



Australian Government

IP Australia

RECONCILIATION ACTION PLAN



Reconciliation Australia

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Our vision:

“To promote a respect for the creativity and innovation of Indigenous Australians for the benefit of the Indigenous people and all Australians.”

Our business:

IP Australia is the Australian Government agency responsible for administering the patents, trade marks, industrial designs and plant breeder’s intellectual property rights systems. IP Australia has a key role in promoting awareness of intellectual property (IP) and providing policy advice to Government, including the development of legislation to support Australia’s intellectual property system. IP Australia also engages in international fora to influence the global IP system for the benefit of all Australians.

Our Key Reconciliation Initiatives:

Our reconciliation efforts will be directed towards three main areas in an attempt to reshape our approach to Indigenous affairs and to support the reconciliation process. This will build on current activities and procedures such as acknowledging the traditional land custodians as part of the welcoming protocols for key IP Australia forums and conferences.

IP Australia’s Reconciliation Action Plan sets out specific and measurable steps IP Australia will take to:

- Further develop Australian Government policy positions on IP issues as they relate to the needs and interests of Indigenous Australians;
- Increase Indigenous employment opportunities; and
- Better engage and consult with the Indigenous community on IP issues to ensure that the concerns and interests of Indigenous Australians on IP issues are fully considered.

The key Reconciliation Result Areas identified by IP Australia are:

- Culturally supportive organisational environment;
- Community engagement; and
- Policy development and implementation.

Administering Our Action Plan:

IP Australia’s Reconciliation Action Plan will be overseen by the agency’s Executive Committee comprising the Director General of IP Australia together with the General Managers of the seven business units within IP Australia. The Executive will receive twice yearly reports on progress on initiatives under the Action Plan. IP Australia will monitor and report its progress according to IP Australia’s governance arrangements.

The Action Plan will be publicly available on IP Australia’s website. Internal and external stakeholders are encouraged to provide comment and/or suggest additional actions for inclusion in the Action Plan. This feedback will be provided to the IP Australia Executive for its consideration.

IP Australia will update the Action Plan annually to include a report on progress made and also to include new actions where relevant. The updated Plan will be made publicly available on the IP Australia website and a copy will be available to Reconciliation Australia.

IP Australia will also publish progress against the Plan in the Annual Report of the Department of Innovation, Industry, Science and Research to Parliament.

Our key initiatives:

Key Reconciliation Result Area:

Culturally supportive organisational environment and employment.

Business Objective:

To improve our understanding of Indigenous culture to enable us to better meet the needs of our customers and to provide employment opportunities so that IP Australia is representative of the community in which we operate.

Task:	Action:	Responsibility:	Timeframe:	Performance Indicator:
Promote cultural awareness within IP Australia to improve our understanding of Indigenous culture	Promote and support events which improve cultural awareness eg. NAIDOC week, National Reconciliation Week	Human Resource Management (HRM)	Review annually	Awareness of Indigenous issues (assessed through staff surveys)
	Offer cultural awareness information sessions and other programs to staff, particularly those working on Indigenous-specific programs	HRM	From July 2008 Review at July 2009	Relevant employees have undertaken training
Implement employment and retention strategies to enhance participation of Indigenous Australians	Continue participation in the Indigenous Entry Level Traineeship Program	HRM	June 2008	Recruitment of up to 2 Indigenous trainees
	Identify practical job and training opportunities for Indigenous Australians	HRM	June 2008	Publish report on available opportunities
Promote and support a culturally diverse workplace	Participate in APS Workplace Diversity initiatives including indigenous specific programs	HRM	Review annually	Level of participation in APS Workplace Diversity initiatives
	Raise awareness of Workplace Diversity principles and practices in IP Australia	HRM	Review annually	Level of awareness by staff (assessed by staff survey)

Our key initiatives:

Key Reconciliation Result Area:

Community engagement

Business Objective:

To increase the awareness of IP to Indigenous Australians and to engage in capacity building activities for Indigenous communities and/or Indigenous businesses.

Task:	Action:	Responsibility:	Timeframe:	Performance Indicator:
<p>Develop an IP Australia Indigenous Communication Strategy which will include strategies to :</p> <ul style="list-style-type: none"> • Liaise with regional and remote Indigenous Australians • Raise awareness amongst Indigenous Australians of protection of IP utilising Indigenous media 				
	Develop strategy in collaboration with Indigenous stakeholders	Marketing and Customer Engagement State Offices	Dec 2009	Strategy developed
	Investigate ways to tailor and present information on IP and the role of IP Australia	Marketing and Customer Engagement	Dec 2009	Communication approach identified
	Include information on Indigenous IP issues on IP Australia's website	Marketing and Customer Engagement	Dec 2009	Information published on website
Engage with the Indigenous community	Investigate the possibility of involvement in the Indigenous Community Volunteers program by IP Australia	Corporate	April 2008	Position reached on IP Australia's involvement

Our key initiatives:

Key Reconciliation Result Area:

Policy development and implementation

Business Objective:

To analyse IP issues of relevance to the Indigenous industry sector, develop appropriate policy and make recommendations as necessary to the Australian Government

Task:	Action:	Responsibility:	Timeframe:	Performance Indicator:
Increase IP Australia's engagement with Indigenous Australians	Identify/contact representatives of Indigenous Australian communities and businesses	Business Development and Strategy Group (BDSG) & Business Unit Managers	June 2008	List of Indigenous contacts developed and working relationship with Indigenous Australians demonstrating effective engagement and collaboration
	Build appropriate skills to better engage with Indigenous Australians particularly for those staff working on Indigenous-specific programs	BDSG & Customer Operations Group (COG)	From July 2008	Level of skills attained for interacting with Indigenous Australians
Formulate policy on IP issues of relevance to Indigenous Australians; make recommendations to the Australian Government as appropriate	Analyse issues concerning the use of IP in Indigenous tourism-related business	Domestic Policy Section	June 2009	Research, analysis and policy proposal(s)
	Continue involvement in international fora on traditional knowledge etc.	International Policy Section	On-going	Australian key interests are addressed
	Explore effective trade mark mechanisms for identifying Indigenous goods and services	Domestic Policy Section & Trade Marks Office	June 2009	Mechanisms identified

Background:

The progress and well-being of humanity rests on its capacity for new creations in areas of technology and culture. The promotion and protection of IP is crucial to economic growth, creating new jobs and industries, and enhancing the quality and enjoyment of life.

IP Australia aims to work closely and build strong communication links with Australian industry, IP professionals, government departments, business and the international community to ensure that Australia's intellectual property system is meeting the needs of the Australian community.

This fits well with one of the three national priorities announced by the Ministerial Taskforce on Indigenous Affairs (MTF) to build Indigenous wealth, employment and entrepreneurial culture in recognition of the fact that *"these are integral to boosting economic development and reducing poverty..."*.

IP Australia is an active participant within a number of international fora which address Indigenous issues, including the World Intellectual Property Organization's Intergovernmental Committee on Intellectual Property, Genetic Resources, Traditional Knowledge and Folklore (WIPO IGC). IP Australia has attended the WIPO IGC since its first meeting in 2001.

The IGC is moving towards an international understanding of the shared objectives and principles that will help guide the protection of traditional knowledge (TK). IP Australia will continue to participate within this international forum, thus ensuring that Australia is well placed to play an active role in influencing and guiding outcomes where IP issues intersect with TK for the benefit of Indigenous Australians.

Australia has been a member country of the Convention on Biological Diversity (CBD) since 1993. The CBD has three main goals: the conservation of biological diversity; the sustainable use of its components; and the fair and equitable sharing of the benefits arising from the use of genetic resources. The CBD (Article 8(j)) requires countries, subject to national legislation, to "respect, preserve and maintain knowledge, innovations and practices of indigenous and local communities embodying traditional lifestyles relevant for the conservation and sustainable use of biological diversity and promote their wider application with the approval and involvement of the holders of such knowledge, innovations and practices and encourage the equitable sharing of the benefits arising from the utilization of such knowledge, innovations and practices".

IP Australia will continue to take an active role in the wide-ranging debate about how to achieve the goals of the CBD and be supportive of national and international IP systems.

IP Australia's approach to reconciliation:

Policy Development:

IP Australia will aim to:

- Engage with other Government departments with an interest in intellectual property matters of relevance to the interests and needs of Indigenous Australians; and
- Formulate, within a whole of government environment, Australian Government policy positions in consultation with other key departments and Indigenous people on intellectual property issues as they relate to the needs and interests of Indigenous Australians, for example:
 - the use of IP in Indigenous businesses relating, for example, to tourism;
 - the protection of IP related to traditional knowledge, genetic resources and folklore; and
 - review effective trade mark mechanisms for identifying Indigenous goods and services.

Engagement with other Government Departments

IP Australia seeks to ensure that government policies are coordinated, strategic and efficiently implemented. Therefore, as part of the whole of government commitment to Indigenous Affairs, IP Australia will continue to develop its collaborative engagement with other Australian Government departments and state, territory and local governments with an interest in IP issues.

IP Australia will increase communication with the Australian Government department responsible for Indigenous Affairs - the Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA) and will aim to further engage their participation in IP discussions and consultations. As part of this engagement program, IP Australia will continue and seek to enhance its contact with Indigenous policy and program areas within FaHCSIA.

Formulate an Australian Government Policy Position

As part of its organisational strategies, IP Australia is committed to identifying and responding to emerging issues affecting particular population groups or arising from Australia's cultural diversity.

The intellectual property rights of Indigenous people are under active consideration both within Australia and in the international sphere. IP Australia will develop, review and refine, as appropriate, Australian Government positions on Indigenous IP issues. IP Australia will undertake a program to thoroughly analyse and research the issues:

- to promote policy debate in this area; and
- in consultation with relevant stakeholders, including representatives of Indigenous Australians, evaluate and develop policy proposals for the Australian Government on Indigenous IP issues.

In developing Indigenous IP policy, IP Australia will aim to foster a whole of government approach. In addition, it will improve consultation and engagement processes with representatives of Indigenous Australians. This will ensure Indigenous concerns regarding IP matters are considered in IP Australia's framework for policy development and implementation.

IP Australia will specifically look to identify representatives of Indigenous industry and Indigenous business interests with a view to inclusion of these representatives in consultation and discussion on IP issues, with an emphasis on those areas of particular relevance to the Indigenous business sector.

IP Australia's approach to reconciliation:

Human Resource Management:

IP Australia will aim to:

- Implement Indigenous Australian employment strategies to enhance participation of Indigenous Australians in IP Australia;
- Promote cultural awareness within IP Australia and facilitate an increased understanding of Indigenous culture and reconciliation; and
- Promote ideas and discussions that encourage a culturally supportive organisational work environment.

Employment Strategies

IP Australia has its central office located in Canberra with a small office located in each Australian state. The enhanced participation of Indigenous Australians in the IP Australia portfolio is another reconciliation strategy actively being promoted.

During 2006, IP Australia commenced participation in the Indigenous Entry Level Traineeship Program being conducted as part of the APS Employment and Capability Strategy for Aboriginal and Torres Strait Islander Employees. An entry level trainee was employed in 2007 and IP Australia plans to actively pursue engagement of further trainees in the future.

IP Australia will endeavour to identify practical job and training opportunities for Indigenous Australians to encourage further participation of Indigenous Australians within the organisation.

Promote Cultural Awareness within IP Australia

Our Action Plan contains a goal to build greater understanding within the organisation of IP issues facing Indigenous Australians. This will include targeted events, seminars and workshops. IP Australia will also provide Indigenous Australians with the opportunity to contribute their knowledge and expertise to the organisation. This goal also ties in with a further goal of IP Australia to identify and enhance the organisation's engagement with the Indigenous community.

Promote a Culturally Supportive Work Environment

The employees in IP Australia represent a rich diversity of backgrounds and experiences from approximately 44 different countries around the world. IP Australia is currently updating its Workplace Diversity Plan to ensure that the organisation continues its commitment to providing a fair and equitable working environment, in which diversity is fostered and staff are encouraged to be part of a more effective, productive and innovative workforce. The Workplace Diversity Program includes a number of measurable aims including:

- Raising awareness of and promoting Workplace Diversity principles and practices in IP Australia;
- Deliver services fairly, effectively, impartially and courteously that are sensitive to the diversity of IP Australia's clients;
- Encourage supervisors to recognise, foster and use the diversity of their staff; and
- Participate in APS Workplace Diversity initiatives, including those relating to the employment of Indigenous and disabled staff.

IP Australia's approach to reconciliation:

Community Engagement

IP Australia will aim to:

- Identify and initiate opportunities to engage with the Indigenous community in order to better understand the needs and interests of Indigenous Australians in the context of the protection of their intellectual property;
- State offices will continue to liaise with regional and remote Indigenous Australians;
- Develop the appropriate skills and knowledge needed to consult effectively and productively with Indigenous people and communities;
- Raise awareness and understanding within IP Australia of intellectual property concerns and interests of Indigenous Australians; and
- Raise awareness and understanding of the protection of IP and of the legislative and administrative requirements involved in gaining IP rights.

Engagement with the Community

Our state offices in WA and Qld liaise with regional Indigenous land councils, Indigenous commercial entities and Indigenous liaison officers in state government agencies. The state office in SA/NT provides support (information and materials) to state government departments who work directly with remote ethnic/Indigenous communities on IP matters. IP Australia plans to continue these activities and will undertake to determine ways to improve our engagement with regional and remote Indigenous communities.

IP Australia will look into the Indigenous Community Volunteers, a not-for-profit company offering wide support to Indigenous communities to pursue development goals in their own way, with a view to improving engagement with Indigenous Australians. IP Australia proposes to investigate a possible role that it may be able to contribute to the Indigenous Community Volunteers.

Awareness of IP issues affecting Indigenous Australians

IP Australia will aim to implement a program of activities to enhance cultural awareness of Indigenous IP issues among its employees, including opportunities to attend seminars and other learning sessions and participation in industry workshops.

As part of this program, IP Australia will investigate the adequacy and availability of resources which relate to Indigenous Australians and IP for the use of employees within the organisation.

Raise Awareness of IP within the Indigenous Communities

Through its Marketing and Customer Engagement Services, IP Australia provides services targeting external markets and stakeholders to raise the level of public education and awareness of IP matters. IP Australia provides a comprehensive amount of information on its website and also provides an extensive range of IP resources including IP Toolbox, Smart Start, InnovatEd, Patents, Trade Marks and Industrial Designs Application Kits and numerous targeted IP fact sheets.

IP Australia continually assesses the appropriateness and relevance of its resources and information and, as part of its Reconciliation Action Plan, will endeavour to ensure that material is appropriate to the needs of Indigenous Australians. IP Australia will also plan to include on its website relevant information and updates relating to Indigenous IP issues.