



# OCHRE Review Report

## Executive summary

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

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

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

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

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

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

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

### *What makes up OCHRE?*

OUCHRE consists of the following initiatives:

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

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1 Part 3B, *Ombudsman Act 1974*.

2 Daniel Lester’s term as Deputy Ombudsman (Aboriginal Programs) commenced on 7 October 2014.

3 Our oversight function of the designated Aboriginal programs started on 1 July 2014.



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

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

### *Chapter 3: Healing*

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

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

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

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

The NSW Government has carried out a range of activities related to healing, including:<sup>9</sup>

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

<sup>5</sup> Atkinson, J, *Trauma Trails Recreating Song Lines – the Transgenerational Effects of Trauma in Indigenous Australia*, Spinifex Press, 2002.

<sup>6</sup> Healing Foundation, ‘We have evidence to break the cycle of Intergenerational Trauma’, Media release, 8 January 2019.

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

<sup>8</sup> Advice provided at meeting with Aboriginal Affairs and the Healing Foundation, July 2018.

<sup>9</sup> <https://www.aboriginalaffairs.nsw.gov.au/healing-and-reparations/stolen-generations>.

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

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

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

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

#### ***Chapter 4: Aboriginal Language and Culture Nests***

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

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

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

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

<sup>10</sup> NSW Department of Education, *Aboriginal Language and Culture Nest Guidelines*, 2018, p.5.

<sup>11</sup> Ministerial Taskforce on Aboriginal Affairs, *Getting it right: The findings of the Round Two Consultations for the NSW Ministerial Taskforce on Aboriginal Affairs*, 2012, p.19.

<sup>12</sup> The New Zealand program informed the development of Aboriginal Language and Culture Nests in NSW (Department of Education, *Aboriginal Language and Culture Nest Guidelines*, 2018, p.3).

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

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

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

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

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

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

### ***Chapter 5: Local Decision Making***

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

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

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

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

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

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

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

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

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

### ***Chapter 6: OCHRE Aboriginal Economic Prosperity Framework***

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

<sup>14</sup> For example, see the *Murdi Paaki Regional Partnership Agreement (RPA) 2009-2012* between the Murdi Paaki Regional Assembly, the NSW Government and the Commonwealth Government.

<sup>15</sup> Aboriginal Affairs NSW, *Local Decision Making Implementation Plan 2017-2020*, 2017, p.3.

<sup>16</sup> NSW Ombudsman, *Addressing Aboriginal disadvantage: the need to do things differently*, October 2011, p.48; *Responding to Child Sexual Assault in Aboriginal Communities*, December 2012, Recommendation 83, p.20.

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

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

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

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

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

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

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

<sup>17</sup> Aboriginal Affairs NSW, *UCHRE: Opportunity, Choice, Healing, Responsibility, Empowerment – NSW Government Plan for Aboriginal affairs: education, employment & accountability* ('UCHRE Plan'), April 2013, p.17.

<sup>18</sup> NSW Legislative Council Standing Committee on State Development, *Inquiry into economic development in Aboriginal communities* (final report), September 2016.

<sup>19</sup> Advice provided by Aboriginal Affairs NSW, May 2018.

<sup>20</sup> Advice provided by the Department of Industry, December 2018. It is anticipated that Treasury will chair the Economic Development Committee from 2019-2020.

<sup>21</sup> NSW Ombudsman, *Addressing Aboriginal disadvantage: the need to do things differently*, October 2011, pp.55-56.

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

### ***Chapter 7: Solution Brokerage***

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

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

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

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

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

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

### ***Chapter 8: Opportunity Hubs***

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

<sup>22</sup> Ministerial Taskforce on Aboriginal Affairs, *Ministerial Taskforce on Aboriginal Affairs Final Report*, March 2013, p.5.

<sup>23</sup> NSW Ombudsman, *Addressing Aboriginal disadvantage: the need to do things differently*, October 2011.



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

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

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

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

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

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

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

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

<sup>24</sup> Aboriginal Affairs NSW, *Opportunity Hubs*, <https://www.aboriginalaffairs.nsw.gov.au> accessed 25 February 2019.

<sup>25</sup> 80% of survey participants thought the initiative was 'a really good idea' and a further 17% thought it was 'worth a go.' (Aboriginal Affairs NSW, *Getting it right – The findings of the Round Two Consultations for the NSW*, Ministerial Taskforce on Aboriginal Affairs, 2012, p.8).

<sup>26</sup> On 1 July 2019 the Department of Industry became the Department of Planning, Industry and Environment.

<sup>27</sup> Advice provided by Training Services NSW, June 2018.

<sup>28</sup> Aboriginal Affairs NSW, *Getting it right – The findings of the Round Two Consultations for the NSW*, Ministerial Taskforce on Aboriginal Affairs, 2012, pp. 43-44.

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

### ***Chapter 9: Connected Communities***

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

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

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

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

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

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

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

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

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

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

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

### *The future of OCHRE*

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

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

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

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

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

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

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

### Key lessons learned

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

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

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

### Where to now?

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

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

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

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

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

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

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

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

<sup>31</sup> Advice provided by Aboriginal Affairs NSW, 17 July 2018.

<sup>32</sup> Social Policy Research Centre, *OCHRE Evaluation Synthesis Report | Stage 1 Evaluation Report* | June 2018, p.56.

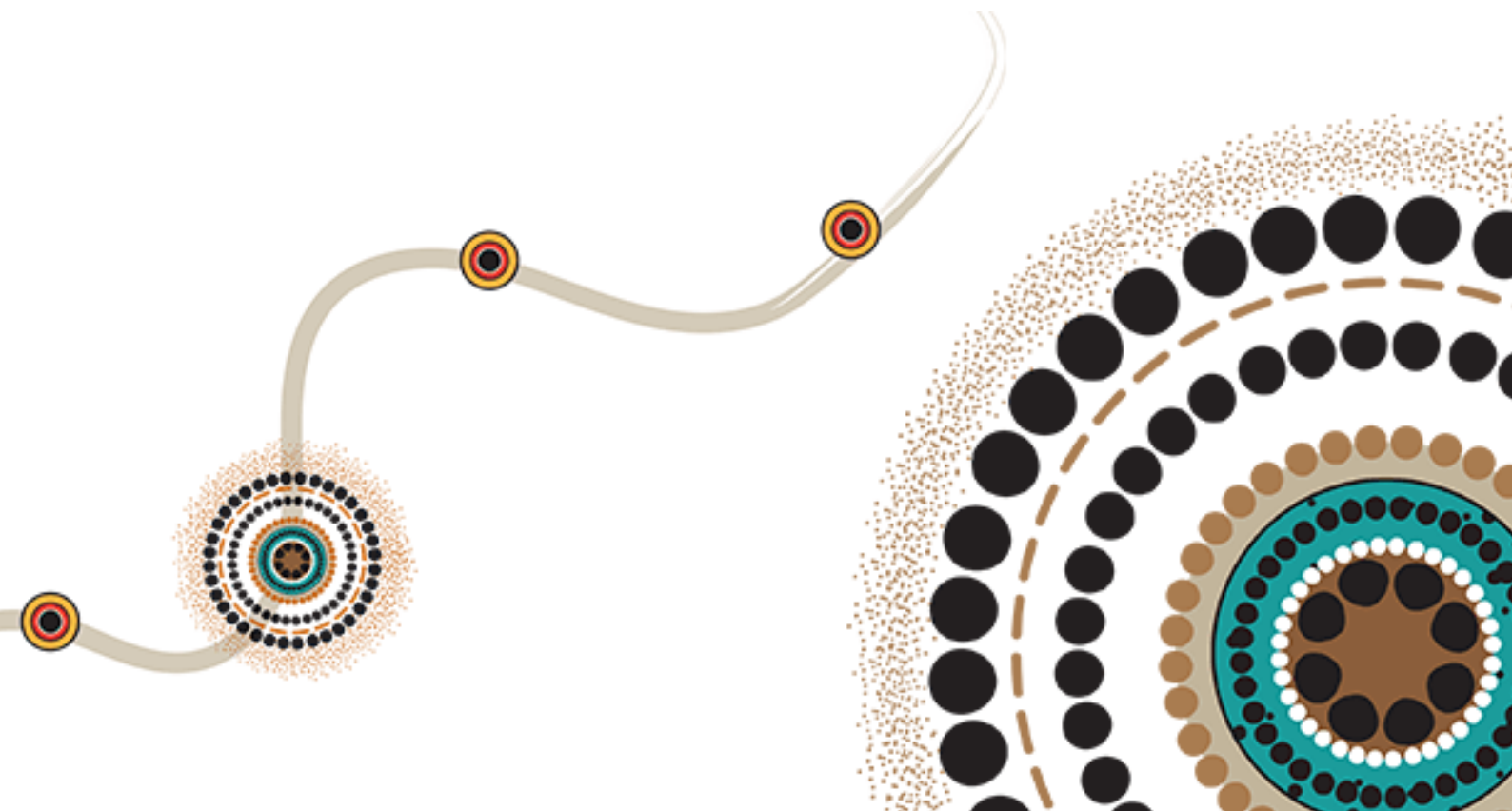
<sup>33</sup> Section 16, Administrative Arrangements (Administrative Changes – Public Service Agencies) Order 2019 (NSW).



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

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

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



<sup>34</sup> Ministerial Taskforce on Aboriginal Affairs, *Ministerial Taskforce on Aboriginal Affairs: Final Report*, March 2013.