



Accountability and Governance

CORPORATE GOVERNANCE

The CLC is committed to:

- Maintaining and developing appropriate accounting and financial management systems;
- Providing relevant, accurate and timely performance-based management reporting;
- Managing procurement of funds to sustain and advance the CLC operational plan and performance of statutory functions;
- Administering and monitoring compliance with statutory regulatory requirements;
- Recruitment, training and development opportunities for CLC personnel;
- Preparing, implementing and managing appropriate governance and risk management frameworks;
- Best practice accounting, financial management and performance reporting.

The Central Land Council is a Commonwealth Statutory Authority within the terms of the Commonwealth Authorities and Companies Act 1997 and the Minister has determined the form of financial statements to be as prescribed under Schedule 2 of the Commonwealth Authorities and Companies Act 1997.

The Council is also a Native Title Registered Body within the terms of the Native Title Amendment Act 1998 and various sections of that Act proscribe financial reporting requirements.

Elsewhere in this report the Council's statutory annual financial reports are published together with the unqualified audit opinion issued by the

Australian National Audit Office.

In collaboration with the Office of Indigenous Policy Coordination, the outcomes and outputs framework was approved by the former Indigenous Affairs Minister Mal Brough. The framework is intended to provide the basis for preparing budget estimates and reporting on performance and utilisation of resources.

Management continues to endeavour to extract value from the application of the framework to routine reporting of operational performance.

An extensive revision of Commonwealth legislation pertaining to Aboriginal Corporations has been concluded.

The new Corporations (Aboriginal and Torres Strait Islander) Act requires considerably expanded compliance and governance activity. Resources have been applied to facilitate compliance.

EXTERNAL REVIEW OF CENTRAL LAND COUNCIL

Performance Audit

The Office of Evaluation and Audit (Indigenous Programs), Department of Finance and Deregulation was requested (November 2006) by the Parliamentary Secretary to audit the four Northern Territory Land Councils.

The objective of the audit was to "...assess the efficiency, effectiveness and economy of the management and administration of the Land Councils, including mechanisms for measuring the achievement of outcomes and benchmarking performance".

In March 2008 the CLC received the finalised copy of the Central Land Council Discussion Paper which formed part of the performance audit of the Northern Territory Land Councils report completed by the Office of Evaluation and Audit (Indigenous Programs) [OEA].

The CLC welcomed the frequent comments in the Discussion Paper that confirm that the CLC has a clear and well-established process for consulting with Aboriginal people and is "...committed to obtaining informed consent on the use of Aboriginal land" (pg 6).

After examination of the full range of activities undertaken by the CLC, the Discussion Paper concludes that 'the activities of the CLC are consistent with the objectives of the ALRA and the function prescribed to the Land Councils (pg 32).

These positive findings confirmed that the CLC strives to achieve the best possible outcomes across a broad range of functions for traditional owners and other Aboriginal people in this region.

The Central Land Council through its Council, Executive and administrative arm endorses and actively works toward positive and continuous improvement processes and programs.

A series of independent performance audits has demonstrated a commitment to excellence in administration and governance and the CLC continues to achieve that outcome in an evolving and dynamic legislative, political and community environment.

The Central Land Council looks forward to the opportunity to engage in discussion to identify funding and resources appropriate to the timely implementation of the recommendations in this report.

Implementation of the recommendations is a continuing process.

Estimates review

The CLC is required to submit Estimates of Administrative Expenditure to the Minister on an

annual basis. The Minister engages KPMG Darwin to conduct an independent forensic review and assessment of the Estimates to facilitate the approval process.

Once approved the Estimates provide the CLC funding for operational expenses, salaries and wages and capital expenditure for the financial year.

During the financial year, at four monthly intervals, the CLC is required to submit a report to the Minister in the Outcome/Outputs framework.

Statutory Reporting

The CLC is a Commonwealth Statutory Authority in accordance with the Commonwealth Authorities and Companies Act 1997 (CAC Act) and responds to the Financial Management and Financial Accountability Act 1997 (FMA Act).

The Australian National Audit Office is requested by the Minister to perform the annual audit of CLC financial statements.

The purpose of the audit is for the ANAO to express an opinion as to whether the financial statements give a true and fair view in accordance with the Commonwealth Authorities and Companies Orders (Financial Statements for reporting periods ending on or after 1 July 2006) made by the Finance Minister (FMOs) and Australian Accounting Standards (including the Australian Accounting Interpretations).

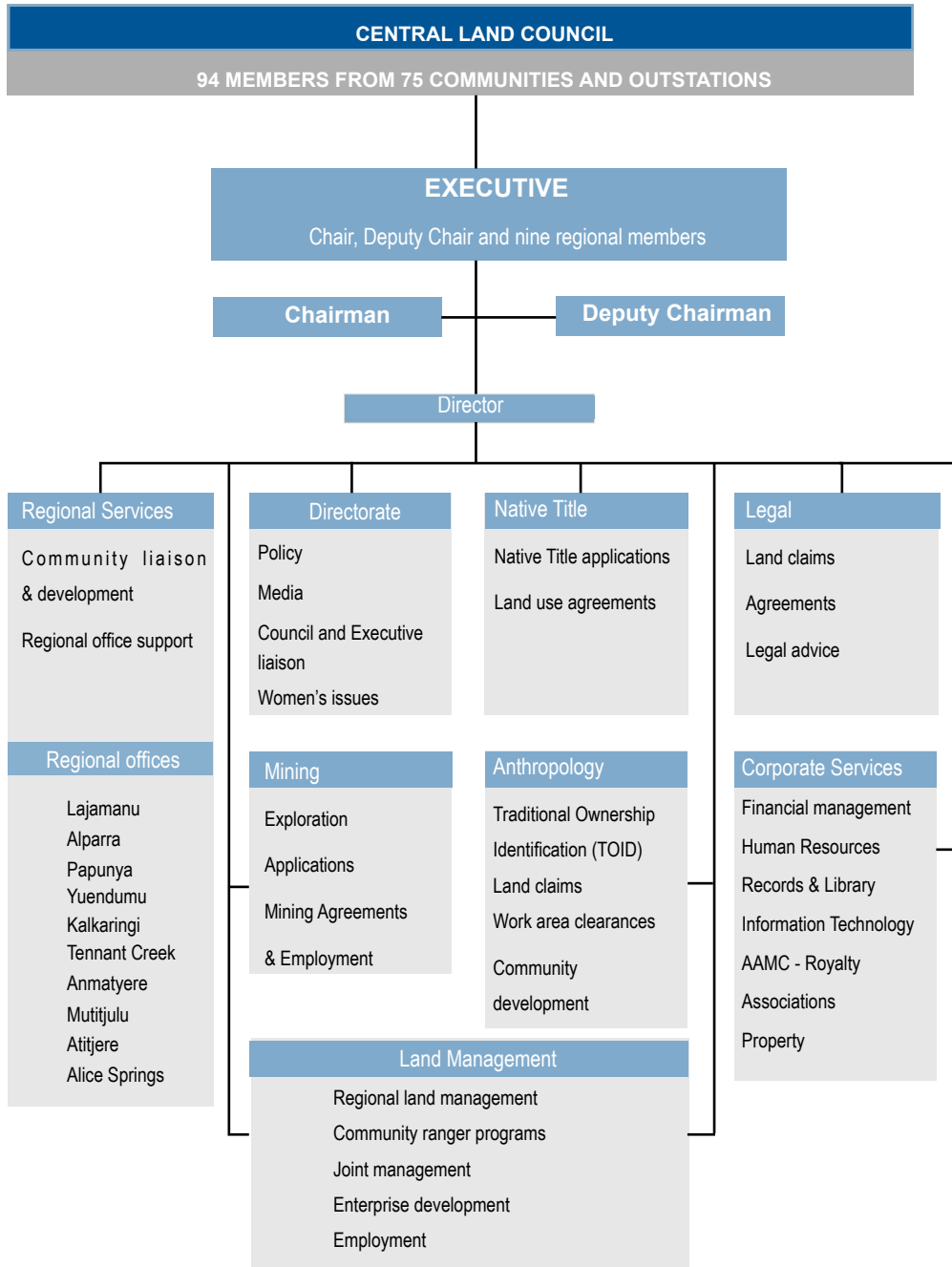
The financial statements for the year ended 30th June 2008 have been audited and an unqualified audit opinion has been issued by the ANAO.

NEW OFFICE COMPLEX

The CLC relocated staff from five locations into new premises at 27 Stuart Highway, Alice Springs, Northern Territory in May 2009. The building was designed and built to the CLC's requirements and accommodates 145 workstations.

The funding sources were the Aboriginal Benefits Account, litigation cost recoveries, incorrectly levied payroll tax recovery from the Northern

Central Land Council Organisational Structure



Territory Government and disposal of currently owned property which will be surplus to operational requirements when the new premises are occupied.

RISK MANAGEMENT AND FRAUD CONTROL

The Commonwealth Fraud Control Guidelines apply to all agencies covered by the Financial Management and Financial Accountability Act 1997 (FMA Act); and bodies covered by the Commonwealth Authorities and Companies Act 1997 (CAC Act) that receive at least 50 per cent of funding for their operating costs from the Commonwealth or a Commonwealth agency.

The Commonwealth Fraud Control Guidelines do not apply to a CAC Act agency that does not receive the above level of funding. Such agencies are, however, strongly encouraged to comply with the best practice standards set out in these guidelines.

As a CAC statutory authority that is not 50 per cent budget funded, the CLC is not required to implement these guidelines.

However, the CLC acknowledges that the guidelines do provide better practice approaches for fraud control in the public sector.

The CLC has developed various internal practices and procedures to ensure appropriate authorisations and financial delegations are in place and for rigorous monitoring and detection of any anomalies.

Staff and management of the CLC operate under an Instrument of Authorisations which documents the appropriate financial delegations and authorities framework.

Overlaying this framework of Policy and Procedure is a Code of Conduct which prescribes personal and professional behavior and ethics in the workplace.

We are proud of the absence of substantive negatives in our track record and some of our procedures have been referred to as best practice in peer organisations and the wider community. While the existing CLC practices have the

elements of a fraud strategy, a risk management framework and plan was established during 2006/07 which is subject to continuing development and improvement.

AUDIT COMMITTEE

New Regulations 6A & 6B of the Commonwealth Authorities and Companies Regulations prescribe base requirements for the composition of audit committees of Commonwealth authorities effective 1 January 2009.

Department of Finance and Deregulation Finance Circular 2008/03 provides operational detail. The CLC will be attending to a revision of the audit committee charter and recruiting appropriately skilled individuals for appointment to the new committee to facilitate compliance before 2009 year end.

STAFF

Central Land Council staff work under the CLC Enterprise Bargaining Agreement (EBA) and the CLC/NLC Award.

The current EBA expired on February 2007 but remains active until replaced. Negotiations of a new certified agreement have commenced. Compliance with legislative changes are recognised as prerequisites.

Employee Relations

The development, implementation, administration and evaluation of human resources/industrial relations strategies and policies enables the CLC to enhance organisational flexibility, improve workplace productivity, and facilitate workplace reform to support its general objectives.

Achievements in 2007/08 included:

- Ensuring that the CLC was compliant with changes to the Workplace Relations Act (1996) and all ensuing changes;
- Ensuring that the provisions in the Enterprise Agreement were utilised to enhance organisational flexibility and to facilitate organisational change and workplace reform.

- Provision of advice and counsel to line managers on a case management basis to assist with the management of employees under the Unsatisfactory Performance Procedures; and
- Provision of strategic and operational IR advice.

Staff Development and training.

The CLC is committed to ongoing professional development of its workforce and supports access to appropriate training.

The CLC is especially committed to developing strategies that facilitate employment and career development for Aboriginal staff who make up 52 per cent of the 159 staff employed, and have formally stated this commitment in Part 3 of the CLC EBA.

Staff are able to access training and further education as part of the CLC Career Development program and also receive Cross Cultural Training, First Aid, OH&S related topics and 4WD Skills.

The CLC Career development program enables staff to receive support and assistance with a range of study and learning options.

All new staff are required to complete a two day induction program which provides them with a comprehensive insight into the CLC and all that it offers, as well as its policies and expectations.

There was a total of 358 attendees at 72 needs-based short courses.

Achievements in 2008/09 included:

- Employment of rangers on Working for Country program.
- Continuation of professional development for current Indigenous employees.
- All female employees encouraged to attend the Indigenous Women's Law and Culture week held in at Borroloola.
- Indigenous female employees attended the Indigenous Women's Leadership Program.

Turning the receptionist position to two part-time roles attracted two Indigenous mothers returning to the workforce. After providing them with training to upgrade their skills they have now taken up positions in the Library and Human Resources sections and two new female indigenous employees have taken up the receptionist positions.

	ALL EMPLOYEES		ABORIGINAL EMPLOYEES		NON ABORIGINAL EMPLOYEES		FEMALE		MALE	
	Count	%	Count	%	Count	%	Count	%	Count	%
Chairman	1	0.6	1	1.1	0	0.0	0	0.0	1	1.0
Director	1	0.6	1	1.1	0	0.0	0	0.0	1	1.0
SES 1	2	1.2	0	0.0	2	2.5	0	0.0	2	2.0
NTU PLO	1	0.6	0	0.0	1	1.3	0	0.0	1	1.0
SOG A	5	3.0	0	0.0	5	6.3	2	2.9	3	3.0
SOG B	6	3.6	0	5.7	6	7.6	3	4.4	3	3.0
SOG C	19	11.4	5	0.0	14	17.7	5	7.4	14	14.1
ASO 6	43	25.7	6	6.8	37	46.8	27	39.7	16	16.2
ASO 5	22	13.2	10	11.4	12	15.2	13	19.1	9	9.1
ASO 4	22	13.2	21	23.9	1	1.3	8	11.8	14	14.1
ASO 3	7	4.2	6	6.8	1	1.3	5	7.4	2	2.0
ASO 2	38	22.8	38	43.2	0	0.0	5	7.4	33	33.3
ASO 1	0	0	0	0	0	0	0	0	0	0
Total	167		88		79		68		99	

Equal Opportunity

The Central Land Council (CLC) is committed to providing a working environment in which staff feel they are a valued member of the organisation, that they are treated fairly and are given recognition in the organisation's success.

Equal Opportunity (EO) supports the development and implementation of strategically-based anti-discrimination, equal employment opportunity (EEO) and affirmative action policies and programs as well as Aboriginal Employment and Career Development.

Additionally, the CLC respects and values diversity in the workplace.

Achievements in 2007-08 under the Indigenous Employment Strategy:

- Creation of a new trainee position in the Land Management department;
- An Aboriginal staff member took up a new career with the AAMC section;
- Two Indigenous female employees attended the Indigenous Women's Leadership Program;
- Four Indigenous students from Centralian College will be doing work experience with the CLC.

Of the 167 permanent employees 68 (40.71%) are female employees and 99 (59.28%) are male employees; 79 (47.3%) are non-Aboriginal employees and 88 are Aboriginal.

	30 June 2007	30 June 2008	30 June 2009
Total Male	66	93	99
Total Female	57	67	68
Total Employees	123	160	167
Aboriginal	56	84	88
Non Aboriginal	67	76	79
Total Employees	123	160	167

Of the 68 female employees 37 (54.1%) are non-Aboriginal and 31 (45.58%) are Aboriginal and of the 99 male employees 42 (42.42%) are non Aboriginal employees and 57 (57.57%) are Aboriginal Employees.

Overall, Aboriginal female employees make up 18.56%, non-Aboriginal females 22.15%, Aboriginal males 34.13% and non-Aboriginal males 25.14% of our total workforce.

However converting the positions to FTE employees, note that the number of FTE employees for non Aboriginal employees is 77.3 (50.9%) and aboriginal employees 74.4 (44.09%)

OCCUPATIONAL HEALTH AND SAFETY (OHS)

The CLC is committed to meeting its obligations under the OH&S Act and supports the development of strategically-based health and safety programmes.

The CLC Occupational Health and Safety (OH&S) policy and EBA statement, establish and maintain a work environment in which employees, consultants and others are able to work effectively and at minimal risk to their health, safety and wellbeing.

The Employee Assistance Program is promoted and managed by the CLC. The program offers employees and members of their immediate families free, short-term professional counselling.

Reporting Requirements under the OH&S Act

The following statements are provided in accordance with section 74 of the Occupational Health and safety (commonwealth Employment) Act 1991(the OH&S Act).

The Health and Safety Management arrangements was designed and implemented; all employees aware of their roles and responsibilities under these arrangements.

	30th June 2007	30th June 2008	30th June 2009
Chairman	1	1	1
Director	1	1	1
Senior Executive Service 1	2	2	2
NTU PLO	1	1	1
Senior Officer A	4	5	5
Senior Officer B	6	9	6
Senior Officer C	15	14	19
Administrative Officer 6	29	38	43
Administrative Officer 5	29	26	22
Administrative Officer 4	22	24	22
Administrative Officer 3	7	9	7
Administrative Officer 2	4	17	38
Administrative Officer 1	2	13	0
Total	123	160	167

Section 68 Occurrences (Notification and Reporting of Accidents and Dangerous Occurrences)

Three incidents under section 68 were reported to Comcare. Investigations were conducted for all incidents.

There were no notices issued under sections 29 (Provisional Improvement Notices), 46 (Power to Issue Prohibition Notices), and 47 (Power to Issue Improvement Notices) of the OH&S Act, and no directions were given to the Department under section 45 (Power to Direct that Workplace Not Be Disturbed).

No investigations were conducted in 2008–09 and the CLC remains committed to adhering to Comcare guidelines.

INFORMATION SYSTEMS

The CLC maintains and develops financial accounting and reporting systems utilising the SUN enterprise-wide integrated business application and associated products.

The CLC identified a software platform [Flow-Centric] to use to develop and integrate workflow processing. Several internal processes have been implemented utilising the software with improvements in efficiency, productivity and

administrative procedure as outcomes.

A process of continuous improvement will be experienced in future years as mundane, necessary procedures are incorporated and streamlined.

Managers and other staff access operational management financial reporting, including budget funding versus actual expenditure variance analysis, in an on-line real-time password secured and controlled environment.

The CLC operates a library and records facility with appropriately qualified and accredited staff.

Library services include current affairs information, scientific and historical reference enquiries, on-line searches and inter-library loans. It is also a valuable repository for rare books about Aboriginal issues and historical information.