



CONFIRMATION OF ABORIGINALITY POLICY AND PROCEDURE

STATEMENT

The Aboriginal Legal Rights Movement is committed to providing appropriate services to the community in the greater metropolitan Adelaide region and country South Australia. This includes providing support documents such as Confirmation of Aboriginality for community members to gain access to Aboriginal specific services and/or employment.

Responsible Officer: Chief Executive Officer

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SECTION 1 - INTRODUCTION

1.1 Purpose

This Policy provides guidance to the Board and Organisation on the processes for confirming Aboriginality of the community members of South Australia. This Policy also provides guidance on the use of the 'Common Seal' for the purpose of confirmations.

1.2 Scope

This policy applies to the Board, all staff and volunteers

1.3 Definition

WORD/TEAM	DEFINITION
Aboriginal	The agreed term used to describe people who are Aboriginal and their culture
Community	Refers to the members of the community in which the services are provided
Confirmation of Aboriginality	Refers to the formal acknowledgement, acceptance and recognition of an individual's Aboriginality within the community

1.4 Legislative and Compliance Context

NAME	LOCATION
Associations Incorporated Act 1985 (SA)	http://www.legislation.sa.gov.au/LZ/C/A/ASSOCIATIONS%20INCORPORATION%20ACT%201985.aspx
Oaths Act 1936 (SA)	http://www.legislation.sa.gov.au/LZ/C/A/OATHS%20ACT%201936.aspx

SECTION 2 – POLICY

2.1 Policy Statement

Aboriginal Legal Rights Movement is committed to providing appropriate services to the community in South Australia. This includes providing support documents such as Confirmation of Aboriginality for community members to gain access to Aboriginal specific services and/or employment.

2.2 Policy Principles

1. Aboriginal Legal Rights Movement is committed to supporting members of South Australia to access Aboriginal specific services and/or employment.
2. Aboriginal Legal Rights Movement's Board accepts Confirmation of Aboriginality for Aboriginal people that are actively working and participating in the Adelaide community.
3. Aboriginal Legal Rights Movement Board will use the 'Common Seal' as a prescribed as prescribed by the Board's Constitution and all uses will be recorded in the Confirmation of Aboriginality Register.

SECTION 3 - PROCEDURE

3.1 Definition of Aboriginality

Aboriginal Legal Rights Movement understands that individuals may require proof or confirmation of Aboriginal heritage when applying for Aboriginal specific services or programs such as:

- Grants (such as Aboriginal housing loans, research and study grants)
- University courses (with specific positions for Aboriginal students)
- Centrelink and housing assistance (aboriginal specific)
- Employment (Aboriginal identified positions)
- School programs for Aboriginal students

A standard definition has been developed to identify Aboriginal people and includes three parts

An Aboriginal is a person

- *Of Aboriginal descent*
- *Who identifies as an Aboriginal and*
- *Is accepted as such by the community in which they live.*

This definition is the basis of our Confirmation of Aboriginality process

3.2 Eligibility

To be eligible to apply for a Confirmation of Aboriginality through Aboriginal Legal Rights Movement, individuals must meet the definition which is stated above.

Applications received that are based on DNA testing will not be considered as that is not enough evidence to meet the three-part definition. These applications will be returned to the applicant.

If the individual is from community that is not from South Australia they will be referred back to their community to provide the Confirmation of Aboriginality.

Aboriginal Legal Rights Movement acknowledges the impact past Government policies have had on individuals and their connection with family and culture. The Board will consider applications that are accompanied by a support letter from the LINK-UP program at Nunkuwarrn Yunti for members of the Stolen Generations.

3.3 Application Requirements

An individual wanting to apply for a Confirmation of Aboriginality from Aboriginal Legal Rights Movement must complete the Aboriginal Legal Rights Movement 'Confirmation of Aboriginality Descent form'. The form is written to ensure all three criteria areas in the definition have been met and include the following sections:

- Applicant details and Declaration
- Signature of a Justice of the Peace
- Area for the Board to affix the 'Common Seal'
- Applicant supporting information
 - Information relating to the individual's family connections
 - Information relation to the individual's connection with community
 - Signature and contact details of a community member who can support the application.
- Applicant checklist

All applications must be signed by a Justice of the Peace prior to being submitted.

Applications are collected and coordinated by the Executive Assistant to the Chief Executive. If applications are received without the relevant information, the application will be returned to the applicant for further information.

All information supplied with an application will be confidential, kept secure and accessed by the Aboriginal Legal Rights Movement Board, the Executive Assistant/Executive Management as required.

3.4 Processing Applications

The Executive Assistant coordinates the applications for the upcoming Board meetings. Applications may be reviewed

OBJECTIVES

To prevent injury or ill health to any person as a result of their work for, or involvement with, the Aboriginal Legal Rights Movement, to comply with the requirements of the Work Health and Safety Act (2012), Work Health and Safety Regulations (2012) and relevant Codes of Practice and Standards, and to implement and continuously improve its WHSMS to assist in making the organisation an employer of choice for workers and preferred provider for clients.

RESPONSIBILITIES

CEO

The CEO, as the Officer will ensure that:

- Adequate and appropriate resources are provided and maintained to meet the objectives of this policy and the WHS Management System, to eliminate hazards, or where that is not reasonably practicable, minimise risks to health and safety.
- Appropriate consultative mechanisms are in place to ensure that workers, and where appropriate, external providers and agencies are consulted about the organisation's WHSMS with a view to cooperating and coordinating activities and preventing work related injury or illness.
- Appropriate training, information, instruction and supervision is provided to workers to ensure they understand and can implement the WHS requirements.
- Hazard and incident reporting processes are established that meet legislative requirements and ensure that senior management is promptly and appropriately advised of WHS issues or incidents.

HR MANAGER

The HR Manager will ensure that:

- They take overall responsibility and be accountable to the CEO for ensuring the implementation, monitoring and review of the WHSMS.
- The Officer, managers, supervisors and workers are aware of changes to legislation or organisational requirements that impact or might potentially impact on WHS and that appropriate action is taken to minimise risk.
- Hazards are identified, risks are assessed, and appropriate controls are developed and implemented to eliminate, or where that is not reasonably practicable, minimise the risk of harm to any person.
- Policies, procedures and other elements of the WHS Management System are appropriately developed, available, accessible and communicated to all relevant parties.
- Appropriate equipment (including relevant PPE) is available to all relevant workers and appropriately maintained.
- Consultative processes meet legislative and organisational requirements and are implemented and recorded.
- The CEO is made aware of any breaches, deficits or non-conformances that might impact on the achievement of the objectives of the WHS management system.
- Establish a monitoring system to ensure that WHS documents and processes are regularly reviewed in consultation with workers and the CEO to ensure that they continue to meet legislative and organisational needs.

MANAGERS AND SUPERVISORS

Managers and supervisors will ensure that:

- The WHS management system is fully implemented in their area of supervision.
- The manager or supervisor and all persons under their supervision are aware of, and comply with, the requirements of the WHS management system.
- Appropriate equipment (including relevant PPE) is available to workers and fit for purpose.
- The manager or supervisor promptly and appropriately responds to any hazard or incident identified and reported by the manager or supervisor or any person under their supervision with a view to eliminating or minimising risks to health or safety.
- Where the manager or supervisor does not have the necessary authority to implement appropriate controls to eliminate or minimise risk, that the manager ensures all persons are safe and reports the situation immediately to the HR Manager or CEO.

WORKERS

Workers will ensure that they:

- Take all reasonable steps to protect their own health and safety at work.
- Take all reasonable steps to protect the health and safety of others at work.
- Comply with all reasonable instructions.
- Comply with policies, procedures, and training.
- Promptly report any hazard or incident to their manager or supervisor.

GENERAL PROCEDURES

The WHS management system will be developed to meet the needs of the organisation, once the scope has been determined. As a minimum the system will address.

- Identification of and appropriate communication with stakeholders (internal and external)
- Hazardous tasks and their management
- Situations and processes for consultation
- Current equipment and procurement, maintenance and disposal processes
- Documentation required
- Interactions with other systems e.g. human resources
- Systems implementation, review and improvement

MONITOR AND REVIEW

The CEO, in consultation with relevant personnel, will review the ALRM WHS Policy on an annual basis.

SUPPORTING DOCUMENTS

Work Health and Safety Act (2012)

Work Health and Safety Regulations (2012)

How to Manage Work Health and Safety Risks Code of Practice

Work Health and Safety Consultation, Cooperation and Coordination Code of Practice

ALRM Consultation, Cooperation and Coordination Policy

ALRM Consultation, Cooperation and Coordination Procedure

All ALRM Policies, Procedures, checklists and supporting information documents