



Australian Government



New South Wales

Framework Document

Overarching Agreement on Aboriginal Affairs

Between

The Commonwealth
of Australia

and

The State of
New South Wales

2005–2010

- 1 The Commonwealth of Australia and the State of New South Wales (the governments) are committed to achieving better outcomes for Aboriginal people in New South Wales.
- 2 This agreement provides an overarching framework for our governments to work together.
- 3 The agreement has the principal aim of creating mechanisms to promote joint planning, and improving and streamlining service delivery so that appropriate services are accessible to Aboriginal Australians, their families and communities.
- 4 This agreement sets out strategic approaches for joint and innovative action by the governments in partnership with communities.
- 5 This agreement builds on and complements existing arrangements and bilateral agreements.
- 6 The *National Framework of Principles for Delivering Services to Indigenous Australians*, endorsed at the COAG meeting on 25 June 2004 (Attachment A), underpins the way our governments will work together in Aboriginal affairs. These principles include:
 - sharing responsibility
 - harnessing the mainstream
 - streamlining service delivery
 - establishing transparency and accountability
 - developing a learning framework
 - focusing on priority areas.
- 7 The schedules and the attachment form part of this agreement.

Working Together

- 8 The Commonwealth Government's new whole-of-government approach on delivering Indigenous services together with the New South Wales Government's *Two Ways Together*, the New South Wales Aboriginal Affairs Plan 2003-12, will provide the foundation for the following arrangements.
- 9 The governments will:
 - work jointly on service planning and delivery and investment in Aboriginal communities
 - review and reengineer programmes and services to achieve more streamlined and flexible arrangements
 - work in partnership with Aboriginal people and their representatives.
- 10 Service delivery will be supported by existing working groups and committees that involve the governments and Aboriginal representatives.
- 11 Recognising that separate systems for funding and service delivery are in place, the governments will address jurisdictional overlaps and streamline service delivery, including exploring joint funding arrangements. *Two Ways Together* cluster groups will involve Commonwealth agencies in planning, monitoring and implementing actions across the priority areas.

Shared Responsibility

- 12 Shared Responsibility is about governments and communities working as partners and sharing the responsibility to achieve better outcomes for communities, families and individuals. Shared responsibility arrangements will be achieved through agreements at the local and/or regional levels that are inclusive of all groupings and members in the community, through appropriate structures such as Community Working Parties.
- 13 Shared Responsibility Agreements (SRAs) are agreements between governments and Aboriginal communities to provide some discretionary benefit. The agreements will detail the obligations of all parties. They are voluntary arrangements that advance the agreed priorities and needs of communities. Signatories recognise that responsibility for achieving the joint outcomes of the agreement is shared between the governments and the community itself. To help ensure that joint outcomes are achieved, early notification of the development of SRAs, including the location and expected outcomes, will be necessary.

14 SRAs are based on the following principles:

- a spirit of cooperation and partnership
- all partners contribute and agree to priority setting
- improved outcomes for communities, families and individuals at the local and regional levels, including promoting self-responsibility and reducing dependency on welfare
- responsibilities and commitments are shared—by governments and Aboriginal partners to achieve outcomes
- outcomes are measurable and agreed
- accountability requirements are clear
- build capacity and strengthen governance.

Agreed Priority Areas

15 The governments have agreed priority action areas. These take into account the priority areas for strategic change developed in the *Overcoming Indigenous Disadvantage* report:

- reducing incarceration and breaking the cycle of family violence
- improving Year 3 and 5 literacy and numeracy, and school retention rates
- reducing incidence of otitis media (conductive hearing loss)
- improving living conditions
- early childhood intervention, a key focus of which will be improved mental and physical health, and in particular primary health, and early educational outcomes
- safer communities (which includes issues of authority, law and order, but necessarily also focuses on dealing with issues of governance to ensure that communities are functional and effective)
- building Indigenous wealth, employment and entrepreneurial culture, as these are integral to boosting economic development and reducing poverty and dependence on passive welfare.

16 These priorities will complement priorities that may be identified at the local or regional level by communities.

- 17 The governments commit to work together to develop strategies to improve participation for Aboriginal Australians in the mainstream economy. A project plan is being finalised and will be attached as a Schedule to this Agreement.
- 18 The governments agree that as details of further priority areas are finalised by the governments those details can be added to this agreement as additional schedules. Action plans that address identified local and regional priorities can also be attached as schedules.

Integrated Approach for Aboriginal Service Planning and Delivery

- 19 The governments will implement an integrated model of working together and in partnership with Aboriginal communities.
- 20 A peak steering body, called the Intergovernmental Aboriginal Affairs Group, will be established that will provide a way for both governments to jointly develop a strategic framework in which implementation will occur. The group will comprise senior officials of the New South Wales Government from the Premier's Department, the Cabinet Office and the Department of Aboriginal Affairs, and of the Australian Government, from the Department of the Prime Minister and Cabinet and the Office of Indigenous Policy Coordination. The group will seek advice from Aboriginal people in developing this framework, including through existing structures established under *Two Ways Together*.
- 21 The governments will provide adequate resources to support capacity at the local and regional levels. The governments will work with Aboriginal people to determine arrangements for Aboriginal consultation and representation.
- 22 Different implementation arrangements may apply in different communities and regions. These arrangements will be informed by the priorities identified by Aboriginal communities and governments.
- 23 A large proportion of Aboriginal people in New South Wales reside in urban areas. Modification to shared responsibility arrangements, representation, programme implementation and access to mainstream services may be required to meet the needs of Aboriginal people.
- 24 As agreed, the collaborative work initiated under the Murdi Paaki COAG Trial continues, and will be brought under the auspices of this agreement.

- 25 The governments agree that funds may be pooled for certain priority initiatives or to meet identified local and/or regional needs, particularly in instances involving new funding or where improved outcomes may be achieved.
- 26 The governments agree to work with agreed representative structures at the local and regional levels in a cooperative and coordinated approach.

Implementation: Actioning the Service Delivery Priorities

- 27 The implementation of this agreement will be through the governments addressing the priorities detailed in this agreement in accordance with the principles of the COAG National Framework and *Two Ways Together*.
- 28 Under this agreement the governments' investment and service delivery will be implemented as follows:

At the Local Level

- 29 Local communities will be responsible for determining their plans and local service delivery priorities in partnership with governments. Shared Responsibility Agreements will be based on agreed local priorities which may feed into, or link with, regional partnership agreements and planning.
- 30 Where appropriate community representation exists, Shared Responsibility Agreements will be made with these groups. In areas which have not formed representative structures, governments will engage with communities directly and may support building capacity to ensure effective engagement.

At the Urban Level

- 31 In the major urban areas, the governments commit to working together to achieve improved outcomes for Aboriginal communities, groups and individuals through both mainstream and Aboriginal-specific programs. Governments will facilitate engagement with Aboriginal people.

At the Regional Level

- 32** Aboriginal communities, in partnership with governments, will be responsible for identifying regional service delivery priorities. The New South Wales Government, through *Two Ways Together* and in partnership with the Commonwealth, will coordinate regional planning and service delivery through Regional Partnership Agreements.

At the State Level

- 33** The Intergovernmental Aboriginal Affairs Group will be a high level strategic direction setting, monitoring and review group.
- 34** The Intergovernmental Aboriginal Affairs Group will be responsible for delivering on priorities and establishing results-based targets consistent with the National Indicators Framework. It will also provide a strategic framework that seeks to match priorities identified in this agreement with local and regional priorities.
- 35** Aboriginal participation in this process will be through a stakeholder group to ensure that the approach adopted for New South Wales continues to meet the priorities and aspirations of Aboriginal people.

Aboriginal Community Representation

- 36** Consistent with the COAG principles, participation will be encouraged wherever possible in local, regional and state level processes.

Information Sharing

- 37** The governments agree to share program and operational information, both between governments and with communities, and to work together to improve the quality of information.
- 38** The governments will provide information to report against the *Overcoming Indigenous Disadvantage* framework and the *Two Ways Together* performance framework.

Dispute Resolution

- 39 Every attempt will be made to resolve disputes at the level at which they occur.
- 40 When disputes cannot be resolved, the issue will be taken to a higher level for consideration.

Duration of Agreement

- 41 This agreement will be in place for a period of five years or unless otherwise agreed by both parties in writing.

Reviewing Progress

- 42 This agreement will be jointly reviewed after three years and can be amended by agreement between the two governments.
- 43 An annual report against the agreed targets that address the priorities of this agreement will be provided to Commonwealth and State Ministers.

EXECUTION CLAUSES	
SIGNED for and on behalf of the COMMONWEALTH OF AUSTRALIA by the Prime Minister of Australia, the Hon John Winston Howard MP. sign here
in the presence of: print name of witness signature of witness
SIGNED for and on behalf of the State of NEW SOUTH WALES by the Premier of New South Wales, the Hon Morris Iemma MP. sign here
..... print name of witness signature of witness

ATTACHMENT A

NATIONAL FRAMEWORK OF PRINCIPLES FOR DELIVERING SERVICES TO INDIGENOUS AUSTRALIANS

All jurisdictions are committed to achieving better outcomes for Indigenous Australians, improving the delivery of services, building greater opportunities and helping Indigenous families and individuals to become self-sufficient. To this end, and in delivering services to Indigenous people, COAG agreed to a national framework of principles for delivering services to Indigenous Australians.

Sharing Responsibility

- Committing to cooperative approaches on policy and service delivery between agencies, at all levels of government and maintaining and strengthening government effort to address Indigenous disadvantage.
- Building partnerships with Indigenous communities and organisations based on shared responsibilities and mutual obligations.
- Committing to Indigenous participation at all levels and a willingness to engage with representatives, adopting flexible approaches and providing adequate resources to support capacity at the local and regional levels.
- Committing to cooperation between jurisdictions on native title, consistent with Commonwealth native title legislation.

Harnessing the Mainstream

- Ensuring that Indigenous-specific and mainstream programmes and services are complementary.
- Lifting the performance of programs and services by:
 - reducing bureaucratic red tape
 - increasing flexibility of funding (mainstream and indigenous-specific) wherever practicable
 - demonstrating improved access for Indigenous people
 - maintaining a focus on regional areas and local communities and outcomes
 - identifying and working together on priority issues.

- Supporting Indigenous communities to harness the engagement of corporate, non-government and philanthropic sectors.

Streamlining Service Delivery

- Delivering services and programmes that are appropriate, coordinated, flexible and avoid duplication:
 - including fostering opportunities for Indigenous delivered services.
- Addressing jurisdictional overlap and rationalising government interaction with Indigenous communities:
 - negotiating bilateral agreements that provide for one level of government having primary responsibility for particular service delivery, or where jurisdictions continue to have overlapping responsibilities, that services would be delivered in accordance with an agreed coherent approach.
- Maximising the effectiveness of action at the local and regional level through whole-of-government(s) responses.
- Recognising the need for services to take account of local circumstances and be informed by appropriate consultations and negotiations with local representatives.

Establishing transparency and accountability

- Strengthening the accountability of governments for the effectiveness of their programmes and services through regular performance review, evaluation and reporting.
- Ensuring the accountability of organisations for the government funds that they administer on behalf of Indigenous people.
- Tasking the Productivity Commission to continue to measure the effect of the COAG commitment through the jointly-agreed set of indicators.

Developing a Learning Framework

- Sharing information and experience about what is working and what is not.
- Striving for best practice in the delivery of services to Indigenous people, families and communities.

Focusing on Priority Areas

- Tackling agreed priority issues, including those identified in the *Overcoming Indigenous Disadvantage* report:
 - early childhood development and growth; early school engagement and performance, positive childhood and transition to adulthood; substance use and misuse; functional and resilient families and communities; effective environmental health systems; and, economic participation and development.

Within this National Framework appropriate consultation and delivery arrangements will be agreed between the Commonwealth and individual States and Territories.

COAG 25 June 2004

