



AUSTRALIAN
ENERGY
REGULATOR



Innovate Reconciliation Action Plan

December 2022 – December 2024

December 2022

Australian Competition and Consumer Commission
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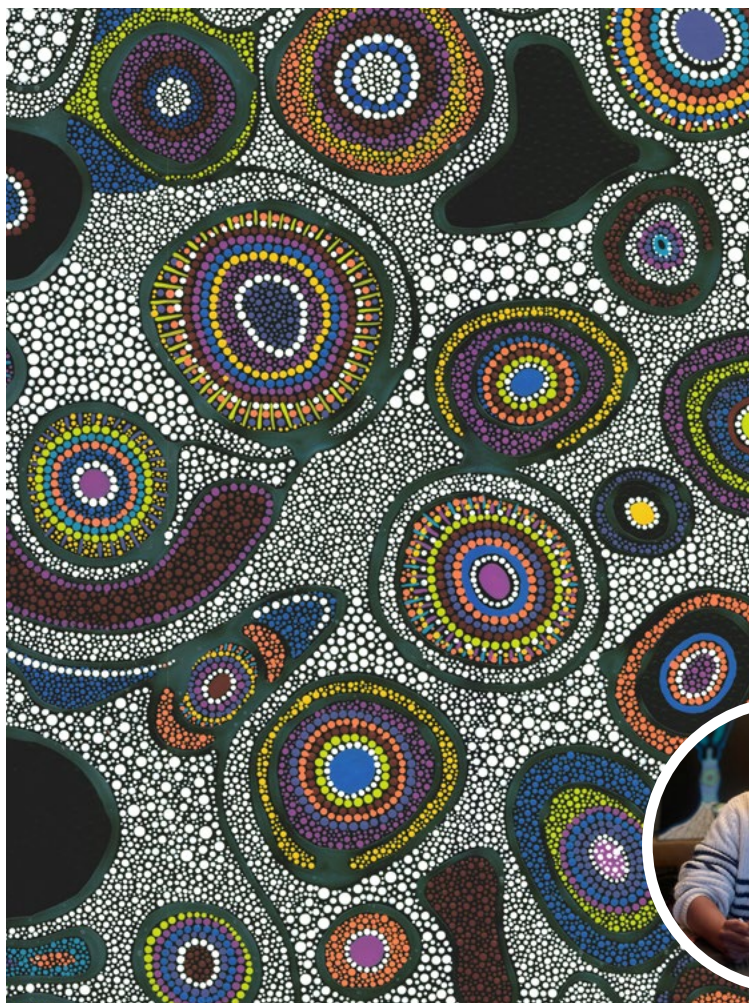
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Featured artwork: *Sharing Culture*

In all cultures, stories are passed down from generation to generation. 'Sharing culture' symbolises different cultures and nationalities coming together to share and learn about each others cultural backgrounds and differences.

About the artist – Tamara May Murray

The artist, Tamara May Murray, is a proud member of the Barkindtji tribe on her mother's side, the Yorta Yorta and Dhudaroah tribes on her father's side. She grew up on the Namatjira Mission in the small country town of Coomealla.

'My Dad and Pop built our home out of old tin and wood they collected from the local tip. We didn't have running water or flushing toilets and we used an open fire place for a kitchen. We didn't have much and life was simple. I often think back to those days with a sense of pride and happiness.

Culture is everything to me, it's a way of life, it's my identity, it's who I represent – my people, my family. Culture is our way of healing, telling stories, keeping spirits and traditions alive. It's our connection to the land.'

Tamara first started painting when she was 3 years old and it was evident that she had a natural gift. However, it was not until after the birth of her second daughter in 2008 that the gift of art came to Tamara in the form of healing, giving her a voice, a way of expression and a connection to the land, her culture and her ancestors. Tamara was diagnosed with post-natal depression and later bipolar disorder. In her darkest hours, art came to her.

For Tamara, family is what inspires her to continue to grow and to keep fighting. Her 2 daughters are her daily motivation – to provide for them and to be a strong, powerful role model of what is possible.

For Tamara, her art is not simply paint on a canvas. It's a story; it's a place; it's someone she has met along the way that has inspired her. It's a deep connection to the land and her culture. It is a story that has been passed down.



Our vision for reconciliation

Our vision for reconciliation is to create a culture that embraces unity and respect between Aboriginal and Torres Strait Islander peoples and other Australians. We seek to continue to foster a positive culture that represents equity and acknowledgment of our shared history. We seek to build meaningful relationships and overall improved accountability and ownership of deep listening to Aboriginal and Torres Strait Islander peoples and supporting truth telling stories. We are committed to our actions, roles and responsibilities, to both improving engagement and employment outcomes and enhancing consumer empowerment for Aboriginal and Torres Strait Islander peoples.

Foreword

The ACCC and the AER continue our commitment to an inclusive culture and a diverse workforce. Our Reconciliation Action Plan (RAP) forms an integral part of fostering an inclusive, respectful and diverse workplace. This plan is the ACCC/AER's second Innovate RAP and our fourth RAP in total.

Our previous RAP covered the COVID-19 pandemic period and the lessons we have learned have helped us be more flexible and adaptable in the way we approach our reconciliation priorities and initiatives. Our employees have been fortunate enough to attend virtual Jawun secondments and we have collaborated virtually with inspirational First Nations speakers and other agencies on National Reconciliation Week, National Close the Gap Day and National Sorry Day events. We have now been able to return to in person outreach and community engagement. This continues the building of personal relationships valued by Elders, Traditional Custodians, community members and our agency. The Indigenous outreach team also benefit from meeting with employees from other government agencies, non-government agencies and other stakeholders who are working in and serving remote communities. Our partnerships with other regulatory agencies have strengthened, improving greater outcomes for our employees and building long-term relationships for reconciliation.

We recognise the importance of our senior leaders taking proactive responsibility to ensure we are actively creating opportunities for First Nations employees both current and prospective. Our [Aboriginal and Torres Strait Islander Attraction, Retention and Development Strategy](#) outlines our commitment to building cultural competence, creating career opportunities, and learning outcomes for employees and improving employment practices. Our priority, as demonstrated in this RAP will be working in partnership with a First Nations recruitment company specialising in appropriate attraction and selection methodology to tailor our selection processes, so we can attract First Nations employees to the agency. We will also work to establish relationships with universities, law firms and other government agencies to provide tailored entry pathways and secondment opportunities.

The ACCC/AER currently obtains input from First Nations peoples through various consultative community outreach and relationship approaches and Mipla Tunapri our First Nations Employee Network. The Speak Up, Listen Up reverse mentoring program facilitated by the CALD Network, has given valuable opportunities for members of Mipla Tunapri to share their histories, knowledge and understanding with senior employees and Commissioners in our agency. The ACCC/AER have an ambition to elevate this influence by developing and enhancing Aboriginal and Torres Strait Islander voices within the agency and our work.

Our RAP will be led and championed by Senior Leaders together with the Reconciliation Network. Senior leaders in the ACCC/AER each of whom have a strong dedication to diversity and inclusion with commitments contained in in Senior Leader performance plans. The RAP aims for close and respectful relationships with our First Nations employees and stakeholders and to build a better environment for First Nations peoples.

We are pleased to champion this plan leading the ACCC/AER into the next stage of our reconciliation journey and supporting our First Nations employees now and into the future.



ACCC Chair
Gina Cass-Gottlieb



AER Chair
Clare Savage



Senior Reconciliation Champion
Melinda McDonald

Our Business

The Australian Competition and Consumer Commission (ACCC) is an independent Commonwealth statutory authority whose role is to enforce the *Competition and Consumer Act 2010* (Cth) and a range of legislation, promoting competition, fair trading and regulating national infrastructure for the benefit of all Australians.

The Australian Energy Regulator (AER) is Australia's national energy market regulator and has an independent board. The AER shares employees, resources and facilities with the ACCC. While the AER's regulatory functions are entirely separate from the ACCC, the current legislative arrangements confer authority to the ACCC for the AER's funding and people.

While specific functions vary according to the legislated responsibilities that underpin the ACCC/AER, the 2 bodies share many common objectives and influence, both working to protect, strengthen and supplement competitive market processes and to protect and advance the interest of consumers.

The ACCC makes decisions through formal meetings of its Commissioners and the AER through its board. ACCC Commissioners and AER board members are statutory officers.

Competitive, informed and (when necessary) well-regulated markets lead to lower prices, better quality products and services and more choice. This increases the prosperity and welfare of all Australians. We focus on taking action that maximises the proper functioning of Australian markets, protects competition, improves consumer welfare and stops conduct that is anti-competitive or harmful to consumers.

The ACCC employs the following strategies to achieve our purpose:

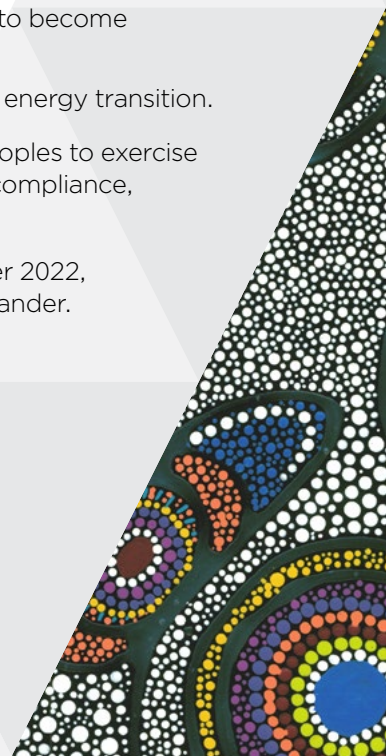
- maintaining and promoting competition
- protecting the interests and safety of consumers, and supporting fair trading in markets affecting consumers and small business
- promoting the economically efficient operation of, use of and investment in infrastructure and identifying market failure
- undertaking market studies and inquiries to support competition, consumer and regulatory outcomes.

The AER conducts its role with following 4 objectives:

- protect vulnerable consumers, while enabling consumers to participate in energy markets
- effectively regulate competitive markets primarily through monitoring and reporting, and enforcement and compliance
- deliver efficient regulation of monopoly infrastructure while incentivising networks to become platforms for energy services
- use our expertise to inform debate about Australia's energy future and support the energy transition.

The ACCC/AER have several initiatives specifically tailored to support First Nations peoples to exercise their consumer rights. Working with all stakeholders, the ACCC/AER strive to ensure compliance, transparency and fair outcomes.

The ACCC/AER has offices in all states and territories across Australia. As at December 2022, ACCC/AER employed 1,476 people, 20 identified as Aboriginal and/or Torres Strait Islander.



Our reconciliation journey

The ACCC and AER began its formal reconciliation journey in 2011 with the launch of its first RAP.

This allowed the ACCC/AER to integrate the objectives of protecting the consumer rights of First Nations peoples while evolving our internal awareness of Aboriginal and Torres Strait Islander cultures and heritage and taking steps to address employment inequalities. Throughout our second and third RAPs we have made significant progress in these areas including:

- incorporated the enduring priority of matters impacting First Nations peoples into all our all compliance and enforcement priorities
- developed an [Aboriginal and Torres Strait Islander Attraction, Retention and Development Strategy](#)
- creation of the position of First Nations Liaison Officer to implement our [Aboriginal and Torres Strait Islander Attraction, Retention and Development Strategy](#) which includes recruitment programs and development programs for existing employees
- introduced and embedded Acknowledgement of Country protocols for formal gatherings. These are now standard practice across the ACCC/AER and include personalised stories from people that demonstrate respect and a true culture shift since 2011
- placed plaques in the foyer of ACCC/AER offices acknowledging the Traditional Owners of the land of each office
- developed an optional Acknowledgement of Country in organisation email signature blocks
- continued as Chair the National Indigenous Consumer Strategy (NICS) since 2017
- provided cultural awareness training to employees through implementation of an eLearning program and face to face sessions. The eLearning is now part of our Essentials program for all employees
- established the Mipla Tunapri First Nations Employee Network
- adopted local Aboriginal place names for meeting rooms in our new office fit outs
- officially opened new offices with a Welcome to Country
- continued employee participation in Jawun secondments, including through COVID-19 via virtual placements
- provided the option for employees to substitute another day off in lieu of the 26 January public holiday
- employed First Nations university students through summer and winter internship programs annually
- celebrated National Reconciliation Week and NAIDOC Week annually, and
- annually recognised other significant events such as the Anniversary of the National Apology and The Coming of the Light.

Whilst we completed a number of actions in our 2020-2022 Reconciliation Action Plan listed above, when planning for our next RAP, we recognised that a number of initiatives were still quite new and still in the process of being fully embedded. For this reason, we consider it is appropriate to develop another Innovate RAP. By way of example, the development of the [Aboriginal and Torres Strait Islander Attraction, Retention and Development Strategy](#) needs to develop new programs to increase representation, retention and development which will take time to develop and fully implement. Therefore, some of the actions remain in progress.

Our measures of success under the Innovate RAP

The ACCC/AER recognise that Aboriginal and Torres Strait Islander consumers living in remote areas face particular challenges in relation to asserting their consumer rights. The ACCC/AER is committed to addressing conduct that impacts Aboriginal and Torres Strait Islander peoples as an enduring priority.

We recognise the importance of our senior leaders taking proactive responsibility to ensure we are creating opportunities for First Nations employees both current and prospective. Leadership responsibility is emphasised to deliver and champion the actions and behaviours under the RAP to improve the recruitment, professional development, and retention of Aboriginal and Torres Strait Islander peoples. Whilst this was also a focus in our last RAP, we expect to see change in process and practices as a direct result in the coming 2 years. An example of this was under our last RAP, we created a First Nations Recruitment Committee with senior leadership representation from each division. This Committee has met 4 times and will be critical for ensuring new initiatives developed under this RAP are fit for purpose and utilised moving forward.

Relationships

Maintaining our relationships with First Nations peoples and organisations, partnership agencies and firms is imperative to the RAP success and Aboriginal and Torres Strait Islander consumer and employee outcomes. Operational areas of the ACCC/AER are to deliver national inclusion outreach programs, such as Aboriginal and Torres Strait Islander outreach activities and Scamwatch that increase consumer engagement and outcomes for diverse consumers. Further, we expect to see an increase in annual census engagement in our 'inclusive workplace' results as a measure of success for a psychological safe and culturally competent workplace.

Respect

We will continue to embrace Acknowledgement of Country in all employee gatherings and meetings and showcase traditional place names and artwork in each of the ACCC/AER offices. We will recognise all important Aboriginal and Torres Strait Islander cultural events and significant days on the calendar and offer paid leave for our employees for those participating.

Opportunities

Our priority is to implement [ACCC/AER Aboriginal and Torres Strait Islander Attraction, Retention and Development Strategy](#), which aims to increase First Nations employee representation to 5% of APS4-6 levels by 2022, 5% of EL1 and EL2 by 2024 and 3% of SES by 2024. 2022 has seen an increasingly competitive labour market, with First Nations candidates in high demand. Under the Strategy, we are planning a large scale targeted Affirmative Measures campaign partnering with a First Nations company specialising in appropriate attraction and selection methodology. In addition, we are looking to articulate our unique employee value proposition and are committed to working in partnership to establish relationships with universities, law firms and other government agencies to provide entry pathways and secondment opportunities. The newly formed First Nations Recruitment Committee (FNRC) comprising of nominated Senior Leadership will drive and champion these activities.

Mipla Tunapri

The Mipla Tunapri First Nations Employee Network is a forum for ACCC/AER employees. The name Mipla Tunapri is made up of 2 words from Aboriginal and Torres Strait Islander languages- Mipla, from Torres Strait Islands, meaning we/us and Tunapri from the Palawa language in Tasmania, meaning to give knowledge and understanding.

The goal of Mipla Tunapri is to increase representation of First Nations cultures, and views across the ACCC/AER. It has 2 important roles:

1. to provide support and guidance to its members and
2. to offer strategic advice to the ACCC/AER on workplace matters affecting First Nations employees.

It allows the views and aspirations of First Nations employees to be heard and addressed in a positive and solutions focused manner.

Governance, tracking progress and reporting

The Reconciliation Network consists of members from Mipla Tunapri and other employees and allies. The Network is responsible for developing and driving the delivery of the RAP and holding the agency to account. Increasing ally membership and engagement is our highest priority.

Reconciliation Network

The ACCC/AER Reconciliation Network works together to develop and deliver the RAP and form a network of allies that champion and support First Nations employees.

The Reconciliation Network is comprised of ACCC/AER employees including First Nations employee representatives. In addition, the Terms of Reference seek to include an Aboriginal and/or Torres Strait Islander Community member as an external member. Mipla Tunapri is an active employee network and is represented on the Reconciliation Network. First Nations employees are invited to join Mipla Tunapri and the Reconciliation Network.

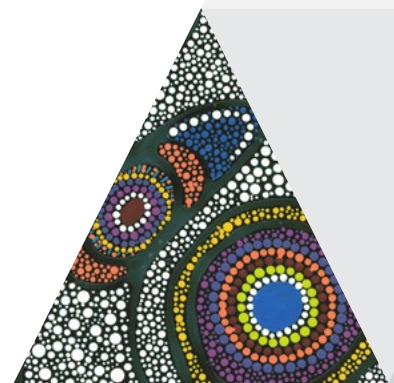
As at December 2022, there are 59 members in the Network. Members volunteer to help achieve deliverables and there is a core working group to ensure deliverables and timeframes are met, 2 of whom identify as Aboriginal and/or Torres Strait Islander. The core working group is made up of:

- Senior Reconciliation Champion – Executive General Manager, Competition Division
- Network Coordinator - Director, Enforcement – Southern
- Mipla Tunapri Chair, Indigenous Outreach Officer
- Mipla Tunapri Co-chair, Project Officer, Strategic Projects
- General Manager, People and Culture, Director Employee Experience and Assistant Director Inclusion and Wellbeing

Memberships and partnerships

The ACCC/AER continue to maintain established memberships/partnerships that offer mutual assistance with Aboriginal and Torres Strait Islander consumer strategies and employment. These memberships and partnerships have provided valuable resources and it is expected that they will continue to grow and evolve. Current memberships and partnerships include:

- Indigenous Consumer Assistance Network (ICAN), a valued member of the ACCC/AER's Consumer Consultative Committee helping to identify matters impacting First Nations consumers.
- National Indigenous Consumer Strategy (NICS), a reference group comprised of relevant state and territory regulators in which consumer issues which impact First Nations consumers are dealt with. In 2017, the ACCC/AER became the NICS Chair.
- The National Indigenous Australians Agency (NIAA) is committed to improving the lives of all Aboriginal and Torres Strait Islander peoples.
- National Disability Insurance Scheme (NDIS), Aboriginal and Torres Strait Islander community engagement.
- Legal Aid Services and Aboriginal legal services. These frontline agencies help to identify important matters that inform our intelligence and subsequent compliance and enforcement activities.
- Financial counsellors and money management workers are front line agencies who provide financial advice that inform our intelligence and subsequent compliance and enforcement activities.



- MoneyMob Talkabout are advocates for social and economic wellbeing and justice for First Nations peoples.
- Australian Securities and Investments Commission (ASIC) is a key partner in our efforts to advance Aboriginal and Torres Strait Islander consumer rights.
- Fair trading agencies are key partners in the one law multi-regulator model in delivering the Australian Consumer Law (ACL).
- Australian universities to create internship opportunities for First Nations university students.
- The AER's Customer Consultative Group (CCG) provides participating organisations and individuals with the opportunity to inform the AER about issues that impact the groups they represent, several member organisations representing First Nations peoples and programs such as the ACT Council of Social Service (ACTCOSS) which incorporates Gulanga, a community program that employs First Nations peoples.
- Diversity Council of Australia (DCA) offers access to resources including the latest research on Aboriginal and Torres Strait Islander inclusion in the workplace.
- Interagency RAP working groups provides valuable connections with other agencies and insights on implementing a RAP within a government framework.
- We continue to expand our efforts to forge new relationships and partnerships, increase our networks and strengthen our alliances.
- Fair trading agencies are key partners in the one law multi-regulator model in delivering the Australian Consumer Law (ACL).

We continue to expand our efforts to forge new relationships and partnerships, increase our networks and strengthen our alliances.



Case Studies

Telstra

On 26 November 2020 the ACCC/AER instituted proceedings against Telstra alleging unconscionable conduct in connection to the sales practices of 5 Telstra licensed stores concerning 108 First Nations consumers.

On 13 May 2021 the Federal Court handed down its judgement which included a \$50 million pecuniary penalty, the largest of its kind for unconscionable conduct.

Importantly, the outcome included a court enforceable undertaking which requires Telstra remediate First Nations consumers with refunds and interest, put in place an First Nations hotline managed by First Nations peoples as well as providing digital literacy training to First Nations peoples in some of the most remote communities in Australia.

These remedies were included to provide meaningful remedies for those affected by the conduct, in addition to investment and commitment by Telstra to improving its interactions with First Nations consumers.

Anglicare NT partnership

In May 2021, the ACCC/AER partnered with Anglicare NT to assist Yolnu (Arnhem Land) consumers to better understand their consumer rights by identifying relevant consumer issues and producing and distributing hard copy posters for display on community notice boards. We have been fortunate to be able to directly partner with NGOs who engage with Aboriginal and Torres Strait Islander communities to ensure our messaging is informed, relevant and targeted around consumer issues of importance to those communities.

Your Rights Mob

Your Rights Mob is the ACCC/AER's social media channel engaging with First Nations consumers and has over 5,200 followers. The channel's content is increasingly reflective of feedback received from First Nations peoples and their advocacy groups around specific consumer law matters impacting First Nations consumers.



Jolene and Shardae at the Nauiyu Community Carnival.

Bagot Aboriginal Community partnership

Members of the ACCC/AER's Indigenous outreach team based in our Darwin office is a permanent member of the Bagot Advisory Committee, a committee comprising government and business representatives who at the invite of Elders from the Bagot Aboriginal community outside of Darwin NT, meet regularly with the Bagot community to respond to and assist with community needs, including consumer related matters.

National online regulator forum

In December 2021, we facilitated a national online regulator forum with Dr Heron Loban, a Torres Strait Islander woman, senior lecturer at the School of Humanities, Languages and Social Science at Griffith University, former lawyer and expert in Aboriginal and Torres Strait Islander law and justice issues. The forum was designed to assist regulators in improving their effectiveness in delivering consumer empowerment to Aboriginal, Torres Strait Islander and Tiwi consumers.

North Queensland Indigenous Consumer Taskforce

The ACCC/AER are founding members of this taskforce which comprises ASIC, the Queensland Office of Fair Trading, Energy Water Ombudsman Queensland as well as several NGOs including Cairns community legal centre, ICAN and Shelter, Housing Action Cairns.

National Indigenous Consumer Strategy (NICS)

The ACCC/AER has held the role of Chair of the National Indigenous Consumer Strategy (NICS) since 2017. NICS comprises State, Territory and Commonwealth agencies as well as non-government organisations whose work seeks to improve outcomes for First Nations peoples particularly in the consumer and financial areas. In the ACCC/AER's role as NICS Chair it prioritises building (member) agency capacity which it has achieved in several ways. For example, on 6 August 2018 NICS held its annual meeting in the Aboriginal community of Yarrabah in far north Queensland where members heard first-hand from First Nations peoples about the consumer and financial issues they face and how NICS members can assist to empower them to take action in respect of their consumer and financial rights.



Relationships



Relationship building between the ACCC/AER and Aboriginal and Torres Strait Islander peoples and communities is of great importance in delivering our obligations under the *Competition and Consumer Act 2010 (Cth)* as it allows us to gain an in-depth understanding of, and respond, to critical consumer needs. We aim to be an organisation that is strong in its awareness and respect for Aboriginal and Torres Strait Islander cultures and histories and reflects the community that we serve.

We strive to build strong foundations for mutually beneficial relationships that will allow us to benefit consumers, improve employment outcomes and recognise Aboriginal and Torres Strait Islander cultures. The ACCC/AER continue its enduring responsibility to undertake community visits focusing on remote areas as outlined in the annual engagement plan and collaborate with partner organisations to deliver services to support and educate First Nations consumers and contribute to the achievement of compliance and enforcement outcomes. During COVID, we experimented with engaging with Aboriginal and Torres Strait Islander communities virtually. It was clear there was no interest and face-to-face community visits are the best way to engage.

Action 1.1

Build relationships, raise awareness and respect by celebrating and participating in culturally significant Aboriginal and/or Torres Strait Islander events including National Reconciliation Week (NRW)

Core Working Group Reconciliation Network members to continue to participate in an external NRW event.	27 May to 3 June 2023 and 2024	Lead: Senior Reconciliation Champion Support: Reconciliation Network
Continue to support and encourage all employees and senior leaders to participate in at least one external event for NRW.	27 May to 3 June 2023 and 2024	Lead: Senior Reconciliation Champion Support: Reconciliation Network
Continue to communicate use of paid leave for First Nations employees and the Reconciliation Network to attend an external NRW event.	27 May to 3 June 2023 and 2024	Director Employee Experience
Continue to host at least one internal event for NRW.	27 May to 3 June 2023 and 2024	Lead: Assistant Director of Inclusion and Wellbeing Support: Reconciliation Network
Register the ACCC/AER's NRW events on Reconciliation Australia's NRW website .	May 2023 and 2024	Assistant Director of Inclusion and Wellbeing



Action 1.1

Build relationships, raise awareness and respect by celebrating and participating in culturally significant Aboriginal and/or Torres Strait Islander events including National Reconciliation Week (NRW)

Continue to circulate resources and promote participation in NRW and other internal events.	27 May to 3 June 2023 and 2024	Lead: Director Employee Experience Support: Reconciliation Network
Continue to invite external stakeholders to internal events and partnering with another agency for at least one NRW event.	27 May to 3 June 2023 and 2024	Lead: Director Employee Experience Support: Reconciliation Network

Action 1.2

Promote reconciliation through our sphere of influence

Develop and implement a employee engagement strategy to raise awareness of reconciliation across our workforce.	June 2023	Lead: Senior Reconciliation Champion Support: Reconciliation Network
Continue to explore opportunities to positively influence our external stakeholders to drive reconciliation outcomes.	June 2024	Lead: Senior Reconciliation Champion
Continue to review and implement a yearly calendar of significant dates to internally promote our commitment to reconciliation including articles, events and seminars.	December 2022 and 2023	Lead: Director Employee Experience Support: Reconciliation Network and Mipla Tunapri
Promote the ACCC/AER RAP by communicating our commitment to reconciliation publicly and promoting any events we facilitate or attend.	June 2024	Lead: Senior Reconciliation Champion
Promote the ACCC/AER RAP by publishing on our intranet and website.	January 2023	Lead: Director Employee Experience
Continue to collaborate with interagency RAP working groups and other like-minded organisations to develop ways to advance reconciliation.	June 2024	Lead: Senior Reconciliation Champion



Action 1.2		
Promote reconciliation through our sphere of influence		
Continue to collaborate with interagency RAP working groups and other like-minded organisations to develop ways to advance reconciliation.	June 2024	Lead: Senior Reconciliation Champion
Continue to work with our Strategic Communications Branch to utilise the Social Media Strategy to publicise our RAP deliverables.	Jan 2023, 2024	Lead: Director Employee Experience Support: Strategic Communication Team

Action 1.3		
Establish and maintain mutually beneficial relationships with Aboriginal and/or Torres Strait Islander stakeholders and organisations		
Review and implement an annual engagement plan to work with First Nations stakeholders and organisations, informing our annual outreach activities.	January 2023 and 2024	Lead: Director - Darwin & Townsville Support: Senior Reconciliation Champion
Continue to meet with local Aboriginal and Torres Strait Islander stakeholders and organisations to develop guiding principles for future engagement.	June 2023 and 2024	Lead: Director - Darwin & Townsville Support: Senior Reconciliation Champion

Action 1.4		
Build and maintain relationships focused on advancing Aboriginal and Torres Strait Islander consumer and regulatory rights		
Maintain and strengthen relationships including bilateral and multilateral co-operation with relevant Consumer Consultative Committee members such as ICAN, Legal Aid Services, Aboriginal legal services, financial counsellors, ASIC, State and Territory ACL regulators and other key stakeholders who can assist the ACCC/AER to implement its Indigenous Consumer Strategy.	December 2023, 2024	Lead: Director - Darwin & Townsville Support: Senior Reconciliation Champion
Expand the Community Outreach program to visit Aboriginal and Torres Strait Islander Communities that the ACCC has not engaged with before.	December 2023, 2024	Lead: Director - Darwin & Townsville Support: Senior Reconciliation Champion
Continue to publicly acknowledge the contributions of Aboriginal and Torres Strait Islander organisations who share intelligence or provide assistance to publicised enforcement action against traders targeting First Nations community groups.	December 2023, 2024	Lead: Director - Darwin & Townsville Support: Senior Reconciliation Champion



Action 1.4

Build and maintain relationships focused on advancing Aboriginal and Torres Strait Islander consumer and regulatory rights

Continue to develop and promote awareness of national initiatives to educate First Nations consumers on their rights, such as the Your Rights Mob FaceBook page.	December 2023, 2024	Lead: Director - Darwin & Townsville Support: Senior Reconciliation Champion
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Action 1.5

Promote positive race relations through anti-discrimination strategies

Review our anti-discrimination policy (also known as the Appropriate Workplace Behaviours Policy and Guidelines).	December 2024	Director Employee Experience
Engage with First Nations employees and/or First Nations advisors to consult on our anti-discrimination policy.	December 2024	Director Employee Experience
Continue to educate all senior leaders on the effects of racism.	December 2024	Director Employee Experience
All employees to acknowledge the Appropriate Workplace Behaviours Policy and Guidelines via 100% completion of eLearning training as part of the new Essentials learning program.	December 2024	Director Employee Experience
Continually review HR policies and procedures to identify anti-discrimination provisions, and future needs.	December 2024	Director Employee Experience
Address any areas of concern regarding discrimination if identified in the APS census.	December 2024	Director Employee Experience

Respect



The ACCC/AER strive for a culture of respect, understanding, diversity and inclusion and all employees are strongly encouraged to build their knowledge and awareness of Aboriginal and Torres Strait Islander cultures and histories.

We will listen and consult to gain knowledge of Aboriginal and Torres Strait Islander histories and cultures, as well as current circumstances to better meet the needs of First Nations peoples, both as consumers and employees.

Our goal is to ensure our workplace has a strong culture of respect and awareness so that we are a place where all First Nations employees are thriving at work and that we are an attractive employer for new talent.

Building respect for Aboriginal and Torres Strait Islander cultures within the organisation also brings us a step closer to building this respect within the broader Australian community. Under our last RAP, we reviewed and revised our HR policies and practices to remove barriers for attending NAIDOC and National Reconciliation Week events and developed our Cultural Competency Framework with First Nations advisors. The Cultural Competency Framework recognises all employees have a role in building an inclusive, culturally competent workforce to support each other and improve outcomes for Australians. The Cultural Competency Framework includes the SBS Inclusion training as well as Live learning covering cultural safety.

Action 2.1

Increase understanding, value and recognition of Aboriginal and Torres Strait Islander cultures, histories, knowledge and rights through cultural learning

Implement and communicate the ACCC/AER's Cultural Competency Framework for our employees.	December 2024	Lead: Director Employee Experience Support: Senior Reconciliation Champion
Continue to provide opportunities for Reconciliation network members, HR managers and other leaders to participate in formal and structured cultural learning.	November 2024	Lead: Director Employee Experience Support: Senior Reconciliation Champion
Conduct a review of cultural learning needs within our organisation.	November 2024	Lead: Director Employee Experience Support: Senior Reconciliation Champion



Action 2.1
Increase understanding, value and recognition of Aboriginal and Torres Strait Islander cultures, histories, knowledge and rights through cultural learning

Consult local Traditional Owners and/or Aboriginal and Torres Strait Islander advisors to inform our cultural competency framework.	December 2024	Lead: Director Employee Experience Support: Senior Reconciliation Champion
Maintain an intranet page for employees to access cultural resources including a range of material such as articles, books, presentations, event announcements, partner/support links and promotion of local cultural activities.	January 2023, 2024	Lead: Director Employee Experience Support: Reconciliation Network

Action 2.2
Build respect for Aboriginal and Torres Strait Islander cultures and histories by celebrating NAIDOC Week

Review HR policies and procedures to ensure that there continue to be no barriers to staff participating in NAIDOC Week.	June 2023 and June 2024	Director Employee Experience
Core Working Group Reconciliation Network members to continue to participate in an external NAIDOC week event.	First week of July 2023 and 2024	Lead: Senior Reconciliation Champion Support: Director Employee Experience and Reconciliation Network
Continue to support and encourage all employees and senior leaders to participate in at least one event for NAIDOC Week.	First week of July 2023 and 2024	Lead: Senior Reconciliation Champion Support: Director Employee Experience and Reconciliation Network
Continue to communicate the use of paid leave for First Nations employees and the Reconciliation Network to attend an external NAIDOC week event.	First week of July 2023 and 2024	Lead: Director Employee Experience Support: Reconciliation Network
Continue to circulate resources and promote participation in NAIDOC and other internal events.	June 2023 and June 2024	Lead: Director Employee Experience Support: Reconciliation Network



Action 2.2
Build respect for Aboriginal and Torres Strait Islander cultures and histories by celebrating NAIDOC Week

Continue to invite external stakeholders to internal events and partner with another agency for at least one NAIDOC event.	First week of July 2023 and 2024	Lead: Director Employee Experience Support: Reconciliation Network
Continue to host at least one internal event for NAIDOC week in consultation with First Nations stakeholders.	First week of July 2023 and 2024	Lead: Director Employee Experience Support: Reconciliation Network

Action 2.3
Demonstrate respect to Aboriginal and Torres Strait Islander peoples by observing cultural protocols

Annually review, update and communicate protocols for Welcome to Country and Acknowledgement of Country to all employees to ensure understanding of their purpose and significance.	November 2023, 2024	Lead: Director Employee Experience Support: Reconciliation Network
Include a personalised Acknowledgement of Country, or other appropriate protocols, at the commencement of significant meetings.	November 2024	Lead: Senior Reconciliation Champion Support: Director Employee Experience
Invite a local Traditional Owner or Custodian to provide a Welcome to Country at significant events each year (e.g., Senior Management Conference), where practical.	November 2023, 2024	Lead: Senior Reconciliation Champion Support: Director Employee Experience
Continue organisation wide use of official email signature block containing an Acknowledgement of Country and promote special taglines for events such as NAIDOC and NRW in alignment with the ACCC/AER brand strategy.	December 2023	Lead: Strategic Communications Support: Director Employee Experience
Acknowledge Aboriginal and Torres Strait Islander groups in suitable communications such as letterhead and email signature blocks.	December 2023	Lead: Strategic Communications Support: Director Employee Experience
Continue naming meeting rooms with Aboriginal and Torres Strait Islander names when relocating to new office space or renovating, in consultation with local Traditional Custodians.	November 2024	Lead: Senior Reconciliation Champion Support: Site Leaders in each Office location



Action 2.3

Demonstrate respect to Aboriginal and Torres Strait Islander peoples by observing cultural protocols

<p>Continue to display and provide guidance on Aboriginal and Torres Strait Islander flags or other cultural items in all new offices.</p>	<p>November 2024</p>	<p>Lead: Senior Reconciliation Champion Support: Site Leaders in each Office location</p>
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Opportunities



The ACCC/AER value the skills, attributes, knowledge and perspectives that First Nations peoples bring to our organisation. Under the last RAP, we undertook a review of current Aboriginal and Torres Strait Islander employment to inform future employment and professional development opportunities and consulted with First Nations employees. As a result we established the [Aboriginal and Torres Strait Islander Attraction, Retention and Development Strategy](#). In this RAP we commit to delivering actions outlined in that Strategy to achieve improved employment outcomes First Nations peoples by creating alternative employment pathways and providing support and development opportunities. In addition, we reviewed and updated our Indigenous Procurement Strategy and explored Supply Nation membership as well as articulated and promoted access to various leave and flexible working opportunities to support First Nations employees returning to Country where operationally practicable.

Jawun secondments continue to provide participants with deep understanding of Aboriginal and Torres Strait Islander cultures and demonstrate our commitment to improve the lives of First Nations peoples around the country by supporting communities on the ground.

The ACCC continues to undertake compliance and enforcement actions in accordance with the stated enduring [Compliance and Enforcement priority area](#) for matters that specifically impact on the welfare of First Nations peoples. Actions are defined in the ACCC/AER First Nations Consumer and Small Business Strategy as an enduring priority for the agency.

Action 3.1		
Improve employment outcomes by increasing First Nations recruitment, retention and professional development		
Create data dashboard and analyse ACCC/AER employee demographics including career progression, self-identification to build understanding of First Nations representation and to inform the need for future employment and professional development opportunities.	February 2023	Strategic Capability Unit
Explore pathways cadet or intern opportunities for First Nations students through Australian universities programs.	December 2024	Lead: First Nations Recruitment Committee Support: Director Employee Experience
Establish the Aboriginal and Torres Strait Islander employee value proposition.	December 2023	Lead: Director, Employee Experience



Action 3.1
Improve employment outcomes by increasing First Nations recruitment, retention and professional development

Implement ACCC/AER Aboriginal and Torres Strait Islander Attraction, Retention and Development Strategy .	June 2024	Lead: Director Employee Experience Support: Senior Reconciliation Champion
Engage with First Nations employees to consult on our recruitment, retention and professional development strategy.	June 2024	Lead: Director Employee Experience Support: Senior Reconciliation Champion
Adopt new agency policy on advertising Affirmative Measure positions.	August 2023	Director Employee Experience
Advertise a large-scale Affirmative Measures process, targeting APS5-EL1 candidates and supporting onboarding program.	August 2023	Director Employee Experience
Maintain First Nations representation on the ACCC/AER Employee Council.	December 2024	Director Employee Relations
Source and maintain a First Nations Liaison Officer (FNLO) role to assist with delivering the RAP and the ACCC/AER Aboriginal and Torres Strait Islander Attraction, Retention and Development Strategy .	June 2024	Director Employee Experience
Continue to corporately fund at least 2 employees to participate in the Jawun program per year.	January 2023, 2024	Lead: Director Employee Experience Support: Senior Reconciliation Champion
Continue to promote ACCC/AER flexible working arrangements and leave provisions to support First Nations employees returning to Country where operationally practicable.	December 2024	Director Employee Experience
Continue to advertise job vacancies to effectively reach First Nations stakeholders.	December 2024	Director Employee Experience
Continue to review HR and recruitment procedures and policies to ensure there are no barriers to First Nations participation in our workplace.	December 2024	Lead: Director Employee Experience Support: Reconciliation Network and Mipla Tunapri



Action 3.2
Increase Aboriginal and Torres Strait Islander supplier diversity to support improved economic and social outcomes

Develop commercial relationships with First Nations businesses.	December 2024	Senior Reconciliation Champion
Continue to review and update procurement practices to remove barriers to procuring goods and services from First Nations businesses.	December 2024	Director Finance (Procurement)
Continue to promote the ACCC/AER's Indigenous Procurement Strategy and Supply Nation usage on the intranet and on procurement templates to encourage procurement of goods and services from First Nations businesses and promote compliance with the NIAA Indigenous Procurement Policy.	January 2023, 2024	Director Finance (Procurement)
Continue to attend First Nations business procurement forums and trade fairs.	November 2023, 2024	Director Finance (Procurement)
Review and update our Aboriginal and Torres Strait Islander procurement strategy.	December 2024	Director Finance (Procurement)

Action 3.3
Undertake compliance and enforcement action to uphold the consumer rights of First Nations peoples

Continue to communicate enforcement outcomes through various First Nations media outlets to better inform consumers and traders.	December 2024	Lead: General Manager (GM) Consumer and Compliance Strategies with Strategic Communications Support: Infocentre
Continue to implement initiatives to improve access to ACCC/AER services for First Nations consumers.	December 2024	General Manager (GM) Consumer and Compliance Strategies
Establish a formalised process for First Nations perspectives and voices to be integrated into our compliance and enforcement work.	December 2023	GM, Executive & Governance

Governance

Action 4.1		
Maintain an effective Reconciliation Network to support the implementation and progression of the RAP including through engaging with leadership and management		
Update the Terms of Reference to provide appropriate governance and ensure minimum of one Mipla Tunapri representative to be a member of the Reconciliation Network.	December 2022	Lead: Director Employee Experience Support: Senior Reconciliation Champion
Reconciliation Network to meet at least 4 times per year to drive and monitor RAP implementation and communicate the outcomes to all employees.	Aug, Nov, Feb and May 2022, 2023 and 2024	Lead: Director Employee Experience Support: Senior Reconciliation Champion
Maintain First Nations representation on the Core Working Group of the Reconciliation Network.	Aug, Nov, Feb and May 2022, 2023 and 2024	Lead: Director Employee Experience Support: Senior Reconciliation Champion

Action 4.2		
Provide appropriate support for effective implementation of RAP commitments		
Define resource and budget requirements for RAP implementation.	February 2023 and February 2024	Lead: Director Employee Experience Support: Senior Reconciliation Champion
Continue to engage our senior leaders and other employees in the delivery of RAP commitments including via the First Nations Recruitment Committee (FNRC).	June 2024	Senior Reconciliation Champion,
Define and maintain appropriate systems to track, measure and report on RAP commitments.	July 2023	Lead: Director Employee Experience Support: Senior Reconciliation Champion
Maintain the appointment of internal Senior Reconciliation Champion.	June 2024	ACCC Chief Executive Officer

Action 4.3

Build accountability and transparency through reporting RAP achievements, challenges and learnings both internally and externally

Continue to publicly report our RAP achievements, challenges and learnings through our Annual Report.	June 2023 and 2024	Lead: Director Employee Experience Support: Senior Reconciliation Champion
Continue to complete and submit the annual RAP Impact Measurement Questionnaire to Reconciliation Australia.	September 2023 and 2024	Lead: Director Employee Experience Support: Reconciliation Network
Investigate participating in Reconciliation Australia's biennial Workplace RAP Barometer.	May 2024	Lead: Director Employee Experience Support: Senior Reconciliation Champion
Continue to report RAP progress to all employees and senior leaders.	Aug, Nov, Feb and May 2022, 2023 and 2024	Lead: Director Employee Experience Support: Senior Reconciliation Champion
Continue to contact Reconciliation Australia to verify that our primary and secondary contact details are up to date, to ensure we do not miss out on important RAP correspondence.	June, annually	Assistant Director Inclusion and Wellbeing
Continue to contact Reconciliation Australia to request our unique link, to access the online RAP Impact Measurement Questionnaire.	August, annually	Assistant Director Inclusion and Wellbeing
Submit a traffic light report to Reconciliation Australia at the conclusion of this RAP.	December 2024	Director Employee Experience

Action 4.5

Continue our reconciliation journey by developing our next RAP

Register via Reconciliation Australia's website to begin developing our next RAP.	January 2024	Assistant Director Inclusion and Wellbeing
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AUSTRALIAN COMPETITION
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