

# Confirmation of Identity for Aboriginal and Torres Strait Islander Staff Policy

## Section 1 - Key Information

<b>Policy Type and Approval Body</b>	Administrative - Vice-Chancellor
<b>Accountable Executive - Policy</b>	Chief People Officer
<b>Responsible Manager - Policy</b>	Director, Talent Acquisition and Remuneration
<b>Review Date</b>	24 September 2027

### Terminology

(1) Respect for the right to self-determined ways of identifying and naming self, requires acknowledgment that there is not one preferred term to represent all Aboriginal and Torres Strait Islander peoples living in Australia, and recognition that any one term does not adequately represent the immense diversity of cultural ways of being across sovereign Nations.

(2) Indigenous Australian is used in this document when acknowledging the diverse populations of Aboriginal and Torres Strait Islander peoples of this land. In alignment with the [Enterprise Agreement 2023](#) and for the purposes of this policy, Indigenous Australian is used as the term to represent the First Nations Peoples and the Countries they belong to. These terms are interchangeable.

## Section 2 - Purpose

(3) This Policy sets out the evidentiary requirements that a staff member must provide to confirm that they are an Indigenous Australian person (Confirmation of Identity). Confirmation of Identity is undertaken for the purposes of accessing specific Indigenous Australian programs, services, entitlements, and/or applying for identified positions.

## Section 3 - Scope

(4) This Policy applies to:

- a. any candidate or staff member seeking to confirm their Indigenous Australian identity within the University; and
- b. University staff administering specific programs, services, entitlements, or opportunities available to Indigenous Australian staff within the University.

## Section 4 - Key Decisions

Key Decisions	Role
Review documentary evidence and confirm evidence is sufficient to confirm an Aboriginal and/or Torres Strait Islander status, for the purposes of accessing University programs, services, support, entitlements, and identified positions	Pro Vice-Chancellor (Indigenous)
Receive, review, and make a determination on any applications for an exemption or alternation to requirements of this Policy	Pro Vice-Chancellor (Indigenous)
All decisions relating to Indigenous recruitment or the appeals process	Pro Vice-Chancellor (Indigenous)

## Section 5 - Policy Statement

(5) La Trobe University acknowledges the significant contributions that our Indigenous Australian staff make to the University, our students, and the communities we serve. As a University, we are committed to providing targeted programs and opportunities specifically designed to address the under-representation of Indigenous Australian people in the higher education sector. La Trobe acknowledges that Indigenous Australian identity is unique and sacred to every individual.

(6) La Trobe University is committed to improving the employment outcomes and wellbeing of Indigenous Australian staff to ensure that they can excel and achieve in every aspect of their career and professional development as outlined in the University's Indigenous Strategy and the [Enterprise Agreement \(EA\)](#).

(7) La Trobe University requires that Confirmation of Identity be provided by candidates and staff that identify as Indigenous Australian to be eligible to:

- a. apply for Indigenous identified positions;
- b. access resources, services or entitlements specifically identified for Indigenous Australian staff, such as entitlements provided under the [EA](#).

(8) La Trobe University acknowledges that providing Confirmation of Identity can be a challenging process and commits to providing support to those undertaking the process via the Indigenous Strategy and Education office or the Indigenous Talent Acquisition Officer in People & Culture (P&C).

(9) Consistent with guidelines from the [Australian Institute for Aboriginal and Torres Strait Islander Studies \(AIATSIS\)](#), [the University requires Indigenous Australian staff to satisfy the following three \(3\) criteria to complete the Confirmation of Identity:](#)

- a. that the staff member is of Australian Aboriginal and or Torres Strait Islander descent; and
- b. that the staff member identifies as an Australian Aboriginal and or Torres Strait Islander person; and
- c. that the staff member is accepted as an Australian Aboriginal and or Torres Strait Islander in the community in which they live or have lived.

## Section 6 - Procedures

### Part A - Documentary Evidence to Confirm Indigenous Australian Identity

(10) The Indigenous Talent Acquisition Officer, an Identified Indigenous position in the People & Culture Talent Acquisition (TA) Team will be responsible for requesting and collating any documentary evidence from new or existing staff members appointed to new Indigenous identified position or positions that require Indigenous Australian heritage

as an inherent requirement of the role.

(11) The Indigenous Talent Acquisition Officer will be responsible for requesting and collating any documentary evidence for new staff or existing staff who are newly identifying continuing or fixed-term Indigenous Australian staff members to access the Indigenous Australian salary loading under subclause 28.1 of the EA. Other entitlements are available to continuing and fixed-term Indigenous Australian staff under the EA that do not require Confirmation of Identity. These entitlements are listed under Clause 5 of the [Enterprise Agreement](#).

(12) For access to any Indigenous programs, support and/or University services, the Indigenous Strategy and Education Office will work with the staff member to collate the documentary evidence if it is required and if not already supplied by a staff member. The Indigenous Strategy and Education Office will ensure all documentary evidence is provided to the People & Culture Division for appropriate storage in the My Records document management system. This document management system has highly restricted access and complies with the University's [Privacy Policy](#) and the [Privacy and Data Protection Act 2014 \(Vic\)](#).

(13) It is the responsibility of the individual to provide Confirmation of Identity evidence and/or supporting documents to the University.

(14) Documentary evidence can be provided in one or more of the following formats:

- a. a letter of confirmation of Aboriginality from an incorporated Indigenous Australian community-controlled organisation in which their Country is, they live or have lived and signed in accordance with the rules of the organisation;
- b. a letter of confirmation of Aboriginality stamped with a Common Seal of an Aboriginal and or Torres Strait Islander Lands Council and/or an Aboriginal or Torres Strait Islander Controlled Organisation, in whose area the applicant lives or has lived;
- c. a letter of declaration signed by the applicant that includes supporting documentation in the form of a genealogy document (such as Linkup VIC) and/or or a letter of support by a recognised community member or organisation (such as an Elder, Aboriginal Medical Service, Aboriginal Education Consulting Group, Aboriginal Family and Community Services, Aboriginal Housing or other Aboriginal or Torres Strait Islander incorporated entity).

(15) The Pro Vice-Chancellor (Indigenous) will review all submitted documentation and either confirm it as sufficient or will provide additional advice or requests directly to the candidate or staff member, if required.

(16) A copy of the documentary evidence provided to the Indigenous Talent Acquisition Officer in the People & Culture Division and placed directly on the staff member's employment file in line with the University's [Privacy Policy](#).

(17) Prospective or current staff who have already provided the University with their Confirmation of Identity documentation, will not be required to provide any subsequent documentary evidence to access programs, services, entitlements and/or job opportunities.

(18) As the working definition requires Indigenous Australians to publicly identify, it is assumed that individuals accessing University services, support, entitlement and/or job opportunities, consent to having their heritage recorded in university statistics for the purposes of government and regulatory reporting, noting this will not include any personal information as described by the [Privacy and Data Protection Act 2014 \(Vic\)](#).

## **Part B - Appeal for Alternate Documentary Evidence**

(19) A prospective or new staff member who has provided the documentary evidence and this evidence is deemed as insufficient to establish heritage or if the required evidence is unobtainable, must provide this in writing or contact the Pro Vice-Chancellor (Indigenous) directly requesting an appeal or exemption from the policy. The Pro Vice-Chancellor

(Indigenous) shall meet with the prospective or current staff member to seek understanding of the challenges in obtaining evidence and will provide support to either obtain the documentary evidence or discuss and agree on an alternative source.

(20) If the staff member is unable to meet the requirements as described in either Clause 12 or the alternate agreed documentary evidence described in Clause 18, the Pro Vice-Chancellor (Indigenous) (or Indigenous delegate), will meet with the staff member and/or prospective staff member to advise the outcome.

(21) The final decision about whether there is sufficient evidence to confirm Aboriginal and/or Torres Strait Islander identity or not, sits with the Pro Vice-Chancellor (Indigenous).

## Section 7 - Definitions

(22) For the purpose of this policy and procedure:

- a. Indigenous Australian: a person who is of Aboriginal and or Torres Strait Islander descent, identifies as an Indigenous Australian, and is accepted as such by the community in which they live or have formerly lived. The terms of Indigenous Australian, Aboriginal, Torres Strait Islander, and First Nations Peoples are interchangeable and acknowledges the 68 (and growing) different names used across the Countries.
- b. Organisation: For the purposes of this policy, an organisation, as referred to in Part A of this Policy, means:
  - i. an Aboriginal or Torres Strait Islander association incorporated under the [Corporations \(Aboriginal and Torres Strait Islander\) Act 2006 \(CATSI Act\)](#); or
  - ii. an incorporated community organisation where all the members of the governing body are Aboriginal persons or Torres Strait Islanders or both. Note: a register of organisations incorporated under the CATSI Act is available at: Office of the Registrar of Indigenous Corporations.
- c. Staff Member: Staff means any person employed by the University as per the definition in the [La Trobe University Act 2009](#).

## Status and Details

<b>Status</b>	Current
<b>Effective Date</b>	24th September 2024
<b>Review Date</b>	24th September 2027
<b>Approval Authority</b>	Executive Director, Indigenous Strategy and Education
<b>Approval Date</b>	24th September 2024
<b>Expiry Date</b>	Not Applicable
<b>Responsible Manager - Policy</b>	Regan Sterry Chief People Officer
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## Glossary Terms and Definitions

**"staff"** - Staff means any person employed by the University as per the definition in the La Trobe University Act 2009 (Vic).