

Partnership Agreement

Closing the Gap Partnership Forum

PREAMBLE

Overview

This Partnership Agreement (Agreement) outlines the agreed arrangements for the formal partnership between the parties of the Closing the Gap Partnership Forum (Partnership Forum) across all targets and priority reform areas as outlined in the National Agreement on Closing the Gap (National Agreement).¹¹ This Agreement comprises a Preamble, outlining the Partnership Forum's partnership approach to implementing the National Agreement, and a Terms of Reference.

Ngaweeyan Maar-oo (representing the 13 elected Aboriginal Community Controlled Organisation (ACCO) sector representatives and Aboriginal Governance Forums) and senior executives of the Victorian Government comprise the Partnership Forum. Together Ngaweeyan Maar-oo and the Victorian Government are committed to partnership actions under the National Agreement, including policy partnerships, sector strengthening, place-based partnerships and data projects.

All parties to this Agreement acknowledge that ensuring Aboriginal voices and leadership are heard, respected, and acknowledged appropriately is key to achieving self-determination, as are transparent negotiation and data sharing, and tangible activities to ensure mainstream accountability.

The National Agreement is an ongoing Agreement, until replaced by a future National Agreement. The parties to this Agreement are committed to Closing the Gap implementation until 2031, in alignment with the timeframes for achieving the National Agreement's socioeconomic targets.

Partnership context

As a signatory to the National Agreement, the Victorian Government must uphold the National Agreement's strong partnership elements outlined in clauses 32 and 22. This includes:

- partnerships are accountable and representative
- formal agreements are in place
- decision-making is shared between government and First Peoples
- adequate funding is provided to support First Peoples' parties to partner with government.

The National Agreement also commits the Victorian Government to changing the ways in which it works with First Peoples communities and organisations. Victoria's Closing the Gap Implementation Plan 2021-2023 (Implementation Plan) sets the groundwork for this necessary change by prioritising partnerships in decision-making between governments and First Peoples communities, and making mainstream organisations more culturally safe, responsive and accountable to the needs of First Peoples.

The Partnership Forum is responsible for the development, oversight and review of Victoria's actions towards Closing the Gap, including the Implementation Plan and activities that support sector strengthening and priority reform areas.

The Partnership Forum is Victoria's sole formal implementation partner under the National Agreement.

Shared Vision

This Agreement acknowledges that real and sustained impacts are made through advancing First Peoples' self-determination. This Agreement focuses on advancing First Peoples' self-determination through empowering Aboriginal community-controlled sector partners, promoting accountability of Victorian Government departments and mainstream service providers, and breaking down systemic barriers faced by First Peoples.

Through Victoria's Implementation Plan, the partnership will drive progress on the National Agreement's four Priority Reforms with a view to achieving and exceeding the National Agreement's

¹¹ National Agreement on Closing the Gap, July 2020, <https://www.closingthegap.gov.au/national-agreement/national-agreement-closing-the-gap>

socioeconomic targets and outcomes. The Victorian Government will continue to transform the way it works with the ACCO sector to ensure First Peoples are respected to make decisions about their own lives.

The Agreement also represents a commitment to shared decision-making. The Victorian Government is committed to systems transformation and meaningful actions that address systemic inequality, racism and disadvantage by genuinely improving accountability and responding to the needs and aspirations of First Peoples. The Victorian Government is committed to continuously listening to the voices of First Peoples communities to focus on what they identify as priorities.

The Priority Reforms set out foundational enablers for changing the way government works, which includes embedding First Peoples-led approaches that are underpinned by self-determination and partnership. The Victorian Government recognises that improved outcomes can only be achieved through policy initiatives that are informed and guided by First Peoples communities. As the funder and provider of many of the services accessed by First Peoples, the Victorian Government must also transform its systems and structures to support self-determination and improve outcomes for First Peoples.

The National Agreement also commits the Victorian Government to sharing access to location specific data and information to support First Peoples achieve the National Agreement’s aims. It is important that the collection of data is done in a culturally appropriate way which empowers the ACCO sector to utilise their own data to make their own decisions. This requires leveraging technical and community expertise to conduct research, whilst ensuring adequate resourcing and capacity for ACCOs to partake in data collection and reporting against Closing the Gap targets.

Partnership responsibilities and commitments

Shared decision-making through First Peoples governance structures is crucial to ensure self-determining and culturally appropriate responses are provided for the Victorian Aboriginal community.

All parties are jointly responsible for overseeing Victoria’s actions to achieve the objectives of the National Agreement. In addition, Ngaweeyan Maar-oo’s sector representatives will also have responsibilities set out in funding agreements with the Department of Premier and Cabinet (per ‘Accountabilities’ set out below).

The Partnership Forum seeks to ensure that community voices determine how Victoria meets its commitments under the National Agreement. Through Ngaweeyan Maar-oo, the partnership will undertake community engagement and work as an ACCO sector representative group. For the Victorian Government, this is a welcome opportunity to learn from our partners and transform the way we work together.

Principles needed to activate ‘self-determination’

Principle	Description
Aboriginal-led	Community is the lead voice for Closing the Gap, with each ACCO sector and Aboriginal Governance Forum representative in the Ngaweeyan Maar- oo being an Aboriginal or Torres Strait Islander person. Delegates will be chosen by the relevant organisation or Forum, free from influence from government.
Resourcing and remuneration	The Partnership Forum is appropriately resourced to undertake its function as Victoria’s formal implementation partner, per Clause 33 of the National Agreement. Investment to support the implementation of the National Agreement will be sustainable, flexible and appropriate. Under clause 33 of the National Agreement, funding will be made available to: engage independent policy advice; meet independently of government; support strengthened governance; and engage and seek input from First Peoples from all relevant groups.
Participation	Agreed governance for how decisions will be made is outlined below in the

Terms Of Reference contained in this Agreement.

Ngaweeyan Maar-oo members have time to consider and consult prior to making decisions.

Shared decision making

There is transparency in decision-making, with clear responsibilities for Ngaweeyan Maar-oo members and government members, and there are mechanisms to hold Ngaweeyan Maar-oo and government to account.

Co-Chairs need to be present at each meeting, with protocols in place when co-chairing is not possible. Co-Chairs need to be accountable and supported in their decisions.

Integrations: services, geography, opportunities

The Closing the Gap sectors are not mutually exclusive from one another and need to be connected seamlessly. The principle of promoting and respecting self-determination drives all policy making. Following the United Nations Declaration on the Rights of Indigenous People is fundamental.

Governance Model

This Agreement is supported by governance arrangements that ensure decision-making is shared between government and First Peoples and governance arrangements are consistent with clause 32 of the National Agreement.

The governance model for this Agreement has four elements:

- Aboriginal Leadership
- Equity
- Systems Transformation
- Self-determination



The governance for the Partnership Forum will also adhere to the Enabling Environment Standards outlined at [Attachment A](#) to help build trust, growth of the ACCO sector and learning that, if implemented, will ensure that First Peoples' voices are heard, respected, listened to and acted on.

The parties recognise this partnership will evolve and mature over the life of the Agreement. To support continual improvements to the partnership, formal reviews of the Agreement will be

undertaken periodically (with the first review to coincide with the end of the Partnership Forum's first term).

The parties will endeavour in the spirit of co-operation, good faith, and mutual trust to resolve any difficulties or misunderstandings with respect to the Agreement.

The Agreement may be amended at any time by agreement in writing by all the Parties.

Accountability, monitoring and reporting

Governments must be held to account for implementing commitments and reaching targets set under the National Agreement. This includes identifying, developing or strengthening an independent mechanism that will support, monitor and report on the transformation of mainstream agencies and institutions consistent with clause 67 of the National Agreement.

Victoria's independent mechanism will be progressed through Victoria's Treaty process, in partnership with the Partnership Forum and the First Peoples' Assembly of Victoria.

This Agreement commits the Victorian Government to work with Ngaweeyan Maar-oo to develop and agree additional accountability measures for Closing the Gap implementation. Monitoring and annual reporting against the Closing the Gap outcomes and targets is essential to accountability and ensuring that both First Peoples and the broader community have access to regular information on progress.

Partnership Agreement Scope

The scope of the Partnership Forum will be limited to implementation of the National Agreement, consistent with the Implementation Plan.

Terms of Reference

1. Naming

- 1.1. The partnership forum will be referred to as the Victorian Partnership Forum on Closing the Gap (Partnership Forum).
- 1.2. The Partnership Forum's Sector Representative Members and Aboriginal Governance Forum Delegate Members (Koorie Caucus) will be referred to as Ngaweeyan Maar-oo, which means voice of/from the people.

2. Purpose

- 2.1. The Partnership Forum is the Victorian Government's formal partner for implementing the National Agreement on Closing the Gap (National Agreement) and provides strategic guidance for the Minister for Treaty and First Peoples on the implementation of the National Agreement's commitments.
- 2.2. The Partnership Forum operates in the spirit of the Partnership Agreement's Preamble.

3. Establishment and term

- 3.1. The Partnership Forum is established by the Minister for Treaty and First Peoples.
- 3.2. The Partnership Forum's current term will operate until 30 June 2025, noting the long-term commitment to Closing the Gap implementation to 2031, as outlined in the preamble to this Agreement.
- 3.3. The Partnership Forum's term may be amended by the Minister for Treaty and First Peoples.

4. Definitions

- **Aboriginal Governance Forum Delegate Member** means a member elected by their Aboriginal Governance Forum.
- **Co-Chairs** means the Secretary, Department of Premier and Cabinet and a representative/s nominated by Ngaweeyan Maar-oo members.
- **Ngaweeyan Maar-oo** means the Partnership Forum's Aboriginal community members comprising Sector Representative Members and Aboriginal Governance Forum Delegate Members.
- **Sector Representative Member** means a member elected by ACCOs and Traditional Owner groups through a community-based selection process.
- **Victorian Government Member** means the Secretary or Head of Victorian Government departments and agencies outlined under 'Membership'.

5. Membership

- 5.1. Ngaweeyan Maar-oo members are selected through a community-based process where sector representatives are elected by ACCOs and Aboriginal Governance Forum delegates are internally nominated by Aboriginal caucuses.
- 5.2. Members are formally appointed by the Minister for Treaty and First Peoples. Ngaweeyan Maar-oo members are appointed based on the results of the community-based selection process and advice from Aboriginal Governance Forums.
- 5.3. As at 30 August 2023, there are 36 members of the Partnership Forum, with 22 being Ngaweeyan Maar-oo representatives and 14 being Victorian Government Members.

Sector Representative Members

- 5.4. In line with Clause 32 of the National Agreement, Sector Representative Members are chosen via an independent, transparent, community-based selection process. All Victorian ACCOs and formally recognised Traditional Owner Groups are invited to nominate and vote on representatives for each of the 14 sectors under the National Agreement. Chosen representatives are then appointed by the Minister for Treaty and First Peoples.
- 5.5. The Sector Representative Members were chosen via a community-based selection process in April 2022, in accordance with 5.1.
- 5.6. Current members comprise:
- Children and Families sector - Victorian Aboriginal Child Care Agency
 - Culture and languages sector Victorian Aboriginal Corporation for Languages (representing the)
 - Disability sector - Rumbalara Aboriginal Co-operative
 - Early childhood care and development sector – Bubup Wilam Aboriginal Child and Family Centre Incorporated
 - Education and skills sector - Victorian Aboriginal Education Association Inc
 - Elders and aged care sector - Aboriginal Community Elders Services Inc
 - Economic development and employment; and land and waters sectors - Federation of Victorian Traditional Owner Corporations
 - Health sector - Victorian Aboriginal Community Controlled Health Organisation
 - Housing sector - Aboriginal Housing Victoria
 - Family violence sector - Djirra
 - Justice and youth justice sector - Victorian Aboriginal Legal Service
 - Social and emotional wellbeing sector - Victorian Aboriginal Health Service
 - Youth sector - Koorie Youth Council.

Aboriginal Governance Forum Delegate Members

- 5.7. Aboriginal Governance Forum Delegate Members are selected by each of the Aboriginal Caucuses (or equivalent) from the existing nine Aboriginal governance forums:
- Aboriginal Children’s Forum
 - Aboriginal Justice Forum
 - Victorian Aboriginal Economic and Employment Council
 - Victorian Aboriginal Housing and Homelessness Forum
 - Dhelk Dja Partnership Forum
 - Aboriginal Strategic Governance Forum
 - Aboriginal Health and Wellbeing Partnership Forum
 - Marrung Central Governance Forum
 - Caring for Country Partnership Forum.
- 5.8. Aboriginal Governance Forum Delegate Members can be changed by a decision from that forum’s Aboriginal caucus (or equivalent) by a voting process.

Victorian Government Members

- 5.9. Victorian Government Members are ex-officio appointments being the Secretary or Head of the following Victorian Government departments and agencies:
- Secretary, Department of Premier and Cabinet
 - Secretary, Department of Education
 - Secretary, Department of Energy, Environment and Climate Action
 - Secretary, Department of Families, Fairness and Housing
 - Secretary, Department of Government Services
 - Secretary, Department of Health
 - Secretary, Department of Jobs, Skills, Industry and Regions
 - Secretary, Department of Justice and Community Safety
 - Secretary, Department of Transport and Planning
 - Secretary, Department of Treasury and Finance
 - Chief Commissioner, Victoria Police
 - Commissioner, Victorian Public Sector Commission

- Chief Executive Officer, Family Safety Victoria
- Chief Executive Officer, Homes Victoria

5.10. In the event of machinery of government changes, Victorian Government membership will be updated to reflect the nearest equivalent of the above list, as approved by the Secretary of the Department of Premier and Cabinet.

6. Co-Chairs

- 6.1. The Partnership Forum will be co-chaired by the Secretary, Department of Premier and Cabinet and Co-Chair/s nominated by Ngaweeyan Maar-oo.
- 6.2. Government and Ngaweeyan Maar-oo Co-Chairs will be responsible for facilitating meetings in accordance with this Partnership Agreement, including ensuring all members, regardless of position, uphold protocols and procedures outlined in the 'Meetings and meeting procedures' section.

7. Decision-making process

- 7.1. In accordance with the principle of shared decision-making outlined in the Preamble, decisions of the Partnership Forum will be made through a consensus approach (that is, general agreement on issues), and all decisions must further the principles and objectives of the Partnership Forum.
- 7.2. To address historic power imbalances and enable self-determination, the voices of Sector Representative Members and Aboriginal Governance Forum Delegate Members will hold equal weight with Victorian Government Members.
- 7.3. A consensus decision must include a majority of Ngaweeyan Maar-oo members' support.
- 7.4. The Partnership Forum will undertake to engage with positions put forward by Ngaweeyan Maar-oo members, in accordance with the shared decision-making principles articulated in the strong partnership elements of the National Agreement.

8. Remuneration and expenses

- 8.1. As the Partnership Forum is a departmental entity, the Victorian Government's Appointment and Remuneration Guidelines do not apply.
- 8.2. As ex-officio members, Victorian Government Members are not entitled to remuneration.
- 8.3. Ngaweeyan Maar-oo members will receive funding through Funding Agreements with the Department of Premier and Cabinet to support their participation in the Partnership Forum.

9. Meetings and meeting procedures

- 9.1. Meeting procedures are in place to ensure meetings are fair, efficient and respectfully conducted and adhere to cultural protocols. Members agree to follow meeting procedures as set out in this Terms of Reference.

Quorum

- 9.2. Quorum requires half of Ngaweeyan Maar-oo members plus one (12 members) and half of Government Members plus one (8 members) to be present

Timing and frequency of meetings

- 9.3. Meetings will be held three to four times per calendar year, or as otherwise determined by the Partnership Forum.

- 9.4. Meetings will be timed to occur before meetings of the Joint Council on Closing the Gap (Joint Council) to allow the Partnership Forum to inform Victoria's position on Joint Council matters.
- 9.5. If a member is unable to attend a meeting, they may send a delegate to act on their behalf. Members will ensure appropriate seniority of delegates and ability to make decisions on behalf of the sector, governance forum or government department.
- 9.6. Non-members may attend meetings as observers and to support members, unless otherwise determined by the Partnership Forum. Observers do not have the ability to make decisions or vote.
- 9.7. Out-of-session decisions may occur in instances where a Victorian position is required, but a meeting is not appropriate or possible. Decision making principles and these terms of reference still apply.

Agendas

- 9.8. All meetings will commence with a Welcome to Country where possible, or an Acknowledgement of Country as a minimum standard.
- 9.9. The agenda will be set by mutual agreement between the Co-Chairs, ensuring it aligns to reporting against the Implementation Plan.
- 9.10. A call for agenda items will be made four weeks before the meeting to ensure there is an opportunity for all members to raise an item.
- 9.11. Meetings will follow the order of the agenda, unless agreed by the Partnership Forum.
- 9.12. The Partnership Forum will adhere to agenda timings to the best of its ability, to ensure all items can be adequately considered.

Papers

- 9.13. Papers will be drafted by the Secretariat and/or the party tabling the item.
- 9.14. Papers will be circulated no less than one week before the meeting to ensure members have sufficient time to consider items.
- 9.15. Verbal reports will be discouraged. If a verbal report is provided, a written paper must accompany the minutes to ensure all members have adequate opportunity to review and provide feedback where appropriate.

Decisions

- 9.16. Co-Chairs will facilitate decision-making and will clearly announce when a matter is being put to the Partnership Forum for decision.
- 9.17. For matters requiring decision, members have the right to free, prior and informed decision making.
- 9.18. Shared decision making requires Co-Chairs to seek to find consensus in the first instance.
- 9.19. In the event that a vote is required, Co-Chairs will conduct the voting. Votes will be transparent and be counted and announced in the meeting so that all members are informed of the outcome. To proceed, a decision must include a majority of Ngaweeyan Maar-oo members.

Minutes

- 9.20. Minutes will be taken by the Secretariat.

9.21. Draft minutes will be circulated for comment one week after the meeting and will be formally confirmed at the following meeting.

Attendance

9.22. Members acknowledge the important role of the Partnership Forum and will prioritise attendance where possible.

10. Secretariat

10.1. The Secretariat for the Partnership Forum will be auspiced by a Sector Representative organisation or another organisation as determined by the Partnership Forum, and be supported by the Department of Premier and Cabinet.

10.2. Together with DPC, the Secretariat will be responsible for:

- Calling meetings, on advice from the Co-Chairs
- Setting agendas, on advice from the Co-Chairs
- Coordinating collation of meeting papers
- Drafting meeting papers where required
- Circulating meeting papers
- Drafting and circulating minutes

10.3. The Secretariat will also act as a liaison point between parties of the Partnership Forum and facilitate communication between members.

Attachment A

Enabling Environment Standards: First Peoples sectors and government partners

Enabling Environment Standards (EESs) lead to trust, growth of the sector and learning that, if implemented, will ensure that First Peoples' voices are heard, respected, listened to and acted on.

They are applicable to:

- relationships between partners
- between partners and government
- built environments (i.e. places where meetings will be held and discussions take place)
- the social environment (ensuring Dadirri – deep listening practices, implementing cultural protocols)
- different groupings working on Closing the Gap goals and targets.
 - at scale (local, regional, State-wide)
 - task oriented (working groups, event planners, developing key policies and procedures)
 - for individuals involved in the work.

EES 1: Belonging – the nature and quality of relationships are of primary importance
1.1. The Partnership Forum supports those new to the National Agreement to get involved 1.2. The Partnership Forum creates opportunities for Community Members to get to know one another 1.3. There are ways to mark people entering and leaving 1.4. Ngaweeyan Maar-oo members are positioned to experience quality relationships
EES 2: Boundaries – there are expectations of behaviour and processes to maintain and review them
2.1 Ngaweeyan Maar-oo members can describe their expectations and how they are maintained 2.2 There is a consistent approach to implementing these expectations 2.3 There is an open and inclusive process to review expectations
EES 3: Communication – it is recognised that people communicate in different ways
3.1 Ngaweeyan Maar-oo members are supported to communicate effectively 3.2 There are opportunities for Ngaweeyan Maar-oo members to discuss the feelings behind the way people act 3.3 Ngaweeyan Maar-oo members are encouraged to use a variety of ways to communicate 3.4 Ngaweeyan Maar-oo members recognise that the way people act is a form of communication
EES 4: Development – there are opportunities to be spontaneous and try new things
4.1 There is Partnership Forum support for spontaneity 4.2 Ngaweeyan Maar-oo members are able to try new things 4.3 Ngaweeyan Maar-oo members are supported to understand and act on risk and risky behaviour
EES 5: Involvement – everyone shares responsibility for the environment in which the Partnership Forum operates

<p>5.1 Ngaweeyan Maar-oo members take a variety of roles and responsibilities within the Closing the Gap environment</p> <p>5.2 Ngaweeyan Maar-oo members are involved in planning their own development in how they contribute to the Partnership Forum</p> <p>5.3 Ngaweeyan Maar-oo are involved in making decisions about the Closing the Gap environment</p>
<p>EES 6: Safety – support is available to everyone</p>
<p>6.1 It is acceptable for anyone to feel vulnerable and receive the emotional support they need</p> <p>6.2 Ngaweeyan Maar-oo members feel listened to and understood by others around them</p> <p>6.3 Ngaweeyan Maar-oo members are offered access to regular reflective supervision with a consistent supervisor</p> <p>6.4 Peer-support is recognised, valued and encouraged</p>
<p>EES 7: Structure – engagement and purposeful activity are actively encouraged</p>
<p>7.1 There is a consistent structure and routine</p> <p>7.2 There are regular meetings or groups that include significant numbers of Ngaweeyan Maar-oo members</p> <p>7.3 There are spontaneous activities that involve Ngaweeyan Maar-oo members</p>
<p>EES 8: Empowerment – power and authority are open to discussion</p>
<p>8.1 Ngaweeyan Maar-oo members are able to challenge decisions and ask questions</p> <p>8.2 Ngaweeyan Maar-oo members feel supported by those in authority</p> <p>8.3 Ngaweeyan Maar-oo members can see when their ideas are implemented</p>
<p>EES 9: Leadership – leadership takes responsibility for the environment being enabling</p>
<p>9.1 There are clear management structures which include opportunities for all Ngaweeyan Maar-oo members</p> <p>9.2 People with a leadership role are active participants in the life of the community</p> <p>9.4 There is a continuity of staff</p>
<p>EES 10: Openness – external relationships are sought after and valued</p>
<p>10.1 The Partnership Forum environment is welcoming to visitors</p> <p>10.2 Everyone is supported to participate in activities outside the Closing the Gap environment</p> <p>10.3 Everyone is open and responsive to evaluation and learning</p>