

## Submission

# Review of the National Agreement on Closing the Gap (Review paper 2) – Productivity Commission

*\*\*In this document, unless quoting directly, the term Aboriginal is used in preference to the term Aboriginal and Torres Strait Islander, in recognition that Aboriginal people are the original inhabitants of Western Australia. For the purpose of this document, the term Aboriginal is also respectfully inclusive of Torres Strait Islander peoples.*

The Aboriginal Health Council of Western Australia (AHCWA) and the AHCWA Social Services Committee (the Committee) welcome the opportunity to provide a submission to the Review of the National Agreement on Closing the Gap (National Agreement), which is led by the Productivity Commission.

AHCWA is the peak body for 23 Aboriginal Community Controlled Health Services (ACCHS) in Western Australia (WA). WA ACCHS are located across geographically diverse metropolitan, regional and remote locations. They deliver the most effective model of comprehensive primary health care for Aboriginal people and are in a unique position to identify and respond to the local, cultural and health needs of Aboriginal people and their communities. AHCWA exists to support and act on behalf of its 23 Member ACCHS, actively representing and responding to their individual and collective needs.

Currently, AHCWA is the only formal Aboriginal community-controlled peak body in WA, and the only WA peak body represented on the Coalition of Aboriginal and Torres Strait Islander Peak Organisations (Coalition of Peaks).

In order to increase the representation of Aboriginal community-controlled organisations (ACCOs) in WA, the AHCWA Social Services Committee, comprising of AHCWA Board members and independent Aboriginal representatives, is leading the development of a Western Australian ACCO Peak Body.

This submission provides comments concentrating on Review paper 2, which outlines a proposed approach and invitation to engage with the review. In particular, this submission will outline concerns regarding the review process, as well as principles and practices of engagement, and subsequently provide recommendations to improve the review of the National Agreement.

AHCWA believes that a well-designed review process will ensure that the review is not relegated to a generic reporting function of the National Agreement, but rather be utilised as an opportunity to identify and action areas for improvement. This will ultimately ensure that genuine progress under the





National Agreement can occur as efficiently and effectively as possible, so that tangible and innovative changes can be felt as soon as possible.

### **Observations of government engagement since the National Agreement**

The commencement of the National Agreement has meant that government is now publicly held to account for the delivery of identified outcomes and policy commitments under the National Agreement. In reality, however, government still fails to prioritise funding, in particular to ACCOs and Aboriginal stakeholders, and operations under the National Agreement, with very few commitments having been delivered on schedule.

**Recommendation:** Government needs to invest the same earnest rigour and determination to commitments made under the National Agreement that drives its deliverables in other sectors, such as mining and civil infrastructure.

In theory, mechanisms like the Partnership Working Group, which brings together Commonwealth, State and Territory governments, as well as the Coalition of Peaks, enable the Coalition of Peaks to hold governments accountable to their commitments and obligations under the National Agreement. However, government is often pushing back timelines and deliverables, which in turn delays the implementation of the National Agreement.

**Recommendation:** Governments need to respect timelines and deliverables in the same way that they expect Coalition of Peaks' members to meet deadlines. It is not good enough that governments fail to meet deadlines and expect the Coalition of Peaks to make up for lost time through reduced consultation and engagement.

In general, government has improved the way in which it includes Aboriginal people and communities in decision-making, and has initiated discussions to change behaviour at all levels of government. However, many changes have barely progressed beyond the conversation stage – thus far, AHCWA hasn't seen any reports showing agency-level or systemic changes.

**Recommendation:** Government agencies need to be transparent about the cultural changes being implemented at all levels. This must include reporting on progress under the Priority Reforms, which are often overlooked by governments in favour of reporting on socioeconomic targets. Governments broadly also need to commit to actively involving Aboriginal people and communities from the inception of a project or potential project, rather than only engaging once a project has been decided upon.

### **Review process**





The Commonwealth Closing the Gap Annual Report 2022 was unable to report on progress for eight of the 17 socioeconomic targets, citing unavailable data. The whole premise of the National Agreement depends on progress being transparently measured for each outcome area, so without access to the very data needed to make these assessments, it is inconceivable that these reforms could be considered ‘productive’ in any way.

Government cannot commit to transparent reporting, while also knowing that half of the required data will not be made available.

**Recommendation:** The Government needs to either change its commitments to reporting under the National Agreement to reflect what it can realistically achieve, or change the way in which data is made available and presented, so it can deliver on its commitments.

In addition to this, the socioeconomic outcomes need to be disaggregated, measured and reported in the context of different demographics. For instance, while progress on outcomes should be reported in connection to their relevant sectors, it should also be reported in relation to geographical regions and Aboriginal community groups. Providing data analysis based on each state/territory will not tell the full story; an initiative might work well in some Aboriginal communities, but it might not be effective or culturally appropriate in others. If this level of detail is not reflected in the review, recommended changes will be unlikely to be any more effective than past initiatives as they will not take into account the unique needs of each Aboriginal community.

**Recommendation:** Reporting on socioeconomic outcomes must be disaggregated to reflect levels of effectiveness in individual Aboriginal communities.

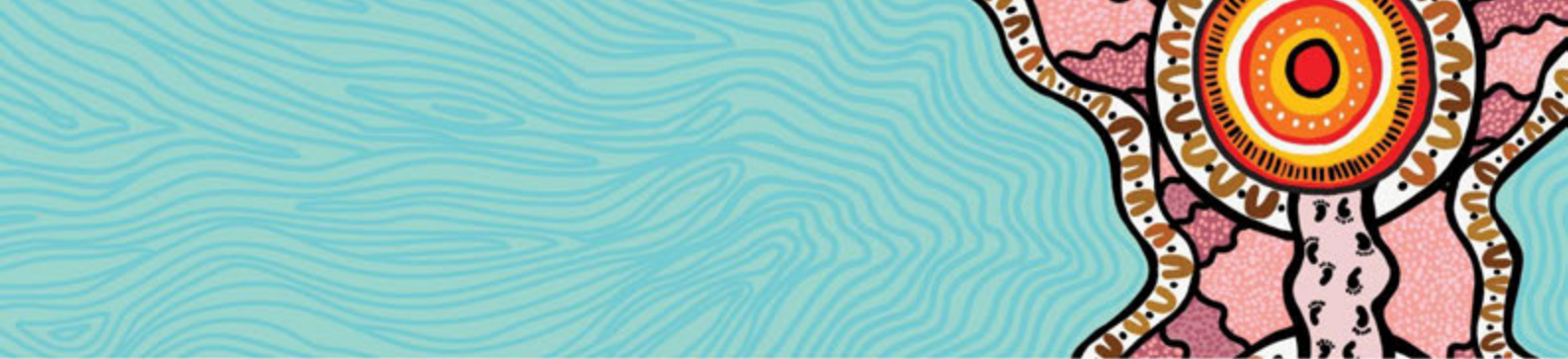
Focusing on progress against the Priority Reforms is appropriate and essential, however some jurisdictional Closing the Gap Implementation Plans do not include many measurable actions for the Priority Reforms. This means it will be difficult to report on delivery progress.

**Recommendation:** The review must clearly identify scenarios where there are insufficient measurable action items to accurately measure progress under the National Agreement, and recommend the responsible jurisdiction make appropriate adjustments to future Closing the Gap Implementation Plans.

Using case studies in the review to understand progress does not amount to transparent reporting unless examples of unsuccessful case studies are also used – and even then, using case studies relies on the subjective selection of particular cases. There would need to be a substantial number of case studies included in the review to accurately represent the variety of initiatives and varying levels of success achieved by them. The proposed approach does not identify how case studies will be selected.

**Recommendation:** Case studies should be used sparingly in the review to demonstrate both positive and negative examples of the implementation of initiatives under the National Agreement, and should





also reflect differing outcomes in different communities; one case study cannot be used to indicate the success of an initiative just because it generated a positive outcome in one community. Critically, case studies should not be used as evidence of positive or negative outcomes in lieu of definitive data reporting.

The proposed review approach outlined in the review paper suggests it is not feasible to assess each of the action items in each jurisdiction's Closing the Gap Implementation Plans. This would directly contravene the National Agreement's Terms of Reference, which indicate that the review must 'analyse progress against all socioeconomic outcome areas in the Agreement'. Each jurisdiction was required to report on the action items in their annual reports, so it should only be a matter of compiling this information. If the review is intended to comprehensively report on progress under the National Agreement, governments should be held to account for each action item they committed to achieving.

**Recommendation:** The review of the progress on the implementation of the National Agreement should assess the success of each action item committed to by government.

Focussing on socioeconomic outcomes that have available data means those socioeconomic outcomes that are in most need of analysis and potential action will be ignored. It is unacceptable that many socioeconomic outcome areas do not have available data.

**Recommendation:** Government must commit to ensuring relevant data is available for reporting purposes from 2023. Socioeconomic outcomes that cannot be measured using available data should not have been included in the National Agreement if there was not a genuine commitment from government to report transparently on their progress.

### Principles and practices of engagement

The proposed engagement approach for the review suggests that feedback will be shared publicly, enabling interested stakeholders to see what feedback has been provided so far and by whom. However, some stakeholders would prefer to provide feedback anonymously, and might be hesitant to share input, if there are no other alternatives.

**Recommendation:** Ensure stakeholders have the opportunity to provide feedback to support the review of the National Agreement anonymously.

It is currently unclear, how it will be ensured throughout the review process, that there are adequate opportunities for all Aboriginal people to provide feedback and comments, and what strategies will be implemented to facilitate engagement.

In addition to this, it is not evident, how the Productivity Commission will ensure that feedback and input is being obtained from Aboriginal people and communities that are actually involved in, or are impacted by, the initiatives and implementation activities of the National Agreement that are being reviewed.



**Recommendation:** Ensure there is flexibility in the format for submissions, for instance, enable people to provide feedback verbally, in writing, face-to-face, etc. Furthermore, engagement materials should be disseminated widely within communities and in language. Local contacts and stakeholders should be used to raise awareness. This is particularly essential to ensure that rural and remote communities are appropriately included in the review process.

The current proposed engagement approach suggests that ‘enough time and additional information’ will be provided to ensure that Aboriginal people and communities have the opportunity to provide input, and that a diversity of feedback is obtained. However, past experience of government consultation processes suggests that government has a different idea of what constitutes ‘enough time’.

**Recommendation:** Ensure that stakeholders have at least 6 weeks to provide feedback and input into the review of the National Agreement.

At present, the review paper, as well as other consultation documents, are not accessible or culturally appropriate. In addition to this, as mentioned before, there are currently no consultation documents available in language.

**Recommendation:** In order to promote inclusive consultation, engagement materials should highlight key themes and questions and be in Plain English or in language.

AHCWA would like to seek clarification whether there will be opportunities throughout the review process to review and comment on findings and proposed recommendations, before they are progressed. There needs to be adequate time and occasions built into the review process, so that stakeholders can be involved actively in all of the stages of the review process.

**Recommendation:** Clearly indicate when further opportunities for review will arise before recommendations are finalised.

Finally, it needs to be visibly articulated how the review of the National Agreement led by the Productivity Commission and subsequent findings will be interacting with the Aboriginal and Torres Strait Islander-led review of the National Agreement. Consideration should be given to how both reviews will be acted on moving forward leading to progress and change, ensuring that the review conducted by the Productivity Commission is not adopted as the benchmark, while the Aboriginal and Torres Strait Islander-led review is relegated as just ‘ticking a box’.

**Recommendation:** Government must be transparent, about how information obtained in the review led by the Productivity Commission, as well as the Aboriginal and Torres Strait Islander-led review will be used, and how potential conflicting findings or recommendations will be managed. This process must be co-designed with Aboriginal people and communities.