

ABORIGINAL EMPLOYMENT STRATEGY

OMBUDSMAN'S FOREWORD

It is essential that the NSW Ombudsman's office is accessible to anyone who needs us. To this end, we have identified a number of strategies that focus on the needs of particular vulnerable groups. One such strategy is our Aboriginal Policy, which outlines our commitment to achieving improved outcomes for Aboriginal people, consistent with the principles and priorities set out in the NSW State Plan, 'Two Ways Together', 'Making it our Business' and 'Closing the Gap'.

Specifically, our Aboriginal Policy outlines our commitment to:

- improved services and outcomes
- improved employment outcomes
- the identification and removal of barriers to services
- providing information about our services in a range of accessible formats
- ongoing education of staff about Aboriginal issues and needs
- acknowledging the traditional owners/custodians at significant forums, conferences and meetings.

Our Aboriginal Employment Strategy supports our stated goal of improving employment outcomes for Aboriginal people and addresses the requirements of 'Making it our Business' to develop specific strategies to:

- improve the recruitment experience for Aboriginal people
- value and retain Aboriginal staff
- help Aboriginal staff to build careers in the public sector

These strategies, once implemented, will contribute to both the office and public sector achieving the target of 2.6% Aboriginal employment.

We recognise that Aboriginal people seeking employment find it challenging – that there is still a number of barriers that they face when seeking work. We will take action to reduce any barriers and improve the recruitment experience for Aboriginal candidates.

Our past experience has shown that Aboriginal people working in our office bring to the workplace a range of skills, experiences, connections, networks and ideas that are invaluable. It is therefore in our best interests to retain and develop those staff. We need to ensure that our workplace is supportive, flexible and respectful and that our Aboriginal staff are provided with career options and are assisted to meet their long term goals.

The progress of implementation of our Aboriginal Employment Strategy will be reviewed regularly and reported to our Senior Officers Group at least quarterly. Progress will also be reported in our annual report.

Our Access and Equity Policy, Aboriginal Policy, Equal Employment Opportunity (EEO) Policy and EEO Management Plan and Staff Performance Management Policy support our Aboriginal Employment Strategy.



Bruce Barbour
OMBUDSMAN

POLICY STATEMENT

The purpose of this policy is to outline our commitment to improve our employment, retention and career development policies and practices to support greater participation of Aboriginal people in our workplace. This strategy supports our commitment to achieving the NSW government target of 2.6% Aboriginal employment by 2015.

WHAT IS THE OMBUDSMAN?

The NSW Ombudsman is an independent and impartial watchdog body. Our job is to make sure that the public and private sector agencies and employees we watch over fulfil their functions properly. We help those agencies and their employees to be aware of their responsibilities to the public, to act reasonably and to comply with the law and best practice in administration.

Our work is governed by a range of legislation including the *Ombudsman Act 1974*, the *Community Services (Complaints, Reviews and Monitoring) Act 1993* and the *Police Act 1990*.

Our vision is to 'see fair, accountable and responsive administrative practice and service delivery in NSW'. We work to promote good conduct, fair decision making, protection of rights and the provision of quality services. We pride ourselves on the quality of our work and the standard of our service. Our reputation for maintaining high standards in administrative conduct is important because it helps ensure that agencies accept our advice and implement our recommendations. We aim to lead by example and focus on practical outcomes that do the most good for the most people.

WHAT DOES THE OMBUDSMAN DO?

Our work supports the achievement of the State Plan themes, strategies and priorities. We assist agencies to improve their services to the public. Traditionally, we fulfilled this mandate by responding to complaints and overseeing investigations – recommending improvements to the way agencies perform in relation to both individual matters and broader issues.

Over the years Parliament has greatly expanded the scope of our functions. We now oversee the investigation of complaints about police and community service providers, the handling of child abuse allegations and convictions by persons and agencies within jurisdiction, and the use of powers to conduct controlled operations.

We review the delivery of community services, the causes and patterns of deaths of certain children and of people with disabilities in care, and the operation of a number of new pieces of legislation conferring additional powers on police.

We audit complaint handling systems of NSW agencies and community service providers, and telephone interception records held by agencies that are authorised to intercept telephonic communications.

In the 2008/2009 financial year, we received 24,252 informal complaints and inquiries, as well as 8,742 formal complaints and notifications. We conducted a large number of audits, reviews, visits and consultations, as outlined in the table below:

Table 1: Outline of other work of the Ombudsman

Category	Type of work	08/09
Audits	Number of police records audited	10,400
	Controlled operation records audited	433
	Surveillance device warrants audited	374
	Witness protection appeals	3
	Number of child protection 'agency' audits conducted	18
Police powers under review	Number of reviews of legislation conferring new police powers concluded	2
	Number of reviews of legislation conferring new police powers in progress	4
Visits	Number of hours spent on visiting services (official community visitor program)	8,867
	Number of visits to residential services (official community visitor program)	3,239
	Correctional and juvenile justice centre visits	60
	Visits to regional and remote communities	73
Reviews*	Complaint-handling systems	20
	Number of individual reviews (section 13) of the circumstances of children and other persons in care	35
	Reviews (section 11(c)) of the delivery of community services	7
Consultations	Number of people consulted during systemic investigations and reviews	1,328

* The number of reviewable deaths is recorded by calendar year. In 2008, the deaths of 88 people with disabilities in care and 145 children were reviewable.

Our legislation generally requires that complaints to us be in writing. We can, however, take oral complaints in certain circumstances, for example, complaints about community services matters. We assist people in making written complaints by providing an on line complaint form on our website, or by making available complaint forms targeting specific groups, or by assisting the public in writing their letters of complaint.

STAFF PROFILE

The NSW government has set targets for employing people from various EEO groups including Aboriginal people. Measurement against these targets is a good indication of how effective our EEO program has been. Tables 2 & 3 show the percentage of Aboriginal staff by salary level and employment basis.

Table 2: Aboriginal staff – by salary level (2008/2009)

Level	Total Staff	Respondents	Aboriginal People & Torres Strait Islanders
< \$36,677	0	0	0
\$36,677 - \$48,172	10	10	1
\$48,173 - \$53,854	8	8	1
\$53,855 - \$68,147	34	34	1
\$68,148 - \$88,127	92	92	2
\$88,128 - \$110,160	41	41	2
> \$110,160 (non-SES)	3	3	0
> \$110,160 (SES)	5	5	0
TOTAL	193	193	7

Table 3: Aboriginal staff – by employment basis (2008/2009)

Employment basis		Total Staff	Respondents	Aboriginal People & Torres Strait Islanders
Permanent	Full-Time	118	118	4
	Part-Time	41	41	1
Temporary	Full-Time	22	22	2
	Part-Time	6	6	0
Contract	SES	5	5	0
	Non SES	1	1	0
TOTAL		193	193	7

Table 4 shows the trends in representation of our staff who identify as Aboriginal people as compared to the government benchmark.

Table 4: Trends in the representation of staff who identify as Aboriginal people compared to the government benchmark.

Representation	Government benchmark (%)*	Ombudsman representation (%)				
		04/05	05/06	06/07	07/08	08/09
Aboriginal and Torres Strait Islander people	2	2.1	2	2	2.5	3.6

* the new benchmark or target of 2.6% Aboriginal employment will be reflected in our 2009/2010 statistics.

From the above table we can see that our figures show a consistent and steady improvement. We currently exceed the new target of 2.6% Aboriginal employment set by the government.

CONSULTATION

This strategy plan was developed in consultation with staff of our Aboriginal Unit, division managers, personnel staff and senior officers.

MONITORING AND REVIEW

The progress of the implementation of the Aboriginal Employment Strategy will be regularly monitored and evaluated. Responsibilities, performance indicators and timelines are specified against each action in the strategy.

The Director Corporate, who is responsible for overall implementation of the Aboriginal Employment Strategy, will report the progress of the implementation to the Senior Officers Group at least quarterly. Progress with implementation will also be reported in our annual report.

COMMUNICATION

The Aboriginal Employment Strategy will be distributed in the following ways:

- e-mailed to all staff
- placed on NSW Ombudsman's website
- provided to new staff at induction
- reported in the Annual Report