



Australian Government
Australian Public Service
Commission

Indigenous recruitment guide



Foreword

The Australian Public Service (the APS) is committed to improving and sustaining employment outcomes for people from diverse backgrounds. We recognise the knowledge, insights and capabilities of Aboriginal and Torres Strait Islander peoples. Their strength, resilience and cultural competence are highly valued.

Meeting the challenges of the future will require a workforce that reflects the community that we serve. Workplaces that embrace a diverse and inclusive environment unlock new perspectives and ways of solving problems. These workplaces generate creativity and innovation, and produce more sustainable and effective outcomes.

If we are to capably respond to the needs of the community, the representation of Aboriginal and Torres Strait Islander peoples in the APS must increase. I encourage you to look for opportunities within your agency to employ more Aboriginal and Torres Strait Islander people in all occupations, levels of employment and locations. I commend the use of the Affirmative measure – Indigenous employment when recruiting.

To make genuine changes to our workforce, we must adopt a sustained cross-Government focus on strengthening cultural competence. All staff should be encouraged to develop the skills, knowledge and practices they need to perform their duties in a culturally informed way. Ensuring APS workplaces are inclusive with diverse perspectives, including those of Aboriginal and Torres Strait Islander peoples, should be at the forefront of our agenda.

A handwritten signature in black ink, appearing to read 'John Lloyd', with a long horizontal line extending from the top right of the signature.

John Lloyd PSM
Australian Public Service Commissioner

1. Introduction

Purpose

The Indigenous Recruitment Guide has been designed to provide a practical manual incorporating best-practice principles to encourage the recruitment of Aboriginal and Torres Strait Islander people into the APS.

Background

The [Commonwealth Aboriginal and Torres Strait Islander Employment Strategy](#)¹ addresses the priority to build Indigenous employment within the Commonwealth public sector and consists of a range of strategies to support and enhance Indigenous employment outcomes. It contains four key action areas:

- expand the range of Indigenous employment opportunities
- invest in developing the capability of Indigenous employees
- increase the representation of Indigenous employees in senior roles
- improve the awareness of Indigenous culture in the workplace.

The [Australian Public Service Commissioner's Directions 2016](#) include several provisions that can be applied to recruit employees from diverse backgrounds. In particular, the Affirmative Measure—Indigenous Employment provision, legislated under Section 26, allows agencies to specify a role as open only to Aboriginal and/or Torres Strait Islander people. This measure can be applied to any ongoing, non-ongoing or casual APS vacancy, including Senior Executive Service positions.

Importantly, the Affirmative Measure—Indigenous Employment provision is not restricted to jobs requiring an understanding of issues affecting Aboriginal and Torres Strait Islander peoples. For jobs that do require this understanding, the use of Identified positions is encouraged, through the application of selection criteria designed to attract applicants with the appropriate skills, attributes and experience.

Supporting resources

This document should be used in conjunction with the:

- [Indigenous employment—Affirmative measures and Identified position](#)² policy advice
- [Management essentials: Recruitment](#)³

1 <http://www.apsc.gov.au/publications-and-media/current-publications/commonwealth-aboriginal-and-torres-strait-islander-employment-strategy>

2 <http://www.apsc.gov.au/managing-in-the-aps/indigenous/identified-positions>

3 http://www.apsc.gov.au/publications-and-media/current-publications/unplugged/recruitment?SQ_VARIATION_100954=0

2. Culturally Inclusive Recruitment

Culturally inclusive recruitment acknowledges cultural diversity and aims to deliver processes which enable all candidates to best demonstrate their capabilities. Through this, employers strengthen their capacity to identify the best person for the role and contribute to building a diverse workforce. Inclusivity should be applied to all aspects of a recruitment process including the design and delivery of assessment, marketing, communication and candidate care.

When applied to Indigenous recruitment, inclusivity addresses the cultural and social aspects unique to Aboriginal and Torres Strait Islander peoples.

Basic Principles

There are several basic principles that underpin culturally inclusive recruitment in the APS.

Inclusivity allows for more effective recruitment

By applying flexibility to deliver a more inclusive process, employers allow candidates to best demonstrate their capability. Contrary to common misconception, inclusivity does not mean accepting a lower standard. Rather it is about removing barriers to ensure each applicant can be assessed and compared fairly on merit.

Culture is multifaceted and diverse

Australia is one of the most culturally diverse countries in the world. Home to the oldest continuing cultures on earth, along with a society shaped by immigration. Aboriginal and Torres Strait Islander peoples and communities across Australia have distinct and diverse languages and cultures. Individuals also have unique experiences and identities. It is important to recognise that while there are some common practices and requirements, there is no 'one size fits all' approach to recruitment in the APS.

Cultural inclusivity applies beyond recruitment

A candidate's experience throughout their recruitment should match their experience within your agency. Consider cultural inclusivity within all aspects of the workplace to ensure employees are retained, engaged and empowered to succeed.

People Capability

Effective recruitment requires both strong HR and cultural capabilities.

Build cultural competence

It is important that all people involved in a process have an appropriate level of cultural competence, including HR practitioners, hiring managers, assessors and delegates. This also extends to any third party organisations when recruitment activities are outsourced. While it may not be reasonable for each person to undergo formal training, agencies should

consider ways to build this competence. Agencies should also aim to ensure a common understanding of the underlying objectives and value of Indigenous employment.

Utilise cultural capability within your agency

Indigenous Liaison Officers and Indigenous Employment Advisors should be consulted in the design and delivery of all Indigenous recruitment processes. Alternatively, or additionally, agencies should seek to utilise the cultural knowledge and experience of their existing Indigenous employees.

Attraction

Marketing of vacancies should be tailored to best reach and attract eligible candidates.

Understand your value proposition

Consider what your agency offers to Aboriginal and Torres Strait Islander employees. This will inform how you market your agency to the Indigenous community, and what information you might include in your communication.

Target your marketing strategy

Standard marketing practices may not be effective in attracting Indigenous talent. Consider how your agency can tailor the approach to best reach eligible Indigenous candidates for each vacancy. This may involve a mix of media including Indigenous specific media, Indigenous networks, careers fairs, partnerships or social media.

Communicate to your audience

All communication should be targeted to potential Indigenous candidates, directly encouraging them to apply. Ensure potential candidates are informed about the role, the recruitment process and your agency as an employer. Also clearly outline if the vacancy is Affirmative measure or for an Identified position and what this means in plain language.

Assessment & Selection

A review of both the design and delivery of assessment and selection processes should be undertaken to ensure Aboriginal and Torres Strait Islander applicants are not disadvantaged by cultural values, norms and behaviours.

Apply flexibility to design of assessment

Be flexible with methodology to address cultural considerations. For example, psychometric or aptitude testing may create a barrier to people from a diverse background. You can consult with an Indigenous Liaison Officer within your agency or the Australian Public Service Commission (APSC) Indigenous Capability Team to learn more. Note that the assessment methodology will be dependent on the vacancy (level, location, duties etc.) and should be informed through appropriate consultation.

Utilise Indigenous assessors

It is considered best-practice to have an Aboriginal and/or Torres Strait Islander person on the selection panel at each stage of an Affirmative measure or Identified position process. Note, however, it is not intended that this person be the only source of cultural understanding. Agencies should aim for all people involved in the assessment to have an appropriate level of cultural awareness.

There are a number of avenues agencies can use to find a suitable Aboriginal and/or Torres Strait Islander representative to participate on the selection panel. One option is to request nominations from the Indigenous Employee Network (IEN) within your agency or portfolio department. You may also approach APS-wide networks including the Indigenous Liaison Officer Network, and where appropriate, the Indigenous SES Network. In some cases, it may be appropriate to engage an Indigenous community member, noting that representatives do not have to be APS employees.

Ensure that representatives are otherwise suitable to participate in the assessment, with appropriate experience and understanding of the required capabilities.

Candidate Care

Candidate care is fundamental to delivering a recruitment process that is culturally safe, supportive and responsive to the needs of candidates.

Create a culturally safe assessment environment

A culturally safe environment allows candidates to feel comfortable in their identity and culture. In recruitment, this is achieved through demonstrating a genuine respect for Aboriginal and Torres Strait Islander cultures, often through a combination of small gestures. Having an Indigenous person on the interview panel, scheduling time before assessment to meet each candidate, and displaying an Acknowledgement of Country, are all examples of ways to contribute to a culturally safe environment. It is important that the assessment environment reflects the inclusive culture of the organisation, and that gestures are not tokenistic.

Provide access to Indigenous networks

Providing candidates access to Indigenous networks during assessment is one way to create culturally safe processes. Consider how your agency could utilise your IEN in assessment processes. For example, consider inviting an IEN representative to talk with candidates at assessment centres.

Communicate regularly

Take time to communicate regularly with candidates throughout the process. This will keep candidates engaged and provide opportunities to ask questions, raise concerns and clarify information. Consider incorporating less formal personalised methods of communication, such as phone calls.

Cultural Considerations

Aboriginal and Torres Strait Islander cultures are multifaceted and diverse, reflected in people's identities, life experiences, values and behaviours. There are some common cultural considerations that agencies can apply to Indigenous recruitment to create an inclusive process.

Cultural protocols

Aboriginal and Torres Strait Islander cultures have unique protocols that guide how people interact and behave. Many of these protocols may be common to those found in Western culture, however some will differ greatly. Consider how to observe and respect these protocols, ensuring they do not impact on assessment.

Language

For some Aboriginal and Torres Strait Islander people from remote and regional areas, English is a second language. However, for other Aboriginal and Torres Strait Islander people, this is not the case. Consider how to be sensitive and considerate in communication without assuming low levels of literacy.

One example is utilising methodologies that allow candidates to demonstrate their capability using varied communication styles. In some circumstances, it may be appropriate to offer an interpreter or translator. The [Protocol on Indigenous Language Interpreting for Commonwealth Government Agencies](#)⁴ provides further information on the engagement of Indigenous interpreters.

Community relationships

There are distinct Aboriginal and Torres Strait Islander communities across all regions in Australia. There are often complex relations within and between these communities, stemming from historical, cultural and social factors. Consider how to observe and acknowledge these relations, providing opportunity for candidates to raise issues if necessary.

4 <https://www.pmc.gov.au/resource-centre/indigenous-affairs/protocol-indigenous-language-interpreting-commonwealth-government-agencies>

3. Recruitment framework

There are four main diversity and inclusion recruitment provisions available:

- Affirmative measure—Indigenous employment
- Affirmative measure—disability employment
- RecruitAbility scheme
- Identified positions

This guide focuses only on the Affirmative measure—Indigenous employment provision and Identified positions. For more on the Affirmative measure—disability employment provision and RecruitAbility scheme see the [Disability page⁵](#) on the APSC website.

Affirmative measure—Indigenous employment

The **Affirmative measure—Indigenous employment** provision is set out in section 26 of the *Australian Public Service Commissioner's Directions 2016* (the Directions) and is within the meaning of special measures under subsection 8(1) of the *Racial Discrimination Act 1975*.

A vacancy under the measure is only available to Aboriginal and/or Torres Strait Islander people. The measure can be applied to any job, with any classification, in any business area, to increase agency representation of Aboriginal and Torres Strait Islander peoples. It is not restricted to roles requiring understanding of issues affecting Aboriginal and Torres Strait Islander peoples.

Section 26 Affirmative measure—Indigenous employment

- (1) An Agency Head may, consistently with Commonwealth law, identify a vacancy as open only to Aboriginal and/or Torres Strait Islander persons.
- (2) The Agency Head must ensure that for such a vacancy:
 - a. eligible applicants are only persons:
 - i. of Aboriginal and/or Torres Strait Islander descent; and
 - ii. who identify as Aboriginal and/or Torres Strait Islander; and
 - iii. who are accepted by their community as being Aboriginal and/or Torres Strait Islander; and
 - b. either:
 - i. the selection process for the vacancy otherwise satisfies the requirements of Subdivision B*[†]; or
 - ii. section 22[†] is satisfied.

* Subdivision B refers to Merit-based selection processes.

[†] Section 22 refers to engagement on a short-term, irregular or intermittent basis

Figure 1:

Excerpt from the Australian Public Service Commissioner's Directions 2016

5 <http://www.apsc.gov.au/managing-in-the-aps/disability>

Affirmative measure or special measure?

The term 'special measure' comes from the *Racial Discrimination Act 1975* to describe positive measures intended to redress disadvantage of certain groups or individuals.

In 2013, the terminology of 'affirmative measure' was adopted as the preferred terminology within the APS.

Identified positions

An **Identified position** refers to the job role. It requires the candidate to have an understanding of the issues affecting Aboriginal and Torres Strait Islander peoples, and proven culturally appropriate engagement and communication skills. Typically these roles will involve the development of policies or programs targeted at Aboriginal and Torres Strait Islander people, or direct interaction with Aboriginal and/or Torres Strait Islander communities. Vacancies for these jobs are **open to everyone**.

Criteria used for Identified positions

To ensure candidates have the required capabilities, two key selection criteria have typically been used by the APS when recruiting for Identified positions. These criteria are not based in legislation but have become common practice resulting from long standing APS policy and best practice in considering candidates for such positions. The below wording has been generally used:

- an understanding of the issues affecting Aboriginal and Torres Strait Islander peoples, and
- an ability to communicate sensitively and effectively with Aboriginal and/or Torres Strait Islander people.

The criteria attached to these specific roles are consistent with merit and the reasonable opportunity to apply principles set out in the *Public Service Act 1999*, without raising issues of discrimination under the *Racial Discrimination Act 1975*.

Use of these provisions

These provisions may be used for vacancies at any classification and in any business area. Agencies are encouraged to move away from only using these provisions for entry level programs. They should review their recruitment practices to examine any barriers that may exist to using the Affirmative measure provision. Diversity and inclusion recruitment provisions may be applied simultaneously.

The use of any of these provisions does not alter the Public Service Gazette (the Gazette) advertising requirements. Normal advertising rules apply. If the vacancy is ongoing or it is a longer term non-ongoing vacancy, it needs to be advertised. See the [Public Service Gazette requirements⁶](#) webpage.

⁶ <http://www.apsc.gov.au/managing-in-the-aps/recruitment-and-selection/gazette>

Summary of the key differences between provisions

	Affirmative measure— Indigenous employment	Identified Positions
Who/ what	A recruitment method applied to a vacancy restricting applicants to eligible Aboriginal and/or Torres Strait Islander people.	A role with specific job requirements/ selection criteria. Open to all eligible applicants. Often attracts Indigenous applicants.
When	Can be applied to any ongoing, non-ongoing or casual APS vacancy, regardless of the duties. It is not restricted to jobs requiring an understanding of issues affecting Aboriginal and Torres Strait Islander peoples.	The role requires an understanding of the issues affecting Aboriginal and Torres Strait Islander peoples, and an ability to communicate sensitively and effectively with Aboriginal and/or Torres Strait Islander people.
Why	To increase Aboriginal and Torres Strait Islander representation in the APS.	To attract applicants who have appropriate skills, attributes and experience to work effectively on Indigenous issues.
How	Legislated under the Australian Public Service Commissioner's Directions 2016 in line with the Racial Discrimination Act 1975 and the Public Service Act 1999.	Set out in agency policy in line with long-standing best-practice in the APS and consistent with the Public Service Act 1999.

4. Recruitment processes

One recruitment process

To achieve effective recruitment outcomes under an Affirmative measure provision, agencies would typically use a stand-alone recruitment process to fill the vacancy. The benefits of advertising a vacancy only under the Affirmative measure—Indigenous employment are:

- there is a single assessment process and a single merit list or pool
- the process is less complex than a concurrent recruitment activity

In the event that an agency is unsuccessful in identifying a suitable Aboriginal and/or Torres Strait Islander applicant through this process, consideration should be given to the factors that may have led to this outcome and any strategies that may overcome these factors. Where the delegate is satisfied that they are unlikely to attract a suitable applicant, they may consider re-advertising the vacancy as open to all applicants.

Concurrent recruitment processes

There may be circumstances, such as bulk recruitment rounds, where agencies may choose to notify some vacancies as being open to all applicants and others as open only to Aboriginal and/or Torres Strait Islander applicants under the Affirmative measure.

Before making the decision to proceed with a concurrent process, it is good practice to ensure the hiring manager and delegate agree on the number of vacancies that will be allocated to candidates applying under the Affirmative measure, and to make every effort to fill these vacancies with suitable Aboriginal and/or Torres Strait Islander candidates.

Complexities can arise when undertaking concurrent recruitment processes. It is important that agencies have effective and appropriate administration practices in place to assist. Individuals who identify as Aboriginal and/or Torres Strait Islander may or may not wish to apply under the Affirmative measure. Mitigating this through a question on the initial application form is one recommended approach.

5. Confirmation of Aboriginal and/or Torres Strait Islander heritage

Over time, APS agencies have developed internal policies in relation to Affirmative measure—Indigenous employment recruitment processes to ensure the requirements of the Directions are met. The most commonly accepted form of evidence is a 'Confirmation of Aboriginal and/or Torres Strait Islander heritage'.

What is a 'Confirmation of Aboriginal and/or Torres Strait Islander heritage'?

A 'Confirmation of Aboriginality' or 'Confirmation of Aboriginal and/or Torres Strait Islander heritage' (confirmation) is a document provided by Indigenous community organisations 'confirming' or 'endorsing' that a person is Aboriginal and/or Torres Strait Islander.

Terminology relating to Aboriginal and Torres Strait Islander peoples differs throughout communities. There are broadly accepted terms that are appropriate in particular circumstances. When referring to confirmation, it is acceptable to use, 'Confirmation of Aboriginal and/or Torres Strait Islander heritage'.

The most important thing to note is that an applicant does not need a letter of confirmation to identify as an Indigenous person in their workplace, including on their Agency's HR system. Confirmation is only required when someone is applying for a position under the Affirmative measure.

A confirmation must stipulate that a person:

- is of Aboriginal and/or Torres Strait Islander descent; and
- identifies as an Aboriginal and/or Torres Strait Islander person; and
- is accepted as such by the community in which they live, or formerly lived.

Who can provide a 'confirmation'?

Confirmation of Aboriginal and/or Torres Strait Islander heritage can be provided by a wide range of Aboriginal and Torres Strait Islander organisations and bodies, and commonly include, but are not limited to, the following:

- Aboriginal and Torres Strait Islander Land Councils
- Aboriginal and Torres Strait Islander Corporations⁷
- Aboriginal and Torres Strait Islander medical services

⁷ Aboriginal and Torres Strait Islander Corporations can be incorporated under the Corporations (Aboriginal and Torres Strait Islander) Act 2006, the *Corporations Act 2001*, or other states and territory legislation.

Taking a tiered approach to obtaining confirmations

It is important to ensure that policy and processes do not inadvertently become barriers to employment. In some circumstances, it may take several months before a person is granted a confirmation. For some Aboriginal and Torres Strait Islander people, the preferred confirmation document can be very difficult or impossible to obtain. In this case, it may be appropriate to accept a Statutory Declaration as evidence to satisfy the requirements under section 26 of the Directions.

Agencies may like to consider the following tiered approach.

Confirmation from an incorporated Indigenous organisation

A document signed and sealed by an incorporated Indigenous organisation

This document typically states that a person is Aboriginal and/or Torres Strait Islander, identifies as such and is recognised by their community. It generally contains a resolution number and date of meeting. It is signed by an authorised signatory of the organisation and includes a common seal.

Note: There may be variances between organisations.

A letter signed by a chairperson of an incorporated organisation

A letter from a chairperson of an Indigenous organisation that recognises the individual as an Aboriginal and/or Torres Strait Islander

This is a letter that confirms acceptance of that person as an Aboriginal and/or Torres Strait Islander person by a chairperson of an Indigenous organisation. Typically a letter will contain an 'Acceptance of Membership Number' and is signed by the Chief Executive Officer / Chairperson.

Note: There may be variances between organisations.

Statutory declaration

A statutory declaration made by the candidate including a declaration from a member of an Indigenous Service Provider

This document can be sufficient evidence in circumstances where a person may not be able to obtain a confirmation by an incorporated Indigenous organisation.

Note: a person can provide two declarations, one where they declare that they identify as an Aboriginal and/or Torres Strait Islander and a supporting declaration by a person from an Indigenous Service Provider.

The intent of the Affirmative measure provision is to remove barriers to employment for Aboriginal and Torres Strait Islander people. It can be counterproductive to this intent if this process becomes overly prescriptive or restrictive. For this reason, there is some flexibility in the type of evidence that will satisfy the purposes of eligibility under this affirmative measure.

Condition of engagement

At times a person may have been successful in obtaining a job but is experiencing a delay in obtaining documentary evidence that meets the requirements of the Affirmative measure. It is possible to offer them employment with confirmation of their Aboriginal and/or Torres Strait Islander heritage to be provided as a condition of engagement. For example, you could set a condition that satisfactory evidence be provided within three months of commencing duty or else employment may be terminated. For more information see [Conditions-of-engagement](#).⁸

For more Information

Indigenous Capability Team

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e: indigenous@apsc.gov.au

w: <http://indigenoucareers.gov.au>

⁸ <http://www.apsc.gov.au/working-in-the-aps/conditions-of-engagement>