



## Review of the National Agreement on Closing the Gap

# Tracking progress

## Information paper 6

Draft report



**The Productivity Commission acknowledges that Aboriginal and Torres Strait Islander people are the first storytellers of this land and Traditional Owners of Country on which we now live and work. We recognise their continuing connection to lands, waters, communities and cultures. We pay our respects to Aboriginal and Torres Strait Islander cultures, and to Elders past and present.**

**Aboriginal and Torres Strait Islander people should be aware that this report may contain the names of people who have since passed away.**

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An appropriate reference for this publication is:  
Productivity Commission 2023, *Review of the National Agreement on Closing the Gap*, Draft Report, Information Paper 6, Canberra, July


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# Contents

<b>Key points</b>	<b>4</b>
<b>1 Knowing the Agreement is making a difference</b>	<b>5</b>
<b>2 Is there a shared understanding of the purpose of performance monitoring?</b>	<b>12</b>
<b>3 Does the performance framework have a clear conceptual logic?</b>	<b>16</b>
<b>4 Is the measurement approach balanced and fit-for-purpose?</b>	<b>20</b>
<b>5 Are clear and appropriate data governance arrangements in place?</b>	<b>35</b>
<b>6 Is reporting providing the information that is needed in an accessible way?</b>	<b>44</b>
<b>Attachment A - The Agreement's outcomes and targets</b>	<b>56</b>
<b>References</b>	<b>59</b>


## Key points

 **The performance monitoring approach of the National Agreement on Closing the Gap (the Agreement) is intended to drive government effort and provide public accountability for progress, but the design of its targets does not enable this.**

- The Agreement's targets are intended to be met at the national level, but jurisdictions have not agreed to how much they will each contribute to achieving them. This weakens their purpose as an accountability mechanism.
- Without regional disaggregation of target data, communities cannot hold states and territories to account for the equitable distribution of progress across diverse regions.

 **The logic that describes how the Priority Reforms will improve socio-economic outcomes for Aboriginal and Torres Strait Islander people needs to be explicitly articulated and applied to the performance monitoring approach and implementation plans. Without this, it is difficult to assess whether and how proposed actions will contribute to material change.**


- Without a clear understanding of the link between reforms and outcomes, governments will continue to focus their efforts on improving socio-economic outcomes without recognising the transformative change required in their ways of working to advance culturally appropriate policies and services.

 **The performance monitoring framework identifies hundreds of indicators without a clear rationale for their inclusion. Without a conceptual logic to guide indicator selection, there is a risk that performance data will fail to track changes that are critical to progress under the Agreement.**

- Most indicators are yet to be reported. There is no data reported on the Priority Reforms and limited data reported on the cultural determinants of life outcomes.
- This means reporting remains focused on the socio-economic targets rather than the key factors influencing change. This risks reinforcing business-as-usual policy effort and narratives attributing problems to Aboriginal and Torres Strait Islander people, rather than government action or inaction.

 **Responsibility for new data development is split across multiple working groups and organisations without clear accountabilities.**

- Data governance arrangements could be improved by consolidating responsibility for coordinating new data development under one organisation. This organisation should have the resourcing and capability to engage data custodians and Aboriginal and Torres Strait Islander organisations and communities in developing appropriate solutions.

 **Governments' annual reports and implementation plans are often inconsistent and do not adhere to requirements set out in the Agreement. This makes it difficult for them to be used by the community to understand what actions governments are taking and whether these actions improve outcomes.**

- Implementation plans contain long lists of actions but provide little explanation of how they will collectively achieve the scale and pace of change that is needed and embed the Priority Reforms across all government entities.

## 1 Knowing if the Agreement is making a difference

The National Agreement on Closing the Gap (the Agreement) includes a performance monitoring approach that is intended to drive government effort and provide public accountability on whether actions are making a difference to the lives of Aboriginal and Torres Strait Islander people.

Performance monitoring has been a key pillar of national agreements since the introduction of the Intergovernmental Agreement on Federal Financial Relations in 2008. The fundamental assumption behind the introduction of outcomes-based performance monitoring was that it would enable innovation and improvements in service delivery by making jurisdictions accountable for outcomes while reducing prescriptions for state and territory service delivery (COAG 2008, p. 1). While difficult to test empirically, performance monitoring is promoted for its potential to:

- clarify objectives and priorities through the definition of outcomes and targets
- support transparency and public accountability by routinely providing performance information to the community
- galvanise effort by focusing attention on key reforms and outcomes
- support learning, improvement and innovation through routine data collection and analysis and the flexibility to adapt service delivery to achieve outcomes.

However, if not done well, performance monitoring also risks distorting policy efforts by incentivising risk-aversion, diluting accountability, narrowing focus, and siloing effort (Garlatti et al. 2018, pp. 47–48). Investment in data collection and reporting processes and systems can also entail significant costs. To be most useful, performance monitoring must be embedded in decision-making and performance management practices that promote timely critical reflection and learning (Goh 2012, p. 36). It should also be supplemented by rigorous evaluation that integrates other forms of evidence to identify the effects of policy efforts and the factors that enable or constrain progress.

Ultimately, while performance monitoring can facilitate transparency and learning about progress, it cannot substitute for a shared understanding and commitment to reform.

### The approach to performance monitoring in the Agreement

The Agreement's performance monitoring and reporting approach is set out across chapters 7, 8 and 9 of the Agreement. Chapter 7 – 'Knowing we are making a difference' – establishes the outcomes the Agreement is seeking to achieve and how progress against them will be tracked.

The framework is divided into separate 'target frameworks' for the Priority Reforms and socio-economic outcomes (tables A and B, respectively). The Priority Reforms focus on measuring the changes governments are making in the way they are working, while the socio-economic outcomes measure the changes experienced by Aboriginal and Torres Strait Islander people (clause 79). The framework includes the following elements (figure 1).

- **Outcome statements** describe the **four** Priority Reforms and **17** socio-economic outcomes that the parties have committed to achieving.
- **Targets** define the specific and measurable goals for each of the outcomes. The targets are the key measures that government parties are publicly accountable for achieving. They typically specify the amount or rate an indicator must change within a defined period. There are **23** targets in total, with each Priority Reform and socio-economic outcome having at least one target (attachment A).

- **Supporting indicators** provide more information on how governments are performing against the outcomes. They are described in general terms and require the specification of **measures** to define how they will be quantified and what data is needed. The framework identifies **164** supporting indicators in total.
- **Disaggregations** specify how each of the targets will be broken down to understand where progress is being made and where greater effort is needed (for example, by different geographic areas and population groups).
- **Data development items** are concepts that would provide a better understanding of the outcome areas but require work to develop the approach and data so that they can be measured.

Chapter 7 of the Agreement also commits the parties to establishing a plan to advance the ‘data development items’ identified in the performance frameworks. Specifically, the parties were required to prepare a **data development plan (DDP)** that prioritises development actions, assigns responsibilities and sets clear delivery timelines.

As section 4 discusses, **most of the measures specified in the frameworks are yet to be reported on** – as of July 2023, there is no progress data reported for any of the Priority Reforms, four of the socio-economic targets and the majority of the supporting indicators.

**Figure 1 – Key elements of the Agreement’s performance frameworks**

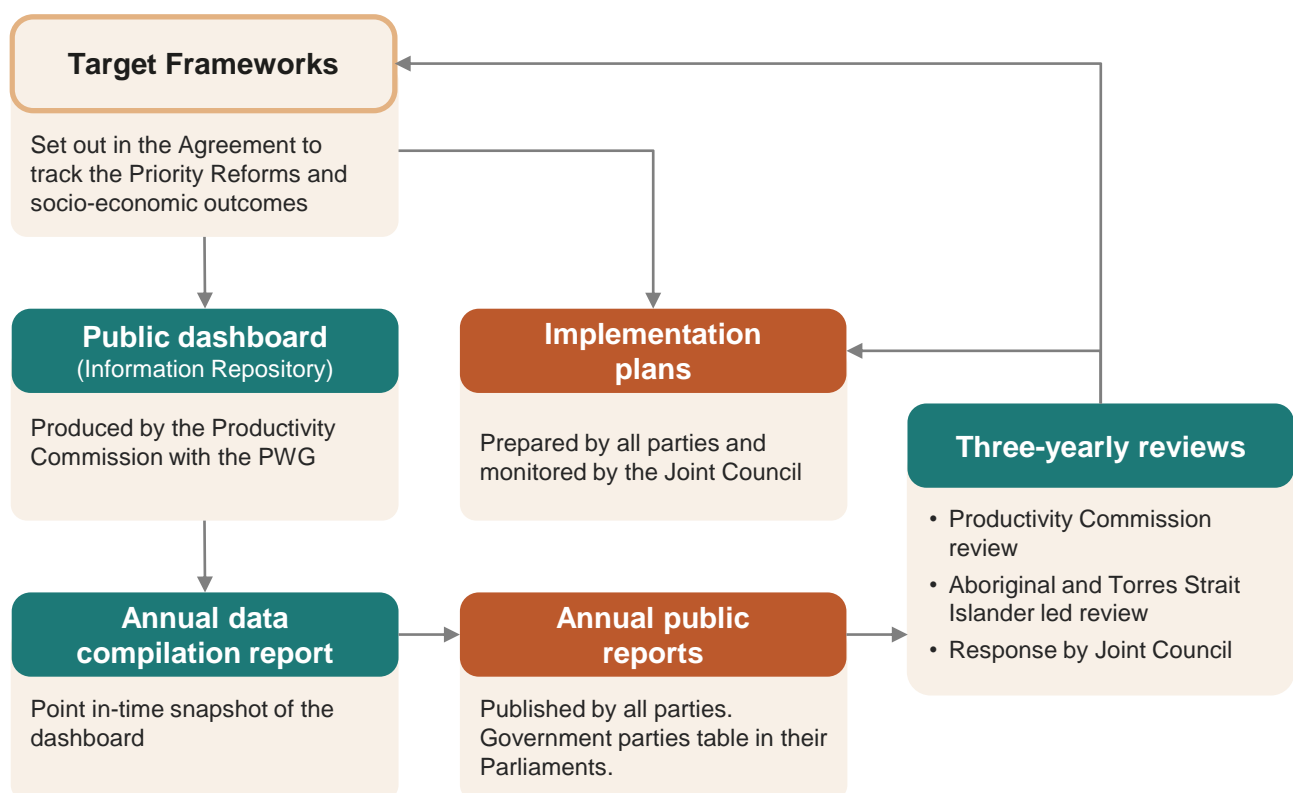
Target Frameworks	Priority Reforms	Socio-economic outcomes
<p><b>Outcome statements:</b> <i>The changes the Agreement is seeking to achieve</i></p>	<p><b>4 Priority Reforms</b></p>	<p><b>17 outcome areas</b></p>
<p><b>Targets:</b> <i>The specific measurable goals that governments are accountable for achieving.</i></p>	<p>Key measures of the changes governments are making in the way they are working</p>	<p>Key measures of the changes in life outcomes for Aboriginal and Torres Strait Islander people</p>
<p><b>Supporting indicators:</b> <i>Measures that provide greater insight into how governments are tracking</i></p>	<p>Includes indicators that:</p> <ul style="list-style-type: none"> <li>• track how the Priority Reforms are being implemented, and</li> <li>• track the outcomes experienced by Aboriginal and Torres Strait Islander people</li> </ul>	<p>Includes indicators that:</p> <ul style="list-style-type: none"> <li>• track the <b>Drivers</b> that significantly affect whether a target will be met; and</li> <li>• provide <b>Contextual information</b> about the experiences of Aboriginal and Torres Strait Islander people</li> </ul>
<p><b>Disaggregations:</b> <i>How the targets will be broken down for reporting</i></p>	<p>By jurisdiction and socio-economic outcome area</p>	<p>By population group/cohort and geographic areas</p>
<p><b>Data development items:</b> <i>Measures that require further work to be developed</i></p>	<p>Additional concepts that will provide a better understanding of the Priority Reforms</p>	<p>Additional concepts that will provide a better understanding of the socio-economic outcomes</p>

Chapter 8 of the Agreement establishes how the parties must set out what they will do to implement the Agreement, while chapter 9 establishes the arrangements for publicly reporting on their actions and progress. The main mechanisms include (figure 2):

- **implementation plans** that are developed by each party to the Agreement that are meant to rigorously set out how they will achieve the Priority Reforms and socio-economic outcomes
- a publicly accessible **dashboard** maintained by the Productivity Commission and underpinned by an information repository that provides up-to-date information on the targets and indicators in the monitoring framework. A point-in-time snapshot of the dashboard is also to be provided in an **annual data compilation report (ADCR)**
- **annual reports** that are prepared by each party to publicly self-report on the actions that they have taken to implement the Agreement and their progress against the targets (based on data from the dashboard and ADCR)
- **reviews**, including an independent review conducted by the Commission and an Aboriginal- and Torres Strait Islander-led review, to be completed every three years and responded to by the Joint Council on Closing the Gap (Joint Council).

The Agreement allows for the three-yearly reviews to provide advice to the Joint Council on potential changes to the target frameworks. The Joint Council can also approve changes to the frameworks found to be necessary from data development work.

**Figure 2 – The Agreement's reporting mechanisms**



## The performance monitoring approach sought to address some of the issues with the previous approach under the National Indigenous Reform Agreement

The Agreement's approach to performance monitoring is an evolution of the approach in the National Indigenous Reform Agreement (NIRA). Reviews of the NIRA informed the development of the new performance monitoring approach under the Agreement (box 1).



### Box 1 – Lessons from the performance monitoring approach in the National Indigenous Reform Agreement (NIRA)

The NIRA's performance monitoring approach was broadly seen as bringing unprecedented attention to outcomes for Aboriginal and Torres Strait Islander people (NIAA 2019, p. 1) and was perceived by some as effective in mobilising effort made by governments to achieve the outcomes (Nous Group 2014, p. 45). Some of the identified strengths of the NIRA performance monitoring approach were that it:

- utilised a building block approach<sup>a</sup> that recognised a joint need for action across portfolios and the interconnectedness of outcomes (NIAA 2019, p. 2)
- established high-level outcomes and targets that identified key priorities and initially prompted strategic investment (NIAA 2019, pp. 2, 6)
- implemented robust processes for collecting and reporting data on the targets and managing data quality (ANAO 2019, p. 9).

However, the NIRA's performance monitoring approach also had its weaknesses. These included:

- limited engagement with Aboriginal and Torres Strait Islander people on the design and implementation of the approach (ANAO 2019, p. 9)
- only including outcomes for individuals (that did not account for structural inequities), which contributed to a deficit-based narrative and omitting important outcome areas (such as culture and justice) (Murawin 2019, pp. 22–23)
- setting targets that were unrealistic about how soon improvements could be achieved and did not account for, or provide an understanding of, regional variation (Biddle et al. 2017, p. 2)
- a lack of indicators that measured the performance of government policies and programs or the drivers that contributed to achieving the targets (NIAA 2019, p. 5)
- policies and programs were not directly linked to the elements of the performance framework (ANAO 2019, pp. 8–9)
- a failure to establish an evaluation framework to measure the impact of policies and programs on the targets (ANAO 2019, p. 10).

a. The NIRA contained seven strategic 'building blocks' supporting the Closing the Gap targets: early childhood, schooling, health, economic participation, healthy homes, safe communities, and governance and leadership. Each building block had identified outcomes (SCRGSP 2009, p. 12).

Many of the weaknesses in the NIRA performance framework were found to reflect the Australian, state and territory governments' lack of engagement with Aboriginal and Torres Strait Islander people in its design (ANAO 2019, p. 22; Murawin 2019, p. 21; NIAA 2019, p. 5). When the NIRA was refreshed, Aboriginal and Torres Strait Islander peak bodies and communities successfully advocated for a performance monitoring approach founded on formal partnership (box 2).





## **Box 2 – Engaging Aboriginal and Torres Strait Islander people in the design of the performance monitoring framework**

The process to refresh the National Indigenous Reform Agreement (NIRA) commenced in late 2017 and included a series of meetings and roundtables with Aboriginal and Torres Strait Islander people (DPMC 2019, pp. 166–167).

- In February 2018, the Special Gathering of Prominent Aboriginal and Torres Strait Islander Australians produced a statement for the former Council of Australian Governments (COAG) recommending priority areas for the next phase of Closing the Gap.
- These priorities served as the foundation for further community consultations, including 18 national roundtables with over 1000 people in state capital cities and regional centres across Australia, culminating in a national peaks workshop in April 2018.
- In May and June 2018, the Australian Government hosted a series of technical workshops to develop targets and indicators, informed by 170 public submissions. These were attended by officials from all jurisdictions and subject matter experts, including representatives from Aboriginal and Torres Strait Islander organisations and communities, academics and practitioners.
- A second series of national consultations on the outputs of those workshops followed.

A draft version of the new Agreement’s performance framework was issued at the December 2018 COAG meeting (Coalition of Peaks 2020, p. 74). It included 12 outcomes and 15 draft targets which had been refined from 23 targets that were considered in earlier technical workshops (Coalition of Peaks 2019, p. 22).

In March 2019, the Partnership Agreement on Closing the Gap was established between the Australian, state and territory governments, the Coalition of Aboriginal and Torres Strait Islander Peak Organisations (the Coalition of Peaks) and the Australian Local Government Association (ALGA) to enable shared decision-making with Aboriginal and Torres Strait Islander people in developing, implementing and monitoring the new National Agreement. Following this, the Coalition of Peaks was engaged as a partner in developing the new performance monitoring approach.

- In 2019, the Partnership Working Group (PWG) reviewed the NIRA performance monitoring framework with a view of understanding its strengths and weaknesses to inform the creation of the new agreement (NIAA 2019, p. 1).
- The Coalition of Peaks undertook engagement with Aboriginal and Torres Strait Islander people, communities, and organisations to gather their feedback on the draft COAG targets. There were a range of responses; however, the general feedback was that changes were required to the outcomes, measures and focus of the targets (Coalition of Peaks 2020, p. 74).

The Coalition of Peaks and Australian governments agreed that the feedback from the engagements would be reviewed by the Joint Council on Closing the Gap with the intention that the Joint Council undertake a deliberative process to ensure the draft Agreement fully reflected the perspectives of the engagements (Coalition of Peaks 2020, p. 89). The PWG was progressively provided draft sections of the engagement summaries by the Coalition of Peaks to allow adequate time to properly consider the feedback in the drafting of the Agreement.



## **Box 2 – Engaging Aboriginal and Torres Strait Islander people in the design of the performance monitoring framework**

In reflecting on the development of the performance monitoring approach, the Coalition of Peaks noted:

The general process of negotiation of the targets and indicators was not convened as well as it could have been and was truncated in time. Further, the targets and indicators were designed around existing data sets and not necessarily what the best measures might be. The Coalition of Peaks wanted to ensure that existing targets and data sets were maintained so that long term trends could be tracked. However, we would have preferred additional time being allocated to all parties for a more in detail consideration of measuring and monitoring the socio-economic targets. However, on balance, the Coalition of Peaks determined that it was more important to reach agreement and focus on changing the way governments work, through the Priority Reforms. Without changing the way governments work, we will not see improvements in the lives of Aboriginal and Torres Strait Islander people and communities. On the targets and indicators, and as a way to continue the discussion with governments, it was agreed to develop a ‘data development plan’ and to update the indicators as more data became available over time. (Coalition of Peaks, pers. comm., 5 July 2023)

The resulting framework sought to maintain and update some existing NIRA targets to ensure continuity and the ability to track outcomes over longer timeframes (such as life expectancy, early childhood education, educational attainment, employment). It also sought to incorporate outcomes identified as important in engagements with Aboriginal and Torres Strait Islander people, both in terms of community understandings of wellbeing (connection to Country and culture) and areas requiring improved government effort (child protection, criminal justice, mental health) (Coalition of Peaks, pers. comm., 5 July 2023). The most notable change was the addition of the Priority Reforms targets and indicators to monitor change in governments’ ways of working with Aboriginal and Torres Strait Islander people, a key priority identified in engagements (Coalition of Peaks 2020).

After the signing of the Agreement, the Joint Council endorsed indicators for the four Priority Reforms (with measures still to be developed), a revised target (family violence) and a new target (access to information) (Joint Council 2020, p. 2), and more recently has endorsed another new target (community infrastructure) (Joint Council on Closing the Gap 2021, p. 1). Following Joint Council endorsement, the targets were recommended to First Ministers, the Lead Convenor of the Coalition of Peaks and the President of ALGA for inclusion in the National Agreement.

## **The Commission’s approach to reviewing performance monitoring under the Agreement**

The Commission’s approach to reviewing the Agreement’s performance monitoring approach focuses on five key questions.

- Is there a shared understanding of the purpose of performance monitoring?
- Does the performance framework have a clear conceptual logic?
- Is the measurement approach balanced and fit-for-purpose?
- Are clear and appropriate data governance arrangements in place?
- Does reporting provide the information that is needed in an accessible way?

Underpinning these questions is the principle of centring the voices of Aboriginal and Torres Strait Islander people (box 3). This is the key lens through which the Commission has assessed the Agreement's performance monitoring approach.



### Box 3 – Centring Aboriginal and Torres Strait Islander people, perspectives and knowledges in performance monitoring frameworks

For the National Agreement on Closing the Gap, centring Aboriginal and Torres Strait Islander people, perspectives and knowledges is fundamental to a well-designed performance monitoring approach. The logic behind this is grounded in both ethics and efficacy. Ethically, it affirms Aboriginal and Torres Strait Islander people's right to participate in decision-making about matters that affect them, recognising that people value and understand outcomes differently. This right is enshrined in the *United Nations Declaration on the Rights of Indigenous Peoples* (UNDRIP), to which Australia is a signatory. In regards to efficacy, there is evidence that policies and programs that directly engage people affected in their design, implementation and evaluation achieve better outcomes (RCPDCNT 2017, vol. 1 p. 256). This is because people affected by policies and programs have unique insight into the drivers of social problems, their interactions with policy implementation, and how policy could be improved.

As set out in the Commission's *Indigenous Evaluation Strategy*, centring Aboriginal and Torres Strait Islander people, perspectives and knowledges means both 'recognising the diverse cultures (languages, knowledge systems, beliefs and histories) and the impacts of contemporary and historical policies and programs on the wellbeing of Aboriginal and Torres Strait Islander people' (PC 2020, p. 8). It also involves 'building partnerships with Aboriginal and Torres Strait Islander people to define policy and program objectives, decide on evaluation questions, how evaluations will be conducted and how evaluation findings will be interpreted'. While the focus of the strategy is on evaluation, its principles also apply to performance monitoring as the foundation for evaluation.

Some aspects of cultural and historical recognition are harder to achieve in the context of national monitoring frameworks that rely on aggregate statistics. In this case, principles for 'indigenising' national statistics developed by Kukutai and Walter (2015, p. 317) provide more direct guidance. They draw on Taylor's concept of the 'recognition space', which is the 'small intersect between Indigenous cultural values and practices concerning wellbeing; and government reporting frameworks and concepts' where 'policy makers and Indigenous peoples can seek to build meaningful engagement and measurement' (Kukutai and Walter 2015, p. 318; Taylor 2008, p. 116). In doing so, the goal is to shift government statistics away from misrecognition towards greater functionality for Indigenous people. The five recognition principles are listed below (Kukutai and Walter 2015, pp. 321–323).

- **Recognise geographic diversity.** This means acknowledging that the default data disaggregation at the jurisdictional or remoteness level are of limited relevance to Indigenous people because they obscure variation across communities. It calls for greater regional disaggregation to increase functionality for Indigenous communities.
- **Recognise cultural diversity.** This means going beyond an Indigenous identifier that frames Indigenous people as an ethnic or racial minority population to recognising Indigenous people as 'rights-bearing peoples with a distinctive status that is recognised internationally'. To do so, governments should seek to account for the many First Nations that make up the Aboriginal and Torres Strait Islander population, their cultural and historical uniqueness and vitality.



### Box 3 – Centring Aboriginal and Torres Strait Islander people, perspectives and knowledges in performance monitoring frameworks

- **Recognise other ways of knowing.** This applies to the narratives built around official statistics, from their intent and design to their interpretation. It means moving away from the framing of Indigenous people as a disadvantaged minority or a problem to be solved to rights-bearing peoples contending with unequal institutional arrangements. This means highlighting structural sources of inequality and focusing on enabling Aboriginal and Torres Strait Islander strengths and aspirations.
- **Recognise the need for mutual capability-building.** While governments recognise the need to build data capability within Indigenous communities, there is also a need to build the capability of non-Indigenous people to recognise how their worldview shapes their understanding of statistical functionality and how this relates to Indigenous understandings.
- **Recognise Indigenous decision-making.** Perhaps the most important principle, this means enabling Aboriginal and Torres Strait Islander people to participate in decision-making in the design, management and use of data about them. This draws on the right to self-determination enshrined in UNDRIP, particularly articles 18, 19 and 23.

Fundamentally, the centring principle is about ensuring governance arrangements and processes at all stages of performance monitoring enable the meaningful participation of Aboriginal and Torres Strait Islander people and incorporate their knowledges and perspectives. This has practical applications in each of the key elements of performance monitoring.

## 2 Is there a shared understanding of the purpose of performance monitoring?

For performance monitoring to be effective, the purpose of a performance monitoring approach must be clearly understood and supported by the parties who report against and use it. A well-defined purpose establishes the intended use of the framework, who will use the information collected, and how (Morgan and Homel 2011, p. 11 quoting Audit Commission 2020). It defines the scope for the measurement approach, data collection and reporting arrangements.

Performance monitoring could have multiple purposes, and these should be clearly articulated so that the monitoring approach can be designed to achieve them. Developing a shared understanding of the purpose is best enabled through partnership and co-design with key reporting participants and users. This contributes to acceptance of the approach by all parties and greater motivation towards and achievement of targets (Goh 2012, p. 34).

### The Agreement indicates multiple purposes for performance monitoring

The Agreement does not include an explicit description of the purpose of its performance monitoring approach. At a high-level, it establishes that the parties have agreed to the targets 'to know how we are tracking against the objectives and outcomes of this Agreement' (clause 78). Beyond this, there are several clauses in the Agreement which suggest how the Agreement's performance data and reporting is intended to be used. These purposes include: enabling independent oversight and public accountability; driving effort at

the jurisdictional level; monitoring the distribution of progress across different Aboriginal and Torres Strait Islander populations; and prioritising Aboriginal and Torres Strait Islander cultures.

### **There is broad agreement that performance monitoring should drive jurisdictional effort and public accountability**

Chapter 9 of the Agreement links reporting to **independent oversight and public accountability** (clause 115). Clauses in the Agreement suggest an emphasis on jurisdictional accountability, particularly to Aboriginal and Torres Strait Islander people. Clause 97 states that ‘it is important for Aboriginal and Torres Strait Islander people to know that the new way of working is being implemented through the life of the Agreement and [to be able to] monitor its progress’.

Review participants broadly agreed with this public accountability purpose, with some differences in emphasis. The Australian Government affirmed:

As reflected in the National Agreement, key functions of the performance reporting include the provision of publicly available, regular and transparent information to enhance accountability across the Partnership. (NIAA, pers. comm., 6 June 2023)

Many review participants also stressed the need for regular, systematic public reporting on the Priority Reforms and government actions to hold governments to account for progress (Australian Council of TESOL Associations, sub. 11, p. 30; The Lowitja Institute, sub. 15, p. 7; Public Health Association of Australia, sub. 16, p. 1; National Health Leadership Forum, sub. 19, p. 4). For example, the Close the Gap Campaign highlighted the ‘need to focus on the reform priorities as the foundational measures’ and emphasised:

We need to see action across the Priority Reform areas and other key frameworks, such as the National Anti-racism Framework, to ensure there is a robust evaluation framework that holds each jurisdiction to account on making genuine progress on their commitment to transformation (sub. 17, p. 3).

In addition to enabling public transparency, the Agreement establishes the role of performance reporting in **driving jurisdictional effort** through review and response mechanisms. Specifically, if a three-yearly review identifies that a target is off-track, actions to get the target back on track must be included in jurisdictional implementation plans (clause 91). The Joint Council must also publicly respond to reviews with any recommendations for amendments to the Agreement and comments on jurisdictional progress and suggestions for future approaches (clauses 129-130). The parties are also required to ‘regularly review the level of ambition of the targets’ to ensure that they continue to reflect their commitment to ‘stretching beyond a business-as-usual approach in order to accelerate improvements in life outcomes for Aboriginal and Torres Strait Islander people’ (clause 84).

Parties to the Agreement affirmed the role of performance monitoring in aligning effort across jurisdictions and their agencies. For example, the National Indigenous Australians Agency (NIAA) noted that performance data reported on the Closing the Gap dashboard is ‘regularly discussed at Partnership Working Group and Joint Council as a means to regularly track progress and discuss emerging issues’ (NIAA, pers. comm., 6 June 2023). New South Wales has introduced a governance structure and reporting requirements that are intended to ensure significant decisions on the Agreement are made in partnership with the New South Wales Coalition of Aboriginal Peak Organisations (NSW CAPO). The NSW Government submitted:

To date, quarterly ministerial meetings are held with all responsible NSW Government ministers to regularly report on progress. The ministerial meetings are attended by key stakeholders including

senior executives from the NSW Government, NSW CAPO leads and relevant ministers, to:

- discuss progress and delivery against commitments in the NSW Implementation Plans
- explore strategic opportunities and unlock challenges to achieving Priority Reforms and socio-economic outcome targets across government.

The meetings further act as a reporting mechanism where government departments are held accountable for their respective delivery responsibilities. NSW CAPO representatives are at the table alongside ministers and senior public servants, signalling and embedding strong accountability and commitment to working in partnership (NSW Government, sub. 32, p. 10).

The Agreement also specifies that as part of its role in driving effort, performance monitoring should **provide an understanding of progress for different Aboriginal and Torres Strait Islander population groups** to identify 'where greater effort is needed' (clause 82d). This includes disaggregation by demographic groups and geographical areas (clause 82d) and by groups 'likely to experience greater levels of disadvantage', including stolen generation survivors, people with disability, and people identifying as LGBTQI+ (clause 93). Many review participants affirmed the importance of geographic disaggregation to reveal variations in action and progress (Torres Shire Council, sub. 6, p. 4; Aboriginal Health Council of Western Australia, sub. 22, p. 3; Federation of Victorian Traditional Owner Corporations, sub. 24, p. 5; Arthur, sub. 26, p. 2). However, regarding disaggregating data by disability status, the First Peoples Disability Network cautioned that while this data is important, representation of people with disability in governance is necessary to ensure data is First Nations disability-centred and not misinterpreted or misused (First Peoples Disability Network, pers. comm., 3 July 2023).

### **Prioritisation of culture in performance monitoring could play a role in shifting policy narratives about Aboriginal and Torres Strait Islander people**

The Agreement frames performance monitoring in the context of the parties' overarching commitment to **prioritising Aboriginal and Torres Strait Islander cultures** (chapter 5). This is encapsulated in clause 21, which states that all activities under the Agreement are to be implemented in a way that 'takes full account of, promotes and does not diminish in any way, the cultures of Aboriginal and Torres Strait Islander people'. This is to be demonstrated through implementation plans (clause 107), the Priority Reforms (clause 22), and new outcome areas, targets and indicators 'to support the cultural wellbeing of Aboriginal and Torres Strait Islander people in areas of languages; cultural practices; land and waters; and access to culturally relevant communications' (clause 23). The Agreement also commits the parties to developing appropriate contextual indicators and information on the cultural determinants of health and wellbeing to support reporting on the targets (clause 94).

Review participants indicated a role for performance monitoring in supporting a paradigm shift in policy narratives about Aboriginal and Torres Strait Islander people. This shift moves policy discourse away from framing Aboriginal and Torres Strait Islander people as a disadvantaged minority towards rights-bearing peoples with strong connections to diverse cultures, Countries, and communities that have withstood current and historical institutional racism, as discussed in box 3 (Fogarty et al. 2018, p. 30; Kukutai and Walter 2015, p. 321). Under this paradigm, Aboriginal and Torres Strait Islander knowledges and perspectives are valued and privileged in the design, implementation and evaluation of policies and programs (Parter et al. 2021, p. 3). In its submission, the Lowitja Institute explained:

Data is a powerful tool. Data can be used to hold governments and the community-controlled sector to account on actions under the National Agreement, however there is a risk that this can be decontextualised and misused if data sovereignty and data governance mechanisms are not in place. The oversupply of deficit-based data has created a discourse that sees Aboriginal and



Torres Strait Islander peoples presented as a problem, or as wholly responsible for inequities. Data, when used properly, can be a powerful tool in changing this discourse. (sub. 15, p. 7)

Performance monitoring can support this change through the recognition of Aboriginal and Torres Strait Islander people, knowledges and perspectives in its design, implementation and interpretation. As discussed in section 2, further developing a conceptual logic that articulates how the Priority Reforms are intended to advance the socio-economic outcomes would do more to support this narrative shift.

### **Some argue that performance monitoring should drive effort at the local level, as described in Priority Reform 4**

The Commission heard through engagements and submissions that performance monitoring under the Agreement should inform decision-making and drive effort in communities (Closing the Gap Campaign, sub. 17, p. 8). For example, the Aboriginal Health Council of Western Australia said that performance data must enable an assessment of policy and the impacts of programs at the community level.

The socio-economic 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 ... Reporting on socio-economic outcomes must be disaggregated to reflect levels of effectiveness in individual Aboriginal communities. (sub. 22, p. 3)

Priority Reform 4 recognises that 'disaggregated data and information is most useful to Aboriginal and Torres Strait Islander organisations and communities to obtain a comprehensive picture of what is happening in their communities and make decisions about their futures' (clause 70). It commits governments to collecting and reporting on data 'at sufficient levels of disaggregation' to inform and support local decision-making (clause 71c).

Some clauses under Priority Reform 4 also seem to recognise that community advocacy and monitoring of government efforts to 'close the gap' rely to some extent on regional data. For example, clause 69c acknowledges that regional data enables communities to hold governments to account for Priority Reform 3 by 'measuring the transformation of government organisations operating in their regions to be more responsive and accountable for Closing the Gap.' Clause 75a notes that the six community data projects will support communities to 'drive their own development and discussions with governments on Closing the Gap'.

The inclusion of the Australian Local Government Association (ALGA) as a government party to the Agreement (clause 11) also raises questions as to what extent the Agreement holds local governments to account for progress. Clause 79 states that 'Government Parties have the same level of commitment and accountability' for Priority Reform and socio-economic targets. However, reporting on these targets is specified at the national, state and territory levels to assess jurisdictional progress (clause 89) and prompt jurisdictional action (clause 91).

The Agreement's performance monitoring approach is unlikely to be the best vehicle to measure community-defined outcomes to inform local decision-making. The Agreement's DDP defines 'community data' as driven by the priorities of local communities, responsive to local decision-making needs, and owned and managed by communities (Joint Council 2022, p. 7). Communities have different priorities, and these will not always align with the outcomes negotiated in the Agreement. Targets and supporting indicators at the jurisdictional level may not adequately capture these priorities.

The DDP as described in the Agreement is scoped to address data development items listed in the Agreement's performance monitoring framework (clause 92). However, the DDP seems to address broader data development agendas under the Agreement, including how new initiatives will be monitored and evaluated. The DDP states that work undertaken through the DDP should '[include] Aboriginal and Torres Strait Islander people having access to, and the capability to use, locally-relevant data and information to set and monitor the implementation of efforts to close the gap, their priorities and drive their own development' (Joint Council 2022, p. 6). The DDP also considers how data development items could 'prioritise or further the use of community data – reflecting the importance of Priority Reform Four' (Joint Council 2022, p. 12).

Ultimately, the intention of the Agreement to reflect community-level priorities in performance monitoring is ambiguous. The design of the Agreement's performance monitoring approach, with targets and reporting arrangements set at the jurisdictional level does not currently support it. Further disaggregation of outcomes indicators could be explored to better hold jurisdictions to account for equitable progress across regions (section 4). Community-driven data development could also be advanced alongside work on the performance monitoring approach, through local and regional data projects or by ensuring new policies and programs are designed and evaluated in a way that recognises community diversity and self-determination. This is explored in information paper 5.

### 3 Does the performance framework have a clear conceptual logic?

A monitoring framework should be underpinned by a conceptual logic that establishes the desired outcomes and provides an understanding of how they will be achieved (box 4). A clearly articulated conceptual logic supports the identification of key points of influence, prioritisation of effort, and evaluation of a reform's actions against its intent (Goldsworthy 2021, p. 2; Ramia et al. 2021, p. 16). In the context of the Agreement, it is particularly important that the conceptual logic reflects Aboriginal and Torres Strait Islander people's understandings of progress, in terms of valued outcomes and the key factors influencing progress.



#### Box 4 – What are conceptual logics, program logics and theories of change?

A conceptual logic is a model or diagram of relationships describing how policy actions or reforms are intended to influence short- to long-term outcomes. Logics vary in the level of change they describe and detail included (Department of Finance 2015, pp. 22–26). Conceptual logics tend to describe a high-level or abstracted set of causal relationships. When applied to policies and programs as 'program logics', they take on more detail in the form of specific resource inputs, actions, immediate outputs such as people served or activities delivered, and short-, medium- and long-term outcomes (Ramia et al. 2021, pp. 18–19). Long-term outcomes are the most difficult to attribute to policy efforts as they take time to appear and can be influenced by many factors. The inclusion of intermediate outcomes can provide useful milestones to track the contribution of policy actions towards the achievement of outcomes that require longer time scales to observe (ANAO 2004, pp. 11–13; Nous Group 2014, pp. 26–27; Ramia et al. 2021, p. 19). As well as identifying key factors that are intended to drive progress, the logic should illustrate important causal links across different outcomes.





#### **Box 4 – What are conceptual logics, program logics and theories of change?**

The term ‘logic’ is sometimes used interchangeably with ‘theory of change’. While they both describe how social change is intended to be achieved, theories of change tend to include more comprehensive information about how change occurs (Goldsworthy 2021). A theory of change may be based on an established theory (such as a human rights or capability approach) or be supported by empirical research, lived experience and knowledge of people impacted by policy efforts.

A theory of change or logic will necessarily be a simplified representation of how change occurs. While conceptual logics are often diagrammed as a linear chain of cause and effect, social outcomes are often the result of the actions of many interdependent systems and people (French et al. 2021, p. 115). For example, life expectancy is influenced by many policy domains including health, community, culture, social security, housing, education, employment, and justice, and how these interact with each other in the lives of people and communities. As such, progress may be better understood through an ecological or systems lens which conceptualises different domains or levels of outcomes (e.g. individual, family, community, institutions, environment) and the interactions between them (Ramia et al. 2021, pp. 7–8).

### **The conceptual logic linking Priority Reforms with outcomes needs to be explicitly articulated and applied**

The Agreement outlines the key building blocks of the reform effort (including a statement of objective, desired outcomes, a commitment to prioritising Aboriginal and Torres Strait Islander cultures, and an agreed set of Priority Reforms) (box 5). However, it does not explicitly set out a logic linking them that would support a shared understanding of the intended change. It does not explain how the Priority Reforms will contribute to improved socio-economic outcomes beyond broadly stating that ‘full implementation of the Priority Reforms will support an accelerated achievement of the socio-economic targets’ (clause 80).

The performance monitoring framework lacks a clear conceptual logic. The outcomes, targets, and supporting indicators for the Priority Reforms and socio-economic outcomes are listed in two separate target framework tables (tables A and B) and grouped by outcome area. This obscures the relationships between the reforms, cultural determinants, and socio-economic outcomes, outlining the drivers for each in their own siloed policy domain. The framework does not articulate how supporting indicators in each outcome area relate to what the Agreement seeks to achieve. Instead, it includes a large number of indicators and data development items (over 300) without a clear or consistent rationale for why some were included and others excluded.

Clarifying the conceptual logic is critical to the effectiveness of the performance framework and further development of the measurement approach. Without a logic, it is difficult to evaluate whether the Agreement is progressing as intended, and this undermines the framework’s utility as an accountability mechanism. This issue was identified by the Australian National Audit Office as hindering the implementation and evaluation of the NIRA, resulting in a recommendation that action plans under the ‘refreshed Closing the Gap framework clearly [identify] the links between program inputs, outputs and outcomes and the framework’s higher-level outcomes and targets’ (ANAO 2019, p. 52).

Even where concepts are difficult to measure or data is not currently available, work to formulate a clear conceptual logic can drive a shared understanding of the expected change and relationship between actions and outcomes. Reflecting on progress to date, the Coalition of Peaks noted:

Even when there is acknowledgement of the National Agreement, there can often be a disparity in the understanding of its premise. The premise of the National Agreement is that an overhaul is needed to the way governments work if we are to see progress against the socio-economic targets. While the Priority Reforms are designed to change the way governments work with our communities and organisations, there tends to be over-emphasis on achieving the socio-economic outcomes in isolation, or simply completing the listed partnership actions. Governments must understand, embrace, and embed the Priority Reforms in their jurisdiction if we are going to deliver and drive accelerated progress to close the gap. (sub. 25, p. 2)



**Box 5 – The implied logic of the Agreement describes how self-determination and cultural recognition drive outcomes**

While the Agreement does not explicitly set out a conceptual logic describing how the Priority Reforms will drive change in outcomes, a partial logic can be derived from its elements. The implied conceptual logic links the Priority Reforms to the socio-economic outcomes through the centring of Aboriginal and Torres Strait Islander perspectives and knowledges in policies and programs. It can be described as follows.

- The Agreement aims to improve life outcomes through changes in the relationship between governments and Aboriginal and Torres Strait Islander people that enable greater self-determination and cultural recognition. The Priority Reforms describe how the Agreement will bring about these changes.
- The Priority Reforms will promote greater recognition of Aboriginal and Torres Strait Islander cultures and their historical treatment.
- This recognition will reinforce efforts to strengthen Aboriginal and Torres Strait Islander leadership in the design and delivery of policies and programs, through shared decision-making, Aboriginal and Torres Strait Islander community control and access to relevant data.
- Together, the Priority Reforms will contribute to the development of more culturally safe and responsive policies and programs.
- As a result, Aboriginal and Torres Strait Islander people will be able to access better-quality and more culturally relevant services. This will reduce barriers to participation in social and economic activities valued by Aboriginal and Torres Strait Islander people, which will lead to improved life outcomes.

Given the variety of indicators in the performance monitoring framework (figure 1), this description necessarily privileges some ‘drivers’ over others, but the Commission has attempted to describe the logic in a way that aligns with the emphasis on self-determination and prioritisation of culture in the Agreement.

The implied logic provides some guidance around prioritisation of effort, particularly around common drivers in the Priority Reforms and cultural determinants. It should be tested and further developed by the parties to the Agreement to ensure it reflects current intentions, specifies key elements at each level, and identifies common drivers and interdependencies between the socio-economic outcomes. This should be done in a way that is consistent with the principle of centring of Aboriginal and Torres Strait Islander people, perspectives, priorities, and knowledges.

When applied by jurisdictions and in specific policy sectors, a high-level logic can frame more detailed strategies, roadmaps, and program logics linking government actions with their intended outcomes in the short to long term. For example, the *Safe and Supported Aboriginal and Torres Strait Islander First Action Plan* includes a theory of change linking self-determination and culturally safe and responsive policies and services with actions aligned

with the Priority Reforms and their impact on child protection outcomes (DSS 2023, pp. 9–13). This clarifies government strategies for the public as well, making it easier for the community to understand government actions and hold governments to account for progress. In contrast, the jurisdictional implementation plans under the Agreement do not set out a clear strategic approach (Dillon, sub. 5, pp. 2–3).

Without a defined conceptual logic, the performance framework is at risk of contributing to some unintended effects.

First, it can result in *ad-hoc or insufficient investment in the transformative change necessary* to shift to new ways of working that are needed to improve outcomes for Aboriginal and Torres Strait Islander people. Without a change of view, governments will continue to focus on actions addressing the socio-economic outcomes without understanding the role of the Priority Reforms in creating change (Coalition of Peaks, sub. 25, p. 2). As a result, non-Indigenous framings of policy solutions will continue to crowd out solutions developed from Aboriginal and Torres Strait Islander people's perspectives. For example, the child protection system largely takes on a child safety and crisis intervention perspective, whereas strategies developed in partnership with Aboriginal and Torres Strait Islander communities emphasise the need for family-led decision-making and holistic responses (DSS 2023, p. 66).

Second, it can *hinder a prioritisation of effort* by obscuring the critical conditions for change. This could lead to short-termism as policy efforts target actions that are perceived as more achievable (or seen as 'low hanging fruit') but may not significantly shift outcomes or may negatively impact on other domains. For example, efforts to increase Year 12 attainment might focus on increasing enrolment in post-primary boarding schools. However, this interrupts young people's connection to their community and Country and puts them in environments where quality bilingual education might not be supported, contributing to barriers to learning and negative impacts on social and emotional wellbeing (Australian Council of TESOL Associations, sub. 11, p. 23).

Third, it can contribute to *siloed policy responses*, hindering broader progress in improving life outcomes by not making trade-offs, interdependencies and common drivers clear (Coalition of Peaks, sub. 25, pp. 3–4; Community First Development, sub. 9, pp. 9, 11; Federation of Victorian Traditional Owner Corporations, sub. 24, p. 2). The Queensland Family and Child Commission reflected:

In our experience, the process of the adoption of targets by governments has narrowed responsibility, and siloed actions and outcomes into traditional portfolios where the opportunity for collective impact and momentum has been lost. Specifically, and by example, the target to reduce the overrepresentation of Aboriginal and Torres Strait Islander children in out-of-home-care became a target for the Minister and Department responsible for child safety – however, the solutions to this issue lie outside that portfolio. (sub. 8, p. 2)

Fourth, it can reinforce deficit narratives of Aboriginal and Torres Strait Islander people. When the connections are not made between systemic drivers and outcomes, deficit discourses can fill in the gap with stories attributing problems to Aboriginal and Torres Strait Islander people (Fogarty et al. 2018, p. xi) (Aboriginal Family Legal Service WA, sub. 7, p. 9; Australian Education Union, sub. 3, p. 4; Federation of Victorian Traditional Owner Corporations, sub. 24, p. 1; Lowitja Institute, sub. 15, p. 7). In addition to their destructive effects on the wellbeing of Aboriginal and Torres Strait Islander people, these narratives also drive policy responses seeking to change the behaviour of Aboriginal and Torres Strait Islander people rather than the flawed systems producing poor outcomes. An example of this can be observed in the 2009 Closing the Gap report, which initially seems to acknowledge the failures of successive governments to effectively coordinate and fund efforts in remote areas, but then goes on to shift responsibility back onto Aboriginal and Torres Strait Islander people (Fogarty et al. 2018, p. 20). The report states:

In more recent times, governments have taken strong action to intervene in Indigenous communities in order to protect children from violence and abuse. While such urgent action has been and may again be necessary in the future, too little focus has been given to the longer term task of building personal and community responsibility – a challenge that must be met if Indigenous life outcomes are to improve. (FaHCSIA 2009, p. 4)

The Coalition of Peaks emphasised that monitoring the Priority Reforms was an important means of moving away from deficit narratives.

To shift away from the deficit framing of the past, the Coalition of Peaks sought to achieve a recalibration of the Closing the Gap policy by the inclusion of the Priority Reforms. The intention was to place the spotlight on the way governments work and to also have this reported on annually. (Coalition of Peaks, pers. comm., 5 July 2023)

Spelling out the links between the Priority Reforms and socio-economic outcomes and ensuring indicators of the desired changes are identified and reported on will enable the interpretation of disparities in life outcomes in context.

## 4 Is the measurement approach balanced and fit-for-purpose?

The design of a measurement approach is a balancing act. Performance monitoring must include sufficient information to adequately assess progress, but not so much as to make data collection overly burdensome or overwhelm people's capacity to interpret it. Central to this balancing act is a shared understanding of the purpose of performance monitoring, the decisions it is intended to inform, and the key points of influence intended to drive change (box 6).



### Box 6 – A balanced, fit-for-purpose measurement approach

A well-designed measurement approach should balance the comprehensiveness of performance information with the cost of collecting and analysing it. Performance measures can provide information about a policy's or program's contribution to outcomes (effectiveness), the distribution of outcomes (equity), the nature of what is being delivered (actions or outputs in terms of quantity, quality, cost), and how well it was delivered (efficiency and participant satisfaction) (ANAO 2004, p. 16; Department of Finance 2015, p. 30).

#### Selecting the minimum number of fit-for-purpose indicators

The set of indicators chosen should support the intended uses of the framework (as defined by its purpose)(Department of Finance 2015, pp. 16, 36–38). For example, if a framework is intended to inform resource allocation decisions, the measurement approach will need to include cost and quantity indicators. Similarly, the indicators should be able to be disaggregated to match the level of decisions that the framework is intended to inform. For example, data informing state and territory policy will need to be disaggregated at that level and may require further disaggregation to determine whether progress has been evenly distributed or limited to certain geographic areas.



### Box 6 – A balanced, fit-for-purpose measurement approach

A framework should only include the minimum number of indicators that are needed to track intended changes. Having too many indicators can make the framework difficult to interpret and use (HM Treasury 2001, p. 11; Nous Group 2014, p. 27). Moreover, the benefit of additional indicators must be weighed against the costs (financial and non-financial) of developing, collecting and reporting on them (Department of Finance 2015, p. 19; HM Treasury 2001, p. 16).

#### Criteria for selecting measures

While it is often difficult to identify measures that comprehensively capture an outcome, they should represent the best approximation at a standard to which all parties agree, in a way that balances relevance with the practical costs of data collection (ANAO 2004, p. 13). Selected measures should be complete, relevant and reliable (HM Treasury 2001, pp. 16–17; PC 2019, p. 140, 2022b, p. 265).

- **Complete:** Measures should provide a balanced account of the overall performance story, enabling assessment of actions and outcomes. Data should be available at a frequency and format to inform timely decision-making. Where data is not available, the value and cost of developing it should be considered.
- **Relevant:** Measures should meaningfully capture the key concepts underpinning objectives, especially from the perspective of people impacted by policy initiatives (box 3). Measures should be able to be influenced, at least in part, by government policy and clear in their description of progress.
- **Reliable:** Measures should validly and consistently capture the intended concept and draw on credible data sources.

To build support and ownership of the approach, all main parties who will report against and use performance data should be engaged in negotiating the selection of indicators and measures (Goh 2012, pp. 34–36; HM Treasury 2001, pp. 11–12). Since parties may assess selection criteria and their trade-offs differently, the selection process should be systematic and well-documented (ANAO 2004, p. 13; HM Treasury 2001, pp. 11–12). In the context of the Agreement, centring Aboriginal and Torres Strait Islander people's perspectives in this process is especially important (box 3). Most existing national data has been developed from non-Indigenous perspectives, so measures meeting the criteria from Aboriginal and Torres Strait Islander perspectives are more likely to require data development. To the extent that all parties can come to a shared understanding, this will enhance credibility and motivate action.

#### Performance targets that motivate and focus effort

Performance targets are often suggested as an additional accountability mechanism. Their aim is to focus effort on high-priority areas by setting specific, measurable goals defining the expected change and time frame for achieving it. This represents the desired future result, based on an understanding of historical trends, factors impacting progress, and expected effort (Department of Finance 2015, p. 35). Targets provide points of reference for assessing progress. Progress could also be assessed against past results (baseline) or comparisons to a standard (benchmark). Additional information can be provided as context to aid interpretation of trends (ANAO 2004, p. 23).

While there has been a trend towards outcomes-based targets to enable flexibility in funding and approach, the complexity of social policy outcomes often makes policy attribution difficult, complicating accountability. Where agreements are underpinned by specific policy reform directions, indicators on reform actions, outputs or intermediate outcomes can provide early, tangible targets for change.



### Box 6 – A balanced, fit-for-purpose measurement approach

However, when output indicators become targets, care must be taken to ensure they do not encourage quantity over quality or activity without regard to the intent or objective behind it.

## The measurement approach fails to monitor critical indicators of change and risks reinforcing business-as-usual

Without a shared understanding of the purpose and conceptual logic, the Agreement’s performance measurement approach lacks a clearly defined scope and consistent rationale for the inclusion of indicators. Indicators for each Priority Reform and socio-economic outcome seem to have been developed in isolation, without consideration of the common drivers the Agreement seeks to influence across outcomes. Each socio-economic outcome area identifies target indicators as well as supporting indicators categorised as drivers or context for targets. The problem with this is that any number of factors could act as drivers or context for social outcomes, and the rationale for including some over others is not clear (PC 2023b).

The Agreement identifies an overwhelming number of indicators of varying relevance and effort to collect, most of which are not currently reported. There are reporting gaps for all four Priority Reform targets, four of the 19 socio-economic targets, 143 supporting indicators and 129 data development items (table 1). The large number of indicators obscures the data most critical to informing change, hinders interpretation and dilutes accountability. Unless critical change indicators are identified and prioritised for development, there is a risk that the measurement approach will produce a fragmented data set that fails to coherently monitor progress against the Agreement.

**Table 1 – Data availability gaps<sup>a</sup>**

**Number of data items reported on the Closing the Gap dashboard compared to those included in the Agreement**

	Priority Reforms	Socio-economic outcomes
Targets	0 of 4	15 of 19
Supporting indicators	0 of 18	21 of 146
Data development items	0 of 6	0 of 123

a. As of July 2023.

Sources: Joint Council on Closing the Gap (2022, pp. 14–36); PC (2023c).



Identifying critical indicators of change is especially important given the measurement approach faces significant trade-offs between data availability and relevance. Most existing national data has been developed to inform government priorities from non-Indigenous understandings of progress. Thus, the measurement approach requires significant data development to reflect Aboriginal and Torres Strait Islander perspectives. The Agreement's performance measurement approach attempts to manage these trade-offs by drawing on existing data and specifying areas for data development. The NIAA recognised in its submission that 'much of the data is derived from mainstream datasets which, although useful in terms of understanding the inequalities experienced by First Nations people, are limited in their scope for including information specifically designed for First Nations people' (sub. 30, p. 2).

Further development of the measurement approach is necessary to both clarify the critical changes to be monitored and to identify indicators to appropriately track that change. Without this work, the measurement approach will continue to draw on a somewhat arbitrary assortment of existing data that only serves to dilute accountability and reinforce business-as-usual. This is particularly evident in areas significant to the reform with large data gaps, namely the:

- Priority Reforms
- cultural determinants of socio-economic outcomes
- new socio-economic targets without appropriate data.

### **Data on Priority Reforms could direct attention to new ways of working, but the measurement approach requires further development**

The most critical data gap identified by participants in the review was the lack of data on the Priority Reforms. Systematic monitoring of the Priority Reforms has been identified as the highest data development priority by the parties to the Agreement and was also noted as a priority by submissions and engagements for this review. The Coalition of Peaks said that it was:

... are deeply worried that despite the inclusion of the Priority Reforms in the performance monitoring framework, there has been no annual independent and uniform assessment of governments' efforts to address the Priority Reforms and no agreed way of defining progress that would enable an easily accessible way of monitoring the performance of governments. Too much focus continues to be on the socio-economic targets and their progress, without an examination to how progress is related to efforts by governments on the Priority Reforms. We will not close the gap without changing the way governments work and we need to have an independent, uniform and consistent way of monitoring governments' implementation of the Priority Reforms. (Coalition of Peaks, pers. comm., 5 July 2023)

The Lowitja Institute echoed this concern.

Governments must uphold their commitments to the National Agreement, and their responsibility within the Partnership to both gather and share data on its progress. The lack of consistent data collection on the progress towards the Priority Reforms from states and territories undermines the success of the National Agreement and is revealing of Governments' commitment to the agreement. (sub. 15, p. 9)

The monitoring framework for the Priority Reforms was introduced to hold governments to account for the structural changes necessary to advance socio-economic outcomes. A number of submissions also argued for indicators that more directly held governments to account for actions across socio-economic outcomes, such as indicators assessing the accessibility and quality of services and funding relative to need (Australian

Council of TESOL Associations, sub. 11, p. 13; Close the Gap Campaign, sub. 17, p. 2; Public Health Association of Australia, sub. 16, p. 1).

In the Coalition of Peaks' engagements informing the development of the Agreement, almost all survey participants believed it was important to measure and publicly report on progress against the Priority Reforms, though views on how to measure them varied (2020, pp. 35–37, 50–52, 64–67). Submissions to this review argued for both systematic monitoring of the Priority Reforms and a more qualitative approach, and a combination of the two through monitoring and evaluation is likely warranted (Dillon, sub. 5, p. 6; Lowitja Institute, sub. 15, p. 5; NIAA, sub. 30, p. 3).

A more qualitative approach might draw on assessments based on set criteria or an evaluation of the implementation of a set of policy principles (Patton 2018). For example, the Bukal institutional racism matrix has been developed as an assessment tool to measure and monitor institutional racism within public hospital and health services against five key indicators: inclusion in governance, policy implementation, service delivery, employment, and financial accountability (Marrie 2017, pp. 36–37). The matrix was applied in a report on the Queensland Health and Hospital Services (HHSs) in 2017 (information paper 4, box 10), and the Queensland Aboriginal and Islander Health Council has since recommended that all HHSs undertake the audit every two years (QAIHC 2022, p. 3).

The Priority Reform monitoring framework in the Agreement identifies targets, supporting indicators, outcomes and data development items. However, these are often not defined in a way that will enable effective monitoring of performance. For example:

- The targets describe a direction of change, but do not specify the degree of change expected or the timeframe for achieving it. For instance, the target for Priority Reform 2 is to increase the amount of government funding for Aboriginal and Torres Strait Islander programs and services going through Aboriginal and Torres Strait Islander community-controlled organisations (attachment A). There could be good reasons for flexibility: the change required might vary significantly across policy sectors and jurisdictions, making a prescriptive level of change inappropriate. A lack of trend data to set informed targets could also complicate the task. The downside to this ambiguity is that it is unlikely to be as effective in focusing effort, and even minimal change could be interpreted as meeting the target.
- Many of the indicators are so broad that they provide little direction as to what the framework was intending to measure. For example, the target for Priority Reform 3 is a decrease in the proportion of Aboriginal and Torres Strait Islander people who have experiences of racism, but the outcome is about ensuring governments, their organisations and institutions and the services they fund are culturally safe and responsive (attachment A). As one participant to this review noted, it is not clear if this target includes experiences of racism within any context, such as 'supermarkets and sports grounds' (Dillon, sub. 5, p. 5). Racism also covers a broad range of experiences: from racially-motivated discrimination and abuse to a lack of cultural safety or recognition, and policies and practices with racially-differentiated outcomes. While one could argue that the reforms intend to address all of these, intentional definition will aid development and attribution.
- Some indicators as defined will not provide sufficient evidence of change. For instance, Priority Reform 3 indicators include the number of government mainstream institutions and agencies reporting actions to implement the transformation elements, which include identifying and eliminating racism, embedding meaningful cultural safety, and supporting Aboriginal and Torres Strait Islander cultures. This suggests that any reported actions would be sufficient, even if only tangentially related or of minor impact. In another example, Priority Reform 1 identifies the 'number of partnerships by function, such as decision-making or strategic' as an indicator. More partnerships do not necessarily indicate that the shared decision-making intended by Priority Reform 1 is being achieved (information paper 2).



Recognising these issues, the Partnership Working Group engaged a third party to further develop the measurement approach, which will include developing measurement concepts and specifications and describing how measures will be collected, either through existing data or new data development (PC 2023b, p. 17). According to the latest update provided to the Productivity Commission, this work was expected to commence in June 2023.

### **Some data on the Priority Reforms could be sourced from other commitments, but data outside of this will need to be further developed**

The Priority Reform monitoring framework in table A of the Agreement includes targets and supporting indicators that predominately capture outputs. Some indicator data could be captured through other commitments in the Agreement, such as the partnership stocktakes and the expenditure reviews, if they were consistently reported and collated across jurisdictions.

For example, Priority Reform 1 includes indicators for the number of partnerships meeting the strong partnership elements defined in clauses 32 and 33 of the Agreement. Jurisdictional partnership stocktakes were due in 2022 and were to be reviewed against the partnership elements and strengthened by 2023 (clause 36). Government parties are also required to report on the number of partnerships, their achievements and assessment against the strong partnership elements in their annual reports (clause 37). Reporting standards ensuring this information is reported consistently to defined specifications would enable data collation and comparisons across jurisdictions. However, to date, only three jurisdictions have made their partnership reviews public (Queensland, Victoria and Australian governments) and have done so using inconsistent definitions, assessment criteria and formats (information paper 2).

Monitoring of Priority Reform 2 could also draw from data developed to meet other commitments in the Agreement. The target for Priority Reform 2 is to increase the amount of government funding for Aboriginal and Torres Strait Islander programs and services going through Aboriginal and Torres Strait Islander community-controlled organisations (attachment A). Clause 113 commits government parties to reviewing current spending on Aboriginal and Torres Strait Islander programs and services to identify opportunities for reprioritisation to community-controlled organisations by July 2022. These reviews could have provided a baseline against which to assess progress. However, only four jurisdictions have completed reviews and only two (New South Wales and the ACT) have publicly released them. Moreover, these reviews are not comparable due to differences in scope and methodology (information paper 3, box 8). Some jurisdictions have yet to agree on a methodology. As with Priority Reform 1, consistent reporting and assessment of commitments in jurisdictional annual reports would also address data gaps in Priority Reform 2, including assessments of sectors targeted for sector strengthening plans against the strong sector elements (clause 45) and contracts awarded as a result of funding reprioritisation policies and new funding initiatives (clauses 55 and 118).

Priority Reforms 3 and 4 require more extensive data development. Beyond the target framework in table A of the Agreement, jurisdictions have not committed to specific reporting actions other than to provide information on how they are addressing these in their annual reports (clauses 65 and 73). Work on Priority Reform 3 will need to conceptually define and develop a measurement approach for monitoring the transformation elements listed in clause 59, including identifying and eliminating racism and embedding and practicing meaningful cultural safety. The measurement approach for Priority Reform 4 will also require more definitional work, for example, in determining what constitutes a 'regional data project' and at what point a regional data profile would be considered 'comprehensive'.

### **The measurement approach does not adequately prioritise culture**

A second significant gap in the measurement approach is in the identification of indicators that adequately reflect the centrality of culture to life outcomes. The Agreement prioritises culture in performance monitoring

through the addition of two new socio-economic outcomes – outcome 15 on land and waters and outcome 16 on culture and language. It also includes a commitment to identifying contextual indicators and information on the cultural determinants of wellbeing to aid reporting (clause 94). However, as the Australian Council of TESOL Associations put it, the current approach is ‘inconsistent, sporadic, tokenistic and inadequate’ because it fails to recognise the centrality of cultural determinants like language across the Priority Reforms and socio-economic outcomes (sub 11, p. 11). This criticism was echoed across several submissions (David, sub. 27, p. 2; Kimberley Aboriginal Law and Cultural Centre, sub. 23, p. 6; Torres Shire Council, sub. 6, p. 1). The Federation of Victorian Traditional Owner Corporations further commented:

Though the Agreement recognises the centrality of culture to Indigenous health and well-being (in clause 5), there is little reference to the cultural aspects of health and well-being in the Agreement’s targets and indicators (with the exception of socio-economic outcomes 15 and 16). (sub. 24, p. 2)

While the domain of cultural policy is often associated with the arts and creative sector, the definition of culture is much broader than that. Culture encompasses a community’s knowledge, beliefs, values, norms, and stories in addition to their expression in practices such as traditions, customs, languages and the arts. Prioritising culture therefore means centring Aboriginal and Torres Strait Islander people, knowledges and perspectives in the design and implementation of policy (Parter et al. 2019, 2021).

As the Kimberley Aboriginal Law and Cultural Centre explained:

Aboriginal and Torres Strait Islander people are the holders of cultural knowledge and practice. They must therefore define how the cultural determinants of health are embedded in policy in programs. This means ensuring Aboriginal and Torres Strait Islander leadership to shift current policymaking and program implementation practices. This will require shared commitment and collaboration across all levels of government to truth-telling, including a recognition of racism as a barrier to implementing cultural determinant approaches. (2022, p. 18)

In this way, prioritising culture has implications across the Priority Reforms and socio-economic outcomes. This seems to be recognised in the Agreement (clause 94), though it is not fully reflected in the measurement approach.

Review participants suggested culture could be better prioritised in the measurement approach in three ways. These were:

1. integrating Priority Reform indicators of self-determination and cultural responsiveness across socio-economic outcomes
2. including indicators of cultural determinants across outcomes
3. re-evaluating some targets and indicators in terms of their cultural appropriateness and scope.

First, the Agreement seeks to centre Aboriginal and Torres Strait Islander people’s knowledges and perspectives in the design and implementation of policy through the Priority Reforms. The Priority Reforms both seek to increase the cultural responsiveness of mainstream government institutions and strengthen the capability of Aboriginal and Torres Strait Islander people to exercise self-determination. Therefore, prioritising culture in the measurement approach means prioritising indicators related to the Priority Reforms and applying them across socio-economic outcomes, where relevant. This might look like incorporating indicators of community control in service delivery, access to culturally appropriate services, barriers to services and cultural safety in interactions with governments and the services they fund. For example, socio-economic outcome 3 on early childhood education includes indicators for the number of Aboriginal and Torres Strait Islander early childhood education and care service providers (relating to Priority Reform 2) and access to culturally

appropriate early childhood education programs (an intermediate outcome of Priority Reform implementation). Socio-economic outcome 5 on student learning potential identifies student experiences of racism as a data development item (Priority Reform 3). A focus on Priority Reform indicators would reflect a general approach allowing the definition of 'culturally appropriate' to vary based on the context.

A second means of prioritising culture would be to incorporate indicators of cultural determinants across socio-economic outcomes. This would consider how policies and services supporting connection to community, culture, language and Country could be implemented and monitored through the Agreement in areas such as health, social and emotional wellbeing, education, economic participation and development, family violence, child protection and incarceration and detention (Federation of Victorian Traditional Owners Corporations, sub. 24, pp. 2, 5; Kimberley Aboriginal Law and Cultural Centre, sub. 23, pp. 6-7; Translational Research in Indigenous Language Ecologies Collective, sub. 20, pp. 10-14). This would have the benefit of highlighting common drivers and interrelationships between socio-economic outcomes. This might be implemented through the collection of quantitative indicators or evaluated as a set of principles underpinning new policy and program initiatives. Box 7 uses the example of languages to consider how cultural determinants might be incorporated throughout the performance framework.

Third, review participants said that prioritising culture requires re-evaluating some of the targets and supporting indicators or expanding the scope of the indicators reflected in some outcomes. This was raised in regard to the ability of the Australian Early Development Census or the National Assessment Program – Literacy and Numeracy to appropriately capture the outcomes of early childhood thriving and student learning potential, respectively. Review participants argued that these assessments conflate English language literacy with development, are susceptible to misinterpretation of children's behaviour based on cultural norms, and fail to recognise competencies that Aboriginal and Torres Strait Islander people consider important to children's learning and development (Australian Education Union, sub. 3, pp. 4-5; Australian Council of TESOL Associations, sub. 11, pp. 15-16; Translational Research in Indigenous Language Ecologies Collective, sub. 20, pp. 4-5). Issues with the National Assessment Program – Literacy and Numeracy were also raised in the Coalition of Peaks' engagements informing the framework (Coalition of Peaks 2020, pp. 78–80).

Review participants also said a broader understanding of culture needed to be recognised. Outcome 16 on cultures and languages only includes indicators on languages, which ignores other aspects of flourishing cultures such as cultural expression and the arts, spiritual and religious beliefs and practices and traditional knowledge and healing (Federation of Victorian Traditional Owner Corporations, sub. 24, p. 5; Kimberley Aboriginal Law and Cultural Centre, sub. 23, pp. 6-7) (Lowitja Institute 2020, p. 13). For example, the Federation of Victorian Traditional Owner Corporations commented:

The indicators for outcome 16 are focused solely on language rejuvenation and retention. They do not refer to knowledge of and participation in arts-based cultural expression (art and crafts, dance, music, song), ceremonial traditions, knowledge of ancestral stories, relationships with living ancestor/Elders, spirituality or the exercise of traditional knowledge and cultural practices e.g. recognition and use of traditional knowledge in land and water management. (sub. 24, p. 5)

These indicators could be incorporated into socio-economic outcome 16, other relevant outcomes including those on land and waters (outcome 15) or social and emotional wellbeing (outcome 14) or elevated to their own outcomes and targets.



### Box 7 – Prioritising culture through language indicators across outcomes

One way of prioritising culture in the performance framework is by including supporting indicators of the cultural determinants of life outcomes across relevant outcome areas. For example, submissions to the review suggested the performance framework could be improved to reflect the importance of languages across outcomes in the following ways.

Aboriginal and Torres Strait Islander people have diverse language backgrounds. The framework could monitor the lack of linguistically appropriate services and resulting service barriers through indicators such as:

- access to both culturally and linguistically appropriate services and information, including the availability of interpreters and translation of material
- language barriers to service access
- language representation and use across localities
- disaggregation of some outcomes by main language spoken and English proficiency (such as early childhood thriving, student learning potential, employment participation, interaction with the criminal justice system).

Achieving the Priority Reforms requires investing in a workforce that can provide culturally and linguistically appropriate services. The framework could monitor this through indicators such as:

- the number of courses, qualifications and training and employment pathways offered for Aboriginal and Torres Strait Islander languages
- access to quality bilingual education, broken down by whether the service is primarily geared towards people who speak Aboriginal and Torres Strait Islander languages as a first language or as an additional language
- training and employment of staff speaking local languages
- training for mainstream institutions in linguistically and culturally appropriate responses
- access to on-Country post-primary schooling.

Reviving a sleeping language and increasing the strength of an established language follow different pathways. The framework could acknowledge this by monitoring:

- the number of languages increasing in strength rather than the number of languages meeting a strength threshold
- the number of languages officially recognised by the ABS and Australian Institute of Aboriginal and Torres Strait Islander Studies
- the number of people identifying culturally with a language and self-assessed proficiency

Finally, the framework could ensure measures do not conflate language literacy with development, either by replacing those that do (such as the Australian Early Development Census and the National Assessment Program – Literacy and Numeracy) or disaggregating them by student language background.

Sources: Australian Council of TESOL Associations (sub. 11); Translational Research in Indigenous Language Ecologies Collective (sub. 20).

## Four socio-economic targets lack data to report on progress, with three relying on surveys with uncertain futures

Of the 19 socio-economic targets, four currently lack sufficient data to report on progress (PC 2023b, p. 37). These are:

- target 9b: All households within discrete<sup>1</sup> Aboriginal or Torres Strait Islander communities, or in or near a town, receive essential services by 2031
- target 13: Reduce all forms of family violence and abuse against Aboriginal and Torres Strait Islander women and children by at least 50% by 2031
- target 16: Sustained increase in the number and strength of Aboriginal and Torres Strait Islander languages being spoken by 2031
- target 17: Aboriginal and Torres Strait Islander people have equal levels of digital inclusion by 2026.

Of these four, three are new targets developed following commencement of the Agreement (targets 9b, 13 and 17), and three currently rely on surveys with uncertain futures (targets 13, 16, 17). Without data to assess progress, these targets will be less effective in their ability to focus effort.

Target 9b requires data development as there is no existing source that collates this data across jurisdictions. The Data and Digital Ministers' Community Infrastructure project, operating under the second National Data Sharing Work Program, commenced in late 2022 and concluded in June 2023. It was an initial data scoping exercise aimed at identifying data on the coverage, quality and frequency of electricity and drinking water supply in discrete Aboriginal and Torres Strait Islander communities (two of the four essential services covered by target 9b). The working group presented draft indicators to the PWG in April 2023 and worked with governments and service providers in each jurisdiction to draw up data sharing agreements for provision of baseline target data. Discussions are ongoing with regard to necessary next steps required to develop a reporting baseline for the target including, at the Commonwealth level, between NIAA and the Department of Infrastructure, Transport Regional Development, Communications and the Arts. The NIAA has advised that data for the other services covered by the target (wastewater and rubbish removal) are held by different parties (including private providers and local councils) and may require a different approach to data development (NIAA, pers. comm., 10 July 2023).

Target 16 draws on the National Indigenous Languages Survey (NILS) undertaken by the Australian Institute of Aboriginal and Torres Strait Islander Studies (PC 2023a). Baseline data was drawn from the 2018-19 survey, and the next survey is planned to be fielded prior to 2024. However, the NILS is conducted irregularly (NILS1 was conducted in 2004-05, NILS2 in 2014-15 and NILS3 in 2018-19) and monitoring progress on this target will rely on ensuring future survey waves go forward within the lifetime of the Agreement. Methodologies have also varied across waves according to the objectives of each wave, which could make constructing time series data more difficult.

The two remaining targets with data gaps (targets 13 and 17) come from ABS surveys fielded by the Centre for Aboriginal and Torres Strait Islander Statistics: the National Aboriginal and Torres Strait Islander Health Survey (NATSIHS) and the National Aboriginal and Torres Strait Islander Social Survey (NATSISS). ABS has advised that following the 2022-23 NATSIHS, the timing of future surveys is 'uncertain and not yet factored into the ABS forward work program' (ABS, sub. 1, p. 3). Target 17 on digital inclusion can draw from items in the 2022-23 wave

<sup>1</sup> The definition of discrete community used in the Agreement draws on the ABS 2016 census dictionary: 'A discrete community is a geographic location, bounded by physical or legal boundaries, which is inhabited or intended to be inhabited predominantly (i.e. greater than 50% of usual residents) by Aboriginal or Torres Strait Islander peoples, with housing or infrastructure (power, water, sewerage) that is managed on a community basis. Discrete communities have populations of (but not limited to) 50 or more Aboriginal and Torres Strait Islander people' (ABS 2016).

of NATSIHS but has no planned updates beyond that (ABS, sub. 1, p. 7). The Australian Digital Inclusion Index could be used as a source of data – it has better data on internet affordability, quality and capability – but it does not identify Aboriginal and Torres Strait Islander people (ABS, sub. 1, p. 7).

The future of target 13 on family violence is more complex. In the past, data on physical family violence has been included in NATSIHS (and before that the NATSISS), but as part of the most recent NATSIHS consultation process in 2020, an expert advisory panel on violence (the Harm Panel) advised the ABS that the NATSIHS was not an appropriate way to collect data on violence.

Privacy, risk of harm, absence of Aboriginal and Torres Strait Islander interviewers, insufficient post survey support, and respondent burden were among the common themes identified as key issues. The violence module has not been included in the 2022-23 NATSIHS ... The ABS is working with other Commonwealth agencies, led by DSS, to identify opportunities to produce fit-for-purpose statistics which provide culturally safe information about Aboriginal and Torres Strait Islander peoples' experiences of family, domestic, and sexual violence. (ABS, sub. 1, p. 6)

Review participants also raised concerns about family violence measurement, particularly that the target indicator did not capture sexual or other forms of violence and that administrative data across agencies and systems needed to be harmonised (PC 2023d, p. 16).

In short, progress on two of the targets (16 and 17) could be reported through existing national surveys, such as the NILS or NATSIHS, if future waves are fielded. These surveys are also potential sources for supporting indicators across outcomes, particularly outcomes 1, 5, 7, 9, 13, 14, 15 and 17 (ABS, sub. 1, pp. 3-7). The other two targets without progress data (targets 9b and 13) require further data development and will need to be prioritised as part of data development.

### **The scope of some outcomes is not fully captured by the targets and supporting indicators**

Some review participants highlighted areas that they saw as missing from the targets that affect the achievement of several socio-economic outcomes. Examples included that:

- the importance of adult literacy was absent from the outcomes relating to employment (outcome 8 – economic participation and development) and justice (outcome 10 – criminal justice) (Australian Council of TESOL Associations, sub. 11, p. 21)
- the value of supporting cultural expression was absent from outcomes relating to physical (outcome 1 – long and healthy lives) and emotional wellbeing (outcome 14 – social and emotional wellbeing) (Federation of Victorian Traditional Owner Corporations, sub. 24, p. 2; Kimberley Aboriginal Law and Culture Centre, sub. 23, pp. 6-7)
- there was no acknowledgement of the role of the Aboriginal and Torres Strait Islander business sector in supporting economic development and employment (outcome 8 – economic participation and development) (Indigenous Business Australia, sub. 29, pp. 8, 12; Kinaway Chamber of Commerce, sub. 21, p. 4).

Review participants also expressed concern about how well the targets reflected the scope and intent of the socio-economic outcomes that they are intended to measure (PC 2023d, p. 16). For example, socio-economic outcome 3 aims for children to be engaged in high quality, culturally appropriate early childhood education, but target 3 only measures the percentage of Aboriginal and Torres Strait Islander children enrolled in year-before-fulltime-schooling programs (Translational Research in Indigenous Language Ecologies Collective, sub. 20, p. 3). Similarly, the targets for socio-economic outcome 15 (people maintain a distinctive cultural, spiritual, physical and economic relationship with their land and waters) aim to increase the amount of land and sea held under native title rather than address whether those rights can be



meaningfully exercised (Federation of Victorian Traditional Owner Corporations, sub. 24, p. 5). As targets are the key measures by which governments are accountable, there is a risk that any important aspects of the outcomes not covered by the respective targets will be overlooked. These gaps might be addressed in some areas by elevating an existing supporting indicator to be an additional or replacement target.

In some cases, individual jurisdictions have adopted additional targets, goals or measures in their implementation plans to address missing areas (box 8). For example, the ACT, NSW and Victorian Governments have each committed to targets or goals to grow the Aboriginal and Torres Strait Islander business sector. Committing to additional targets may allow governments and Aboriginal and Torres Strait Islander partners to direct their effort to particular priorities in their jurisdictions. If these jurisdiction-specific targets are found to be effective and more broadly relevant at the national level, they could inform the future adoption of new or replacement targets in the Agreement's performance framework (as per clauses 85 and 86).



### **Box 8 – Jurisdictional targets that go beyond the Agreement's performance framework**

The ACT, NSW and Victorian Governments have each adopted additional outcome areas and targets in their jurisdictional implementation plans that they intend to report against.

#### **ACT**

The ACT Government and the Aboriginal and Torres Strait Islander Elected Body have agreed to the *ACT Aboriginal and Torres Strait Islander Agreement 2019 – 2028* (the ACT Agreement), which they are pursuing alongside and as part of their implementation plan for the National Agreement on Closing the Gap. The ACT Agreement incorporates the socio-economic targets from the National Agreement grouped under interconnected focus areas, but for five targets (targets 3,7,8,9 and 10), it commits to achieving parity with non-Indigenous people. The ACT's implementation plans asserts that this represents an increased aspiration for these targets given the ACT's baseline levels. While this may be the case, it cannot be established until the jurisdictions agree on the individual contributions that each will reach to achieve the national targets. The ACT Agreement also includes an additional target to 'increase the proportion of high value contracts awarded to Aboriginal and Torres Strait Islander businesses', with the intended outcome that 'wealth is created through growth of the Aboriginal and Torres Strait Islander corporate sector' (ACT Government 2021, p. 26).

#### **New South Wales**

New South Wales has committed to a fifth Priority Reform: employment, business growth and economic prosperity, with a desired outcome that 'Aboriginal and Torres Strait Islander peoples in NSW are empowered to access pathways through education, training and employment that align with their aspirations, and Aboriginal and Torres Strait Islander businesses grow and flourish' (NSW Government 2022, p. 55). The NSW Government's first implementation plan notes that the additional Priority Reform was strongly supported in community consultations undertaken by NSW Coalition of Aboriginal Peak Organisations and explains that it is intended to further accelerate progress against socio-economic outcomes 7 and 8 (NSW Government 2021, p. 37).



### **Box 8 – Jurisdictional targets that go beyond the Agreement’s performance framework**

#### **Victoria**

Victoria has aligned its implementation plan with the Victorian Aboriginal Affairs Framework 2018–2023 (the VAAF). The VAAF is the Victorian Government’s overarching framework for advancing self-determination and improving outcomes for Aboriginal Victorians. The Framework sets out key enablers for self-determination and 20 goals across six domain areas (children, family & home; learning & skills; opportunity & prosperity; health & wellbeing; justice & safety; and culture & Country). Victoria’s implementation plan notes that the VAAF goals are more comprehensive than the targets set out in the Agreement (for example, goal 8 in the VAAF is that ‘Aboriginal workers achieve wealth equality’ and includes an objective to ‘increase Aboriginal business ownership and support Aboriginal entrepreneurs’). However, unlike the Agreement, the VAAF does not commit to achieving specific timebound targets.

Source: ACT Government (2021); NSW Government (2021, 2022); Victorian Government (2021, 2022).

## **National targets do not adequately hold states and territories to account for progress**

### **The Agreement specifies national targets, but does not describe how much each state and territory needs to contribute to achieve them**

Government parties to the Agreement are jointly accountable for a set of 23 national targets that monitor progress against the Priority Reforms and socio-economic outcomes. However, the Agreement does not describe how jurisdictions will be held to account for their contribution to these targets – it simply specifies that ‘targets are designed to be met at the national level, while recognising that starting points, past trends and local circumstances differ so jurisdictional outcomes may vary’ (clause 83). That is, there is no agreed approach for determining whether individual jurisdictions have made acceptable progress.

In the absence of direct guidance, the Commission has worked with the PWG to develop an approach. The Commission currently evaluates national progress for each target as on or off track against a linear trend to the target year. Target indicators are then disaggregated by jurisdiction and progress for each jurisdiction is assessed against the baseline as improving, worsening, or not changing. Jurisdictions have interpreted their contributions in one of two ways in their annual reports – some adopt the assessment of the Productivity Commission, while others self-assess against national targets (Queensland, Tasmania) (section 6).

The approach developed by the Commission is currently under independent review, the goal of which is to identify options for measuring jurisdictional contributions to meeting the national target (PC 2023b, p. 35). Three broad potential approaches are possible.

- National targets could be applied to jurisdictions, so that each is responsible for meeting the same target, regardless of their starting point. If each jurisdiction met the national target, then the target would be met nationally. The primary benefit of this approach is simplicity, while the drawback is that effort would be unevenly distributed (jurisdictions further away from the target would need to apply more effort), and it would not incentivise those that had already met the target at baseline to do more.
- Jurisdictions could negotiate different levels of contribution to the national target, which would effectively translate to jurisdiction-specific targets. While, in this case, jurisdiction-specific targets might more



accurately reflect the priorities and circumstances in jurisdictions, the disadvantage is increasing complexity and the costs of negotiation in terms of time and effort.

- National targets could be maintained without jurisdictional targets or contribution commitments (as is the case now), but annual reports would calculate the contribution of each jurisdiction to the national target to date. This would highlight where some have contributed more than others, which could aid learning and improvement. However, without jurisdictional targets or commitments, this would not set expectations for jurisdictions for which they could be held to account.

### **Further geographic disaggregation of target data will support communities in holding jurisdictions to account for progress across regions**

Many participants in the review questioned the value of state or territory data alone, arguing that further geographic disaggregation was necessary to hold jurisdictions to account for progress across regions (Aboriginal Health Council of Western Australia, sub. 22, p. 3; Arthur, sub. 26, p. 2; Federation of Victorian Traditional Owner Corporations, sub. 24, p. 5; Torres Shire Council, sub. 6, p. 4). For example, the Close the Gap Campaign argued for more geographically disaggregated data and analysis on needs-based funding to hold jurisdictions to account for ‘what actually needs to be done to achieve the targets, and in particular, the services required’ (sub. 17, p. 2). As recognised by Priority Reform 4, data can be an important tool for communities in advocating to governments.

Without disaggregated data, there is a risk that resources and outcomes will not be distributed equitably, as investment in particular regions drives the achievement of jurisdictional targets. The Coalition of Peaks explained that it:

... raised concerns about the way the targets and indicators would be reported on and that they would not provide an accurate picture of the ‘gap’. For example, in areas like housing and education, it may be possible to close the gap by focussing only on urban areas and obfuscating a widening and large gap in remote areas. (Coalition of Peaks, pers. comm., 5 July 2023)

This concern is validated in data reported in the ADCR using data disaggregated by remoteness, which finds most improvement across targets is driven by changes in major cities and regional areas, while remote and very remote areas see little to no improvement (PC 2023b, p. 30).

In addition to recognising the unequal distribution of resources across regions, arguments for further geographic disaggregation are often enmeshed with the need to recognise community diversity and self-determination. For example, the Torres Shire Council noted the wide discrepancy in outcomes between its region and the rest of Queensland and argued that regional autonomy in the codesign and evaluation of programs is fundamental to change (box 9). This echoes points made in the Coalition of Peaks’ engagements informing the Agreement that targets should be relevant to regions (Coalition of Peaks 2020, p. 83).



**Box 9 – Focusing on the jurisdictional level can obscure regional priorities and needs: an example in the Torres Strait**

The Torres Shire Council is a local government area located in Far North Queensland covering large sections of the Torres Strait and the northern tip of Cape York Peninsula. Statistics provided by the Torres Shire Council, drawing on Queensland Regional Profiles data, showed that while people in the region have similar rates of educational attainment relative to greater Queensland, they also experience much lower incomes, higher unemployment and higher rates of homelessness. The Council described the unique conditions faced by the region: the entire region is classified as very remote, compared to just 1% of Queensland as a whole, and this is reflected in the high cost of living and challenges accessing key infrastructure and services, such as internet access and post-primary education. While some challenges such as high transport costs particularly impact the region, disparities in outcomes are the result of policy choices.

The Council noted that there are over 30 state and federal agencies on Thursday Island providing government services, crowding out local delivery and jobs. The impact of mainland-driven policy is two-fold. First, policy priorities of the region will not always align with state priorities. For example, mainland government organisations offer non-local staff subsidised housing, an offer not extended to local staff. While this addresses recruitment difficulties, it does not resolve the broader issue of housing availability and affordability – and even exacerbates it. Second, it denies local organisations the opportunity to design services attuned to the cultures and languages of the Torres Strait and Northern Peninsula. Statistics show a significant majority of people in the region speak a language other than English at home, with multiple Indigenous languages represented, compared to less than 15% of Queenslanders.

The Torres Shire Council has asked the Queensland Government Statistician’s Office to produce an annual report card compiling statistics for the region relative to the rest of Queensland and Australia to direct local effort and monitor progress to parity. The Council noted that this level of data aligns with the proposal for a regional voice and emphasised, ‘For too long, policy makers and governments have over-complicated the root cause of policy and program failures affecting First Nations people ... Council submits that the root cause is the absence of Indigenous agency, Indigenous policy design and Indigenous program control’ (p. 3).

Source: Torres Shire Council, sub. 6.

The Agreement recognises that further geographic disaggregation of socio-economic targets is important to identify where greater effort is needed (clause 82d), and this has been affirmed by government parties. Members of the PWG have indicated that the Commission should explore further geographic disaggregation of target data when specifying existing data for the Closing the Gap dashboard (PC 2022a). However, perspectives varied on the relevant level of geography and the need for further engagement with Aboriginal and Torres Strait Islander organisations and communities was noted.

Regional disaggregation of national target indicators will largely require additional data development work. While some data, particularly data derived from the five-yearly census, are publicly available at smaller geographic levels, smaller populations could make trends more volatile and harder to interpret (ABS, sub. 1, pp. 2-3). The ABS and AIHW publish several data products making geographically disaggregated data accessible to the public, including the ABS’s TableBuilder and ‘Data by Region’ and the AIHW’s Regional

Insights for Indigenous Communities website. Geographic disaggregation for other data will require data development and harmonisation.

Another challenge is determining the level of geographic disaggregation that can best balance utility and cost of development. This will need to consider both the appropriate level and boundaries. Data for smaller regions could be more meaningful, but will also be more costly to develop, and risk misaligning with community priorities if not developed in partnership. Appropriate geographic boundaries must also be agreed upon, and there are a few existing classifications to consider. In addition to its standard geographic classifications, the ABS has developed an Indigenous geographic structure. It identifies three levels from region to local community and was designed around the organising structure of the Aboriginal and Torres Strait Islander Commission. Service areas such as health regions often have their own regional structures. The most appropriate level of regional disaggregation will therefore need to be negotiated by parties to the Agreement, drawing on engagement with data custodians and Aboriginal and Torres Strait Islander communities and organisations.

Ultimately, targets need to be set in a way that appropriately directs attention at the desired level of decision-making. In the Agreement, the Australian, state and territory governments have committed to equal accountability for achieving targets (clause 79). National targets will not adequately hold states and territories to account for progress unless their expected contribution is defined. Furthermore, without regional disaggregation of target data, communities cannot hold states and territories to account for the equitable distribution of progress across diverse regions.

## **5 Are clear and appropriate data governance arrangements in place?**

Performance monitoring frameworks should be supported by governance arrangements that ensure the timely availability, accuracy, and ethical collection and use of data. These supporting arrangements safeguard the credibility of the data and assure it is of sufficient quality for use in decision-making. Good data governance should identify parties responsible for the development, implementation and maintenance of the framework and outline clear work plans, processes and standards (ANAO 2004, p. 28, 2023).

In recognition of the ways data has been used to problematise Aboriginal and Torres Strait Islander people and justify policies contrary to community needs, data collection regarding Aboriginal and Torres Strait Islander people must centre Aboriginal and Torres Strait Islander people, perspectives and knowledges in data governance arrangements (PC 2020, pp. 10–11). Fundamentally, this means that Aboriginal and Torres Strait Islander people are the leaders or partners in decision-making regarding the collection and use of data in their communities and should be enabled to do so through appropriate resourcing. This includes considering how data governance arrangements could incorporate principles of Indigenous data sovereignty and governance to ensure data collection is ethical and useful for Aboriginal and Torres Strait Islander communities (Maiam nayri Wingara and Australian Indigenous Governance Institute 2018; Walter et al. 2018). While the Agreement commits to shared decision-making and access to data, the relationship between Indigenous data sovereignty and the implementation of the Agreement has not been made explicit, as discussed in information paper 5.

## Progress in meeting data commitments has been slow and requires improved governance and prioritisation of effort

Progress in meeting data commitments specified in the Agreement has been slow, and the task has exceeded the capability and resourcing of current data governance arrangements. Table 2 outlines the three data workstreams set out in the Agreement and progress to date. Most indicators remain unreported and data development commitments have been delayed. At this pace, data specification and development work is unlikely to be completed under current resourcing within the life of the Agreement. This was acknowledged by the NIAA.

A further key issue in the area of reporting is that the demand for detailed, regular data may far outweigh the ability, or in some cases the resolve, to supply it. (sub. 30, p. 5)

Attempting to fully populate the information repository with all data planned may not be the best use of resourcing and effort. As discussed in section 4, the large number of indicators and their broad scope could overwhelm capacity to interpret and use them in decision-making. Efficient progress relies on further developing the conceptual logic and measurement approach and ensuring data governance arrangements are set up to achieve this.

**Table 2 – Limited progress in meeting data commitments**

Key commitments	Agreed timing	Assessment of progress
<p><b>Government actions</b></p> <ul style="list-style-type: none"> <li>• Use <b>targets</b> to track progress against the objectives and outcomes of the Agreement (clauses 78 and 79, tables A and B).</li> <li>• <b>Publicly report on performance data</b> through the Closing the Gap dashboard, annual data compilation report (ADCR) (clauses 88, 89, 115, 116 and 117).</li> </ul>	Annually	<ul style="list-style-type: none"> <li>• No data are being reported on the Priority Reform targets or indicators.</li> <li>• Four of the 19 socio-economic outcome targets lack data to track progress: community infrastructure (9b), family violence (13), culture and languages (16) and access to information (17).</li> <li>• Socio-economic targets with progress assessments have been disaggregated by jurisdiction, gender/sex, age, disability, remoteness areas, and socio-economic status of the locality, where data is available.</li> <li>• Twenty-one out of 146 socio-economic outcome supporting indicators are reported across all but one outcome area.</li> </ul>
<p><b>Partnership action – Develop four new targets</b> for:</p> <ul style="list-style-type: none"> <li>• community infrastructure</li> <li>• inland waters</li> <li>• family violence</li> <li>• access to information. (clause 87)</li> </ul>	By July 2021	<ul style="list-style-type: none"> <li>• The inland waters target has not yet been agreed.</li> <li>• Targets 9b, 13 and 17 have been agreed, but do not have data to assess progress.</li> </ul>

Key commitments	Agreed timing	Assessment of progress
<p><b>Partnership action – Establish a data development plan (DDP)</b> for data development items identified in tables A and B (clause 92). The DDP should:</p> <ul style="list-style-type: none"> <li>• be developed in partnership</li> <li>• prioritise data development actions</li> <li>• outline clear timeframes for actions to be delivered and identify responsible parties</li> <li>• be reviewed by Joint Council following the three-yearly reviews.</li> </ul>	By July 2022	<ul style="list-style-type: none"> <li>• The DDP includes 123 data development items and was endorsed by Joint Council in August 2022. It covered some requirements but did not specify clear timeframes for data development actions to be delivered or identify responsible parties.</li> <li>• A traffic light report to monitor data development, which includes action owners and timeframes, is expected for review by Joint Council by the end of 2023 (DRWG 2023b).</li> </ul>

### Responsibility for data development needs to be clarified

Table 3 outlines the data governance arrangements under the Agreement. As outlined in information paper 1, the Joint Council and the PWG are the main governance bodies for the Agreement and their responsibilities include overseeing data development and reporting. The Agreement distinguishes between responsibilities for managing existing data (clause 117) and new data requiring development (clause 92). Responsibilities were divided based on the anticipated work required. The Commission would lead work specifying, compiling and reporting on existing data with the PWG. The Data and Reporting Working Group (DRWG), which reports to the PWG, would coordinate new data development with responsible agencies, data custodians and representatives from the Coalition of Peaks. The working groups are made up of representatives from the parties to the Agreement, with the NIAA serving as secretariat.

Indicators not included under the 'Data Development' heading within the target frameworks were to be drawn from existing data collections. However, in practice, some of the indicators that were assumed to have existing data sources do not exist, are not routinely collected or have been found to be unsuitable (ABS, sub. 1, pp. 3-7). In effect, this has meant that responsibility for developing the measures for the Priority Reforms, the four socio-economic targets and the many supporting indicators without suitable data was not formally established.

**Table 3 – Data governance arrangements under the Agreement**

	Chair	Membership	Responsibilities
<b>Joint Council</b>	<ul style="list-style-type: none"> <li>• Australian Government Minister for Indigenous Australians</li> <li>• An Aboriginal and Torres Strait Islander representative nominated by the Coalition of Peaks.</li> </ul>	<ul style="list-style-type: none"> <li>• One Minister nominated by each jurisdiction and one representative from the Australian Local Government Association</li> <li>• Twelve representatives nominated by the Coalition of Peaks, with broad geographic and subject matter coverage.</li> </ul>	<ul style="list-style-type: none"> <li>• Agree to new or updated targets and indicators</li> <li>• Monitor implementation of the National Agreement, including progress against implementation plans and partnership actions</li> <li>• Endorse and review the data development plan (DDP).</li> </ul>
<b>Partnership Working Group</b>	<ul style="list-style-type: none"> <li>• A senior government official</li> </ul>	<ul style="list-style-type: none"> <li>• A nominated senior official from each jurisdiction and the Australian Local Government Association</li> </ul>	<ul style="list-style-type: none"> <li>• Make decisions on data development actions on the advice of the Data and Reporting Working Group</li> </ul>

	Chair	Membership	Responsibilities
<b>(PWG, reporting to Joint Council)</b>	<ul style="list-style-type: none"> <li>Lead Convenor or a representative of the Coalition of Peaks.</li> </ul>	<ul style="list-style-type: none"> <li>Representatives from the Coalition of Peaks</li> <li>There should be approximately equal representation of Government Parties to the number of Coalition of Peaks representatives in the membership.</li> </ul>	<p><b>The Productivity Commission will work with the PWG to:</b></p> <ul style="list-style-type: none"> <li>develop and maintain the Information Repository, drawing together existing data sources</li> <li>publish a publicly available dashboard with data and reporting materials to be updated annually at minimum</li> <li>publish an annual data compilation report providing a snapshot of dashboard material.</li> </ul>
<b>Data and Reporting Working Group (DRWG, reporting to PWG)</b>	<ul style="list-style-type: none"> <li>A representative from the National Indigenous Australians Agency (NIAA)</li> <li>A representative from the Coalition of Peaks.</li> </ul>	<ul style="list-style-type: none"> <li>Government representatives from relevant departments in each jurisdiction</li> <li>Attendance by subject matter experts from departments is at the discretion of jurisdictions</li> <li>Representatives from the Coalition of the Peaks (though they may delegate to the NIAA)</li> <li>Major Australian Government data custodians (ABS, AIHW)</li> <li>Australian Government portfolio agencies with a responsibility for delivering data items identified in the DDP</li> <li>Productivity Commission (observer)</li> <li>Indigenous and non-Indigenous technical experts as required.</li> </ul>	<ul style="list-style-type: none"> <li>Provide advice and technical support to the PWG on data and reporting issues</li> <li>Develop DDP that prioritises data development actions, outlines clear timeframes for actions, and identifies responsible parties</li> <li>Monitor implementation of the DDP through quarterly updates to the DRWG and annual updates to the Joint Council</li> <li>Make recommendations for additions to the DDP, including data development arising from establishing indicators for the four Priority Reforms or new targets</li> <li>Advise on changing the way data is collected and developed consistent with the Priority Reforms to support the objectives of the Agreement</li> <li>Providing technical advice to assist the Productivity Commission with its reporting obligations.</li> </ul>

Source: DRWG (2023a); Joint Council (2023a).

In 2021-22, the Commission worked with the PWG to develop measurement concepts and calculations for the Priority Reforms. However, given issues with existing datasets and questions regarding the intent of some indicators in the framework, the PWG determined that further cultural and technical expertise was required. In 2023, the PWG engaged a third party to further develop the measurement approach for the Priority Reforms (PC 2023b, p. 17).

The process and responsibility for developing data for the new socio-economic targets and supporting indicators without data remains unspecified. Within the current data specification process, the Commission searches for existing datasets that could provide data for indicators, develops specifications for the measures, then reviews specifications with the PWG to ensure they reflect the intent of the indicator. Measure specifications that meet the intent are added to the dashboard. However, if the specification is not appropriate or no existing datasets can be found, the process to progress data development is not clear.

Governance arrangements indicate that coordination of data development could consolidate under the DRWG through the DDP, but DDP development and implementation has been delayed and is still in its initial stages. The terms of reference for the DRWG indicates that it will make 'recommendations for additions to the Data Development Plan' including any data development activities that arise from establishing indicators for the Priority Reforms or new targets (DRWG 2023a, p. 1). However, data on the Priority Reforms and new socio-economic targets (except family violence) was not included in the DDP endorsed by Joint Council in August 2022 (Joint Council 2022, p. 1). Furthermore, the DDP did not identify data development action owners or timeframes for delivery, so responsibilities and accountabilities remain unclear. Work to identify action owners and timeframes in a 'traffic light' report is underway and is expected to be delivered to the Joint Council by the end of 2023 (DRWG 2023b). This report will be reviewed quarterly by the DRWG and annually by Joint Council to monitor progress. In the meantime, it is unclear how the DRWG would coordinate further engagement with data custodians and Aboriginal and Torres Strait Islander organisations and communities to resolve outstanding issues in the measurement approach.

### **Existing processes and resourcing are insufficient to prioritise effort and resolve broader issues in the measurement approach**

To manage the scope of data work, the DRWG and the Commission (in partnership with the PWG) have developed frameworks for prioritising the development of their workstreams (box 10). Each have been developed for a specific purpose: the Commission's framework prioritises specification of existing data and the DRWG prioritises new data development in the DDP. The parallel processes introduce some challenges to coherent problem-solving and contribute to a situation in which work continues without resolving more fundamental issues with the measurement approach.





## **Box 10 – Frameworks for prioritising effort in data specification and development**

### **How the Commission and PWG prioritise specification of existing data**

Each year, the Commission works with the PWG to identify the highest priority indicators to add to the Closing the Gap information repository and dashboard. From these discussions, priority has been assigned to (PC 2021, pp. 2–6, 2022a, p. 5):

- data on the Priority Reforms, and where this has not been possible due to data gaps, supporting socio-economic indicators that more closely link to government action under the Priority Reforms, such as work in the policy partnerships
- supporting indicators that address target information gaps or are not reported elsewhere. Target information gaps could include conceptual gaps (where the specified target does not cover key elements of the outcome), timing gaps (to supplement infrequently reported or lagged targets), and drivers that would provide greater insight into target trends (particularly those that are worsening).
- disaggregations for targets where sufficient data exists to make a progress assessment. These are included across jurisdictions, where data is available and of adequate quality.

### **How the DRWG prioritises data development in the data development plan (DDP)**

The DDP ranks the priority of data development items as high, medium or low and assigns them a broad timeframe for the start of work (2022–2024, 2025–2027, 2028–2030) based on the following criteria (Joint Council 2022):

- centrality to demonstrating progress against the Priority Reforms and socio-economic outcomes
- type of data work to be completed, including disaggregating established data sources (29 items), harmonising definitions and collection methods across jurisdictions (43 items), developing new data concepts (65 items), and developing community data (13 items)<sup>a</sup>
- whether the item prioritises or furthers the use of community data
- whether work is planned or underway

Work planned or underway and data requiring conceptual development are allocated to an earlier timeframe to start. Out of 123 data development items, the DDP identified 61 items where data development would start by 2024, 38 of which were assessed as high priority.

<sup>a</sup> when two or more categories were listed as ‘and’, ‘or’ ‘/’ all categories were counted.

These processes have not resolved the lack of clear conceptual logic in the performance measurement framework and its ongoing impact on the prioritisation of effort and analysis. For example, the DDP assigns priority for data development based on the centrality of the item to demonstrating progress against the Priority Reforms and socio-economic outcomes, but the criteria driving assessments of centrality are not specified (Joint Council 2022, p. 12). Without criteria or a conceptual logic to draw from in the Agreement, it is difficult to determine how the centrality assessment was made, or even how it should be made. Different participants in this process will inevitably bring different definitions of centrality that must be articulated, negotiated and documented with a clear and transparent rationale. This is especially important in monitoring whether Aboriginal and Torres Strait Islander perspectives have been centred.

Another example of how the lack of conceptual logic impacts on data development is that the DDP continues the practice of separating data development items by outcome rather than considering common drivers



across socio-economic outcomes (Joint Council 2022, pp. 14–36). This obscures opportunities for the consolidation of data development, especially in the development of new data concepts. Unless these broader issues are resolved, data development is at risk of producing a fragmented and diffuse data set that struggles to present a coherent account of progress.

### **Data development should be led by one organisation with the authority and capability required to develop solutions**

Progress to date indicates that changes to data governance arrangements are needed to clarify data development responsibilities and effectively coordinate the diverse expertise required to develop solutions. Responsible parties should have the capability to engage parties to the Agreement, data custodians and Aboriginal and Torres Strait Islander organisations and communities to resolve broader issues in the measurement approach. This work includes articulating the conceptual logic, prioritising and developing critical indicators of change, and identifying the appropriate level of geographic data disaggregation.

Without a holistic approach, the accountabilities and costs of data development are at risk of being hidden across multiple working groups and data custodians with different priorities. Consolidating responsibility for coordinating all new data development under one organisation and one DDP with routine monitoring would provide visibility of all actions, action owners and timeframes and ensure high-priority items falling outside the original scope of the DDP are addressed. This could support a consistent data development approach, clearer processes and accountabilities, and opportunities for the development of new data products.

While the DRWG appears to be a natural choice given its role in developing the DDP, experience to date has revealed issues with current arrangements. Significant delays in defining DDP accountabilities raise questions as to whether the working group has sufficient resourcing or authority to progress the work. Consideration should also be given to the challenges the Commission and PWG faced in mobilising appropriate technical and cultural expertise to resolve issues with the Priority Reform measurement approach. The current membership of the DRWG includes data custodians, but it is questionable whether it could draw on sufficient cultural capability, especially if representatives from the Coalition of Peaks can delegate to the NIAA (Table 3). The Coalition of Peaks have indicated that it faces resource constraints that limit the time and expertise it can provide to governments and its capacity to undertake strong community engagement (sub. 25, p. 2)(Equity Economics 2021, p. 45). Furthermore, Coalition of Peaks members anticipate their engagement in data, monitoring and evaluation activities related to the Agreement to nearly double over the next one to two years (Equity Economics 2021, p. 34).

### **Governance arrangements should enable data development consistent with Indigenous data sovereignty principles**

The DDP states that data development agendas under the Agreement at an organisational or project level should be consistent with the 'ethical use of data, in particular acknowledging Aboriginal and Torres Strait Islander-led work about Indigenous data sovereignty and Indigenous data governance' (Joint Council 2022, p. 5). While it does not specify what this might look like in practice, the DDP notes that 'further detail on these principles and their practical application could be incorporated into the DDP over the life of the National Agreement' (Joint Council 2022, p. 5). The NIAA and the Department of the Prime Minister and Cabinet have established a Deputy Secretaries Data Group Sub-Committee and Data Champions Network Working Group to develop an Australian Public Service framework on the governance of Indigenous data (Australian Government 2022, p. 43). This framework aims to improve the accessibility, relevance, interpretability and timeliness of government-held data for Aboriginal and Torres Strait Islander people and is being developed in partnership with Aboriginal and Torres Strait Islander experts in Indigenous data. Given

the extensive data development required under the Agreement to incorporate Aboriginal and Torres Strait Islander perspectives on progress, there is an opportunity to consider how Indigenous data sovereignty principles could reshape the development of national data collections. The Lowitja Institute emphasised that:

To measure the progress against the Priority Reforms at a national scale requires significant data infrastructure and organisation. A task of this size demands comprehensive and consistent data collection processes that adhere to the principles of Indigenous data sovereignty (ID-SOV) and Indigenous data governance (ID-GOV). (sub. 15, p. 5)

Governance of the Agreement is based on the principle of partnership with Aboriginal and Torres Strait Islander people, as represented by the Coalition of Peaks. This structure is reflected in the bodies developing and overseeing the performance measurement approach: the Joint Council, PWG and DRWG. However, reference to Indigenous data sovereignty in the DDP suggests a broader ambition for the governance of new data development for performance monitoring. Following this ambition, the Coalition of Peaks said:

There is further work to do to implement the data development plan and to ensure the plan not just look at new, individual data that may be available through existing data collection methods, but to see it as an opportunity to reform how data is identified, collected, managed and used to support performance monitoring under the National Agreement where this is based on the priorities and needs of Aboriginal and Torres Strait Islander communities and organisations and where community-controlled organisations could have a central role. (Coalition of Peaks, pers. comm., 5 July 2023)

This work could draw on Australian and international examples of national data collections that have incorporated Indigenous data sovereignty principles in their design and implementation (box 11) and could support both the development of the monitoring approach and Priority Reform 4 (information paper 5).



### **Box 11 – National Indigenous data collections delivered through data sovereignty principles in Australia and abroad**

In Australia, the **Mayi Kuwayu National Study of Aboriginal and Torres Strait Islander Wellbeing** is a longitudinal study of the links between culture and wellbeing, developed by Aboriginal and Torres Strait Islander researchers at the Australian National University in partnership with Aboriginal and Torres Strait Islander communities, researchers and organisations, following Indigenous data sovereignty principles (Bourke et al. 2022, pp. 2–3). It includes items on the cultural, social and political determinants of health and wellbeing relevant to the Agreement's monitoring approach and measurement of outcomes under the Priority Reforms, such as experiences of local governance, decision-making and racism.

In Canada, national surveys of First Nations people have been administered through the **First Nations Information Governance Centre** and bodies preceding it since 1996. That year, the *Report of the Royal Commission on Aboriginal Peoples* recommended that:

First Nations, Inuit and Métis leaders establish a working group, funded by the federal government, with a two-year mandate to plan a statistical clearinghouse controlled by Aboriginal people to: a) work in collaboration with Aboriginal governments and organizations to establish and update statistical data bases; and b) promote common strategies across nations and communities for collecting and analyzing data relevant to Aboriginal development goals. (Royal Commission on Aboriginal Peoples, Canada 1996, p. 218)



### Box 11 – National Indigenous data collections delivered through data sovereignty principles in Australia and abroad

This led to the development of the only First Nations-governed national health survey in Canada and the First Nations OCAP principles governing First Nations' data and information (OCAP stands for ownership, control, access and possession) (First Nations Information Governance Centre 2023b). To implement these principles, the First Nations Information Governance Centre partners with communities to deliver national surveys that reflect the information needs of each nation and can be used by each nation for their own purposes or aggregated to provide a national picture. Since the original health survey, data collection has expanded to include surveys on early childhood, education, labour and employment, oral health and community (First Nations Information Governance Centre 2023a).



### Draft recommendation 1 Appointing an organisation to lead data development under the Agreement

Responsibility for data development under the Agreement is currently split across multiple working groups and organisations, including the Productivity Commission. Without stronger data governance arrangements, there is a risk that the most important data to tracking progress under the Agreement will not be prioritised and developed.

**An organisation or entity with dedicated resourcing and staffing to lead data development should be appointed.** The organisation should have the technical and cultural capability, resourcing and authority to lead this work and engage data custodians and Aboriginal and Torres Strait Islander organisations and communities in the development of appropriate solutions. There are many possible options for the organisation, including an independent research centre, government department, independent government agency, or a unit within a department or agency.

The chosen organisation's responsibilities should include leading work with parties to the Agreement to:

- develop a shared understanding and explicitly articulate **a conceptual logic underpinning the performance monitoring approach**. This should connect key reform actions and outputs under the Priority Reforms to the resulting intermediate outcomes intended to drive improvements in Aboriginal and Torres Strait Islander life outcomes. Intermediate outcomes should include common drivers of change across the socio-economic outcomes, where appropriate
- identify the most **critical indicators of change** under the Agreement and prioritise them for data development, following the conceptual logic
- determine the most **appropriate level of geographic data disaggregation** to hold jurisdictions to account for progress at a regional level, balancing community needs and data limitations
- coordinate and **develop solutions for indicators without data** with data custodians and Aboriginal and Torres Strait Islander organisations and communities.



### Information request 6

#### Characteristics of the organisation to lead data development under the Agreement

If an organisation (such as an independent research centre, government department, independent government agency, or a unit within a department or agency) is appointed to lead data development work to track progress under the Agreement (as per draft recommendation 1):

- What governance structure would ensure it has the authority and capability to deliver?
- What capabilities, skills or attributes should the organisation's leadership and staff have?
- How might it apply principles of Indigenous data sovereignty and governance in data development?

## 6 Is reporting providing the information that is needed in an accessible way?

The parties have committed to rigorously set out how they will implement the Agreement and publicly report on their actions and progress. The main mechanisms for this are the implementation plans, annual reports and the public dashboard and annual data compilation reports.

These arrangements are intended to support independent oversight and accountability. Specifically, they are meant to ensure that Aboriginal and Torres Strait Islander people, organisations and communities know what actions the parties have committed to, if they are being implemented as planned, and whether the parties' efforts are contributing to improved outcomes. Reporting also forms part of the Agreement's joint communication strategy which aims to support Aboriginal and Torres Strait Islander people to take ownership of, and engage in, the implementation of the Agreement (Joint Council 2023b, p. 11).

The implementation plans and annual reports should be closely linked, with the dashboard ensuring that progress against the targets is measured consistently across the jurisdictions. To be most useful, plans should set out a clear strategy that identifies the factors that are inhibiting progress, the key enabling capabilities that are needed, and the significant actions that will create the conditions for change. The plans should detail how (and by whom) the actions will be delivered, the intended results and any key risks that need to be managed.

Performance reporting should then present a coherent account of what has been done, that puts results in context by describing their significance and implications. Reporting should highlight both good and poor performance and transparently explain why specific actions are off-track and what will be done in response. In the context of the Agreement, it is critical that there are mechanisms to ensure that assessments of performance centre the perspectives, priorities and knowledges of Aboriginal and Torres Strait Islander people.

### The dashboard and annual data compilation report require further development

The Agreement stipulates that the Commission will develop and maintain a publicly accessible dashboard that presents the most up-to-date data on the targets and indicators specified in the performance framework. In addition, the Commission is also required to produce an annual data compilation report (ADCR) which provides a point-in-time snapshot of the dashboard. Rather than prescribing detailed specifications for the dashboard and ADCR, the Agreement requires the Commission to develop them by working with Joint Council, through the PWG (box 12).

The dashboard was launched in June 2021 and has been updated five times as of July 2023. The dashboard includes interactive visualisations and data tables for the available targets, supporting indicators and disaggregations. A visual summary assessment of progress is shown for each target, indicating by jurisdiction whether there has been improvement, no change or worsening. If there has been an improvement at the national level, it indicates whether the target is on-track to be met. The dashboard includes detailed information on how the measures are specified as well as guidance on how to interpret the data, including data quality considerations. However, commentary about the data is limited to brief descriptive explanations.

The Commission has published three ADCRs (2021–2023), based on the dashboard as of June each year. The ADCR has evolved as the number of targets and indicators with reportable data in the dashboard has increased. The most recent ADCR provides an overall assessment of progress across the socio-economic outcomes and a brief descriptive analysis of the key trends affecting different population groups. It also includes a detailed summary of progress by jurisdiction for each socio-economic outcome (where data is available) and provides an overview of the measurement and data quality issues to be considered when interpreting the results (PC 2023b).



### **Box 12 – Dashboard and annual data compilation report requirements**

The Agreement only includes a few basic specifications for the dashboard and ADCR. They include that:

- the dashboard will be updated regularly (at least annually) and maintained for the life of the Agreement (clause 116)
- the dashboard will be underpinned by an information repository that draws together data from existing sources (clause 116)
- reporting on the targets will show progress to close the gap, relative to non-Indigenous people. It will also include target trajectories that show the rate of change needed to meet each target from a starting baseline year. By comparing them to the actual performance of the target indicators, the trajectories are intended to inform whether the parties are ‘on-track’ (clause 88).

### **The dashboard and ADCR only provide a partial view of progress**

The role of the dashboard and ADCR is to make the performance monitoring data accessible so that it can be used to support accountability and drive jurisdictional effort. The reporting tools are intended to provide a single source of performance information to ensure that progress is measured consistently. Accordingly, governments are required to draw from the dashboard and ADCR to publicly report on their progress in their annual reports.

Beyond this, the Commission only has a partial understanding of how the reporting tools are currently being used. The reports are regularly tabled at Joint Council and PWG meetings to inform the parties’ internal discussions of progress and deliberations on emerging issues. Some jurisdictions also told the Commission that they are making use of the dashboard and ADCR to inform agencies about progress and provide context for policy discussions. For example:

The Australian government makes very extensive use of material published on the dashboard and in the ADCRs. This includes as input into: Briefing and advice to the Ministers to inform their media releases, Implementation Plan, input into NPPs for NIAA and other responsible departments, annual reports, reporting to Closing the Gap governance network through the

Partnership Working Group. Regional offices and service delivery organisations. Accountability and use as an evidence base for influencing and informing policy ... The recent incorporation of data disaggregations on the Dashboard furthers the commitment to some extent to Priority Reform Four in the National Agreement. (NIAA, pers. comm., 6 June 2023)

Aboriginal and Torres Strait Islander organisations and non-government organisations that the Commission heard from were generally supportive of the role of the reports in providing transparency. However, there are several issues that limit the dashboard and ADCR in their current forms from being used to achieve the purposes of the Agreement's performance monitoring approach. They include that:

- Slow progress in compiling and developing the required data means that **a large number of indicators are yet to be reported on** (section 4). The lack of any data on the Priority Reforms significantly curtails the ability of the reports to be used to drive jurisdictional effort. The Coalition of Peaks noted that while the dashboard provides 'an accountability mechanism that may reduce the limitations of biases and political narratives of implementation plans and annual reports, the data only indicates whether progress is occurring or not, rather than what needs to be focused on to get back on track' (sub. 25, p. 4). It added that embedding the Priority Reforms is especially important to ensure that data could be interpreted and used by Aboriginal and Torres Strait Islander people to advance and advocate for changes in policy and services to improve life outcomes.
- The dashboard and ADCR currently **only provide a top-line view of progress**. The target and supporting indicator data is presented by jurisdiction and can be disaggregated by remoteness area (that is, 'major city', 'regional', and 'remote'). However, under the existing measurement approach, the reports do not allow each jurisdiction's overall performance to be broken down by region (such as for northern or south east Queensland). This is an issue for accountability as it allows strong performance in certain regions to potentially mask a lack of progress or effort in other parts of a jurisdiction.
- The **dashboard does not link to related data collections** that could allow it to function as a central source of information. Regional-level breakdowns for some of the targets are already available through other sources (for example, the ABS's TableBuilder). Similarly, data relating to the supporting indicators for some socio-economic outcomes are also available in existing data collections. However, users of the dashboard will not necessarily be aware of these or know how to access them.

Some review participants also pointed to other areas where the functionality of the dashboard could be improved to make it easier to use. For example, the ABS (sub. 1, p. 3) pointed out in its submission that the dashboard does not allow the disaggregated data to be directly compared to the population-level data. A related limitation is that the target disaggregations are discretely visualised (such as by gender and age) and this can mask material differences in progress for intersectional sub-groups (such as young males compared to young females) (PC 2023b, p. 33). Another participant also suggested that the accessibility of the dashboard could be enhanced by using maps to present the data (Arthur, sub. 26, p. 1).

### **Reporting continues to focus on the gaps between Indigenous and non-Indigenous outcomes without context to aid interpretation**

As public reports, the dashboard and ADCR inform how the community understands whether progress is being made to improve life outcomes for Aboriginal and Torres Strait Islander people, and why. Review participants expressed concern that reporting currently remains overly focused on highlighting the 'gaps' between Aboriginal and Torres Strait Islander people and non-Indigenous people. While this reveals inequality, without context, it also risks attributing problems to Aboriginal and Torres Strait Islander people, rather than the current and historical



inequities. This concern was raised in submissions and in the Commission's engagement with ACCOs. For example, the Federation of Victorian Traditional Owner Corporations explained:

... The focus on 'gaps' frames and represents Aboriginal and Torres Strait Islander people in a narrative of negativity, deficiency, and failure. While deficit data can be useful to highlight inequalities and draw attention to areas requiring more effective and appropriate service delivery from governments, when repeatedly restated, such statistics can also contribute to a narrative that reduces Aboriginal and Torres Strait Islander people into a statistical problem. Moreover, such deficit discourse can place responsibility for inequalities with Aboriginal and Torres Strait Islander people and communities, and obscures underlying structural inequalities and more sophisticated understandings of the roles that factors such as language, culture, Country and community play in health outcomes. (sub. 24, p. 1)

While the Agreement specifies that reporting on the targets will show progress relative to non-Indigenous people (clause 88), it was intended that this would be presented alongside data measuring the Priority Reforms and other factors influencing outcomes (including social and cultural determinants). This is consistent with reviews of the NIRA, which found reporting lacked indicators of government performance and the structural factors that affect progress, such as racism and the functioning of the justice system (Markham et al. 2018, p. 2; NIAA 2019, p. 5).

In addition to the missing indicators, the design and content of the dashboard and ADCR has been constrained by the lack of a clear conceptual logic for the performance monitoring framework (section 2). The dashboard mirrors the layout of the target frameworks in the Agreement: it is divided into distinct sections for the Priority Reforms and socio-economic outcomes, with individual pages for each outcome. The target data is presented upfront by Indigenous status, with the disaggregations and supporting indicators presented in separate sub-sections. This design conceals the interrelationships between the socio-economic outcomes and the role of the Priority Reforms. Furthermore, the dashboard and ADCR provide little information explaining why the different measures matter and how they are related.

The reports could provide greater context to support users to interpret the target data by incorporating findings from relevant research and evaluations. For instance, the Commission's former *Overcoming Indigenous Disadvantage* reports drew on research literature to explain the significance of the results and the importance of different contributing factors. However, to avoid duplication, the scope of the dashboard and ADCR should take into account the functions of other established reports and data tools (such as the AIHW's Aboriginal and Torres Strait Islander Health Performance Framework).

A key issue is how decisions about the design and development of the performance reports are made and who is involved. Mechanisms are needed to centre the voices and perspectives of Aboriginal and Torres Strait Islander people in the assessment of the performance data and the story it tells. While the dashboard and ADCR are overseen by the PWG, which includes representatives from the Coalition of Peaks, it is unclear whether this arrangement provides sufficient opportunity for Aboriginal and Torres Strait Islander people and organisations to advise on the content of the reports and how they could be improved. A related issue is whether the current arrangements provide an appropriate level of independent oversight, noting that the Joint Council currently has responsibility for signing-off on updates to the dashboard and new ADCR releases.



### Information request 7

#### Performance reporting tools – dashboard and annual data compilation report

The Commission is seeking further information on how the performance reporting tools in the Agreement (namely the dashboard and annual data compilation report (ADCR)) are currently being used and how they could be improved.

- Who are the intended audiences for the dashboard and ADCR?
- How well do the dashboard and ADCR meet the needs of their intended audiences?
- Are there features or types of supporting information that should be included in the dashboard or ADCR to support the use and interpretation of the data?
- What information should the Agreement's performance reporting focus on providing relative to other reporting frameworks and tools (for example, the Aboriginal and Torres Strait Islander Health Performance Framework)?
- Is there a need for additional reporting tools to support the intended purposes of monitoring performance against the Agreement?

## Implementation plans do not demonstrate a strategic approach or consistently adhere to agreed elements

The Agreement commits the parties to developing rigorous implementation plans that 'respond to the differing needs, priorities and circumstances of Aboriginal and Torres Strait Islander people across Australia' (clause 96) and 'support achievement of the Agreement's objectives and outcomes' (clause 104). The plans are intended to ensure that Aboriginal and Torres Strait Islander people know that the parties are advancing a new way of working and can monitor their progress. Section 8 of the Agreement establishes how the implementation plans are to be developed, what they must include and how progress on the actions named within them will be monitored (box 13).

All parties were required to deliver their implementation plans to the Joint Council within 12 months of the Agreement commencing (July 2021). The Agreement does not stipulate what time period the plans should cover or how regularly they should be reviewed, but it does suggest that they are intended to be living documents. Notably, clause 91 requires the parties to include actions in their implementation plans to address any targets that are found to be off-track by one of the Commission's three-yearly reviews.

All parties released their first implementation plans between June and September 2021. The plans cover different time periods – for example, the Victorian and Tasmanian Governments' plans relate to the period 2021–23, whereas the NSW and Queensland Governments' first plans cover only 2021. As of June 2023, the Australian, NSW and Queensland Governments, as well as the Australian Local Government Association (ALGA) and Coalition of Peaks had subsequently released their second implementation plans. The ACT and WA Governments were yet to publish updated versions of their first plans, which are no longer current.

Collectively, the jurisdictional implementation plans include over 2,000 actions, many of which relate to existing initiatives or policies. All the plans include actions to implement the Priority Reforms and all but the NT and ACT Governments' plans set out specific actions for the socio-economic outcomes.

Overall, the jurisdictional plans often do not adhere to the agreed elements (although the second plans show signs of improvement). The three major weaknesses of the implementation plans, are that they display:

- limited evidence that the plans have been developed in partnership

- a lack of a strategic, whole-of-government approach
- a lack of transparency about how the actions will be delivered.

These shortcomings (which are discussed in detail below) make it hard for Aboriginal and Torres Strait Islander organisations and the community more broadly to understand whether governments are moving beyond a business-as-usual approach and to hold them accountable for the actions set out in their plans.



### Box 13 – Implementation plans

Chapter 8 of the Agreement sets out specific requirements for the jurisdictions' implementation plans (clause 108), Australian Local Government Association's implementation plans (clause 109) and the Coalition of Peaks' implementation plans (clause 110).

Jurisdictional implementation plans must:

- be whole-of-government plans, covering government agencies and statutory bodies
- be developed and delivered in partnership between governments, the Coalition of Peaks, and other Aboriginal and Torres Strait Islander partners
- set out how existing policies and programs will be aligned to the Agreement
- set out actions to achieve the Priority Reforms and partnership actions
- set out actions to achieve the agreed outcomes and targets
- for transparency, include information on funding and timeframes for actions
- include the approach to annual reporting, including when they will release their public report
- include information on how the states and territories will work with local government to implement the Agreement.

In addition to these requirements, the parties must also demonstrate in their implementation plans 'a commitment to undertake all actions in a way that takes full account of, promotes, and does not diminish in any way, the cultures of Aboriginal and Torres Strait Islander people' (clause 107).

Clause 111 establishes that the Joint Council is responsible for monitoring the progress of parties against their implementation plans. It allows for the Joint Council to advise the parties on implementation but not to approve their plans or make formal recommendations on them.

### Limited evidence of being developed in partnership

A central tenet of the Agreement is that the parties will share decision-making with Aboriginal and Torres Strait Islander people to design policies that affect their lives. The implementation plans were an important opportunity to embed this principle from the start.

While all jurisdictions included statements about their commitment to working in partnership, most provided little explanation to describe how their plans were developed in partnership. Five of the nine first implementation plans included an individual forward or opening statement from a peak body or other partner, and two included a co-signed statement. Some governments stated that their plans were a collaborative process (for example, the NT Government's plan). However, other plans indicated that the involvement of Aboriginal and Torres Strait Islander partners was limited to seeking input through consultation. The Tasmanian Aboriginal Centre (TAC) and the Queensland Aboriginal and Torres Strait Islander Coalition

(QATSIC) both acknowledged that their participation in the development of the first plans for their respective jurisdictions fell short of a genuine partnership effort.

With no extra resources we have not been able to achieve the Aboriginal participation we would like. We need extra time for Tasmanian Aboriginal people to express what change is needed for themselves and their families to achieve their own aspirations. (Tasmanian Government 2022, p. 3)

Due to resourcing constraints, QATSIC had limited input into the review of Queensland's Closing the Gap Implementation Plan 2022. However, this will change with funding now provided to QATSIC members and Queensland Government's commitment to working together to close the gap in socio-economic outcomes for Aboriginal and Torres Strait Islander people. (Coalition of Peaks 2021, p. 41)

This is consistent with a key concern the Commission heard during its engagements – that Aboriginal and Torres Strait Islander partners did not have the opportunity to meaningfully contribute to the development of the implementation plans, with organisations in some jurisdictions abstaining from providing feedback because the plans appeared to be already decided (PC 2023d, p. 4).

The second implementation plans that have been released by some jurisdictions show signs of improvement. For example, the NSW Government's second plan was developed in partnership with NSW Coalition of Aboriginal Peak Organisations (NSW CAPO) and informed by a NSW CAPO-led community consultation process (NSW Government 2022, p. 9). The plan links each of its proposed actions to key findings from the community consultations and sets forward a joint process to interactively review and update the actions.

### **Lists of piecemeal actions rather than whole-of-government strategies**

The jurisdictional implementation plans are intended to set out how governments will transform the way they are working to accelerate improved life outcomes for Aboriginal and Torres Strait Islander people. In reality, however, the plans largely consist of long lists of actions, many of which are minor, pre-existing, or only superficially linked to the Priority Reform or socio-economic outcome that they are listed against. For example:

- A majority of arrangements listed under Priority Reform 1 could be categorised as advisory panels or reference groups, with limited explanation given about how governments meaningfully partnered with these groups to share decision-making authority.
- Many of the Priority Reform 2 actions in the first implementation plans were existing initiatives, such as supporting ACCOs to understand the NDIS and building awareness of the scheme (Victorian Government 2021, p. 72).
- Actions relating to Priority Reform 3, to support the transformation of mainstream institutions and agencies, included modest artistic projects such as adding Aboriginal and Torres Strait Islander artwork to Queensland Boating and Fisheries Patrol boats (Queensland Government 2023, p. 20).
- Priority Reform 4 actions included business-as-usual reporting against existing government performance frameworks and other actions that were seemingly irrelevant to enhancing the ability of Aboriginal and Torres Strait Islander people to access, or use data. An example was 'training to support Aboriginal and Torres Strait Islander board members to perform effectively on government boards and committees', listed in the ACT Government's implementation plan.

Overall, the implementation plans fail to set out a coherent strategy or basic 'theory of change'. Done well, this would identify the existing issues and barriers that are impeding the Priority Reforms and socio-economic outcomes, articulate the conditions and factors that will enable change, and then explain why and how the proposed actions will contribute to bringing that change about. The plans also fail to explain the interconnectedness of the Priority Reforms and how they will be embedded in the socio-economic

outcome areas to drive change. Without this understanding, it is often difficult to discern the relative importance of the actions and whether they will collectively amount to a meaningful response. This concern was raised by many participants – for example:

... At the end of five years, we will have multiple Implementation Plans listing in excess of ten thousand initiatives and actions. What is the point of preparing these documents if no-one will be able to read and absorb them? If one wished to design a process guaranteed to resist close analysis and inspection, one could hardly do better than the current miasma of bureaucratic gobbledegook that passes for serious policy aimed at closing the gap. (Dillon, sub. 5, p. 3)

The implementation plans are also meant to ‘be whole-of-government plans, covering government agencies and statutory bodies’. Most plans assign actions to a responsible lead department, but many agencies and other entities are not included. For example, only 19 of the 189 Australian Government entities and companies are referred to in the Australian Government’s actions table<sup>2</sup>. None of the plans prescribe a process to ensure that all government entities individually set out the actions they will take to support the implementation of the Priority Reforms and any socio-economic outcomes that are relevant to their policy area. This omission is important, as genuine whole-of-government action is necessary to successfully implement the profound and lasting changes envisaged in the Agreement.

Finally, few jurisdictions substantively describe how they will work with and support local governments to implement the Agreement. Most of the plans appear to have been developed within minimal or no input from the jurisdictions’ local government association. The Northern Territory is a notable exception – the Local Government Association of the Northern Territory (LGANT) was a joint partner in the development of the Northern Territory’s implementation plan, and the association committed to specific actions to support Priority Reforms 2 and 3 (NT Government 2022, p. 2,26,30).

### **A lack of transparency about how actions will be delivered**

Despite being required to ensure transparency, details on the funding and timeframes for actions in most jurisdictional plans are either missing or vague. Three jurisdictions did not include action-level funding information in their plans (New South Wales, South Australia and Tasmania), while the remaining jurisdictions frequently indicated ‘new’ initiatives were to be delivered within existing funding or resourcing. Timeframes are inconsistently reported for similar types of actions and often indicated as ‘on-going’, rather than committing to a deliverable milestone or review point.

Other issues with how actions are set out in jurisdictional plans include:

- most plans do not indicate the current status of progress (for example, whether the action has commenced) and/or key next steps to advance it
- some plans only list a responsible Minister but not a responsible agency. While it is not a requirement, none of the plans assign a responsible official or statutory office holder
- a lack of links to documents or websites where more information about each action can be found.

The Australian Government’s 2023 implementation plan is a better example. It links to a searchable online actions table – each action includes a basic description of how it addresses a Priority Reform and/or socio-economic outcomes, whether it is a new or existing action, and whether it is an Aboriginal- and Torres Strait Islander-specific action (NIAA 2023). Allocated resourcing, delivery timeframes and the responsible

<sup>2</sup> Based on the Public Governance, Performance and Accountability Act Flipchart as of 6 March 2023 and the online Commonwealth Closing the Gap Actions Table as of 13 February 2023.

Minister and agency are specified for nearly all actions. The table also identifies which supporting indicator(s) from the Agreement's performance framework each action relates to.

## **Annual reports largely do not provide a comprehensive or balanced account of progress**

The annual reports are the main mechanism for the parties to publicly self-report on what each has done to implement the Agreement and the progress this has made. As set out by clause 118, the reports are required to:

- draw from the dashboard and ADCR, to ensure consistency of measures of progress
- include information on their efforts to implement the four Priority Reform areas and how they align with the principles for action
- demonstrate how their efforts, investment and actions are aligned and support the achievement of Closing the Gap goals
- list the number of Aboriginal and Torres Strait Islander community-controlled organisations and other Aboriginal and Torres Strait Islander organisations that have been allocated funding as per the relevant commitments in the Agreement.

Several other clauses throughout the Agreement include additional requirements for the jurisdictional reports, including that governments provide information on their partnerships (clause 37) and the actions they have taken to: strengthen the community-controlled sector (clause 47); meet the transformation elements of Priority Reform 3 (clause 65); and improve access to data and information by Aboriginal and Torres Strait Islander people and organisations (clause 73).

All jurisdictions except for Tasmania tabled their first annual reports in their respective Parliaments between September and November 2022 and made them available through their websites. The ALGA and Coalition of Peaks also respectively published their first annual reports in October and November 2022. The Tasmanian Government tabled its first annual report in May 2023, but as of July 2023 it was yet to be published on the Tasmanian Government's website.

The quality of the annual reports varies considerably and none of the jurisdictional reports adhere to all of the required elements. For example, none clearly report the total number of Aboriginal and Torres Strait Islander community-controlled organisations and other Aboriginal and Torres Strait Islander organisations that have been allocated funding and only some reported on the implementation of their sector strengthening plans (information paper 3).

## **Reporting on progress is not always consistent with the dashboard**

The jurisdictions' first annual reports all drew from the dashboard and ADCR to report on progress against the socio-economic targets. Most included data to compare progress in their jurisdiction to the national average, with some also including data to compare progress relative to non-Indigenous people. However, some jurisdictions have made their own assessments of the progress data which diverge from the agreed approach applied by the dashboard and ADCR.

As specified by the Agreement, the dashboard and ADCR assess the targets as 'on- or off-track' at the national level (section 4). But because the parties have not agreed on what amount of progress each jurisdiction will contribute to achieve the targets, their progress is only described as either 'improving', 'no change' or 'worsening'. While most jurisdictions followed this approach, Queensland and Tasmania reported their own summary assessments of whether they were on-track to meet each target (neither outlined their assessment method). Both the NSW and the ACT's annual reports also describe their jurisdictions as being 'on or off-track' against some



outcomes. Without a commitment to jurisdiction-specific contributions for each target and a common assessment methodology, the inclusion of self-assessments in the annual reports has the potential to give a misleading picture of progress and undermines the independence of progress assessment.

Some jurisdictions have also drawn on their own data sets to compliment the dashboard data or report on other measures of progress. For example:

- Victoria's 2021 annual report followed the Victorian Aboriginal Affairs Framework (the VAAF) rather than the Agreement's performance framework. It reported on progress against the VAAF's 20 goals (using visualisations from the VAAF dashboard) and nested the Agreement's socio-economic targets under the relevant goals.
- The ACT included its Impact Statement 2021, which reports on performance against the ACT Aboriginal and Torres Strait Islander Agreement 2019–2028 as an appendix to its Closing the Gap annual report. The Impact Statement largely aligns with the Agreement's performance framework but includes several ACT specific indicators and applies its own assessment method.
- The NT annual report closely followed the dashboard but also drew on data collected for its *Everyone Together Aboriginal Affairs Strategy* to report on targets that did not have new data since the baseline (e.g. Target 13 – Family safety). Similarly, Queensland's annual snapshot report presented data measuring several supporting indicators that are not yet available on the dashboard (such as home ownership rates for Outcome 9 – Housing).

By drawing on their own data sets, governments can provide a more granular picture of what is happening in their jurisdictions (for instance, the Northern Territory's annual report provides a breakdown of housing overcrowding by region). However, it also has the potential to lead to a proliferation of inconsistent measures – for example the rate of Aboriginal and Torres Strait Islander children in out-of-home care reported in the 2021 Victorian annual report (which is based on an aggregate annual count) is inconsistent with the rate reported by the dashboard and ADCR (which is a point-in-time count).

The requirement for the parties to draw on the dashboard and ADCR in their annual reports ensures that they are comparable and mitigates the risk of governments cherry-picking favourable assessment methods or indicators. The Agreement does not preclude jurisdictions from including additional indicators, but these will be of most value where they focus on filling data gaps and are clearly described.

### **Annual reports do not give a clear account of whether governments have met their commitments**

The annual reports are intended to provide the community with a transparent account of the progress that each party has made against the actions they committed to. However, the Commission found that many jurisdictions' annual reports are difficult to reconcile with their implementation plans.

A basic issue is that the annual reports only include a subset of the actions that governments have committed to, while also including updates on actions that were not set out in the implementation plans. For example, only two jurisdictions reported against all the Priority Reform 1 actions they committed to in their first implementation plans. In the other direction, nearly a fifth of the Priority Reform 1 actions reported on in the jurisdictions' first annual reports had not been included in their implementation plans. While it is reasonable for the parties to amend and update their plans, the extent of the inconsistency between what governments have said they would do and what they have reported on undermines the credibility of the annual reports. Moreover, it signals a lack of strategic focus and intent – the implementation plans and annual reports should only include actions and activities that have been agreed with Aboriginal and Torres Strait Islander partners as substantive and critical to achieving the objectives of the Agreement.

Another issue is that the descriptions of actions are often high-level or incomplete, which makes it difficult to assess their status. While not a requirement, the annual reports mostly do not indicate whether actions are on-track to be delivered as planned. Similarly, there is typically no discussion of delivery risks or issues and how they are being addressed. For example, the action summary table in the NSW Government's annual report labels most actions as 'on-going' or 'in-progress', without specifying whether they are on- or off-track, and many actions include little or no information about what progress has been made. The NT annual report illustrates somewhat better practice. Its progress summary table includes a unique identifier for each action that can be linked back to its implementation plan. The table provides short descriptions of the purpose of each action and some details on what has been done to date or committed to. It also specified the dollar amounts invested for some, but not all, actions.

### **Jurisdictional annual reports include little input from Aboriginal and Torres Strait Islander partners that reflects their assessment of progress**

By and large, the annual reports focus on highlighting achievements and listing what activities have been undertaken. Significantly less attention is given to describing what has not been delivered or areas where there has been little progress. As the Coalition of Peaks pointed out in its submission to the review, this is a long-standing problem.

While intending to outline how governments are implementing and progressing the National Agreement, these documents [implementation plans and annual reports] are often continuing traditional government practices of highlighting selected achievements while neglecting systemic issues that limit progress. (sub. 25, p. 4)

The credibility of annual reports is improved when they provide a balanced representation of performance that discloses shortcomings and explains how they will be addressed (ANAO 2004, p. 39). In line with this, guidance for Commonwealth entities on how to prepare their annual performance statements (under the Public Governance, Performance and Accountability ACT 2013) advises that rather than only listing specific achievements, they should include an informative analysis of the positive and negative factors that have contributed to performance (Department of Finance 2023).

Overall, the first annual reports give little account of how the Aboriginal and Torres Strait Islander partners view the progress that has been made in their jurisdictions. While the Coalition of Peaks' annual report includes progress updates from each partner, only five of the nine jurisdictional annual reports included an opening statement or forward from the local Aboriginal and Torres Strait Islander partner. The inclusion of unfiltered appraisals from Aboriginal and Torres Strait Islander partners would enhance the credibility of the annual reports and their usefulness for future planning. In addition, allowing partners to provide early input on the design of the reports is likely to make them more accessible to Aboriginal and Torres Strait Islander people. However, the Agreement does not currently specify how and what type of input Aboriginal and Torres Strait Islander partners should be able to provide.

### **Improving jurisdictional implementation plans and annual reports**

The weaknesses of the jurisdictional implementation plans and annual reports undermines their intended purpose to support accountability and drive actions to improve outcomes for Aboriginal and Torres Strait Islander people. The community needs to be able to clearly see how the actions in the implementation plans will collectively lead to delivering on the objectives of the Agreement. Annual reports need to provide an accurate and balanced account of what has and hasn't progressed and why. The Commission is seeking suggestions for how to ensure that governments' implementation plans and annual reports substantively meet the requirements set out in the Agreement (information request 8). Information paper 8 considers how

the Agreement's accountability mechanisms can be strengthened, including ways to provide greater transparency of the actions being taken to implement the Agreement.



### Information request 8

#### Quality of implementation plans and annual reports

Clauses 108 and 118 of the Agreement include clear criteria on how implementation plans and annual reports should be prepared and what they should include. This includes that implementation plans:

- are whole-of-government plans
- are developed and delivered in partnership with Aboriginal and Torres Strait Islander partners
- set out how existing policies and programs will be aligned to the Agreement
- set out actions to achieve the Priority Reforms, socio-economic outcomes and targets
- include information on funding and timeframes for actions

The plans must also demonstrate the parties' commitment to undertake all actions in a way that takes full account of and promotes the cultures of Aboriginal and Torres Strait Islander people.

Annual reports should demonstrate how efforts, investment and actions are aligned and support the achievement of Closing the Gap goals.

Jurisdictions are not consistently preparing implementation plans and annual reports that meet these criteria. Current implementation plans list hundreds of piecemeal actions with, for the most part, no explanation of how the agreed actions are expected to result in the desired change. Annual reports do not include all the actions in implementation plans so there is no way to track progress or judge success or failure.

The Commission is seeking further information on how to improve the quality of governments' implementation plans and annual reports, and what is needed for governments to prepare the plans and reports according to the agreed criteria. Could this include a function for an external group (such as the independent mechanism) to assess adherence to the criteria?

## Attachment A - The Agreement's outcomes and targets

	Outcome statement	Targets
<b>Priority Reform 1</b> <i>Formal partnerships and shared decision-making</i>	Aboriginal and Torres Strait Islander people are empowered to share decision-making authority with governments to accelerate policy and place-based progress on Closing the Gap through formal partnership arrangements.	There will be formal partnership arrangements to support Closing the Gap in place between Aboriginal and Torres Strait Islander people and governments in place in each state and territory enshrining agreed joint decision-making roles and responsibilities and where Aboriginal and Torres Strait Islander people have chosen their own representatives.
<b>Priority Reform 2</b> <i>Building the community-controlled sector</i>	There is a strong and sustainable Aboriginal and Torres Strait Islander community-controlled sector delivering high-quality services to meet the needs of Aboriginal and Torres Strait Islander people across the country.	Increase the amount of government funding for Aboriginal and Torres Strait Islander programs and services going through Aboriginal and Torres Strait Islander community-controlled organisations.
<b>Priority Reform 3</b> <i>Transforming government organisations</i>	Governments, their organisations and their institutions are accountable for Closing the Gap and are culturally safe and responsive to the needs of Aboriginal and Torres Strait Islander people, including through the services they fund.	Decrease in the proportion of Aboriginal and Torres Strait Islander people who have experiences of racism.
<b>Priority Reform 4</b> <i>Shared access to data and information at a regional level</i>	Aboriginal and Torres Strait Islander people have access to, and the capability to use, locally relevant data and information to set and monitor the implementation of efforts to close the gap, their priorities and drive their own development.	Increase the number of regional data projects to support Aboriginal and Torres Strait Islander communities to make decisions about Closing the Gap and their development.
<b>SEO 1</b> <i>Long and healthy lives</i>	Aboriginal and Torres Strait Islander people enjoy long and healthy lives.	Close the gap in life expectancy within a generation, by 2031.
<b>SEO 2</b> <i>Born healthy and strong</i>	Aboriginal and Torres Strait Islander children are born healthy and strong.	By 2031, increase the proportion of Aboriginal and Torres Strait Islander babies with a healthy birthweight to 91%.

	Outcome statement	Targets
<b>SEO 3</b> <i>Early childhood education</i>	Aboriginal and Torres Strait Islander children are engaged in high-quality, culturally appropriate early childhood education in their early years.	By 2025, increase the proportion of Aboriginal and Torres Strait Islander children enrolled in year-before-fulltime-schooling early childhood education to 95%.
<b>SEO 4</b> <i>Children thriving</i>	Aboriginal and Torres Strait Islander children thrive in their early years.	By 2031, increase the proportion of Aboriginal and Torres Strait Islander children assessed as developmentally on track in all five domains of the Australian Early Development Census (AEDC) to 55%.
<b>SEO 5</b> <i>Student learning potential</i>	Aboriginal and Torres Strait Islander students achieve their full learning potential.	By 2031, increase the proportion of Aboriginal and Torres Strait Islander people (age 20-24) attaining year 12 or equivalent qualification to 96%.
<b>SEO 6</b> <i>Further education pathways</i>	Aboriginal and Torres Strait Islander students reach their full potential through further education pathways.	By 2031, increase the proportion of Aboriginal and Torres Strait Islander people aged 25-34 years who have completed a tertiary qualification (Certificate III and above) to 70%.
<b>SEO 7</b> <i>Youth engagement</i>	Aboriginal and Torres Strait Islander youth are engaged in employment or education.	By 2031, increase the proportion of Aboriginal and Torres Strait Islander youth (15-24 years) who are in employment, education or training to 67%.
<b>SEO 8</b> <i>Economic participation and development</i>	Strong economic participation and development of Aboriginal and Torres Strait Islander people and communities.	By 2031, increase the proportion of Aboriginal and Torres Strait Islander people aged 25-64 who are employed to 62%.
<b>SEO 9</b> <i>Housing</i>	Aboriginal and Torres Strait Islander people secure appropriate, affordable housing that is aligned with their priorities and need.	<ul style="list-style-type: none"> <li>a. By 2031, increase the proportion of Aboriginal and Torres Strait Islander people living in appropriately sized (not overcrowded) housing to 88%.</li> <li>b. By 2031, all Aboriginal and Torres Strait Islander households: <ul style="list-style-type: none"> <li>i. within discrete Aboriginal and Torres Strait Islander communities receive essential services that meet or exceed the relevant jurisdictional standard</li> <li>ii. in or near to a town receive essential services that meet or exceed the same standard as applies generally within the town (including if the household might be classified for other purposes as a part of a discrete settlement such as a 'town camp' or 'town based reserve').</li> </ul> </li> </ul>

	Outcome statement	Targets
<b>SEO 10</b> <i>Criminal justice</i>	Aboriginal and Torres Strait Islander people are not overrepresented in the criminal justice system.	By 2031, reduce the rate of Aboriginal and Torres Strait Islander adults held in incarceration by at least 15%.
<b>SEO 11</b> <i>Youth justice</i>	Aboriginal and Torres Strait Islander young people are not overrepresented in the criminal justice system.	By 2031, reduce the rate of Aboriginal and Torres Strait Islander young people (10-17 years) in detention by at least 30%.
<b>SEO 12</b> <i>Child protection</i>	Aboriginal and Torres Strait Islander children are not overrepresented in the child protection system.	By 2031, reduce the rate of over-representation of Aboriginal and Torres Strait Islander children in out-of-home care by 45%.
<b>SEO 13</b> <i>Family safety</i>	Aboriginal and Torres Strait Islander families and households are safe.	By 2031, the rate of all forms of family violence and abuse against Aboriginal and Torres Strait Islander women and children is reduced at least by 50%, as progress towards zero.
<b>SEO 14</b> <i>Social and emotional wellbeing</i>	Aboriginal and Torres Strait Islander people enjoy high levels of social and emotional wellbeing.	Significant and sustained reduction in suicide of Aboriginal and Torres Strait Islander people towards zero.
<b>SEO 15</b> <i>Land and waters</i>	Aboriginal and Torres Strait Islander people maintain a distinctive cultural, spiritual, physical and economic relationship with their land and waters.	<ul style="list-style-type: none"> <li>a. By 2030, a 15% increase in Australia's landmass subject to Aboriginal and Torres Strait Islander people's legal rights or interests.</li> <li>b. By 2030, a 15% increase in areas covered by Aboriginal and Torres Strait Islander people's legal rights or interests in the sea.</li> </ul>
<b>SEO 16</b> <i>Cultures and languages</i>	Aboriginal and Torres Strait Islander cultures and languages are strong, supported and flourishing.	By 2031, there is a sustained increase in number and strength of Aboriginal and Torres Strait Islander languages being spoken.
<b>SEO 17</b> <i>Access to information</i>	Aboriginal and Torres Strait Islander people have access to information and services enabling participation in informed decision-making regarding their own lives.	By 2026, Aboriginal and Torres Strait Islander people have equal levels of digital inclusion.

Source: Closing the Gap information repository.



## References

- ABS (Australian Bureau of Statistics) 2016, *Census of Population and Housing: Census Dictionary, 2016*.
- ACT Government 2021, *Closing the Gap Jurisdictional Implementation Plan*.
- ANAO (Australian National Audit Office) 2004, *Better Practice in Annual Performance Reporting*, Australian National Audit Office, Canberra.
- 2019, *Closing the Gap Performance Audit Report*.
- 2023, *Audit Insights: Reporting Meaningful Performance Information*, <https://www.anao.gov.au/work/audit-insights/reporting-meaningful-performance-information> (accessed 11 July 2023).
- Australian Government 2022, *Commonwealth Closing the Gap Annual Report 2022*.
- Biddle, N, Gray, M and Schwab, J 2017, *Measuring and analysing success for Aboriginal and Torres Strait Islander Australians*, Working Paper No. 122/2017, Centre for Aboriginal Economic Policy Research, Australian National University.
- Bourke, SC, Chapman, J, Jones, R, Brinckley, K-M, Thurber, KA, Calabria, B, Doery, K, Olsen, A and Lovett, R 2022, 'Developing Aboriginal and Torres Strait Islander cultural indicators: an overview from Mayi Kuwayu, the National Study of Aboriginal and Torres Strait Islander wellbeing', *International Journal for Equity in Health*, vol. 2109, no. 2022, pp. 1–13.
- COAG (Council of Australian Governments) 2008, *Intergovernmental Agreement on Federal Financial Relations: Schedule C — Public Accountability and Performance Reporting*.
- Coalition of Peaks 2019, *A new way of working: Talking about what's needed to close the gap in life outcomes between Aboriginal and Torres Strait Islander people and other Australians*.
- 2020, *A report on engagements with Aboriginal and Torres Strait Islander People to inform a new National Agreement on Closing the Gap*.
- 2021, *Implementation Plans*, Coalition of Peaks, <https://coalitionofpeaks.org.au/new-national-agreement-on-closing-the-gap/implementation/> (accessed 9 February 2023).
- Department of Finance 2015, *Developing good performance information*, RMG 131, April, Department of Finance.
- 2023, *Annual performance statements for Commonwealth entities (RMG 134)*, 13 June, Australian Government.
- DPMC (Department of the Prime Minister and Cabinet) 2019, *Closing the Gap Report*.
- DRWG (Data and Reporting Working Group on Closing the Gap) 2023a, *Data and Reporting Working Group on Closing the Gap Draft Updated Terms of Reference, 2023-24*, unpublished.
- 2023b, *Draft DDP Implementation Plan*, unpublished.
- DSS (Department of Social Services) 2023, *Safe and Supported: Aboriginal and Torres Strait Islander First Action Plan 2023-2026*, 31 January.
- Equity Economics 2021, *Strengthening the Partnership: Mapping the Capability and Resources of the Coalition of Peaks*.
- FaHCSIA (Department of Families, Community Services and Indigenous Affairs, Australian Government) 2009, *Closing the Gap in Indigenous Disadvantage: The Challenge for Australia*, Canberra.
- First Nations Information Governance Centre 2023a, *Our Surveys*, <https://fnigc.ca/what-we-do/research-and-information/our-surveys/> (accessed 3 July 2023).
- 2023b, *The First Nations Principles of OCAP@*, <https://fnigc.ca/ocap-training/> (accessed 3 July 2023).
- Fogarty, W, Bulloch, H, McDonnell, S and Davis, M 2018, *Deficit discourse and Indigenous health*, The Lowitja Institute, Melbourne, pp. 22–26.
- French, M, Lowe, T, Wilson, R, Rhodes, M-L and Hawkins, M 2021, 'Managing the complexity of outcomes: a new approach to performance measurement and management', in Blackman, D (ed), *Handbook on Performance Management in the Public Sector*, Political Science and Public Policy 2021, Edward Elgar Publishing, pp. 111–128.
- Garlatti, A, Fedele, P and Ianniello, M 2018, 'The Iron Law of Unintended Effects, Again? Outcome Measures and Blame-Avoidance', *Outcome-Based Performance Management in the Public Sector*, vol 2, System dynamics for performance management., Springer International Publishing AG, pp. 45–62.
- Goh, S 2012, 'Making performance measurement systems more effective in public sector organizations', *Measuring Business Excellence*, March, p. 31.
- Goldsworthy, K 2021, *What is theory of change?*, September, Australian Institute of Family Studies.
- HM Treasury 2001, *Choosing the right FABRIC: A framework for performance information*, HM Treasury, London.
- Joint Council (Joint Council on Closing the Gap) 2020, *Fourth Meeting of the Joint Council on Closing the Gap*, Communiqué, 17 November 2020, Canberra.
- 2022, *Data Development Plan 2022-2030*.
- 2023a, *Joint Council on Closing the Gap Terms of Reference*.
- 2023b, *Ongoing Joint Communications Strategy*.
- Joint Council on Closing the Gap 2021, *Seventh Meeting of the Joint Council on Closing the Gap*, Communiqué, 3 December 2021, Canberra.
- KALACC (Kimberly Aboriginal Law and Culture Centre) 2022, *2022-23 Pre-Commonwealth Budget Submission*, 26 January.
- Kukutai, T and Walter, M 2015, 'Recognition and indigenizing official statistics: Reflections from Aotearoa New Zealand and Australia', *Statistical Journal of the IAOS*, vol. 31, no. 2, pp. 317–326.
- Lowitja Institute 2020, *Culture is Key: Towards cultural determinants-driven health policy - Final Report*, Lowitja Institute, Melbourne, pp. 2, 13, 16.
- Maiam nayri Wingara and Australian Indigenous Governance Institute 2018, *Indigenous Data Sovereignty Communiqué Indigenous Data Sovereignty Summit 20th June 2018*, Canberra, ACT.
- Markham, F, Jordan, K and Howard-Wagner, D 2018, *Closing the Gap Refresh: Papering over the gaps or structural reform?*,

- 2, CAEPR Topical Issue, Centre for Aboriginal Economic Policy Research, Australian National University.
- Marrie, A 2017, *Addressing Institutional Barriers to Health Equity for Aboriginal and Torres Strait Islander People in Queensland's Public Hospital and Health Services*, Anti-Discrimination Commission Queensland, Brisbane.
- Morgan, A and Homel, P 2011, *A model performance framework for community-based crime prevention*, Technical and Background Paper 40, Australian Institute of Criminology, Canberra.
- Murawin 2019, *Closing the Gap retrospective review*, Department of the Prime Minister and Cabinet, Canberra.
- NIAA (Australian Government National Indigenous Australians Agency) 2019, *Lessons learned from the National Indigenous Reform Agreement*, Joint Council on Closing the Gap.
- 2023, *Commonwealth Closing the Gap Actions Table*, <https://www.niaa.gov.au/ctg-actions> (accessed 26 June 2023).
- Nous Group 2014, *Perspectives on the use of performance frameworks in the Australian federation*, Research commissioned by the COAG Reform Council.
- NSW Government 2021, *NSW Implementation Plan for Closing the Gap*.
- 2022, *2022-2024 NSW Implementation Plan for Closing the Gap*.
- NT Government 2022, *Closing the Gap implementation plan annual report 2021-22*, November.
- Parter, C, Murray, D, Mohamed, J, Rambaldini, B, Calma, T, Wilson, S, Hartz, D, Gwynn, J and Skinner, J 2021, 'Talking about the "r" word: a right to a health system that is free of racism', *Public Health Research & Practice*, vol. 31, no. 1, p. 3112102.
- , Wilson, S and Hartz, DL 2019, 'The Closing the Gap (CTG) Refresh: Should Aboriginal and Torres Strait Islander culture be incorporated in the CTG framework? How?', *Australian and New Zealand Journal of Public Health*, vol. 43, no. 1, pp. 5–7.
- Patton, MQ 2018, *Principles-Focused Evaluation: The GUIDE*, Guilford Press, New York.
- PC (Productivity Commission) 2019, *Review of the National Disability Agreement, Study Report*, Canberra.
- 2020, *Indigenous Evaluation Strategy*, October.
- 2021, *Proposed data updates for the Closing the Gap Dashboard to mid-2022*, unpublished.
- 2022a, *Proposed data updates for the Closing the Gap Dashboard to mid-2023*, unpublished.
- 2022b, *Review of the National School Reform Agreement, Study Report*, Canberra, December.
- 2023a, *Aboriginal and Torres Strait Islander cultures and languages are strong, supported and flourishing*, Closing the Gap Information Repository, <https://www.pc.gov.au/closing-the-gap-data/dashboard/socioeconomic/outcome-area16> (accessed 11 July 2023).
- 2023b, *Closing the Gap Annual Data Compilation Report 2023*, July.
- 2023c, *Closing the Gap Information Repository*, <https://www.pc.gov.au/closing-the-gap-data> (accessed 9 June 2023).
- 2023d, *Review of the National Agreement on Closing the Gap - Review paper 3: What we have heard to date - first phase of engagement*, Productivity Commission, Canberra.
- QAIHC (Queensland Aboriginal and Islander Health Council) 2022, *Position Paper: Institutional Racism in the Queensland Public Health System*, Brisbane.
- Queensland Government 2023, *Queensland Closing the Gap 2022 Implementation Plan - Attachment*, Brisbane.
- Ramia, I, Powell, A, Stratton, K, Stokes, C, Meltzer, A and Muir, K 2021, *Roadmap to outcomes measurement. Your step-by-step guide to planning, measuring and communicating social impact*, Centre for Social Impact.
- RCPDCNT (Royal Commission into the Protection and Detention of Children in the Northern Territory) 2017, *Final Report*, Darwin.
- Royal Commission on Aboriginal Peoples, Canada 1996, *Report of the Royal Commission on Aboriginal Peoples*, The Commission: Available by mail from Canada Communication Group-Pub, Ottawa.
- SCRGSP (Steering Committee for the Review of Government Service Provision) 2009, *National Agreement Performance Information 2008-09: National Indigenous Reform Agreement*, Productivity Commission, Canberra.
- Tasmanian Government 2022, *Closing the Gap Tasmanian Implementation Plan 2021 – 2023*.
- Taylor, J 2008, 'Indigenous Peoples and Indicators of Well-being: Australian Perspectives on United Nations Global Frameworks', *Social Indicators Research*, vol. 87, pp. 111–126.
- Victorian Government 2021, *Closing the Gap Jurisdictional Implementation Plan 2021-2023*.
- 2022, *Victorian Government Aboriginal Affairs Report 2021*.
- Walter, M, M. Lovett, R, Bodkin Andrews, G and Lee, V 2018, *Indigenous Data Sovereignty Briefing Paper 1*, Miaim nayri Wingara Data Sovereignty Group and the Australian Indigenous Governance Institute.