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working world**

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EY Submission to the Productivity Commission on the Draft Indigenous Evaluation Strategy

EY welcomes the opportunity to provide a submission to the Productivity Commission on the recently released *Draft Indigenous Evaluation Strategy (IES)* and its accompanying *issues and background papers*. Our submission makes reference to the *IES* where relevant and draws on key themes and issues discussed in a recent national webinar facilitated by EY on best practice in First Nations evaluation.

EY is one of Australia's largest and leading professional service firms. We employ over 8,000 people in the Oceania region and deliver market-leading services across Tax, Assurance, Consulting and Strategy and Transactions. Our purpose is to **build a better working world**. In simple terms, that means helping our clients, communities and partners where we can, and doing our bit to leave things better than we found them, empowering the communities that we work with and elevating their voice on the matters important to them.

EY's purpose-led Indigenous Sector Practice (ISP), led by Bundjalung man **Joe Hedger**, is made up of First Nations' practitioners and is driven by a commitment to empowering First Nations to secure a better future. Our ISP works closely with, and for, the First Nations sector, as well as the government agencies, corporates and for-purpose organisations that empower them to effectively lead, govern and deliver transformative outcomes for Aboriginal and Torres Strait Islander communities.

Our Oceania Evaluation Practice Network (EPN), led by **Mark Galvin** and coordinated by **Dr Melissa Kaltner**, brings together over 450 research, evaluation and technical specialists across Australia. Drawing on our extensive network of specialist evaluators, we have successfully completed hundreds of evaluation projects for Commonwealth and State government departments and agencies and not-for-profit organisations.

In July 2020, EY's EPN and ISP facilitated a panel discussion exploring best practice in First Nations' evaluation. We were fortunate to have a panel consisting of First Nations' evaluators from the University of New South Wales, the Aboriginal Health and Medical Research Council and EY Tahī (EY's Māori consulting practice, New Zealand), alongside EY ISP. 175 attendees from across Australia and New Zealand joined the session, providing their comments and questions to the panel. In preparing this submission, we draw on our own experience, available research and on the richness of discussion and insight shared throughout this panel discussion, framing the themes we present herein.

Evaluators and agencies responsible for delivering evaluations have a unique and substantial role to play in improving the life-outcomes for First Nations' peoples and communities by informing policy, program and service delivery decisions with the highest quality of insight and assessment.

The *IES* presents a principles-based approach which is welcomed by EY, particularly in the context of the evolving relationship between First Nations' communities and Government, with genuine partnership its core tenet. The framework provided by *IES* encourages not only hearing the voice of First Nations' peoples and communities, but prioritising that voice and centring First Nations' knowledge, perspectives and cultural expertise and community priorities as the foundation of evaluation efforts.

The acknowledgement of the need to place First Nations' knowledge as the central pillar of evaluation is paramount, however, in order to effectively do so, we believe the *IES* must also acknowledge the diversity that exists amongst First Nations' peoples and communities. Perspective, experiences and historical contexts differ vastly across different locations. Allowing for diversity will ensure wide applicability and enforce the rigour of the suggested framework by providing the required amount of flexibility of interpretation and application to meet community need.

The following section provides commentary and consideration on specific aspects of the *IES*.

We have considered the *IES* and provide comment on the objectives of the *IES* and the following actions:

- *Action 1: Agencies should systematically identify evaluation priorities and publish evaluation forward work plans;*
- *Action 3: The Office of Indigenous Policy Evaluation should provide guidance to agencies on conducting evaluation in line with the principles of the Indigenous Evaluation Strategy;*
- *Action 5: Agencies should ensure that they have access to, or are able to collect, the data they need to effectively undertake evaluations under the Strategy; and*
- *Action 8: Agencies should publish an accessible evaluation report summary.*

We also provide comment on some other considerations that were raised during our panel discussion that do not fit neatly into other areas of comment.

The objective of the IES

An objective of the *IES* is that *"... government action that impacts Aboriginal and Torres Strait Islander people should be to improve wellbeing, to ensure that Indigenous people have the capabilities and opportunities to live the life they value, in a society that values and affirms Indigenous peoples' identities, cultures and contributions to Australian nationhood."*

This is an important objective; however, the concept of wellbeing needs to be carefully considered in the context of First Nations' evaluation. We know that core to First Nations' culture is the concept of "community wellbeing", with wellbeing of the individual being intrinsically linked to collective wellbeing. It is our view that in order to effectively define or make an assessment on wellbeing, it must be clearly defined and understood in the context of the First Nations' communities relevant to the evaluation.

It is also important that First Nations' communities must not be discouraged from seeking their own resolutions to the problems that they face as communities, and how such considerations are factored into approaches to evaluation.

Critical to this is the notion of self-determination and how it challenges government and the public sector that supports it, too seriously factor into the policy landscape First Nations' peoples as the drivers of their

own destinies. For First Nations' peoples the opportunity is to shape policy that is going to deliver the outcomes they identify as those most likely to reflect the lives they aspire to live. More broadly, the principles-based approach detailed in the *IES* certainly refers to the need to allow community to define and identify what is important to them: *Table 2. Credible evaluation in practice* stipulates "... draw on the perspectives, priorities and knowledges of Aboriginal and Torres Strait Islander people and communities and acknowledge the diversity of Aboriginal and Torres Strait Islander people". We would encourage extending this point to more clearly articulate the importance of community input as it underpins all evaluation activities, from evaluation design, outcomes measurement through to data collection and analysis.

Action 1: Agencies should systematically identify evaluation priorities and publish evaluation forward work plans

Acknowledging the requirement for government departments and large agencies to release three year evaluation forward workplans, this provides a valuable opportunity for stakeholders to consider improved ways in which they interact, engage and work with and for First Nations' communities. The first set of considerations to be detailed under the forward workplan includes "*how Aboriginal and Torres Strait Islander people, perspectives, priorities and knowledges were centred as part of the prioritisation process*". The concept of "co-design" refers to the way parties work together to design an approach to evaluation. Co-design has progressively become the "default" or commonly used approach for organisations working with First Nations' peoples and communities to evaluate services, programs and initiatives.

We encourage the Productivity Commission's consideration of the following as it concerns co-design:

- Government, corporates and NGOs should exercise caution in defaulting to co-design without understanding the context of the evaluation. Community social, economic and historical contexts should be considered when commencing an evaluation, as well as community capacity to lead either certain evaluation elements or the evaluation as a whole;
- Recognition of power imbalances which are often present. the *IES* may need to acknowledge that not all partners in an evaluation are equal in the co-design process as power imbalances/dynamics exist in these relationships. The *IES* provides an important opportunity to re-define the relationship between the State and community, and reduce the impact of pre-existing power imbalances;
- Understand how community want to be involved in evaluation efforts. Community should have the opportunity to define the ways in which they want to lead, be equal partners, be informed or be involved at all in each individual evaluation. The capacity of community to chart their own course in evaluation will be paramount to supporting self-determination and community control; and
- Recognise the undue pressure that co-design can place on community, in terms of time commitment, knowledge sharing and emotional burden. Further, acknowledging and understanding that First Nations' cultural knowledge should be privileged and be prioritised over western knowledge from the outset and throughout evaluations particularly as it concerns community priorities and outcomes measurement.

These perspectives on co-design apply as much to the policy, program or initiative being evaluated as to the evaluation itself.

Action 3: The Office of Indigenous Policy Evaluation should provide guidance to agencies on conducting evaluation in line with the principles of the Indigenous Evaluation Strategy

We support the intention of the OIPE providing guidance to agencies and other parties conducting evaluations in line with the principles of the *IES*. We also support the guidance and approach outlined in *A Guide to Evaluation under the Indigenous Evaluation Strategy (insert agency- is it OIPE or IES?)*. We would welcome further consideration on the role the OIPE has in building the capability and capacity of First Nations' evaluators both across Government and in community and the role that the suggested assurance and continual improvement exercise presented under Action 3 should play.

Aside from the obvious policy, program, service delivery and informed decision making improvements which can be generated through development of First Nations' evaluation capacity, building the capacity of First Nations' evaluators in the sector provides perhaps the biggest opportunity to deliver appropriate evaluations that drive improved community outcomes. Having First Nations' peoples evaluating programs with and for First Nations' peoples and communities is inherent to self-determination and empowering First Nations' people. The deep insights and intelligent cultural nuancing First Nations' evaluators can bring would play a fundamental role in improving the quality of policy and programs, as well as signalling the value government places on this critical aspect of evaluation.

We believe the guidance provided by the OIPE to agencies should consider and be built upon the acknowledgement that evaluation methods, techniques and approaches will differ in light of the location and the nature of the program to allow for both geographical considerations and community specific considerations to feature. We know that local, place-based and community designed approaches are more successful than standard approaches across program, policy and service delivery and that applies equally to evaluation approaches.

Action 5: Agencies should ensure that they have access to, or are able to collect, the data they need to effectively undertake evaluations under the Strategy

EY supports the core tenet of Action 5, being the way that data is collected, managed and disseminated needs to be front of mind and considered holistically as a part of design of the program or service and revisited prior to commencing an evaluation. The concept of First Nations' data sovereignty has been the focal point of many recent conversations and its importance cannot be understated. Action 5 states "...appropriate Indigenous data governance arrangements, including partnering with Aboriginal and Torres Strait Islander people in the development, collection, use and management of data".

Consistent with the prevailing views of Aboriginal communities themselves, we believe that all matters pertaining to First Nations' data sovereignty are becoming profoundly critical, and we encourage the Productivity Commission to consider the role the *IES* can play in facilitating best practice approaches to First Nations' data sovereignty. We would envisage a framework that stipulates or provides guidance on the different types of data ownership models which are considered better practice to enable First Nations' communities to retain and maintain their knowledge and data to the benefit of community. At a minimum, guidance regarding the below mentioned would be supported:

- The rights of First Nations' peoples to maintain, control, protect and develop their knowledge, cultural knowledge, experiences and expressions as well as any related intellectual property;
- First Nations' communities to retain custody of their data in a manner that enables readily access and where appropriate, to be preferably located on country in their community;
- What constitutes meaningful consent in collecting data for research/evaluation and publication;
- Ethical and legal responsibility of researchers, evaluators and institutions to ensure community have control over data, can meaningfully access data and have the opportunity to engage with the data in a way that is meaningful and interpretable to them; and
- Ensuring communities have the capacity to use data to inform decision making.

Historically, in the context of evaluation communities have been exploited with little positive benefit arising from use of their data. The IES now has the opportunity to re-define how communities become empowered to be custodians of their data, on country, where knowledge and data is accessible and applied in ways that best support the aspirations of those communities. Acknowledging the breadth of well-intentioned evaluation work conducted to date, whereby evaluations are conducted with the right intentions, also requires the acknowledgement that previous approaches have stripped First Nations' peoples and communities of their intellectual property alongside frequent overt exploitation of data they have contributed.

Action 8: Agencies should publish an accessible evaluation report summary.

The addition of Action 8 is supported by EY. Consistent with best practice guidance, we are of the view that the outcomes of all evaluations affecting First Nations' peoples and communities should be disseminated in a way that is easily accessible and best suits the needs of community. For example, plain English documents, visual representations, verbal presentations – with the most effective solution to be defined by community. This point relates to a broader issue faced by many First Nations' communities, of evaluators not “closing the loop” and ensuring communities are informed of outcomes and insights.

In our recent work supporting the Commonwealth to improve permanency outcomes for children and young people in the out-of-home-care system, we partnered with SNAICC, the peak body for First Nations' child protection to engage with the First Nations' child protection sector in each state and territory. As a part of this work, a focus on “closing the loop” and keeping our stakeholders informed about what we heard, ensuring correct interpretation and updating on progress of the work was crucial.

The Productivity Commission may consider adopting the similar arrangements from best practice for every relevant evaluation or study. This could be achieved by a specific requirement to describe how evaluation results will be returned to the communities concerned, as well as a commitment to continuous engagement as defined by the community itself.

The Guidelines for Ethical Research into Indigenous Australian Studies, developed by the Australian Institute of Aboriginal and Torres Strait Islander Studies, offers what we consider to be a suitable framework to address these concerns.

Other considerations

- We encourage the Productivity Commission to consider how to best encourage a strengths-based approach that looks at the assets of communities rather than deficiencies;

- Outcomes measurement should consider a holistic view of the community and move beyond a narrow, simplistic set of indicators (employment, incarcerations and education for example) and consider how to tie outcomes together as a part of a holistic community wellbeing approach. Further, outcomes measures should be set by community to enable capture of those outcomes that matter most to community, empowering community to shape ongoing program and service delivery in ways that meet community needs;
- There is a potential inherent risk associated with attempting to translate from First Nations' languages to English. Subtle but important nuancing can be lost so it is essential to look at ways to capture the intent and power of what's been conveyed and translate it in a way that does not diminish the impact;
- We suggest the Productivity Commission develop guidance for government department's for designing tenders that involve evaluation of First Nations' issues. This could include, for example, a requirement that suppliers indicate in their response how they will use First Nations' evaluators, recognising the potential that procurement has in being able to generate opportunities that wouldn't otherwise be available.
- Given the challenges facing access to First Nations' communities arising from COVID-19, we would encourage the Productivity Commission to consider how online and other digital capabilities are factored into undertaking First Nations' evaluation, and what support First Nations' communities may require to properly interface in this new environment; and
- Consideration be given to establishing a centre of excellence for First Nations' evaluators, providing a mechanism for building a pipeline and critical mass of First Nations' evaluators

To conclude, we welcome the Draft *IES* as an important step in the right direction to improving life outcomes for Indigenous people and communities. We welcome the release of the *IES* and the rigour and continuity it will provide. EY's approach to evaluation is aligned to the principles-based approach presented in the Draft *IES* which works to empower First Nations' communities. The evaluations we conduct that involve First Nations' peoples and communities are led by our First Nations' evaluators, we are committed to doing our part to elevate the voice of First Nations' peoples and communities and our approach to evaluation to date reinforces our commitment to improving life-outcomes for First Nations' peoples.

As a firm, we recognise the role we have to play and are on a continual journey to understand how we can use our organisational reach, capability and capacity to be an enabler to community, an objective and frank partner to Government and policy makers and a facilitator of change and a positive influence on the professional services sector. As a firm, now more so than ever we need to be guided by our values of integrity, respect and courage, strong in our positions and play our part in driving positive outcomes for First Nations' peoples.

We look forward to continuing to work in a consistent manner with the *IES* to deliver evaluations led by strong Aboriginal and Torres Strait Islander evaluation teams which strengthen communities to thrive.

If you require any further information regarding this submission, please do not hesitate to contact any of the below signatories



Mark Galvin

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Joe Hedger

Leader, Indigenous Sector Practice

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