Identified Aboriginal and Torres Strait Islander Position Guidelines
April 2018

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Responsible Officer
Executive Director, Human Resources

Approved and commenced
April, 2018

Review by
April, 2021

Relevant Policy or Procedure the Guideline supports
Recruitment and Appointment Policy
Strategic Plan for Aboriginal Engagement 2017-2020

Responsible Organisational Unit
Human Resources
Executive Summary

These guidelines relate specifically to a position identified for Aboriginal or Torres Strait Islander employment. For the remainder of this document, all references to Aboriginal people should be taken to include Torres Strait Islander people.

These guidelines have been developed to provide consistency across the University in the verification of a person’s identification as an Aboriginal person for Aboriginal identified positions. The guidelines are consistent with the three-part Commonwealth definition of an Aboriginal and/or Torres Strait Islander person and the Tasmanian State Government’s 2016 Aboriginal Eligibility Policy and Processes.

More information

For further information on these guidelines, please contact the Executive Director, Human Resources

Email: Human.Resources@utas.edu.au

Aboriginal Identified Positions

An Aboriginal identified position is one which is allocated for recruitment of an Aboriginal person under the University’s Strategic Plan for Aboriginal Engagement 2017-2020 (the Strategy). Such positions aim to increase employment opportunities for Aboriginal people, and fulfil the University’s commitment to the Strategy. Identified positions are based on the core principles of building Aboriginal workforce capabilities, selection on merit, ensuring fairness and accountability and valuing a diverse workforce.

Identified positions have an essential requirement that the candidate is Aboriginal and their identification is subject to approval by the Executive Director, Human Resources in consultation with the relevant Head of Organisational Unit and a senior Aboriginal employee for further clarification. An identified position should include those in which the major client group is Aboriginal, and involves working with Aboriginal clients, developing and/or delivering programs, units and courses that have substantive Aboriginal content or a substantial impact on the Aboriginal community.

The University aims to employ an Aboriginal person in any position that specifically provides services for Aboriginal people. In the first instance, the University will include in the essential criteria for identified positions the requirement that the appointee be an Aboriginal person. Where the University has grounds to consider that it may be difficult to attract a suitably qualified Aboriginal person, it may be appropriate for the Executive Director, Human Resources to consult with Pro-Vice Chancellor, Aboriginal Research and Leadership to consider next steps, which may include a temporary conversion to a non-identified position and to re-advertise. If this is the case, it may be appropriate to recruit for a period of up to 2 years and then readvertise as an identified position. Any identified position must meet the criteria for an exemption under the Tasmanian Anti-Discrimination Act 1998.
Recruitment

The Position Description
Selection criteria should include as an essential requirement that the appointee:

a is an Aboriginal person

b demonstrates a level of knowledge and understanding of Aboriginal cultures and societies appropriate to the position; and

c demonstrates the ability to communicate sensitively and effectively with Aboriginal people, including the requirement for genuine consultation and negotiation.

Advice and support on this issue can be provided by the Aboriginal and Torres Strait Islander Employment Co-ordinator.

Selection Panel Composition
When recruiting for an identified position, one member of the selection panel must be an Aboriginal person. The Aboriginal and Torres Strait Islander Employment Coordinator is to be consulted with to ensure alignment with the Selection Panel composition requirements.

Eligibility Criteria

The evidence of eligibility is based on the three-tiered criteria for Aboriginality used by Commonwealth and State Government agencies and as defined by Federal Court decisions.

The definition of Aboriginality as defined by Federal Court decision requires that an Aboriginal or Torres Strait Islander person:

1 is of Australian Aboriginal or Torres Strait Islander descent; and

2 identifies as an Australian Aboriginal or Torres Strait Islander; and

3 is accepted as such by the community in which they live or have lived.

Eligibility Assessment Process

Checking Eligibility
An eligibility process will be undertaken for the preferred candidate of any Aboriginal identified position.

The University will make a determination based on the eligibility process as outlined below:
Request for information from applicants
The University will write to the applicant requesting further evidence to support their claim of
Aboriginality. The applicant will also be provided with a copy of these Guidelines. The applicant will
be given 14 days to provide the information to the University’s Aboriginal and Torres Strait Islander
Employment Co-ordinator. An extension to this timeframe may be granted if the applicant is having
difficulty in obtaining additional information and has applied for an extension in writing.

Consideration of the evidence provided
The University will consider evidence presented and any other information, such as archival
information, that is available when making its determination.

The evidence an applicant may submit must cover the following three (3) categories:

1  Descent (Category 1)

A person is required to provide evidence that they are an Aboriginal person. This includes
documentary evidence that shows a direct line of their Aboriginal family linked through an
identifiable family name to a traditional Aboriginal ancestor.

Documentary evidence will take the form of a verifiable family tree, and archival or verifiable
historical documentation that links a person to a traditional Aboriginal or Torres Strait Islander
family or person. Aboriginal people of Tasmanian descent are encouraged to consult the Mollison
Genealogies of Tasmanian Aboriginal People, held electronically by the Morris Miller Library at the
University of Tasmania. Perusal of these records is by appointment.

In circumstances where documentary evidence is not available, other relevant evidence (refer
below) can be considered, however, this will need some form of verification and where possible will
need to be checked against available archival information.

The Tasmanian Archive and Heritage Office may be consulted in relation to verifying any evidence or
documentation that has been provided. Where there is verifiable documentary evidence available,
such evidence will have a greater weight than other relevant evidence that may be provided (refer
below).

Other Relevant Evidence
An applicant can provide other evidence that they consider relevant. Examples of this include
personal statements (oral or written) and statements from other people. However, it should be
noted that these examples may provide inconclusive evidence of ancestry and may have a lesser
weight than documentary evidence.

2  Self-identification (Category 2)

In addition to providing evidence of being an Aboriginal person, a person must be able to
demonstrate self-identification as an Aboriginal person by providing a signed Statutory Declaration
Form.
3 Communal Recognition (Category 3)

In addition to having descent and self-identification, a person must be able to demonstrate communal recognition or acceptance by members of the Aboriginal community in which they live or have lived. In practical terms a person will generally be required to:

- obtain a letter of confirmation signed by two authorised signatories from Aboriginal organisations whose primary purpose is to support Aboriginal people and are currently registered under the Commonwealth Corporations (Aboriginal or Torres Strait Islander) Act 2006, or from Flinders Island Aboriginal Association or Cape Barren Island Aboriginal Association, of the Aboriginal community in which he or she has lived to demonstrate that the person is Aboriginal.

- demonstrate that the signatories are not from the immediate family of the person seeking confirmation and are from family groups who are accepted members of the Aboriginal community in which he or she lives or has lived;

Glossary

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<thead>
<tr>
<th>Term/Acronym</th>
<th>Definition</th>
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<tbody>
<tr>
<td>Organisational Unit</td>
<td>College, Faculty, School, Centre, University Institute, other University Entity, Division, Section or University Business Enterprise.</td>
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Versioning

<table>
<thead>
<tr>
<th>Former Versions</th>
<th>Current Version</th>
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<tbody>
<tr>
<td>Version 1</td>
<td>Version 3</td>
</tr>
<tr>
<td>Version 2</td>
<td>Identified Aboriginal Positions Guidelines (current document); approved April 2018</td>
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<tr>
<td></td>
<td>Guidelines for Identified Aboriginal Positions; Approved March, 2006 ; by xx Committee Identified Aboriginal Positions Guidelines; approved November 2014</td>
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