



### FACT SHEET: ACCORD NEGOTIATION PROCESS

Accords are the vehicle for re-setting the relationship between Aboriginal communities and government and ensuring that decision-making between government and communities occurs collaboratively and in partnership.

Accords between NSW government agencies and regional alliances participating in Local Decision Making are a mechanism to:

- re-define the relationship between government and regional alliances, including how information and decision-making power is shared;
- direct service delivery redesign and reinvestment according to the needs and priorities defined and negotiated between government and regional alliances; and
- allow government agencies to demonstrate to communities their commitment to the aims and objectives of Local Decision Making.

#### When can Accord negotiations commence?

Consistent with the principles of self-determination underlying Local Decision Making, Accord negotiations will only commence once a regional alliance has indicated that it is ready to enter into an Accord.

Both regional alliances and government agencies must then demonstrate their readiness to enter into an Accord. The Local Decision Making Accord Process sets out how regional alliances and agencies can openly and transparently demonstrate their readiness to commence Accord negotiations.

#### How does a regional alliance demonstrate that it is ready to negotiate an Accord?

Each regional alliance will need to develop key governance processes, including how their regional alliance will run and make decisions, and how they will be accountable to the broader community. As part of this work each regional alliance will need to demonstrate advancement towards some key governance principles.

The OCHRE Good Governance Guidelines describe what each of these facets of good governance are and provides regional alliances with guidance on how they can be demonstrated or measured.

Regional alliances will also need to develop a list of priority issues they would like to deal with in the Accord, usually called a Statement of Claim. Regional alliances need to determine:

- What are the key priorities or issues for their community?
- What outcomes are desired?
- What needs to change?
- What actions are needed to make that change?

It is important that the Statement of Claim is strategic and focused and based on community aspirations and sentiments.

#### How does the NSW Government demonstrate that it is ready to negotiate an Accord?

The Premiers Memorandum on Local Decision Making M2015-01 requires senior officers with sufficient delegation and authority to work openly, constructively and collaboratively with alliances to achieve positive outcomes, including through service innovation, in response to the needs of Aboriginal communities.

The NSW Government must demonstrate that they meet or have made substantial progress toward meeting the requirements set out in the Premiers Memorandum.

#### How do parties prepare for negotiations?

Once the Head of Aboriginal Affairs is satisfied that the regional alliance and NSW Government have provided sufficient information to demonstrate their readiness, pre-Accord negotiations can commence.

Pre-Accord negotiations, include:

- Identifying who represents the negotiating parties during the negotiation process;
- Engaging an independent facilitator to facilitate the negotiations;
- Briefings on Local Decision Making and the Accord negotiation process, including the roles and responsibilities of both parties;

- Establishing a timeframe for the negotiations;
- Determining ground rules and negotiation protocols; and
- Confirming strategic objectives with both parties (Statement of Claim).

This process is negotiated, which means that neither party can dictate decisions, they must be obtained through discussion between the parties.

#### What happens during negotiations?

Once the pre-negotiation work is complete, formal negotiations will commence. Formal negotiations will be independently facilitated and will include:

- Collaborative proposal building and problem solving;
- Developing and refining specific strategies and activities;
- Negotiating specific resources needed to achieve desired outcomes; and
- Documenting the decisions made during the negotiations.

#### How will negotiated decisions be documented and approved?

Once the formal negotiations have concluded and specific strategies, activities and resources have been negotiated, the preparation of the formal Accord document will commence.

The Accord will set out how decision making will be shared between the NSW Government and regional alliances and how the Accord will be monitored, reported and evaluated. This will include a Results Framework which will set out strategies, activities, expected results, as well as indicators, measures, targets and responsibilities.

#### Who signs the Accord?

The Minister for Aboriginal Affairs will sign the Accord on behalf of the NSW Government and the Chairperson of the regional alliance will sign on behalf of the regional alliance.

#### How will the Accord be implemented and progress monitored and reported?

As part of the Accord negotiations, both parties will inform the development of the Results Framework which will help assess progress toward the Accord objectives and to adjust strategies or activities when necessary during implementation.

An Accord Task Group comprised of NSW Government and regional alliance representatives will be established to oversee and monitor progress and will be expected to report back to their relevant Regional Leadership Groups.

### Are all your questions answered?

If you have further questions in relation to the Accord negotiation process, in the first instance refer to the Aboriginal Affairs website at [www.aboriginalaffairs.nsw.gov.au](http://www.aboriginalaffairs.nsw.gov.au). If you need further assistance, please contact Aboriginal Affairs on 1800 019 998 or via email to [enquiries@aboriginalaffairs.nsw.gov.au](mailto:enquiries@aboriginalaffairs.nsw.gov.au).