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| **ACS** | **Aboriginal and Torres Strait Islander Cultural Awareness and Safety** | |
| **Applies to:** Board, all employees and volunteers  **Implementation responsibility:** Executive Officer | | **Version**: Final  **Date approved**: March 2018  **Next review date:** March 2021 |
| **Standards or other external requirements** | | NACLC Accreditation Criteria A 1 Organisational management  NACLC Accreditation Criteria D 1.1 Accessibility  NACLC Accreditation Criteria D 1.2 Cultural Safety for Aboriginal Staff and Clients |
| **Legislation or other requirements** | |  |
| **Contractual obligations** | | N/A |

# 1 Purpose

The TU recognises the Aboriginal and Torres Strait Islander people are the First Peoples of Australia. In keeping with the NSW Aboriginal Land Rights Act 1983, the TU acknowledges that the land in the State of New South Wales is of spiritual, social, cultural and economic importance to Aboriginal people, the traditional owners of the land. It is fitting to acknowledge the importance which all land in the State of New South Wales has for the Aboriginal people and the need of the Aboriginal people for the land. The TU acknowledges that as a result of past Government decisions, the amount of land set aside for Aboriginal people has been progressively reduced without compensation.

Aboriginal and Torres Strait Islanders also are over-represented in NSW renter households. The TU acknowledges the present and historical disadvantage faced by Aboriginal and Torres Strait Islander People and the role of government policies, past and present and racism throughout Australia in creating this disadvantage and the impact of this disadvantage on tenancy and housing issues. The TU acknowledges that within the housing system there is a lack of appropriate housing for Aboriginal and Torres Strait Islander people that nurtures kinship ideology of culture, and support for non-tenancy issues such as mental health issues, financial hardship and budgeting issues, substance dependence, family violence and disabilities. These systemic issues can often lead to an escalation of tenancy issues and result in tenants being evicted and/or suffering other negative outcomes such as accruing large debts.

The TU recognises that acknowledgement must be accompanied by action to redress these policies and ameliorate their impact. This policy details what the TU will do within its mandate and resources.

The organisational policies and procedures of the TU are designed to provide guidance to Board members, employees and volunteers in performing their roles. All Board members, employees and volunteers undertake to comply with these policies when they take up their roles with the TU.

# 2 Cultural Safety

The TU works to achieve cultural safety for Aboriginal and Torres Strait Islander clients and staff.

The TU takes cultural safety to mean ‘an environment that is spiritually, socially and emotionally safe for people; where there is no assault, challenge or denial of their identity, of who they are and what they need. It is about shared respect, shared meaning, shared knowledge and experience of learning together’.[[1]](#footnote-1)

Cultural safety is the outcome of engaging in practices of:

* Cultural awareness – the initial step of understanding differences.
* Cultural sensitivity – acceptance of the legitimacy of differences and the beginning of self-exploration in understanding how personal attitudes and experiences impact on the lives of others and recognition and respect of prior learning which is often achieved by personal experience and not formal training.
* Cultural security – the construction and provision of services that will not compromise the legitimate cultural rights, values and expectations of Aboriginal and Torres Strait Islander peoples.
* Cultural respect – the recognition, protection and continued advancement of the inherent rights, cultures and traditions of Aboriginal and Torres Strait Islanders.[[2]](#footnote-2)

The principles of cultural safety include:

* Respect.
* Honesty.
* Consideration.
* Honouring.
* Commitment.
* Participation.
* Safety.
* Confidentiality.

The TU will implement these principles of cultural safety in:

* Service delivery to Aboriginal and Torres Strait Islander clients.
* Work practices that support Aboriginal and Torres Strait Islander peoples being Board members, employees and volunteers.
* Interactions with Aboriginal and Torres Strait Islander services and workers in the TAAP network and other agencies as a part of the TU’s business.
* All work produced by the TU including law reform, resource development, publications and legal services.

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# 3 Identifying TU access and tenancy issues

The TU will identify barriers to access for Aboriginal and Torres Strait Islander people to TU services, TAAP and tenancy support services and broader support services. The TU will address them through policies, service planning, consultation with other services and collaborative strategic action. The TU will do this through:

* Analysing data from CLASS, the TAAP network database, the TU Advice Line and TU Casework on a 6 monthly basis to identify:
  + Number of advices to Aboriginal and Torres Strait Islander people.
  + Emerging trends in Tenancy issues affecting Aboriginal and Torres Strait Islander people.
* Reporting on the results of this analysis through TU staff and Board meetings, TU social media sites, TAAP network meetings, and other information dissemination modes.
* Providing opportunities for reflection and action on this analysis through TU Board and staff meetings, TU social media and TU organised workshops and conferences.
* Consulting with Aboriginal TAASs, Dtarawarra Aboriginal Resource Unit, TUs Aboriginal Advisory Committee and other Aboriginal and Torres Strait Islander community organisations to inform the development of TU polices and services.
* Consulting with Aboriginal TAASs, Dtarawarra Aboriginal Resource Unit, TUs Aboriginal Advisory Committee and other tenancy and community organisations and mainstream organisations with specialised knowledge about Aboriginal and Torres Strait Islander issues to identify systemic policy issues affecting Aboriginal and Torres Strait Islander tenants and advocating for law and policy reform.

TU will implement the results of these analyses and consultations to the extent that they fall within the scope of the Mission and Purposes of the TU and the availability of resources.

# 4 TU actions to implement cultural safety

The TU will:

* Ensure that TU organised meetings, workshops and conferences are culturally safe and that Aboriginal and Torres Strait Islander people are supported to participate as speakers and attendees.
* Implement the TU Reconciliation Action Plan.
* Convene and support the TU Aboriginal Advisory Committee and seek its advice in the development of policies, services and law reform.
* Maintain identified Aboriginal staff positions subject to funding.
* Support the Aboriginal staff in the TU by encouraging attendance at the CLC Yarn-Up events and other mentoring and networking events with Aboriginal and Torres Strait Islander workers in the TAAS, CLC and broader legal network.
* Provide Aboriginal and Torres Strait Islander TU staff with 1 day of cultural leave to attend a cultural event in their community.
* Encourage and support Aboriginal and Torres Strait Islander membership of the TU and on the TU Board.
* Ensure all TU employees, volunteers and Board Members undertake high-level cultural awareness and safety training on a triennial basis and receive a copy of the Cultural Awareness package developed by Dtarawarra Aboriginal Resource Unit on induction.
* Ensure that all TU meetings, workshops, conferences and events hosted by the TU include a Welcome to Country or an Acknowledgement of Country that is in accordance with relevant protocols. At events where a Welcome is given, all speakers from the TU will also commence their speeches with an Acknowledgment of Country.
* Ensure that TU speakers at workshops, conferences and events they attend not hosted by the TU begin their presentation with an Acknowledgement of Country that is in accordance with relevant protocols.
* Display appropriate signage and other material to identify the TU’s commitment to Aboriginal and Torres Strait Islander peoples in the TU premises and at events in which TU participates where possible (e.g. stalls).
* Celebrate, commemorate and participate in occasions significant to Aboriginal and Torres Strait Islander peoples including but not limited to NAIDOC Week, National Sorry Day, Survival Day and National Reconciliation Week.
* Support our members and partner organisations to develop and implement strategies to overcome the barriers that Aboriginal and Torres Strait Islander people face in accessing tenancy and other support services (for example, through targeted outreach work, developing and distributing simple information resources and building strategic relationships with other organisations to facilitate referrals) and providing culturally safe tenancy services.
* Collaborate with Aboriginal TAASs on law and policy reform work and support and empower Aboriginal and Torres Strait Islander people to represent themselves in state and national forums.
* Give due weight to the advice/recommendations from Aboriginal and Torres Strait Islander peoples to the TU for the purposes of law and policy reform gained through the consultation processes outlined above.
* Actively seek feedback from Aboriginal TAASs, the TU Aboriginal Advisory Committee and other community organisations on a bi-annual basis regarding the TU’s implementation of cultural awareness and safety strategies in all aspects of the TU’s work.
* Report on the implementation of this policy and the RAP in the Annual Report.

TU will also promote, encourage and support the TAAS network to implement the principles of cultural awareness and safety through:

Encouraging Aboriginal and Torres Strait Islander people to apply for positions at the TAASs.

Providing awareness-raising tools on issues affecting Aboriginal and Torres Strait Islander peoples, including the Cultural Awareness package developed by Dtarawarra Aboriginal Resource Unit,

Developing the capacity of Aboriginal and Torres Strait Islander peoples, communities and organisations through education, employment and leadership opportunities.

Ensuring programs and policies are designed and delivered by Aboriginal and Torres Straits Islander peoples to overcome disadvantage and achieve outcomes to strengthen the leadership of communities and access to justice.

Working collaboratively with the TAAS network and other community organisations to identify systemic issues affecting Aboriginal and Torres Strait Islander people and strategically advocate for the reform of unjust laws and government policies.

# 5 Breaches

The person alleging a breach of this policy should in the first instance attempt to resolve it directly with the person who has allegedly breached the policy, if considered appropriate and it is safe to do so. If this matter is not resolved through this, the person alleging the breach may bring it to the attention of the EO. The EO will then attempt to resolve the matter informally through direct discussion with the person who has allegedly breached the policy.

If the matter is not resolved at this stage, the EO may choose to address the matter through the TUs Grievance Policy.

# 6 Review

This policy will be reviewed triennially by the TU Board or when changes are made to relevant legislation and regulations. Reviews will take into consideration input from staff. Any amendment must be approved by a meeting of the TU Board.

# 7 Version control

The EO has version control of this policy.

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| **Documents related to this policy** | | | |
| **Related TU policies** | Access and Equity  Anti-Discrimination, Harassment and Bullying  Equal Employment Opportunity  Reconciliation Action Plan | | |
| **Forms, record keeping or other organisational documents** | N/A | | |
| **Reviewing and approving this policy** | | | |
| **Frequency** | **Position responsible for managing review** | | **Approver of policy** |
| Triennially | EO | | TU Board |
| **Policy review and version tracking** | | | |
| **Review No.** | **Date approved** | **Approved by** | **Next review date** |
| 1# | Oct 2014 | TU Board | Oct 2017 |

**Appendix 1**

**TU Aboriginal Advisory Committee**

**Terms of Reference – March 2018**

Membership

The TU will appoint a committee of 7-10 members for the purpose of providing advice and support to the Tenants Union. Members must be Aboriginal or Torres Strait Islander, residing in New South Wales and are desired to have knowledge of tenancy and housing issues affecting Aboriginal or Torres Strait Islander people in NSW. Members will hold a minimum 12-month term.

The committee will have members representing the following organisations/demographics where available:

* Aboriginal Resource Unit
* Aboriginal TAAP network (city and regional representative)
* Student or young person under 25 years.
* CLC Aboriginal Advisory Group and/or ALAP
* Legal Aid

The committee will seek to ensure a balanced gender ratio of members and a diversity of skills, qualifications and experiences.

TU staff members including the Aboriginal Legal Officer, Aboriginal Paralegal, Policy Officer and Executive Officer participate in the meetings, but are not members of the Committee. Other TU staff and board members may attend the meeting at the invitation of the Committee.

Role of Committee

The committee advises the Tenants Union (TU) about the setting and achievement of strategic directions in law, policy, resources and training relating to Aboriginal or Torres Strait Islander people including:

* Delivering culturally appropriate services;
* Issues affecting Aboriginal tenants and the Aboriginal population in general;
* Proposed projects;
* Strategies to assist the TU utilise its resources to the benefit of Aboriginal tenants; and
* Support of Aboriginal staff and cultural safety in the TU workplace.

Meeting procedure

Meetings will be held every second month, unless otherwise required. The Committee shall appoint a Chairperson at the beginning of each calendar year and will hold the position for one year. TU staff will consult with the Chair of the Committee on the agenda for the meeting and ensure that the agenda and any papers are sent to members one week before each meeting.

Review

The TU Board will review the role of the Advisory Committee at the end of each calendar year.

1. Robyn Williams, as cited in *Aboriginal Cultural Competency Training Coursebook.* Loretta Kelly and Antony Barac. Legal Aid New South Wales, 2013 pp34-35 [↑](#footnote-ref-1)
2. Kelly and Antony 2013 pp32-34 [↑](#footnote-ref-2)