

Joint Council Response to the Productivity Commission's Recommendations in the Review of the National Agreement on Closing the Gap Final Report 2024

RECOMMENDATION	RESPONSE	COMMENT	IMPLEMENTATION & MONITORING
NOTE On 20 June 2025, Joint Council agreed to publish its response to the Productivity Commission Review; Queensland noted the recommendation and advised the matter was under consideration. Joint Council on Closing the Gap Communique 20 June 2025 Closing the Gap			
1.1 Amend the Agreement to clarify the purpose and broaden the scope of Priority Reform One (PR 1)	Agree	Parties agree to develop amendments to the National Agreement to clarify the purpose and broaden the scope of Priority Reform One. Joint Council tasks Partnership Working Group with developing proposed amendments and recommended timing for progressing the amendments. In developing the proposed amendments, Partnership Working Group will consider: - The outcomes of the Aboriginal and Torres Strait Islander-led review of the National Agreement, including recommendations from the Aboriginal and Torres Strait Islander Assembly on Closing the Gap. - The requirement to review parts of the National Agreement in 2025. Parties note that jurisdictions will seek endorsement of the proposed amendments, once developed, through their jurisdictional approval processes. The National Agreement on Closing the Gap (National Agreement) provides for a full range of partnerships in an effort to embed self-determination. Parties agree that action under Priority Reform One is not limited to partnerships on set policy areas and places as implied in the National Agreement (Clause 41). The National Agreement in its current form does not limit governments in this respect. Parties note the jurisdictional commitments under Priority Reform One (Clause 28, 29, 34 and 35), to build and strengthen structures that empower Aboriginal and	Partnership Working Group will provide advice to Joint Council regarding proposed amendments and timing in 2025, following the completion of the Aboriginal and Torres Strait Islander-led Review. Actions taken by governments in line with the Strong Partnership Elements and 2023 Partnership Stocktake will be reported by Aboriginal and Torres Strait Islander partners through to Partnership Working Group and 2024/25 Joint Council meetings. Partnership Working Group will monitor progress made by governments to implement the Strong Partnership Elements.

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		Torres Strait Islander people to share decision-making authority with governments to accelerate policy and place-based progress against Closing the Gap. Parties will refocus efforts on the Strong Partnership Elements (Clauses 32 and 33) so they are fully met in earnest.	
1.2 Governments treating ACCOs as essential partners in program and service design and delivery, not simply as funding recipients	Agree	Parties agree that governments must place a greater emphasis on recognising that Aboriginal and Torres Strait Islander community-controlled organisations (ACCOs) have knowledge, expertise and connection to community that governments, and other organisations often engaged by governments to support Closing the Gap, do not have. This means when partnering with Peaks and other Aboriginal and Torres Strait Islander representatives, governments will change their approach to allow adequate time for genuine engagement and responses having regard to the specific context; and provide adequate funding in recognition of the time away from front-line service delivery for Aboriginal and Torres Strait Islander people. Governments will engage with jurisdictional Peaks on matters that impact Aboriginal and Torres Strait Islander communities in instances which require rapid policy responses, emergencies and natural disasters (Clause 64). The Australian, state and territory governments will: - engage early with Peaks and other relevant ACCOs in the co-design of programs which support Aboriginal and Torres Strait Islander communities - adequately resource the Coalition of Peaks, including jurisdictional Peaks, as active partners to the National Agreement in recognition of the effort, time, knowledges and expertise in implementation of the National Agreement. This should be extended to all Aboriginal and Torres Strait Islander people and organisations working with governments as set out under the Strong Partnership Elements (Clause 32)	In addition to jurisdictions' priorities, Governments will prioritise actions based on the findings of the Sector Strengthening Plans evaluations. The Australian, state and territory governments in partnership with their jurisdictional peaks to specify direct actions relating to partnerships with ACCOs in their next Implementation Plans and will report on actions in their Closing the Gap annual reports.

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		require public sector employees to have cultural capability and to build relationships with Aboriginal and Torres Strait Islander people and organisations.	
1.3 Regular meetings between Ministers and Aboriginal and Torres Strait Islander peak bodies	Agree	All relevant Ministers will meet regularly with the Coalition of Peaks and relevant Aboriginal and Torres Strait Islander peak bodies to discuss progress under the National Agreement on Closing the Gap. At a minimum these meetings should include discussion on progress on embedding the Priority Reforms, opportunities and any issues or barriers to service delivery in the relevant sector.	Peaks will work with jurisdictions to incorporate an annual schedule of meetings into existing governance arrangements.
1.4 Governments adequately resourcing the implementation of the Agreement	Agree	Joint Council members acknowledge that the implementation of the National Agreement is a shared commitment which can only be realised with adequate resourcing. To date, resourcing directed at implementing has fallen short of the ambition set out in the National Agreement. Consideration of additional investment by governments is required to meet the commitments agreed by Parties, to support the Peaks and transform government organisations. All parties to the National Agreement agree to provide greater transparency relating to funding commitments, efforts to reshape existing funding for Closing the Gap activities to get better outcomes, and sustained, long-term resourcing and investment to drive enduring change. The Australian, state and territory governments will work with their jurisdictional Peaks to provide adequate funding to participate as partners and support the work required to implement the Closing the Gap Agreement. Subject to jurisdictional budget processes, governments agree to maintain shared and flexible resourcing through an agreed proportional model for commitments under the National Agreement and require joint funding. The shared resourcing will be reviewed periodically to take into account emerging priorities and resourcing requirements.	All parties to the National Agreement will provide an overview of funding allocated to implementing the Agreement to Joint Council on a biannual basis.

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1.5 Governments writing implementation plans more strategically, in collaboration with Aboriginal and Torres Strait Islander people	Agree	Parties agree that a strategic approach to writing implementation plans is necessary to achieve the scale and pace of change that is needed to embed the Priority Reforms. The Australian, state and territory governments will work closely with and be guided by jurisdictional Peaks to agree strategies and actions that are substantive and critical to achieve the objectives of the National Agreement. These strategies and actions are to be set out in Implementation Plans: • with details of the funding and timeframe for each agreed action • demonstrate ongoing progress towards building the Community Controlled Sector as set out in the Strong Sector Elements (Clause 45) and what funding has been made available. • and updated when there are changes that affect the agreed strategies.	The Australian, state and territory governments will report on all actions set out in implementation plans in their Closing the Gap annual reports, including whether actions are on track to be delivered as planned.

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2.1 Amend the Agreement to include Indigenous Data Sovereignty under Priority Reform Four	Agree	Parties agree to develop amendments to the National Agreement to include Indigenous Data Sovereignty under Priority Reform Four. Joint Council tasks Partnership Working Group with developing proposed amendments and recommended timing for progressing the amendments. In developing the proposed amendments Partnership Working Group will consider: • The outcomes of the Aboriginal and Torres Strait Islander-led review of the National Agreement, including recommendations from the Aboriginal and Torres Strait Islander Assembly on Closing the Gap. • The requirement to review parts of the National Agreement in 2025. Parties note that jurisdictions will seek endorsement of the proposed amendments, once developed, through their jurisdictional approval processes. Parties agree to prioritise effort and funding to accelerate actions under Priority Reform Four with specific focus on progressing the Community Data Projects, including addressing systemic barriers. Parties agree to implement Indigenous Data Sovereignty (IDS) as part of the Community Data Projects, adopting the definitions of IDS and Indigenous Data Governance as set out by the Maïam nayri Wingara Indigenous Data Sovereignty Collective. This will include models for incorporating IDG into existing data systems, strengthening the technical and administrative data capability of ACCOs, governments and non-Indigenous organisations relevant to the Community Data Projects.	Partnership Working Group will provide advice to Joint Council regarding proposed amendments and timing in 2025 (following the completion of the Aboriginal and Torres Strait Islander-led Review), including options of how a systems reform approach can be taken to deliver an expanded Priority Reform 4 (i.e. shared access to data and embedding Indigenous Data Sovereignty and Governance).

2.2 Establish a Bureau of Indigenous Data	Not agreed	Parties acknowledge insufficient progress on data development and agree the functions outlined in the Productivity Commission Review would be a valuable addition to the Closing the Gap framework and need to be implemented. Without pre-empting decisions of governments, Parties agree to consult and consider scope and complex implementation requirements, including linkages with existing data work.	Jurisdictions to identify lead agencies and senior representatives to participate in a Data Partnership to accelerate progress on data development. Independent technical specialists to be invited to join the Data Partnership. The Data Partnership will develop draft Terms of Reference for Joint Council (out of session). The Data Partnership will consider the logistical, scope, roles and responsibilities, and resourcing complexities to support Indigenous Data Governance and Closing the Gap data development, including examining the option of a Bureau of Indigenous Data. Data Partnership will provide initial recommendations to Joint Council at the first meeting in 2025 (May or June).
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3.1 Government departments develop and execute a transformation strategy for the portfolio	Agree	The Australian, state and territory governments to work with jurisdictional Peaks to enable departments to have a clear forward-looking strategy to undertake the transformation required under the National Agreement. The strategy should appropriately assess the extent of institutional racism, unconscious bias, and demonstrate the department's approach to engaging with Aboriginal and Torres Strait Islander people. Government departments to develop a transformation strategy to address identified issues in a coordinated and comprehensive manner.	The Australian, state and territory governments to report on action taken in their Closing the Gap annual reports including outcomes achieved.
3.2 Review and update funding and contracting rules so that they explicitly incorporate accountability for funders to abide by the Priority Reforms in commissioning processes	Agree	The Australian, state and territory governments will review (and update where necessary) contracting rules to explicitly incorporate accountability for embedding the Priority Reforms into commissioning processes.	The Australian, state and territory governments to report on action taken in their Closing the Gap annual reports including outcomes achieved.
3.3 Review and update Cabinet and Budget processes so that they explicitly promote, support and encourage the Priority Reforms	Agree	The Australian, state and territory governments will review (and update where necessary) Cabinet and Budget processes to explicitly promote and embed the Priority Reforms. Additionally, the review of existing processes will consider Cabinet and Budget submissions demonstrate the impacts of proposals on Aboriginal and Torres Strait Islander people, and how the relevant proposals embed the Priority Reforms.	The Australian, state and territory governments to report on action taken in their Closing the Gap annual reports including outcomes achieved.

3.4 Designate a senior leadership group to drive public sector change in each jurisdiction	Agree	The Australian, state and territory governments to designate a senior leadership group in each jurisdiction with promoting and embedding the transformation of public sector systems and culture. The designated senior leadership group will meet with the Peaks and any other relevant Aboriginal and Torres Strait Islander peak bodies at least twice per year.	The Australian, state and territory governments to report on action taken in their Closing the Gap annual reports including outcomes achieved.
3.5 Embed responsibility for improving cultural capability and relationships with Aboriginal and Torres Strait Islander people into public sector employment requirements	Agree	The Australian, state and territory governments to review and amend employment requirements for public sector CEOs, executive and employees to align with the National Agreement. Governments will strengthen the cultural capability of all public sector staff including the requirement to continually demonstrate public service staff have sought to: • improve their cultural capability • understand Aboriginal and Torres Strait Islander history and context • eliminate institutional racism • develop relationships with Aboriginal and Torres Strait Islander people • support the principles outlined in the National Agreement on Closing the Gap.	The Australian, state and territory governments to report on action taken in their Closing the Gap annual reports including outcomes achieved.

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4.1 Establish the independent mechanism in each jurisdiction without further delay	Agree	The Australian, state and territory governments will prioritise establishment of an independent mechanism for their jurisdiction, to oversee the implementation of Priority Reform 3, with the design to be undertaken in partnership. The expansion of independent mechanisms to include all Priority Reforms requires further consideration.	Jurisdictions will provide to Joint Council by the first meeting in 2025 (May or June) ○ an update on progress to establish an Independent Mechanism to monitor Priority Reform 3 ○ their considerations on an expanded independent mechanism with a remit covering all Priority Reforms
4.2 Embed the commitments of the National Agreement on Closing the Gap in other inter-governmental agreements	Agree	The Australian, state and territory governments agree to further work to embed commitments of the National Agreement on Closing the Gap in other significant inter-governmental agreements when existing agreements are revised or new agreements are developed (such as those on health, housing, schools, skills and disability services) Parties note the partnership actions under Priority Reform Two (Clause 55 and 55b) to implement measures to increase the proportion of services delivered by Aboriginal and Torres Strait Islander organisations, particularly community-controlled organisations. The Australian, state and territory governments will work closely with and be guided by relevant Peaks to embed the Priority Reforms into inter-governmental agreements, where relevant to Closing the Gap. Governments will also consider adequate funding to Aboriginal and Torres Strait Islander Peaks involved in the inter-governmental agreements.	The Australian, state and territory governments to provide an update to Joint Council by the first meeting in 2025 (May or June).

4.3 Include a statement on Closing the Gap in every government organisations' annual report	Agree	The Australian, state and territory governments to set up processes to support the inclusion of a statement on Closing the Gap across relevant government organisations' annual reports.	The Australian, state and territory governments will develop guidance to support government organisations to: ○ include Closing the Gap statements in annual reports ○ embed actions in corporate plans and report to Joint Council on progress by the first meeting in 2025 (May or June). Government Parties will consider amendments required to legislation where applicable.
4.4 Publish all the documents developed under the Agreement	Agree	Joint Council is committed to transparency and accountability and will consider an appropriate balance to enable members to remain encouraged to voice strong opinions and dissenting views at Closing the Gap governance forums, and that the resourcing required to publish documents justifies the public interest in the material provided.	Partnership Working Group to recommend the scope of documents to be published and guidelines for publication, using the minimum publishing requirements proposed by the Productivity Commission as a basis. Partnership Working Group will provide recommendations to Joint Council at the second meeting in 2024.