Convenors Guide to citing Aboriginality

Confirmation of Aboriginality is an extremely sensitive issue. It is part of your role as the convenor to inform applicants that they will need to provide corroborating evidence to confirm their Aboriginality when applying for an identified or targeted Aboriginal position. This needs to be communicated to the applicants prior to interview.

Each individual will describe themselves differently. Some will cite family, some will cite where they currently live and work and others will cite their sense of belonging to where they come from.

Respectfully, each and every Aboriginal person has the inherent right to cite and corroborate their Aboriginality as they choose. Essentially the statutory requirement for Aboriginality which is to be met for appointment to an identified or targeted position of employment is simple – it is based upon descent.

For applicants unable to access documentation from their Local Aboriginal Land Council or other incorporated Aboriginal organisation, consideration should be given to providing more flexible arrangements for corroborating their Aboriginality.

Such options may include:

- Aboriginal community advice
- Statutory Declaration
- references from at least two Aboriginal community representatives
- family histories and contacts

To support this, the applicant may demnstrate their Aboriginal ties, or connection to the Aboriginal community in which they live, or have worked, during the interview process.

An Aboriginal person who has previously held an identified position in a NSW government department is not required to cite their Aboriginality again. However, the panel may, for the purpose of selecting the appropriate candidate for the position, seek additional information from the candidate to ensure their knowledge of the role is relevant to the local communities.

Answers to questions asked by the panel should show that the applicant meets the three determining criteria in the NSW Aboriginal Land Rights Act 1983. The applicant must respond to:

1. Descent - the individual cites that a parent is of Aboriginal descent
2. Self-identification - the individual identifies as an Aboriginal, and
3. Community recognition - the individual is accepted as such by the Aboriginal community in which he/she lives or works.

If the successful applicant does not make available the accepted documentation/community references for confirming their Aboriginality, the use of a signed Statutory Declaration will be accepted as temporary documentation for a four month period. The Statutory Declaration must be recent (dated within one month of the job interview date). Ongoing employment after four months will be subject to the production of the required documentation. This information needs to be communicated on completion of the interview to ensure that applicants are aware of the need to provide further documentation and the timeframe for doing so. SLHD Confirming Aboriginality Fact sheet should be given to the applicant as a guide if required.

For further information please refer to the Stepping Up website: www.steppingup.health.nsw.gov.au online recruitment and retention resource, which contains ‘Confirming Aboriginality Guidelines for NSW Public Sector Agencies’.