'

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[793] Report of proceedings before the Standing Committee on State Development Inquiry into Economic Development in Aboriginal Communities, Tamworth, 27 April 2016.
[794] https://www.procurepoint.nsw.gov.au, accessed 25 September 2018.
[795] https://www.industry.nsw.gov.au, accessed 25 September 2018.
[796] Advice provided by Training Services NSW, June 2018.
[797] Advice provided by Training Services NSW, November 2018.
[798] The Aboriginal Enterprise Development Officer program, New Careers for Aboriginal People, Elsa Dixon Aboriginal Employment Program (EDAEP), and the Way Ahead for Aboriginal People.
[799] Advice from Training Services NSW, October 2018.

capacity to leverage major infrastructure investments and industry initiatives – in our view, as discussed in section 8.3.4, it should be involved in the strategic governance arrangements for Opportunity Hubs.

TSNSW should also continue to identify opportunities to connect Hubs with Aboriginal employment initiatives developed by NSW and federal public sector agencies – Case study 24 provides an example of one such partnership.

> ### Case study 24: Partnership with the Australian Army
>
> In 2015, Education and the Australian Army formed a three year partnership to provide information about Army careers and entry requirements to Aboriginal students engaged by the Hubs.[800] The Partnership Memorandum notes that Hubs provide an opportunity for the Army to undertake community engagement, while increasing the number of Aboriginal people employed in the Army.[801] The partnership has supported work experience, career presentations and visits to Army facilities for Aboriginal students from Hub Service Areas. TSNSW advises that all the Hubs 'have good working relationships with the Australian Army and work hard to maintain and strengthen the relationship at the local level'.[802]
>
> Access to 'Army First Look' is offered as a feature of the partnership. This is an annual event providing opportunities for Aboriginal students aged 15 years or over to be exposed to potential career pathways in the Australian Armed Forces.[803] Fully funded by the Australian Army, First Look has included a tour of the Australian Defence Force Academy and Royal Military College - Duntroon in Canberra, the Army Recruit Training School in Kapooka, and the Army Logistics Training Centre in Albury-Wodonga.[804] Hubs are offered a set number of places on each tour. We understand that a number of young people have taken up positions with the Australian Army as a result of the partnership arrangements.

Finally, as discussed in Chapter 6, under the Aboriginal Economic Prosperity Framework, the NSW Government has committed to boosting Aboriginal apprenticeships by allocating 15% of the 25,000 'Jobs of Tomorrow' scholarships[805] to Aboriginal young people, and is aiming for a 65% completion rate for Aboriginal apprentices and trainees by 2021.[806] It will be important for TSNSW to ensure that Hubs are actively identifying and helping Aboriginal school leavers to apply for these scholarships, and reporting on progress.

8.3.4　Governance arrangements

From the outset of Opportunity Hubs, it was clear that effective governance arrangements would be required given the contractual partnership at its core; the multiple stakeholders involved at both a local and strategic level; and the operational flexibility given to each Hub. Our monitoring of Opportunity Hubs has revealed the need for much stronger governance at all levels of the initiative.

Strategic direction and oversight

Initially, strategic direction for implementing Opportunity Hubs was provided through the mechanisms described in section 8.1.3, which facilitated structured liaison between TSNSW, the then Public Schools Office (responsible for school operations and performance) of the Department of Education, Aboriginal

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[800] At that time, Training Services formed part of the (then) Department of Education and Communities.
[801] Partnership Memorandum between the Secretary, NSW Department of Education and Communities and the Chief of the Army, Australian Army, Opportunity Hubs, 2015, p.2.
[802] Advice provided by Training Services NSW, June 2018.
[803] Opportunity Hub, *Focus Edition: Army First Look*, September 2016, p.2.
[804] Opportunity Hub, *Overview Report*, December 2014, p.12.
[805] The Smart and Skilled program offers $1000 Jobs for Tomorrow scholarships to eligible people training in science, technology, engineering or mathematics (STEM) related areas. 'Jobs of Tomorrow scholarships', https://smartandskilled.nsw.gov.au, accessed 13 September 2018.
[806] Aboriginal Affairs NSW, *OCHRE: Four years on*, December 2017, p.25.

Affairs and the Minister for Aboriginal Affairs. Given the need for Hubs and schools to work 'hand-in-glove', TSNSW then located within Education helped facilitate important strategic linkages. Despite our office having observed the need to maintain adequate liaison and information sharing arrangements once TSNSW was transferred to Industry in 2015, these strategic linkages appear to have significantly weakened. Other governance mechanisms, including the OCHRE Program Control Group, were also discontinued after a time. In June 2018, TSNSW advised us that it liaises with Aboriginal Affairs and Education about Opportunity Hubs 'as required' and attends OCHRE Program Manager meetings,[807] although the frequency and purpose of these meetings remains unclear.

A regrettable outcome of the limited strategic governance to date has been poor monitoring of the progress and outcomes achieved by Opportunity Hubs. As well, while TSNSW reports that it has 'positive working relationships at the local, regional and state level with the Education Cluster',[808] critical implementation issues (outlined in section 8.3.1) requiring cooperation between TSNSW and Education have remained unsatisfactorily resolved.

TSNSW advised us in 2018 of its plans to negotiate a Service Agreement with Education to facilitate, among other things, 'strategic relationship brokerage'.[809] We indicated that the Agreement should include clear escalation and resolution processes at both a local and strategic level, and that TSNSW should ensure similar processes are in place to manage issues relating to the participation of non-government schools. With the relocation of TSNSW back to Education, it is matter for relevant executives to determine whether a formal Service Agreement is still required; regardless, such processes remain essential.

In our view, the strategic governance arrangements for Opportunity Hubs need to reflect and facilitate the key objective of Opportunity Hubs – that is, successful post-school transitions for Aboriginal young people. As such, the arrangements need to bring together a number of stakeholders with relevant responsibility and authority – Education, the non-government school sector, Industry and Aboriginal Affairs – with the Hub providers, to collectively plan and drive a targeted and coordinated strategic framework. This should be factored into the future governance arrangements for the implementation of the OCHRE Plan that Aboriginal Affairs is currently considering.

Finally, rather than being located in a single strategy, at present the background, objectives and rationale for the Hubs initiative, together with agency roles and responsibilities, and how the initiative relates to other aspects of the OCHRE Plan, need to be gleaned from a number of disparate documents. Once TSNSW has bedded down governance, data and new contractual arrangements, it should work with Aboriginal Affairs to develop an overarching strategy and program guidelines.

Contract management

TSNSW has acknowledged the need to institute a 'more robust monitoring framework … to better manage day-to-day operations' of the Opportunity Hubs.[810] In late 2018, it told us that, in future, bi-monthly[811] contract compliance and program delivery meetings would be held with each Hub to ensure they understand their obligations and expectations, and to provide information about opportunities with industry, infrastructure and/or education.[812] In addition, scheduled contract compliance sessions will require TSNSW to regularly analyse Hub data and provide feedback to them about their performance.[813] TSNSW should ensure that these contract management arrangements, together with clear information about how Hubs' compliance with their Services Contract will be assessed, are clearly set out in the Opportunity Hubs program guidelines that we have recommended be developed.

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[807] Advice provided by Training Services NSW, June 2018.
[808] Advice provided by Training Services NSW, June 2018.
[809] Advice provided by Training Services NSW, November 2018.
[810] Advice provided by Training Services NSW, October 2018.
[811] Every two months.
[812] Including, for example, opportunities under the Western Sydney City Deal, statewide industry specific strategies, such as Defence, the Parkes Special Activation Precinct, and Dubbo Inland and Regional Rail. (Advice provided by Training Services NSW, November 2018.)
[813] NSW Department of Industry, *Part D: Proforma Draft Services Agreement Contract*, p.21, https://tenders.nsw.gov.au, accessed 12 November 2018.

As noted earlier, in 2018 the Department of Industry decided to transition responsibility for the day-to-day delivery and performance of Opportunity Hubs – from head office to its regional offices. This decision followed an increase in capacity of TSNSW through the establishment of a network of identified Aboriginal positions across its regional offices. At the time, TSNSW advised us of its expectation that this would facilitate a stronger contract management approach by providing better 'frontline' engagement between TSNSW and Hubs, and the schools and communities they serve.[814] TSNSW indicated that the arrangement would also promote a more consistent approach to managing its overall suite of Aboriginal programs, and 'strengthen connections between Aboriginal programs and a range of broader industry, infrastructure and other opportunities across the government and corporate sectors'.[815]

We supported the reasoning behind this decentralised approach, observing that it should also free up the central office to focus on more high-level strategic issues, such as strengthening systems for data collection and performance monitoring, leveraging key government policies and initiatives, and ensuring stronger linkages with Education, Aboriginal Affairs and Industry, individually and as a collective.[816] However, we stressed the importance of establishing clear lines of reporting to and from the regions and head office. At this stage, it is unclear how the decision to relocate TSNSW to Education will affect the contract management arrangements for Opportunity Hubs. In our view, maintaining a decentralised approach is preferable, and this should be possible given the regional structure of Education.

8.3.5   Measuring and monitoring outcomes

As noted previously, data about the outcomes of Opportunity Hubs have been poor. Most notably, the collection of data about key intended outcomes – school attendance and retention; student career aspirations and expectations; and post-school employment, training and further education – has either not occurred, or has at best been inadequate, and baseline data or proxy measures to track progress were not identified. The OCHRE annual reports have reported limited data in different ways each year, making it difficult to form observations about trends. Significantly, TSNSW has acknowledged that it did not undertake any formal evaluation of the impact of individual Hubs since early 2015 as part of performing its contract management role.

Despite this, Hub providers have been subject to burdensome reporting requirements. The Services Contract between the Hubs and the Department of Industry contains an unnecessarily complex and overlapping array of performance, activity and outcome measures, while the quarterly report template used by Hub providers is reportedly cumbersome to use, overly focused on inputs rather than outcomes, and does not adequately reflect key aspects of their intensive work with individual students.[817]

The usefulness of the data collected by Hubs has been undermined by inconsistent definitions of key data categories, such as 'employment,' together with variations in counting rules and data gaps,[818] so that data from the different Hubs cannot be easily compared or aggregated. As well, data collected about the gender of young people engaged with the Hubs has not been collected, making it difficult to assess whether the needs of both girls and boys are being met; in this regard, the Ministerial Taskforce heard that Aboriginal girls and boys may need different kinds of support from the Hubs.[819] Finally, Hubs appear to have included data about non-Aboriginal students in their reporting (however, we note the numbers are marginal).[820] While there may be legitimate reasons, in some instances, to extend certain Hub activities to all students and for Hubs to report on this work, OCHRE is an initiative designed to support Aboriginal people, and data needs to be broken down so that an assessment can be made about whether their needs are being met.

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[814] Aboriginal Affairs NSW, *OCHRE: Four Years On*, December 2017, p.16.
[815] Advice provided by Training Services NSW, November 2018.
[816] Advice provided by Training Services NSW, June 2018.
[817] NSW Ombudsman meeting with Opportunity Hub, November 2015 and October 2016.
[818] Advice provided by Training Services NSW, June 2018 and October 2018.
[819] Aboriginal Affairs, *Getting it right – The findings of the Round Two Consultations for the NSW Ministerial Taskforce on Aboriginal Affairs, Ministerial Taskforce on Aboriginal Affairs*, 2012, p.37.
[820] Aboriginal Affairs NSW, *OCHRE: Four Years on*, December 2017, p.21.

From 2015 onwards, concerns about data collection and monitoring were raised with TSNSW on multiple occasions by our office, the Kingsley Review, the SPRC and Hub providers. However, in June 2018, TSNSW advised us that it was still in the process of working with the Hubs to understand how systems could be improved to achieve greater consistency and accuracy in data reporting, and that it planned to work with Aboriginal Affairs on a reporting and data improvement strategy.[821] After we pressed for further detail, TSNSW advised us in November 2018 that it would improve the consistency and quality of Hub data by using 'simplified measurable contract KPIs' for its new tender process and developing a contract governance and reporting system to deliver 'fast, consistent and mandated reporting' from the Hubs.[822] Most recently, TSNSW has advised us that they are working with an external firm to develop a digital platform for recording data and measuring outcomes for all TSNSW's Aboriginal Programs, including Hubs.[823] While it is long overdue, we welcome a simple electronic platform being developed.

Streamlining performance indicators and reporting

The new draft Services Contract, issued during the most recent procurement process, has maintained the five key outcomes set out in the original Services Agreement.[824] In our view, these outcomes are appropriately practical, meaningful and concrete – although there is still scope to better define some of the key outcomes (such as 'higher level post-school education and training' and 'higher level sustainable jobs'. The new draft Services Contract also has a reduced number of performance indicators (down from six to four) and associated targets:

KPI 1: Engage with >65% of schools with Aboriginal students within the Service Area identified in the approved Annual Implementation Plan as a priority, and any other schools approved by Education.

KPI 2: Engage with >80% of Aboriginal students in Years 5 to 12 (enrolled in schools with which the Opportunity Hub is engaged) through one-on-one support, group activities, or programs coordinated by the Opportunity Hub.

KPI 3: Develop career plans for >90% of Aboriginal students in Years 9 to 12 who are engaged with the Opportunity Hub, and link to Personalised Learning Plans where applicable.

KPI 4: Ensure >80% of school leavers engaged with the Opportunity Hub have successfully transitioned into further education, training or employment.[825]

These performance indicators provide clear guidance for Hub providers about what they are expected to demonstrate. However, without baseline data to show the current proportion of Aboriginal students transitioning to employment, further education or training, it is difficult to know whether ambitious or cautious targets have been set. In this regard, TSNSW has flagged its intention to explore whether data from *Pathways for the Future* – the Department of Industry's longitudinal study of education-to-work pathways for young people in NSW between 1996–2016 – could be used to provide baseline data.[826] It will be important for TSNSW to carefully monitor the KPIs it has established and be prepared to make appropriate adjustments as trends become clearer. TSNSW should also ensure that the KPIs directing Hubs to maximise their engagement across schools do not detract from the need, emphasised elsewhere in the new draft Services Contract, for Hubs to add value by focusing on schools and students with greatest need.

While some streamlining of reporting requirements has occurred, the new draft Services Contract continues to include a lengthy and complex description of the elements to be addressed by Hub providers in their reporting. It will be important for TSNSW to clearly communicate to Hub providers

[821] Advice provided by Training Services NSW, June 2018.
[822] Advice provided by Training Services NSW, November 2018.
[823] Advice provide by Training Services NSW, May 2019.
[824] NSW Department of Industry, Part D: Proforma Draft Services Agreement Contract, p.24, https://tenders.nsw.gov.au, accessed 26 November 2018.
[825] NSW Department of Industry, Part D: Proforma Draft Services Agreement Contract, p.24. https://tenders.nsw.gov.au, accessed 12 November 2018.
[826] Advice from Training Services NSW, November 2018.

about what it expects their quarterly and annual report to address. In this regard, it should be recognised that the majority of Hub providers are small organisations employing only a handful of staff for Hub operations. While data collection and reporting are important accountability mechanisms, the associated responsibilities should not be so onerous as to detract from Hubs' core functions of supporting young people at school and into work, study or training. As always, performance data should be practical and used to inform business activities rather than function as a burdensome 'add-on'.

Acknowledging that it is not efficient or realistic for Hubs to monitor school engagement and post-school outcomes for students, TSNSW has advised that the Department of Industry will take responsibility for doing so. TSNSW has taken on board our feedback about the critical importance of involving Education in this work given that it holds a range of relevant data.[827] TSNSW told us that, as part of the Service Agreement it plans to develop with Education, it will negotiate arrangements to access data about school enrolments, attendance and retention for Aboriginal students in each Hub's Service Area.[828] While Hubs will continue to play a role in monitoring young people for 12 months after leaving school, TSNSW intends to use this to complement more robust data from other sources.[829] In this regard, TSNSW should explore whether Education's annual survey of all school leavers could be utilised for tracking the outcomes of students engaged with Hubs.[830] As the Hubs target Aboriginal students at both government and non-government schools, it will be important for TSNSW to ensure that it is capturing data about both cohorts.

TSNSW has also proposed an annual survey of young people engaged with the Hubs, which could measure the impact of the initiative on students' career aspirations, employment and training outcomes, as well as client satisfaction with the service. TSNSW has advised that this information will enable service improvements to be negotiated with Hub providers. The survey would also provide an avenue for Aboriginal young people to have a say in the continuing development of their local Hub, as recommended by participants in the MTAA consultations.[831] There may also be value in TSNSW exploring options to build on existing student survey processes, such as the online *Tell Them From Me* surveys coordinated by the Centre for Education Statistics and Evaluation (CESE), to help schools capture the views of students, teachers and parents.[832]

Finally, we support the SPRC's recommendation that the NSW Government should build long-term outcome indicators into Hub planning and reporting.[833] Any such indicators will ideally be aligned with relevant Closing the Gap targets. In this regard, we note that new national targets in relation to Aboriginal employment, education and training have been proposed and are currently the subject of discussion by COAG.[834] TSNSW has recently advised us that it is working with an external firm to develop a digital platform for recording data and measuring outcomes across all of its Aboriginal programs, including Opportunity Hubs.[835]

8.4   Future directions

Despite the lack of reliable performance data, there is sufficient evidence to suggest that Opportunity Hubs have the potential to achieve success when delivered by capable organisations and supported by robust governance arrangements, and with a clear strategic direction. TSNSW needs to take a number of important steps to bring about the necessary conditions for success:

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[827] Standard Services Agreement (2015), Provision of Opportunity Hub Services, p.22.
[828] Advice provided by Training Services NSW, November 2018.
[829] Advice provided by Training Services NSW and Department of Education, June 2018.
[830] Research design of earlier surveys differed from that adopted from 2014 onwards.
[831] Aboriginal Affairs NSW, *Getting it right – The findings of the Round Two Consultations for the NSW*, Ministerial Taskforce on Aboriginal Affairs. Ministerial Taskforce on Aboriginal Affairs, 2012, p.8.
[832] NSW Department of Education, Centre for Education Statistics and Evaluation, 'Tell Them From Me', http://surveys.cese.nsw.gov.au, accessed 29 November 2018.
[833] Social Policy Research Centre, *OCHRE Campbelltown Opportunity Hub: Stage 1 Evaluation Report*, June 2018, pp.6, 34; Social Policy Research Centre, *OCHRE Tamworth Opportunity Hub: Stage 1 Evaluation Report*, June 2018, p.i.
[834] The proposed draft targets include 65% of Aboriginal and Torres Strait Islander youth aged 15-24 are in employment, education or training by 2028: https://closingthegap.pmc.gov.au, accessed 21 February 2019.
[835] Advice provided by Training Services NSW, May 2019.

- remedy critical deficiencies in the collection, monitoring and reporting of outcomes data about Opportunity Hubs and the strategic governance arrangements for driving the overall implementation of the initiative
- work closely with Hubs, Education and schools to ensure that Hubs are targeting their efforts at the schools and students most in need (those with complex needs and/or highly disengaged from school), and that schools and Hubs are working effectively together
- support Hubs to partner with local OOHC agencies, juvenile justice centres and juvenile justice community offices to ensure service coordination and consistency for Aboriginal students in contact with the child protection and/or juvenile justice systems, and
- maintain a strong strategic link with the Department of Industry to maximise the capacity of Hubs to leverage regional and state-wide infrastructure investments, and industry initiatives that can provide opportunities for Aboriginal students.

In terms of extending the Hubs initiative further, TSNSW has indicated that there is 'not yet enough clear data to advise on the expansion of the program'.[836] Overall, the Hubs have generated much goodwill in their respective communities and delivered some genuine 'runs on the board'. However, it is important to remember that Hubs were always intended to be a demonstration model, and any decision to fund extra sites will incur an 'opportunity cost'. Depending on local needs and priorities, it might be more appropriate to find ways of reproducing the key features of Hubs within the existing community infrastructure, rather than imposing a new 'standalone' Hub. In our view, a 'cookie cutter' approach to expanding the Hubs initiative should be avoided. TSNSW advised that, in the context of the Liverpool Hub procurement process, '... the Hub is not necessarily about a physical location'.[837]

Irrespective of whether or not communities have access to Hubs, schools with significant Aboriginal enrolments should be utilising careers advisors and partnerships with local training providers, chambers of commerce, funded employment services, universities and the like to help facilitate pathways into work and further education and training. In this regard, TSNSW should be communicating information about successful Hub practices to schools so that these may be adopted more broadly. This is especially pertinent for Connected Communities schools, which have a specific deliverable to support Aboriginal students transition from school into post-school training and employment.

A strength of the Hubs initiative to date has been the diverse range of local governance models adopted by each of the Hubs. This presented an opportunity to identify and analyse the strengths and weaknesses of the different models, apply these learnings to future procurement processes and share them, with current service providers. The decision to limit the SPRC's evaluation to only two Hubs meant that a comprehensive evaluation of the pros and cons of different models was not undertaken. Nonetheless, the evaluation, and our own assessment, have highlighted that, whatever the particular model, certain operational challenges and opportunities for success exist.

A specific question that requires further consideration is whether Hubs should be operated by Aboriginal controlled organisations. The SPRC's evaluation of the Campbelltown Hub found that the selection of a non-Aboriginal organisation to operate the Hub had created some challenges for its relationships with Aboriginal leaders and organisations in the Campbelltown area – despite the Hub's sustained employment of Aboriginal staff[838] – and commented on the importance of creating opportunities for the Aboriginal community to eventually manage Hubs.[839] TSNSW has advised us that, as part of the recent procurement process to select providers for the existing Hubs and the new Liverpool Hub, the Department of Industry used a staged tender process to support increased opportunities for Aboriginal organisations to be competitive.

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[836] Advice provided by Training Services NSW, November 2018.

[837] Department of Industry, Tender Addendum Liverpool Opportunity Hub, p.8, https://tenders.nsw.gov.au, accessed 15 November 2018.

[838] Social Policy Research Centre, *OCHRE Campbelltown Opportunity Hub: Stage 1 Evaluation Report*, June 2018, p.e.

[839] Social Policy Research Centre, *OCHRE Campbelltown Opportunity Hub*: *Stage 1 Evaluation Report*, June 2018, p.30. The SPRC recommended that the NSW Government 'change the tendering process for OCHRE programs to a collaborative capacity building and co-design approach to program operation and commissioning, rather than a competitive process'. It also recommended that capacity building support and resources should be provided to local Aboriginal organisations (Social Policy Research Centre, *OCHRE Campbelltown Opportunity Hub: Stage 1 Evaluation Report*, June 2018, p.32.)
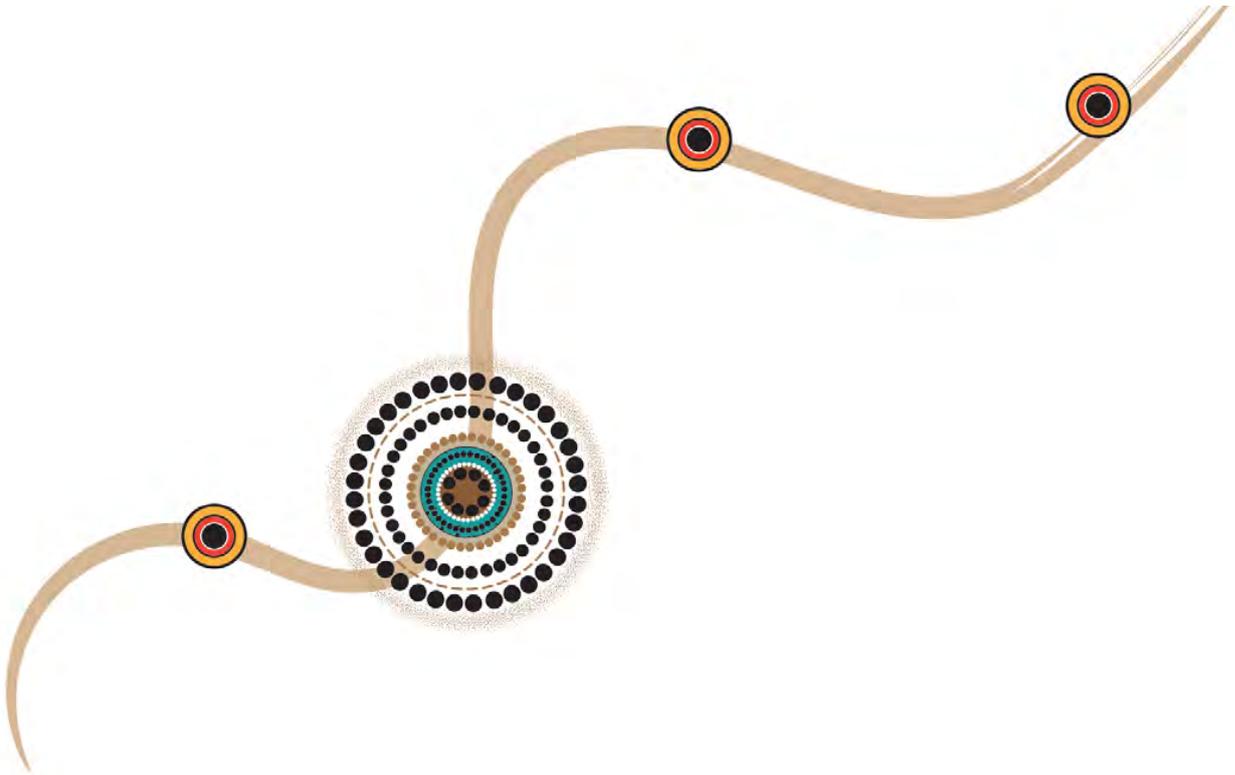
In our view, the OCHRE refresh process should give specific consideration to the further steps that are needed to enable Aboriginal community-controlled organisations to operate Opportunity Hubs in future. These steps may include tender requirements that incorporate the provision of mentoring and capacity building by a non-Aboriginal organisation, leading to a complete handover of responsibility for service provision to the Aboriginal organisation.

Recommendations

43. The NSW Department of Education (Training Services NSW) should:
    a. use the strategies suggested in section 8.3.1 to encourage government and non-government schools to take up the services provided by the new Liverpool Hub (and any further Hubs established in future)
    b. continue to work with Hubs to support the establishment of local governance models that involve government and non-government schools and regional executives from both sectors in service mapping and planning
    c. provide guidance to Hubs and schools about the factors it will consider when assessing the merits of any request to include additional schools or locations within a Hub's Service Area.

44. The NSW Department of Education (Training Services NSW) should:
    a. monitor compliance with the requirement for Hub providers to coordinate services, provide links and avoid duplication of existing programs, particularly in relation to culture and wellbeing activities
    b. promptly finalise arrangements to ensure that Hubs and government and non-government schools in Hub Service Areas are consistently developing coordinated learning and career plans for students engaged with a Hub, and that data about these plans and related outcomes are captured and monitored accordingly
    c. continue to ensure that Hubs can work with Aboriginal young people who have left school without finishing their studies, as well as those who have completed their studies in the past 12 months, and closely monitor the requirement for Hubs to focus their efforts on emphasising outcomes for these young people
    d. support Hubs to focus on servicing highly disengaged Aboriginal students and other students with complex needs by ensuring that at a local/regional level, appropriate arrangements, including partnerships with schools, OOHC agencies, juvenile justice centres and juvenile justice community officers are in place to help Hubs to identify, access and provide these students with coordinated services.

45. The NSW Department of Education (Training Services NSW) should:
    a. ensure Hubs are engaging with a range of Aboriginal, community and government organisations in their Service Areas to increase their knowledge of relevant local services and resources available to Aboriginal students
    b. actively support and monitor Hubs' efforts to build partnerships with local employers, training and further education providers to help generate or identify employment, training and work experience opportunities for Aboriginal students
    c. ensure that data about the number and outcomes of each Hub's partnerships with employers, training and further education providers is collected, monitored and reported on, including data about the number of opportunities 'banked' by each Hub and the number of 'banked' opportunities resulting in outcomes for young people.

46. The NSW Department of Education (Training Services NSW) should:
    a. in partnership with Infrastructure NSW, provide Hubs with ongoing strategic support to effectively leverage regional and state-wide infrastructure investments and industry initiatives that can provide employment and training opportunities for Aboriginal students
    b. support Hubs by brokering introductions to key industry associations and stakeholders; exploring and brokering options for corporate partnerships; and connecting Hubs with Aboriginal employment initiatives developed by NSW and federal public sector agencies

   c.   ensure that Hubs are actively identifying and helping Aboriginal school leavers to apply for Jobs of Tomorrow scholarships, and that associated data including the outcomes of applications are collected, monitored and reported.

47. The NSW Department of Education (Training Services NSW) should:
    a. establish governance arrangements that bring together appropriately senior representatives from the relevant business units of the Department of Education, non-government school sector, the Department of Industry, Planning and Environment, and the Department of Premier and Cabinet (Aboriginal Affairs), with Hub providers, to collectively plan and drive a targeted and coordinated strategic framework
    b. establish clear escalation and resolution processes for Hubs and schools at a local and strategic level
    c. once the new strategic governance and contractual arrangements have been settled, develop, in partnership with the Department of Premier and Cabinet (Aboriginal Affairs), an overarching strategy and program guidelines for Opportunity Hubs, including (but not limited to) the contract management arrangements that will be used by the Department of Education and clear information about how Hubs' compliance with their Services Agreement will be assessed.

48. The NSW Department of Education (Training Services NSW) should consider the substantial benefits of maintaining a decentralised approach to the contract management arrangements for Opportunity Hubs and how Education's regional structure can be utilised to facilitate this, while ensuring that clear lines of reporting to and from the regions and head office are established.

49. Having regard to the observations contained in this chapter (especially section 8.3.5), the NSW Department of Education (Training Services NSW), as part of developing its digital platform for recording data and measuring outcomes for Aboriginal training programs (including Opportunity Hubs), should:
    a. consider whether the key outcomes for Opportunity Hubs are sufficiently defined and make adjustments as required
    b. consider whether the current key performance indicators for Opportunity Hubs strike the appropriate balance between Hubs providing adequate coverage of Service Areas and targeting the highest need schools and students
    c. settle baseline data to measure progress (by individual Hubs and the Hubs initiative overall) against the key performance indicators for Opportunity Hubs and the necessary arrangements to access this data
    d. settle the sources of data that will be used to monitor school engagement and post-school outcomes for students engaged with Hubs and the necessary arrangements to access this data
    e. ensure that the digital platform is simple and practical for Hubs to use and contains clear definitions of key data terms
    f. ensure that the student-level data Hubs are required to collect can be disaggregated (at a minimum) by gender and Aboriginality.

50. The NSW Department of Education (Training Services NSW) should annually monitor the continuing appropriateness of the key performance indicators and make relevant adjustments as data trends become clearer.

51. The NSW Department of Education (Training Services NSW) and Aboriginal Affairs NSW should:
    a. having regard to the refreshed Closing the Gap strategy, implement the SPRC's recommendation in relation to building long-term outcome indicators into planning and reporting for Opportunity Hubs
    b. on an annual basis, publicly report outcomes data for individual Hubs and the overall initiative in a consistent way that is aligned with the key performance indicators for Opportunity Hubs.

52. The NSW Department of Education (Training Services NSW), in partnership with Aboriginal Affairs NSW, should:

    a. communicate information about successful Hub practices to other schools, particularly those participating in the Connected Communities strategy, so that these practices may be adopted more broadly

    b. as part of the OCHRE refresh process, give specific consideration to the further steps that are needed to enable Aboriginal community-controlled organisations to operate Opportunity Hubs in future.

9 Connected Communities

In 2013, the Department of Education (Education) rolled-out the Connected Communities strategy in 15 rural and remote schools in high-need communities across the state. Aimed at improving educational outcomes for Aboriginal students (and all other students) enrolled at these schools, the strategy is the single largest investment under OCHRE at more than $60 million.

As the name suggests, Connected Communities requires participating schools to build genuine partnerships with their communities, and gives Executive Principals unprecedented authority to tailor education responses to local needs. A critical feature of the strategy is that schools are intended to operate as 'service hubs', playing a lead role in identifying the most vulnerable students and families and ensuring they are connected with the necessary supports.

The development of Connected Communities followed our 2011 report to Parliament about addressing Aboriginal disadvantage, which recommended urgent reforms to improve school attendance and more effectively engage Aboriginal children in the education system.[840] The design of the strategy reflected our recommendations in that report as well as those contained in our 2012 report to Parliament about responding to child sexual assault in Aboriginal communities.[841] Connected Communities was also strongly informed by feedback from communities and other stakeholders during consultations undertaken by the Ministerial Taskforce for Aboriginal Affairs, as well as the views of the NSW Aboriginal Education Consultative Group Inc. (AECG).

In line with the significant investment in Connected Communities, we have dedicated considerable effort to monitoring and assessing its implementation over the past four years. In addition to site visits, targeted consultations and reviewing a range of data and other information holdings, we have drawn on our many previous years of work auditing and reviewing service delivery to Aboriginal communities, which has given us valuable insights into the challenges and strengths in many of the locations where the Connected Communities strategy is being implemented. We have also had regard to the separate evaluation of Connected Communities by Education's Centre for Education Statistics and Evaluation (CESE).

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[840] NSW Ombudsman, *Addressing Aboriginal disadvantage: the need to do things differently*, October 2011.
[841] NSW Ombudsman, *Responding to child sexual abuse in Aboriginal communities*, December 2012.

Overall, the evidence indicates that Connected Communities is making a positive difference to the lives of students and their families at participating schools. There is not yet strong evidence of substantial improvements against several of the key deliverables (including improved school attendance, NAPLAN results for students in older years and increased retention of Aboriginal students). However, like CESE, we have reached a view that Connected Communities is 'showing promising results'.[842] In particular, schools have made a range of important changes that, while not straightforward to measure, are essential to creating the necessary foundation for more tangible outcomes to be achieved in future. We have been impressed by the dedication of staff and the involvement of local community people in the participating schools, and we are pleased to be able to profile a sample of their efforts in this chapter.

We support Education giving consideration to extending Connected Communities in the existing 15 schools and potentially to other sites. Education has advised that a final list of schools will be settled next year based on an analysis of its own information holdings, and 'intelligence' from community and government agency sources. Continued investment is needed to give the strategy the best chance of being sustainable into the future. In particular, significant work is still required to consistently lift school attendance and, in our view, a much more intensive focus on reducing suspensions is essential. As well, more targeted responses to particularly vulnerable cohorts of students, including those living in out-of-home-care (OOHC) and/or with disability, must be prioritised – not only at Connected Communities schools, but across the education system more broadly. As we have been emphasising for a number of years, this must include Education improving the data it collects, monitors and reports about these students, and working with partner agencies in individual communities to establish governance arrangements to deliver coordinated supports to these students and their families.

Most critically, if Connected Communities is to fully achieve and sustain its intended outcomes, more needs to be done by government agencies and other services operating in these high-need communities as a collective, to deliver on the commitment of a genuinely 'place-based' approach to service delivery. Despite many of the schools securing arrangements to bring much needed services inside the school setting, such as health checks, it has been difficult – for reasons that go beyond the responsibility of Education – for the full potential of the 'service hub' component of Connected Communities to be realised without the necessary.

It will be essential for Education to work closely with the whole-of-government agency – Their Futures Matter (now known as the Stronger Communities Investment Unit) – and other partner agencies, in defining a clear role for Connected Communities schools as part of its system transformation work. In doing so, there would be considerable value in Education collaborating with the Stronger Communities Investment Unit to develop a student wellbeing data template for capturing the attendance and suspensions patterns of individual students, combined with data about their disability and/or OOHC status, and establishing governance processes at a local community level to ensure that this important student wellbeing information is systematically tracked and shared with local agencies and NGOs. Education data of this kind should be analysed alongside key child protection, health and policing data, to develop a collective picture of those vulnerable students (and their families) most in need of support in high-need locations, with the aim of giving them better access to services and interagency case management responses. In our view, this type of work is central to achieving the goal of making schools the 'centre of service delivery' in Connected Communities locations.

Finally, it is timely for Education to consider the benefits of expanding some of the key features of Connected Communities, where appropriate, to other schools that have significant numbers of Aboriginal students enrolled. In this regard, it is worth noting that 7.5% (59,000) of all students enrolled in NSW government schools in 2017 were Aboriginal, and the number and proportion of Aboriginal students in NSW public schools has steadily grown by 0.25% per year since 2015.[843] While Connected Communities is an important demonstration model, its success must ultimately be measured in terms of how well its impact as a 'demonstration model' can be more widely distributed to benefit Aboriginal students regardless of which public school they attend.

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[842] NSW Department of Education, Centre for Education Statistics and Evaluation, *Connected Communities Strategy: Final Evaluation Report*, August 2018, p.9. (At the time of writing, the evaluation report had not been made public.)
[843] Analysis of data provided by the Centre for Education Statistics and Evaluation, 12 April 2018.

PART A: Background to the Connected Communities strategy and our monitoring role
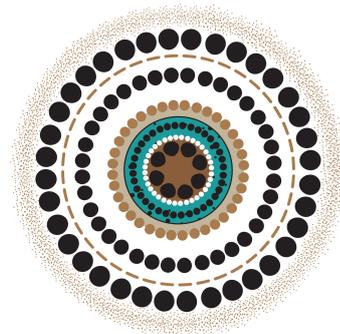
In this part, we briefly outline the policy and reform context which informed the development of Connected Communities; the strategy's key components and deliverables; and how we have monitored and assessed its implementation.

9.1 Policy and reform context for Connected Communities

The development of Connected Communities followed our 2011 report to Parliament about addressing Aboriginal disadvantage, which recommended urgent reforms to improve school attendance and more effectively engage Aboriginal children in the education system.[844] In August of that year, the Ministerial Taskforce on Aboriginal Affairs was asked to identify concrete strategies to address Aboriginal disadvantage through improving educational and employment outcomes. In May 2012, Education announced its intention to launch the Connected Communities strategy, which was subsequently endorsed by the Ministerial Taskforce.[845] Connected Communities was fully operational in the 15 participating schools by the end of 2013.

The design of the strategy reflected recommendations in our 2011 report as well as our 2012 report to Parliament about responding to child sexual assault in Aboriginal communities.[846] In both reports, we highlighted the need to attract and retain strong, quality leaders to schools with high numbers of Aboriginal students (such as by linking school funding and principal salaries to the complexity of school environments); provide school leaders with the authority and flexibility required to meet local needs while ensuring strong accountability; explore more effective approaches to school non-attendance and keeping Aboriginal children and young people engaged with education (including by reviewing exclusionary school suspensions); and collect, monitor and report better data against a clear set of indicators. We also emphasised the need for a place-based approach to service delivery in high-need communities, and the pivotal role that schools can and should play in helping to identify and respond to the most vulnerable children and young people in their communities.[847]

Connected Communities was also strongly informed by input from the NSW Aboriginal Education Consultative Group (AECG) and feedback from communities and other stakeholders during consultations undertaken by the Ministerial Taskforce for Aboriginal Affairs. In particular, this feedback stressed the need for Education to partner with Aboriginal communities, parents and carers; attract quality teachers and leaders to schools; embed cultural content in the curriculum; build the cultural competency of teachers; and ensure strong governance. It also strongly supported the concept of schools as 'community hubs'.[848] In this regard, the evidence base for the development of Connected Communities was partially informed by two earlier initiatives aimed at achieving stronger school-community partnerships – *Schools in Partnership*[849] and *Schools as Community Centres*.[850] Key

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[844] NSW Ombudsman, *Addressing Aboriginal disadvantage: the need to do things differently*, October 2011.

[845] NSW Government, Ministerial Taskforce on Aboriginal Affairs, *Final Report*, March 2013.

[846] NSW Ombudsman, *Responding to child sexual abuse in Aboriginal communities*, December 2012.

[847] NSW Ombudsman, *Addressing Aboriginal disadvantage: the need to do things differently*, October 2011, pp.32-47; *Responding to Child Sexual Assault in Aboriginal Communities*, December 2012, pp.247-265.

[848] NSW Department of Education and Communities, *Report on consultation: Connected Communities*, December 2011, https://education.nsw.gov.au, accessed 20 September 2018.

[849] Schools in Partnership (SIP) was designed to assist participating schools with significant Aboriginal student populations to improve the literacy, numeracy and participation outcomes of all students, with a specific focus on bridging the gap for Aboriginal students, through building capacity and strengthening partnerships with communities and other agencies. In its third phase (2010-2012), it targeted 89 schools, including six schools that are now participating in Connected Communities (Hillvue, Toomelah, Bourke and Taree public schools, and Boggabilla and Menindee central schools), through personalised learning programs for every Aboriginal student, Aboriginal cultural education training for all staff, programs to help prepare students for Kindergarten and transition into high school, quality teaching strategies for Aboriginal students and the implementation of mentoring programs. Information provided by Department of Education in response to NSW Ombudsman request, November 2012.

[850] Schools as Community Centres is an ongoing initiative that supports families of children aged 0-8 years through their local public school community to enhance wellbeing and early development. A local facilitator at participating schools coordinates and manages a range of community engagement initiatives and programs supporting families with young

elements of Connected Communities also reflect the findings of a research partnership between the University of Western Sydney, Education and AECG which sought to identify particular factors that have the greatest impact on seeding success for Aboriginal learners in primary school.[851]

A number of other education reforms in NSW coincided with, and sit alongside, the implementation of Connected Communities. From 2012, *Local Schools, Local Decisions* introduced a significant shift in the approach to funding and decision-making in NSW public schools, giving schools more authority and greater freedom to make local decisions about how best to meet the needs of their students. And, since 2014, NSW public schools have been funded through the *Resource Allocation Model* (RAM). This needs-based funding model provides annually adjusted funding based on student and school needs. Schools receive a base allocation of funding, as well as targeted (individual student) funding and equity loadings (see section 9.2.3). These combined reforms mean that public schools now directly manage more than 70% of the state's public school education budget – an increase from 10% in 2013.[852]

In 2013, Education also released *Rural and Remote Education: A blueprint for action*, a strategy aimed at closing the gap in educational outcomes for students in regional NSW. Actions included strengthening early childhood education; providing access to a broad range of curriculum opportunities; incentives to attract and retain quality teachers and school leaders; and establishing 15 'Networked Specialist Centres' to offer coordinated interagency health and wellbeing services.[853]

Federally, efforts to lift educational outcomes for Aboriginal children and young people have been principally driven in the past decade through Closing the Gap – the Council of Australian Governments' (COAG) agenda for eliminating the gap in outcomes between Indigenous and non-Indigenous Australians. Four of seven Closing the Gap targets directly relate to improving educational outcomes.

In 2018, the Prime Minister's report on Closing the Gap revealed that two of the education-related targets were on track: ensuring 95% of all Indigenous four-year-olds are enrolled in early childhood education by 2025, and halving the gap in Year 12 attainment by 2020. The two other education-related targets – closing the gap in school attendance and halving the gap in reading and numeracy outcomes – expired at the end of 2018 without being met.[854] During 2019, COAG will agree to a refreshed Closing the Gap framework and targets. Three new education-related targets have been proposed by COAG.[855] In February this year, the Prime Minister announced that the Australian Government will also implement a range of new measures aimed at improving educational outcomes for Aboriginal people. They include university debt relief for teachers who work in very remote communities; working closely with a small number of communities to improve attendance rates; and extra funding for scholarships, academics and mentoring support.[856]

Education reform more broadly has been prominent in national debate since 2011, with the Gonski Review of Funding for Schooling completed in that year finding an unacceptable link between low levels of achievement and educational disadvantage, particularly among students from low socioeconomic and Indigenous backgrounds.[857] The Gonski Review made broad-ranging recommendations centred on addressing inequalities in schooling through re-distributive funding. Earlier this year, the 'Gonski 2.0' Review to Achieve Educational Excellence in Australian Schools made

children, including supported playgroups, early literacy activities, transition to school strategies, parenting programs, adult learning and health and nutrition initiatives. In 2017, it operated in 45 schools, including one Connected Communities school (Moree East Public School), https://education.nsw.gov.au, accessed 24 September 2018.

[851] Professor Rhonda Craven. Associate Professor Alex Yeung, Associate Professor Geoff Munns, Dr Gawaian Bodkin-Andrews, Dr Nida Denson and Virginia O'Rourke, Centre for Positive Psychology and Education, University of Western Sydney & NSW Department of Education and Communities, *Seeding Success for Aboriginal Primary Students*, 2013.

[852] NSW Department of Education, 'Resource Allocation Model', https://education.nsw.gov.au, accessed 20 September 2018.

[853] NSW Department of Education and Communities, *Rural and Remote Education: A blueprint for action,* November 2013, https://education.nsw.gov.au, accessed 20 September 2018.

[854] Australian Government, Department of the Prime Minister and Cabinet, *Closing the Gap: Prime Minister's Report 2018,* https://closingthegap.pmc.gov.au, accessed 20 September 2018.

[855] Two of the new draft targets relate to NAPLAN; the third new draft target relates to post-school training and education. COAG proposes to retain the target relating to Year 12 attainment: https://closingthegap.pmc.gov.au, accessed 6 March 2019.

[856] Prime Minister of Australia, *Statement to the House of Representatives – Closing the Gap 2019,* 14 February 2019 https://www.pm.gov.au, accessed 6 March 2019.

[857] Australian Government, *Review of Funding for Schooling: Final Report*, December 2011, https://docs.education.gov.au, accessed 20 September 2018.

further extensive recommendations aimed at changing the Australian model of school education, to stem the national decline, since 2000, in key areas of academic student performance such as reading, science and mathematics.

Several of these recommendations reflect approaches that Connected Communities is intended to deliver, including laying the foundations for learning through early childhood education and successful transition to school; engaging parents as partners in their children's learning throughout school and strengthening community engagement with schools; embedding more individualised, tailored teaching; accelerating development of contemporary pedagogy and improving teaching quality via professional learning; and ensuring principals have the professional autonomy and accountability to lead their school's improvement journey.[858]

9.2   Key components of the strategy

Below, we identify the schools participating in Connected Communities; the governance arrangements for the strategy within Education; and the funding that has been committed to implementing the strategy to date.

9.2.1   The participating schools

The 15 Connected Communities schools were primarily selected on the basis of 'a number of variables, including sustained low levels of academic achievement, poor attendance, poor secondary retention and HSC participation, and inadequate parent and community engagement and participation'.[859] Consideration was also given to strengths in each community that could be built on, as well as 'pairing' feeder primary and secondary schools.

A number of the chosen communities were previously targeted by the Partnership Community Program, which was implemented by Aboriginal Affairs from 2009 to help 'Aboriginal communities and government agencies to work together to improve outcomes for Aboriginal people on the ground'.[860] Two Connected Communities locations – Walgett and Wilcannia – were also sites for the implementation of the Federal Government's Remote Service Delivery (RSD) program which started in 2009. The RSD program aimed to provide simpler access and better coordinated government services for Aboriginal people; improve the level of governance and leadership within Aboriginal communities and community organisations; and increase economic and social participation.[861]

The Connected Communities schools are:
- Boggabilla Central School
- Bourke High School
- Bourke Public School
- Brewarrina Central School
- Coonamble High School
- Coonamble Public School
- Hillvue Public School (Tamworth)
- Menindee Central School
- Moree East Public School
- Moree Secondary College
- Taree High School
- Taree Public School
- Toomelah Public School

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[858] Australian Government, *Through Growth to Achievement: Report of the Review to Achieve Educational Excellence in Australian Schools*, March 2018, https://docs.education.gov.au, accessed 20 September 2018.
[859] All of the schools participating in the strategy are located in the most disadvantaged postcodes in NSW based on 22 indicators of disadvantage including low family income, educational attainment, housing stress, unemployment, domestic and family violence, child maltreatment, adult and juvenile convictions and student literacy and numeracy performance (Department of Education, Centre for Education Statistics and Evaluation, *Connected Communities Strategy: Final Evaluation Report*, August 2018, p.10.) (At the time of writing, the evaluation report had not been made public.)
[860] Information provided by the Office of Aboriginal Affairs, September 2011.
[861] Presentation by Brian Gleeson, Coordinator General for Remote Indigenous Services, May 2012.

- Walgett Community College
- Wilcannia Central School.

Based on enrolment data for Semester 1, 2017, 3,444 students were enrolled at Connected Communities schools, with students in years 7-12 accounting for 61% of enrolments. More than half (58%) of all students at participating schools were Aboriginal – although the proportion increases to 74% if Taree High School, where there are more non-Aboriginal students relative to the other schools, is excluded.[862] The overall Aboriginal student population for NSW in 2017 was 59,214.[863]

9.2.2   Governance

From the outset of the strategy, Connected Communities was assigned high priority within the Department, with a governance structure that enabled direct, regular oversight by the Department's Secretary and the Minister for Education.[864] The 15 schools taking part in the strategy were grouped into a network under the leadership of the Executive Director, Connected Communities, who reported directly to the Secretary of Education and the Minister for Education.

As the strategy was bedded down, from 2016, the individual Connected Communities schools were transitioned under the operational responsibility of the relevant Director, Public Schools (now known as the Director, Educational Leadership) of their geographical area. A new role of Director, Connected Communities was created to provide overall strategic direction for the initiative under the leadership of the Executive Director, Aboriginal Education and Communities, who reports to the Deputy Secretary. The Executive Director role was created in 2015, elevating the leadership of Aboriginal education within the Department of Education from the previous level of Director. As a result of a project focused on 'boosting outcomes for Aboriginal students', a separate Connected Communities Directorate was established in 2019, led by an Executive Director and supported by two Directors, Educational Leadership and an administration team.

These arrangements provided a networked governance structure to support leadership in the Connected Communities schools, with each Executive Principal in regular contact with both the Director, Connected Communities and their relevant operational Director. We understand that this structure was designed to enable attention to be focused on dealing with complex operational matters in implementation, while also taking a strategic approach to strengthening teaching and learning at Connected Communities schools.[865]

In April this year, Education advised that, going forward, the Executive Director will resume centralised responsibility for leading Connected Communities in order to pursue stronger 'interagency buy in' to support participating schools.[866]

9.2.3   Funding

A total of $64.5 million has been specifically committed to Connected Communities since its inception. At the commencement of the strategy, the participating schools were allocated $35 million worth of capital upgrades to address extremely run-down infrastructure. (Approximately $10 million was allocated for minor capital works across all Connected Communities schools, and $25 million was allocated for major capital works at Brewarrina Central School, Walgett Community College and Moree East Public School.) [867]

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[862] The above figures are not officially validated figures drawn from the National Schools Statistics Data collection. Source: NSW Department of Education, Centre for Education Statistics and Evaluation, *Connected Communities Monitoring Report 2017*.
(At the time of writing, the evaluation report had not been made public.)
[863] NSW Department of Education, *Annual Report 2017*, p.6.
[864] Adrian Piccoli, former NSW Minister for Education, presentations at Buunji – 2013 National Aboriginal and Torres Strait Islander Education Conference, Sydney, 5 November 2013 and Education World Forum, London, 21 January 2014.
[865] Consultation with NSW Department of Education Directors responsible for Connected Communities schools, 21 November 2018.
[866] Advice provided by NSW Department of Education, April 2019.
[867] Advice provided by the NSW Department of Education, May 2018. This figure includes $35 million, $21.5 million and $8 million for Healing and Wellbeing.

In addition, a total of $21.5 million has been committed to Connected Communities over five years to cover salaries,[868] administration costs,[869] and targeted initiatives (such as transition programs, learning centres, targeted professional development for school staff, field days to showcase and share good practice, a Healing and Wellbeing forum and an annual Executive Principal forum).[870]

In 2014-2015, an additional $8 million was allocated over four years to the 15 Connected Communities schools under the Connected Communities Healing and Wellbeing model, to be spent on local strategies, such as employing a dedicated wellbeing teacher.[871] Annual funding ranges from $52,057 to $153,713 per school.[872]

Like other public schools in NSW, Connected Communities schools are funded under the RAM. The RAM has been introduced in phases since 2014. Each year schools receive a base allocation of funding for the core cost of educating each student and operating a school. This includes staffing (teaching/school administrative support staff) and operational components. Schools have also received targeted (individual student) funding for refugee students, newly arrived migrant students and students who require moderate to high levels of adjustment for disability. There are four RAM equity loadings for Aboriginal students, students from a low socio-economic background, students requiring low level adjustment for disability and students learning English as a new language.[873] A location loading is made for isolated and remote schools, delivered through their base allocation, which also includes a per capita allocation and a professional learning allocation for all staff.[874]

Annual increases in RAM have occurred partly because the equity loadings were introduced in stages, year by year, since the start of RAM in 2014, but also because there was an increase in 2019 in the amount of funding allocated via the socio-economic equity loading and the per capita loading provided to NSW schools.[875]

Like all NSW schools that are eligible to receive needs-based equity funding, the Connected Communities schools have benefited from an increase in the RAM funding over time. Our analysis of RAM funding provided to each of the Connected Communities schools for 2015-2019 shows there has been an increase of more than $5 million in RAM allocated to these schools, from $13.2 million in 2015 to $18.275 million in 2019.[876]

9.3   The key deliverables and unique features

Connected Communities is intended to achieve 10 'key deliverables' aligned with priorities under the *National Indigenous Reform Agreement*, *NSW 2021* (the State Plan), the *Aboriginal and Torres Strait Islander Education Action Plan 2010-2014* and OCHRE.[877]

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[868] Executive Principal salary 'top up' and School Leader Community Engagement salary.
[869] Including salaries for the Director, Connected Communities and two support roles within the Department.
[870] Advice provided by the NSW Department of Education, July 2018.
[871] Advice provided by the NSW Department of Education, July 2018.
[872] Advice provided by the NSW Department of Education, May 2018.
[873] NSW Department of Education, The Resource Allocation Model (RAM) in 2019 – an overview, November 2018.
[874] NSW Department of Education, The Resource Allocation Model (RAM) in 2019 – an overview, November 2018, p.2.
[875] NSW Department of Education, 'Record funding boost for school budgets in 2019', https://education.nsw.gov.au, 9 November 2018.
[876] NSW Department of Education, *Resource Allocation Model (RAM) for NSW schools 2016-2018*, https://data.cese.nsw.gov.au, accessed 4 December 2018; *The Resource Allocation Model (RAM) in 2019*, https://schoolsequella.det.nsw.edu.au, November 2018, accessed 4 December 2018.
[877] NSW Department of Education, Centre for Education Statistics and Evaluation, *Connected Communities Strategy: Final Evaluation Report*, August 2018, p.15. (At the time of writing, the evaluation report had not been made public.)

The 10 Key deliverables

1. Aboriginal children are increasingly developmentally ready to benefit from schooling – in their physical health, social competence, emotional maturity, language and cognitive skills and communication.
2. Aboriginal families and community members are actively engaged in the school.
3. Attendance rates for Aboriginal students are equal to the state average.
4. Aboriginal students are increasingly achieving at or above national minimum standards and overall levels of literacy and numeracy achievement are improving.
5. Aboriginal students are staying at school until Year 12 (or equivalent training).
6. Aboriginal students are transitioning from school into post-school training and employment.
7. Aboriginal parents and carers report that service delivery from the school site is flexible and responsive to their needs.
8. Aboriginal students and communities report that the school values their identity, culture, goals and aspirations.
9. Staff report that professional learning opportunities build their capacity to personalise their teaching to meet the learning needs of all students in their class.
10. Staff report that professional learning opportunities build their cultural understandings and connections with the community.

9.3.1 The main features of the Connected Communities strategy

To achieve the key deliverables, Connected Communities has the following distinct features.[878]

Executive Principals

Each participating school is led by an Executive Principal. These roles are classified at a higher level than other school principals in recognition that they are required to demonstrate more sophisticated strategic leadership to implement the strategy. Executive Principals are selected on merit, initially for a period of three years, with the possibility of further extension subject to satisfactory performance. Satisfactory performance is determined against the key deliverables of the strategy and validated by the relevant Director, Education Leadership (formerly Director, NSW Public Schools).[879]

Schools as a hub for service delivery

A defining aspect of the strategy is the positioning of schools as local 'service hubs', with the intention that schools will identify the needs of students and their families, and facilitate access to services and supports to improve learning, wellbeing and other social outcomes.

Partnerships with communities

Each school participating in Connected Communities appoints an executive position, known as the Leader or Senior Leader, Community Engagement, to provide a strategic link between the school and community and provide advice and support to the Executive Principal and School Reference Group about community engagement and community matters that may impact students. The position is filled from within the local Aboriginal community. Each school also has a School Reference Group. Chaired by the local AECG President and including parents, Aboriginal community members and the Executive Principal, the group acts as a conduit between the school and the community, providing a forum for the community to be informed about and contribute to school decisions.

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[878] This summary draws heavily on CESE's evaluation report (NSW Department of Education, Centre for Education Statistics and Evaluation, Connected Communities Strategy: Final Evaluation Report, August 2018, pp.12-14). (At the time of writing, the evaluation report had not been made public.)
[879] Advice provided by the NSW Department of Education, May 2018.

Transitions into and out of school

The strategy has a strong focus on supporting students to be 'school ready' through facilitating access to quality early childhood education and easing children's transition into formal schooling. As well, schools are expected to work with community partners to create opportunities for further education and employment for students once they leave school.

Cultural awareness training for staff

Schools participate in cultural immersion training and curriculum training to support teachers to develop an understanding of Aboriginal cultures and histories, and provide learning and teaching that is engaging for Aboriginal students.

Aboriginal language and culture

By teaching and valuing Aboriginal language and culture, Connected Communities aims to improve school engagement and improve educational outcomes for students by promoting a positive sense of belonging and identity. Connected Communities schools also strive to recruit local community members, engaged in a paid or voluntary capacity, to work with students or staff on specific activities and to provide cultural support and advice more generally.

9.4   Our approach to monitoring and assessing Connected Communities

Our monitoring and assessment of Connected Communities has been informed by our many years of work auditing and reviewing service delivery to Aboriginal communities, which has given us valuable insights into the challenges and strengths in many of the locations where the Connected Communities strategy is being implemented.

Since starting our monitoring and assessment of OCHRE in July 2014, we have visited the Connected Communities schools on various occasions to hear directly from schools, the community and local services about how the strategy is operating in practice. We have regularly liaised with key executives at Education, including the Secretary, Executive Director, Connected Communities and Director, Connected Communities. We have consulted (individually and collectively) with relevant operational Directors, Educational Leadership (formerly Directors, Public Schools NSW) and the Executive Principals of Connected Communities schools. We have also attended professional development workshops for school leaders, staff and Aboriginal community members. As well, we have formally required a range of information from Education about aspects of the strategy's implementation, including data about various indicators such as school enrolments, attendance and suspension rates, and literacy and numeracy outcomes. Our discussions with school leaders and executive staff, have been critical to the formulation of our recommendations.

Importantly, we have also had the benefit of a progressive evaluation of Connected Communities by Education's Centre for Education Statistics and Evaluation (CESE). Pleasingly, the evaluation was built into the strategy from the outset, allowing individual components (and their impacts) to be formally reviewed by Education during, rather than at the conclusion, of its implementation. CESE's evaluation has been progressive, with internal monitoring reports prepared for Education on an annual basis as well as an interim evaluation report (released in January 2016) and a final evaluation report (completed in August 2018, but yet to be released). These reports have formed key sources of evidence for our assessment. However, we have independently reviewed these sources and in a number of areas, we have made our own observations about a range of issues, including some matters not examined by CESE's evaluation. CESE's evaluation role is discussed in more detail in Chapter 2.

PART B: How has Connected Communities been implemented?
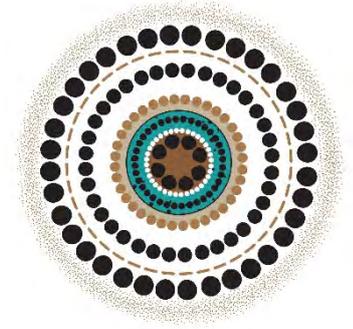
In this section we examine how the participating schools have implemented the Connected Communities' key deliverables. In particular, we focus on the extent to which these schools have been able to start building the critical foundations for longer-term success – for example, attracting the right staff and promoting quality teaching, partnering effectively with communities, encouraging pride in language, culture and learning, and responding to the mental health and wellbeing needs of students. As we discuss, achieving solid progress in these areas is a necessary precursor to improving longer-term improvement in relation to more tangible measures, such as school attendance, academic achievement and retention.

9.5 Attracting and supporting high quality school leaders

Research indicates that, although it can take several years for them to achieve their full impact in a school, principals have the second-biggest 'in-school' impact (after classroom teaching) on student outcomes.[880] In our 2011 report to Parliament, we emphasised the need for strong leadership and high-quality teaching at schools in highly disadvantaged communities. We noted that, in recognition of the need to attract highly accomplished leaders with the particular skill set required to effectively lead schools in these communities, these schools should receive a 'special classification' that would make principals eligible to receive additional incentives tied to specific performance measures.[881]

Education responded positively to our suggestions, establishing a new category of Executive Principal to lead schools participating in the Connected Communities' strategy. Executive Principals are initially appointed for three years, with the possibility of extension to five years pending satisfactory performance, and are classified and paid at a higher level commensurate with the superior leadership required, especially in relation to community engagement and working strategically with external organisations.[882] In particular, Executive Principals are expected to play a lead role in implementing the 'service hub' aspect of the Connected Communities strategy (discussed in Part C).

Education undertook targeted recruitment to appoint the initial cohort of Executive Principals. An advertising strategy was developed as part of the department's teach.*NSW* campaign, and included print advertisements in newspapers, features in the teach.*NSW* JobFeed email service and social media.[883] Incentive payments of $50,000 were offered on completion of five years' satisfactory performance in the role.[884]

Despite this, it took at least 12 months to appoint an Executive Principal to each school. There has also been a high turnover in the Executive Principal role since the initial cohort was appointed, and sourcing replacements has been difficult, with Education often relying on relieving principals.[885] By May 2018, only three Executive Principals were eligible to receive the incentive payment. This serves to reinforce the challenges associated with retaining highly experienced and accomplished leaders at schools in rural and remote communities with complex needs.

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880 NSW Department of Education, Centre for Education Statistics and Evaluation, *Effective leadership*, 2015, p.1.
881 NSW Ombudsman, *Addressing Aboriginal disadvantage: the need to do things differently*, October 2011, pp.41-43.
882 NSW Department of Education, Centre for Education Statistics and Evaluation, *Connected Communities Strategy: Final Evaluation Report*, August 2018, p.12. (At the time of writing, the evaluation report had not been made public.)
883 Advice provided by the NSW Department of Education, May 2018.
884 Assessed against the key deliverables of the strategy by a relevant operational Director and with the approval of the Executive Director, Connected Communities.
885 NSW Department of Education, Centre for Education Statistics and Evaluation, *Connected Communities Strategy: Final Evaluation Report*, August 2018, p.63. (At the time of writing, the evaluation report had not been made public.)

Turning around a school which has a track record of persistent low achievement is complex and 'plain hard work. – Dr John Halsey[886]

We agree with CESE's observation that 'the longer Executive Principals stay in their role, the greater their ability to implement the strategy, and see through measures that they have put in place';[887] and that the difficulties experienced in recruiting and retaining Executive Principals has 'contributed to differing levels of success in implementing the strategy in different schools'.[888]

Education has sought to refine its approach to the recruitment of Executive Principals, for example, by including both senior operational and policy personnel on recruitment panels to ensure that equal weight is given to assessing candidates' suitability to effectively administer their school and strategically implement the key deliverables. Cognitive behaviour screening is also used to test the capabilities and qualities required, including a demonstrated ability to engage respectfully with Aboriginal culture and communities.[889] As well, Executive Principals who remain in their position beyond their initial three year contract are now eligible for priority transfer to a principal position one level above their pre-Executive Principal appointment.[890] While these are positive steps, there is scope to supplement them with additional initiatives. For example, seeking to identify the factors influencing the successful retention of Executive Principals at three schools – and whether these factors are about the individual, and/or external factors that might be replicated to encourage leader retention at other schools.

We support the continued classification of the Executive Principal role and provision of incentive payments – particularly given the need to better realise the intended 'service hub' model, which is in many respects, the most critical component of the Connected Communities strategy. Strong school leadership – above and beyond what is required of principals at other schools – is a fundamental ingredient needed to achieve the strategy's intended goals, and the associated skills and responsibilities required must continue to be appropriately recognised. For this reason, further consideration needs to be given to what else can be done to attract and retain Executive Principals of the required calibre, including, but not limited to, having regard to the findings of the recent Independent Review of Regional, Rural and Remote Education, commissioned by the Australian Government in 2017.

Independent Review of Regional, Rural and Remote Education

Conducted by Emeritus Professor John Halsey from Flinders University, the Independent Review of Regional, Rural and Remote Education recommended, in relation to attracting and retaining highly effective leaders to schools in regional, rural and remote (RRR) locations:

- *Continuing to improve how educational leaders for RRR schools and communities are identified, prepared and supported.*
- *Increasing the number and diversity of experienced educational leaders in RRR schools by using targeted salary and conditions packages which include an absolute guarantee to return to their originating/preferred school or workplace at the end of a fixed-term appointment.*
- *Implementing up to half a term handover and induction period for leaders to foster continuity of students' learning in RRR schools where there is a history of frequent leadership turnover and substantial student underachievement.*

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[886] Dr John Halsey, Emeritus Professor, Flinders University, *Independent Review into Regional, Rural and Remote Education,* January 2018, p.46.
[887] NSW Department of Education, Centre for Education Statistics and Evaluation, *Connected Communities Strategy: Final Evaluation Report,* August 2018, p.63. (At the time of writing, the evaluation report had not been made public.)
[888] NSW Department of Education, Centre for Education Statistics and Evaluation, *Connected Communities Strategy: Final Evaluation Report,* August 2018, p.63. (At the time of writing, the evaluation report had not been made public.)
[889] Consultation with Directors responsible for Connected Communities schools, 21 November 2017.
[890] NSW Department of Education, https://www.teach.nsw.edu.au, accessed 2 October 2018.

- *Substantially expanding mentoring and coaching by experienced principals for inexperienced educational leaders as a key strategy to building RRR leadership capabilities and capacities.*
- *Investigating the appointment of 'turnaround teams' (such as a principal, a curriculum leader and a business manager) to schools with a persistent long-term record of underachievement.*
- *Developing nationally consistent initial and renewal teacher registration requirements which fully recognise the diversity of RRR contexts and conditions.*
- *Continuing to improve the availability of quality accommodation, cost of living allowances, access to essential human services, and partner employment where applicable to attract and retain high quality leaders for RRR schools.[891]*

The Australian Government has committed to considering the issues raised by the Review in the development of a new national school agreement and the ensuing bilateral agreements with states and territories from 2019. It will task the Australian Institute of Teaching and School Leadership to undertake research into best practice approaches to teacher and school leader training, professional development and support for regional, rural and remote settings. The government will also work with state and territory Education ministers to support programs and incentives to place quality teachers and leaders into regional, rural and remote schools.[892]

Finally, while we are not necessarily suggesting that additional Executive Principal roles should be established, there would appear to be merit in exploring how school leaders who show a superior aptitude for driving and achieving improved educational outcomes for Aboriginal students and/or for students living in low socio-economic school locations, can be identified, and recognised, in ways that are tangible, professionally advantageous and motivating for others. Education is best placed to determine, in consultation with appropriate stakeholders (such as the Teachers Federation and Principals Associations), what options might be available in this area given the related funding implications.

9.6   Building a culture of collegiate leadership

We have directly observed a strong commitment by the then Executive Director, Aboriginal Education and Communities and Director, Connected Communities, to fostering a culture of collegiate leadership that allows challenges and successes to be actively shared and examined. In our 2017 report on behaviour management in schools which examined issues concerning students with complex needs and challenging behaviour, we commended the Connected Communities collegiate leadership approach, observing that it offers valuable lessons for Education in thinking about how to strengthen collaboration and capacity in the very complex area of behaviour management.[893]

The monthly group videoconferences that Executive Principals have with the Director, Connected Communities,[894] have reportedly provided them with a regular, structured opportunity to discuss significant issues and have been pivotal in building camaraderie between school leaders. The annual Executive Principal forum provides a further opportunity for networking as well as targeted professional development. These tangible opportunities have been particularly valuable for Executive Principals who are new to their role, location or particular type of school environment.

Importantly, while leaders are understandably focused on what can be achieved under the strategy, they are also encouraged to consider effective approaches by other schools, both in NSW and elsewhere, who are working to lift educational outcomes for students in high-need communities.

In light of the obvious benefits of the collegiate leadership approach nurtured under Connected Communities, there is merit in Education considering how it can expand this culture to reach principals

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[891] Dr John Halsey, Emeritus Professor, Flinders University, *Independent Review into Regional, Rural and Remote Education*, January 2018, p.48.
[892] Australian Government, *Response to the Independent Review into Regional, Rural and Remote Education,* May 2018, p.9, https://docs.education.gov.au, accessed 2 October 2018.
[893] NSW Ombudsman, *Inquiry into behaviour management in schools*, August 2017, p.76.
[894] Consultation with Executive Principals of Connected Communities schools, 1 November 2017.

of schools in other high-need Aboriginal communities, and conversely, connecting other schools delivering innovative approaches which have achieved success, with Connected Communities schools to create a community of practice.

9.7 Allowing flexibility to recruit and retain the right staff

While they play a pivotal leadership role, school principals alone cannot create successful schools in high-need locations; teachers with the right capabilities, skills and attitude are also vital. From the start of the Connected Communities strategy, there has been an acknowledgement by Education that in order to bring about the cultural change needed to improve outcomes for Aboriginal students, the participating schools need to be staffed by motivated teachers able to effect change, provide leadership, and inspire and engage students.[895]

Executive Principals have told us that to achieve this, the capacity to merit select their own teaching staff is essential.[896] In this regard, Connected Communities schools are exempt from the requirements of the Department's staffing agreement, which allows all vacant teacher positions to be filled permanently based on local options. We understand that Education has a dedicated human resources officer, who is familiar with the Connected Communities strategy and the associated challenges and needs faced by schools, to assist participating schools with recruitment.[897] Directors responsible for Connected Communities schools have identified that including well-informed community representatives on recruitment panels has also helped to ensure the employment of appropriate staff 'who have the children and communities as their priorities'.[898]

9.7.1 Incentives to attract and retain quality teachers

Schools in rural and remote locations typically struggle to recruit and retain highly skilled, capable teachers. Among other observations, the Independent Review of Regional, Rural and Remote Education identified the value of incentives – such as a salary loading, cost of living adjustments, availability of housing coupled with rental assistance, additional support for professional development, accelerated promotion and, in some instances, a right of return agreement.

In recognition of the value of incentives, the Australian Government announced in February this year that it will freeze the HECS debts of teachers who work in very remote communities; for teachers who remain in these communities for at least four years, the debt will be waived.[899]

Like other NSW government agencies that provide essential services, including Police and Health, Education has for some time offered incentives to attract and retain staff in remote locations, both to encourage more candidates to consider applying for these roles, and to compensate individuals for particular challenges and lifestyle changes they may experience if recruited from urban or regional locations (such as higher costs of living and fewer available services).

In late 2017, Education renewed its commitment to this approach by launching a new *Rural and Remote Human Resources Strategy* – a $59.4 million investment over five years to address and improve teacher availability and experience in rural and remote NSW public schools. The Strategy includes 'revised scholarships' and from January 2018, 'enhanced incentives' for teachers who accept permanent or temporary placements at one of 154 public schools, including 10 Connected Communities schools.

For Connected Communities schools, the incentives vary depending on how many 'transfer points' the school attracts for its remoteness. For example, Wilcannia, Walgett, Toomelah, Menindee and

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[895] Hon Adrian Piccoli, NSW Minister for Education, *Transforming education: The New South Wales reform journey*, presentations at Education World Forum, London, 21 January 2014, p.7.
[896] Consultation with Executive Principals of Connected Communities schools, 1 November 2017.
[897] Consultation with Executive Principals of Connected Communities schools, 1 November 2017.
[898] Consultation with Directors responsible for Connected Communities schools, 21 November 2018.
[899] Prime Minister of Australia, *Statement to the House of Representatives – Closing the Gap 2019*, 14 February 2019, https://www.pm.gov.au, accessed 6 March 2019.

Brewarrina attract the maximum eight transfer points, and teachers prepared to work at these schools may be eligible for:[900]

- allowances for hot climate and isolation from goods and services
- relocation subsidy for newly-appointed teachers
- rental subsidies of up to 90%
- reimbursement of some medical and dental expenses
- motor vehicle depreciation allowance
- additional training and development days
- additional personal leave
- vacation travel expenses
- transferred officers' compensation after two years' completion
- accelerated appointment to permanent roles, and
- $5,000 retention benefit (up to 10 payments) for 12 or more months of continuous service.

As well, Executive Principals may be able to apply for a recruitment bonus, which they can offer to increase the attractiveness of temporary teaching positions of four terms or more and permanent positions in eight or six point Connected Communities schools. Eligible positions must have undergone two consecutive unsuccessful merit selection processes.[901]

Under the strategy, Education has also enhanced its scholarship program for teaching students prepared to work in rural and remote locations. In addition, from May 2018, the Rural Teacher Experience program has allowed experienced teachers interested in rural and remote education to apply for a 'taste of rural teaching' for a period of up to four terms, supplemented by a $500 cost of living allowance.[902] To date, the Joining the Dots program (see Case study 25) has been nominated by Executive Principals and other Department executives as an effective way to support recruitment to teaching positions at remote Connected Communities schools, so the expanded Rural Teacher Experience program is a particularly welcome initiative.

Case study 25: Joining the Dots

Joining the Dots is a professional development and exchange program established for Connected Communities. Two highly experienced Principals from schools in the Campbelltown area (St Andrews and Rosemeadow public schools), appointed as the 'Principal Contacts' for Connected Communities, were instrumental in developing and managing the Joining the Dots program as well as acting as mentors to a number of the Executive Principals.

Like other schools in rural and remote locations, the Connected Communities schools often struggle to access casual teachers to backfill staff leave. Where a school requires staff to cover leave or release teachers for professional development, a suitable candidate can be identified from the Joining the Dots pool. Most of the Connected Communities schools access this pool of staff to fill gaps, and particularly the more isolated schools.

Joining the Dots also enables a 'try before you commit' opportunity that has helped expand the pool of candidates applying for teacher recruitment at Connected Communities schools. The program exposes metropolitan staff to the experience of working in a rural or remote school with a high proportion of Aboriginal students. This helps to debunk assumptions, demystify the environment and help candidates feel more confident about applying for ongoing roles in remote schools. It has resulted in a number of more experienced teachers from urban settings taking on permanent roles in remote communities.

[900] From 1 January 2019, teachers can also access a rural teacher incentive of between $20,000 and $30,000 per annum, depending on the remoteness of the school; and an experienced teacher benefit of $10,000 per annum, payable for up to five years.
[901] NSW Department of Education, https://teach.nsw.edu.au, accessed 2 October 2018.
[902] NSW Department of Education, *Rural and Remote Human Resources Strategy*, November 2017, https://www.teach.nsw.edu.au, accessed 2 October 2018.

> The Principal Contacts emphasise that a Joining the Dots posting is not a cultural tour or excursion, but a hands-on exercise in teacher professional development that contributes to growing the teacher base. Since the program started five years ago, 157 staff have been posted to Connected Communities schools via Joining the Dots, predominantly as teachers undertaking short-term stints. In addition, 22 staff have been posted for one term or longer, and 11 staff have been posted for one to two years. The pool of teachers nominating to participate in Joining the Dots continues to grow, and school leaders in metropolitan areas report that knowledge of Aboriginal education has improved significantly at their own schools as a result of teachers returning from Connected Communities schools, with new understandings and ideas about how to support Aboriginal students and culture in their own school.
>
> Joining the Dots has also enabled targeted invitations for experienced principals from urban or regional areas to relieve in Executive Principal roles at Connected Communities schools to give them a taste of the challenges and environment of a particular school before deciding whether to apply for an ongoing role there. Four of the current Executive Principals were appointed from the Joining the Dots staff pool.

During our consultations, Executive Principals have frequently spoken about the need for incentives to be tailored to individual candidates and locations. For example, we have been told that access to safe housing is a particular issue in some communities. We have also been told that incentives need to take into account not just the needs of teachers, but also their immediate families. The *Independent Review of Regional, Rural and Remote Education* made a similar observation, finding that teacher incentive programs generally provide limited support 'to assist partners and families, where involved, with making the transition and adapting to different circumstances including finding employment and making education arrangements for children'.[903]

While the *Rural and Remote Human Resources Strategy* refers to the availability of flexible incentive packages 'which can be customised to suit the individual needs of all teachers', it is not clear to what extent this may involve the provision of specific support to meet the relocation and adjustment needs of the partners and children of teachers.[904] Education has advised that teachers who are required to move as a result of taking up a position in a Connected Communities school may be eligible to receive Transferred Officer's Compensation, or a Relocation Subsidy if the move is as a result of the teacher's first appointment. Teachers also have access to the various incentives set out in the previous section. In our view, Education should consider whether there is scope to enhance the nature of 'family support', given how often the availability of such support has been raised by Executive Principals at Connected Communities schools (and the related observation made by the Independent Review).

Teachers who are required to move as a result of taking up a position in a Connected Communities school may be eligible to receive Transferred Officer's Compensation, or a Relocation Subsidy, if the move is as a result of the teacher's first appointment. Teachers also have access to the various incentives set out in the previous section.

Education's work in developing the *Rural and Remote Human Resources Strategy* and the Joining the Dots program is commendable. It will be important to closely monitor the success of the strategy, particularly in terms of which aspects appear to lead to improved teacher retention at Connected Communities and other remote schools.

9.7.2   Adapting the staffing structure to meet local needs

An important recommendation arising from the landmark Review of Aboriginal Education in 2004 was that Education should allow more flexible resourcing and staffing to better meet Aboriginal needs and aspirations.[905]

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[903] Dr John Halsey, Emeritus Professor, Flinders University, *Independent Review into Regional, Rural and Remote Education*, January 2018, p.40.
[904] NSW Department of Education, *Rural and Remote Human Resources Strategy*, November 2017, p.2.
[905] Department of Education and Training and Aboriginal Education Consultative Group, *Report of the Review of Aboriginal Education – Freeing the Spirit: Dreaming an Equal Future*, 2004, Recommendation 17a, p.193.

As noted previously, the *Local Schools, Local Decisions* and Resource Allocation Model reforms have resulted in NSW public schools having greater autonomy and flexibility in recent years. They have been particularly critical to enabling Executive Principals at Connected Communities schools to adapt the mix of staffing and leadership to fit local needs.

For example, one school has elected to create a significantly expanded and high calibre school executive team to apply expertise and focus to targeted areas, including learning support, instructional leadership and wellbeing.[906] Some Executive Principals have prioritised growing a strong Aboriginal workforce within their schools to support Aboriginal students to reach their full potential in the classroom.[907] In addition to creating local employment opportunities and enhancing community engagement, this strategy has been used to provide every class with daily access to at least one Aboriginal student learning support officer (SLSO). The identified benefits flowing from this include assisting communication (particularly where students' first language is an Aboriginal dialect) and enhancing cultural awareness and safety. As we observed in our 2010 report on service delivery to the Bourke and Brewarrina communities (and successive reports since), Aboriginal workforce development is a vital aspect of enhancing the cultural competency and safety of services, connecting them to the community, supporting Aboriginal employment, and filling critical staffing gaps in rural and remote locations.[908]

A number of Connected Communities schools are also using their RAM funding to directly employ allied health professionals – such as speech therapists, occupational therapists or psychologists – to help identify and address barriers to learning. Where local service systems have been unable to meet demand, the option of expanding salaries for in-house support staff has been identified as a workable solution for some schools.[909] We understand that a number of schools outside the Connected Communities strategy in Western Sydney have also opted for this approach to reduce barriers to service access that can have a considerable impact on educational outcomes and student wellbeing.[910]

9.8   Embedding the community in school governance

Many schools seeking to develop a positive relationship with their local Aboriginal community contend with a justified legacy of fear and distrust as a result of negative past experiences with government agencies. Breaking down this barrier takes time. It requires schools to be – and to be seen to be – welcoming of and willing to engage genuinely and respectfully with Aboriginal students, parents, carers and community members. This culture must be embedded in schools' everyday business, not limited to one-off events or superficial gestures.

A distinctive feature of the Connected Communities strategy is that it aims to achieve genuine community engagement through embedding community in the governance of participating schools. To facilitate this, each Connected Community school has a local School Reference Group and an executive position, drawn from the local Aboriginal community, to provide strategic advice about community engagement.

9.8.1   School Reference Groups

The School Reference Group (SRG) is the key representative body for Aboriginal parents and community members to directly engage with and advise their school executive on the implementation of Connected Communities.[911] The Executive Principals are sitting members of their SRGs. These groups are expected to work collaboratively and focus on providing advice and feedback about the school vision and direction, local goals and aspirations, student-identified needs, curriculum development and implementation, processes for Aboriginal community and wider community input, and the adaptation and application of integrated service delivery.

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[906] Consultation with Bourke Public School Executive in Bourke, 18 September 2017.
[907] Consultation with Executive Principals of Connected Communities schools, 1 November 2017.
[908] NSW Ombudsman, *Inquiry into service provision to the Bourke and Brewarrina communities*, December 2010.
[909] Consultation with Executive Principals, 8 May 2018.
[910] Advice provided by principals in the Campbelltown region, December 2018.
[911] NSW Department of Education, Terms of Reference for Connected Communities Local School Reference Groups, provided 29 May 2018.

Chaired by the local Aboriginal Education Consultative Group (AECG) President, SRGs include a P&C representative, two Aboriginal community representatives and the Executive Principal, with the Senior Leader or Leader, Community Engagement providing executive support.[912] Additional members can be included by agreement of the group, and representatives of other government and non-government agencies can be invited when required.[913] We are aware of numerous examples of strong leadership shown by Aboriginal community representatives on SRGs – see Case study 26.

Case study 26: Supporting Aboriginal education in Bourke

In 2018, Maxine Mackay, Chair of Bourke High School's School Reference Group and longstanding AECG representative, was awarded a Nanga Mai Award for her 20 year involvement in supporting education in the Bourke community. Maxine was recognised for her work with school staff to improve their sensitivity to Aboriginal culture, and her leadership in the development of culturally sensitive transition pathways from early childhood to secondary school. Her focus on education support for students with disability was also acknowledged along with her role in advocating for students and their families to support the development of Personalised Learning Plans and Individualised Education Plans (for students with disability).

We have directly observed, and heard from Executive Principals about, some very robust SRGs that are providing schools with valuable skills and advice. It is clear that at these schools, the SRG plays a genuine and pivotal role in building a positive school culture and participating in decision-making.[914] For example, at Coonamble High School, the SRG was instrumental in providing advice about the establishment of a transition centre to deliver intensive, targeted support to assist both chronic school non-attendees and students returning from connection with the justice system to transition back into mainstream schooling (see Case study 38). At Menindee Central School, SRG input has led to the placement of Aboriginal SLSOs in classrooms and a new school uniform design. At Moree East Public School, the SRG was extensively involved in the design and rebuild of the school between 2015-2017.[915]

We understand that in some locations, such as in Coonamble, Bourke and Taree, benefits have been realised from having some members sit on both the local primary and high school SRGs, and holding joint meetings. These strategies are seen to build a whole-of-community spirit, promote consistency and continuity of approaches, where relevant, and may also assist in improving transitions for Aboriginal students from primary into high school.

The CESE's evaluation reported that:

… most interview participants believed that [SRGs] were a valuable element of the strategy, even if they did not believe they were functioning as effectively as they could in their school.[916]

In some schools we heard that [SRGs] were an integral part of the school's governance and direction; effective in helping to develop school plans, facilitating community engagement and providing feedback on major issues in schools …

In other schools, we heard that [SRG] members were struggling to attend meetings regularly (due to either personal or work commitments, or that meetings were held intermittently. In some instances, interview participants [said] that members did not work together effectively …

Some interview participants also felt that [SRGs] did not adequately represent all parts of the community, or that some voices could drown out others.

[912] NSW Department of Education, Terms of Reference for Connected Communities Local School Reference Groups, provided 29 May 2018.
[913] NSW Department of Education, Terms of Reference for Connected Communities Local School Reference Groups, provided 29 May 2018.
[914] Consultation with Executive Principals, 1 November 2017 and Directors, 21 November 2017.
[915] Advice provided by NSW Department of Education, May 2018.
[916] NSW Department of Education, Centre for Education Statistics and Evaluation, *Connected Communities Strategy: Final Evaluation Report*, August 2018, p.51. (At the time of writing, the evaluation report had not been made public.)

We agree with CESE's observation that where SRGs are not as effective as they could be, Education and schools have a role to play in building the capacity and confidence of community members to be able to effectively carry out those roles.[917] However, we would also caution that schools should not be overly reliant on their SRGs to ensure connectivity with their local community.

While the strength of the SRG model is that it provides a strategic, rather than ad hoc, mechanism and focus for community engagement and consultation, schools need to be conscious of the diversity of Aboriginal communities and their governance structures. No one consultation structure is likely to reflect all parts of a community, and some of the most respected and knowledgeable Aboriginal people in a particular community may choose not to participate on formal committees at all. While the role of SRGs as the agreed forum for shared decision-making should be respected, schools should not be reticent about seeking to engage with other sources of advice and feedback in their community, such as Elders' groups and local community working parties. Finally, schools need to be prepared to be flexible in their approach to engaging their SRGs, accommodating wherever possible, the preferences and needs of community representatives.

While not a 'silver bullet', SRGs send a powerful symbolic message about schools' preparedness to genuinely engage and share decision-making with their local Aboriginal communities. When effective, they meaningfully embed the community in the governance and culture of a school. For these reasons, we see merit in Education promoting the model, in consultation with the NSW AECG and school principals, to other schools in high-need communities with a significant Aboriginal student population. In doing so, Education should seek to further understand the factors that have made some SRGs particularly effective, and whether and how these 'ingredients' could be encouraged in other locations.

9.8.2   Creating the Senior Leader/Leader, Community Engagement role

Each Connected Communities school has an Aboriginal-identified role as part of its leadership team. Known as the Senior Leader, Community Engagement (SLCE) or Leader, Community Engagement (LCE), the roles are designed to provide a link between the school and community, and to provide strategic advice to inform the school's community engagement. To fulfil the role, schools strive to recruit highly motivated individuals who are well regarded and connected in their local community.

In almost all of the Connected Communities locations we have visited, positive feedback has been provided about the value of the SL/LCE roles. The investment in these Aboriginal-identified roles is seen to reflect a genuine commitment by Education to 'do business differently' at Connected Communities schools. Over the years, Aboriginal communities have frequently told us that, too often, agencies expect and rely on Aboriginal staff to consult community, even when it is not part of their job description. To this end, it is positive that the Connected Communities strategy recognises and elevates community engagement skills and responsibilities in the form of a designated role. In many locations, we have heard that communities appreciate having a specific person with whom they can raise relevant issues and knowing that there is an expectation that the school will respond.

Many of the Executive Principals have provided numerous examples of SL/LCE's building tangible, effective connections between their school and community. In particular, they have recounted instances where SL/LCEs have brought to the early attention of the school's leadership team particular community or family issues that may impact on a student's learning, but would not otherwise be readily apparent or known to the school. This 'early identification' has enabled appropriate intervention and support to be provided to students and their families. Some SL/LCEs have helped their school to form links with key Aboriginal organisations that are able to provide support services and programs to vulnerable families. For example, we have heard about schools running on-site adult literacy programs and support for birth certificate applications as a result of SL/LCEs taking the initiative to facilitate these.

CESE similarly found that many school staff regarded SL/LCEs – particularly when seen to be highly 'visible' in the school and to have the ability to engage effectively with both schools and communities

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[917] NSW Department of Education, Centre for Education Statistics and Evaluation, *Connected Communities Strategy: Final Evaluation Report*, August 2018, p.51. (At the time of writing, the evaluation report had not been made public.)

– as critical to the effectiveness of the Connected Communities strategy. Placing the role within the school executive team was considered by these staff to be both strategically and symbolically important – we agree this is a vital aspect.[918] Fortunately, from both our observations and CESE's, it appears to be the case that schools are appropriately utilising their SL/LCEs to provide strategic advice and enhanced access to communities, rather than expecting them to be solely responsible for community engagement (see, for example, Case study 33 about the Early Years program at Bourke Public School).

We commend the establishment of the SL/LCE role, which, in addition to the benefits outlined above, provides an additional employment opportunity and career path for Aboriginal people wanting to contribute to improving educational outcomes for Aboriginal children and young people. We are aware that in some schools, Aboriginal staff in other positions, such as Aboriginal Education Officers (AEOs), are informally performing a similar role – but without receiving the official recognition and appropriate remuneration for doing so. In our view, Education should consider extending the SL/LCE role to other targeted schools servicing high-need Aboriginal communities. However, in doing so, it should be mindful of the risk we have identified above and the need to consider additional strategies to strengthen and promote school and community partnerships in these locations.

9.9   Valuing Aboriginal identity and embedding culture in curriculum

The key deliverables for Connected Communities reflect research showing that connecting Aboriginal students to their culture can increase school engagement and lead to improved educational outcomes.[919] Overall, we have observed that one of the most successful aspects of Connected Communities to date is the considerable effort by schools to value and promote Aboriginal culture and identity in meaningful ways.

All Connected Communities schools have dedicated spaces within school grounds for cultural tuition, yarning and community events, and many have community gardens and rooms dedicated to language and culture tuition.[920] Some schools also have signage in Aboriginal languages, decorative design elements and murals created with Aboriginal student and community involvement. These elements positively impact on the overall presentation of the school environment and help to signal that Aboriginal culture is valued.

Connected Communities schools also run *Connecting to Country* cultural immersion training and *Healthy Culture: Healthy Country* curriculum training in conjunction with the AECG.[921] The goal of these programs is to 'support teachers to develop an understanding of Aboriginal cultures and histories, and provide learning and teaching that is engaging for Aboriginal students'.[922] CESE found that staff who had participated in cultural awareness training reported that it had a positive impact on their interaction with and teaching of students. However, they found that not all teachers participated in cultural awareness training every year, and some had not done so for several years. CESE suggested that consideration should be given to providing more regular opportunities for staff to attend this training.[923]

A feature of all Connected Communities schools is that they strive to engage local community members to work with students, in either a paid or voluntary capacity, to work with students and staff on specified activities and provide cultural support and advice. Some schools have successfully engaged Aboriginal Elders. For example, at Boggabilla Central School, a local Elder offers Yarn Up sessions twice a week for students as part of a broader school healing and wellbeing program.

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[918] NSW Department of Education, Centre for Education Statistics and Evaluation, *Connected Communities Strategy: Final Evaluation Report*, August 2018, p.50. (At the time of writing, the evaluation report had not been made public.)
[919] A. Griffiths, 'The components of best-practice Indigenous education: A comparative review', *The Australian Journal of Indigenous Education*, Vol. 40, pp.69-80.
[920] Advice provided by NSW Department of Education, May 2018.
[921] Advice provided by NSW Department of Education, May 2018.
[922] NSW Department of Education, Centre for Education Statistics and Evaluation, *Connected Communities Strategy: Final Evaluation Report*, August 2018, p.13. (At the time of writing, the evaluation report had not been made public.).
[923] NSW Department of Education, Centre for Education Statistics and Evaluation, *Connected Communities Strategy: Final Evaluation Report*, August 2018, p.61. (At the time of writing, the evaluation report had not been made public.).

Making culture a deliverable has had a big impact. – Executive Principal, Toomelah Public School

Connected Communities schools also offer various cultural programs for Aboriginal students, including Aboriginal science, technology, engineering and mathematics (STEM) camps (see Case study 27), Aboriginal culture and dance camps, and the Sista Speak and Bro Speak student mentoring programs facilitated by the AECG.[924] At Hillvue Public School, staff from the Tamworth Opportunity Hub are invited into the school weekly to help run a cultural boys group.[925] Hillvue earned a Nanga Mai award in 2017 for 'commitment to increasing knowledge and understanding of Aboriginal histories, culture and experiences of Aboriginal peoples'.[926]

Case study 27: STEM camps for Aboriginal students

STEM camps have proven so popular that they have expanded over the past four years from three camps per year to nine camps in 2018, to accommodate all applicants. Coordinated by the AECG and Aboriginal Torres Strait Islander Math Alliance, the camps teach STEM subjects through a cultural lens to inspire Aboriginal student engagement in learning these subjects. The overnight camps include yarning and dance circles, which set the scene for workshops held by Aboriginal leaders that teach students about angles through the art of spear making, aerodynamics by studying boomerangs and drones, magnetism via storytelling and chemistry through bush medicine.[927]

Meanwhile, Boggabilla, Toomelah, Moree East and Taree schools are receiving support from the Bawurra Foundation to embed culture in curriculum. A not-for-profit organisation started in 2015, Bawurra has designed a technological platform that can host context-relevant digital libraries for the preservation and sharing of Aboriginal culture, languages, dreaming stories, history, arts, culture and dance. So far, the Foundation has provided tablets to enable students and teachers at the abovementioned schools to access its digital cultural libraries, and there are plans to expand this into all 15 Connected Communities schools in coming years.[928]

Case study 28: Respect for culture at Taree High School

Taree High School has made great progress in embedding language and culture in the school curriculum via the work of its Senior Leader Community Engagement (SLCE) and Elder-in-Residence. A dedicated Aboriginal cultural space Ngarralbaa – Listening, Learning, Knowing Place, has also been set aside for all classes to access in the delivery of Biripi cultures, language and histories. It is also a centre for meetings of the School Reference Group, P&C, BroSpeak and SistaSpeak groups and is available for use by community groups, such as the Taree Local Gathang Language Group. In 2019, the school employed local Biripi man, Benn Saunders, as a permanent language and culture teacher to embed language and culture across the school. He teaches Stage 4 LOTE (Gathang Language and Culture) and 'team-teaches' Stage 6 Aboriginal Studies.

The school's SLCE, Jay Davis, recently received a Nanga Mai award for outstanding leadership in Aboriginal languages, having gained school and community support for initiatives that promote the Gathang language and Biripi culture within and beyond the school. All Year 7 students at the school are immersed in a weekly Aboriginal

[924] Advice provided by NSW Department of Education, May 2018.
[925] Visit to Hillvue Public School, November 2015.
[926] The Nanga Mai Awards are administered by the NSW Department of Education and celebrate and recognise Aboriginal students, Aboriginal and non-Aboriginal teachers, other departmental staff, Aboriginal community members and schools demonstrating excellence across a diversity of areas.
[927] ABC News, *New education program integrates Aboriginal culture into teaching maths and science*, https://www.abc.net.au, 3 September 2018.
[928] Bawurra Foundation, https://www.bawurra.org, accessed 28 September 2018.

culture and language program, and approval was gained from the Gathang Language Group for cultural signage to be installed at both Taree primary and high school. Jay organises local events throughout the year to mark significant cultural days, with the aim of empowering the community in Gathang language and encouraging community involvement with the school. The school has actively assisted other local schools in the area in their efforts to replicate its immersive culture and language model.

In 2013, following three days of staff cultural immersion activities via the AECG Connecting to Country program, the school decided it would create a part-time role of Elder-in-Residence. A local Elder, Uncle Russ Saunders, works closely with the school's SLCE and performs a range of valuable cultural activities and a leadership role. Uncle Russ also visits the primary school and runs cultural sessions there, and this has been valuable in helping students transition from primary to high school, where they are pleased to see him again as a known and trusted adult. Uncle Russ participates as a community representative on the School Reference Group for Taree High School and is an integral part of the combined SRG meetings with Taree Public school. Taree High School has generously shared the success of its Elder-in-Residence program with other schools via face-to-face sessions, as well as making a video to promote the program's benefits to schools and Elders from other communities.

9.10 Partnering with community, parents and carers

Like CESE, we have observed Connected Communities school staff, from teachers to the school executive, to be 'highly conscious' of the need to increase engagement with their local communities.[929] Schools have used a variety of strategies to reach out, including sports and cultural events, morning/afternoon teas, school fetes and inviting parents and carers to help with classroom activities.[930] Schools have also marked important Aboriginal cultural occasions, such as NAIDOC Week and National Reconciliation Week.[931] A number of Connected Communities schools also offer on-site courses that cater for parents, such as adult fitness and yoga programs, language and culture sessions, adult literacy and cooking classes. Meanwhile, an innovative approach by Coonamble Primary School involved taking the school to the community by establishing a 'shopfront' (see Case study 29).

CESE found that this focus on culture is having 'a positive effect on the school environment'.[932] CESE also reports that Aboriginal students in Connected Communities schools are increasingly reporting that schools are culturally responsive. Data from the *Tell Them From Me* survey shows there has been an increase in the proportion of Aboriginal primary students reporting that they 'feel good about their culture when they are at school', with 93% agreeing with the statement in 2017 compared with around 83% in 2015. Aboriginal primary students were also more likely to agree in 2017 (87%) than in 2015 (77%) that their teacher had a good understanding of local Aboriginal culture. By contrast, about 81% of Aboriginal primary students in other schools across NSW agreed that 'they feel good about their culture when they are at school' and 72% said their teacher had a good understanding of local Aboriginal culture.

The positive trend is even more pronounced for Aboriginal secondary students at Connected Communities schools. In 2015, only 59% of students at these schools agreed that they feel good about their culture when at school and only 49% agreed that their teacher had a good understanding of local Aboriginal culture. By 2017, the proportion had increased to 80% (compared to 63% of students at other schools) and 66% respectively.[933] These results are very encouraging, and provide a strong foundation for gains to be made in other domains, such as school attendance and retention.

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[929] NSW Department of Education, Centre for Education Statistics and Evaluation, *Connected Communities Strategy: Final Evaluation Report*, August 2018, p.48. (At the time of writing, the evaluation report had not been made public.)
[930] Advice provided by the Department of Education, May 2018.
[931] NSW Department of Education, Centre for Education Statistics and Evaluation, *Connected Communities Strategy: Final Evaluation Report*, August 2018, p.38. (At the time of writing, the evaluation report had not been made public.)
[932] NSW Department of Education, Centre for Education Statistics and Evaluation, *Connected Communities Strategy: Final Evaluation Report*, August 2018, p.13. (At the time of writing, the evaluation report had not been made public.)
[933] NSW Department of Education, Centre for Education Statistics and Evaluation, *Connected Communities Strategy: Final Evaluation Report*, August 2018, pp.40-41. (At the time of writing, the evaluation report had not been made public.)

We agree with CESE that the schools that have been most successful at engaging their communities have taken 'a rigorous approach' that also includes more direct engagement with family and community members, for example, through home visits, phone calls and the Personalised Learning Pathways (PLP) process.[934]

9.10.1 Personalised Learning Pathways

Many Connected Communities schools are using the Personalised Learning Pathways (PLP) process to effectively engage and periodically check in with families and understand students better.

From 2010, the national *Aboriginal and Torres Strait Islander Education Action Plan 2010-2014* required the preparation of a personalised learning plan (later renamed Personalised Learning Pathway in NSW) for every Indigenous student, from the first year of formal schooling (Kindergarten) to Year 10.[935] The mechanism was designed to focus attention on the developmental and motivational needs of each student and encourage educators to provide differentiated teaching and learning tailored to meet these needs. While individualised plans are prepared in other educational contexts, such as to support students with identified disabilities or learning difficulties, the point of difference with PLPs was that they are prepared for all Indigenous students, not just those with learning support needs. The PLP process therefore helps teachers identify and cater for the needs of every Indigenous student, including gifted and talented students who need a differentiated curriculum to reach their full potential.

Earlier this year, the 'Gonski 2.0' *Review to Achieve Educational Excellence in Australian Schools* supported this emphasis on personalised approaches to teaching and learning that has been applied in the Aboriginal education context, recommending that to stem the decline in educational outcomes it should be applied for all Australian students.[936]

In NSW, educators have found that a key identified benefit of the PLP process is that it actively engages parents/carers in their child's education. The process can also help teachers and school support staff to become better attuned to the circumstances of local families, and learn about issues that may directly affect a child's wellbeing and learning progress. Each student's academic goals and aspirations are discussed with parents, taking into account the social, emotional and physical health and wellbeing of their child. Students, parents/carers and school teachers/support staff have regular conversations to identify each student's aspirational goals and map their learning pathways through school.

The PLP can be helpful to support students during the transition to high school and can provide a structured opportunity for students to receive support and guidance in developing their post-school aspirations and plans.

Many of the Connected Communities schools have told us they value the PLP process as a way of engaging teachers, students and parents in education. Several Executive Principals emphasised there needs to be an ongoing process of checking in and staying in touch with parents and carers, and the PLP can be a catalyst to help establish the ongoing relationships the school seeks to forge with families. At Bourke Public School teachers are rostered off class for one day a week to focus on meaningfully updating PLPs to avoid them becoming a 'tick and flick' exercise.

At Moree East Public School, PLPs are developed for all students. Prior to Kindergarten school enrolment, the school conducts PLP meetings with parents of early years' transition and playgroup children. Investing time upfront in building relationships with parents/carers enables the school to understand the aspirations and various challenges students and their families may face. The Executive Principal emphasises the paperwork for PLPs should be kept streamlined so it is not too onerous,

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[934] NSW Department of Education, Centre for Education Statistics and Evaluation, *Connected Communities Strategy: Final Evaluation Report*, August 2018, p.55. (At the time of writing, the evaluation report had not been made public.)
[935] Ministerial Council for Education, Early Childhood Development and Youth Affairs, *Aboriginal and Torres Strait Islander Education Action Plan 2010-2014*, http://www.scseec.edu.au, accessed 19 September 2018.
[936] Australian Government, *Through Growth to Achievement: Report of the Review to Achieve Educational Excellence in Australian Schools*, March 2018, https://docs.education.gov.au, accessed 20 September 2018.

while maintaining a focus on the PLP as an ongoing process to help staff ensure they touch base with students and parents along the way. This year, the school focused on making goals more visible for students on a daily basis, which enables them to better track their own progress, and be more confident in having conversations about goals with teachers and their parents. The school has reported a noticeable improvement in student and parent engagement in the planning and reviewing of PLPs. Teachers and students have expressed greater confidence in talking about goal setting and planning, including engaging parents and carers in the process.

At Menindee Central School parents and students meet for PLP sessions with whichever staff member knows the student best. Career planning and aspirations are a key focus of PLP sessions at the school. The school, which tailors school-based traineeships (see Case study 34), uses the PLP process as an opportunity to collaborate with parents, carers and students on planning to ensure families understand what the school is planning to offer to match to their child's needs and aspirations.

Education recommends that all Aboriginal students have a PLP, developed by the school to suit local needs, that is regularly reviewed and updated (each term);[937] however, we understand that it is only in Connected Communities schools that the PLP process continues to be mandated for every Aboriginal student.

9.11 Incorporating Aboriginal language and content into teaching

Notwithstanding the evidence that schools have considerably strengthened the extent to which Aboriginal culture is embedded in the school environment, CESE's evaluation indicates there is further scope to improve the extent to which teachers incorporate Aboriginal language and content into mainstream units of work.

CESE found that in 2017, around 71% of teachers at Connected Communities schools incorporated Aboriginal language and content into their lessons. It is positive that the proportion has increased since 2015 (64%), and that there has also been a small increase (71% compared to 67% in 2015) in the proportion of teachers reporting that they have been able to access assistance to incorporate Aboriginal language and teaching into their lessons. However, only about half of teachers (48% in 2015 and 52% in 2017) say they feel confident incorporating Aboriginal language and content into their teaching.[938] This suggests a need for continued professional development and mentoring in this area.

CESE found that schools have had mixed success implementing Aboriginal language programs. They have encountered a range of challenges, including reaching agreement with community about which language should be taught (and how), and recruiting language teachers. However, in schools with more established language programs, CESE identified positive impacts.[939] As we discuss further in Chapter 4, Education has shown considerable leadership and investment in Aboriginal language restoration. It will be important that this aspect of the Connected Communities model continues to be supported and measured by Education.

9.12 Promoting healing and wellbeing

Like all public schools in NSW, Connected Communities schools are required to implement the Wellbeing Framework for Schools which provides a commitment 'to creating quality learning opportunities for children and young people … [which] includes strengthening their cognitive, physical, social, emotional and spiritual development'. The Framework explicitly acknowledges that wellbeing is associated with achievement and success.[940]

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[937] Aboriginal Education and Community Engagement, *Personalised Learning Pathways Guidelines*, no date. https://education.nsw.gov.au, accessed 22 November 2018.
[938] NSW Department of Education, Centre for Education Statistics and Evaluation, *Connected Communities Strategy: Final Evaluation Report*, August 2018, p.39. (At the time of writing, the evaluation report had not been made public.)
[939] NSW Department of Education, Centre for Education Statistics and Evaluation, *Connected Communities Strategy: Final Evaluation Report*, August 2018, pp.42-43. (At the time of writing, the evaluation report had not been made public.)
[940] NSW Department of Education, Centre for Education Statistics and Evaluation, *Every student is known, valued and cared for in our schools – an environmental scan*, November 2018, p.5, https://www.cese.nsw.gov.au, accessed 30 November 2018.

Students at Connected Communities schools have significant healing and wellbeing needs. Although it was not the sole criterion for selection, all of the schools participating in the strategy are located in communities that experience a high level of disadvantage as measured by indicators, such as low family income, poor educational attainment, housing stress, unemployment, domestic and family violence, child maltreatment, and adult and juvenile convictions.

As discussed in Chapter 3, Aboriginal communities are increasingly identifying their need for healing as a result of individual and collective experiences and impacts of intergenerational colonisation, discrimination and trauma.

For example, while limited disclosure and under-reporting to police obscures prevalence data, the Australian Institute of Health and Welfare found that, in 2012, there were (depending on the jurisdiction) two to four times more sexual assaults on Aboriginal children aged 0-9 than on non-Aboriginal children of the same age and two to three times more assaults on Aboriginal children aged 10-14.[941] Our own analysis in 2012 of police data relating to 12 communities in NSW found that, while Aboriginal children made up just 12% of all children living in these communities, they comprised 23% of reported victims of sexual abuse under the age of 15.[942] Aboriginal children and young people are also more likely to have experienced previous or ongoing contact with the child protection and/or criminal justice systems.[943]

Significant trauma can result in children and young people exhibiting challenging behaviours that involve risk taking, poor impulse control and resistance to boundaries. In some situations, these behaviours can escalate into violent and/or criminal actions.[944]

Given all of the above, it is not surprising that Executive Principals have repeatedly emphasised to us that a high proportion of their students have significant trauma and mental health needs that impact on their learning – and that access to appropriate assessment and treatment is fundamental to improving these students' educational and broader life outcomes.

Throughout our monitoring, we have urged Education to consider ways to address the high demand for assessment and treatment services arising from the prevalence and severity of trauma and mental health issues in participating schools, including by increasing the number of school counsellors. School counsellors have a vital role to play by carrying out initial developmental and psychological assessments of students necessary for referrals to specialists or other support services. However, in 2015, we reported that the availability of school counsellors at Connected Communities schools was inadequate to meet the needs of young people with complex needs, in particular for adolescents.

We also emphasised the need for communities serviced by Connected Communities to have better access to other mental health professionals, including psychiatrists and psychologists, to ensure appropriate diagnosis and treatment, and facilitate ongoing educational engagement and achievement. In doing so, we recognised that NSW Health and other agencies hold key policy, funding and service provision responsibilities. Given the seriousness of the issue, and the nature of the interagency response required, we raised it with the Mental Health Commissioner and the Advocate for Children and Young People.[945]

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[941] Data cited by Associate Professor Jan Breckenridge and Gabrielle Flax, *Service and support needs of specific population groups that have experienced child sexual abuse*, July 2016, p.32.

[942] NSW Ombudsman, *Responding to child sexual assault in Aboriginal communities*, December 2012, p.84.

[943] Aboriginal children comprise 38.4% of children in out-of-home care and are more than 10 times likely to be in OOHC when compared to their non-Aboriginal peers. (NSW Department of Family and Community Services, *Annual Statistics* (dashboard 8), 2016-2017.) Just under half (48%) of all young people sentenced to juvenile detention in NSW in 2017-2018 were Aboriginal. (Juvenile Justice, http://www.juvenile.justice.nsw.gov.au, accessed 5 October 2018).

[944] Other examples of challenging behaviour include stress intolerance; alcohol and other substance abuse; self-harming; behaviours; social isolation and limited capacity to form relationships with peers and/or adults; sexually inappropriate behaviour; anti-social behaviours, including aggression and/or violence towards people. (See NSW Department of Community Services, *Out-of-home Care Service Model – Residential Care*, April 2007.)

[945] NSW Ombudsman, *Annual Report 2014-2015*, p.114.

CESE's interim evaluation of Connected Communities also found unmet demand for counselling and stressed the importance of addressing the prevalence and severity of trauma-related mental health issues in Connected Communities schools.[946]

As discussed below, Education has since implemented a range of initiatives, linked to its broader commitment and increased focus on supporting the wellbeing of students via the *Wellbeing Framework for Schools,* to improve the wellbeing and mental health of students, staff and community members at Connected Communities schools.[947]

9.12.1   Targeted recruitment and incentives for school counsellors and psychologists

In response to our concerns, Education has made significant and concerted efforts to increase the school counsellor workforce and review the allocation of school counsellors.

In 2015 one of the key barriers we identified to increasing the school counselling workforce was the requirement for school counsellors to hold both a teaching and psychology degree (the equivalent of eight years' study).[948] Education has since created a new role classification for psychologists without teaching qualifications.[949] It has also implemented a comprehensive package of scholarships to support psychology graduates to be employed in the school counselling service.

Education has also provided more opportunities for teachers to study psychology and retrain as school counsellors. In recent years, it has succeeded in attracting additional school counsellors to Connected Communities schools by offering incentives including a commencement package ($5,000) and annual bonus on satisfactory completion of each year of service ($10,000); access to existing rural and remote incentives, including up to 90% rental subsidy and relocation support; right of return after three years; and permanent employment opportunities for those not previously employed by the Department.[950]

In addition, Education has changed the means by which counselling resources are determined for public schools across NSW. In 2015, a Stakeholder Advisory Group finalised a more consistent and transparent state-wide methodology for the allocation of counselling resources. Allocation is now based on student enrolment data and the following indicators of need: students impacted by disability and/or additional learning and support needs, identified disadvantage and location factors.[951]

While welcoming the progress Education has made in this important area, sustained effort is required. As of May 2018, only eight Connected Communities schools had shared access to four school counsellors, while a further two schools employed psychologists.[952] Five Connected Communities schools still receive less counselling resources than they are entitled to under the new model of allocation. These schools are variously supported by the Senior Psychologist Education, deployment of experienced staff, and/or engagement of casual staff.[953]

In February 2019, the NSW Government announced that it would provide $88 million to ensure every public high school has 'two dedicated experts' to ensure students have access to vital mental health and wellbeing support. The funding will allow up to 100 additional full-time school counsellors or psychologists, as well as 350 student support officers, to be employed.[954] While this commitment is welcome, ensuring all Connected Communities schools have access to a school counsellor or

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[946] NSW Department of Education, Centre for Education Statistics and Evaluation, *Connected Communities Strategy: Interim Evaluation Report*, September 2015 (released January 2016), p.44.
[947] NSW Department of Education and Communities, *Wellbeing Framework for Schools*, April 2015.
[948] NSW Ombudsman, *Annual Report 2014-2015*, p.114.
[949] The new school psychologist role classification was approved for implementation in October 2015 (Advice provided by the NSW Department of Education, May 2018).
[950] Advice provided by the NSW Department of Education, May 2018.
[951] Advice provided by the NSW Department of Education, May 2018.
[952] The new school psychologist role classification was approved for implementation in October 2015. (Advice provided by Department of Education, May 2018.)
[953] Advice provided by the NSW Department of Education, May 2018.
[954] Hon. Gladys Berijiklian, 'Huge boost to support student welfare and mental health', Media release, https://www.health.nsw.gov.au, 19 February 2019.

psychologist is a critical priority given their level of need for such expertise. As well, as we discuss in Part C, NSW Health also has a vital role to play in addressing chronic barriers to access to other specialist clinical and allied health services required by students.

9.12.2 The Healing and Wellbeing Model

Announced in late 2014, the Connected Communities Healing and Wellbeing Model provided an additional $8 million in funding over four years to help address complex healing and wellbeing issues faced by students, their families and staff at Connected Communities schools.[955] The funding allows schools to establish culturally responsive support for student wellbeing – including through recruitment of additional staff to roles dedicated to wellbeing; staff wellbeing – through a tailored program to build staff resilience and skills in relation to trauma-related instances, including piloting a dedicated employee assistance support service; and community wellbeing – building the skills and employability of community members through a tailored training program including the provision of a Certificate IV Youth Work course for Aboriginal community members in collaboration with TAFE NSW Western.[956]

Funding for student and staff wellbeing can be applied flexibly depending on the identified needs in each school.[957] For example:

- Brewarrina Central School has employed a teacher/speech therapist to implement a speech program for students in Kindergarten to Year 2. Students have reportedly 'graduated' from the program with increased self-esteem.

- At Coonamble Public School, a school psychologist and wellbeing Student Learning Support Officer are employed to implement intervention therapies and sensory work. Staff have reportedly developed skills to implement calming activities into the classroom after each break, resulting in less disruption.

- At Moree East Public School, funds have been used to provide a range of programs to support students, families and staff. These programs include yoga/mindfulness, occupational therapy, speech pathology, art therapy and cooking.

- Taree High School has employed a recreational officer to organise a range of activities for students and staff, including tai chi, 'boot camp' and stress management classes.

- At Taree Public School, a community liaison officer has been employed to provide a structured playground sport program, social enhancement groups, targeted in-class support and cultural awareness for boys.

- At Wilcannia Central School, a healing and wellbeing trained teacher, who is also a Barkindji woman, has been employed, allowing the establishment of a class for students who have been disengaged from school (sometimes for a number of years). The teacher also runs professional learning for teachers and runs wellbeing classes for secondary students.[958]

Many schools have also used the funding to provide additional counselling support to students.[959]

> #### Case study 29: Supporting student wellbeing at Coonamble High School
>
> Addressing wellbeing is a whole-school effort at Coonamble High School. During 2015-2018, a range of wellbeing strategies were put in place including wellbeing teams, an annual wellbeing expo for the whole community, strategic use of survey data to plan and deliver programs for particular year groups, weekly wellbeing lessons and the ongoing involvement of local services within the school to provide a range of counselling and other wellbeing services to students and their families. A Head

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[955] NSW Department of Education and Communities, '$8 million investment in healing and wellbeing', Media release, 9 October 2014.

[956] NSW Ombudsman, *Annual Report 2014-2015*, pp.114-115.

[957] Advice provided by the NSW Department of Education, July 2018.

[958] Advice provided by the NSW Department of Education, May 2018.

[959] NSW Department of Education, Centre for Education Statistics and Evaluation, *Connected Communities Strategy: Final Evaluation Report*, August 2018, p.45. (At the time of writing, the evaluation report had not been made public.)

Teacher Wellbeing was appointed to oversee the program, with morning rollcall turned into wellbeing check-in and a dedicated team of staff available to ensure students have eaten and are equipped for the day. Weekly wellbeing lessons involve discussions about particular problems that might arise in students' lives and strategies to deal with them. School wellbeing teams, appointed for each year group, regularly analyse data from the *Tell Them From Me* survey as a way of planning and programming to address the particular wellbeing needs of their group, whether this be bringing in an anti-bullying program, or planning a social camp to help students make friends.

To support students with serious social or mental health needs and supplementing the role of its part-time school counsellor, the school invites Uniting Care Burnside counsellors in fortnightly. Families can also access this service via the school. Both Clontarf and Girls Academy are located at Coonamble High School, providing additional mentoring and support for student wellbeing and aspirations. The school has also sent students on the physically and mentally challenging Outward Bound program to help them develop self-belief and resilience. In addition, every October, the school hosts its Warranggal Wellbeing Day event for the whole community. The event usually includes a drawcard speaker, food and entertainment, and service providers are available to explain the services they have on offer.

The school continues to have a wellbeing team; however, the focus has changed. For example, roll call now zeroes in on attendance rather than merely being used as a 'check-in' point. In addition, the school has several service level agreements with service providers who are able to access the school to assist and provide counselling to the students. It has also funded six year adviser roles as well as a senior coordinator role, to replace the previous structure which composed four 'House Heads', and it has established an Elder-in-Residence. The Warrangaal day has been handed over to the community so they can run it as a community event, and it is now held off-site and occurs during the school day, rather than on the weekend, to make it easier for all students in the primary partner schools and high school to attend.

Case study 30: Support for healing and wellbeing at Moree East Public School

Moree East Public School has spent the additional funding it received from the Healing and Wellbeing Model on a range of programs for students, families and staff. This includes a wellbeing program that incorporates mindfulness, yoga and fundamental movement skills as well as a cooking program for parents and the community. The funding was also used to engage a speech pathologist to support Kindergarten to Year 2 students and an Occupational Therapist who supports Kindergarten to Year 6 students. These para-professionals provide individual and small group student programs and work closely alongside staff to provide mentoring and professional learning sessions. The school's mindfulness/yoga program was developed collaboratively by the trainer and school to reflect a desire to expand whole-of-school awareness of expected values and behaviours. These sessions have reportedly helped improve participants' self-regulation, social development, engagement with learning, and staff professional and personal development.

The school offers a range of activities through the occupational therapy program in spaces designed to assist students who have experienced trauma to engage in calming and self-regulating experiences. In consultation with classroom teachers, the Occupational Therapist has developed classroom sets of sensory resources including 'engine boxes' and noise reducing headphones, and has also supported the redesign of classrooms to maximise engagement. The school is planning to install an 'engine room', which will feature safe soft play spaces and textured/weighted objects.

In addition to well-attended parent and community cooking sessions, the school has also installed vegetable gardens where the students take great pride in weeding,

maintaining, harvesting and cooking using fresh produce. These elements form part of a trauma-informed sensory-based approach that has been identified as helpful to students dealing with trauma, and which can enable improved regulation and participation in school.

The school encourages leadership and aspirational development in senior students in various ways, including sending students to leadership conferences and regular School Representative Council meetings. On a recent Year 6 camp in Sydney, students stayed at the National Centre for Indigenous Excellence and visited the Sydney Swifts, Google and Qantas where they engaged in games and exercises themed around building resilience, teamwork, innovation, aspirations and culture. A number of students who had left for the trip with no clear idea of what they wanted to do when they grow up returned with new aspirations to become lawyers, pilots or Aboriginal educators.

Since Connected Communities commenced, the school's previously very high rates of long suspension have been dropping (from a high of 31.8% in 2013 to 9.7% in 2017).

Although individual schools have reported significant benefits from the Healing and Wellbeing Model,[960] Education was unable to provide us with any outcomes data, advising us that 'the measurement of impacts is locally determined'. While some schools are collecting data (for example, Moree East Public School reports that pre- and post-surveys demonstrate the favourable impact of their yoga/mindfulness program), it appears that outcomes measurement is primarily anecdotal.[961] In our view, Education should develop a strategy for better monitoring the delivery and impact of healing and wellbeing initiatives at Connected Communities schools to help build an evidence base for what is working well and providing 'value for money'. Having said this, there are a range of factors which might contribute to attendance and student behaviour, so whatever form of monitoring is developed need only be simple, and does not need to go beyond tracking how the attendance, suspension and educational outcomes are being achieved by those students who are participating in specific programs.

Finally, we note that Connected Communities staff have identified trauma-informed practice training as being particularly beneficial.[962] In our view, given the extent of trauma experienced by a substantial proportion of students at Connected Communities schools, Education should ensure that all teachers at these schools are provided with practical, context-specific training about the impacts of trauma on children and young people; the link between trauma and challenging behaviours; and strategies for engaging effectively with students affected by trauma. This is particularly important given the data we discuss later in this chapter, which shows that students at Connected Communities schools continue to have high suspension and school non-attendance rates.

9.13 Supporting quality teaching and learning

A substantial body of research supports high-quality teaching as having the greatest in-school influence on student engagement and outcomes.[963] Education's *Great Teaching, Inspired Learning* reforms, launched in March 2013, acknowledge this. Research also indicates that professional development is a key factor impacting on teacher quality.[964] The influential McKinsey reports on

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[960]Advice provided by the NSW Department of Education, May 2018; NSW Department of Education, Centre for Education Statistics and Evaluation, *Connected Communities Strategy: Final Evaluation Report*, August 2018, pp.44-45. (At the time of writing, the evaluation report had not been made public.)

[961] Advice provided by the NSW Department of Education, May 2018.

[962] NSW Department of Education, Centre for Education Statistics and Evaluation, *Connected Communities Strategy: Final Evaluation Report*, August 2018, p.24, (At the time of writing, the evaluation report had not been made public.)

[963] NSW Department of Education and Communities, Centre for Education Statistics and Evaluation, *Great Teaching, Inspired Learning: What does the evidence tell us about effective teaching?*, February 2013, https://www.cese.nsw.gov.au, accessed 12 December 2018.

[964] Australian Government, Department of Foreign Affairs and Trade, Office of Development Effectiveness, *Teacher quality: Evidence review*, March 2014.

effective school systems highlighted the critical importance of investing in long-term professional development of teachers to drive strong improvement in student outcomes.[965]

The 2004 review of Aboriginal education in NSW strongly emphasised the need to extend quality teaching and learning for Aboriginal students, making various recommendations about professional development for teachers that focuses specifically on improving learning outcomes for Aboriginal students.[966]

9.13.1 Creating a culture of high expectation

Typically, a high proportion of early career, less experienced teachers are found in rural and remote public schools – and Connected Communities schools are no different. 'Beginning' teachers in these settings may require considerable mentoring and professional development to acquire the skills necessary to effectively meet the learning needs of their students. Even experienced teachers can considerably benefit from this type of support given the complex challenges and needs present in Connected Communities schools.

Evidence suggest that continuing professional development is most effective when it is site-based, fits with school culture and ethos, addresses particular needs of teachers, is peer-led, collaborative and sustained.[967] We have observed a demonstrable commitment under the Connected Communities strategy to build the capacity of the teaching workforce at participating schools, in particular through Instructional Leadership.

A culture of high expectations has been identified as a critical factor in improving Aboriginal education, with a major study identifying that the 'academic self-concept' of Aboriginal students has a major effect on their learning outcomes.[968] In other words, fostering self-belief and encouraging Aboriginal students to see themselves as capable learners is a key element in their learning journey. In this regard, we have observed a cultural change taking place in many Connected Communities schools, with a shift away from a deficit focus on Aboriginal learners to an emphasis on what needs to happen to ensure every student is able to reach their potential.

9.13.2 Instructional leadership

As part of Education's Early Action for Success strategy, which implements the *NSW Literacy and Numeracy Action Plan*, Instructional Leaders (FTE 1 or 0.5) are in place at every Connected Communities school that enrols primary students.[969] These are executive level positions that work 'shoulder-to-shoulder' with teachers of K-2 students to provide one-to-one mentoring, lesson modelling, observation and team teaching, and to make strategic use of assessment data to address the individual needs of students in the early years of school.[970]

An independent evaluation of Phase 1 of the *NSW Literacy and Numeracy Action Plan (2012–16)* found that, across all years, learning domains and K-2 cohorts measured, the proportion of students not reaching expected end-of-year standards for literacy and numeracy was substantially reduced, compared with these levels at the commencement of the Action Plan.[971] In addition, the evaluation

[965] McKinsey & Co, *How the world's best performing school systems come out on top*, 2007. McKinsey & Co, *How the world's most improved school systems keep getting better*, 2010.

[966] Department of Education and Training and Aboriginal Education Consultative Group, *Report of the Review of Aboriginal Education – Freeing the Spirit: Dreaming an Equal Future*, 2004, pp.189-194.

[967] NSW Department of Education and Communities, Centre for Education Statistics and Evaluation, *Great Teaching, Inspired Learning: What does the evidence tell us about effective teaching?*, February 2013, p.15.

[968] NSW Centre for Education Statistics and Evaluation, *What works best: Evidence-based practices to help improve NSW student performance*, October 2014. Seeding Success for Aboriginal Primary Students identified that academic self-concept is strongly correlated with academic outcomes for Aboriginal students. Centre for Positive Psychology and Education, University of Western Sydney and NSW Department of Education and Communities, Seeding Success for Aboriginal Primary Students, 2013.

[969] NSW Department of Education, *Early Action for Success – Phase 2 (2017-2020) Participating Schools* (obtained from Department of Education intranet, 30 May 2018).

[970] Tracey Sherringham, Deputy Principal Instructional Leadership, *Insights from Instructional Leadership across Early Action for Success schools*, workshop presented as part of Rural and Remote Education conference, 8 Sept 2017.

[971] In 2016 mean scores for Year 3 NAPLAN numeracy were 409 for all NSW schools, 366 for Action Plan schools (excluding Connected Communities schools) and 326 for Connected Communities schools. Of these, only the Connected Communities

published Year 3 NAPLAN assessment data for the Connected Communities schools, as a subset of the 448 schools involved in the Action Plan. This data demonstrates that the Connected Communities schools showed more positive signs of improved student outcomes than other Action Plan schools. While Connected Communities schools continued to have lower NAPLAN mean scores than other Action Plan schools in 2013-2016, assessment outcomes at these schools for Year 3 NAPLAN in 2016 were identified as the 'highest recorded for this cohort' in reading and 'considerably higher than in previous years' in numeracy. In Year 3, mean scores for numeracy at Connected Communities schools improved by 17 scale points since 2013.[972] These data show that while the Connected Communities school NAPLAN outcomes started the Action Plan significantly lower than other Action Plan schools, their improvement was considerably greater than those other schools. More broadly, the evaluation found:

> … *abundant evidence that the instructional leaders had achieved substantial success not only in changing the culture of the schools targeted but also in changing teachers' understanding of what it means to be an effective teacher. The 'relentless focus on learning' – a term heard frequently in participating schools – promoted by the instructional leaders through formal and informal meetings with teachers, classroom observations and professional learning was credited with greatly increasing the quantity and quality of professional dialogue between teachers; increasing genuinely collegial and collaborative planning as well as sense of collective responsibility for student learning; and providing greater transparency of teaching and decision-making.*[973]

The Early Action for Success strategy, with a continued focus on instructional leadership, is now implementing Phase 2 of the NSW Literacy and Numeracy Strategy (2017-2020). The impact of instructional leadership in schools will be considered as part of the broader evaluation of the strategy.[974]

As a large-scale reform strategy, the appointment of instructional leaders has proved to be a very cost effective approach. – Dr Tim Wyatt[975]

Through our visits to Connected Communities schools and consultations with Executive Principals, we have learned of different ways that instructional leadership is being applied and extended in a number of Connected Communities schools:

- At Hillvue Public School, all students across four Kindergarten classes were combined into one large double classroom, with breakout spaces, in order to allow the Deputy Principal, Instructional Leadership to maximise collegiate professional learning and reduce the effects that uneven teacher quality had been having on student outcomes.[976]

- Boggabilla Central School has supported the implementation of primary and secondary professional learning communities in which teachers come together weekly to analyse student data, reflect on what the students have learnt, formulate strategies for students who have not learnt and determine what the students are required to learn next.

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schools saw any substantial change in rates, with an increase of 17 points on the comparable 2013 score of 309. This means that Connected Communities schools reduced the gap between their and NSW mean NAPLAN scores for numeracy, from 100 points lower in 2013 to 81 points lower in 2016. (Erebus International, *Report of the Evaluation of the NSW Literacy and Numeracy Action Plan 2012-2016 – Executive Summary*, April 2017, p.39.)

[972] Erebus International, *Report of the Evaluation of the NSW Literacy and Numeracy Action Plan 2012-2016*, April 2017, pp.216-217.

[973] Dr Tim Wyatt, *Enhancing instructional leadership: Lessons from the NSW Literacy and Numeracy Action Plan*, 2017, p.32, https://research.acer.edu.au, accessed 1 October 2018.

[974] Advice provided by NSW Department of Education, May 2018.

[975] Dr Tim Wyatt, *Enhancing instructional leadership: Lessons from the NSW Literacy and Numeracy Action Plan,* 2017, pp.32-33, https://research.acer.edu.au, accessed 2 October 2018.

[976] NSW Ombudsman visit to Hillvue Public School, 9 November 2015.

- At Moree East Public School, the instructional leader is supporting the Building Numeracy Leaders program, which involves attending training sessions with a targeted staff member and then mentoring and supporting this staff member to develop their numeracy leadership capacity.

- At Brewarrina Central School, the instructional leader provides one-on-one mentoring of teachers, many of whom are in their first five years of teaching, for two hours each week.

Case study 31: Extending instructional leadership

A number of Connected Communities schools have extended or innovatively applied the *Early Action for Success* Instructional Leadership model, which provides mentoring and professional development for K-2 teachers towards targeted improvement in literacy and numeracy outcomes. This includes a number of schools creating additional roles and employing instructional leaders to focus on grades beyond the first three years of schooling (K-2).

At Bourke Primary, a new role of Deputy Principal, Curriculum Years 3-6, was created to provide instructional leadership coverage all the way to Year 6. The school realised their K-2 Instructional Leader was doing a great job and that teachers of higher grades would benefit from similar leadership. The Deputy, Curriculum 3-6 and Instructional Leader, K-2 are pedagogical (teaching theory) experts who work together to share with teachers and embed in classrooms evidence-based best practice. They each provide one-on-one weekly mentoring for one hour per teacher in the school, with a strong focus on implementing a Professional Development Plan for each staff member. That both instructional leaders also mentor and support teachers shoulder-to-shoulder in the classroom is considered very important as the school has a large number of beginning teachers. The school's Executive Principal has noted the enormous impact on student outcomes that can result from significant staff turnover. In a recent year, when nine teachers left the school and were replaced by less experienced teachers, improvement in student outcomes plateaued. This highlights both the importance of instructional leadership and mentoring to grow teacher expertise, and the need for schools to be able offer the right, flexible, incentives to retain teachers once resources and time have been invested in developing them.

With support from the Director, Connected Communities, a number of Connected Communities Executive Principals have taken the initiative to expand the Instructional Leadership model to teachers of students in the middle years, Years 5-8. The Executive Principals of Coonamble and Taree schools decided to implement a middle-years instructional leadership model across both the primary and secondary schools in each location. A dedicated Middle-Years Instructional Leader is employed to ensure teachers have the skills and resources needed to provide high quality tuition for students whose literacy and numeracy development requires ongoing support in the later years of primary and early high school.[977] Transition from primary to high school is well recognised as a risk time for disengagement by students, and more so for students from Aboriginal and low socio-economic backgrounds.[978] The new model is showing promise, as it provides a greater focus on aligning teaching strategies and building relationships across primary and high schools in the one location.[979]

CESE has observed that Connected Communities school staff highlighted professional development provided by Instructional Leaders (ILs) as being 'particularly beneficial', along with trauma-informed practice training. Teachers reported that the quality of instructional leadership in their schools had improved, and that as a result, so had their own teaching practices – regardless of how experienced

[977]Consultation with Coonamble Executive Principals, 6 November 2017, and Directors responsible for Connected Communities schools, 28 March 2018.

[978]NSW Department of Education, Centre for Education Statistics & Evaluation, *The role of student engagement in the transition from primary to secondary school*, 2017.

[979] Presentation by Middle-Years Instructional Leader at Executive Principals Professional Learning, 8 March 2018.

they were previously. [980] In light of this feedback, as well as the positive findings by the evaluation of the NSW Literacy and Numeracy Action Plan about the value of ILs, Education should continue to support the provision of ILs in Connected Communities schools that already employ them and explore how the model can be extended to all Connected Communities schools.

The McKinsey reports emphasised that to drive strong improvement in student outcomes, foundational elements include getting the right people into teaching roles and providing professional development for them.[981] Various research has confirmed that the quality of teaching offered is the most vital element affecting student outcomes, so focusing on getting this right is paramount. The McKinsey reports also highlighted that quality teaching improvements may involve group or cascading training and/or implementing systems of apprenticeship and mentoring for educators that are not unlike those seen in other professions, such as medicine or law. This may include evidence-informed and school-based instructional practice, whereby teachers collaborate and set standards to which they hold each other accountable.[982]

Beyond Instructional Leadership, we are aware that the Director, Connected Communities has provided opportunities for school executives and teachers to receive tailored professional development aimed at encouraging innovative learning to improve student engagement and achievement. For example, a dedicated professional learning workshop about Project Based Learning was delivered for Connected Communities educators in March 2017 and an externally facilitated Innovation Workshop was delivered to Executive Principals in early 2018. In our consultations, Executive Principals reported feeling positively challenged to think 'outside the square' by exploring different classroom structures and learning approaches that promote trusting relationships between students and teachers.

Case study 32: Project Based Learning

A number of Connected Communities schools have begun to adopt Project based learning (PBL), a teaching methodology that engages students in relevant meaningful learning where the student has greater agency in what and how they learn. When done well, the approach connects students to their local community and helps develop their skills in research, design, creative and critical thinking, and problem-solving. To encourage the uptake of PBL at Connected Communities schools, the Department ran a dedicated two day face-to-face workshop in March 2017 that was attended by teachers and Executive Principals, who have also had access to a series of online self-paced modules and mentoring.[983]

A particular benefit of the PBL approach that the Director, Connected Communities, is promoting, is its potential to enable student learning to happen through projects designed to be relevant to their lives.

Taree High School, which is the largest Connected Communities school in terms of enrolments,[984] has been applying PBL across whole year groups and the Executive Principal reports that the approach has really taken off, with popular projects involving designing a 3D virus or fantasy mutant animal, surviving an apocalypse, and a plane crash survivor scenario that was carried out in the school's drama room so sound and lighting effects could be used to enhance the experience. The school has designed a purpose built PBL space, with funky furniture and white boards that will be conducive to group project work, and which all faculties will be able to utilise once it is completed. The approach has been influenced by innovative models in place at non-Connected Communities schools, including Kurri Kurri High School.

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[980] NSW Department of Education, Centre for Education Statistics and Evaluation, *Connected Communities Strategy: Final Evaluation Report*, August 2018, pp.24, 62. (At the time of writing, the evaluation report had not been made public.)
[981] McKinsey & Co, *How the world's best performing school systems come out on top*, 2007. McKinsey & Co, *How the world's most improved school systems keep getting better*, 2010.
[982] McKinsey & Co, *How the world's most improved school systems keep getting better*, 2010, pp.40-44.
[983]Advice from Director, Connected Communities in response to request from NSW Ombudsman, January 2017.
[984] Taree High also has the largest proportion of non-Aboriginal students, with Aboriginal students being 13% of all enrolments in 2017.

CESE's evaluation concluded that overall, teachers at Connected Communities schools are being provided with effective professional development.[985] Most felt that they had received sufficient professional learning, that they felt confident in implementing teaching strategies for all students.[986] This is a very positive outcome and one the Department should strive to maintain through continued, targeted investment in supporting the professional learning of the Connected Communities workforce.

9.13.3 Supporting secondary students through Learning Centres

In addition to investing in Instructional Leadership, which is primarily targeted at students in the early primary years, Learning Centres were established in eight Connected Communities schools in 2018 to improve educational outcomes for secondary students. Learning Centres had already been successfully operating in a number of non-Connected Communities schools.[987]

The Learning Centres aim to provide academic and cultural support to enhance better outcomes for Aboriginal students. The model is 'opt-in' for students. Each of the eight participating Connected Communities schools were given funding for 12 months so each school could employ a full-time Learning Support Coordinator (teacher) and a part-time Aboriginal Student Learning Support Officer.[988]

Learning Centres should be available to students both during and after school hours. As the 'hosts' for the Learning Centres, secondary schools are encouraged to work collaboratively with partner primary schools, for example on transition programs and cross-discipline teaching practices and experiences.

The Personalised Learning Pathways process is integral to the Learning Centres concept, as it provides a structure for planning and monitoring students' individual goals. While there is flexibility within the guidelines for schools to implement their Learning Centre in ways that meet local needs, the types of support provided may include:
- goal setting
- developing study plans
- individual or group tutoring sessions (before/during/after school)
- assistance with assignments
- support to build academic skills, such as research and group work
- providing learning resources which may otherwise not be available to students after school hours, and
- providing learning buddies/mentors.

Among other duties, Learning Centre Coordinators are responsible for collecting and analysing data to inform targeted support, and monitoring and evaluating student participation, engagement and academic achievement.[989]

The implementation of the Learning Centres is a welcome development, and should be closely monitored to assess whether participating students are engaging more effectively in school and getting better results.

9.13.4 Exploring targeted opportunities for research

Learning Centres, along with a range of other significant 'demonstration models' being implemented through Connected Communities, should be the subject of a targeted research project to identify which of these models, or their core components, appear to be having the greatest impact on Aboriginal secondary students.

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[985] NSW Department of Education, Centre for Education Statistics and Evaluation, *Connected Communities Strategy: Final Evaluation Report*, August 2018, p.9. (At the time of writing, the evaluation report had not been made public.)
[986] NSW Department of Education, Centre for Education Statistics and Evaluation, *Connected Communities Strategy: Final Evaluation Report,* August 2018, p.61. (At the time of writing, the evaluation report had not been made public.)
[987]Advice provided by NSW Department of Education, March 2018.
[988] Advice provided by NSW Department of Education, May 2018.
[989] NSW Department of Education, *2018 Learning Centre Guidelines*, provided 29 May 2018.

In this regard, we note the four year *Seeding success for Aboriginal primary students* collaborative research project between the University of Western Sydney, the Department of Education and the NSW AECG, which aimed to identify which facets of quality teaching impact most on educational outcomes for Aboriginal and non-Aboriginal students in Years 3- 6 in NSW government schools.[990] We understand that the findings of this research, including the identification of 16 factors that causally and positively influenced schooling outcomes for Aboriginal primary students, have usefully informed Education's professional learning priorities for teachers.[991]

9.14 Improving literacy and numeracy

Improving the literacy and numeracy of Aboriginal students is a Closing the Gap target and reflected as a key deliverable for Connected Communities. CESE's evaluation of the strategy has closely tracked progress against this deliverable using data from the National Assessment Program – Literacy and Numeracy (NAPLAN). NAPLAN is an annual, standardised assessment for students in Years 3, 5, 7 and 9. It is administered nationally, and is designed to test progress in key learning skills such as reading, writing, spelling and numeracy.

CESE aimed to estimate the effect of Connected Communities on students' Reading and Numeracy NAPLAN scores across Kindergarten-Year 3, Year 3-Year 5 and Year 7-Year 9. To isolate the impact of Connected Communities, they compared the NAPLAN scores for students at Connected Communities schools to the scores for students at a similar group of schools that were not part of the strategy.[992] In reporting on the effect of Connected Communities on NAPLAN outcomes, CESE cautioned that 'the estimates are highly variable due to the low numbers of students who were exposed to Connected Communities'.[993]

Notwithstanding this caution, CESE found moderate evidence to suggest that Connected Communities has had a positive effect on Year 3 NAPLAN outcomes for reading and numeracy. Notably, CESE's analysis indicates that students who were 'fully exposed' to Connected Communities from Kindergarten to Year 3 scored around 36 points higher on average on their Year 3 numeracy assessments, and around 31 points higher on average in their Year 3 reading assessments, than they would have had the strategy not been in place. As well, the percentage of Year 3 students achieving below national minimum standards on their numeracy and reading assessments decreased by around 19% and 22% respectively. However, there was a large variation in individual schools' NAPLAN results, to the extent that the Year 3 improvements reported above would disappear if a single school was excluded from the analysis.[994]

CESE found little evidence to suggest that Connected Communities has had a positive effect on Year 5 or Year 9 NAPLAN outcomes. However, if one school is excluded from analysis, the Year 9 NAPLAN numeracy and reading assessments would be more positive.[995]

CESE's analysis reveals that NAPLAN outcomes for primary students, particularly Year 3 numeracy and Year 3 reading, are catching up to state-wide outcomes. Meanwhile, NAPLAN outcomes for secondary students show significant fluctuation from 2013 to 2017. There has been no consistent improvement to outcomes during this period, with the exception of Year 9 numeracy – which improved considerably in the five years to 2017, catching up to state-wide outcomes.

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[990] Centre for Positive Psychology and Education, University of Western Sydney and NSW Department of Education and Communities, *Seeding Success for Aboriginal Primary Students*, 2013.
[991] For an overview of findings, see Rhonda Craven and Natasha Magson, 'Seeding success for Aboriginal primary students', *Scan*, Vol. 33, 2014, https://education.nsw.gov.au, accessed 2 October 2018.
[992] The comparison schools were focus schools from the Aboriginal and Torres Strait Islander Action Plan (ATSIEP). The targets and priorities for these schools were broadly similar to those for Connected Communities schools, and all Connected Communities schools were focus schools in the ATSIEP. (NSW Department of Education, Centre for Education Statistics and Evaluation, *Connected Communities Strategy: Final Evaluation Report*, August 2018, p.22.) (At the time of writing, the evaluation report had not been made public.)
[993] NSW Department of Education, Centre for Education Statistics and Evaluation, *Connected Communities Strategy: Final Evaluation Report*, August 2018, p.24. (At the time of writing, the evaluation report had not been made public.)
[994] NSW Department of Education, Centre for Education Statistics and Evaluation, *Connected Communities Strategy: Final Evaluation Report*, August 2018, p.7. (At the time of writing, the evaluation report had not been made public.)
[995] NSW Department of Education, Centre for Education Statistics and Evaluation, *Connected Communities Strategy: Final Evaluation Report*, August 2018, p.8. (At the time of writing, the evaluation report had not been made public.)

In our view, it is too soon to draw any reliable conclusions about the impact of Connected Communities on literacy and numeracy. A sustained investment is required to allow the strategy to demonstrate whether it can deliver the improvements needed to 'close the gap' for Aboriginal students, particularly in the secondary years. As CESE's evaluation concludes, 'Further time will be required to see … whether results in later years improve as the cohort of 'fully exposed' students (that is, students who have been in a Connected Communities school for their whole time at school) complete their schooling'.[996]

Given the evidence that high quality teaching has the largest influence on student engagement and educational outcomes, it will be critical that Connected Communities continues to have a strong focus on supporting teaching excellence and effectiveness. (Whether standardised assessments such as NAPLAN can be used to measure the quality of teaching – and learning – is a separate question beyond our scope.) However, as we discuss later, improving basic learning outcomes depends, to a very significant extent, on first getting – and keeping – Aboriginal children and young people at school. To this end, Connected Communities must also intensify its focus on lifting and maintaining school attendance and, in particular, reducing exclusionary suspensions.

9.15 Supporting students at key transition points

Supporting students at key points of transition in their education journey – from early childhood to Kindergarten, primary to high school, and pathways to post-school training, study or employment – is a focus for Connected Communities.

9.15.1 Readiness for school

There is a solid and growing body of evidence about the importance of engaging Aboriginal children in quality early childhood education. COAG's Closing the Gap target to have 95% of all Indigenous four-year-olds enrolled in early childhood education by 2025 reflects this. Research has found that preschool attendance is associated with better short-term cognitive outcomes, as well as better cognitive and developmental outcomes in the longer term.[997]

Connected Communities aims to support students to enter formal schooling in Kindergarten 'as confident learners with age appropriate socialisation and literacy and numeracy skills'.[998] To facilitate this, participating schools were expected to establish a transition program to engage preschool age students.

Additionally, the Connected Communities Early Childhood Fee Relief Project and the Connected Communities Early Childhood Education Infrastructure Project were funded through the National Partnership Agreement on Universal Access to Early Childhood Education. The Fee Relief Project targeted families at six Connected Communities sites that did not already have access to a preschool operated by the Department of Education, and aimed to increase preschool access and participation. The Infrastructure Project provided $3 million to upgrade existing community-based preschools in these sites. It also funded outreach activities, including transport, to support preschool participation.[999]

We have observed a number of positive practices at Connected Communities schools, which give children early exposure to, and positive supported experiences in, the school environment.

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[996] NSW Department of Education, Centre for Education Statistics and Evaluation, *Connected Communities Strategy: Final Evaluation Report*, August 2018, p.66. (At the time of writing, the evaluation report had not been made public.)
[997] L. Arcos Holzinger and N. Biddle, Centre for Aboriginal Economic Policy Research, ANU College of Arts & Social Sciences, *The relationship between early childhood education and care (ECEC) and the outcomes of Indigenous children: evidence from the Longitudinal Study of Indigenous Children* (LSIC), CAEPR Working Paper No. 103/2015, December 2015.
[998] NSW Department of Education, Centre for Education Statistics and Evaluation, *Connected Communities Strategy: Final Evaluation Report*, August 2018, p.14. (At the time of writing, the evaluation report had not been made public.)
[999] NSW Department of Education, Centre for Education Statistics and Evaluation, *Connected Communities Strategy: Final Evaluation Report*, August 2018, p.14. (At the time of writing, the evaluation report had not been made public.)

Case study 33: Improving school readiness in Bourke

Bourke Public School opened its Early Years Transition Centre (EYTC) in 2014. Families are encouraged to enrol their child at the centre for two days per week and another two days at a local childcare centre, with the aim of enhancing children's literacy, numeracy and welfare needs prior to commencing school. The EYTC also aims to build effective partnerships with parents prior to school enrolment, promote Bourke Public School as the school of choice for the area and assist with school readiness.

The school received initial funding via the Connected Communities Infrastructure initiative that allowed it to refurbish the rooms and play spaces it needed to cater for an early childhood transition program. Staffing for the centre is funded via the school's budget, with Resource Allocation Methodology (RAM) funding used to employ a classroom teacher for the EYTC, and a teacher's aid and Aboriginal Education Officer dedicated to assist in running the centre. The EYTC provides four-year-old children with exposure to school and educational routines before starting Kindergarten. There is also a strong focus on early intervention – with vision and hearing checks, occupational therapy and speech pathology services available. Once support needs have been identified, the school is able to start the paperwork early and get support systems in place for children so they are ready to go on day one of Kindergarten.

Having the EYTC on-site at Bourke Public School has increased the proportion of students attending school readiness programs prior to school, with 66% of students in Kindergarten in 2014 having attended such a program and 94% of students having done so in 2017. The school's Senior Leader, Community Engagement has played an instrumental role in increasing enrolments at the EYTC by 'door knocking' local families to promote the centre and its benefits. There is no charge to attend the EYTC, which has catered for 50 to 60 children per year since 2015. Previously, when students arrived straight into Kindergarten, enrolment numbers were smaller and children were not considered 'ready' for school. The Executive Principal explains that the EYTC gets children oriented on school grounds and into routines, with many children even electing to start wearing the school uniform. Members of Bourke's School Reference Group have reported that children accessing the service have displayed significant progress and increased school readiness. Importantly, the EYTC allows students and parents to become familiar with educators at the school before the first day of Kindergarten, which helps to alleviate stress and concerns about what to expect when arriving to start school. By the time they reach Kindergarten, students who have attended the EYTC are comfortable in their surroundings, as they are gradually exposed to all school facilities over the period of a year.

CESE's evaluation found that the transition to school model appears to be having a positive effect.[1000] While school staff continue to report concerns about school readiness, they also identify 'clear benefits' in terms of children entering school with a better understanding of how to behave and engage in a classroom setting. Staff have also highlighted that a major benefit of the model is the early identification of health problems, learning difficulties, disabilities and developmental disorders in students in these communities.[1001] This early identification is critical to ensuring that schools know right from the start if a child faces particular barriers to learning, and so that children can start school with appropriate supports in place. We discuss this further in Part C.

We understand that Education does not collect data about which children enrolling in Connected Communities schools have previously participated in a transition program or accessed early childhood

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[1000] In their interim evaluation of Connected Communities, CESE found some evidence of improved performance in the Best Start Kindergarten assessment. In their final evaluation report, CESE chose to exclude Best Start data analysis because the data was in an aggregated form, which did not allow observation of the outcomes for a similar group of comparison schools. Therefore, the data could not be used to accurately attribute any change in the outcomes for Connected Communities schools to the Strategy itself. In addition, the data is 'somewhat confounded' by the change in the Best Start participation rate over time. (Advice provided by CESE, September 2018).

[1001] NSW Department of Education, Centre for Education Statistics and Evaluation, *Connected Communities Strategy: Final Evaluation Report*, August 2018, pp.30-31. (At the time of writing, the evaluation report had not been made public.)

education.[1002] In our view, this should be rectified so that observations can be made at both school and Departmental level about correlation of participation and progress during formal schooling.

9.15.2 Transitioning from primary to high school

Research by CESE indicates there is a decline in student engagement during the transition from Year 6 to Year 7. This includes a decline in students' effort in learning, valuing of school outcomes and their sense of belonging at school. Students from low socio-economic backgrounds and Aboriginal students experience a greater decline in their sense of belonging.[1003] This is significant because a strong sense of belonging has been positively associated with academic achievement, self-sufficiency and broader wellbeing outcomes, while a low sense of belonging can lead to poor achievement and non-completion of school.[1004]

Students' sense of belonging in Year 7 is significantly influenced by their prior sense of belonging in primary school, their relationships with peers and teachers, and the support for learning they receive at school and at home. Building relationships between secondary schools and feeder primary schools has also been shown to be a key factor in improving transitions.[1005]

There has been a positive improvement in Aboriginal students' sense of cultural belonging at Connected Communities schools since the strategy began, and in comparison to other government schools. During our consultations with Executive Principals and Directors responsible for Connected Communities schools, they emphasised just how important they consider students' sense of belonging to be as a foundation for tangible education outcomes including school attendance and retention.

We have observed some good examples of primary and secondary schools working collaboratively. In Coonamble, the Executive Principals of both schools told us they have been working together to align their policies and procedures to reduce the degree of adjustment required for students transitioning from primary to high school. As well, an Instructional Leader works across both schools, and is supporting a focus on equipping teachers to support students in late primary and early secondary school. This has included improving alignment of teaching practices and providing greater continuity for students who require ongoing intensive literacy and numeracy support.

The Executive Principals of Taree primary and secondary schools also work closely together. The schools share an Elder-in-Residence (see Case study 28), who provides positive cultural continuity for students as they transition from primary to high school. The schools also share common members on their School Reference Groups and hold some joint meetings as a way of promoting alignment between the approaches taken by the primary and high schools, and in turn, supporting student transitions.

9.15.3 Pathways to further education or employment

Finishing secondary school is associated with a range of other education, employment and health outcomes.[1006] Nationally, the overall rate of Indigenous student retention increased by about 15% over the past decade.[1007] Indigenous student retention has also improved faster than the rate of non-Indigenous retention.[1008] While positive, Aboriginal students are still significantly less likely than their non-Aboriginal peers to stay on to Year 12. And, in NSW, Aboriginal student retention rates have

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[1002] Advice provided by NSW Department of Education, April 2018.
[1003] Department of Education, Centre for Education Statistics and Evaluation, *The role of student engagement in the transition from primary to secondary school*, 2017.
[1004] Department of Education, Centre for Education Statistics and Evaluation, *The role of student engagement in the transition from primary to secondary school*, 2017.
[1005] NSW Department of Education, Centre for Education Statistics and Evaluation, *The role of student engagement in the transition from primary to secondary school*, 2017.
[1006] Australian Bureau of Statistics, *Year 12 Attainment,* No. 4102.0, 2011.
[1007] Australian Bureau of Statistics, 'Aboriginal and Torres Strait Islander student rate rise', Media release, 2 February 2018.
[1008] Australian Curriculum, Assessment and Reporting Authority, *National report on schooling in Australia 2016*, released 2018, pp.84-85.

improved more slowly than at a national level.[1009] In response, a new Premier's Priority to increase the proportion of Aboriginal students attaining Year 12 by 50% by 2023 was announced in June this year.[1010]

While there has been a strong increase in the apparent retention rate for non-Aboriginal students at Connected Communities schools (up from 65% in 2012 to 84% in 2017), the Aboriginal student retention rate has remained stable over time – in 2017, only 38% Aboriginal students completed secondary schooling.[1011] HSC attainment also remains lower for Aboriginal students at Connected Communities schools than for non-Aboriginal students at these schools – in 2017, nearly 90% of eligible non-Aboriginal students received their HSC compared to approximately 25% of eligible Aboriginal Year 12 students.[1012]

The incentives for students to complete Year 12 in Connected Schools are limited, given the much lower number of jobs on offer in their local towns or surrounding areas. Aboriginal students in remote areas and/or those from disadvantaged backgrounds typically have little opportunity to be exposed to different options to inform their future career planning.

Executive Principals have told us that students with little exposure to life 'beyond the levy bank' of their hometown in a remote community benefit greatly from targeted opportunities to broaden their horizons. One Executive Principal emphasised the importance of introducing students to a range of different professions, to expand their aspirations beyond what their life experience has given them. This may involve inviting various professionals to speak to students in remote schools or facilitating opportunities for students to attend holiday camps on university campuses.

Mentoring programs have been utilised by some Connected Communities schools to lift the post-school aspirations of students. Relevant initiatives include Brospeak and Sistaspeak, Girls Academy, Aspire and Boomalli. Sista Speak and Bro Speak were reported by some people we consulted to be particularly powerful because they are delivered by local Elders in-school and help build teachers' cultural competence. In at least one school, the programs are offered as a reward to students with strong school attendance and performance. One Executive Principal told us 'We've seen kids turn around to go into these programs'.[1013]

The Clontarf Foundation, which exists 'to improve the education, discipline, life skills, self-esteem and employment prospects' of young Aboriginal men, also has football academies operating in four Connected Communities schools (see Case study 36) since 2012: Bourke High School, Brewarrina Central School, Coonamble High School and Moree Secondary College. Each Clontarf Academy, formed in partnership with the local school, is focused on encouraging behavioural change and developing positive attitudes, and encourages students to complete school and secure employment. Through a diverse mix of activities, the full-time, local Clontarf staff mentor and counsel students while the school caters for the educational needs of each student.[1014] In order to remain in the program, participants must continue to work at school.

An evaluation by CESE in October 2016 of the 25 Clontarf academies operating in NSW found that students who were heavily involved in the Academy had a greater likelihood of completing Year 12 (70%) than non-participants at the same school (51%) – although causality could not be tested.[1015] As well, the evaluation found that within two years of leaving school, Clontarf graduates were more likely

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[1009] Improved retention rates are influenced by new school participation rules that keep students at school until age 17, introduced in NSW in 2010. CESE's tracking of retention rates for students in NSW Government schools shows the Indigenous rate gained 7.7% from 2012 to 52.1% in 2017, and the non-Indigenous rate was up by 5.6% to 79.3% in 2017. This means Indigenous students in NSW are still significantly less likely to proceed to Year 12, but the retention rate gap closed by 2.1% in the past six years, with a 27.2% gap remaining in 2017. (Data provided by NSW Department of Education, Centre for Education Statistics and Evaluation, 22 June 2018.) Note that the CESE rates are *not* directly comparable to the ACARA rates, which include data for all school sectors (not just Government schools).
[1010] NSW Government, 'Ambitious targets at the heart of new Premier's Priorities', Media release, accessed 15 July 2019.
[1011] NSW Department of Education, Centre for Education Statistics and Evaluation, *Connected Communities Strategy: Final Evaluation Report*, August 2018, pp.32-33. (At the time of writing, the evaluation report had not been made public.)
[1012] NSW Department of Education, Centre for Education Statistics and Evaluation, *Connected Communities Strategy: Final Evaluation Report*, August 2018, p.34. (At the time of writing, the evaluation report had not been made public.)
[1013] Consultation with Executive Principals, 8 May 2018.
[1014] Clontarf Foundation, *The Quarterly: September 2018*, http://www.clontarf.org.au, accessed 29 November 2018.
[1015] We note that the overall number of students participating in Clontarf represents a small cohort.

to be working or studying (and less likely to be 'looking for work') than the general trend for Aboriginal males in non-metropolitan areas across NSW.[1016] In June 2018, the NSW Government announced a $3.75 million grant to provide up to 1,000 additional places and help expand the program into more schools across the state.

Partnerships with tertiary education providers and businesses

Many Connected Communities schools have established links with local TAFEs and training providers to deliver specific programs including school-based apprenticeships and traineeships. Most also have partnerships with universities, which may provide scholarships, early entry programs and opportunities for school students to gain exposure to the possibilities offered by tertiary education.

For example, Taree High School has a partnership with Charles Sturt University (CSU) which runs the 'Future Moves' program, which focuses on career planning, for students in Years 8-10. In Year 11, participating students enter the senior preparation program with a staff member who monitors every student's transition plan. This is an off-line, dedicated role. CSU staff deliver modules at the Port Macquarie campus. The school also has a relationship with Newcastle University's Aboriginal student centre, which visits the school and hosts on-campus visits for Year 9 students. Brewarrina Central School also has a partnership with Western Sydney University which targets students in Years 9-12, providing them with opportunities to visit the university and participate in 'identity and belonging' activities.[1017]

In some more remote areas, schools have reported limited TAFE options due to either a restricted range of courses being offered, or courses withdrawn due to low enrolments.[1018]

A number of schools have taken a pragmatic approach, tailoring vocational training to align with the sort of work that exists in their local communities. For example, Bourke High School has a partnership with Darling River Meats. Brewarrina Central School has developed links with the Shire Council to provide work experience opportunities, while allied health and park ranger traineeships have been facilitated by Taree High School.

Case study 34: School-based training at Menindee Central School

Menindee Central School offers a school-based traineeship to every Year 11 student, matched to their interests. It also offers students the opportunity to gain paid work experience while still at school. The school uses its Personal Learning Pathway process during the earlier years of secondary school to help students identify their interests and develop long-term goals about what they would like to do after school. Parents are involved in this process also. The school then strives to provide a school-based traineeship that matches each student's interests. As there are not many other opportunities for students to get work experience or part-time jobs locally, the school finds that providing in-school opportunities has been a strong motivator for students to stay on at school for Years 11 and 12. Compared to other NSW schools, Menindee Central School has very high rates of retention to Year 12 and, in recent years, the school has retained every student from Year 10 through to school completion.

Each year most senior students at Menindee Central School opt for a traineeship, and to date, 30 students have completed their industry-accredited qualification as well as gaining an HSC. The school aims to ensure that every student is work-ready by the time they leave school. In 2017 the school reported it was aware of 10 recent former students that had gained employment or were studying, with the majority finding work in Sydney, Mildura or Broken Hill, and two graduates who stayed on in Menindee were studying at TAFE and working locally. One former student, who started as a

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[1016] NSW Department of Education, Centre for Education Statistics and Evaluation, *Evaluation of the NSW Clontarf Academies Program*, October 2016.
[1017] Consultation with Executive Principals, May 2018.
[1018] Consultation with Executive Principals, May 2018.

trainee, now runs his own company and employs other Menindee Central School students in their holidays.

In Chapter 8, we discuss the implementation of Opportunity Hubs, the OCHRE initiative aimed at supporting Aboriginal young people to successfully transition between secondary school and further education and/or employment. Only one of the Hub sites, Tamworth, is also a Connected Community site. Hillvue Public School has taken advantage of its proximity to the Hub, inviting them into the school to help run a weekly boys' group. A number of other Connected Communities schools have told us they would benefit from access to a more structured post-school transition model as part of the strategy, and increased resources to expend on this. We have recommended in Chapter 8 that Education should support the existing Hubs to focus their efforts on those schools and students most in need, and, in partnership with Aboriginal Affairs NSW, strategically communicate information about successful Hub practices to other schools, particularly those participating in the Connected Communities strategy, so that these practices may be adopted more broadly.

Despite the positive links made, CESE found that many Connected Communities school staff still felt there were limited 'real' opportunities available to students in a small range of fields. This is consistent with feedback provided to us, and reflects the reality of some of the remote communities where Connected Communities are located. The reluctance of many students to leave their communities to access further education was also identified by CESE as a barrier.[1019]

To an extent, the Connected Communities key deliverable that 'Aboriginal students are transitioning from school into post-school training and employment' may create an unfair expectation on schools in a context where other critical 'enabling' factors, such as real employment opportunities, remain tenuous. Schools do and should actively support students to think about and plan for life after school, by creating culture of high expectations and exposure to possibilities. They also have an important role to play in facilitating access to work experience and further training and education opportunities.

However, the degree to which schools can be held accountable for whether Aboriginal students achieve successful post-school outcomes needs to be carefully weighed alongside an acknowledgement of the complex factors in play – and the role that other agencies have in addressing these. For this reason, in Chapter 6 we discuss what has so far been achieved by the state-wide *Aboriginal Economic Prosperity Framework*, and how its implementation can be further strengthened to address barriers to Aboriginal employment and broader economic participation.

9.16 Improving school attendance

For many years, school attendance has been consistently raised by Aboriginal communities as one of their most significant concerns.[1020] In addition to being a key deliverable for Connected Communities, lifting school attendance was one of the seven original Closing the Gap targets.[1021]

For obvious reasons, regularly attending school is clearly linked to other educational outcomes, with research showing that 'average academic achievement (measured by NAPLAN test scores) declines with increasing rates of school absence, and particularly so for Aboriginal, low socio-economic status or remote students'.[1022] As well, disengagement from school removes young people in disadvantaged communities from the protective supports offered by the school environment, placing them at greater risk of abuse and involvement in anti-social and criminal behaviour. In this regard, our 2012 report to

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[1019] NSW Department of Education, Centre for Education Statistics and Evaluation, *Connected Communities Strategy: Final Evaluation Report*, August 2018. (At the time of writing, the evaluation report had not been made public.)
[1020] NSW Ombudsman, *Inquiry into service provision to the Bourke and Brewarrina communities*, December 2010; *Addressing Aboriginal disadvantage: the need to do things differently*, October 2011; *Responding to child sexual abuse in Aboriginal communities*, December 2012.
[1021] While national Indigenous attendance rates remained stable between 2014 and 2017, the goal of closing the gap between Indigenous and non-Indigenous school attendance within five years (by 2018) has not been met. (Australian Government, *Department of Prime Minister and Cabinet, Closing the Gap: Prime Minister's Report 2018*, February 2018, p.51.)
[1022] NSW Department of Education, *Centre for Education Statistics and Evaluation, Connected Communities Strategy Final Evaluation Report*, August 2018, p.25. (At the time of writing, the evaluation report had not been made public.)

Parliament included data showing the link between school non-attendance and victimisation by sexual abuse.[1023]

In our 2011 report to Parliament about addressing Aboriginal disadvantage, we stressed the need for innovative strategies to address school non-attendance, particularly in high-need Aboriginal communities. In doing so, we recognised that achieving sustained improvement would be contingent on schools forging strong partnerships with communities, as well as school efforts being supported by effective child protection through early intervention. We also highlighted the difficulty associated with obtaining a clear picture of school attendance for Aboriginal children, and emphasised the importance of Education collecting and reporting better data about school attendance at individual schools.[1024]

We reiterated these messages in our 2012 report *Responding to child sexual abuse in Aboriginal Communities*, recommending that Education should review its approach to school non-attendance in disadvantaged communities; develop innovative approaches to keep 'hard to reach' Aboriginal young people engaged with education; and publicly report data, on a regular basis, about Aboriginal student attendance, suspensions, and literacy and numeracy attainment.[1025]

9.16.1 Attendance strategies implemented by Connected Communities schools

From the very outset of the development of Connected Communities, improving the management of non-attendance and considering alternative options to address high suspension rates were identified as key issues to be addressed by the strategy.[1026] We understand that, as a key deliverable, student attendance at Connected Communities schools is closely monitored by relevant Directors, Educational Leadership and the Director, Connected Communities.

We are aware of a wide variety of strategies that Connected Communities schools have implemented with the aim of lifting student attendance. These include:
- personal attendance plans
- attendance meetings with students/parents/carers
- breakfast, recess and lunch programs
- attendance mentors/officers to work with targeted students and families
- public recognition, awards and rewards (for example, movie/pizza night, special excursion, family season swimming pass) for outstanding attendance
- flexible learning pathways, and
- lease of a bus to collect students each morning and drop them home each afternoon.[1027]

One school told us they had started sharing screenshots of students' attendance records with their families – this was reported to have had a 'remarkable impact' on parents, making the 'problem' visible and generating conversations about what extra supports the school could provide. We have also learned of schools going the extra mile to identify and address particular barriers, such as discretely providing sanitary items and clothes washing facilities for students whose family circumstances may otherwise prevent them confidently attending school.

> ### Case study 35: Establishing a school attendance officer
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> At Coonamble High School, the Aboriginal student attendance rate improved from 66.6% in 2015 to 75.9% in 2017. The then Executive Principal told us that when she first arrived at the school, she was struck by an unacceptably high level of non-attendance without follow-up or formal notification. To address this, she created the role of attendance officer, which reports to the Deputy Principal. The school takes a tiered approach to addressing attendance, including rewards for high attendance and making attendance one of the criteria for other privileges, such as representing the

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[1023] NSW Ombudsman, *Responding to child sexual abuse in Aboriginal communities*, December 2012, p.iv.
[1024] NSW Ombudsman, *Addressing Aboriginal disadvantage: the need to do things differently*, October 2011, Chapter 5.
[1025] NSW Ombudsman, *Responding to child sexual abuse in Aboriginal Communities*, December 2012, Recommendations 84-87.
[1026] NSW Department of Education, *Connected Communities Strategy*, December 2011, p.3.
[1027] Advice provided by NSW Department of Education, May 2018.

school in sport. Clontarf and Girls Academy also operate at Coonamble High School, and both programs focus on attendance. The attendance officer helps co-ordinate follow-up effort, data capture and communication about attendance between all of the staff working in attendance-related roles: the HSLO, ASLO, Head Teacher Wellbeing, Year Advisors, Clontarf and Girls Academy officers. The Executive Principals of both the secondary and primary schools in Coonamble are working together on this, to ensure they share rules and approaches, to allow smoother transition to high school for students. In 2018, the Attendance Officer at the High School logged 669 attendance interventions for 135 students, being 65% of the school population, and that attendance postcards including a summary of each student's attendance were mailed out to every parent and carer, in an effort to engage parents and carers in improving attendance. With significantly greater effort being applied to address attendance at this school, it will be important to track changes over time.[1028]

Case study 36: Clontarf Academies

Clontarf Academies, which aim to boost school attendance as well as offering a range of wellbeing, sporting, leadership, mentoring and work experience opportunities for Aboriginal boys, have been operating in four of the Connected Communities schools since 2012: Bourke High School, Brewarrina Central School, Coonamble High School and Moree Secondary College. The academies use football to motivate Aboriginal boys to engage with schooling.

CESE's 2017 evaluation of the 25 Clontarf Academies operating in NSW CESE reported that the overriding view among the stakeholders consulted as part of the evaluation was that 'the Clontarf Academies in NSW have been well implemented and that the program generates visible benefits for many of the participants — particularly in terms of attracting boys to school, providing good role models, improving their sense of self-esteem and confidence, and providing a welcoming and encouraging environment at school'.[1029] The evaluation found a statistically significant 'Clontarf effect' on school-level attendance among Aboriginal boys in Years 7, 8 and 9 (an increase of 4.0 days schooling per student per year for Aboriginal boys in Year 7, 10.6 days in Year 8 and 9.8 days in Year 9), but not among Aboriginal boys in Years 10, 11 or 12. In this regard, CESE observed that 'only time will tell if the influence of the Clontarf Academes on senior students' attendance increases in future years, as these Year 7-9 students move into Years 10-12'.[1030]

Table 4 shows that overall attendance by Aboriginal students at the Connected Communities schools with Clontarf Academies has been highly variable over the last six years. One of the schools, Brewarrina Central School, stands out as having achieved some consistent improvement in attendance by Aboriginal secondary students since the Clontarf Academy and Connected Communities were established – although it is not possible to establish causality, and it should be noted that the data in Table 4 is for all Aboriginal secondary students at relevant schools – not just male students participating in Clontarf.

Case study 37: Making kids feel like they belong

At Bourke Primary School, where attendance has been above 90% for every year of the Connected Communities strategy, the (former) Executive Principal explained: 'We provide incentives, a welcoming, safe, happy place, with warmth, food, whatever they need is here. We don't struggle to get students to school as they know what's here. A lot of time and effort goes in to this.' Another Connected Communities school with a

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[1028] Advice from Executive Principals at Coonamble High School and Primary School, November 2017.
[1029] NSW Department of Education, Centre for Education Statistics and Evaluation, *Evaluation of the NSW Clontarf Academies Program*, October 2016, p.iv.
[1030] NSW Department of Education, Centre for Education Statistics and Evaluation, *Evaluation of the NSW Clontarf Academies Program*, October 2016, p.ii.

strong record of sustained high attendance is Menindee Central School, which has maintained attendance rates in the 80% range, for both Aboriginal and non-Aboriginal students, for almost all years of the strategy, and in 2017, recorded attendance rates of over 90% for both primary and secondary students. The Executive Principal puts the school's strong attendance record down to a strong sense of belonging and an individualised approach to focusing on the learning needs and aspirations of every student in the school.

Meanwhile, Bourke High School has established 'Our Place' – an initiative that reaches out to students at high risk of disengaging from their education and who have typically already been involved in the juvenile justice system. The Our Place group, which currently comprises around 10 boys, was first established to address the particular needs of students who were troubled and not attending school regularly. Originally this group was located off-site and funded by TAFE, however the Executive Principal Andrew Ryder felt this physical separation placed these young people 'off to the side'. From 2014 he decided to bring the Our Place group back onto school grounds, to encourage the students to feel a sense of belonging in the school. Wherever possible the school strives to ensure the boys are included in school activities, such as forming their own team to play in a rugby carnival hosted on-site.

When establishing the Our Place program, Bourke High School representatives visited the successful BackTrack program in Armidale to gather ideas. The latter is a program that aims to put high risk adolescents 'back on track' via an on-country program that helps deliver life skills and motivation.[1031] Inspired by BackTrack, Our Place emphasises a 'circle of courage' to promote values such as generosity, belonging and responsibility for the young men involved. Classes are held outside and the day starts with bacon and eggs cooked over a fire in a shed on school grounds, where the students check-in with each other and their coordinator. The school deliberately hired a coordinator described as an 'outdoorsy bloke' to run the program and he has been able to build a good rapport with the group.

The school has formed a number of partnerships in the local area to provide meaningful experiences for the Our Place boys. The Muda Aboriginal Corporation provides Aboriginal culture and language activities to enhance the boys' sense of pride in their identity, Maranguka has helped fund transport for the boys to attend a Kangaroo Valley boot camp, and a sheep station partnership allows the students to engage in practical activities and gain work experience and skills, such as fencing and shearing. The school has paid for several students to gain a forklift or chainsaw licence and recently organised for all students in Year 10 to gain their white card construction credential. The school's partnership with National Parks will soon lead to on-the-job training as the Our Place boys help restore a historic homestead in Gundabooka National Park. With Bourke's new abattoir opening soon, the school is organising to give its senior students the best chance of securing a job by offering a 2 Unit course in meat processing for Year 11 and 12 students. In collaboration with Police, Our Place boys have also been engaged in a local Tip It program, which involves recycling, restoring and repurposing old furniture.

The Executive Principal reports that Police have advised that criminal offences by young people at risk have reduced in Bourke, alongside the introduction of Our Place. Suspensions are also down and attendance has improved significantly for the group of boys involved in Our Place.

Building on the positive work in Bourke outlined in Case study 37, in May this year, about 100 representatives from the local community, government and non-government sectors participated in a two day 'solution-focused' education, employment and training summit at Bourke High School. In the lead up to the community-driven summit, community members identified a range of topics they were

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[1031] Backtrack, https://www.backtrack.org.au.

keen to discuss and Bourke primary and high schools, together with several youth services, surveyed young people about their aspirations, their experience of school and how they wanted to be involved in the event. Based on this input, the following five focus areas were explored at the summit:

- student engagement and attendance
- two-way cultural competency
- wellbeing of our young people
- family and community health and wellbeing, and
- meaningful employment and pathways.

In relation to student engagement and attendance, they stressed the need for a restorative and structured approach to suspensions using a 'whatever it takes' approach to case management – including daily interagency meetings, identifying and creating an appropriate space (at school or off-site) for continued learning, and providing meaningful vocational, curriculum and therapeutic support. The need for teachers to implement trauma-informed practice, and for resilience programs to be delivered within schools, was also identified. To address low rates of literacy and numeracy, community proposed better early identification of need, better mental health assessment, the use of creative approaches (for example, linking numeracy to sport) and endorsed cultural content, and prioritised the employment of more Aboriginal teachers. More broadly, there was also strong community endorsement for service mapping, flexible funding investment and co-design, integrated case management, healing approaches, increased access to early intervention for very young children and parents, and building data and evidence.

The solutions put forward are now the subject of consultation with the Bourke Tribal Council, young people and other community members. The cross-sector executive group has requested that, subject to these consultations, the Department of Premier and Cabinet work with Maranguka to prepare an implementation plan.

Remote School Attendance Strategy

The Australian Government's *Remote School Attendance Strategy* (RSAS) is operating in three Connected Communities schools: Boggabilla Central School, Walgett Community College and Wilcannia Central School. The RSAS works with local providers to employ school attendance officers who work with attendance teams made up of local community members. Attendance teams work with teachers, parents and the wider community to develop a community plan to ensure children regularly go to school. They provide practical support (such as driving children to school), monitor and follow-up on non-attendance, and celebrate and reward improved attendance.[1032] An interim evaluation of the RSAS in October 2015 found no evidence that the program was having a positive impact on attendance in the NSW schools where it operated.[1033] In February this year, the Prime Minister announced that the Australian Government will undertake further work 'with a small number of communities to improve attendance rates';[1034] at the time of writing, these communities have not been named.

Transition centres

At some Connected Communities schools, transition centres have been trialled to help students transition back to school after involvement with the justice system or other circumstances that have resulted in long periods of absence. In 2016, we reported that Education had resolved to develop and fund a flexible model for 'transition centres' in consultation with Connected Communities schools in Taree and Coonamble.

[1032] Department of Prime Minister and Cabinet, 'Remote School Attendance Strategy', https://www.pmc.gov.au, accessed 9 October 2018.
[1033] NSW Department of Education, Centre for Education Statistics and Evaluation, *Connected Communities Strategy Final Evaluation Report*, August 2018, p.27. (At the time of writing, the evaluation report had not been made public.)
[1034] Prime Minister of Australia, *Statement to the House of Representatives – Closing the Gap 2019*, 14 February 2019, https://www.pm.gov.au, accessed 6 March 2019.

Case study 38: Transition centres

In our 2017 report to Parliament about our inquiry into behaviour management in schools, we profiled the transition centres at Coonamble and Manning Valley (including Taree) that were established in response to identified challenges for students transitioning back into the classroom, particularly those who have had involvement with the justice system or other circumstances that have resulted in long periods of absence.

In 2016, funding was allocated to the transition centres under Connected Communities for a 12 month period, with sustainability depending on the involved schools committing to covering ongoing costs from within their budgets. The Coonamble Transition Centre was established by the Principal of Coonamble High School in 2016. At the time of our report it was catering for 10 mostly Aboriginal students. The Manning Valley Learning Centre was established in 2014 by the principals of three local secondary schools, including Taree High School. The centre was then catering for 18 mostly Aboriginal students. The funding provided under Connected Communities in 2016 allowed the centre to increase its staffing.

Both transition centres were located off-site (away from mainstream schools) and resourced with dedicated staff (including a classroom teacher and Aboriginal SLSO). The centres adapted teaching and learning methods based on the syllabus to meet the needs of individual students and had a strong focus on providing access to 'wrap-around' services for both participating students and their families. We were advised that the consistent location and staff, in contrast to multiple teachers and classrooms in the mainstream school, were providing stability which appeared to considerably benefit the students. At Coonamble, attendance by individual students had reportedly improved and the total number of student suspension days had significantly reduced – down to 12 days from 52 days at the same time the previous year (before the transition centre opened). Data displayed in the tables in Part C show that Coonamble High School has lowered its long suspension rate each year since 2015.

At the time of writing, neither the Coonamble nor Manning Valley transition centre continues to operate. At Manning Valley, difficulty was encountered in securing affordable, stable accommodation for the centre from 2017. One of the three schools subsequently decided to establish its own transition centre. The other schools, including Taree High School, reached a view that it was not financially viable to continue to operate an off-site, five-day-a-week centre. Instead, the Executive Principal at Taree employed a teacher and SLSO at the school and set up a purpose-designed area for students to gradually transition back to mainstream classes with support. This was successfully accommodated for all but one student, who was transitioned to Distance Education. The school continues to accommodate 'at risk' students for blocks of time in the centre, before transitioning them back to mainstream classes. The Executive Principal reports that having students within the school, but in a designated, 'alternative' area for a prescribed period of time, has been beneficial, increasing access to a variety of supports.

Meanwhile, Coonamble High School has moved to combine its transition centre with a pre-existing enterprise education class which also caters for students with challenging behaviours, providing a structured focus on literacy and numeracy as well as practical learning in areas such as woodwork and agriculture. The high cost of ongoing off-site accommodation and staffing (beyond the 12 months funded by Connected Communities) were factors contributing to the decision to merge the transition centre and enterprise education class. Unlike at Taree High School, which has identified benefits to having students who are transitioning back to mainstream classes located 'on-site', Coonamble High School's preference is to ultimately re-establish an off-site facility that is focused less on transitioning students back into mainstream classes, and more on providing an alternative educational setting suited to the needs of 'at risk' students.

The school sought assistance from REDI (previously the Murdi Paaki Regional Enterprise Corporation), which receives funding from FACS, to find a suitable space outside of the school to hold an alternative

class; however, they had difficulty finding an appropriate teacher to run it. The school is now exploring the viability of an 'extended school day' (a one-hour period before 8am and two additional periods from 3.30pm to 5.30pm) so that it can run alternative programs for students who find it hard to attend regular school hours.[1035] Our consultations have confirmed that off-site centres for students disengaged from school, whether due to suspension or for other reasons, continue to be regarded by a number of Aboriginal communities as desirable. Yet, as discussed above, there are challenges associated with funding and securing stable off-site accommodation, and a range of views about the pros and cons of locating centres off-site versus on school grounds.

On the one hand, an off-site location may be more successful at enticing students with an overwhelmingly negative experience or perception of school to re-engage with the education system in a context where they can also be linked in with other services and supports. It may also better 'contain' the disruptive impact on the wider school community of students whose behaviour is very challenging. On the other hand, a purpose-designed area on school grounds may be more cost-effective and provide a more protective and supportive environment for at-risk students. It may also make it logistically easier to provide supervision, gradually transition students back into a mainstream education setting, draw on the skill sets of larger number of staff, and streamline access to other programs and services provided or coordinated from the school. Ultimately, it is our view that, consistent with a place-based approach to service delivery and the community partnership ethos of Connected Communities, individual communities should be involved in deciding the most appropriate model/approach to meet their local needs.

Which attendance strategies have been effective?

It is clear that Connected Communities schools have made considerable efforts to lift attendance. However, it is unclear whether Education has taken steps to systematically identify which strategies appear to be the most effective and why; for example, by comparing attendance data trends with the implementation of particular strategies, and interviewing principals and other key staff at schools who have achieved comparative success. Some schools report an apparent link between certain strategies and improved attendance.

In June this year, the NSW Minister for Education flagged a renewed focus on improving school attendance as a key target area that all public schools will focus on from 2020, stating that 'For a student to achieve their educational best and boost their career and life options, ongoing attendance at school is essential.'[1036] In this context, Education should prioritise the development of a more robust evidence base about what strategies work to lift and sustain attendance, particularly in high-need communities. In doing so, it should partner with CESE, Connected Communities schools and other schools that have undertaken targeted strategies. Education should also draw on relevant work in other jurisdictions, including research conducted by the University of Queensland in 2016-2017, on behalf of the Queensland Department of Education, which involved data analysis and interviews with principals of 50 selected schools with improved attendance.[1037]

9.16.2 What the data tells us about attendance

Education publishes an annual bulletin containing public school attendance rates by student level of education (primary or secondary), remoteness, Aboriginal and non-Aboriginal students, grade and gender. It does not disaggregate data to school level, as recommended by us in 2012.

In December 2013, the Council of Australian Governments (COAG) agreed to increase the transparency of information about Indigenous student attendance. Since then, it has been a requirement for student attendance at every school in Australia (students in Years 1-10) to be publicly reported by both *rate* (number of actual student days attended as a proportion of possible student days) and *level* (the

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[1035] Advice provided by Education, September 2019.
[1036] Pallavi Singhal, 'Too problematic: students missing up to four years of schooling by year 10', *Sydney Morning Herald*, 17 June 2019.
[1037] University of Queensland, School of Education and ISSR, *Final Report: Making Every Day Count: Effective strategies to improve student attendance in Queensland state schools*, June 2017, p.21, https://espace.library.uq.edu.au, accessed 27 November 2018.

proportion of students attending 90% or more of the time), disaggregated by Indigenous status.[1038] The My School website maintained by the Australian Curriculum and Reporting Authority (ACARA) publishes this information, which represents an important improvement in accountability.

Up until recently, NSW was not in a position to publish data about school attendance *levels*, because of Education's delay in putting a centralised database in place to record student-level attendance data – despite our 2012 recommendation about the need to strengthen the collection, monitoring and publication of disaggregated data about school attendance.[1039] In response to that recommendation, Education told us that it was moving towards the implementation of a central database known as the Learning Management and Business Reform (LMBR), and that this would improve the quality of student data. The LMBR was due to be implemented at all schools by the end of 2014.[1040] However, in 2017 the Auditor-General found that this target had not been met, with Education providing a revised expected completion date of June 2018.[1041]

Since then, the LMBR system has been fully rolled out to all schools, which means the Department is finally able to calculate school attendance levels (from semester 1, 2018).[1042] We anticipate that this data will considerably clarify the picture of school attendance in NSW.[1043] In this regard, our observation is that attendance levels at schools with significant Aboriginal student populations in other states and territories (which have been publishing this data on My School for some time) can be very low.

About the data we examined

To inform our assessment of Connected Communities, we asked CESE to provide us with the student attendance rate for students at each participating school, broken down by Aboriginality, for the years 2013-2017. We also asked for comparative data about attendance rates for all students in NSW government schools broken down by Aboriginality, FACS district and primary/secondary enrolment.

The data provided by CESE is based on data collected from schools through the Return of Absences collection in June/July (semester 1) for the years 2012-2017.[1044] Consistent with the National Standards for Student Attendance Data Reporting 2015, the data excludes students in Kindergarten, Year 11 and Year 12. The data is based on *whole-day absences only* and includes absences due to sickness, approved leave, suspension, as well as absences that are unjustified or unexplained.[1045]

It is important to note that partial-day absences are not included, meaning the data does not account for those students who attend school for some, but not all, of the day. We know from our consultations with Aboriginal communities that this is a common attendance pattern in some locations, with students often 'jigging' school after lunch. CESE has advised us that from 2018 onwards, partial absences of 120 continuous minutes or more will be included in attendance rate calculations, bringing

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[1038] Australian Curriculum Assessment and Reporting Authority, *National Standards for Student Attendance Data Reporting 2015*, August 2015.
[1039] NSW Ombudsman, *Responding to child sexual assault in Aboriginal communities*, December 2012, Recommendation 84.
[1040] NSW Ombudsman, *Responding to child sexual assault in Aboriginal communities*, December 2012, p.250.
[1041] Audit Office of NSW, *Report on Education 2017: Financial audit*, 14 December 2017. https://www.audit.nsw.gov.au, accessed 20 November 2018.
[1042] Advice provided by Centre for Education Statistics and Evaluation, May 2018.
[1043] Since 2018, NSW has met National reporting standards and had a centralised database to collect attendance data. Attendance levels were collected and reported for each school (available on the MySchool website).
[1044] Until 2018, CESE manually undertook the Return of Absences collection twice a year. With the completion of the rollout of the LMBR system to all schools in the second half of 2017, CESE is now able to directly access schools' attendance data as recorded in SALM/ebs (from term 1, 2018). CESE has been working with schools throughout 2018 to ensure that attendance data is complete and accurate. (Advice provided by Centre for Education Statistics and Evaluation, May 2018).
[1045] Exemptions are not included. CESE advised us that 'A whole day exemption is treated in the same way as other variations to attendance such as school business (code B) or flexible timetable (F). However, from 2018, since the student is not required to be at school, whole day exemptions will reduce the student's enrolment period at the school. For example, a student who is enrolled at a school for 100 days in semester 1 and is absent from school due to sickness for 10 days has an attendance rate of 90%. If this student is exempt from attending for 5 days their attendance rate drops to 89% because they attended 85 days out of a possible 95 days'. (Advice provided by Centre for Education Statistics and Evaluation, May 2018).

NSW in line with other jurisdictions.[1046] This overdue development will make NSW's attendance data much more accurate and useful.

It is positive that the data now includes absences due to suspension. This was not the case in 2011, when we reported that the exclusion of suspension data from publicly reported school attendance rates meant that a clear picture of the number of school days missed by certain children was not, at that time, easy to establish.[1047]

However, the data provided by CESE does not include a breakdown of reasons for absence. CESE advised us that, historically, it has only collected the total number of absences for all of these reasons combined, and has not been able to analyse explained absences separately from unexplained absences.[1048] This is reflected in the annual bulletin about attendance at government schools published by Education, which excludes an analysis of reasons for absence.[1049] In our view, this is an unfortunate limitation.

In order to understand specific barriers to school attendance, it is important to be able to drill down into the reasons for absences that are reported to schools. We understand that schools record absences on their attendance registers using detailed codes that reflect the nature and reasons for absences.[1050] In theory, this should enable schools to track attendance patterns at both an individual student and whole-of-school level. It should also allow CESE, in future, to carry out detailed, regular analysis of data about school non-attendance. This would be valuable information for Education in general, but more specifically, it would usefully inform the monitoring of trends at schools in high-need communities where attendance is below the state-wide average, and the refinement of strategies to address this.

Data about state-wide and regional attendance

Before presenting the attendance data for Connected Communities schools, it is useful to consider state-wide and regional attendance data. Table 6 shows that state-wide attendance rates for Aboriginal primary and secondary students enrolled at government schools in NSW have not dramatically changed over the last five years. The same trend is apparent for non-Aboriginal primary and secondary student attendance rates.

Table 6: State-wide attendance rates by Aboriginality and level of schooling 2012-2017

Primary school	2012	2013	2014	2015	2016	2017
Aboriginal attendance rate	89.9	90.4	90.9	90.2	90	90
Non-Aboriginal attendance rate	94.4	94.8	95	94.1	94.1	94.1
Attendance gap	4.5	4.4	4.1	3.9	4.1	4.1
Secondary school	2012	2013	2014	2015	2016	2017
Aboriginal attendance rate	79.4	80.4	80.9	80.2	80.4	80.6
Non-Aboriginal attendance rate	90.1	90.8	91.1	90.6	90.5	90.5
Attendance gap	10.7	10.4	10.2	10.4	10.1	9.9

Source: Data provided by the Centre for Education Statistics and Evaluation, 12 April 2018 and 22 June 2018. Attendance gap, calculated by the NSW Ombudsman, is the difference between attendance rates for Aboriginal and non-Aboriginal students.

[1046] CESE has advised that from 2018, Education will include partial absences of 120 continuous minutes or more in attendance rate calculations, to bring NSW in line with other jurisdictions. (Advice provided by Centre for Education Statistics and Evaluation, May 2018).

[1047] NSW Ombudsman, *Addressing Aboriginal disadvantage: the need to do things differently*, October 2011, p.36.

[1048] Advice provided by Centre for Education Statistics and Evaluation, May 2018.

[1049] See NSW Department of Education, Centre for Education Statistics and Evaluation, *Government school student attendance bulletins 2012-2017*, https://data.cese.nsw.gov.au, accessed 20 November 2018.

[1050] NSW Department of Education, *School Attendance Register Codes: changes to the codes commencing 2015*, no date, https://www.education.nsw.gov.au, accessed 24 October 2017.

The data shows that the state-wide primary and secondary attendance rates for Aboriginal students remain considerably lower than for non-Aboriginal students. However, between 2012 and 2017, the attendance gap between Aboriginal and non-Aboriginal primary students decreased slightly, from 4.5% to 4.1%. Importantly, gains made in Aboriginal primary student attendance since 2008 – when the state-wide Aboriginal primary student attendance rate was 88.2%[1051] – have been maintained, with the rate staying above 90% since 2013. Between 2012 and 2017, the attendance gap between Aboriginal and non-Aboriginal secondary students also decreased from 10.7% to 9.9%.

Table 6 shows also that attendance rates for both Aboriginal and non-Aboriginal secondary students are consistently lower than those for primary students, However, compared with non-Aboriginal students, there is a much larger drop-off in the Aboriginal student attendance rate following the transition from primary to high school. As CESE's October 2017 report on primary to high school transitions identifies, while all students are at risk of disengaging from school during the transition to high school, the risk is much greater for Aboriginal students.[1052]

Table 7 shows the attendance rates for Aboriginal and non-Aboriginal students in the FACS districts where Connected Communities schools are located. Habitual non-attendance at school is a specific ground for making a mandatory report to the Child Protection Helpline. A child may be at risk of educational neglect if they are not enrolled in school, or if they are habitually absent from school; and there are other risk factors in play. A joint approach by FACS and Education is required to respond to educational neglect. From 2013, attendance data has been published by FACS districts to assist evidence-informed collaborative planning and practice. The 15 Connected Communities schools fall within three FACS districts – Hunter-New England, Far West and Western.[1053]

Table 7: Regional attendance rates (by Aboriginality) for FACS districts where Connected Communities schools are located 2015-2017

Hunter New England

Primary	2015	2016	2017	Average
Aboriginal attendance rate	89.8	89.7	89.4	89.6
Non-Aboriginal attendance rate	93.7	93.6	93.6	93.6
Attendance gap	3.9	3.9	4.2	4
Secondary	2015	2016	2017	
Aboriginal attendance rate	80	79.8	80.1	80.0
Non-Aboriginal attendance rate	89.1	89.1	89.2	89.1
Attendance gap	9.1	9.3	9.1	9.2

Far West

Primary	2015	2016	2017	Average
Aboriginal attendance rate	86.8	85.4	86.2	86.1
Non-Aboriginal attendance rate	92.8	92.4	92.6	92.6
Attendance gap	6	7	6.4	6.5

[1051] Data provided by NSW Department of Education in 2012; see NSW Ombudsman, *Responding to child sexual abuse in Aboriginal communities*, December 2012, p.254 (Table 20).
[1052] NSW Department of Education, Centre for Education Statistics and Evaluation, *The role of student engagement in the transition from primary to secondary school*, October 2017.
[1053] Taree Public School, Taree High School, Moree East Public School, Moree Secondary College (Albert St), Moree Secondary College (Carol Ave), Hillvue Public School, Toomelah Public School, Boggabilla Central School (Hunter New England); Wilcannia Central School, Menindee Central School (Far West); Walgett Community College, Bourke Public School, Bourke High School, Brewarrina Central School, Coonamble Public School, Coonamble High School (Western).

Secondary	2015	2016	2017	
Aboriginal attendance rate	74.4	75.5	74.9	74.9
Non-Aboriginal attendance rate	88.9	87.8	88.1	88.3
Attendance gap	14.5	12.3	13.2	13.4

Western

Primary	2015	2016	2017	Average
Aboriginal attendance rate	89.9	89.3	89.8	89.7
Non-Aboriginal attendance rate	94.2	93.8	94.0	94
Attendance gap	4.3	4.5	4.2	4.3
Secondary	**2015**	**2016**	**2017**	
Aboriginal attendance rate	79.9	79.8	79.3	79.7
Non-Aboriginal attendance rate	89.4	89.2	89.4	89.3
Attendance gap	9.5	9.4	10.1	6

Source: Data provided by Centre for Education Statistics and Evaluation, 12 April 2018. Attendance gap is the difference between attendance rates for Aboriginal and non-Aboriginal students. Gaps calculated by NSW Ombudsman.

The data in Table 7 indicates that the three districts where Connected Communities schools are located had lower attendance rates compared with state-wide attendance rates for every cohort (Aboriginal and non-Aboriginal, primary and secondary) between 2015 and 2017.[1054] The attendance gap did not markedly change overall during this period.

There is a national trend for Aboriginal school attendance rates to decrease the further away from a major city that schooling takes place[1055] and, consistent with this trend, Aboriginal attendance rates in the years 2015 to 2017 were lowest in the most remote FACS district, Far West. The attendance gap between Aboriginal and non-Aboriginal students was also greatest in the Far West.

As discussed below, the Connected Communities school with the lowest Aboriginal primary and secondary attendance rates in 2017 (Wilcannia Central School) is located in this district. However, the schools with the highest Aboriginal primary (Bourke Public School) and secondary (Menindee Central School) student attendance rates in 2017 are also located in Far West district – suggesting that remoteness alone is not a determinative factor for attendance.

Data about attendance at Connected Communities schools

While it is critical to closely track school attendance data at the school, district and state-wide level, it is equally important to bear in mind that attendance data alone will not provide an *overall* picture of the difference being made to the educational outcomes of Aboriginal students via the Connected Communities strategy. However, it is clear from both our own consultations and CESE's evaluation that school attendance continues to be a significant, ongoing concern for Aboriginal communities participating in Connected Communities.[1056]

[1054] With the exception of the 2015 attendance rate for non-Aboriginal primary students in Western NSW, which was marginally higher than the equivalent state-wide rate.

[1055] Australian Council for Educational Research, Tony Dreise, Gina Milgate, Bill Perrett and Troy Meston, 'Indigenous school attendance: Creating expectations that are "really high" and "highly real"', *Policy Insights*, Issue #4, March 2016, p.6.

[1056] CESE reports that student attendance was frequently mentioned by school staff and community members as a major issue of concern during site visits to inform its evaluation of Connected Communities. (Department of Education, Centre for Education Statistics and Evaluation, *Connected Communities Strategy Final Evaluation Report*, August 2018, p.25.) (At the time of writing, the evaluation report had not been made public.)

We have chosen to present data about individual Connected Communities schools – not only in relation to attendance, but also students missing large amounts of school, suspension rates and students with disability (see Part C) – because in our view, it is in the interests of transparency, and Aboriginal communities (and the public more generally) have a right to information that enables them to assess the local impact of the Connected Communities strategy (and specific, related initiatives). It is also consistent with the principles underpinning the Local Decision Making initiative (Chapter 5), through which the NSW Government has committed to changing how it works with Aboriginal communities so that they can participate fully in decision-making about services. Communities have told us for many years that they want and need this type of data – which generally confirms what they already know – to be made public. The data is also critical to informing discussions about the planning and delivery of services in communities, which we discuss in Part C.

Before presenting the attendance data, it is useful to briefly discuss enrolment trends at Connected Communities schools over the life of the strategy. While growth has not been consistent, there was a steady upward trend in the enrolment of Aboriginal students at Connected Communities primary and secondary schools between 2012 and 2016. (By comparison, there was a decline in the enrolment of Aboriginal students at the Connected Communities central schools.) Non-Aboriginal primary student enrolments declined from 2009 to 2014 but have slightly increased since then. There has been a steady decline in the number of non-Aboriginal secondary students enrolled at Connected Communities schools since 2011 – although this data is affected by the large number of non-Aboriginal students at Taree High School. Taree High School accounts for approximately 54-56% of all non-Aboriginal student enrolments in Connected Communities schools since 2009.[1057]

Our observations about attendance at Connected Communities schools is based on the data shown at Tables 3 and 4 (Appendix 1), which is consistent with the National Standards for Student Attendance Data Reporting described earlier (that is, based on attendance in semester 1 of each year and excluding students in Kindergarten, Year 11 and Year 12.) In addition, in the sections about primary and secondary attendance below, we refer to CESE's final evaluation findings about how attendance trends at Connected Communities schools overall have changed since the strategy was implemented. To reach these findings, CESE relied on full-year attendance data for students in Years K-12 (rather than the National Standards consistent data it provided to us) at the participating schools, as it considered that this data would provide 'a more focused answer' to the question of how attendance had changed.[1058]

The data show significant variation in the attendance rates at individual schools (see Table 3).

In small school populations a school's overall attendance rate may be unduly affected by changes in the composition of families joining or leaving the school in any given year. Poor school attendance by just a few students can also significantly impact attendance rates. 'Sorry business' and other cultural responsibilities can also skew a school's attendance data during a given year. As well, non-Aboriginal attendance rates at schools with very high Aboriginal school populations can appear high, but in reality they represent only a very small number of non-Aboriginal students. For example, the 91.9 attendance rate for non-Aboriginal primary students at Walgett Primary School in 2017 represents only six students. Notwithstanding these caveats, a school's attendance rate is an important indicator that should be considered along with other sources of information about its performance – including data about students missing large amounts of school and suspensions.

Primary student attendance

CESE's evaluation found there is strong evidence to suggest that primary student attendance increased following the introduction of Connected Communities.[1059]

[1057] NSW Department of Education, Centre for Education Statistics and Evaluation, *Connected Communities Monitoring Report 2017*. (At the time of writing, the evaluation report had not been made public.)
[1058] Advice provided by Centre for Education Statistics and Evaluation, October 2018.
[1059] Based on full-year attendance data for students in years K-12, CESE found the average attendance rate for primary students at Connected Communities schools increased by around 2.3% after the introduction of the strategy; and that the average attendance rate for Aboriginal primary students at Connected Communities schools increased by around 3% after the introduction of the strategy. (Department of Education, Centre for Education Statistics and Evaluation, *Connected*

Our analysis of attendance data provided to us by CESE (Table 3) found that Aboriginal primary student attendance at Connected Communities schools increased by 1.7% (from 83.6% to 85.3%) between 2012 and 2017. We also found that attendance by all primary students (both Aboriginal and non-Aboriginal) at participating schools increased by 1.3% (from 85.2% to 86.5%) in the same period. These gains are significant when compared with changes in state-wide attendance rates over the same period – the average attendance rate for Aboriginal primary students in NSW Government schools increased by 0.1% (89.9% to 90%) between 2012 and 2017, and there was a decrease of 0.3% (94.1% to 93.8%) in average attendance rates for all primary students in NSW Government schools over the same period.

Table 3 shows that some schools have had much more volatile attendance rates over the past nine years than others. For example, while the average annual attendance rate at Taree Public School during this period was 76.8%, there was a difference of 19% between its lowest (69% in 2011) and highest (88% in 2016) attendance rates. Similarly, while Boggabilla Central School's average attendance rate was 77%, there was a 16.5% difference between its lowest (70.5% in 2015) and highest (86% in 2013) attendance rates.

Bourke (91.2%) and Menindee (90.4%) stand out as having achieved Aboriginal attendance rates in 2017 slightly above the state-wide Aboriginal attendance rate. Bourke's attendance rate for both Aboriginal and non-Aboriginal students has been on a clear upward trajectory since 2010. Menindee previously recorded a higher Aboriginal attendance rate of 90.6% in 2011, after which it dropped for a number of years before increasing again in 2017. By comparison, while Coonamble Public School's 88.5% Aboriginal attendance rate in 2017 was slightly under the state-wide Aboriginal attendance rate, its improvement has been steadier.

Three schools (Boggabilla Central School (7%), Hillvue Public School (4.6%) and Wilcannia Central School (0.6%) all had lower Aboriginal primary student attendance rates in 2017 compared with 2013, when Connected Communities started. At one of these schools (Hillvue Public School), the Aboriginal attendance rate in 2017 was the lowest since 2009 and has declined by 5.5% since 2015. As already noted, attendance rates in small schools can be adversely affected by local and individual factors that are beyond the control of the school. For example, one of the schools (Hillview) established a support class for students with particular behaviour support needs and the Executive Principal reported that this had a negative effect on the school's overall attendance rates; however, the school has since been working hard to address this.[1060] The attendance rates at the two other schools, both of which (Boggabilla – 97.4% and Wilcannia – 92.9%) have an extremely high proportion of Aboriginal students compared to Connected Communities schools as a group,[1061] have been relatively unstable since (and prior to) 2013.

The improvement in the overall school attendance rate for primary students at Connected Communities schools since the strategy commenced is positive. However, as the above analysis shows, some schools have had more success than others in lifting attendance rates. Even taking into account that attendance rates at some schools are more volatile than at others, it is clearly undesirable that three Connected Communities schools all recorded lower Aboriginal primary student attendance rates in 2017, compared with 2013. The extent to which Education has sought to identify the specific reasons for the variability in attendance at individual schools is unclear. Going forward, it will be important for this analysis to occur.

Communities Strategy: Final Evaluation Report, August 2018, pp.25-26. (At the time of writing, the evaluation report had not been made public.). The percentages cited in our findings about attendance differ slightly to CESE's, because we based our analysis on a different data set, provided to us by CESE, that is consistent with the National Standards for Student Attendance Data Reporting. CESE advised us that it relied on full-year attendance data for students in Years K-12 to reach its findings, because it considered that this data would provide 'a more focused answer' to the question of how attendance has changed over the life of the Connected Communities strategy (Advice provided by Centre for Education Statistics and Evaluation, October 2018).

[1060] Advice provided by Department of Education, March 2018.

[1061] In 2017, Boggabilla Central School had 76 Aboriginal and 2 non-Aboriginal students, and Wilcannia Central School had 65 Aboriginal and 5 non-Aboriginal students. (Department of Education, Centre for Education Statistics and Evaluation, *Connected Communities Strategy: Final Evaluation Report*, August 2018, p.11.) (At the time of writing, the evaluation report had not been made public.)

Secondary student attendance

Our analysis of the attendance data provided to us by CESE found that Aboriginal secondary student attendance at Connected Communities schools increased by 3.6% (from 67.4% to 71%) between 2012 and 2017. We also found that secondary student attendance for all students (both Aboriginal and non-Aboriginal) at participating schools increased by 1.5% (from 78.5% to 80%) during the same period. By comparison, Aboriginal secondary student attendance at NSW Government schools increased by 1.2% (from 79.4% to 80.6%) between 2012 and 2017, and secondary student attendance for all students (both Aboriginal and non-Aboriginal) increased by 0.3% (from 89.3% to 89.6%) over the same period (Table 4).

CESE's final evaluation did not find evidence of a positive change in secondary student attendance at Connected Communities schools. Rather, it concluded that there was a slight decrease of around 1.3%.[1062] The reason for the difference in CESE's finding about secondary student attendance, and our own, is the different data sets we used.[1063]

The difference between our finding (a 1.5% increase) and CESE's finding (a 1.3% decrease) is quite small. However, CESE's finding that secondary student attendance slightly decreased over the life of Connected Communities suggests that there is a drop-off in attendance during the second half of the school year; this trend has also been anecdotally supported during our consultations.

It is also important to note that, while our data analysis indicates that secondary student attendance at Connected Communities schools has improved more strongly than primary student attendance since the strategy began, secondary attendance started from a much lower baseline in 2012 of 67.4% for Aboriginal students and 78.5% for all students. The equivalent primary student attendance rates in 2012 were 83.6% for Aboriginal students and 85.2% for all students. In addition, the average secondary attendance rates at Connected Communities schools in 2017 (the latest year for which we hold data) were 71% for Aboriginal students and 80% for all students, and these remain well below the national attendance benchmark of 90%.[1064] On the other hand, at 85.3% for Aboriginal students and 86.5% for all students in 2017, average primary attendance rates at Connected Communities schools are much closer to the national attendance benchmark.

Table 4 reveals considerable fluctuation in the secondary student attendance rates at individual Connected Communities schools.

Two schools (Menindee Central School and Moree Secondary College Carol Ave) recorded the largest, consistent increases in Aboriginal student attendance – Menindee's rate improved from 82.8% in 2013 to 90.2% in 2017 and Moree's improved from 69.1% to 76.5% (the improvement in Year 7-9 attendance at Moree Secondary College Carol Ave does not yet appear to have followed on to Year 10 attendance at Moree Secondary College Albert St). However, Menindee had previously sustained an Aboriginal attendance rate above 89% between 2010 and 2012, that is, before the Connected Communities strategy commenced. This school, which is led by an Aboriginal Executive Principal, reportedly has very strong links with the community and external agencies as well as good internal structures and high performing staff. Taree High School also lifted its Aboriginal student attendance rate between 2013 and 2017 by 5.3%, although in the last two years it was unable to sustain the 80.6% attendance rate it recorded in 2015 – it's highest rate since 2009. In fact, Taree's Aboriginal attendance rate in 2017 was only 0.2% higher than in 2009.

In 2017, Aboriginal secondary student attendance rates at Boggabilla Central School (9.4% drop) Brewarrina Central School (10.4% drop) and Wilcannia Central School (13.9% drop) were significantly

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[1062] CESE also found that the average Aboriginal student attendance rate at Connected Communities schools decreased by around 1.1%. (Department of Education, Centre for Education Statistics and Evaluation, *Connected Communities Strategy Final Evaluation Report*, August 2018, p.9.) (At the time of writing, the evaluation report had not been made public.)
[1063] CESE's evaluation used full-year attendance data for students in Years K-12, whereas we used data (Table 4), provided to us by CESE, that is consistent with the National Standards for Student Attendance Data Reporting – which require the reporting of attendance data for Semester 1 only and exclude students in Kindergarten and Years 11 and 12.
[1064] The 90% benchmark for attendance was established by COAG in 2013, along with a commitment to increase transparency around school attendance data by publishing the proportion of Indigenous and non-Indigenous students attending school more than 90% of the time for each school from 2015. (Commonwealth of Australia, *Closing the Gap Prime Minister's Report 2015*, pp.12-13).

lower than in 2013. The *Remote School Attendance Strategy* has been implemented at two of these schools since 2014.

At one of the schools (Wilcannia Central School), Aboriginal student attendance initially increased by 6.3% between 2013 and 2015 but declined by almost 20% between 2016 and 2017 when it reached 41.1% – the lowest Aboriginal attendance rate of any Connected Communities school. We have been told that the establishment of an alternative education provider affected attendance rates, with many students attending there a few days a week. Education has since ordered students to return to mainstream schools; however, we understand that BackTrack (discussed in Case study 37), a not-for-profit organisation running a program for disengaged youth in Armidale, is keen to set up in Broken Hill and this is being considered by the Department.[1065]

Walgett High School recorded a 7.4% decrease in Aboriginal student attendance between 2013 and 2016; however, in 2017, its attendance rate improved by 6.8%.

Table 4 shows there is a considerable gap between the attendance rates of Aboriginal and non-Aboriginal secondary students at most Connected Communities schools (an exception to this is Menindee Central School, where 62% of students are Aboriginal). In 2017, the average attendance rate for Aboriginal secondary students at Connected Communities schools was 71% compared to 87.2% for non-Aboriginal secondary students. However, the gap in attendance rates for Aboriginal and non-Aboriginal secondary students at Connected Communities schools in 2017 (16.2%) was slightly lower than in 2013 (17.4%).

9.16.3 What else needs to happen to lift attendance?

As noted previously, Education should do more to develop an evidence base about 'what works' to improve – and sustain – school attendance in high-need communities. In saying this, it is important to emphasise that school attendance acts as a barometer for whole-of-community 'health' more generally. Despite Connected Communities schools making substantial efforts to get students to regularly attend school, the data we have discussed above show an uneven return on investment at best. Unless the various factors that contribute to entrenched disadvantage in communities are holistically addressed, and the needs of the most vulnerable children and families are effectively met by the service system, then it is unreasonable, in our view, to expect school attendance to be significantly and sustainably improved.

For many years, we have been arguing that an effective place-based approach to service delivery is needed in the most high-need communities, and while Education has a critical role to play in this approach, without more effective arrangements being established to direct planning, funding and delivering services in these locations, combined with investments in economic initiatives in regions, it will be difficult to turn these trends around.

As we discuss in Part C, while there is now widespread agreement about the need for place-based service delivery and some progress has occurred, implementation remains an urgent challenge.

9.17 Have the key deliverables been met?

Based on the evidence laid out above our overriding observation is that Connected Communities has substantially contributed to building the capacity of the participating schools to better engage their students, families and communities.

CESE's evaluation shows that there is not yet evidence of strong gains in the key areas of attendance, literacy and numeracy attainment and retention. However, we agree with CESE that an accurate measure of the overall success of Connected Communities is unlikely to be possible until a cohort of students has had 'full exposure' to the strategy – that is, enrolment at a Connected Communities

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[1065]ABC Broken Hill, 'BackTrack hopes to provide alternative education for 60 students left in limbo after Eagle Arts closure', 3 December 2018.

school from Kindergarten to Year 12, together with other wraparound supports from partner agencies discussed above.

9.17.1 Further refining and extending the key deliverables

It is clear from our consultations with Executive Principals that the early identification and communication of the 10 key deliverables has been critical to establishing a strong sense of purpose and direction for all involved in the strategy's implementation. Overwhelmingly, the key deliverables are seen to provide a 'clear roadmap' for what participating schools must achieve.

Importantly, the key deliverables are outcomes-focused and are not prescriptive about how they must be achieved. Rather, there is scope for flexible implementation at each school to suit local needs and priorities. Executive Principals have the authority and mandate to innovate and customise their approaches, as long as they contribute to achieving the outcomes described in the key deliverables. This approach is consistent with previous observations and recommendations we have made about the critical importance of place-based approaches to service delivery in high-need communities.[1066] It is also identified in international and Australian literature as best practice for extended service school models to improve educational outcomes in socio-economically disadvantaged communities.[1067]

> *The key deliverables are a great lever for driving reform … They provide clearly articulated expectations, give Executive Principals a clear mandate and make clear what they should be doing, beyond the usual Principal functions – former Director responsible for Bourke, Brewarrina and Walgett schools*

We support the retention of key deliverables to drive Connected Communities. At the same time, to ensure they continue to reflect and target the most important priorities, it is timely that they are now being reviewed by Education, in consultation with the NSW AECG, and will be informed by CESE's evaluation and our report. In this regard, we have recommended in Part C, that Education should make 'reducing exclusionary school suspensions' a key deliverable.

In our view, the key deliverables could be further strengthened if schools were required to identify specific, measurable indicators against each deliverable, and report their progress against these indicators via existing performance monitoring processes. This addition would enhance the visibility of schools' efforts to improve outcomes for their students given that many of the key deliverables currently reflect aspirational outcomes that require sustained, long-term investment.

While CESE's evaluation concludes that Connected Communities is 'showing promising results'[1068] – an assessment we agree with – there is not yet strong evidence of substantial improvements against several of the key deliverables (including improved school attendance and NAPLAN results for students in older years and increased retention of Aboriginal students). However, it is evident that participating schools have made a range of important changes which, while in many ways are less amenable to measurement, provide the necessary foundation for achieving these deliverables in years to come. As we observed early in the implementation of the strategy, it is clear that schools are the 'heart and soul' of their communities – providing a safe and positive place for students, many of whom are highly vulnerable.[1069] We continue to remain impressed by the dedication of staff and involvement of local community people in the school, and believe there is scope to better 'capture' these efforts.

We also believe it is worth considering extending the key deliverables to other public schools with significant numbers of Aboriginal students given how beneficial they have reportedly been for the

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[1066] NSW Ombudsman, *Responding to child sexual assault in Aboriginal communities*, December 2012, Chapters 20-21.
[1067] See Western Australian Department of Education, *Extended Service School Models: Summation Report*, no date (c2010), prepared by TNS Social Research, p.ii; The Foundation for Young Australians, *Extended Service Schooling Literature Review – Final Report*, 2011, pp.22-25.
[1068] NSW Department of Education, Centre for Education Statistics and Evaluation, *Connected Communities Strategy: Final Evaluation Report*, August 2018, p.9. (At the time of writing, the evaluation report had not been made public.)
[1069] NSW Ombudsman, *Annual Report 2014-2015*, p.112.

Connected Communities Executive Principals. We acknowledge that, in the absence of the supporting 'infrastructure' provided by Connected Communities, it would not be appropriate to hold principals at other schools to account in the same way, but at the very least, giving them a set of key deliverables could provide them with a stronger focus on improving educational outcomes for Aboriginal students, and a means for assessing their performance against this goal.

Recommendations

53. The NSW Department of Education should consider ways to develop and extend the culture of collegiate leadership that has benefited Connected Communities to reach principals of schools in other high-need Aboriginal communities, and conversely, connect other schools delivering innovative approaches that have achieved success, with Connected Communities schools to create a community of practice.

54. The NSW Department of Education should:
    a. consider further enhancing its *Rural and Remote Human Resources Strategy* to offer customised incentive packages that involve enhanced support to meet the relocation and adjustment needs of the partners and children of teachers
    b. monitor the success of the *Rural and Remote Human Resources Strategy*, particularly in relation to which aspects of the strategy appear to lead to improved teacher retention at Connected Communities and other remote schools, and adapt it as necessary.

55. The Department of Education should:
    a. identify factors contributing to particularly successful SRGs and whether and how these factors could be encouraged in other locations
    b. in consultation with the NSW AECG and school principals, promote the School Reference Group model to other schools in high-need communities with a significant Aboriginal student population
    c. consider expanding the Senior Leader/Leader Community Engagement role to other targeted schools in high-need communities with a significant Aboriginal student population, having regard to additional strategies needed to strengthen and promote school and community partnerships in these locations.

56. The NSW Department of Education should promote the use of Personalised Learning Pathways (PLPs) at Connected Communities schools and ensure that schools have quality assurance mechanisms in place to track the development of PLPs and monitor their implementation.

57. The NSW Department of Education should consider ways to further increase the teaching of Aboriginal language and content at Connected Communities schools, having regard to the circumstances of individual schools and the professional learning needs of teachers.

58. The NSW Department of Education should:
    a. ensure the attendance, suspension and educational outcomes of students participating in specific healing and wellbeing initiatives at Connected Communities schools is tracked to help build an evidence base for what is working well and providing 'value for money'
    b. provide teachers at Connected Communities schools with practical, context-specific training about the impacts of trauma on children and young people; the link between trauma and challenging behaviours; and strategies for engaging effectively with students affected by trauma.

59. The NSW Department of Education should:
    a. explore how the Instructional Leader model can be extended to all Connected Communities schools, and assess whether participating students are engaging more effectively in school and getting better results
    b. consider opportunities to support targeted research, similar to the Seeding success for Aboriginal primary students collaborative research project between the University of Western Sydney, the Department of Education and the NSW AECG, to identify strategies that promote improved educational outcomes for Aboriginal secondary students.

60. The NSW Department of Education should continue to closely monitor NAPLAN literacy and numeracy outcomes for students at Connected Communities schools using the methods adopted by the Centre for Education Statistics and Evaluation as part of its overall evaluation of Connected Communities.

61. The Department of Education should:
    a. continue to strengthen Connected Communities' focus on facilitating school-based apprenticeships and traineeships, and vocational training aligned with local opportunities
    b. liaise with Training Services NSW about the potential for expanding the Opportunity Hubs model to build the capacity of other Connected Communities schools to support students' post-school transition.

62. The Department of Education should:
    a. continue to closely monitor attendance data for Connected Communities schools, including trends and variations within and between participating schools
    b. provide advice about whether it has undertaken work to review the factors contributing to improved Aboriginal student attendance rates achieved by some Connected Communities schools, and other schools with significant Aboriginal enrolments, with a view to identifying effective strategies that could be trialled elsewhere.

63. The NSW Department of Education should:
    a. review the key deliverables for the Connected Communities strategy, in consultation with the NSW AECG, having regard to the CESE's final evaluation report and the observations in this chapter
    b. require each Connected Communities school to identify specific, measurable indicators against each deliverable, and report their progress against these indicators via existing performance monitoring processes
    c. consider extending the key deliverables to other public schools with significant numbers of Aboriginal students given how beneficial they have reportedly been for the Connected Communities Executive Principals.

64. The NSW Department of Education should:
    a. identify the factors influencing the successful retention of Executive Principals at three schools and whether and how these factors might be replicated to encourage leader retention at other schools
    b. consider further options for attracting and retaining Executive Principals to Connected Communities schools, having regard to the findings and recommendations of the Independent Review of Regional, Rural and Remote Education (2018)
    c. review its capacity to recognise and reward principals of schools who are not participating in Connected Communities, but who are leading schools with substantial numbers of Aboriginal students or students who are living in low socio-economic locations, and with reference to measurable outcomes, are making a strong and sustained contribution to improving educational outcomes for these cohorts.

PART C: Putting schools at the centre of service delivery to respond to the most vulnerable children and young people
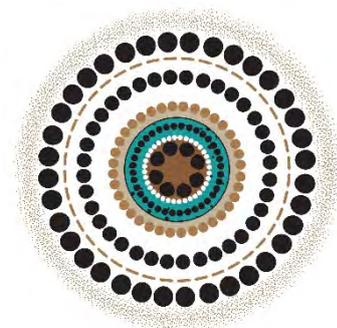
The Strategy is a new approach to how we deliver education and training in our most vulnerable communities, and to how we link to other related services, such as health, welfare, early childhood education and care, and vocational education and training. We want our schools to be the centre of these communities by delivering services that respond to local needs ...[1070]

As Connected Communities schools are intentionally located in communities that experience high social disadvantage, all students at these schools could potentially be considered vulnerable. Yet, whether at Connected Communities schools or elsewhere, some groups of children and young people are particularly vulnerable.

Our previous public reports have shown that children in high-need Aboriginal communities who regularly miss large amounts of school are at risk of educational neglect, but also abuse and risk-taking behaviour (sometimes of a criminal nature) that can further increase their vulnerability. Of particular concern for many Aboriginal communities is the large number of students who are absent from school due to suspension, which not only interrupts learning but also removes children from the protective environment school can offer. Children living in OOHC and/or those with a disability also face specific barriers to educational participation and achievement that place them at greater risk. There is considerable overlap between each of these groups – Aboriginal children are over-represented in OOHC and are more likely to have a disability, and Aboriginal children, children in OOHC and children with a disability as a cohort are all more likely to be suspended from school.[1071]

While the Connected Communities key deliverables do not include a specific focus on particularly vulnerable groups of children, in our view, it is appropriate to consider how these students are faring at participating schools. We consider it a missed opportunity that CESE's evaluation of Connected Communities did not do so. While it examined high-level data about key indicators (school attendance, long suspensions, retention, and numeracy and literacy attainment), broken down by schooling level (primary/secondary) and Aboriginality, it did not consider data broken down by OOHC or disability status. It also did not examine data about the number of students at each Connected Communities school missing large amounts of school and/or being suspended.

To inform our observations, we asked CESE to provide us with data, broken down by Aboriginality, disability and OOHC status, about students at Connected Communities schools. As discussed previously, due to long-standing limitations in Education's approach to the systematic collection and monitoring of data, CESE was unable to provide us with all of the data we requested. These limitations – which we have drawn attention to in previous public reports – raise important questions about Education's ability to track outcomes for particularly vulnerable students, not only at Connected Communities but more broadly.

Notwithstanding this, the limited data that CESE was able to provide paints a concerning picture. Too many students, particularly Aboriginal students, are still missing a large amount of school each year, and Aboriginal students and students with a disability are being suspended from school at a grossly disproportionate rate. And, while Part B of this report documents some of the considerable efforts that

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[1070] NSW Department of Education, 'Connected Communities', https://education.nsw.gov.au/teaching-and-learning/aec/connected-communities, accessed 12 March 2019.

[1071] For this reason, we have previously identified that there would be benefit in the Department of Education establishing a central standing committee to inform its approach to addressing the issues affecting particularly vulnerable cohorts of children. (NSW Ombudsman, *Inquiry into behaviour management in schools*, August 2017.).

Connected Communities schools have made to positively engage and support their students, there is, as yet, little 'hard' evidence (in the form of attendance data and literacy and numeracy attainment, for example) indicating that educational outcomes for their students are systematically improving.

While it is critical that Connected Communities receives the necessary investment to allow it sufficient time to demonstrate results, it is also important to be realistic about what the strategy, on its own, can achieve. In this regard, we have previously emphasised that finding solutions to better support vulnerable children and young people in high-need communities, and improve their educational outcomes, is not solely Education's responsibility. Schools can be powerful change agents, but on their own, they cannot address the complex barriers to educational participation and achievement that face vulnerable students, or be expected to turn around entrenched disadvantage in a community – the broader service system must share this responsibility.

It is for this reason that, when Connected Communities was first released, we welcomed the vision it put forward for schools to operate as 'service hubs' – with a lead role to identify the most vulnerable students and families and help ensure they receive appropriate services from other agencies and organisations to meet their needs. We also observed that this aspect of the strategy was an important step towards implementing place-based service delivery – an approach we have been advocating since 2010.[1072]

Historically, poorly integrated and inefficient 'top down' service systems have resulted in a limited 'return on investment' from funded programs and initiatives in high-need communities. Place-based service delivery involves system-level reform, requiring governments to change the way services are traditionally delivered in these communities by embracing a centralised approach at the local level to shared decision-making about the planning, funding and delivery of services that is based on community need and priorities.

CESE's evaluation of Connected Communities considered whether the participating schools have effectively operated as service hubs by asking them about the number and type of 'linkages' they have developed with other service providers. Consistent with our observations, CESE noted that the formation of these 'linkages' has varied across schools, with some focusing their efforts on broad approaches (such as local interagency committees) and others collaborating with targeted services on a needs basis. CESE found that, while schools continue to experience difficulties trying to engage with some services, overall they have made more 'linkages' with services, particularly health services, since Connected Communities began. Schools reported to CESE that they believe these linkages have benefited their students.

In our own consultations, we heard mixed views, with some schools reporting greater success than others at securing agreements with agencies and organisations to provide services for students and their families. A number of schools have used their funding to 'buy-in' extra mental health and allied health services in order to circumvent local access issues.

Overall, in our view, the evidence base is not yet sufficient to say that the 'service hub' component of Connected Communities is achieving its objectives, either overall or at individual locations – that is, connecting students (and their families) with the support services required to reduce barriers to educational participation and achievement. Certainly, the data about particularly vulnerable cohorts of students that is presented in this chapter indicates that there is a long way to go.

In this regard, while making more services available to more children and families is an inherently worthwhile aim, on its own, it is not all that is required to achieve a more responsive service system in high-need communities. Based on our own consultations and observations through monitoring OCHRE and oversighting the child protection system, we agree with CESE's important finding that 'interagency coordination' is still lacking in Connected Communities locations.[1073] However, we would also further reiterate the message we have now been emphasising for almost 10 years – that improved tangible

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[1072] NSW Ombudsman, *Responding to child sexual abuse in Aboriginal communities*, December 2012, p.v.
[1073] NSW Department of Education, Centre for Education Statistics and Evaluation, *Connected Communities strategy: Final evaluation report*, August 2018, pp.56-60. (At the time of writing, the evaluation report had not yet been made public.)

outcomes for vulnerable children and families are unlikely to be achieved until there is a genuine place-based approach to the funding, design and delivery of services in these communities. Such an approach needs to go beyond merely 'interagency coordination'. As we discuss in section 9.24, it requires fundamentally changing how services are planned, funded and delivered to high-need communities.

9.18 Data about particularly vulnerable students at Connected Communities schools

For the years 2013-2017 and for each Connected Communities school, we asked CESE to provide us with the following data broken down by school year, Aboriginality, disability and OOHC status:
- number of students enrolled
- number of students missing *30 or more days of school within 100 days* (including identifying absence due to suspension)
- number of students missing *100 or more days of school per year* (including identifying absence due to suspension)
- number of, and reason for, long suspensions, number of days lost, and distinct number of students involved
- number of, and reason for, short suspensions, number of days lost, and distinct number of students involved, and
- number of, and reason for, expulsions.

We also asked for state-wide and regional enrolment data for the years 2015-2017, broken down by school year (K-6, 7-10 and 11-12), Aboriginality and disability status. We did not ask for state-wide and regional data broken down by OOHC status as we were already aware that this data is not centrally available.

CESE provided us with some, but not all, of the data requested, together with explanations of caveats as well as reasons why certain data could not be supplied. Most significantly, because it has not been routinely collected by schools or analysed centrally, CESE could not provide any data about students at Connected Communities schools living in OOHC. As well, disability data was provided for 2016-2017 and data about students missing large amounts of school and suspensions for 2015-2017, because Education's approach to data collection meant it was resource intensive for CESE to compile data for the full five year period we requested.

We have long argued that the true extent of the educational challenges facing individual communities needs to be made more visible. The data presented in this chapter is illustrative. In response to our 2012 recommendation that it should strengthen its collection, monitoring and reporting of data about agreed priority areas, including Aboriginal student attendance and suspensions, Education released two annual reports, in 2014 and 2015, about Aboriginal students in NSW public schools. Although the reports did not disaggregate data to school level, or include data about students missing large amounts of school (as we had recommended), their publication was an important step towards better transparency. It is not clear why Education ceased publishing the annual reports. In our view, it should resume doing so, and ensure that future reports include the comprehensive data we recommended in 2012.

There would also appear to be merit in Education developing a 'student wellbeing profile' for each Connected Communities student, against key indicators of educational engagement and child protection concerns identified by the school, and reported to the Department of Education Child Wellbeing Unit or the Child Protection Helpline. This could provide a valuable tool to assist principals to identify those students and families most at risk, and help inform decisions about individual referrals to services, and collaborative interagency work related to service planning and to ensure service delivery is well-targeted. In response to our request for advice about the feasibility of such a student wellbeing profile, CESE told us that:

> 'The Department is working towards bringing together in one profile information relating to attendance, suspension, out-of-home care and disability status for individual students enrolled in public schools in NSW, including Connected Communities schools.

Information regarding mandatory reporting of child protection concerns to either Family and Community Services or the department's Child Wellbeing Unit is stored centrally on a shared database, ChildStory, which was implemented in late December 2017 and is jointly utilised by FACS and the three CWUs in NSW operating within the department, NSW Health and NSW Police. Given the confidential and sensitive nature, information is recorded and accessed in ChildStory by authorised departmental staff with a required level of child protection expertise and in line with legislative requirements and cross-agency guidelines.

Individual student information held within the ChildStory database is provided both proactively and on request to schools on a case-by-case basis. Data on contacts to the Child Wellbeing Unit is also provided to senior staff to assist in working with schools in planning activities related to the safety, welfare and wellbeing of NSW public school students.[1074]

9.19 Students missing large amounts of school

Overall school attendance rates are an important indicator but do not provide useful information about how many students at a school are habitually absent from school and at risk of educational neglect. The *Mandatory Reporting Guide*[1075] indicates that if a child has missed 30 days of school in the last 100 days, this should be a trigger to consider whether they might be at risk of significant harm and therefore, if a report should be made to the Child Protection Helpline.[1076]

Our previous research has shown that analysing data about students who have missed a large amount of school also provides a window into the broader abuse and neglect issues they may be experiencing. For example, our 2012 review of a cohort of 46 school-aged children in 12 high-need Aboriginal communities found that those children who were the subject of more than one reported incident of sexual abuse were more likely to have missed substantial amounts of school overall. Children who had lengthy absences from school both before and following the reported incident of sexual abuse also had substantial child protection histories.[1077]

Our separate, earlier review of a group of 48 school-aged children from two Western NSW towns also found a strong correlation between children's non-attendance at school and their identification by police as being at 'high risk'.[1078] A failure to adequately respond to educational neglect has also been a significant factor in a number of child deaths from abuse and neglect that we have investigated.

9.19.1 What the data tells us

CESE provided us with data, disaggregated by Aboriginality, about students at Connected Communities schools who missed large amounts of school in the years 2015-2017. This data was compiled using information recorded in Education's 'legacy' data system and we were advised by CESE that it should be interpreted with caution.[1079] CESE was not able to provide data disaggregated by students' OOHC or disability status because the Department of Education has not collected data in a way that would facilitate this.

Bearing in mind the CESE's cautionary note about the reliability of the data it provided, it provides a strong indication that, despite the significant efforts made by schools to lift attendance, too many children and young people in the places where Connected Communities is being implemented (including secondary students at Bourke, the site of the most progressed work to date to implement a place-based approach to service delivery), are still regularly missing large amounts of school.

[1074] Advice provided by CESE, May 2018.

[1075] Previously available on the internet, the Mandatory Reporting Guide is now embedded into ChildStory – FACS' database that replaced KiDS.

[1076] In our 2008 submission to the Special Commission of Inquiry into Child Protection in NSW, we recommended that legislative amendments be made to specify 'habitual non-attendance at school' as specific grounds for reporting that a child is at risk of harm. In response, Justice Wood recommended that section 23 of the *Children and Young Persons (Care and Protection) Act 1998* be amended to reflect this. The Act was subsequently amended.

[1077] NSW Ombudsman, *Responding to child sexual abuse in Aboriginal communities*, December 2012, p.251.

[1078] NSW Ombudsman, *Responding to child sexual abuse in Aboriginal communities*, December 2012, pp.178-179.

[1079] The data provided should not be used in future as a baseline for monitoring progress in Connected Communities schools for the reasons outlined above. (Advice provided by Centre for Education Statistics and Evaluation, June 2018).

According to the data, between 2015-2017 there was no meaningful change in the proportion of students at all Connected Communities schools overall who missed a large amount of school.

The data (Tables 5-7, Appendix 1) reveal that for all students at all Connected Communities schools:
- Almost one in five students were absent for 30 or more days in Semester 1 of each year.

- The proportion of students missing 30+ days of school increased to about one in four in Semester Two, when absences are typically higher.

- A smaller but still significant proportion (8%) of students missed 100 or more days per school year.

- Unsurprisingly, secondary students were more likely to miss a large amount of school than primary students.

The data also show that Aboriginal students were more likely than their non-Aboriginal peers to miss large amounts of school, For example, in 2017:
- About one quarter of Aboriginal students (compared to 9% of non-Aboriginal students) missed 30 or more days of school in Semester 1.

- About one third of Aboriginal students (compared to 13% of non-Aboriginal students) missed 30 or more days of school in Semester 2.

- 12% of Aboriginal students (compared with only 3% of non-Aboriginal students) missed 100 or more days of school.

Depending on the year, 20-30% of students who missed 30+ days of school in a semester, and more than one in three students (38-45%) who missed 100 or more days per school year, were also suspended from school at least once.

The data (Tables 8 and 9, Appendix 1) show considerable variation in the number and proportion of students at individual Connected Communities schools missing a large amount of schooling during the period 2015-2017:
- Compared to other Connected Communities schools, three schools (Bourke Primary, Menindee Central and Toomelah Primary) had a consistently lower number and proportion of students missing a large amount of school.

- Eight schools (Boggabilla Central School, Wilcannia Central School, Bourke High School, Walgett Community College (Secondary), Brewarrina Central School, Moree Secondary College Albert St Campus, Moree Secondary College Carol Ave Campus and Coonamble High School) consistently had more than 20% of their students missing 30 or more days in Semester 1 and an even higher proportion of students (30%-70%) missing 30 or more days in Semester 2. Three of these schools (Bourke HS, Wilcannia and Walgett HS) – which have a relatively high proportion of Aboriginal students[1080] – had a very high proportion of students missing the equivalent of half a year of school in 2016 and 2017.

- At Walgett High School, 48% of students missed 30 days or more of school in semester 1; and 54% in semester 2 between 2015-2017. The proportion of students at this school missing 100 or more days was unacceptably high in the period. It is notable that, in 2017, the proportion increased to 40%, up from 25% in 2015; and 34% in 2016. However, we are aware that under the leadership of Chris Shaw, significant work has been taking place in Walgett over the past 12 months to further improve attendance and reduce suspensions.

- Between 2015 and 2017 the proportion of students missing large amounts of school increased at some schools and decreased at others. For example, in 2017, 62% of students at Wilcannia Central School and 47% of students at Bourke High School missed 30 or more days in semester 2 (up from 53% and 40% respectively in 2015), while 38% of students at Boggabilla Central School and 11% of

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[1080] Based on data about the numbers of Aboriginal and non-Aboriginal students enrolled at Connected Communities schools in 2017. (Department of Education, Centre for Education Statistics and Evaluation, *Connected Communities Strategy Final Evaluation Report,* August 2018, p.11.) (At the time of writing, the evaluation report had not yet been made public.)

students at Menindee Central School missed 30 or more days in semester 2 of 2017 – which was down from 52% and 19% respectively in 2015.

- Overall, nine schools in 2017 (Menindee Central, Boggabilla Central, Coonamble Primary, Taree Primary, Toomelah Primary, Hillvue Primary, Moree Secondary College (Albert St), Coonamble High and Walgett Community College (Secondary)) had a lower proportion of students missing 30 or more days of school in semester 2 compared to in 2015; seven schools (Brewarrina Central School, Walgett Community College (Primary), Wilcannia Central School, Moree East Primary, Taree High, Bourke High and Moree Secondary College (Carol Ave) had a higher proportion, and one school (Menindee Central School) remained the same.

- Overall, eight of the campuses in 2017 (Menindee Central School, Brewarrina Central School, Coonamble Public School, Walgett Community College (Primary), Wilcannia Central School, Hillvue Primary School, Taree High School and Bourke High School) had a lower proportion of students missing 100 or more days in a school year compared to in 2015. The suspension data shows that suspensions are decreasing in terms of the number of individual suspensions, but the number of days out of school for students has significantly increased. Education has attributed this to improved suspension processes, which focus on returning students to school in a supported and structured manner.[1081]

As the data for the four central schools in Tables 8 and 9 is not broken down by primary and secondary students, it is not possible to make direct observations about overall primary and secondary trends. However, when comparing secondary with primary schools, it is clear that a much larger proportion of secondary students missed large amounts of school between 2015 and 2017.

It is also clear that a significant challenge for Connected Communities going forward is to achieve a reduction in the number of students who are missing large amounts of school. To measure this, it is important that Education collects and tracks the type of student-level data we have analysed above.

How to achieve the desired reduction is a separate question. Schools are not only well placed to identify those students who are absent for significant periods of time and therefore at risk of educational neglect, but to also help put a spotlight on other forms of maltreatment and abuse. They have a strong role to play in working with families to support regular school attendance. At a local level, they should also be systematically sharing information about the most at-risk students with other relevant agencies and services so that appropriate, tailored responses can be planned and implemented.

There is evidence that, to varying degrees, Connected Communities schools are trying hard to facilitate better access to services for students and their families. However, for the most part, schools in Connected Communities locations (and other high-need communities) are still operating without the benefit of an integrated service system approach. In this regard, we discuss the cross-government reform underway which is aimed at improving the access to, and overall design of, the service system by the NSW Stronger Communities Investment Unit (Their Futures Matter).

9.20 Students suspended from school

School suspensions are a stronger predictor of low educational achievement than socio-economic or family factors.[1082] As school offers a supervised and protected environment, regular exclusion from school due to suspension can also increase a child's vulnerability to abuse and risk-taking behaviour.

As a cohort, Aboriginal students are significantly more likely than their non-Aboriginal peers to be suspended from school (see section 9.20.2). For several years, Aboriginal communities have strongly advocated that in addition to addressing the factors that lead to suspension, creative alternatives to suspensions are needed for students whose behaviour cannot be accommodated within a mainstream education setting. Our office has publicly echoed these calls.[1083]

[1081] Advice provided by Education on September 2019.
[1082] NSW Ombudsman, *Inquiry into behaviour management in schools*, August 2017, p.37.
[1083] NSW Ombudsman, *Responding to child sexual abuse in Aboriginal communities*, December 2012, pp.258-263; *Inquiry into behaviour support in schools*, August 2017, pp.38-40.

In Part B of this chapter, we profiled the various strategies used by Connected Communities schools to try to lift school attendance, for example the transition centres established at Coonamble and Manning Valley, the Our Place initiative at Bourke and the Clontarf Academy at Bourke, Brewarrina, Coonamble and Moree. We also discussed the ways that Connected Communities schools have tried to better address trauma, which can contribute significantly to challenging behaviour. In addition, Connected Communities schools have utilised a number of specific strategies aimed at reducing suspensions, for example:

- At Brewarrina Central School, when a suspension could place a student at risk of harm, they are instead, withdrawn from class to complete work under the supervision of an executive staff member or within a 'buddy class'.

- Taree High School places students with non-violent behaviours who would otherwise be suspended under the supervision of a designated teacher and SLSO to complete classroom work.

- Wilcannia Central School provides an alternative program for secondary boys to provide a suitable and engaging curriculum and at primary level, students at risk of suspension can spend time in a different class or area of the playground.

- Walgett Community College intends to implement a 'Connect, Succeed and Thrive' program to support students returning from suspensions, with the aim of stopping the 'suspension cycle'.

- Moree Secondary College runs a re-engagement program to try to engage students in activities that will reinforce their focus on school.

- At Moree East Public School, students who are exhibiting inappropriate behaviours are provided with extra support from the Aboriginal Education Officer/School Learning Support Officer as well as the Student Welfare Support Officer Mentor.[1084]

Despite these inherently positive initiatives, the data show that suspension rates at Connected Communities schools, particularly for Aboriginal students and students with disability remain unacceptably high.

9.20.1 Data about suspensions

Education publicly reports some suspension data, including the annual number and proportion of students (by grade) receiving short and long suspensions and the number and proportion of students in each suspension category who are Aboriginal. It also provides a breakdown of the number and proportion of students suspended in each category by FACS district. The published data is not broken down by school level. When we recommended in 2012 that Education should strengthen its collection, monitoring and reporting about educational outcomes for Aboriginal students, we observed that many Aboriginal communities had called for location-specific data to be accessible.[1085]

CESE provided us with suspension data for Connected Communities schools for the years 2015-2017. Suspension data broken down by students' disability status is not routinely collected by schools or centrally analysed by Education. However, CESE was able to provide us with data about suspended students with disability at Connected Communities schools by specifically collating disability program data (described in section 9.22.2) with suspension data. To further disaggregate this data by Aboriginality, CESE then had to match it with enrolment data.[1086]

To inform its evaluation of Connected Communities, CESE considered data about long, but not short, suspensions – advising that short suspensions can vary significantly between schools, whereas long suspensions are less likely to be subject to school level variations because the criteria for imposing them is clearer.[1087] In this regard, while principals *must* impose a long suspension (of up to 20 days) in certain serious, clearly defined circumstances,[1088] they *may* give a short suspension (of up to four days)

[1084] Advice provided by NSW Department of Education, May 2018.
[1085] NSW Ombudsman, *Responding to child sexual abuse in Aboriginal communities*, December 2012, Recommendation 84.
[1086] Advice provided by Centre for Education Statistics and Evaluation, July 2018.
[1087] Advice provided by Centre for Education Statistics and Evaluation, October 2017.
[1088] Principals must impose a long suspension in circumstances involving physical violence; use or possession of a prohibited weapon, firearm or knife; possession, supply or use of a suspected illegal substance; or serious criminal behaviour related to the school. They may also impose a long suspension for use of an implement as a weapon, or

in circumstances that fall within the broader categories of 'continued disobedience' or 'aggressive behaviour'.

We chose to analyse data about short (as well as long) suspensions. Our view is that this data contributes to understanding the difficulties faced by schools in meeting the needs of students with challenging behaviours, as well as the different ways that individual schools may be approaching the management of these challenges. For this reason, Education should be tracking suspension patterns across Connected Communities (and all) schools, including for the purpose of identifying schools with a much higher short suspension rate than other comparable schools and the reasons for this.

9.20.2 What the data tells us

Tables 10 and 11, Appendix 1, show the numbers of students at NSW government schools who received one or more long or short suspensions in the years 2015-2017, and the number and proportion of these students who were Aboriginal. The data show that state-wide, Aboriginal students were 3.8 times over-represented in long suspensions and more than three times over-represented in short suspensions. This over-representation occurred to varying degrees in every FACS district, including the three FACS districts where Connected Communities schools are located. In these districts, Aboriginal students were 2.5 times over-represented in long suspensions and around 2 to 2.5 times over-represented in short suspensions.

Of all the FACS districts, Hunter New England (where seven Connected Communities schools are located) had the highest overall number of suspensions, and Western district (where six Connected Communities schools are located) had the highest proportion of suspensions given to Aboriginal students (in 2017, 67.3% of 1044 long suspensions in this district went to Aboriginal students who made up 25.6% of the student population (see Table 10).

Suspensions at Connected Communities schools

CESE found 'moderate evidence' to suggest that long suspension rates had increased at Connected Communities schools after the introduction of Connected Communities.[1089] Explaining this finding, CESE observed that 'Anecdotally, long suspensions are likely to have increased because of a decreased tolerance for misbehaviour after the implementation of Connected Communities due to heightening the focus on school and parent/carer and community expectations'.[1090]

Based on data provided to us by CESE contained in Tables 12 and 13, Appendix 1, we found:
- A 2.1% increase in the average long suspension rate for Aboriginal primary students at Connected Communities schools between 2013 and 2017, compared with 2012 (the year before the initiative started). Long suspensions of all primary students at these schools also increased by 1.9%.[1091]
- A 3.8% increase in the average long suspension rate for Aboriginal secondary students at Connected Communities schools between 2013 and 2017 compared with 2012. Long suspensions of all secondary students at these schools also increased by 2.2%.[1092]

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persistent and serious misbehaviour. Department of Education, *Suspension and Expulsion of Students – Procedures 2011*, last updated April 2015, pp.5-6. https://www.education.nsw.gov.au, accessed 14 November 2018.

[1089] Suspension rates are calculated as the number of students in a cohort (for example, all Aboriginal students) with one or more long suspensions in a given year, over the total number of students in the same cohort in the same year.

[1090] Department of Education, Centre for Education Statistics and Evaluation, *Connected Communities Strategy Final Evaluation Report*, August 2018, p.47. (At the time of writing, the evaluation report had not yet been made public.)

[1091] CESE used a slightly different set of methodology and dataset to what we report here. We came up with similar findings. For primary students at Connected Communities schools, the average long suspension rate increased by around 1.8% after the introduction of the strategy, and the average long suspension rate for Aboriginal primary students in participating schools also increased by around 1.9%. CESE also identified that suspensions at its set of comparison schools did not rise as much in the same period. (NSW Department of Education, Centre for Education Statistics and Evaluation, *Connected Communities Strategy Final Evaluation Report*, August 2018, p.47.) (At the time of writing, the evaluation report had not yet been made public.)

[1092] CESE used a slightly different set of methodology and dataset to that we report here, to come up with its similar findings that the average long suspension rate in Connected Communities schools increased by around 2.3%, and for Aboriginal secondary students in participating schools, the average long suspension rate increased by around 3.7%. (NSW Department of Education, Centre for Education Statistics and Evaluation, *Connected Communities Strategy Final Evaluation Report*, August 2018, pp.46-47. (At the time of writing, the evaluation report had not yet been made public.)

CESE cautions against using school-level suspension data to isolate the effect of Connected Communities, and advises that care should be exercised in interpreting suspension rates given school-level data can be volatile from year-to-year.[1093] With this caveat, the data show that:

- In each year, 'physical violence' was the reason given for about half of all long suspensions.[1094]

- The annual long suspension rate between 2013 and 2017 was more volatile at some schools (for example, Moree Secondary and Taree High) than at others.

- Two primary schools (Hillvue and Toomelah) maintained very low long suspension rates compared with all Connected Communities schools. At one of these schools (Hillvue) the average long suspension rate between 2013 and 2017 was 2.5%, and has only slightly increased since the implementation of Connected Communities. The other school (Toomelah), which recorded a 0% long suspension rate in 2015 and 2017, has the fewest enrolments of any Connected Communities school.

- Five schools (Boggabilla Central School, Brewarrina Central School, Menindee Central School, Wilcannia Central School and Coonamble High) have lowered their long suspension rate each year since 2015. A sixth school (Moree East Primary) has also achieved a substantial reduction in its long suspension rate since Connected Communities began.

- Three schools (Walgett High 37.8%, Moree Secondary 28.2% and Taree Public 27.9%,) had a very high average long suspension rate for Aboriginal students between 2013 and 2017, compared with the average rate (12%) for all Connected Communities schools. In 2017, each of these schools had a higher rate of long suspension than in 2012. At one of these schools (Taree Public), the long suspension rate doubled between 2013 (when Connected Communities was implemented) and 2014, and almost doubled again between 2014 and 2015.

CESE did not examine short suspension data. Our analysis of data provided by CESE (Tables 12 and 13, Appendix 1) shows:

- On average, 'aggressive behaviour' accounted for about 60% of short suspensions each year.[1095]

- Compared with average short suspension rates for Connected Communities schools in 2012, between 2013 and 2017 primary short suspension rates at these schools decreased by 0.9% for Aboriginal students and 1.5% for all students, and secondary short suspension rates increased by 1.2% for Aboriginal students and 0.8% for all students.

- Between 2013 and 2017, the average short suspension rate for all primary students at Connected Communities schools was 18.1%. The average short suspension rate for Aboriginal primary students at these schools was somewhat higher at 20.1%.

- The average short suspension rate for all secondary students at Connected Communities schools between 2013 and 2017 was 17.3%. The average short suspension rate for Aboriginal secondary students at these schools was significantly higher at 24.9%.

- One school (Walgett Community College – Secondary), which also recorded a high average long suspension rate, had an average short suspension rate (46.5%) between 2013 and 2017 of more than 2.5 times the average rate for all Connected Communities schools. This school's short suspension rate in 2017 was 11.8% higher than in 2012. Another three schools (Moree East Public 33.9%, Moree Secondary College Carol Ave 33.3% and Wilcannia Central School 32.3%) had around double the average rate of short suspensions compared with the average rate for all Connected Communities schools.

- Eight schools (Bourke Public School, Moree East Public School, Coonamble High School, Moree Secondary College Carol Ave, Boggabilla Central School, Brewarrina Central School, Walgett Community College – Secondary and Wilcannia Central School) had higher short suspension rates in 2017 than in 2012.

[1093] Department of Education, Centre for Education Statistics and Evaluation, *Connected Communities Strategy Final Evaluation Report*, August 2018, p.46.
[1094] See Table 14, Appendix 1.
[1095] See Table 15, Appendix 1.

- Compared to Connected Communities secondary schools overall, one school (Taree High) has maintained a consistently low average short suspension rate (6.4%) since 2013. Another (Toomelah Public), has maintained a very low average short suspension rate (2.5%, but 0% between 2015-2017) – it also had a low long suspension rate. This school has the fewest enrolments of any Connected Community schools.

- Five schools (Hillvue Primary, Bourke High, Moree Secondary Albert Ave, Boggabilla Central School and Menindee Central School) all progressively decreased their short suspension rate between 2015 and 2017. Two of these schools (Boggabilla and Menindee) also decreased their long suspension rate.

We separately discuss the high rate of suspensions of students with disability at Connected Communities schools in section 9.22.1.

9.20.3 Reducing suspensions

It is disappointing that the Connected Communities strategy has not yet led to an overall reduction in the number of students – particularly Aboriginal students – suspended from participating schools. It is particularly concerning that long suspensions have increased overall. Regardless of whether this reflects 'decreased tolerance for misbehaviour after the implementation of Connected Communities as a way of modelling what constitutes acceptable behaviour', as CESE reports that some schools have suggested, suspension results in the disruption of learning and the removal of students from a protective environment. It is difficult to see how significant improvements in other domains, including literacy, numeracy and school retention, will be delivered until a sustained reduction in suspension rates at Connected Communities schools is achieved.

There is no doubt that Connected Communities schools have substantial numbers of students who exhibit very challenging behaviours. In our 2017 report to Parliament about behaviour management in schools, we discussed some of the reasons for challenging behaviours, including a background involving family or other trauma; additional needs associated with a disability; economic or social disadvantage; conflict or isolation in the school community and other factors.[1096] Connected Communities schools are located in communities characterised by high levels of disadvantage and, as we observed earlier in the chapter, a high proportion of students at these schools have significant trauma and mental health needs.

Students with disability are also over-represented at Connected Communities schools. Increasingly, we have heard concern that Foetal Alcohol Spectrum Disorder (FASD) may be a significant factor contributing to challenging behaviours by students at some Connected Communities schools. FASD involves lifelong physical and/or neurodevelopmental impairments resulting from foetal alcohol exposure. It is sometimes referred to as the 'invisible disability' as it often goes undetected. Behavioural and learning difficulties, including problems with memory, attention, cause and effect reasoning, impulsivity, receptive language and adaptive functioning difficulties, are characteristic of the disorder.[1097] FASD is not specifically mentioned in the Department of Education's Disability Criteria used to determine eligibility for Integrated Funding Support.[1098]

Regardless of the causes of students' challenging behaviour, we acknowledge that suspension is a key component of a school's welfare and discipline policies, and an important safeguard where the conduct of a student harms or threatens the safety of others. However, as we observed in our 2017 report on Aboriginal Child Sexual Abuse, there is no evidence base to support that the use of

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[1096] NSW Ombudsman, *Inquiry into behaviour management in schools*, August 2017, p.iii.
[1097] NOFASD Australia, https://www.nofasd.org.au, accessed 1 October 2018.
[1098] The 2017 NSW Parliamentary inquiry into the education of students with a disability or special needs expressed concern that the Disability Criteria negatively impacts on funding for students with moderate to high-needs who do not meet the criteria and recommended that it be reviewed 'to ensure it is in keeping with contemporary understandings of disability'. In response, the Department of Education agreed to update the Disability Criteria and to review the criteria on biannual basis. (NSW Parliament, Legislative Council, Portfolio Committee No. 3 – Education, *Education of students with a disability or special needs in New South Wales,* September 2017, Recommendation 7; NSW Government Response, March 2018, p.2.)

suspensions reduces disruptive classroom behaviour. In fact, research shows that for students with disability or trauma, suspension may actually exacerbate challenging behaviours.[1099]

Achieving a substantial and sustainable reduction in suspension rates ultimately depends on Education taking a different, system-wide approach that provides schools, not only in Connected Communities locations but universally, with better access to the internal and external expertise and resources needed to manage very challenging behaviours in more inclusive and non-punitive ways. To ensure procedural fairness and compliance, Education also needs to do more to promote and ensure consistent suspension practices by schools. At the same time, schools require some flexibility to implement tailored solutions (such as 'transition centres') that are appropriate to local needs. We discuss this further later in this chapter.

Our previous recommendations to Education about the use of suspensions

In a range of public reports over several years, we have identified that reducing the use of suspensions, and improving the overall system for their use when no other option is appropriate, requires Education to address the following.

Access to expertise in behaviour management

Our behaviour management inquiry found that school staff require special skills to provide individualised and targeted support to students with complex needs and challenging behaviour – and that many school staff do not have these particular skills. We heard that there is limited expertise in providing behaviour support in schools, and that greater assistance is required both to deliver appropriate expertise and to provide strategies that are practical for the school environment. We found that schools often do not seek external expertise in providing support to students with complex needs and challenging behaviour – even in circumstances in which a school is taking action that is likely to adversely affect a student's education.

We made a range of recommendations (Proposals 5-11) about making it easier for school staff to identify potential sources of expertise; requiring staff in positions dedicated to providing expert assistance to schools to have the requisite skill set; and identifying potential leaders to build capacity across schools to support students with complex needs and challenging behaviour.

Better guidance and more robust accountability for schools

Our behaviour management inquiry identified concerns about some schools' adherence to Education's suspension policy requirements, and the need for greater rigour in the suspension process, and in the monitoring of suspension practice. We recommended that Education should review its current guidance for schools about the use of suspensions (as well as the use of time-out strategies and restrictive practices), ensuring that schools are required to comply with stronger processes (except where there is a real and immediate risk to safety) prior to taking adverse action against a student in response to their behaviour. We also recommended that Education should strengthen the recording and reporting requirements, as well as arrangements for monitoring practice, associated with these processes. (Proposal 15).

Alternatives to exclusionary suspensions

For many years school principals and regional executives in high-need Aboriginal communities have indicated to us their preference for a more systematic use of 'in-school' suspensions – exercising the use of exclusionary suspensions only in situations where very serious risks are evident.[1100] In our 2012 report on Aboriginal Child Sexual Abuse, we recommended that, in consultation with its Aboriginal Education Advisory Group, Education should work with partner agencies to develop innovative approaches to keep 'hard to reach' Aboriginal young people engaged in education – including

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[1099] NSW Ombudsman, *Inquiry into behaviour management in schools*, August 2017, pp.36-37.
[1100] NSW Ombudsman, *Addressing Aboriginal disadvantage: the need to do things differently*, October 2011, p.32.

initiatives that involve funding non-government organisations to provide services to such young people within the school environment as an alternative to suspension.[1101]

We reiterated in our 2017 report about behaviour management in schools, that there is a need for a broader range of education options, particularly for those students with significant trauma, behaviour and/or disengagement. We again recommended that Education should explore this with partner agencies and, as part of this work, continuously assess the effectiveness of available models and whether there is sufficient supply of the required models to meet needs (Proposal 16).[1102]

Tracking and monitoring data

It has now been 10 years since our 2007–2008 investigation into the implementation of Education's suspension and expulsion policy and procedures found that the nature of the information being collected, and the lack of analysis of long suspension data, meant that the department had limited knowledge about the needs of students who were being suspended. In response to that finding, Education told us in 2010 that its new data system would facilitate the collection of an increased range of data when introduced in the next few years.[1103]

In 2012, when we recommended that Education should strengthen its collection, monitoring and reporting of data about educational outcomes for Aboriginal students,[1104] we indicated that this should include data about suspensions, broken down by schools. Education subsequently released two annual reports (in 2014 and 2015) about Aboriginal students in NSW public schools that included suspension data. Although the reports did not disaggregate data to school level, or include data about students missing large amounts of school (as we had recommended), their publication was an important step towards better transparency, and in our view, should resume.

Despite the advice we were given by Education in 2010, its published data about suspensions still does not identify the proportion of suspensions that involve students with disability or additional support needs. At the time of our 2017 report, Education advised us that the new LMBR Student Wellbeing (Synergy) tool includes information relating to suspensions/expulsions, and that reports can be run on the Suspension and Expulsion Register. It was unclear to us, however, whether, and to what extent, Education can analyse suspension information to ascertain the proportion that relate to behaviour associated with disability, and any related practice issues.

It is problematic that Education does not have access to adequate data holdings about suspensions to inform better monitoring and understanding of their use for particularly vulnerable cohorts of students. It is likewise undesirable that the public reporting of suspension data is so limited. Our 2017 report therefore recommended that Education should collect, analyse and report on data relating to the suspension and expulsion of students with disability or other additional needs, and students in OOHC (Proposal 14).[1105] More broadly, we take the view that Education should be using data to track suspension patterns across individual schools, and identifying why certain schools may have a much higher short suspension rate than other comparable schools.

Education's review of its suspension policy

In 2017, Education told us it was reviewing its policy on student discipline in schools and its associated procedures for suspension and expulsion. In 2018, it began consulting a range of stakeholders, including Directors, Educational Leadership, the Primary Principals' Association and Secondary Principals' Council and the NSW AECG to determine how the policy and procedures are meeting objectives, including areas that are working well and areas to be improved.[1106] Education advised us in late 2018 that further work was required to address a range of issues identified through the

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[1101] NSW Ombudsman, *Responding to child sexual abuse in Aboriginal communities*, December 2012, p.9 and Recommendation 87.
[1102] NSW Ombudsman, *Inquiry into behaviour support in schools*, August 2017, Proposal 16.
[1103] See NSW Ombudsman, *Inquiry into behaviour support in schools*, August 2017, p.41.
[1104] NSW Ombudsman, *Responding to child sexual abuse in Aboriginal communities*, December 2012, Recommendation 84.
[1105] NSW Ombudsman, *Inquiry into behaviour support in schools*, August 2017, Proposal 14.
[1106] Advice provided by NSW Department of Education, May 2018.

consultations, and confirmed that it was also examining the observations and recommendations previously made by our office, including those contained in our 2017 report. We sought updated advice about the progress of the review in July 2019. In response, Education advised us that:

- As part of the new state-wide Accord between the NSW Government and the NSW Coalition of Aboriginal Regional Alliances (NCARA), it has recently begun formally negotiating with NCARA about its expectations in relation to the broad parameters of what the revised suspensions policy should address.
- It has begun liaising with Aboriginal Affairs about engaging Aboriginal communities in the review process, consistent with the principle of co-design. During August 2019 Education consulted with Regional Alliances in Bowral, Coffs Harbour and Tenterfield, and with regional managers at a meeting in Sydney. Education has also liaised with the AECG and, in coming months, Education will be setting up a number of further consultations with the AECG.
- Once the updated suspensions policy has been settled, it will develop an implementation plan that includes continuous monitoring of data, and a review after the first year of operation.
- Related but separate work is underway to develop a Behaviour Strategy, which will have a strong focus on enhancing professional learning, strengthening leadership and providing schools with scenario-based training and information about evidence-based programs and resources. The strategy will be informed by our 2017 report, as well as comprehensive work completed by the Telethon Kids Institute on behalf of Education.[1107] Beginning later in 2019, trauma informed training will be rolled out to an initial cohort of 1,000 teachers. Various work is also underway to progress the implementation of Education's new Disability Strategy, released in February 2019.
- Education recognises that further work is needed to ensure schools have access, both on an ongoing and targeted basis, to the expertise they need to manage challenging behaviour. The department is currently looking at how existing and new resources (including the extra school support workers for secondary schools announced in February this year and OOHC teachers) can be better tasked and utilised, and has met with other human services and justice agencies to discuss what is needed to enhance the provision of wrap-around supports to vulnerable students.[1108]

It is clear that Education is undertaking a range of important, complex and intersecting work in recognition that it needs to better support students whose challenging behaviour places them at higher risk of being suspended from school and, in turn, experiencing educational neglect and associated poor outcomes. While we appreciate the resources that have been committed, and the need to ensure the right policy settings and initiatives are put in place to achieve the desired outcomes, the data we have highlighted testifies to the urgency of the situation that, in the meantime, continues to negatively affect the lives of vulnerable children. Communities have been raising the same concerns, and suggesting a range of possible solutions, for many years.

A stronger focus for Connected Communities on reducing suspensions

In the context of the broader work Education is undertaking to review its approach to suspensions, Education should consider how Connected Communities can have a stronger focus on reducing suspensions, in light of the findings by CESE and our office about suspension rates at participating schools. In our view, given the extent of the problem and the seriousness of the short- and long-term consequences for students, there would be merit in Education making 'reducing suspensions' a key deliverable for Connected Communities. Going forward, Education should also closely monitor the use of both long and short suspensions by individual Connected Communities schools.

Notwithstanding the concerning suspension data reported above, some Connected Communities schools have achieved a degree of success in reducing their suspension rates. However, to date, it is not clear whether Education has systematically analysed the environmental factors and strategies (several of which we outlined in Part B) that appear to have been effective in leading to the reduced suspension rates achieved by these schools. An analysis of this type should occur. This work should

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[1107] This work includes a national and international literature and evidence review; a roundtable bringing together 19 international experts; development of professional resources; and identifying and recommending evidence-based programs to address the behavioural support needs of particularly vulnerable cohorts, including Aboriginal students, students living in OOHC, students with disability and students who have experienced complex trauma.
[1108] Advice provided by NSW Department of Education, July 2019.

also have regard to strategies being implemented in non-Connected Communities locations, such as the Ngaramura program described in Case study 39.

Case study 39: Tackling suspensions on NSW south coast

A unique program has been devised to try to tackle the problem of a disproportionate number of Aboriginal students being suspended from school in the Port Kembla region of the NSW south coast. Coordinators of the Ngaramura program have worked closely with the principals of five local high schools to identify Aboriginal students who may benefit from being involved in the program. Students who have been suspended from school are taken into the program and placed into the care of two local Elders at the Coomaditchie United Aboriginal Corporation, who help them learn about Aboriginal culture and gain a sense of pride and confidence in their identity. The ultimate aim is for students to re-engage in their education.

On entering the Ngaramura program, students are involved in a daily routine that starts with a good breakfast, then one-on-one academic mentoring in the morning and cultural activities in the afternoon. After lunch the Elders impart cultural knowledge, such as the cultivation of bush tucker, painting and local Aboriginal heritage, including Dharawal creation stories.

The program aims to build an environment of trust and support for the students, while maintaining an ongoing relationship with the schools, to assist students being able to re-engage effectively back into school. The two Elders who act as cultural mentors for the students while they are in the program are seen as the key to its success.

Since May 2017 when the program started, 17 students have completed the program, with 14 returning to school and a couple moving on to apprenticeships. Coomaditchie has received federal funding to run Ngaramura for three years, and the program is being monitored by the University of Wollongong, with the potential for a further roll out in other communities where students may benefit.

The high suspension rates at Connected Communities schools provide an indication not only of the magnitude of complex need that exists in their communities, but also that the schools may not be benefiting from sufficient expertise in the management of these behaviours – particular when dealing with students with disability (see section 9.22). Consistent with the proposals in our 2017 report aimed at making it easier for school staff to access external expertise in effective behaviour management, Education should ensure that the specific needs of Connected Communities schools are prioritised.

Education should also audit the professional learning needs of Connected Communities teachers in relation to the impacts of trauma and effective behaviour management, and accordingly, prioritise the provision of training. In this regard, our 2017 report identified the benefits of practical, in-school training and mentoring to support teachers to effectively respond to the challenging behaviour of students. Finally, we acknowledge that effectively addressing the sources of challenging behaviour which results in students being suspended from school requires whole of community and interagency effort. This once again points to the critical need to properly embed the 'service hub' aspect of the Connected Communities strategy – something which Education cannot, on its own, achieve.

9.21 Students living in out-of-home care

Aboriginal children and young people have long been vastly over-represented in OOHC across Australia, including NSW. A comprehensive body of literature shows that children in OOHC are more likely to have poor educational outcomes as a result of factors such as:
*   trauma resulting from abuse or neglect leading to challenging behaviour
*   high/complex developmental and health needs
*   placement instability resulting in a disrupted schooling trajectory
*   lack of expertise and adequate resources within schools to accurately assess and address the needs of children who have experienced trauma

- inadequate communication channels between schools and OOHC providers to ensure early and timely resolution of problems arising from children's behaviour, and
- inflexible approaches to behaviour support catering for individual children.

Education's obligations towards public school students in OOHC are set out in its Out of Home Care in Government Schools Policy. The objective of the policy, implemented in July 2010, is to enhance the participation, retention, educational outcomes and wellbeing of children and young people in statutory OOHC who are attending government schools.[1109]

In particular, the policy requires schools to collaborate with caseworkers and other stakeholders in developing an individual education plan for every student in statutory OOHC. The education plan should identify the child's academic and other needs, including behavioural needs. It may also include other plans, such as a behaviour plan. The education plan must be reviewed at least annually or when a child's circumstances change. In March 2011, Education and FACS also signed a memorandum of understanding on the provision of educational services for children in OOHC. And in 2014, the two agencies established an agreement to exchange information, including NAPLAN results, about children in OOHC who are in public education.

As we noted at the start of this Part, CESE was unable to provide us with data about students enrolled at Connected Communities schools who are living in OOHC and have missed large amounts of school and/or been suspended from school, as this data have not been routinely collected by schools or analysed centrally.

For more than a decade, we have identified a need for better collection and monitoring of data about students living in OOHC and their educational outcomes.[1110] Recognising the critical importance of improving school attendance and educational outcomes for children and young people in OOHC, the Special Commission of Inquiry into Child Protection in NSW in 2008 also called for the development of 'a mechanism for monitoring, evaluating and reviewing access and achievement of outcomes'.[1111] Despite being urged to take action in this area, Education's progress has been disappointingly slow.

As we noted in our 2017 report to Parliament, our review of a sample of 229 children and young people living in residential care and enrolled in public schools in 2016 found that only 26 (11%) were accurately identified in Education's data system as being in OOHC.[1112]

At the time, Education told us that it was working with FACS to finalise a data exchange to identify those children and young people in statutory OOHC and their involvement on the Education Pathway (the term for the process by which students in OOHC are expected to receive a coordinated response to improve their educational performance through planning, support and review processes). We were advised that the data exchange would be coordinated centrally and disseminated to appropriate agency staff with a planning and case management role to ensure students in OOHC are being appropriately engaged and supported at school.[1113] We were further advised that data sharing agreements would be put in place with the Catholic Education Office and the Association of Independent Schools.

Education has since signed an MoU with FACS to enable better data matching about students in OOHC.[1114] We understand that while progress has been made, there is still a significant amount of FACS data to migrate with the Education database. CESE has also indicated that there are ongoing data collection issues in terms of significant variations in data disaggregated to school level and that this

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[1109] NSW Department of Education, *Out of Home Care in Government Schools Policy*, https://www.education.nsw.gov.au, accessed 10 December 2018.

[1110] NSW Ombudsman, *Supporting the carers of Aboriginal children*, 2008.

[1111] The Hon James Wood AO QC, *Report of the Special Commission of Inquiry into Child Protection Services in NSW, 2008*, Vol. 2, Recommendation 16.3, p.688.

[1112] This data status has changed with the archiving of the attendance data from the Department's OASIS system. The Systems Design unit is mapping students in OOHC and the Department will shortly be able to 'layer OOHC, attendance and suspension data'. Advice provided by Education, September 2019.

[1113] In May 2019, Education communicated with schools to update the OOHC status of 2964 students. This was the first round of the data exchange and matching process. Advice provided by Education, September 2019.

[1114] Advice provided by Centre for Education Statistics and Evaluation, April 2018.

requires further investigation.[1115] In addition, identifying those students who are in OOHC (broken down by Aboriginality) is merely the starting point, closely tracking the results of this cohort of children and ensuring that the relevant FACS community service centres and OOHC providers are aware of attendance problems for children in their care and working collaboratively to address underlying causes, is also critical.

In this regard, research conducted by the Association of Children's Welfare Agencies (ACWA) in 2016 found that at any given time, one in five school-aged children and young people in care are absent from school, and one in three school-aged children and young people in care did not have an Individual Education Plan.[1116] And in 2017, our review of educational outcomes for a sample of children and young people living in residential OOHC highlighted these children's very high level of disengagement with school. More than 40% of the children in the sample missed 20 or more school days in 2016 for a reason other than illness. On average, these students – about one third of whom were Aboriginal and more than half of whom had one or more disability – missed 88 school days (about 45% of the school year) due to factors including suspension, expulsion and delayed enrolments. Almost 60% of the students had been suspended one or more times in 2016. On average, these students lost 29 school days to suspensions. [1117] Education has advised that it is working with Their Futures Matter (now known as the Stronger Communities Investment Unit) to monitor this cohort of students on a quarterly basis.

We presented the results of our review at a roundtable, hosted by ACWA in October 2017, to identify gaps or barriers in current practices impacting on the educational outcomes of children in OOHC. The roundtable, which was attended by high-level education and child protection decision-makers, stakeholders and experts from across government and non-government, emphasised the need to build an evidence base for the educational participation of children and young people in OOHC.[1118] At a follow-up roundtable hosted by ACWA in November 2018, participants heard about the approach that is used in Victoria (Case study 40) to ensure that education is at the forefront of decisions about the care, placement and future of children and young people in OOHC.

Case study 40: LOOKOUT Education Support Centres (Victoria)

LOOKOUT Education Support Centres are located in each of the Victorian Department of Education's four regions. All school-aged children and young people in OOHC across Victoria are listed on the LOOKOUT student roll, using data from the Department of Health and Human Services that is matched with school enrolment data. Each centre is led by a principal and staffed by a multidisciplinary team with expertise in education, psychology, cultural awareness and data analysis. The team works with designated teachers and other staff at government, Catholic and independent schools, to make sure that students who live in OOHC have access to the supports they need to fully participate in their education.

With the support of LOOKOUT centres, designated teachers are responsible for ensuring students are engaged in their education and meeting their learning goals. The designated teacher is the lead contact for the LOOKOUT centre with their school. They have a key role in supporting students to make a smooth transition into school, including making sure there are effective arrangements in place for the efficient transfer of information between relevant agencies. As well, designated teachers:
- ensure all students have an Individual Education Plan and a say in setting learning goals
- ensure Aboriginal students have a cultural support plan and are linked with the Koorie Education Support Officer within government schools
- ensure all students have a learning mentor

[1115] Advice provided by Centre for Education Statistics and Evaluation, April 2018.
[1116] Association of Children's Welfare Agencies (ACWA), *Educational Engagement of Children and Young People in Out of Home Care in NSW: Preliminary Findings,* October 2017, p.2, http://www.acwa.asn.au, accessed 27 November 2018.
[1117] NSW Ombudsman, *Inquiry into behaviour management in schools, August 2017*, pp.46-47.
[1118] PWC, *ACWA Education Roundtable: Let Them Learn, 24 October 2017.* http://www.acwa.asn.au, accessed 27 November 2018.

- work with carers to understand the importance of supporting learning at home, and
- act as a source of advice for staff about differentiated teaching strategies appropriate for individual students.[1119]

9.21.1 Reducing the impact of disadvantage: current and future OOHC reforms

Education has advised us that it is committed to 'ensuring that the education system reduces the impact of disadvantage, and to this end, it is working on a range of reforms to improve the support for students in statutory OOHC'. One such reform is the development of a new streamlined process for providing funding assistance to schools. A new OOHC Change Funding model is due to be introduced in mid-October 2019 and will replace the existing application-based funding process for students in OOHC. The new process aims to give schools faster access to funding and support for students when they most need it.

The NSW Department of Education is also commencing an exploratory project with principal networks where there are clusters of students in statutory OOHC. The aim is to learn what is needed to provide the highest quality of support for students in statutory OOHC utilising a responsive, innovative and strategic approach; including examining practices in other jurisdictions. This project has identified 8% of students in statutory OOHC are enrolled in just 3 of the 110 principal networks, 21% in 10 principal networks and 75% in 55 principal networks. The department has commenced data analysis to identify numbers of Aboriginal students in statutory OOHC in these clusters to ensure that any targeted responses are inclusive of Aboriginal students, carers and stakeholders' voices, and are respectful of Aboriginal cultures and histories.

In addition, Education is hosting a cross-sectoral workshop in October 2019 focusing on innovation in enhancing the learning and wellbeing outcomes for students in statutory OOHC. Sector partners have been invited to jointly plan for this workshop including the NSW Child, Family and Community Peak Aboriginal Corporation (AbSec) and the NSW Aboriginal Education Consultative Group (AECG). Representatives from the Association of Independent School of NSW and Catholic Schools NSW have also been invited to jointly plan and participate in the workshop.

A Memorandum of Understanding (MoU) between the NSW Department of Education and Their Futures Matter was signed in 2016. This MOU is intended to support the ongoing modelling work being carried out by Their Futures Matter in relation to estimating future use of human services and social outcomes for at risk cohorts of children and young people in NSW (see discussion of this issue in section 9.24.2). Education has advised us that it continues to work with Their Futures Matter to identify relevant data sets that can be shared to support this critical work and to ensure that vulnerable children and young people and their families are better supported.

9.22 Students with disability

People with disability continue to have lower levels of educational attainment than those without disability. Many students report experiencing difficulties at school because of their disability, including challenges associated with learning, fitting in socially, and communication difficulties.[1120] Aboriginal students are more likely than their non-Aboriginal peers to have a disability; in 2016, one in five (20.6%) Aboriginal children aged 5-14 in NSW were identified in Census data as having a 'profound or severe disability', needing assistance in order to perform core activities (compared to 6.6% of their non-Aboriginal peers).[1121]

[1119] Victorian Department of Education, 'LOOKOUT Education Support Centres', https://www.education.vic.gov.au, accessed January 2019.
[1120] Australian Institute of Health and Welfare, D*isability in Australia: changes over time in inclusion and participation in education*, 2017.
[1121] NSW Parliamentary Research Service, Chris Angus, *Indigenous NSW: Findings from the 2016 Census*, Statistical Indicators 02/08, March 2018, p.21.

Some public schools, including most (11) Connected Communities schools, have specialist support classes for students with disability who have moderate to high learning and support needs.[1122] Specialist support classes have fewer students than regular classes, although this can depend on the class type and the students' additional learning and support needs. Support classes also have a school learning support officer, and students have access to itinerant support teachers (for hearing or vision needs, and transition), specialist provisions such as examination support, and access to transport assistance.[1123]

Education also provides Integration Funding Support to assist students with an identified disability to participate in regular classes, in circumstances where they have essential educational needs directly related to their disability that cannot be met from within the existing resources of the school/region.[1124] Eligibility for specialist support classes or Integration Funding Support requires confirmation of disability in accordance with Education's Disability Criteria. Students who do not meet the Disability Criteria may still receive adjustments or support for disability (including learning difficulties, mild intellectual disabilities, language delays and disorders, and behaviour difficulties) through resources that are allocated to schools through the Resource Allocation Methodology (RAM).

Demand for disability support in NSW schools is growing at four times the rate of enrolment growth.[1125] Against this background, a 2017 NSW Parliamentary inquiry into education for students with disability or special needs heard evidence highlighting 'a stark contrast between the principles of inclusion promoted in our education system and the reality experienced by these children and their families'. While acknowledging examples of school excellence, the inquiry also identified a need to more actively promote the presumption of inclusive education and provide greater accountability to achieve this.[1126] The inquiry also endorsed the proposals set out in our August 2017 report about behaviour management in schools, which included a number of observations and suggestions about systemic and practice improvements that are relevant to students with disability. Education supported all 39 of the inquiry's recommendations and committed to developing a new strategy to improve educational outcomes for students with disability and their families.

During 2018, the Department established a new Delivery Unit to oversee this work and engaged the Australian Centre for Social Innovation to assist it. We participated in the consultative process informing the development of the new strategy, which was publicly released on 21 February this year. The strategy sets out four areas for reform:
- strengthening support for schools
- increasing resources and flexibility
- improving the family experience, and
- tracking student outcomes.

Among the commitments made by the strategy are that schools will have access to more resources, and those resources will be more flexible; will find it easier to access evidence-based professional learning and tools; and will be able to access specialist teachers and other experts. As well, Education has committed to building an evidence base to measure progress for students with disability in relation to indicators of learning growth, wellbeing and independence.

Education has already committed to several specific actions under its new disability strategy; for example, it has indicated that it will pilot a coaching and co-teaching pilot in 15 schools for teachers with expertise in supporting children with disability to coach teachers in mainstream schools. As well, it will develop and pilot training for staff about evidence-based approaches to support students with complex behaviour, such as trauma-informed practice and positive behaviours for learning. Education will also launch an innovation fund for schools to trial and evaluate new resourcing models to give schools greater resourcing and flexibility to tailor education to students' needs.[1127] Given the data

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[1122] NSW Department of Education, 'Specialist support classes', https://education.nsw.gov.au, accessed 2 September 2018.
[1123] NSW Department of Education, 'Specialist support classes', https://education.nsw.gov.au, accessed 2 October 2018.
[1124] NSW Department of Education, 'Specialist support classes', https://education.nsw.gov.au, accessed 2 September 2018.
[1125] NSW Department of Education, *Disability Strategy*, February 2019. https://education.nsw.gov.au, accessed 5 March 2019.
[1126] NSW Parliament, Legislative Council, Portfolio Committee No. 3 – Education, *Education of students with a disability or special needs in NSW*, Report 37, September 2017.
[1127] NSW Department of Education, *Disability Strategy*, February 2019, https://education.nsw.gov.au, accessed 5 March 2019.

findings set out below, we believe Education should give strong consideration to how these and other initiatives can benefit Connected Communities schools.

9.22.1   Data about disability in schools

CESE provided us with data about students with disability at Connected Communities schools for the years 2016 and 2017, drawing on Education's disability program data about students enrolled in specialist support classes, or enrolled in regular classes but receiving Integration Funding Support.

The disability program data does not include students who may be receiving adjustments or support for disability (including learning difficulties, mild intellectual disabilities, language delays and disorders, and behaviour difficulties) through resources that are allocated to schools via the Resource Allocation Methodology (RAM). These students are captured in the Nationally Consistent Collection of Data on School Students with Disability (NCCD), which utilises the more expansive definition of disability contained within the *Disability Discrimination Act 1992* (Cth) and the related Disability Standards for Education 2005. All schools have been required to participate in the NCCD since 2015. However, CESE did not draw on NCCD data in response to our data request, advising that:

> *The NCCD is not a reliable indicator of disability at this time. As a relatively new national data collection, based on teacher judgement, the quality is still maturing. Further, there are limitations on the use and reporting on the data collected for the Commonwealth, under the Australian Education Regulation 2013 and related national guidelines for the collection. Education Council (COAG) has agreed only to reporting on high level aggregated data at this time due to limitations on the data quality.*[1128]

Because the data about students with disability at Connected Communities schools excludes those students with disability who are not enrolled in a specialist support class or who do not receive Integration Funding Support, it should be regarded as a conservative indicator of the prevalence of disability in these schools.

What the data tells us

The data provided by CESE show (Table 16, Appendix 1) that in 2016 and 2017, students with disability were enrolled at Connected Communities schools at about double the state-wide rate. In 2017, 7.7% of students (compared to 3.7% of students at all schools) had a disability that met the requirements for enrolment in a specialist support class or Integration Funding Support.

The trend was similar in 2016 (6.9% compared to 3.6% of students at all schools).[1129] This over-representation is unsurprising given rates of disability are higher among Aboriginal children and young people, who make up the majority of students enrolled at these schools. It is important to note that for Aboriginal students at Connected Communities schools, the rate of disability in 2017 (9.5%) was only slightly higher than the rate for Aboriginal students at all schools (8.3%).[1130]

Unsurprisingly, the highest rates of disability were found at schools with one or more specialist support class. The data (Table 17, Appendix 1) show that:

- In 2016, the schools with the highest rates of disability were Taree Public School (15.4%), Walgett Community College Secondary (15.2%), Coonamble High (13.3%) and Coonamble Public (13%). In 2017, Bourke High School recorded the highest rate of disability (15.4%) followed by Walgett Community College Secondary (14.3%), Coonamble High School (13.5%), Coonamble Public School (13.4%) and Taree Public School (12.8%).

- The schools with the lowest rates of disability in 2016 were Moree East Public (0%), Moree Secondary College Albert St (0%), Menindee Central School (1%), Boggabilla Central School (1.3%) and Wilcannia Central School (4.1%). In 2017, the schools with the lowest rates were Moree East

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[1128] Advice provided by Centre for Education Statistics and Evaluation, April 2018.
[1129] Advice provided by Centre for Education Statistics and Evaluation, April 2018.
[1130] The rate increased by 0.8% from 2016, when it was 8.7% and the rate for Aboriginal students at all schools was 8%. (Advice provided by Centre for Education Statistics and Evaluation, April 2018.)

Public School (0%), Moree Secondary College Albert St 10-12 (0%), Boggabilla Central School (1.4%), Wilcannia Central School (3%), Toomelah Public School (3.1%) and Menindee Central School (3.3%).

While none of the schools with the lowest rates of disability had specialist support classes, it is also possible that fewer students at these schools were identified as having a disability that would make them eligible for Integrated Funding Support. In this regard, we know that limited access to services in some of the more remote communities (for example, Boggabilla, Menindee and Wilcannia) is an issue that may impact on the identification of disability. There are also a range of views about disability in Aboriginal communities that may impact on obtaining a formal assessment/diagnosis of disability. It is also possible that there are simply fewer students at these schools needing moderate to high adjustments for disability.

According to the data we received, two schools (Moree Secondary Albert St 10-12 and Moree East Public) did not have any Aboriginal students with a disability in 2016 and 2017. When we queried with Education the accuracy of the data for these two schools, they advised that only one student at one of the schools (Moree Secondary Albert St 10-12) was supported by Integrated Funding Support in 2016 (it is unclear why this was not reflected in the disability program data).[1131] When the data from these two schools are excluded, the rate of Aboriginal students with disability at Connected Communities schools rises slightly to 9.8% in 2016 and 10.7% in 2017.

At five schools which have specialist support classes (Coonamble Public (12.6% in 2016, 14.4% in 2017), Taree Public (18% in 2016, 13.6% in 2017), Coonamble High (18.6% in 2016, 19.4% in 2017), Moree Secondary 7-9 (14% in 2016, 11% in 2017) and Walgett Community College (15.6% in 2016, 14% in 2017) the rate of disability for Aboriginal students in both years was substantially higher than the rate of disability for Aboriginal students at all schools and Aboriginal students at Connected Communities schools as a group. At one secondary school (Bourke High School), which has more specialist support classes than any other Connected Communities school, the reported rate of disability for Aboriginal students doubled from 9% in 2016 to 20% in 2017. Meanwhile, one primary school (Toomelah Public School) experienced a significant drop in the rate of Aboriginal students with disability – from 9.8% in 2016 to 3.1% in 2017; overall Aboriginal enrolments at the school also dropped by 22% during the same period. However, the small overall enrolment numbers at this school should be noted.

Students with disability receiving suspensions

In our 2017 report about behaviour management in schools we discussed the over-representation of students with disability in suspension data. When interpreting suspension data for students with disability at Connected Communities schools, it is important to remember that while the rate of disability at participating schools (as a group) is higher than the state-wide rate of disability, the overall number of students with disability is low – 230 in 2016 and 249 in 2017. Nonetheless, the suspension data is concerning, indicating that students with disability at Connected Communities schools are being suspended at a high and disproportionate rate.

Tables 18 and 19, Appendix 1, show that in 2016 and 2017, students with disability comprised around 7% of all students at Connected Communities schools; however, they account for around 25% of students who received a long suspension, and about 15% of students who received a short suspension. In other words, students with disability were 3.5 times over-represented in long suspensions and doubly over-represented in short suspensions.

Tables 18, 19, Appendix 1 also show the proportion of Aboriginal students with disability and all students with disability who received short and long suspensions at each Connected Communities school in 2016 and 2017. The significant fluctuation from year to year and between schools, together with the small number of students with disability at each school, make it difficult to identify trends at intra- or inter-school level. However, the reasons for these variations are worthy of examination by

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Education, and it is not clear whether this is regularly occurring as part of the oversight of Connected Communities.

Considering the Connected Communities schools as a whole, there are clearly very high rates of suspension for students with disabilities, and this is evident for both Aboriginal and all students at these schools. Table 20 reveals that:

- One in three Aboriginal students with a disability received a long suspension in 2016 and 2017 (33.7% in 2016 and 32.6% in 2017), while
- One in ten Aboriginal students without a disability received a long suspension (10.1% in 2016 and 9.9% in 2017).
- Almost 3 in 10 of all students with a disability received a long suspension (29.1% in 2016 and 28.5% in 2017), compared with less than one in ten (7% in 2016 and 7.2% in 2017) of all students without a disability.

According to Education, prior to suspending a student with disability:

> ... consideration must be given to the requirements of the Commonwealth Disability Discrimination Act 1992 and the Disability Standards for Education 2005 (the Standards). To ensure that a student with any disability is not discriminated against, a decision to suspend that student should be based on the following considerations:
> - the degree of intentionality involved in the misbehaviour
> - the nature and extent of the support strategies applied to modify the student's behaviour and failure to change his or her behaviour despite a considerable period of intervention
> - an unacceptable risk to the safety of others (as determined by the risk assessment/management process)
> - the developmental level of a student and his or her individual needs.
>
> It will not necessarily be discriminatory to suspend students with disability. However, the principal must ensure that consideration must be given to whether there is a requirement to provide reasonable adjustment. The principal must ensure the involvement of all appropriate personnel, both in the school community and externally in making reasonable adjustments based on the student's needs.[1132]

The suspension data for students with disability at Connected Communities schools suggests that these schools are struggling to manage the needs of at least some of their students with disability. This is not something unique to Connected Communities schools.

In our 2017 report about behaviour management in schools, we highlighted the frustration expressed by many parents and other stakeholders about the level of understanding by school staff of students with disability and the function of behaviour, and the adequacy of the actions taken by schools to prevent challenging behaviour from occurring. We reported on concerns that students with disability are suspended for behaviour that they may not be able to control, with limited or no ability to understand the reason for the suspension or to reflect on their behaviour. We also heard of matters involving students with disability where there had been no contact with the school counsellor (or other practitioner with appropriate expertise) to undertake a comprehensive functional behaviour assessment, and relevant expertise and advice had not been sought from disability services, prior to significant adverse action (including suspension) being taken. Having said this, we also highlighted the importance of frontline teaching staff being appropriately supported to work effectively with students with disability.

9.22.2 What needs to happen to improve outcomes for students with disability?

Through its new Disability Strategy, Education has signalled its clear commitment to improve the school experience and educational outcomes of students with disability. Given the substantial investment that Education is making in the Connected Communities strategy, and the high proportion

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[1132] NSW Department of Education, *Suspension and Expulsion of Students Procedures: Frequently asked questions,* p.13. https://www.education.nsw.gov.au, accessed 25 February 2019.

of students at participating schools with a disability, Education should ensure that the implementation of the new Disability Strategy includes an appropriate focus on Connected Communities schools. In particular, as we recommend (see Recommendation 68), Education should audit the professional learning needs of Connected Communities teachers in relation to trauma-informed practice and effective behaviour management, and roll out training accordingly.

In our 2017 report about behaviour management in schools, we emphasised the importance of individual schools, and Education more broadly, having a 'data-driven' understanding of how disability intersects with other indicators, including school attendance and suspensions. As CESE had to pull together the data about students with disability at Connected Communities schools specifically in response to our request, it is not clear whether or how Education, or individual schools participating in the strategy, are closely monitoring trends and outcomes in relation to students with disability generally and Aboriginal students with disability more particularly. CESE has suggested that there would be 'value in Education repeating this data linkage exercise on an annual basis to identify changes in the number of students with disability who are suspended'.[1133] In our view, schools should have ongoing access to this information and be monitoring it regularly. As discussed in the previous section, as part of monitoring Connected Communities, Education should also be closely monitoring suspension data, and seeking to understand the reasons for variations between different schools.

Finally, we note that while the majority of Connected Communities schools have specialist support classes, six do not (Boggabilla Central School, Menindee Central School, Toomelah Public School, Moree East Public School and Moree Secondary College Albert St). There may be very valid reasons for this relating to demand and feasibility. For example, we note that three of the schools have fewer than 100 students and one has fewer than 50. However, given the large proportion of students at these schools who are Aboriginal and the over-representation of Aboriginal children and young people with disability, and noting the 2017 Parliamentary inquiry's recommendation that Education should increase support classes in mainstream schools to adequately meet student need,[1134] we recommend that Education reviews the adequacy of specialist support classes at Connected Communities schools.

9.23 How have schools implemented the 'service hub' model?

The service hub model is in many ways the most ambitious aspect of Connected Communities, and for the reasons already outlined, implementing it has proved challenging.

CESE's interim evaluation report in January 2016 found, in line with our own observations to that point, that the model was not yet operating as intended, with the majority of interagency linkages made by Connected Communities schools assessed as 'not appearing to involve the characteristics of strong collaborative partnerships'.[1135] CESE found that, with some exceptions (see Case study 41, for example), few schools had formalised partnership agreements with organisations and there was limited evidence of a strategic approach to interagency coordination and case management in Connected Communities locations.

> **Case study 41: Using strategic partnerships to fill service gaps in Toomelah**
>
> In Toomelah, the Executive Principal chairs the local interagency forum and has been able to leverage strategic partnerships to improve access to medical and other services needed by students and their families. For example, one outcome of the interagency forum has been the formation of 'Our Brains Matter', a collaborative group of government and non-government agency representatives working together to address family violence in Toomelah. The group is working in partnership with a research project by the Brain Mind Centre at Sydney University, which is studying links between domestic violence and developmental issues in children. Through the project, children have access to additional services.

[1133] Advice provided by Centre for Education Statistics and Evaluation, July 2018.
[1134] Legislative Council, Portfolio Committee No. 3 – Education, *Education of students with a disability or special needs in New South Wales*, September 2017, Recommendation 10.
[1135] NSW Department of Education, Centre for Education Statistics and Evaluation, *Connected Communities Strategy: Interim Evaluation Report*, September 2015 (published January 2016), p.39.

The school has also forged a link with the University of Newcastle and other partners which has brought skin disease experts into the community to provide assessment and treatment. Emerging awareness of a potential link between infections, such as boils and abscesses, and an elevated risk of rheumatoid heart disease, prompted the school to seek new ways to address the frequency of skin infections among its students. A related school-run project has offered community members the chance to take part in workshops making soap using a recipe containing eurah, a native healing bush. This has led to a community member establishing a local cottage industry. The school has also worked with the Poche Centre for Indigenous Health at Sydney University to establish dental services in the school and for the communities of Toomelah and Boggabilla.

Toomelah Public School makes innovative use of its Learning Support and Wellbeing Teacher to intensively case manage students and their families. Beyond supporting classroom learning and behaviour management, the teacher organises referrals, sources relevant supports, and accompanies students and family members to medical and other appointments. This ensures that vital learning assessments and referrals to necessary services are occurring. The school reports that it has experienced increased enrolments and attendance and significant improvement in the behaviour and learning capacities of many students. Parents and carers have also reportedly gained increased confidence through engaging with support services, as well as by directly observing the learning support techniques used the Learning Support and Wellbeing Teacher.

Although CESE found evidence that, where required, schools were helping to facilitate access to services for children and families (with health checks, counselling and parenting/adult education courses being the most common services facilitated), it found little evidence that the majority of schools were undertaking a systematic needs assessment of their students and families followed by subsequent service mapping and service coordination.

At the time of CESE's interim evaluation, the majority (10) of Connected Communities schools were involved in interagency groups of some description, but only five schools were involved in groups that undertake interagency case planning. Strikingly, two-thirds of Connected Communities schools did not appear to have a working relationship with the local Community Services Centre (CSC) beyond reporting to the Child Protection Helpline or providing CSC caseworkers with access to students in out-of-home care. There was little evidence at the majority of schools of coordinated case planning with the CSC about children at potential risk of significant harm (ROSH) report, and only one school reported having a strong link with Juvenile Justice. This is despite all schools almost certainly having students engaged with the child protection and/or the juvenile justice system.

Schools reported a much better level of engagement with health services. However, at most schools the provision of health and dental checks was occurring prior to the start of Connected Communities. Since the start of the strategy, some schools had expanded health support for students by brokering agreements with local health services to provide daily nurse-led clinics at their schools. All schools with primary school students were also providing speech pathology services, primarily funded through the Early Action for Success strategy.

CESE's interim evaluation report identified a number of challenges impacting on the limited implementation of the service hub model:

- **The absence of a framework for the schools as hubs model**
  CESE identified that some Executive Principals, other government agencies and other service providers in Connected Communities locations were unclear about what is required under this key feature of Connected Communities.

- **The lack of support from other agencies**
  CESE found a lack of active support for Connected Communities from other government and non-government agencies at a local level, commenting that it was apparent that frontline workers in agencies such as FACS and Police had not received a directive from senior managers to work with

schools towards the objectives of Connected Communities. Schools also commented on ineffective interagency groups.

- **Finding suitable space for establishing a service hub at the school**
  Some, but not all schools, had dedicated community spaces that can be used by other agencies providing outreach services within the school environment.

- **The availability of quality services**
  A lack of quality services in several Connected Communities locations, particularly small rural communities, or a large number of agencies delivering services but in an uncoordinated way, making the service system difficult to navigate for schools (attributed to predominance of competitive funding based on service outputs as opposed to community outcomes).

- **The availability of counselling and mental health support**
  CESE found that all Connected Communities schools were facing an under-supply of mental health and counselling services.

- **The lack of case management capacity in Connected Communities schools**
  The lack of capacity within schools to case manage students and provide a single point of contact to broker any support services required for students and their families was identified as a barrier for an effective education-led service hub and case coordination model.

- **The skills, capacity and influence for partnership formation**
  CESE commented that partnership building with external agencies is a specific skill set that is largely outside of the core skill set of career educators, such as Executive Principals. It found that compared to the leadership provided by Executive Principals in relation to implementing other aspects of the strategy, they had been less confident, and had limited capacity, to network and form partnerships with other service providers. While some schools were utilising their SLCE/LCE to play this role, other agencies widely perceived that it does not have sufficient seniority to be able to make the required decisions.

To address the abovementioned challenges, CESE's interim evaluation recommended that Education should develop and monitor the implementation of a framework clarifying the intent, processes and expectations for the service hub model. CESE also identified the need for a stronger governance model to secure appropriate support from key government and non-government agencies at both a senior and frontline level. It noted that the Minister and Department of Education had acknowledged this issue and that an interagency working group, comprised of Executive Directors from a range of agencies, had been formed to 'progress interagency partnerships'. CESE further observed that, in communities where the current level of interagency coordination is ineffective and accountability for outcomes poor, Connected Communities schools are well positioned to play a leadership role in addressing this.[1136]

9.23.1 Education's response to CESE's interim evaluation recommendations

Education responded to CESE's observations and recommendations about the service hub model by documenting the key interagency challenges and issues that had first been identified by Connected Communities schools in 2014, together with progress made since that time to address them. At the time, most schools identified 'serious service delivery and/or communication issues' with FACS. Schools in some remote locations reported difficulties accessing health services, while a lack of support for students returning to school from Juvenile Justice was also commented on by some schools. The document helped to inform Education's subsequent development in 2017 of *Working together: Framework for Connected Communities to facilitate access for students* (the Framework). Education provided us with this document in October 2017, advising that it had been rolled out to all Connected Communities schools, together with a template that schools could use to develop service agreements with local agencies and services.

[1136] NSW Department of Education, Centre for Education Statistics and Evaluation, *Connected Communities Strategy: Interim Evaluation Report*, September 2015 (published January 2016), p.10.

The Framework describes the 'essence' of the service hub model as 'the facilitative role undertaken by schools to link students who are presenting with complex issues with services to address those issues so that students can be in a stronger position to learn'.[1137] It describes the following governance arrangements:

- In each community, an Interagency Working Group with a Local Service Agreement that clearly articulates the membership roles and responsibilities of all members to achieve an integrated response to student needs. The Interagency Working Group should include Executive Principal/s and managers of the agencies that serve the community.
- Operationalisation of policy at a regional level through Regional Service Delivery Groups.
- Executive level oversight through the OCHRE Senior Officers Group.

Within this context, the Framework also emphasises the need for connections and partnerships with the Aboriginal community to be sought at every level of service provision.

The Framework identifies the following as indicators of successful implementation:

- Strengthened agency buy-in and commitment to local interagency models at the OCHRE senior executive level.
- Interagency Working Groups meeting regularly, planning together and referring appropriately.
- Local Service Level Agreements articulating school and service responsibilities in place.
- Increased community awareness of available supports.
- Consistent client satisfaction across all services.
- Improved student attendance and engagement with school.
- Greater engagement of parents/carers in the school discussing and supporting students' educational pathways.

In May 2018, we asked Education to provide us with updated advice about how it is obtaining the necessary commitment from partner agencies to support the implementation of the 'service hub' model. We also sought clarification about the interagency governance arrangements in place to direct the model locally, and at a strategic level.

Education advised us that the interagency working group convened in response to the issues identified in CESE's interim evaluation report only met intermittently following 'a decision to devolve the responsibility of coordination to schools, where the resources are held'. Education explained that, as resources are allocated at local and regional level, interagency commitment to the service hub model has been principally sought via school-led local service agreements, as well as by Directors attending regional interagency meetings.

Education acknowledged that Connected Communities schools have experienced challenges in securing the interagency commitment needed to fully realise the service hub model, nominating staffing difficulties as a factor impacting on consistent engagement by FACS and Juvenile Justice in some areas, and a lack of local specialist health services as another common concern. Education told us that where particular concerns with implementation are identified, these are addressed via communication between the regional Directors of relevant agencies. As an example, Education referred to a July 2016 meeting between its relevant Deputy Secretary and Executive Director, Aboriginal Education and Communities, and the Secretary of FACS, to discuss resource shortages in Barwon region. Education also told us that in 2016, it facilitated two regional interagency forums to discuss how to work more effectively together to ensure coordinated service delivery at the local level.[1138]

CESE's final evaluation report found that Connected Communities schools state they now have 'linkages' with more external services than previously. More students and families, particularly those who are Aboriginal, are accessing health services such as dental checks and speech pathology. Service providers have reported that 'linkages' made by schools with Aboriginal services, especially Aboriginal medical services, have sent a positive message about Education's willingness to work in partnership with community. School-based referrals have also reportedly helped to reduce stigma associated with

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[1137] NSW Department of Education, *Working together: A Framework for Connected Communities schools to facilitate service access for students*, 2017, p.2.
[1138] Advice provided by NSW Department of Education, May 2018.

accessing some types of services. CESE identified that, compared with schools in larger communities, schools in smaller communities appear to have derived more value from establishing the school as a central hub from which to administer services.[1139]

Despite these positive observations, CESE reported that many schools continue to experience problems trying to engage with other government and non-government services. This is consistent with feedback provided to us by Executive Principals and Directors – in particular, that multiple uncoordinated services in some locations, together with staffing shortages and frequent turnover at key agencies, are significant barriers to achieving and sustaining genuine interagency cooperation. Other barriers to effective engagement with services reported to us by schools include an inability by other agencies and services, to allocate individual matters referred by Education for a response, and information sharing difficulties which are unnecessarily hampering agreements being struck to progress the provision of health services within schools.

As discussed in Part B, many schools have shown impressive initiative and creativity in attempting to meet service needs and bridge gaps, for example, by using funding provided by the Healing and Wellbeing Model to provide in-school speech therapy and counselling services. We understand that Networked Specialist Centres (Case study 42) have also provided valuable support to some Connected Communities schools.

Case study 42: Networked Specialist Centres

The progressive establishment of 'virtual' Networked Specialist Centres (NSC) between 2014 and 2017 is a significant investment by Education, designed to strengthen the support provided by schools to students with complex needs and challenging behaviours. The initial four centres in Dubbo, Wagga, Broken Hill and Tamworth have since been expanded to 22, with the majority (15) based in regional and rural areas of NSW. When a student's needs reach a level of complexity that requires additional case coordination and/or integrated service delivery, the NSC facilitator is available to add an extra level of expertise to support the work of both the involved school and specialist support staff in addressing complex learning, wellbeing, and behaviour needs. In addition, the networked specialist centre facilitators are expected to assist and manage local interagency coordination and service delivery as a way of supporting schools to support their vulnerable students and their families.

In 2016, the Centre for Education Statistics and Evaluation observed that as most NSCs only began operating in 2015, it was too early to measure their impact on strengthening the ability of schools to access support from other agencies and manage students with complex needs.[1140] In our 2017 report to Parliament about behaviour management in schools, we noted recent advice from Education that it had decided to refine the role of NSC facilitators to:

- better build systematic interagency relationships with other government and non-government agencies
- establish and maintain a sustainable network of specialist support services
- lead complex case coordination, and
- facilitate and support cross-agency initiatives and local solutions identified by a group of schools that address the complex needs of students.

We observed that while there is considerable potential in the creation of the centres, most stakeholders had indicated that the desired results had not yet been achieved in practice. While many noted that the centres could be an effective vehicle for bringing services together to determine how best to support students and their families, it was stressed that the success of this goal relies heavily on the facilitators having good connections and relationships, and that this has generally not been the

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[1139] NSW Department of Education, Centre for Education Statistics and Evaluation, *Connected Communities Strategy: Final Evaluation Report*, August 2018, p.57. (At the time of writing, the evaluation report had not yet been made public.)
[1140] Department of Education, Centre for Education Statistics and Evaluation, *The Rural and Remote Education Blueprint Interim monitoring and evaluation report*, December 2016.

case so far. In this regard, we were also told that the facilitators have a big task and large geographical areas to cover, and therefore strong leadership skills are required to do their job effectively. Against this background, we proposed that Education should review its Networked Specialist Centres (and other interagency initiatives, including Connected Communities), with a view to enhancing their governance, leadership and desired outcomes.

Some Executive Principals have told us that they could provide 'in-house' case management if they were adequately resourced to do so. As noted in Case study 41, Toomelah Public School is already using its existing resources to directly case manage children and their families; the small student population helps to make this feasible. Case study 43 illustrates how a case management approach is being comprehensively implemented by a school with a large Aboriginal student population in Western Australia.

Case study 43: East Kalgoorlie Public School service hub

East Kalgoorlie Public School in Western Australia has implemented a service hub to provide on-site health and family support services for its 150 students, almost all of whom are Aboriginal. After identifying that students and families most in need were not accessing services, the school decided to employ a full-time Family Support Worker. The worker facilitates access to local services, including support with housing, medical and employment needs, and provides families with other practical assistance, such as helping parents to understand referrals for their children, reminding them of specialist appointments and where necessary, transporting and accompanying them to appointments. In 2017, the school provided intensive support to 36 families.

The school also has an on-site health and wellbeing program, coordinated by the Deputy Principal. All students are screened and provided with services according to their needs. The program includes daily ear checks and monthly visits from the Earbus service; annual dental screening and treatment; weekly nurse visits to attend to students' general health needs; weekly visits by an optometrist, psychologist, speech therapist and occupational therapist hired by the school; and a Foodbank to assist families to access nutritional, low-cost food. The school also runs parenting programs. The health and wellbeing program is accessible to every student and their siblings (regardless of whether they also attend the school) as well as former students. A key benefit of the on-site services is less time out of class for students. The model also allows the school to maintain a comprehensive student record that stays with the child as they grow.

The school reports that strong relationships between families and all staff are critical to developing and maintaining the trust needed to promote engagement with other services and supports. These relationships are built in practical ways. For example, staff volunteer during their own time to transport students whose parents do not have a car to sport, music and other recreational activities.

Children's ear health has improved significantly over a four year period, with 35% of students passing their screening in 2017 compared with 11% in 2014. During the same period, the proportion of students needing a GP referral declined from 59% to 19%. The school reports that attendance, engagement and learning outcomes have also slowly improved.

Although there is evidence of schools collaborating with more services on a needs basis, and all but one school reported to CESE that they were participating in 'interagency student and family case management', CESE's final evaluation report confirmed our observation that there continues to be limited evidence of a strategic approach to interagency coordination and case management in Connected Communities locations. CESE's report does not explore this issue in detail, commenting only that there has been little change in this measure since its 2016 interim evaluation report.

9.23.2 What is needed to further strengthen the 'service hub' component of Connected Communities?

A strength of the service hub component of Connected Communities is that it is not overly prescriptive but rather, recognises that in each location, there will be different needs and priorities and more or less effective ways of delivering an extended service schooling approach. However, a limitation has been a lack of clarity around how agencies should translate the 'theory into reality'. CESE's final evaluation report found that other agencies were unclear about how they are supposed to support schools to implement Connected Communities. CESE commented that 'representatives from other government agencies appeared willing to offer assistance but were unsure how to progress that help. They appear to have received little or no guidance from their regional managers or their schools on what is expected'.[1141]

Ideally, Education would have settled an overarching governance framework for the service hub model, in consultation with key agencies including FACS, Health and Juvenile Justice, at the outset of the strategy – and practical advice about the implementation of the framework would have been circulated to all relevant frontline staff and managers. For example, the Local Decision Making (LDM) and Solution Brokerage initiatives under OCHRE are both the subject of Premier's Memoranda (issued in 2015) and publicly available operational frameworks. By contrast, the Framework developed by Education in 2017 in response to CESE's interim evaluation is not published nor is the service hub model the subject of a Premier's Memorandum. It is not clear whether Education consulted with key partner agencies when it finally developed the Framework aimed at clarifying the intent and scope of the service hub model. Nor is it clear if the Framework has been more widely disseminated beyond Executive Principals of Connected Communities schools.

An appropriate balance needs to be achieved between sufficient 'formality', so that all partners have clarity about the model, and appropriate governance and accountability mechanisms are in place, and sufficient 'informality', so that the model can be flexibly implemented in response to local conditions and needs, which may change over time.[1142] While Education has encouraged Connected Communities schools to develop local service agreements, in our view, the onus should not rest solely on these schools to drive and secure the necessary interagency commitment. Rather, high-level agency agreements should be in place to explicitly articulate interagency commitment to the model and to direct/authorise staff (and staff of funded organisations) to actively work with Connected Communities schools to establish and maintain local service hubs. This includes empowering local staff to make decisions. As well, accountability mechanisms are needed to drive and measure the buy-in of partner agencies.

Yet, regardless of the robustness of the interagency governance arrangements supporting the service hub model, the efficiency of the broader service system is at the heart of its ability to function effectively. We have repeatedly emphasised that while schools have a critical role to play in identifying and supporting vulnerable students, schools alone cannot successfully meet their needs. Very early in our monitoring and assessment of Connected Communities, we cautioned that, regardless of the level of commitment shown by individual schools, they would struggle to effectively function as the 'service hubs' envisaged by the strategy without a broader commitment by government agencies to substantially reform the way services are planned, funded and delivered to vulnerable communities and to implement robust governance arrangements to facilitate this. As we have argued on many occasions, genuine place-based service delivery requires much more than 'collaboration' and 'coordination' – both of which have been advanced as principles for a long time now with modest returns at best.

[1141] NSW Department of Education, Centre for Education Statistics and Evaluation, *Connected Communities Strategy: Interim Evaluation Report*, September 2015 (published January 2016), p.43.
[1142] TNS Social Research, WA Department of Education, Australian Government Department of Education, Employment and Workplace Relations, *Extended Service School Models Summation Report*, 2011, http://det.wa.edu.au, accessed 18 October 2018, p.99.

9.24 Place-based service delivery – what progress has been made?

Almost a decade ago, we reported on our service delivery to vulnerable children and their families in Brewarrina and Bourke.[1143] Both communities had repeatedly expressed the need for government agencies to address inefficiencies within the service sector, in order to ensure that services were being delivered in a more targeted, integrated and accountable way that meets actual need.

Around the same time, we separately examined the police, education and child protection holdings for a group of children (aged 8-12 years) living in two Western NSW towns. We identified 48 children who had very significant histories indicating the need for a sophisticated interagency response to meet their needs and those of their families. However, we found that less than 15 of them were receiving any ongoing casework. There was little evidence of systematic targeting of those who most needed support, and where support was provided, there was a lack of sophisticated multi-agency responses.

Our review found that the critical challenges in providing improved service delivery to vulnerable children and families in these locations are similar to those faced by many other high-need communities in disadvantaged rural and remote areas,[1144] and called for place-based service reform. In particular, we noted the need for an overarching framework, that could be tailored to the need of individual communities, which:
- relies on evidence to identify need and determine priority areas for funding, as part of an ongoing planning and mapping exercise
- funds services based on the priority areas that have been identified in accordance with a rigorous process, and
- ensures that the level and nature of services which are provided by funded agencies are tracked, and the related outcomes monitored through robust and effective governance arrangements.

We reiterated this call in our 2011 report to Parliament about addressing Aboriginal disadvantage and, in our 2012 report on responding to child sexual abuse in Aboriginal communities, we formally recommended that the Department of Premier and Cabinet (DPC) and other key stakeholders should develop and implement a strategy for delivering effective place-based planning and service delivery within high-need communities in rural and remote locations.

A focus of our recommendation was the need for a sufficiently senior individual to be given authority to drive service reform across agency boundaries, including pooling certain agency funding with a view to redirecting it to meet identified community need, in close collaboration with Aboriginal community leaders and clients. We also stressed that local service systems should meet the needs of the most vulnerable children and their families in each location (that is, those most frequently reported to the Department of Community Services and Justice; those frequently dealt with by police contact; and those with poor school attendance and high suspension rates) to better equip agencies and the NGO sector to focus on early intervention and acute, crisis responses. We emphasised the critical importance of community having a strong voice in the accountability process when funded organisations are not meeting their needs.

The Ministerial Taskforce for Aboriginal Affairs, which substantially informed OCHRE, found strong support through its consultations for a place-based and flexible approach to service delivery, which would allow for regional variations to address local needs in different communities.

9.24.1 Community-led work to develop place-based solutions

After our 2012 report, the NSW Government committed to developing and implementing place-based service delivery reforms in Aboriginal communities. To date, this work has been most substantially progressed in Bourke – also a Connected Communities location – where there has been longstanding, strong community leadership. We have actively supported and monitored this work on the basis that 'getting it right' in Bourke can provide a blueprint for implementation in other high-need communities.

[1143] NSW Ombudsman, *Inquiry into service provision to the Bourke and Brewarrina communities, (Special Report)*, December 2010.
[1144] NSW Ombudsman, *Inquiry into service provision to the Bourke and Brewarrina communities, (Special Report)*, December 2010, pp.viii-x.

However, in doing so, we acknowledge that important work is also underway in other high-need communities in NSW – including Walgett and Coonamble, which are also Connected Communities locations – where Aboriginal leaders, government and non-government agencies are collaborating on 'doing business' differently to better meet the needs of vulnerable families – see Case studies 44 and 45 below.

Case Study 44: Shaping service delivery for vulnerable families in Bourke

In early 2012, we convened meetings with senior representatives of state and federal human service and justice agencies in Bourke and Brewarrina. We asked the agency representatives to report directly to those communities on the progress made since the release of our 2010 review on service provision. In Bourke, the meetings gave community leaders an opportunity to seek support for the Bourke Aboriginal Community Working Party's Maranguka proposal, centring on the creation of a community-driven family case management and support team to work in partnership with government and non-government agencies to help vulnerable families.

Around the same time, community leaders began working in partnership with Just Reinvest NSW, a non-profit organisation advocating justice reinvestment, in 2012. Justice reinvestment is a place based and collective impact approach that aims to find local solutions to local problems by working with communities at a grassroots level. It seeks to utilise data to identify problems, inform planning for better practical service system responses, and track the outcomes achieved.

The Maranguka Justice Reinvestment Project, largely supported by philanthropists, has been substantially driven through the Growing Our Kids Up, Safe, Smart & Strong strategy, led and ultimately endorsed by the Bourke Tribal Council. A set of working groups aligned with the strategy (Early Childhood and Parenting; 8-18 Year Olds; and the Role of Men) bringing the community and government and non-government service providers together with the intention of helping to shape the type of services delivered for vulnerable families in Bourke.

A community-driven data dashboard to track the outcomes of young people and vulnerable adults against targets nominated by the community has also been developed with the assistance of a data consultant employed by NSW Health, who worked with Maranguka to pull the data together, which draws on agency information holdings and community surveys. The long-standing local Police Commander runs an interagency clinic each morning, identifying from overnight police briefings the young people and their families who would benefit from targeted supports.

In November 2018, an impact assessment of Maranguka Justice Reinvestment by KPMG was released, highlighting:
- a 23% reduction in police recorded incidents of domestic violence and comparable drops in reoffending rates
- a 31% increase in Year 12 student retention rates and 38% reduction in charges across the top five juvenile offence categories, and
- a 14% reduction in bail breaches and 42% reduction in days spent in custody for adults.[1145]

A cross-sector leadership group (led by the Cross Sector Government Champion, Health Minister, the Honourable Brad Hazzard) meets quarterly to authorise and facilitate the work on the ground in Bourke, and focus on service sector reform. DPC Western has shown a substantial commitment and preparedness to pursue change through the cross-sector leadership group, as well as through its support of significant economic development initiatives in Bourke. More recently, Gary Barnes,

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[1145] KPMG, 'Maranguka Justice Reinvestment in Bourke: report demonstrates $3.1m economic impact', https://home.kpmg/au, 27 November 2018.

who was recently appointed to the newly created position of Coordinator General (Regions, Industry, Agriculture and Resources) within the Department of Planning, Industry and Environment – with a mandate to facilitate greater coordination of government and buy in – has also shown a strong commitment to achieving greater service improvement for Bourke.

Despite all of this good work, and some very promising results of the Maranguka Justice Reinvestment Project as reported by KPMG, the whole of sector reform that is required to deliver an efficient local service system for the Bourke community is still yet to occur. In this regard, community leaders have very clearly shown that they know what is needed and a preparedness to work alongside government and the NGO sector to make it happen.

There is an urgent need for service mapping (including government and funded services as well as broader sources of social capital) to be completed, together with the establishment of a system for ongoing analysis of service reach and efficacy against identified need. Critically, governance arrangements need to be established to ensure that the community – and key decision-makers – are being informed, on an ongoing and readily accessible basis, as to what is being funded, the purpose of the funding, and the outcomes which are being achieved. These components of effective place-based service delivery are needed not only in Bourke, but in other high-need communities, including those where Connected Communities schools are located.

Bourke is one of the first demonstration communities to participate in the Australian Government's $35 million Stronger Places, Stronger People collective initiative, which involves 'collaboration between communities, governments, service providers and investors to deliver on a locally designed vision and plan of action to create better outcomes for children, families and communities'. In each demonstration community, a dedicated 'backbone team' will partner with local leaders, residents and organisations to:

- develop a shared community roadmap and action plan
- map existing services and investments
- establish local governance arrangements
- generate practical service delivery improvements for existing programs, and
- collect and analyse data to set benchmarks, track progress and evaluate outcomes.[1146]

This investment creates a considerable opportunity to complete the outstanding work needed in Bourke. As we discuss in the final section of this report, the NSW Stronger Communities Investment Unit (Their Futures Matter (TFM)) – the major cross-agency reform initiative aiming to deliver better life outcomes for vulnerable children and their families in NSW – is also undertaking important work that promises to transform the child and family service system across the state, via initiatives such as its Access System Redesign initiative.

TFM has also been invited to partner with local agencies and community in Western NSW to develop a regional multi-agency model of care which extends the NSW Health 2000 Days Strategy and meets the needs of vulnerable children (0-5 years) and their families. In August, TFM facilitated a cross-sector workshop in Dubbo to discuss building on existing 'infrastructure' to develop a practical, scaleable model of care. This represents a further opportunity to support the re-design of the service sector that is needed in Bourke.[1147]

[1146] Australian Government, Department of Social Services, 'Stronger Places, Stronger People', https://www.dss.gov.au, accessed 23 July 2019.
[1147] NSW Stronger Communities Investment Unit, Our Kids Western NSW TFM workshop, 8 and 9 August 2019, Dubbo, NSW.

In highlighting the potential benefits of Stronger Places, Stronger People and TFM for Bourke and other Connected Communities sites, we stress the need for these initiatives to not 'reinvent the wheel'. Significant foundations have already been laid. These foundations do not need to be revisited – the time for reforming the service system in Bourke is now. The community vision for transformation, and the momentum generated by the success of the Maranguka Justice Reinvestment Project, must not be wasted.

Case study 45: A community-development approach to building capacity in Walgett

In Walgett, the Dharriwaa Elders Group are collaborating with academics from the University of NSW on Yuwaya Ngarra-Li, a community development approach aimed at improving the wellbeing, environment and life pathways of local Aboriginal people through evidence-based programs, research projects and capacity building. The approach will be evaluated to determine its local impact, as well as its potential as a way of working with other Aboriginal communities.[1148] Through the partnership, in June 2018, the Dharriwaa Elders Group and UNSW jointly developed a local Action Plan for Children and Young People. The plan's goals are for:

- Aboriginal organisations, government agencies, service providers, UNSW and other partners to make clear and funded commitments as part of a long-term plan agreed with the community to improve education, health, housing and employment outcomes for Aboriginal children and young people in Walgett
- young people in Walgett to report higher rates of belonging, safety, support, confidence and wellbeing
- less than 10% of Aboriginal children and young people aged 10-17 from Walgett to appear in the Children's Court (excluding appearances related to diversion), and
- visible progress in the engagement of children and young people in study and work including through improvements in school attendance and outcomes, and new work opportunities for Aboriginal young people.

Of particular relevance in the context of Connected Communities, the plan commits to exploring ways of working with Walgett Community College (as described earlier in this chapter, the school has some of the highest rates of non-attendance and suspensions) to ensure that culturally appropriate and specialist supports are provided to Aboriginal students and their families to overcome barriers to participation and learning and by supporting them to thrive in their families, community, culture and country. It also aims to scope and facilitate opportunities for work experience, training and employment.[1149]

Case study 46: 'No wrong door' to service access and case management in Coonamble

Less remote than Bourke or Walgett, Coonamble is nonetheless a high-need community with significant indicators of social disadvantage. Local government agencies, non-government services and Aboriginal community leaders (through the local Aboriginal Community Working Party and Local Aboriginal Land Council) have come together to form the Together Partnership Group in an effort to provide more efficient, coordinated services to vulnerable people. An impressive range of agencies and services are participating in the group, including FACS, NSW Health, Education (including Coonamble primary and high schools), Police, Corrections, TAFE, Coonamble Shire Council, Coonamble Neighbourhood Centre, Coonamble Aboriginal Health Service and several other funded services.

Under a 'no wrong door approach', regardless of which service an individual or family presents to first, they will only have to 'tell their story' once to be connected to the

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[1148] Dharriwaa Elders Group, 'Yuwaya Ngarra-Li', https://www.dharriwaaeldersgroup.org.au, accessed 23 July 2019.
[1149] Dharriwaa Elders Group, http://www.dharriwaaeldersgroup.org.au, accessed 19 July 2019.

services they need. The first service to receive contact assesses the client and/or family and completes an electronic referral (via HSNet) to partner agencies and services. A case panel, convened by the referring agency, then meets to develop a case plan that addresses needs relating to accommodation, health, education and vocation, social and community wellbeing, family wellbeing, and where relevant, any involvement with the justice system – reflecting the domains outlined in the Human Services Outcomes Framework. A lead agency is appointed to coordinate and monitor the case plan, which is reviewed at least every three months by a separate case coordination committee.

A shared logo has been developed so that participating agencies can identify themselves as belonging to the Together Partnership Group. FACS is providing a project officer to support the group and assist it to develop a community 'report card'. Ultimately, the group hopes to provide a practical demonstration of a model that can be adopted by other high-need communities.

9.24.2 Critical next steps

Despite the good work that is taking place in a number of communities, such as those profiled above, none includes all of the components that, in our view, are needed to support effective place-based service delivery. For example, service mapping is still yet to take place in Bourke – despite community leaders (and our office) having called for this work to be prioritised for several years. And, while the 'no wrong door' approach to service access and case management in Coonamble is inherently valuable, it does not yet extend to key agencies pro-actively analysing and sharing their information holdings to build a picture of which local children and families are most at risk – and targeting service provision accordingly.

A critical component that is yet to be realised anywhere is an authorising environment, via a senior leader, to drive the necessary place-based reform in high-need communities.

The creation of the new Coordinator-General (Regions, Industry, Agriculture and Resources) position within the Department of Planning, Industry and Environment is a welcome development which recognises the critical importance of this authorising environment, albeit in relation to regional development broadly, rather than place-based service delivery specifically (although locating the role in Planning makes strategic sense given the key role of infrastructure and industry in helping to create the necessary conditions to strengthen high-need communities).

In our view, to drive place-based service delivery reform across high-need communities, it is essential that responsibility for doing so is vested with a suitably senior individual – whether the Coordinator General, or another position holder/s – with the sufficient leadership and influence to make change happen on the ground. Critically, this must be done in meaningful partnership with Aboriginal leaders, which includes their direct involvement in decision-making about the design of service systems and governance in their communities. Case study 4 in Chapter 3 about how government agencies, under the designated, influential leadership of a Secretary, came together with the community to effect positive change in Bowraville, is instructive – showing what can be achieved by the right combination of leadership and governance arrangements.

An intelligence-driven approach to identifying and meeting the service needs of the most vulnerable children and families is another critical component of place-based service delivery that, despite our repeated emphasis on this issue over several years, is still not 'business as usual' in high-need communities. As we have described on a number of occasions, such an approach involves relevant agencies and services coming together, supported by appropriate governance and accountability mechanisms, to analyse and share their information holdings so as to systematically identify the most vulnerable children and families in their community, and make joint decisions about targeted service delivery.

While various 'interagency case management' models have operated in different locations for many years, their effectiveness has been typically undermined by poor governance – including the lack of

suitably senior people with the authority to make decisions 'at the table' – and reactive, ad hoc sharing of information. Robust governance has to go beyond simply appointing a 'lead agency' to encompass clear lines of authority and escalation, and data-driven decision-making.

There is now considerable scope via the system transformation work being undertaken by the 'whole-of-government' Stronger Communities Investment Unit (Their Futures Matter), to develop a more efficient and effective service system across the state, that will ideally benefit not only the communities where Connected Communities is operating, but other high-need communities.

The recently released report – *Forecasting Futures Outcomes* – prepared by actuaries Taylor Fry and commissioned by the Stronger Communities Investment Unit, uses accounting techniques to cost the financial impact of the child protection and broader child welfare system. The report defines groups of vulnerable children and young people and highlights their poor social outcomes and the high government service and support costs to address their needs. The report analyses the future cost of delivering government services for each of the identified vulnerable groups against a comparison cohort group.[1150] For example, it estimates how much the state and federal government spend on welfare services from Juvenile Justice to Newstart benefits for the 3.1 million people aged under 25. On average, by the time they turn 40, the cost is about $136,000 per young person. The report also identified certain groups who are likely to cost much more, such as, a group of around 125,000 kids, 18 or younger who have used NSW mental health services or whose parents have used them, end up costing $300,000 each. The 'Insights Report' will be an important vehicle for 'supporting the business case for new policies and interventions aimed at improving outcomes for vulnerable children' before it is too late.

It will be critical for the Department of Education to work closely with the Stronger Communities Investment Unit, and other partner agencies, in relation to defining a clear role for Connected Communities schools as part of its system transformation work. In this regard, there would be value in the Department of Education working collaboratively with the Investment Unit on developing a student wellbeing data template for systemically capturing the attendance and suspensions patterns for individual students, combined with data about their disability and/or OOHC status, and establishing governance processes at a local community level to ensure that this important student wellbeing information is systematically tracked and shared with local agencies and NGOs. This student wellbeing data should be analysed alongside key child protection, health, and policing data, to develop a collective picture of those vulnerable students (and their families) most in need of support, with the aim of giving them better access to services and interagency case management responses. In our view, this type of work is central to achieving the goal of making schools the 'centre of service delivery' in Connected Communities locations.

Recommendations

65. The Department of Education should resume publication of an annual report about Aboriginal students in NSW public schools, including data (disaggregated by grade, region and school) which shows:
    a. literacy and numeracy attainment
    b. retention rates
    c. enrolment numbers and rates
    d. attendance rates and levels
    e. suspension rates
    f. the number of students who have been suspended and the number of suspensions for each student during each year
    g. the number of students who missed 30 or more days of school each year, together with a breakdown of the reasons for their absence.

66. The Department of Education should:
    a. consider amending the key deliverables for Connected Communities to include a specific reference to the objective of reducing exclusionary suspensions

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[1150] NSW Stronger Communities Investment Unit, *Forecasting Future Outcomes Stronger Communities Investment Unit – 2018 Insights Report*, Taylor Fry.

b. review the strategies that have been used at the Connected Communities (and comparable non-Connected Communities) schools which have achieved success in reducing suspension rates, with a view to identifying opportunities to replicate good practice in other schools

c. as part of its current suspensions review, consider how to support schools, particularly in high-need Aboriginal communities, to provide 'in-school' suspension alternatives tailored to local needs

d. actively monitor data about the suspension of students with disability at Connected Communities schools and take steps to identify and address the reasons for rate variations between schools.

67. The Department of Education should:

a. prioritise completing data migration work with FACS to facilitate accurate identification by Education of children and young people in out-of-home care (OOHC)

b. having regard to models in other jurisdictions, including Victoria, consider how existing resources, including OOHC Teachers, school counsellors/psychologists and Networked Service Centres, can be better utilised to address the underlying causes of poor attendance by individual children in OOHC, in collaboration with FACS and OOHC service providers

c. provide advice about how it will ensure the educational outcomes (including attendance and suspensions) of children and young people in OOHC are closely tracked, both locally by schools and centrally by Education.

68. The Department of Education should:

a. ensure the implementation of its new Disability Strategy includes an appropriate focus on Connected Communities schools. In particular, Education should:
   i. audit the professional learning needs of teachers at Connected Communities schools in relation to trauma-informed practice and effective behaviour management, and prioritise the roll-out of appropriate training accordingly
   ii. review the adequacy of specialist support classes at Connected Communities schools.

b. provide advice about how it will ensure the educational outcomes (including attendance and suspensions) of children and young people with disability are closely tracked, both locally by schools and centrally by Education.

69. The Department of Education should work closely with the Stronger Communities Investment Unit in relation to:

a. defining a clear role for Connected Communities schools as part of the Stronger Communities Investment Unit system transformation work

b. developing a student wellbeing data template for systemically capturing the attendance and suspension patterns for individual students, combined with data about their disability and/or OOHC status

c. establishing governance processes at a local community level to ensure that student wellbeing information of the type described in recommendation 69(b) is systematically tracked and shared with local government agencies and NGOs in Connected Communities school locations; and analysed alongside key child protection, health, and policing data, to develop a collective picture of those vulnerable students (and their families) most in need of support.

Appendix 1 – Attendance and suspension data

Table 1: State-wide attendance rates by Aboriginality and level of schooling 2012-2017

Primary school	2012	2013	2014	2015	2016	2017
Aboriginal attendance rate	89.9	90.4	90.9	90.2	90	90
Non-Aboriginal attendance rate	94.4	94.8	95	94.1	94.1	94.1
Attendance gap	4.5	4.4	4.1	3.9	4.1	4.1
Secondary school	2012	2013	2014	2015	2016	2017
Aboriginal attendance rate	79.4	80.4	80.9	80.2	80.4	80.6
Non-Aboriginal attendance rate	90.1	90.8	91.1	90.6	90.5	90.5
Attendance gap	10.7	10.4	10.2	10.4	10.1	9.9

Source: Data provided by the Centre for Education Statistics and Evaluation, 12 April 2018 and 22 June 2018. Attendance gap, calculated by the NSW Ombudsman, is the difference between attendance rates for Aboriginal and non-Aboriginal students.

Table 2: Regional attendance rates (by Aboriginality) for FACS districts where Connected Communities schools are located 2015-2017

Hunter New England

Primary	2015	2016	2017	Average
Aboriginal attendance rate	89.8	89.7	89.4	89.6
Non-Aboriginal attendance rate	93.7	93.6	93.6	93.6
Attendance gap	3.9	3.9	4.2	4
Secondary	2015	2016	2017	
Aboriginal attendance rate	80	79.8	80.1	80.0
Non-Aboriginal attendance rate	89.1	89.1	89.2	89.1
Attendance gap	9.1	9.3	9.1	9.2

Far West

Primary	2015	2016	2017	Average
Aboriginal attendance rate	86.8	85.4	86.2	86.1
Non-Aboriginal attendance rate	92.8	92.4	92.6	92.6
Attendance gap	6	7	6.4	6.5
Secondary	2015	2016	2017	
Aboriginal attendance rate	74.4	75.5	74.9	74.9
Non-Aboriginal attendance rate	88.9	87.8	88.1	88.3
Attendance gap	14.5	12.3	13.2	13.3

Western

Primary	2015	2016	2017	Average
Aboriginal attendance rate	89.9	89.3	89.8	89.7
Non-Aboriginal attendance rate	94.2	93.8	94.0	94
Attendance gap	4.3	4.5	4.2	4.3
Secondary	2015	2016	2017	
Aboriginal attendance rate	79.9	79.8	79.3	79.7
Non-Aboriginal attendance rate	89.4	89.2	89.4	89.3
Attendance gap	9.5	9.4	10.1	9.7

Source: Data provided by Centre for Education Statistics and Evaluation, 12 April 2018. Attendance gap is the difference between attendance rates for Aboriginal and non-Aboriginal students. Gaps calculated by the NSW Ombudsman.

Table 3: Primary student attendance rates for Connected Communities schools, Semester 1, 2009-2017

Primary students	2009	2010	2011	2012	2013	2014	2015	2016	2017
Boggabilla Central School									
Aboriginal	74.2	66.8	77.2	74.4	86	84.1	70.5	81.3	79
Non-Aboriginal	-	-	-	92	87.9	-	-	-	-
Bourke Public School									
Aboriginal	79.6	83.5	88.3	89.6	90.2	89.1	91.2	90.7	91.2
Non-Aboriginal	89.6	91.3	95.8	95.7	96.8	95.7	95.6	97.3	97.4
Brewarrina Central School									
Aboriginal	82.6	81.8	80.7	83.6	87.7	91.1	90.6	87.7	87
Non-Aboriginal	92	91.9	89.3	93.6	94.4	93.3	-	-	-
Coonamble Public School									
Aboriginal	80.7	82.2	84.7	83.7	86.4	86.6	85.1	87.6	88.5
Non-Aboriginal	92.8	93.5	92.7	90.2	95	93.2	93	92.4	85.4
Hillvue Public School									
Aboriginal	86	87.6	89.7	88.1	87	87.5	87.9	84.5	82.4
Non-Aboriginal	93.6	91.7	93.4	91.2	92.8	91.4	92.8	90.9	91.1
Menindee Central School									
Aboriginal	87.1	87.2	90.6	86.3	84.2	86.6	83.3	84.9	90.4
Non-Aboriginal	89.8	88	92.2	92.7	90.1	92.9	90.4	89.2	93.3
Moree East Public School									
Aboriginal	78.8	74.3	77.8	77.2	72	80.4	80.6	76.8	80.3
Non-Aboriginal	94.7	94.2	89.4	89.4	91.9	84.2	90.1	80	88.8

Primary students	2009	2010	2011	2012	2013	2014	2015	2016	2017
Taree Public School									
Aboriginal	71.8	72.2	69	79.8	71.1	76.9	80.7	88	81.8
Non-Aboriginal	87.1	90	90	89.7	83.1	84.3	87.2	86.5	89.6
Toomelah Public School									
Aboriginal	80.5	86.4	82.8	86.7	87	89.3	88.5	90.4	89.7
Non-Aboriginal	-	-	-	-	-	-	-	-	-
Walgett Primary School									
Aboriginal	84	83.9	84	82.9	81.6	85.4	85.3	86.9	86.6
Non-Aboriginal	93.3	93.6	84.5	80.4	93	-	-	98.8	91.9
Wilcannia Central School									
Aboriginal	67.7	71.9	76.5	74.5	74.1	84.1	76.5	68.1	73.5
Non-Aboriginal	51.7	-	-	-	-	-	-	82.4	-
Connected Communities – Aboriginal	80.6	80.9	83.6	83.6	83.8	86.2	85.7	85.2	85.3
NSW Government Schools – Aboriginal	89	89.8	89.8	89.9	90.4	90.9	90.2	90	90
Connected Communities – Non-Aboriginal	90.6	91.5	92.5	91.6	92	90.8	91.9	90.5	91.2
NSW Government Schools – Non-Aboriginal	94.1	94.6	94.4	94.4	94.8	95	94.1	94.1	94.1
Connected Communities – All students	82.9	83.1	85.3	85.2	85.3	87	86.7	86.2	86.5
NSW Government Schools – All students	93.8	94.3	94.1	94.1	94.5	94.7	93.9	93.8	93.8

Source: Data provided by Centre for Education Statistics and Evaluation (CESE), 12 April 2018 and 22 June 2018.

Note: Attendance rates are sourced from the return of absences census conducted in the final week of term two by the Statistics Unit, CESE. Kindergarten students have been excluded in attendance rates, consistent with national reporting standards. Cells based on fewer than five assessed students have been suppressed to ensure anonymity.

Table 4: Secondary student attendance rates for Connected Communities schools, Semester 1, 2009-2017

Secondary Students (Y7-10)	2009	2010	2011	2012	2013	2014	2015	2016	2017
Boggabilla Central School									
Aboriginal	62.7	61.3	62.1	57.8	78	74.8	60.1	66.4	68.6
Non-Aboriginal	-	-	84.8	82.2	77.7	-	-	-	-
Bourke High School									
Aboriginal	64.5	72.8	75.4	68.4	67.9	70.3	73.5	69.5	70.8
Non-Aboriginal	87	88.4	88.3	89.3	91.2	89.5	93.3	91.6	86.1
Brewarrina Central School									
Aboriginal	70.8	62.6	68.9	72.5	82.7	80.5	80.8	77.2	72.3
Non-Aboriginal	-	98.3	69	90.3	-	-	93.9	93.9	-
Coonamble High School									
Aboriginal	78.3	80.9	70.2	71.9	75.3	69.8	66.6	70.4	75.9
Non-Aboriginal	87.6	91.6	86.5	86.4	86.3	89.8	86.7	89.4	86.5
Menindee Central School									
Aboriginal	82.6	89	89.8	89.3	82.8	82.4	78.1	85	90.2
Non-Aboriginal	85.1	93.3	84.6	91.7	85.5	82.3	87.1	88.8	92.5
Moree Secondary College Albert St Campus (Yr10)*									
Aboriginal	76.6	66	53.9	59.6	53.2	56.8	51.1	57.3	51.6
Non-Aboriginal	80.9	83.8	73.4	80.2	75.9	77.5	86.7	75.4	90.4
Moree Secondary College Carol Ave Campus (Yr 7-9)									
Aboriginal	66.7	66.6	73.3	71.9	69.1	72.3	71.3	73.3	76.5
Non-Aboriginal	81.4	83.6	86.5	87.8	87.4	90	87.4	86.1	86
Taree High School									
Aboriginal	73.2	72.3	70.2	63.8	68.1	71.9	80.6	74	73.4
Non-Aboriginal	89.8	90.7	87.7	87	87.5	86.7	88.2	87.7	87.2
Walgett High School									
Aboriginal	68.1	77.7	73.2	71.4	67.7	62.9	59.8	60.3	67.1
Non-Aboriginal	76	83.3	84.6	74.4	90.9	-	90.2	-	82.8
Wilcannia Central School									
Aboriginal	60.2	63.2	54.5	50.3	55	60.8	61.3	60	41.1
Non-Aboriginal	-	87	-	-	-	-	-	-	-
Connected Communities – Aboriginal	**69.6**	**70.8**	**68.9**	**67.4**	**69.5**	**69.7**	**68.9**	**69.3**	**71**

Secondary Students (Y7-10)	2009	2010	2011	2012	2013	2014	2015	2016	2017
NSW Government Schools – Aboriginal	80.4	80.3	79.3	79.4	80.4	80.9	80.2	80.4	80.6
Connected Communities – non-Aboriginal	88.1	89.4	86.7	86.9	86.9	86.8	88.1	87	87.2
NSW Government Schools – non-Aboriginal	90.4	90.6	90.2	90.1	90.8	91.1	90.6	90.5	90.5
Connected Communities – All students	79.9	81.7	78.9	78.5	79.6	79.4	79.4	78.9	80
NSW Government Schools – All students	89.8	90	89.4	89.3	90.1	90.3	89.8	89.7	89.6

Source: Data provided by Centre for Education Statistics and Evaluation (CESE), 12 April 2018 and 22 June 2018.

Note: Attendance rates are sourced from the return of absences census conducted in the final week of term two by the Statistics Unit, Centre for Education Statistics and Evaluation. Year 11 and Year 12 students have been excluded in attendance rates, consistent with national reporting standards. Cells based on fewer than five assessed students have been suppressed to ensure anonymity. Moree Secondary Albert Campus rate is based on Year 10 only as Year 11 and 12 students are excluded from nationally standardised calculations of attendance rates.

Table 5: Students (all Connected Communities schools) missing 30 days or more in a semester 2015-2017

	Number of students absent 30+ days in a semester 1 (S1)	Total student enrolment in S1	Students absent 30+ days in S1 as a proportion of total enrolments	Number of students absent 30+ days in a semester 2 (S2)	Total student enrolment in S2	Students absent 30+ days in S2 as a proportion of total enrolments
Year 2015						
All CC Schools	600	3,445	17%	791	3,233	24%
Aboriginal	471	1,978	24%	615	1,902	32%
Non-Aboriginal	129	1,467	9%	176	1,331	13%
K-6 (incl primary support)	150	1,341	11%	228	1,353	17%
Yr7-10 (incl secondary support)	290	1,479	20%	434	1,469	30%
Yr11-12	160	624	26%	127	527	24%
Year 2016						
All CC Schools	682	3,561	19%	829	3,287	25%
Aboriginal	532	2,057	26%	647	1,941	33%
Non-Aboriginal	150	1,504		182	1,346	14%
K-6 (incl primary support)	145	1,380	11%	280	1,356	21%
Yr7-10 (incl secondary support)	362	1,505	24%	437	1,477	30%
Yr11-12	173	676	26%	111	588	19%
Year 2017						
All CC Schools	647	3,540	18%	790	3,256	24%
Aboriginal	519	2,057	25%	640	1,919	33%
Non-Aboriginal	128	1,483	9%	150	1,337	11%
K-6 (incl primary support)	144	1,336	11%	236	1,321	18%
Yr7-10 (incl secondary support)	342	1,528	22%	438	1,470	30%
Yr11-12	148	676	22%	115	572	20%

Source: Prepared by NSW Ombudsman using data provided by CESE, 1 June 2018. Data extracted from Attendance data-cubes in June 2018. Note: Semester enrolments are calculated based on average enrolments across two terms and total enrolments are calculated based on average enrolments across two semesters (four terms).

Table 6: Students (all Connected Communities schools) missing 30 days or more in a semester who were also suspended 2015-2017

	Number of students absent 30+ days in a semester 1 (S1)	Of the students absent 30+ in S1, number of students suspended at least once	Proportion of students missing 30+ days of school who were also suspended at least once	Number of students absent 30+ days in a semester 2 (S2)	Of the students absent 30+ in S2, number of students suspended at least once	Proportion of students missing 30+ days of school who were also suspended at least once
Year 2017						
All CC Schools	600	180	30%	791	223	28%
Aboriginal	471	167	35%	615	196	32%
Non-Aboriginal	129	13	10%	176	27	15%
K-6 (incl primary support)	150	47	31%	228	79	35%
Yr7-10 (incl secondary support)	290	108	37%	434	139	32%
Yr11-12	160	25	16%	127	5	4%
Year 2016						
All CC Schools	682	209	31%	829	193	23%
Aboriginal	532	171	32%	647	158	24%
Non-Aboriginal	150	38	25%	182	35	19%
K-6 (incl primary support)	145	35	24%	280	52	19%
Yr7-10 (incl secondary support)	362	144	40%	437	128	29%
Yr11-12	173	30	17%	111	13	12%
Year 2015						
All CC Schools	647	221	34%	790	208	26%
Aboriginal	519	203	39%	640	179	28%
Non-Aboriginal	128	18	14%	150	29	19%
K-6 (incl primary support)	144	54	38%	236	79	33%
Yr7-10 (incl secondary support)	342	144	42%	438	121	28%
Yr11-12	148	20	14%	115	8	7%

Source: Prepared by NSW Ombudsman using data provided by CESE, 1 June 2018. Data extracted from Attendance data-cubes in June 2018. Note: Semester enrolments are calculated based on average enrolments across two terms and total enrolments are calculated based on average enrolments across two semesters (four terms).

Table 7: Students (all Connected Communities schools) missing 100 or more days in a year and who were also suspended 2015-2017

	Number of students absent 100+ days in a year	Total student enrolment	Students absent 100+ days in a year, as a proportion of total enrolments	Of the students absent 100+ days, number suspended at least once	Proportion of students missing 100+ days of school who were also suspended at least once
Year 2017					
All CC Schools	266	3,339	8%	104	39%
Aboriginal	227	1,940	12%	98	43%
Non-Aboriginal	39	1,399	3%	6	15%
K-6 (incl primary support)	33	1,347	2%	13	39%
Yr7-10 (incl secondary support)	168	1,474	11%	81	48%
Yr11-12	65	580	11%	10	15%
Year 2016					
All CC Schools	263	3,424	8%	101	38%
Aboriginal	216	1,999	11%	89	41%
Non-Aboriginal	47	1,425	3%	12	26%
K-6 (incl primary support)	31	1,368	2%	9	29%
Yr7-10 (incl secondary support)	171	1,491	11%	81	47%
Yr11-12	61	638	10%	11	18%
Year 2015					
All CC Schools	271	3,398	8%	122	45%
Aboriginal	228	1,988	11%	113	50%
Non-Aboriginal	43	1,410	3%	9	21%
K-6 (incl primary support)	25	1,328	2%	13	52%
Yr7-10 (incl secondary support)	203	1,499	14%	100	49%
Yr11-12	43	629	7%	9	21%

Source: Prepared by NSW Ombudsman using data provided by CESE, 18 July 2018. Data extracted from Attendance data-cubes in June 2018. Note: Semester enrolments are calculated based on average enrolments across two terms and total enrolments are calculated based on average enrolments across two semesters (four terms).

Table 8: Students at Connected Communities schools missing 30 or more days in a semester broken down by those who were also suspended 2015-2017

		No. of students absent 30+ days in Semester 1 (S1)	Of students absent 30+ days in S1, no. of students suspended at least once	Total enrolments in S1	Students absent 30+ days in S1, as a proportion of total enrolments	No. of students absent 30+ days in Semester 2 (S2)	Of the students absent 30+ days in S2, no. of students suspended at least once	Total enrolments in S2	Students absent 30+ days in S2, as a proportion of total enrolments
					Year 2017				
No	School Name								
1.	Bourke Primary	3	2	217	1%	21	11	221	10%
2.	Menindee Central	4	1	90	4%	10	1	89	11%
3.	Boggabilla Central	29	9	83	35%	28	5	74	38%
4.	Brewarrina Central	34	11	161	21%	43	8	145	30%
5.	Coonamble Public	25	5	199	13%	25	5	207	12%
6.	Taree Public	13	6	84	15%	11	6	93	12%
7.	Toomelah Public	1	0	38	3%	3	0	34	9%
8.	Walgett Community College – Primary	18	8	148	12%	38	13	160	24%
9.	Wilcannia Central	31	17	75	41%	40	8	65	62%
10.	Moree East Primary	20	6	129	16%	44	18	138	32%
11.	Hillvue Public	38	7	314	12%	41	12	292	14%
12.	Taree High	124	24	936	13%	151	21	840	18%
13.	Moree Secondary College (Albert St Campus)	50	9	255	20%	59	4	195	30%
14.	Bourke High	55	14	152	36%	66	15	142	46%
15.	Coonamble High	53	12	221	24%	61	18	199	31%
16.	Moree Secondary College	46	23	231	20%	92	52	234	39%

No	School Name	No. of students absent 30+ days in Semester 1 (S1)	Of students absent 30+ days in S1, no. of students suspended at least once	Total enrolments in S1	Students absent 30+ days in S1, as a proportion of total enrolments	No. of students absent 30+ days in Semester 2 (S2)	Of the students absent 30+ days in S2, no. of students suspended at least once	Total enrolments in S2	Students absent 30+ days in S2, as a proportion of total enrolments
	(Carol Ave Campus)								
17.	Walgett Community College – High	56	26	116	48%	58	26	108	54%
	All CC Schools	600	180	3,444	17%	791	223	3,232	24%
	Year 2016								
No	School Name								
1.	Bourke Public	6	3	225	3%	10	1	219	5%
2.	Menindee Central	2	1	92	2%	4	2	89	4%
3.	Boggabilla Central	31	12	90	34%	40	6	84	48%
4.	Brewarrina Central	40	10	161	25%	52	10	153	34%
5.	Coonamble Public	16	3	201	8%	36	10	196	18%
6.	Taree Public	6	2	87	7%	19	9	82	23%
7.	Toomelah Public	3	0	45	7%	7	0	43	16%
8.	Walgett Community College	15	5	141	11%	34	11	139	24%
9.	Wilcannia Central	46	11	97	47%	41	2	77	53%
10.	Moree East Primary	31	6	143	22%	44	8	141	31%
11.	Hillvue Public	38	6	303	13%	72	5	314	23%
12.	Taree High	120	18	945	13%	131	23	832	16%
13.	Moree Secondary College (Albert St Campus)	85	30	277	31%	55	14	219	25%
14.	Bourke High	61	19	168	36%	63	14	147	43%

		No. of students absent 30+ days in Semester 1 (S1)	Of students absent 30+ days in S1, no. of students suspended at least once	Total enrolments in S1	Students absent 30+ days in S1, as a proportion of total enrolments	No. of students absent 30+ days in Semester 2 (S2)	Of the students absent 30+ days in S2, no. of students suspended at least once	Total enrolments in S2	Students absent 30+ days in S2, as a proportion of total enrolments
15.	Coonamble High	63	22	239	26%	71	17	211	34%
16.	Moree Secondary College Carol Ave Campus	54	34	250	22%	83	34	247	34%
17.	Walgett Community College – High	65	27	100	65%	67	27	98	68%
	All CC Schools	682	209	3,564	19%	829	193	3,291	25%
Year 2015									
No	School Name								
1.	Bourke Public	9	2	226	4%	23	9	224	10%
2.	Menindee Central	7	6	94	7%	16	6	85	19%
3.	Boggabilla Central	56	22	108	52%	44	6	85	52%
4.	Brewarrina Central	13	1	177	7%	27	5	164	16%
5.	Coonamble Public	19	5	205	9%	32	10	198	16%
6.	Taree Public	8	5	74	11%	15	9	78	19%
7.	Toomelah Public	3	0	42	7%	4	0	39	10%
8.	Walgett Community College - Primary	16	5	143	11%	32	9	138	23%
9.	Wilcannia Central	42	19	90	47%	46	16	86	53%
10.	Moree East Public	41	19	136	30%	28	9	127	22%
11.	Hillvue Public	18	4	283	6%	50	12	286	18%
12.	Taree High	103	8	948	11%	121	18	852	14%
13.	Moree Secondary	81	21	264	31%	77	10	203	38%

		No. of students absent 30+ days in Semester 1 (S1)	Of students absent 30+ days in S1, no. of students suspended at least once	Total enrolments in S1	Students absent 30+ days in S1, as a proportion of total enrolments	No. of students absent 30+ days in Semester 2 (S2)	Of the students absent 30+ days in S2, no. of students suspended at least once	Total enrolments in S2	Students absent 30+ days in S2, as a proportion of total enrolments
	College Albert St Campus								
14.	Bourke High	43	13	166	26%	59	18	148	40%
15.	Coonamble High	61	21	209	29%	63	14	187	34%
16.	Moree Secondary College Carol Ave Campus	55	32	257	21%	77	34	253	30%
17.	Walgett Community College – High	72	38	121	60%	76	23	106	72%
	All CC Schools	647	221	3,543	18%	790	208	3,259	24%

Source: Prepared by NSW Ombudsman using data provided by CESE, 18 July 2018. Data extracted from Attendance data-cubes in June 2018. Note: Semester enrolments are calculated based on average enrolments across two terms and total enrolments are calculated based on average enrolments across two semesters (four terms).

Table 9: Students at Connected Communities schools missing 100 or more days in a school year broken down by those who were also suspended 2015-2017

No	School Name	Number of students absent 100+ days in a year	Total student enrolments	Students absent 100+ days in a year, as a proportion of total enrolments	Of students absent 100+ days, number of students suspended at least once
Year 2017					
No	School Name				
1.	Bourke Public	3	225	1%	1
2.	Menindee Central	1	89	1%	1
3.	Boggabilla Central	12	96	13%	6
4.	Brewarrina Central	3	170	2%	0
5.	Coonamble Public	5	201	2%	3
6.	Taree Public	2	76	3%	1
7.	Toomelah Public	0	41	0%	0
8.	Walgett Community College – Primary	0	140	0%	0
9.	Wilcannia Central	16	88	18%	10
10.	Moree East Public	10	132	8%	5
11.	Hillvue Public	0	284	0%	0
12.	Taree High	47	900	5%	7
13.	Moree Secondary College Albert St Campus	38	233	16%	15
14.	Bourke High	25	157	16%	10
15.	Coonamble High	31	198	16%	15
16	Moree Secondary College Carol Ave Campus	33	255	13%	20
17.	Walgett Community College – High	45	114	39%	28
	All CC Schools	271	3,399	8%	122
Year 2016					
No	School Name				
1.	Bourke Public	0	222	0%	0
2.	Menindee Central	0	91	0%	0
3.	Boggabilla Central	9	87	10%	4
4.	Brewarrina Central	12	157	8%	3
5.	Coonamble Public	5	198	3%	2
6.	Taree Public	3	84	4%	1
7.	Toomelah Public	0	44	0%	0
8.	Walgett Community College – Primary	0	140	0%	0
9.	Wilcannia Central	20	87	23%	5

No	School Name				
10.	Moree East Public	5	142	4%	1
11.	Hillvue Public	8	308	3%	3
12.	Taree High	48	888	5%	8
13.	Moree Secondary College Albert St Campus	21	248	8%	11
14.	Bourke High	38	157	24%	14
15.	Coonamble High	37	225	16%	13
16	Moree Secondary College Carol Ave Campus	23	248	9%	17
17.	Walgett Community College - High	34	99	34%	19
	All CC Schools	**263**	**3,425**	**8%**	**101**
	Year 2015				
No	School Name				
1.	Bourke Public	1	219	0%	0
2.	Menindee Central	3	90	3%	1
3.	Boggabilla Central	6	78	8%	3
4.	Brewarrina Central	17	153	11%	4
5.	Coonamble Public	6	203	3%	1
6.	Taree Public S	1	89	1%	1
7.	Toomelah Public	0	36	0%	0
8.	Walgett Community College - Primary	5	154	3%	1
9.	Wilcannia Central	19	70	27%	10
10.	Moree East Public	4	133	3%	2
11.	Hillvue Public	9	303	3%	5
12.	Taree High	54	888	6%	17
13.	Moree Secondary College Albert St Campus	28	225	12%	8
14.	Bourke High	34	147	23%	11
15.	Coonamble High	30	210	14%	11
16	Moree Secondary College Carol Ave Campus	21	233	9%	15
17.	Walgett Community College - High	28	112	25%	14
	All CC Schools	**266**	**3,343**	**8%**	**104**

Source: Prepared by NSW Ombudsman using data provided by CESE, 18 July 2018. Data extracted from Attendance data-cubes in June 2018. Note: Semester enrolments are calculated based on average enrolments across two terms and total enrolments are calculated based on average enrolments across two semesters (four terms).

Note: We did not calculate the proportion of students missing 100+ days of school who were also suspended at least once, due to the low numbers in this cohort at several schools and the ability for them to be identified.

Table 10: Number and proportion of Aboriginal students receiving long suspensions by FACS district 2015-2017

FACS district	2015				2016				2017			
	Aboriginal students suspended	Total students suspended	% of students suspended who were	Aboriginal enrolment as % of total enrolment	Aboriginal students suspended	Total students suspended	% of students suspended who were Aboriginal	Aboriginal enrolment as % of total enrolment	Aboriginal students suspended	Total students suspended	% of students suspended who were	Aboriginal enrolment as % of total enrolment
Central Coast	170	853	20%	8%	174	846	20.6%	8.5%	172	884	19.5%	9%
Hunter New England	897	2,685	33.4%	13%	989	2,759	35.8%	13.7%	1,090	2,839	38.4%	14.5%
Illawarra Shoalhaven	188	694	27%	8.5%	180	698	25.8%	8.8%	206	746	27.6%	9%
Southern NSW	123	368	33.4%	9%	127	405	32%	9.2%	153	476	32%	9.7%
Mid North Coast	208	590	35%	14.4%	196	533	36.8%	15%	235	590	39.8%	15.8%
Northern NSW	279	816	34%	12.5%	296	873	34%	13%	248	808	30.7%	13.6%
Far West	57	96	59%	20.9%	47	87	54%	22.9%	75	128	58.6%	24%
Murrumbidgee	216	684	31.6%	10.8%	237	720	32.9%	11.6%	179	598	30%	12.3%
Western NSW	659	1,099	60%	24.3%	586	964	60.8%	24.6%	703	1,044	67.3%	25.6%
Northern Sydney	7	281	2.5%	0.5%	11	341	3.2%	0.5%	17	354	4.8%	0.5%
South Eastern Sydney	39	467	8.4%	1.8%	33	404	8.2%	1.8%	28	477	5.9%	1.8%
Sydney	41	335	12.2%	2.1%	33	336	9.8%	2.1%	37	360	10.3%	2.2%
South Western Sydney	243	1,879	12.9%	3.7%	218	1,835	11.9%	3.8%	229	1,871	12.2%	3.8%
Nepean Blue Mountains	153	766	20%	7.4%	146	641	22.8%	7.8%	141	686	20.6%	8%
Western Sydney	146	832	17.5%	3.5%	138	811	17%	3.5%	125	810	15.4%	3.5%
NSW total	3,426	12,455	27.5%	7%	3,411	12,253	27.8%	7.3%	3,638	12,671	28.7%	7.5%

Source: Prepared by NSW Ombudsman based on data provided by Centre for Education Statistics and Evaluation, 12 April 2018.

Table 11: Number and proportion of Aboriginal students receiving short suspensions by FACS district 2015-2017

FACS district	2015				2016				2017			
	Aboriginal students suspended	Total students suspended	% of students suspended who were	Aboriginal enrolment as % of total enrolment	Aboriginal students suspended	Total students suspended	% of students suspended who were	Aboriginal enrolment as % of total enrolment	Aboriginal students suspended	Total students suspended	% of students suspended who were	Aboriginal enrolment as % of total enrolment
Central Coast	319	1,736	18.4%	8%	345	1,910	1,8%	8.5%	334	1799	18.6%	9%
Hunter New England	1,839	5,913	31.1%	13%	1,980	6,171	32%	13.8%	2221	6491	34.2%	14.5%
Illawarra Shoalhaven	498	2,215	22.5%	8.5%	472	2,122	22.2%	8.8%	535	2254	23.7%	9%
Southern NSW	243	870	27.9%	9%	243	885	27.5%	9.3%	284	1083	26.2%	9.8%
Mid North Coast	369	1,129	32.7%	14.4%	389	1,147	34%	15.1%	401	1188	33.8%	15.8%
Northern NSW	543	1,949	27.9%	12.5%	530	1,897	28%	13%	583	1908	30.6%	13.6%
Far West	169	331	51%	20.9%	120	271	44.3%	22.9%	142	296	48%	24%
Murrumbidgee	415	1,558	26.6%		371	1,494	23.8%		392	1647		
Western NSW	1,293	2,565	50.4%	24.3%	1,250	2,412	51.8%	24.6%	1405	2683	52.4%	25.6%
Northern Sydney	19	1,749	1%	<1%	21	746	2.8%	<1%	25	763	3.3%	<1%
South Eastern Sydney	90	1,283	7%	1.8%	78	1,229	6.3%	1.8%	74	1263	5.9%	1.8%
Sydney	68	758	9%	2.1%	69	830	8.3%	2.1%	77	858	9%	2.2%
South Western Sydney	435	4,552	9.6%	3.7%	484	4,714	10.3%	3.8%	564	5218	10.8%	3.9%
Nepean Blue Mountains	338	1,658	20.4%	7.4%	330	1,669	19.8%	7.8%	341	1750	19.5%	8%
Western Sydney	410	2,603	15.8%	3.5%	434	2,715	16%	3.5%	402	2749	14.6%	3.5%
NSW state-wide total	7,048	30,869	22.8%	7%	7,166	30,212	23.7%	7.2%	7,780	31,950	24.4%	7.5%

Source: Prepared by NSW Ombudsman based on data provided by Centre for Education Statistics and Evaluation, 12 April 2018.

Table 12: Aboriginal students suspended as a proportion of Aboriginal students at Connected Communities schools 2012-2017

School	Primary suspension rates											
	Students who received a long suspension						Students who received a short suspension					
	2012	2013	2014	2015	2016	2017	2012	2013	2014	2015	2016	2017
Boggabilla Central	4.1%	0.0%	2.9%	11.1%	3.1%	6.3%	14.3%	15.0%	67.6%	55.6%	46.9%	28.1%
Bourke Public	12.2%	11.8%	10.7%	14.9%	9.6%	12.6%	10.9%	12.4%	11.2%	13.3%	11.3%	23.6%
Brewarrina Central	1.0%	3.0%	2.1%	5.3%	2.4%	1.3%	14.3%	9.1%	0.0%	13.7%	11.9%	9.2%
Coonamble Public	6.7%	12.9%	10.9%	8.1%	14.4%	11.2%	25.3%	22.9%	21.8%	16.8%	19.8%	17.6%
Hillvue Public	2.2%	2.2%	2.0%	3.5%	2.3%	3.5%	13.7%	14.1%	13.0%	17.1%	10.7%	8.5%
Menindee Central	0.0%	10.0%	11.1%	3.6%	0.0%	0.0%	26.5%	43.3%	14.8%	39.3%	17.6%	17.6%
Moree East Public	19.8%	35.7%	11.1%	7.6%	3.5%	10.2%	34.7%	31.3%	47.2%	34.8%	28.3%	37.0%
Taree Public	10.8%	9.1%	18.9%	38.5%	41.0%	31.8%	48.6%	39.4%	54.1%	17.9%	23.1%	25.0%
Toomelah Public	7.3%	0.0%	13.3%	0.0%	2.4%	0.0%	9.8%	5.6%	3.3%	0.0%	0.0%	0.0%
Walgett Community College – Primary	4.1%	7.8%	6.5%	5.4%	7.1%	7.4%	31.4%	32.6%	20.2%	20.8%	29.4%	30.1%
Wilcannia Central	2.4%	8.3%	16.3%	12.5%	12.5%	8.8%	12.2%	13.9%	11.6%	53.1%	25.0%	58.8%
All primary CC schools	**6.7%**	**10.4%**	**8.2%**	**8.8%**	**7.9%**	**8.6%**	**21.0%**	**20.2%**	**20.2%**	**20.5%**	**18.2%**	**21.3%**
School	Secondary suspension rates											
	Students who received a long suspension						Students who received a short suspension					
	2012	2013	2014	2015	2016	2017	2012	2013	2014	2015	2016	2017
Boggabilla Central	1.7%	1.8%	9.4%	16.7%	7.0%	2.5%	32.2%	7.0%	25.0%	33.3%	32.6%	22.5%
Bourke High	7.4%	10.5%	13.9%	13.0%	18.0%	22.2%	22.1%	40.0%	39.8%	31.5%	30.6%	23.1%
Brewarrina Central	6.3%	16.9%	15.0%	23.3%	12.1%	1.6%	15.6%	12.7%	5.0%	10.0%	12.1%	20.3%
Coonamble High	13.4%	11.5%	11.4%	10.5%	9.0%	4.2%	20.9%	30.3%	25.0%	27.1%	30.3%	28.5%
Menindee Central	2.6%	5.6%	3.0%	11.5%	3.2%	0.0%	28.9%	41.7%	63.6%	42.3%	22.6%	20.0%
Moree Secondary College Albert St Campus	6.6%	6.6%	13.3%	9.5%	24.5%	11.3%	16.0%	18.9%	30.5%	41.7%	32.7%	8.5%
Moree Secondary College Carol Ave Campus	18.2%	17.6%	19.7%	28.3%	28.1%	25.4%	44.5%	44.1%	47.5%	45.8%	46.3%	52.5%
Taree High	13.9%	6.7%	6.7%	8.2%	6.8%	14.9%	21.8%	11.4%	12.5%	15.5%	10.3%	20.2%
Walgett Community College – High	24.2%	31.1%	35.5%	40.6%	38.9%	42.9%	41.4%	49.5%	39.8%	45.3%	51.1%	54.9%
Wilcannia Central	18.4%	4.3%	42.1%	25.6%	14.3%	25.9%	14.3%	23.4%	36.8%	64.1%	14.3%	22.2%
All secondary CC schools	**12.5%**	**12.4%**	**16.2%**	**18.8%**	**17.7%**	**16.6%**	**26.9%**	**29.0%**	**31.4%**	**33.9%**	**30.4%**	**29.9%**
All Connected Communities	**9.4%**	**11.3%**	**11.8%**	**13.2%**	**12.2%**	**12.1%**	**23.7%**	**24.2%**	**25.2%**	**26.4%**	**23.6%**	**25.0%**

Source: Centre for Education Statistics and Evaluation, Department of Education. Data extracted from Suspensions and National School Statistics Collection data cubes in November 2018.
Note: Suspension rates are calculated as the number of students who received one or more suspensions in a year divided by (headcount) student enrolment in the National School Statistics Collection. Students who received both long suspensions and short suspensions in any given year will be counted in both columns.

Table 13: Students suspended as a proportion of all students at Connected Communities schools 2012-2017

School	Primary suspension rates											
	Students who received a long suspension						Students who received a short suspension					
	2012	2013	2014	2015	2016	2017	2012	2013	2014	2015	2016	2017
Boggabilla Central	3.7%	0.0%	2.9%	10.5%	2.9%	6.1%	13.0%	16.1%	65.7%	52.6%	42.9%	27.3%
Bourke Public	10.2%	9.3%	8.8%	12.4%	7.5%	9.9%	9.1%	10.7%	9.3%	11.6%	8.8%	19.7%
Brewarrina Central	1.0%	3.8%	2.0%	5.2%	2.4%	1.3%	14.6%	9.4%	0.0%	13.4%	11.8%	8.8%
Coonamble Public	6.0%	11.5%	9.8%	8.2%	12.4%	9.8%	23.9%	20.7%	20.0%	15.8%	18.1%	15.5%
Hillvue Public	2.0%	2.4%	2.2%	2.5%	2.0%	3.4%	13.1%	12.2%	11.4%	14.5%	9.9%	8.2%
Menindee Central	0.0%	5.6%	5.8%	4.2%	3.7%	1.9%	20.3%	33.3%	13.5%	31.3%	22.2%	19.2%
Moree East Public	17.4%	31.8%	12.2%	8.1%	3.1%	9.7%	32.2%	28.0%	45.5%	33.3%	28.2%	34.7%
Taree Public	9.5%	7.7%	13.2%	24.3%	28.2%	19.8%	45.9%	29.2%	34.2%	12.9%	19.2%	14.0%
Toomelah Public S	7.3%	0.0%	13.3%	0.0%	2.4%	0.0%	9.8%	5.6%	6.7%	0.0%	0.0%	0.0%
Walgett Community College – Primary	4.0%	7.5%	6.4%	5.2%	6.8%	6.7%	31.2%	31.3%	20.0%	20.0%	28.0%	28.2%
Wilcannia Central	2.4%	8.1%	15.6%	12.1%	11.4%	7.9%	11.9%	13.5%	13.3%	51.5%	22.7%	55.3%
All primary CC schools	5.9%	9.1%	7.5%	7.8%	7.0%	7.5%	20.0%	18.4%	18.5%	18.5%	16.6%	18.5%
School	Secondary suspension rates											
	Students who received a long suspension						Students who received a short suspension					
	2012	2013	2014	2015	2016	2017	2012	2013	2014	2015	2016	2017
Boggabilla Central	1.5%	1.7%	9.2%	16.3%	6.8%	2.5%	30.8%	6.8%	24.6%	34.9%	31.8%	22.5%
Bourke High	4.5%	7.0%	9.4%	9.3%	13.9%	16.8%	15.4%	28.0%	32.5%	26.7%	24.5%	19.6%
Brewarrina Central	6.0%	15.6%	14.1%	22.2%	11.5%	1.5%	16.4%	13.0%	4.7%	9.5%	11.5%	20.0%
Coonamble High	8.1%	7.5%	8.0%	7.1%	6.9%	3.4%	15.4%	21.6%	17.6%	22.4%	22.5%	23.6%
Menindee Central	2.1%	4.3%	2.0%	7.9%	2.4%	0.0%	23.4%	36.2%	51.0%	28.9%	23.8%	15.4%
Moree Secondary College Albert St Campus	4.0%	5.1%	8.3%	7.6%	11.0%	5.7%	8.8%	13.7%	20.2%	19.6%	17.6%	5.2%
Moree Secondary College Carol Ave Campus	13.7%	12.2%	14.2%	21.2%	20.7%	23.1%	36.8%	31.1%	32.4%	31.4%	32.1%	39.4%
Taree High	3.5%	2.8%	3.6%	2.6%	3.2%	5.1%	9.0%	7.8%	6.9%	5.2%	5.9%	6.4%
Walgett Community College – High	23.1%	29.6%	34.7%	40.2%	38.0%	40.8%	41.3%	47.2%	40.0%	44.9%	50.0%	54.1%
Wilcannia Central	17.6%	4.2%	42.1%	25.6%	13.8%	25.0%	13.7%	22.9%	36.8%	64.1%	13.8%	21.4%
All secondary CC schools	6.7%	6.8%	8.8%	9.9%	9.5%	9.7%	16.5%	17.1%	18.0%	17.9%	16.9%	16.5%
All Connected Communities	6.4%	7.7%	8.3%	9.1%	8.5%	8.8%	17.8%	17.6%	18.2%	18.2%	16.8%	17.3%

Source: Centre for Education Statistics and Evaluation, Department of Education. Data extracted from Suspensions and National School Statistics Collection data cubes in November 2018.

Note: Suspension rates are calculated as the number of students who received one or more suspensions in a year divided by (headcount) student enrolment in the National School Statistics Collection. Students who received both long suspensions and short suspensions in any given year will be counted in both columns.

Note: We did not request comparative regional and state-wide data for 2012-2014.

Table 14: Number of long suspensions (all Connected Communities schools) and reasons 2013-2017

	2013				2014				2015				2016				2017			
	Persistent or Serious Misbehaviour	Physical Violence	Other	TOTAL	Persistent or Serious Misbehaviour	Physical Violence	Other	TOTAL	Persistent or Serious Misbehaviour	Physical Violence	Other	TOTAL	Persistent or Serious Misbehaviour	Physical Violence	Other	TOTAL	Persistent or Serious Misbehaviour	Physical Violence	Other	TOTAL
Student Count																				
Aboriginal Students	112	142	34	224	107	130	38	227	sp	sp	sp	248	103	126	64	233	87	142	51	223
Non-Aboriginal Students	21	18	11	44	24	22	16	54	sp	sp	sp	49	18	33	6	51	20	37	11	63
Total Student Count	133	160	45	268	131	152	54	281	134	186	47	297	121	159	70	284	107	179	62	286
Suspension Count																				
Aboriginal Students	140	182	36	358	134	164	40	338	sp	sp	sp	398	124	162	70	356	111	208	57	376
Non-Aboriginal Students	27	18	11	56	29	23	17	69	sp	sp	sp	82	19	45	8	72	22	39	11	72
Total Suspension Count	167	200	47	414	163	187	57	407	171	261	48	480	143	207	78	428	133	247	68	448
Suspension Days																				
Aboriginal Students	1,217	1,767	395	3,379	1,530	1,762	473	3,765	1,785	2,041	490	4,316	1,406	1,712	961	4,079	1,135	2,129	643	3,907
Non-Aboriginal Students	337	205	115	657	307	247	152	706	305	432	32	769	238	470	72	780	264	350	108	722
Total Suspension Days	1,554	1,972	510	4,036	1,837	2,009	625	4,471	2,090	2,473	522	5,085	1,644	2,182	1,033	4,859	1,399	2,479	751	4,629

Source: Data provided by Centre for Education Statistics and Evaluation (CESE), 12 April 2018.

Notes: Data is suppressed where there were five or fewer non-Aboriginal students suspended. Where a cell is suppressed, the adjoining cells are also suppressed. SP: Suppressed.

Table 15: Number of short suspensions at all Connected Communities schools and reasons 2013-2017

	2013			2014			2015			2016			2017		
	Aggressive Behaviour	Continued Disobedience	TOTAL	Aggressive Behaviour	Continued Disobedience	TOTAL	Aggressive Behaviour	Continued Disobedience	TOTAL	Aggressive Behaviour	Continued Disobedience	TOTAL	Aggressive Behaviour	Continued Disobedience	TOTAL
Student Count															
Aboriginal Students	321	263	479	359	275	486	362	250	496	344	203	450	348	218	463
Non-Aboriginal Students	95	63	138	89	60	131	69	39	96	66	57	110	67	48	98
Total Student Count	416	326	617	448	335	617	431	289	592	410	260	560	415	266	561
Suspension Count															
Aboriginal Students	499	430	929	646	416	1,062	561	343	904	552	276	828	586	315	901
Non-Aboriginal Students	131	110	241	123	80	203	96	54	150	98	75	173	90	65	155
Total Suspension Count	630	540	1,170	769	496	1,265	657	397	1,054	650	351	1,001	676	380	1,056
Suspension Days															
Aboriginal Students	1,435	1,255	2,690	1,852	1,175	3,027	1,776	1,056	2,832	1,663	859	2,522	1,719	1,016	2,735
Non-Aboriginal Students	347	339	686	321	243	564	243	169	412	284	235	519	251	206	457
Total Suspension Days	1,782	1,594	3,376	2,173	1,418	3,591	2,019	1,225	3,244	1,947	1,094	3,041	1,970	1,222	3,192

Source: Data provided by CESE, 12 April 2018.

Table 16: Number of students with disability at Connected Communities schools 2016 and 2017

School	Specialist support class	With disability				TOTAL enrolment			
		Aboriginal		All students		Aboriginal		All students	
		2016	2017	2016	2017	2016	2017	2016	2017
Bourke Public	MC x 2; Tutorial Centre Class x 1	16	22	18	26	177	182	227	233
Coonamble Public	IM x 1; MC x 2	21	24	25	26	167	170	193	194
Hillvue Public	ED x 1; IM x1	18	14	24	23	215	199	304	292
Moree East Public		0	0	0	0	113	108	131	124
Taree Public	IM x1	7	6	12	11	39	44	78	86
Toomelah Public		4	1	4	1	41	32	41	32
Walgett Community College (Primary)	BD x1	6	7	7	8	126	136	132	149
Bourke High	ED x 1; MC x 2; Tutorial Centre Class x 1	10	22	10	22	111	108	151	143
Coonamble High	IM x 1; MC x 3	27	28	29	34	145	144	218	208
Moree Secondary College (Albert St 10-12)		0	0	0[1151]	0	98	71	255	212
Moree Secondary College (Carol Ave 7-9)	IM x 1; IO/IS x 1; MC x 1	17	13	27	21	121	118	237	221
Taree High	IM x 1; IO/is x 1; MC x 1	8	9	41	45	117	114	883	878
Walgett Community College (Secondary)	BD x 1; IM x 1	14	13	14	14	90	91	92	98
Boggabilla Central		1	1	1	1	75	72	79	73
Brewarrina Central	MC x 1	13	12	14	12	142	140	146	144
Menindee Central		1	1	1	3	65	59	96	91
Wilcannia Central	ED x 1	3	2	3	2	68	61	73	66
TOTAL		**166**	**175**	**230**	**249**	**1,910**	**1,849**	**3,336**	**3,244**

Source: Data provided by CESE, 18 July 2018; Specialist support class data provided by Department of Education, 4 September 2018.
Specialist support class key: IM=students with mild intellectual disability; IO=students with moderate intellectual disability; BD=students with behavioural issues; ED=students with mental health issues (emotional disturbance); MC=students with confirmed disability who have similar moderate to high support needs; Tutorial Centre Class=students who have been identified as requiring intensive intensive behavioural and educational support.

1151 The Department of Education advised us that although not reflected in the program data supplied by CESE, one student was supported by Integrated Funding Support in 2016.

Table 17: Rates of Aboriginal students with disability at Connected Communities schools 2016 and 2017

School	Specialist support class	All students with disability			
		% of Aboriginal students		% of enrolled students	
		2016	2017	2016	2017
Bourke Public	MC x 2; Tutorial Centre Class x 1	9%	12%	7.9%	11.2%
Coonamble Public	IM x 1; MC x 2	12.6%	14%	13%	13.4%
Hillvue Public	ED x 1; IM x1	8.4%	7%	7.9%	7.9%
Moree East Public		0%	0%	0%	0%
Taree Public	IM x1	17.9%	13.6%	15.4%	12.8%
Toomelah Public		9.8%	3%	9.8%	3.1%
Walgett Community College (Primary)	BD x1	4.8%	5%	5.3%	5.4%
Bourke High	ED x 1; MC x 2; Tutorial Centre Class x 1	9%	20.4%	6.6%	15.4%
Coonamble High	IM x 1; MC x 3	18.6%	19%	13.3%	13.5%
Moree Secondary College (Albert St 10-12)		0%	0%	0%	0%
Moree Secondary College (Carol Ave 7-9)	IM x 1; IO/IS x 1; MC x 1	14%	11%	11.4%	9.5%
Taree High School	IM x 1; IO/is x 1; MC x 1	6.8%	7.9%	4.6%	5.1%
Walgett Community College (Secondary)	BD x 1; IM x 1	15.6%	14%	15.2%	14.3%
Boggabilla Central		1.3%	1.4%	1.3%	1.4%
Brewarrina Central	MC x 1	9.2%	8.6%	9.6%	8.3%
Menindee Central		1.5%	1.7%	1%	3.3%
Wilcannia Central	ED x 1	4.4%	3.3%	4.1%	3%

Source: Prepared by NSW Ombudsman using data provided by CESE, 18 July 2018; Specialist support class data provided by Department of Education, September 2018.

Specialist support class key: IM=students with mild intellectual disability; IO=students with moderate intellectual disability; BD=students with behavioural issues; ED=students with mental health issues (emotional disturbance); MC=students with confirmed disability who have similar moderate to high support needs; Tutorial Centre Class=students who have been identified as requiring intensive behavioural and educational support.

Table 18: Suspensions in Connected Communities schools by disability status and Aboriginality 2016 and 2017

	Aboriginality	Student with a Disability	Long		Short	
			2016	2017	2016	2017
Student Count	Aboriginal	With a Disability	56	57	66	72
		Without a Disability	177	166	384	391
		Total	233	223	450	463
	Non-Aboriginal	With a Disability	11	14	16	17
		Without a Disability	40	49	94	81
		Total	51	63	110	98
	All Students	With a Disability	67	71	82	89
		Without a Disability	217	215	478	472
		Total	284	286	560	561
Suspension Count	Aboriginal	With a Disability	91	109	143	149
		Without a Disability	265	267	685	752
		Total	356	376	828	901
	Non-Aboriginal	With a Disability	18	15	30	27
		Without a Disability	54	57	143	128
		Total	72	72	173	155
	All Students	With a Disability	109	124	173	176
		Without a Disability	319	324	828	880
		Total	428	448	1,001	1,056
Suspension Days	Aboriginal	With a Disability	1,135	991	431	441
		Without a Disability	2,944	2,916	2,091	2,294
		Total	4,079	3,907	2,522	2,735
	Non-Aboriginal	With a Disability	225	172	96	80
		Without a Disability	555	550	423	377
		Total	780	722	519	457
	All Students	With a Disability	1,360	1,163	527	521
		Without a Disability	3,499	3,466	2,514	2,671
		Total	4,859	4,629	3,041	3,192

Source: Data provided by CESE, 18 July 2018.

Table 19: Students receiving suspensions by disability status – as a proportion of all students enrolled at Connected Communities schools 2016 and 2017

School	With disability Long %		With disability Short %		Without disability Long %		Without disability Short %		All students Long %		All students Short %		Total enrolments With disability		Without disability		All students	
	2016	2017	2016	2017	2016	2017	2016	2017	2016	2017	2016	2017	2016	2017	2016	2017	2016	2017
Primary schools																		
Bourke Public	33.3%	42.3%	33.3%	61.5%	5.3%	5.8%	6.7%	14.5%	7.5%	9.9%	8.8%	19.7%	18	26	209	207	227	233
Coonamble Public	32%	34.6%	40%	38.5%	9.5%	6%	14.9%	11.9%	12.4%	9.8%	18.1%	15.5%	25	26	168	168	193	194
Hillvue Public	8.3%	17.4%	37.5%	17.4%	1.4%	2.2%	7.5%	7.4%	2%	3.4%	9.9%	8.2%	24	23	280	269	304	292
Moree East Public	0%	0%	0%	0%	3.1%	9.7%	28.2%	34.7%	3.1%	9.7%	28.2%	34.7%	0	0	131	124	131	124
Taree Public	50%	45.5%	16.7%	18.2%	24.2%	16%	19.7%	13.3%	28.2%	19.8%	19.2%	14%	12	11	66	75	78	86
Toomelah Public	–	–	–	–	0%	0%	0%	0%	2.4%	0%	0%	0%	–	–	37	31	41	32
Walgett Community College (Primary)	42.9%	25%	71.4%	62.5%	4.8%	5.7%	25.6%	26.2%	6.8%	6.7%	28%	28.2%	7	8	125	141	132	149
Secondary schools																		
Bourke High	50%	40.9%	70%	27.3%	11.3%	12.4%	21.3%	18.2%	13.9%	16.8%	24.5%	19.6%	10	22	141	121	151	143
Coonamble High	13.8%	5.9%	34.5%	35.3%	5.8%	2.9%	20.6%	21.3%	6.9%	3.4%	22.5%	23.6%	29	34	189	174	218	208
Moree Secondary College (Albert St 10-12)	0%	0%	0%	0%	11%	5.7%	17.6%	5.2%	11%	5.7%	17.6%	5.2%	0	0	255	212	255	212
Moree Secondary College (Carol Ave 7-9)	33.3%	47.6%	33.3%	38.1%	19%	20.5%	31.9%	39.5%	20.7%	23.1%	32.1%	39.4%	27	21	210	200	237	221
Taree High	22%	15.6%	26.8%	22.2%	2.3%	4.6%	4.9%	5.5%	3.2%	5.1%	5.9%	6.4%	41	45	842	833	883	878
Walgett Community College (Secondary)	64.3%	64.3%	42.9%	57.1%	33.3%	36.9%	51.3%	53.6%	38%	40.8%	50%	54.1%	14	14	78	84	92	98

School	With disability Long % 2016	2017	With disability Short % 2016	2017	Without disability Long % 2016	2017	Without disability Short % 2016	2017	All students Long % 2016	2017	All students Short % 2016	2017	Total enrolments With disability 2016	2017	Without disability 2016	2017	All students 2016	2017
Central/community schools																		
Boggabilla Central	–	–	–	–	5.1%	2.8%	35.9%	22.2%	5.1%	4.1%	36.7%	24.7%	–	–	78	72	79	73
Brewarrina Central	28.6%	8.3%	21.4%	25%	3.8%	0.8%	10.6%	12.8%	6.2%	1.4%	11.6%	13.8%	14	12	132	133	146	144
Menindee Central	–	–	–	–	3.2%	0%	21.1%	15.9%	3.1%	1.1%	22.9%	17.6%	–	–	95	88	96	91
Wilcannia Central	–	–	–	–	11.4%	15.6%	18.6%	40.6%	12.3%	15.2%	19.2%	40.9%	–	–	70	64	73	66
TOTAL	29.1%	28.5%	35.7%	35.7%	7%	7.2%	15.4%	15.8%	8.5%	8.8%	16.8%	17.3%	230	249	3,106	2,996	3,336	3,245

Source Data provided by CESE, 18 July 2018 Notes: Students who received both long suspensions and short suspensions in the same year will be counted in both columns. Students who received both long suspensions and short suspensions in the same year will be counted in both columns. Where there are five or fewer enrolments the proportion of students has been suppressed.

Table 20: Aboriginal students receiving suspensions by disability status – as a proportion of all Aboriginal students enrolled at Connected Communities schools 2016 and 2017

School	With disability Long %		With disability Short %		Without disability Long %		Without disability Short %		All students Long %		All students Short %		Total enrolments With disability		Total enrolments Without disability		Total enrolments All students	
	2016	2017	2016	2017	2016	2017	2016	2017	2016	2017	2016	2017	2016	2017	2016	2017	2016	2017
Primary schools																		
Bourke Public	37.5%	50%	37.5%	68.2%	6.8%	7.5%	8.7%	17.5%	9.6%	12.6%	11.3%	23.6%	16	22	161	160	177	182
Coonamble Public	38.1%	37.5%	47.6%	41.7%	11%	6.8%	15.8%	13.7%	14.4%	11.2%	19.8%	17.6%	21	24	146	146	167	170
Hillvue Public	5.6%	7.1%	27.8%	7.1%	2%	3.2%	9.1%	8.6%	2.3%	3.5%	10.7%	8.5%	18	14	197	185	215	199
Moree East Public	0%	0%	0%	0%	3.5%	10.2%	28.3%	37%	3.5%	10.2%	28.3%	37%	0	0	113	108	113	108
Taree Public	71.4%	66.7%	14.3%	33.3%	34.4%	26.3%	25%	23.7%	41%	31.8%	23.1%	25%	7	6	32	38	39	44
Toomelah Public	–	–	–	–	0%	0%	0%	0%	2.4%	0%	0%	0%	–	–	37	31	41	32
Walgett Community College (Primary)	50%	28.6%	83.3%	71.4%	5%	6.2%	26.7%	27.9%	7.1%	7.4%	29.4%	30.1%	6	7	120	129	126	136
Secondary schools																		
Bourke High	50%	40.9%	70%	27.3%	14.9%	17.4%	26.7%	22.1%	18%	22.2%	30.6%	23.1%	10	22	101	86	111	108
Coonamble High	14.8%	7.1%	37%	35.7%	7.6%	3.4%	28.8%	26.7%	9%	4.2%	30.3%	28.5%	27	28	118	116	145	144
Moree Secondary College (Albert St 10-12)	0%	0%	0%	0%	24.5%	11.3%	32.7%	8.5%	24.5%	11.3%	32.7%	8.5%	0	0	98	71	98	71
Moree Secondary College (Carol Ave 7-9)	35.3%	38.5%	35.3%	30.8%	26.9%	23.8%	48.1%	55.2%	28.1%	25.4%	46.3%	52.5%	17	13	104	105	121	118
Taree High	37.5%	33.3%	50%	66.7%	4.6%	13.3%	7.3%	16.2%	6.8%	14.9%	10.3%	20.2%	8	9	109	105	117	114
Walgett Community College (Secondary)	64.3%	69.2%	42.9%	53.8%	34.2%	38.5%	52.6%	55.1%	38.9%	42.9%	51.1%	54.9%	14	13	76	78	90	91

| School | With disability | | | | Without disability | | | | All students | | | | Total enrolments | | | | | |
| | Long % | | Short % | | Long % | | Short % | | Long % | | Short % | | With disability | | Without disability | | All students | |
	2016	2017	2016	2017	2016	2017	2016	2017	2016	2017	2016	2017	2016	2017	2016	2017	2016	2017
Central/community schools																		
Boggabilla Central	–	–	–	–	5.4%	2.8%	37.8%	22.5%	5.3%	4.2%	38.7%	25%	–	–	74	71	75	72
Brewarrina Central	30.8%	8.3%	23.1%	25%	3.9%	0.8%	10.9%	13.3%	6.3%	1.4%	12%	14.3%	13	12	129	128	142	140
Menindee Central	–	–	–	–	1.6%	0%	18.8%	19%	1.5%	0%	20%	18.6%	–	–	64	58	65	59
Wilcannia Central	–	–	–	–	12.3%	16.9%	20%	42.4%	13.2%	16.4%	20.6%	42.6%	–	–	65	59	68	61
TOTAL	33.7%	32.6%	39.8%	41.1%	10.1%	9.9%	22.1%	23.4%	12.2%	12.1%	23.6%	25.1%	166	175	1,744	1,674	1,910	1,849

Source: Data provided by CESE, 18 July 2018. Notes: Students who received both long suspensions and short suspensions in the same year will be counted in both columns. Where there are five or fewer enrolments the proportion of students has been suppressed.