

Confirmation of Identity for Aboriginal and Torres Strait Islander Staff Policy

Section 1 - Key Information

Policy Type and Approval Body	Administrative – Vice-Chancellor
Accountable Executive – Policy	Executive Director, Human Resources
Responsible Manager – Policy	Director, Talent Acquisition and Remuneration
Review Date	3 years

Section 2 - Purpose

(1) 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 [La Trobe University Enterprise Agreement 2023](#) and for the purposes of this Policy, Indigenous Australian is used as the preferred term to represent the First Nations Peoples of Australia and the Countries they belong to. These terms are interchangeable.

(2) 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

(3) 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) (or Indigenous nominee)
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

(4) 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.

(5) 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 \(EA\)](#).

(6) 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.

(7) 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 Human Resources (HR).

(8) 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

(9) The Human Resources Talent Acquisition (TA) Team will be responsible for requesting and collating any documentary evidence from candidates associated with an Indigenous identified position, where a position requires Indigenous Australian heritage as an inherent requirement of the role, or where during a hiring process the candidate identifies themselves as Indigenous Australian.

(10) The TA Team (or their HR nominee) will be responsible for requesting and collating any documentary evidence for new or existing continuing or fixed-term Indigenous Australian staff members to access the Indigenous Australian salary loading. Other entitlements are available to continuing and fixed-term Indigenous Australian staff under the EA that do not require Confirmation of Identity.

(11) For access to any Indigenous programs, support and/or University services, the Indigenous Strategy & 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 HR Division for appropriate storage.

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

(13) 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 and signed by an incorporated Aboriginal Entity, from an area the applicants Country is, lives, or has lived;
- c. a Statutory Declaration signed by the applicant accompanied with a letter of support from a recognised Community member or organisation (such as a known Aboriginal member of the Community, Elder, Aboriginal Medical Service, Aboriginal Education Consulting Group, Aboriginal Family and Community Services, Aboriginal Housing or other Aboriginal or Torres Strait Islander incorporated entity).

(14) The Pro Vice-Chancellor (Indigenous) (or their nominee) 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.

(15) A copy of the documentary evidence provided to the HR Division will be placed on the candidate's application record or staff member's employment file and managed in accordance with the University's [Privacy Policy](#).

(16) 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.

(17) 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

(18) If a candidate or staff member is unable to obtain evidence of their heritage or has provided the documentary evidence and this evidence is deemed as insufficient to establish heritage, they can apply to the Pro Vice-Chancellor (Indigenous) in writing, to request an appeal or exemption from this Policy. The Pro Vice-Chancellor (Indigenous) will meet with the candidate or 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.

(19) The Pro Vice-Chancellor (Indigenous) may seek further input from the Indigenous Workforce Steering Committee members or the Indigenous Elders Council for advice or perspective on matters related to confirmation of identity.

(20) If the candidate or staff member is unable to meet the requirements for providing documentary evidence or alternate and agreed documentary evidence as described in this policy, the Pro Vice-Chancellor (Indigenous)(or Indigenous nominee), will meet with the staff member or candidate 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).

(22) For recruitment purposes, please refer to the [Recruitment Policy](#), sub-section Indigenous Recruitment procedure, however for completeness, all decisions relating to Indigenous recruitment or appeals process reside with the Pro Vice-Chancellor (Indigenous).

Section 7 - Definitions

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

- a. Candidate: Candidate means any person who has applied for a position at the University (whether an Indigenous Australian identified position or not).
- b. 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.
- c. 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
- d. Staff Member: Staff means any person employed by the University as per the definition in the [La Trobe University Act 2009](#).

Status and Details

Status	Not Yet Approved
Effective Date	To Be Advised
Review Date	To Be Advised
Approval Authority	
Approval Date	To Be Advised
Expiry Date	Not Applicable
Responsible Manager - Policy	Regan Sterry Executive Director, Human Resources
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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).