



THE UNIVERSITY OF
SYDNEY

Indigenous Cultural and Intellectual Property and Indigenous Data Sovereignty Protocol

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THE UNIVERSITY OF
SYDNEY

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Warning

The University of Sydney and Terri Janke and Company would like to advise First Nations readers that this Protocol may contain images or names of people who have since passed away.

Important legal notice

Any laws and policies referred to in this publication are current as of July 2025. Any reference to laws and policies are for general use only. You should not rely on this document for legal advice for a specific matter. We recommend you obtain professional legal advice from a suitable, qualified legal practitioner.

Indigenous Cultural and Intellectual Property Notice

This document contains Indigenous Cultural and Intellectual Property (ICIP) and Indigenous Data (ID) of Australian Aboriginal and Torres Strait Islander peoples. All rights reserved. Dealing with any part of this knowledge for any purpose not authorised by the custodians may breach the *Copyright Act 1968* (Cth) and customary law.

Terminology

For the purposes of this Protocol, where the term First Nations peoples is used, we are respectfully referring to First Nations peoples of Australia, Indigenous Australians, the First Australians, Aboriginal peoples and/or Australian Aboriginal and Torres Strait Islander peoples.



Commissioned artwork: 'Yanhambabirra Burambabirra Yalbailinya' (*Come, Share and Learn*), 2020 by Luke Penrith for the *One Sydney, Many People Strategy*.

Depicting a rich interconnected story of knowledge, community and growth, 'Yanhambabirra Burambabirra Yalbailinya' reflects the history and future aspiration of the University. This work has been created to represent the *One Sydney, Many People Strategy* and celebrates our collective vision for the future.

Acknowledgement

The University of Sydney acknowledges Australia's First Nations peoples as the Traditional Custodians of the lands of Australia on which we work, live and create.

The University's Camperdown Campus sits on the lands of the Gadigal people, with campuses, teaching and research facilities on the lands of the Gamaraygal, Dharug, Wangal, Darkinyung, Burramadagal, Dharawal, Gandangara, Gamilaraay, Barkindji, Bundjalung, Wiradjuri, Ngunawal, Gureng Gureng, and Gadadju peoples.

We recognise and pay respect to the Elders and communities of these lands, past, present and emerging, who for thousands of years have shared and exchanged knowledges across innumerable generations, for the benefit of all. First Nations peoples have shared and managed knowledge systems and resources sustainably for many thousands of years.

We value the knowledges, cultures and traditions of First Nations peoples. There is no place in Australia – water, land or air – that has not been known, nurtured and loved by First Nations peoples.

We celebrate the continuing practice of cultures, the sharing of stories and knowledge in respectful ways. We acknowledge the important role that First Nations peoples have as stewards and protecting and managing Country, for over 60,000 years.

Image: Louise Cooper, Gadi outside F23, Camperdown Campus, 2019, University of Sydney





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Glossary

- AIATSIS** Australian Institute of Aboriginal and Torres Strait Islander Studies
- CARE** Collective Benefit, Authority to Control, Responsibility, Ethics
- DVC-ISS** Office of the Deputy Vice-Chancellor (Indigenous Strategy and Services)
- FPIC** Free, Prior and Informed Consent
- IAC** Indigenous Archives Collective
- ICIP** Indigenous Cultural and Intellectual Property
- ID-Gov** Indigenous Data Governance
- ID-Sov** Indigenous Data Sovereignty
- ID** Indigenous Data
- IP** Intellectual Property
- Traditional Knowledge** The knowledges of First Nations peoples, including scientific, agricultural, technical and ecological knowledge, spiritual and ritual knowledge, knowledge of cultural governance and kinship systems, and life experience.
- UNDRIP** United Nations Declaration on the Rights of Indigenous Peoples

Important Definitions

Country:

For First Nations peoples, 'Country' not only refers to the lands, seas and waterways, skies, plants and animals of the geographical areas communities have cared for since time immemorial, it also includes the spirituality and lore which governs community and Country. Country carries obligations of First Nations peoples as caretakers and custodians.

Moral Rights:

Moral Rights refer to the rights that an author or creator of a copyrighted work has in relation to that work. There are three moral rights:

- **The right of attribution:** the right of the creator to be attributed as the creator of the work.
- **The right against false attribution:** the right of a creator to stop someone else from being falsely attributed as the creator of their work.
- **The right of integrity:** the right of a creator to ensure their work is not altered in any way that may be harmful to the creator's reputation.

Moral rights exist automatically and do not need to be asserted or registered. Moral rights continue until the copyright in the work expires (usually 70 years after the death of the creator). Even if a creator has assigned the copyright in their work to someone else, the creator still has moral rights in the work. Moral rights cannot be sold, assigned or completely waived by a creator [5, 9].

Self-Determination:

Self-determination is provided for in Article 3 of the [United Nations Declaration on the Rights of Indigenous Peoples](#) [44] and affirms that First Nations peoples have the right to decide on matters that affect them, and be part of the decision-making process – no longer as observers, but having a seat and voice at the table.

Sovereignty:

Sovereignty can be interpreted differently by different First Nations peoples and communities. Sovereignty should be defined by First Nations peoples and communities. Sovereignty includes power and authority over Country and community, superseding western law. The [Uluru Statement from the Heart](#) defines sovereignty as a

spiritual notion: the ancestral tie between the land, or 'mother nature', and the Aboriginal and Torres Strait Islander peoples who were born therefrom, remain attached thereto, and must one day return thither to be united with our Ancestors. This link is the basis of the ownership of the soil, or better, of sovereignty [32].

Colonial Load:

This concept of 'colonial load' is often referred to as 'cultural load'. This Protocol uses the term 'colonial load' to reflect an emerging shift in language. Culture is a strength for First Nations peoples, and it is not culture that causes strain or distress, but rather the pressures of working within colonial systems. The shift from the term 'cultural load' to 'colonial load' is to more accurately articulate the concept and appropriately frame culture as a strength.





Foreword

The University of Sydney (the **University**) is committed to building stronger and more accountable partnerships with First Nations peoples across Australia. To achieve this, the University has implemented a range of strategies and policies that aim to progressively increase First Nations leadership and influence, and to respectfully and ethically embed First Nations cultures, languages, and knowledge systems in University practices.

This Protocol provides an understanding of Indigenous Cultural and Intellectual Property (**ICIP**) and Indigenous Data (**ID**), as well as guidelines on how they may be implemented, upheld, and protected across a range of activity areas. These will enhance First Nations peoples' engagement, participation, and leadership in teaching, learning, research, and services.

Image (left): Dale Harding, *Spine 3 (radiance)*, 2018, Carlslaw Building, Camperdown Campus. Materials used - concrete, concrete oxide, hematite.

Executive Summary

This Protocol commits the University to best practices to working respectfully with First Nations peoples and their knowledges.

Indigenous Cultural and Intellectual Property (ICIP)

ICIP refers to the tangible and intangible elements of First Nations cultural heritage, Traditional Knowledge, and cultural expressions. Under Article 31 of the [United Nations Declaration on the Rights of Indigenous Peoples \(UNDRIP\)](#) [44], First Nations peoples have the right to maintain, control, protect, and develop their cultural heritage, Traditional Knowledge, and traditional cultural expressions, as well as any intellectual property over such cultural heritage, Traditional Knowledge, and traditional cultural expressions.

Indigenous Data Sovereignty (ID-Sov)

ID-Sov affirms the rights of First Nations peoples to govern the collection, access, control, and application of data about their communities, lands, waters and resources. This data is often termed 'Indigenous Data' or '**ID**' and is defined as all data about First Nations peoples and their cultures.

Gaps in Australian Laws

At the time of writing, domestic legislation does not provide adequate protections for **ICIP** or frameworks for implementing and upholding **ID-Sov**. Following this Protocol will enable the University to navigate the gaps in Australian laws to protect and uphold **ICIP** and **ID-Sov** rights when engaging with First Nations peoples and knowledges.

True Tracks®

The **True Tracks®** principles are a set of ten principles developed by Terri Janke and Company to guide best practice engagement with First Nations peoples and their cultures. The **True Tracks®** principles underpin this Protocol and can be used as a reference tool when engaging with First Nations topics, materials, people, culture, communities, and languages in University projects. Referring to the **True Tracks®** principles before, during, and after the commencement and completion of University projects will help ensure these engagements are culturally appropriate.

Principle 1 – Respect: First Nations peoples, cultures, communities, languages and history should be respected when engaged with for University projects.

Principle 2 – Self-Determination: First Nations peoples should be encouraged and empowered in decision-making processes about projects that affect their cultural heritage.

Principle 3 – Consent and Consultation: Traditional Owners should be consulted on the use of their **ICIP** and **ID**, and **ICIP** and **ID** should not be used for any purposes without the Free, Prior and Informed Consent of Traditional Owners. Consent involves ongoing negotiation and informing Traditional Owners about all implications of consenting to the use of **ICIP** and **ID**.

Principle 4 – Interpretation: First Nations peoples have the right to control the interpretation of their cultural heritage.

Principle 5 – Cultural Integrity: First Nations peoples have the right to ensure the cultural integrity of their **ICIP** and **ID** is protected.

Principle 6 – Secrecy and Privacy: First Nations peoples have the right to keep secret their sacred and ritual knowledge in accordance with customary laws and customs. The privacy and confidentiality of these knowledges, as well as personal information of First Nations peoples, should be respected.

Principle 7 – Attribution: First Nations peoples should be acknowledged as the owners of their ICIP, with the right to govern ID, and be attributed for any contributions to University projects.

Principle 8 – Benefit-Sharing: First Nations peoples have the right to share in the benefits derived from the use of their ICIP and ID, especially if it is commercially applied. Benefits may be monetary and/or non-monetary.

Principle 9 – Maintaining Indigenous Culture: First Nations peoples have the right to maintain, revitalise, and advance their cultures for future generations.

Principle 10 – Recognition and Protection: The University should implement mechanisms that recognise and protect ICIP and ID, such as protocols and including clauses in contracts and the University's [Intellectual Property Policy](#) [37].

Applying the Protocol

This Protocol applies the True Tracks® principles to the common activities of the University and provides overarching guidance to assist the University in upholding best practice. It is intended that the various areas of the University utilise and tailor this Protocol to their specific contexts. Parts of the University have already begun this journey, and this University-wide Protocol is designed to set guiding standards and assist professional units in developing their own local implementation plans.

Applying this Protocol can be best understood by *looking outwards* and *looking inwards* to reflect that while the University has many forward-facing activities with students and stakeholders, best practice can only be strived for by undertaking consistent reflection and learning. The activities in these sections are interconnected.



Looking Outwards

Free, Prior and Informed Consent

The foundation for best practice engagement with First Nations peoples and their **ICIP** and **ID** is Free, Prior and Informed Consent (**FPIC**). This is the standard of consent set out in the **UNDRIP**. **FPIC** should be obtained before the commencement of any activities and should be re-sought before any proposed changes to the scope of work or uses of **ICIP** are actioned. **FPIC** obligations are ongoing.

Who to speak to

The first step in obtaining **FPIC** is identifying the most appropriate person, community, group or organisation to speak to. Undertake internal research to locate who may have the cultural authority to speak on community, **ICIP** and **ID**. Cultural authority means when a person or organisation is entrusted by their community and/or language group to safeguard, share, speak on and make decisions about **ICIP** and **ID**. The University may have existing relationships with community contacts that can be drawn upon if it is appropriate to do so under the circumstances. Working with existing contacts is ideal as it facilitates deeper relationships. **DVC-ISS** may be able to offer internal guidance on identifying contacts.

Other points of contact when searching for who to speak to include local, regional or state Aboriginal Land and Community Councils, Prescribed Body Corporates, First Nations organisations in the relevant practice area (such as Cultural Centres, educational bodies or ranger groups) as well as cultural consultants, experts and advisors. Local contacts should be prioritised as much as possible.

Reciprocal relationships

Reciprocal relationships are a key element of First Nations cultures, and it is important that reciprocity is present in the University's engagements with **ICIP** and **ID**. Projects should be First Nations-led or co-designed and should give back to source communities for their contributions. Undertaking your own research first, and ensuring benefits are shared with First Nations contributors will mitigate the effects of consultation fatigue, and facilitate stronger, mutually beneficial relationships.

Leadership, co-design and collaboration

[Self-determination](#) is not possible without First Nations leadership, co-design and partnerships. University projects, events and practices which involve First Nations peoples or their **ICIP** and **ID** must enable First Nations leadership and incorporate co-design and collaboration from inception and throughout. Genuine leadership involves First Nations peoples having control, influence and decision-making power across a project. Co-design is a collaborative process that empowers First Nations peoples and communities as partners to create approaches, solutions and outcomes. Collaboration involves ensuring First Nations peoples are not only engaged as cultural advisors or at the beginning of a project but are authentically and respectfully engaged throughout the entirety of a project. Implementing leadership, co-design and collaboration ensures best practice is adhered to and facilitates stronger and more meaningful relationships with First Nations communities.



Looking Inwards

It is important that the University implement best practices when working with First Nations peoples, **ICIP** and **ID** internally.

Welcome to Country and Acknowledgement of Country

Welcomes to Country and Acknowledgements of Country show respect for the ongoing cultural and spiritual connections First Nations peoples have to their traditional lands and waters. A Welcome to Country should only be given by those who are Traditional Owners or have permission from Traditional Owners to do so, whereas an Acknowledgement of Country may be given by any person. It is important that Acknowledgements are authentic, sincere and not tokenistic, showing genuine appreciation for ongoing custodianship of [Country](#).

Colonial Load

'[Colonial load](#)' is when First Nations and culturally diverse peoples in work, social or educational contexts are unreasonably relied on for duties relating to cultural matters that are often unpaid or beyond one's job description. It may also mean that colleagues unreasonably rely on First Nations staff for knowledge or contacts. Colonial load can place more responsibility on First Nations staff than others which disadvantages them in terms of career progression and burnout. Colonial load can be avoided by increasing First Nations representation in all parts of the University and by continuing to build cultural competency among non-Indigenous staff.

Existing ICIP and ID Materials

Part of committing to best practices involves considering the integrity and appropriateness of existing and past **ICIP** and **ID** resources held by the University. This is particularly relevant for archival information, datasets and dated research materials. Before using existing **ICIP** materials it is important to refer to the True Tracks® principles to determine the appropriateness of a resource. Questions to ask may include whether there was First Nations leadership or co-design, **FPIC**, or if benefit-sharing arrangements were agreed on.

Research and ethics

Universities typically have colonial and western led frameworks for research. Research conducted by the University around First Nations peoples and knowledges should be led by First Nations staff and students, and guided by this Protocol, and agreements that protect **ICIP** and **ID**. First Nations knowledges and ways of thinking should be appreciated and valued in their own right.

It is also important that ethics committees have First Nations representation to guide respectful engagement with **ICIP** and **ID**. To avoid tokenistic engagement, it is important that First Nations peoples are consulted before the formal commencement of all research project activities, and not simply at the time an ethics application is being made.

Conclusion

Following this Protocol will enable the University to implement best practices when working with First Nations peoples, communities, cultures and topics across all University activities, internal and external. This will empower the University to build stronger, more meaningful relationships with First Nations communities and deliver more culturally aware, holistic services to staff, students and affiliates.



Introduction

The *Indigenous Cultural and Intellectual Property and Indigenous Data Sovereignty Protocol (Protocol)* outlines the commitment from the University to respectfully work with First Nations peoples, their Indigenous Cultural and Intellectual Property (ICIP), and Indigenous Data (ID).

This Protocol serves as an overarching document and supportive guide for the University, which can be tailored across all faculties and professional areas, aiming to amplify First Nations voices across all University activities.

At its core, **ICIP** and **ID** relate to the inherent rights of First Nations peoples. This Protocol is designed to guide the University in how it works with **ICIP** and **ID** to uphold the self-determination of First Nations peoples, in everything that the University does.

This Protocol also discusses the challenges and strengths present in western laws to provide the University with the foundational understanding it needs in these spaces. However, deep respect remains the foundation of these principles. The intention is to offer support for staff, encouraging them to refer to this Protocol for many years to come, and to contribute to a sense of community around this work. **We are walking this path together, and we commit to continual learning.**

The University is committed to fostering stronger and more accountable partnerships with First Nations peoples in Australia. The University aspires to maximise First Nations leadership and influence, and respectfully and ethically embed First Nations cultures, languages and knowledge systems in University practices. These aspirations will be advanced through a deeper understanding of **ICIP** and **ID** and the implementation of this Protocol across a range of activity areas. This will enhance First Nations peoples engagement, participation and leadership in teaching, learning, research, and services.

This Protocol will help the University in developing more productive and reflective relationships between community groups, educators, researchers, universities, governments, and policymakers. Cultural capability will be built and embedded across the University, whilst engagement with **ICIP** and **ID** will facilitate more respectful engagements with First Nations staff, students and communities.

Background

Between August and October 2023, the University engaged Terri Janke and Company (TJC), First Nations led legal and consulting firm, to conduct consultations with representatives from the following professional and academic units of the University:

- Associate Deans, Indigenous and Associate Deans, Education from all faculties and schools
- Academic Board
- Office of the Vice-Chancellor
- Office of the Provost
- Deputy Vice-Chancellor, Research Portfolio
- Deputy Vice-Chancellor, Education Portfolio
- Deputy Vice-Chancellor, Indigenous Strategy and Services Portfolio
- Office of General Counsel
- National Centre for Cultural Competence
- Poche Centre for Indigenous Health
- Libraries
- Chau Chak Wing Museum & Seymour Centre
- University Archives
- Marketing and Communications
- Advancement
- Governance and Policy
- Infrastructure
- Procurement
- Human Resources
- Student Life
- Gadigal Centre
- Scholarships
- Student Accommodation
- Sydney Future Students
- Sydney Global Mobility
- University Student Union (USU)

TJC collected data across these consultations to produce a gaps analysis report, identifying strengths in the University’s ICIP engagement and determining areas for improvement. This work informed the **Four Focus Areas** for this Protocol (as detailed in Figure 1):



Figure 1: Focus Areas for University-wide ICIP Protocol ©Terri Janke and Company 2023.



Application

This Protocol applies to the entire University as a Guideline. All staff, students, affiliates and visitors should abide by this Protocol.

Purpose of the Protocol

This Protocol sets a University-wide Guideline that carves a pathway to increase representation and deepen relationships with First Nations peoples. This will be achieved by amplifying First Nations leadership and influence, and respectfully and ethically embedding First Nations cultures, languages and knowledge systems in University practice.

The University has many strong governance structures and initiatives. This Protocol stands as an overarching framework for the whole University, serving as guidance for new and existing initiatives. This Protocol should be read in conjunction with the University's policies, including the University's [Intellectual Property Policy](#) [37]. This Protocol should be used as a guiding framework for academic and professional units who are encouraged to develop their own **Local Implementation Plans** suited to their local needs.

What are Protocols?

Protocols are guiding documents that provide practices and guidance that help shape current and future activities. This Protocol shapes activities relating to the University's engagement with First Nations cultures, and **ICIP** and **ID**. It relies on both international and domestic law as well as the commitments of the University.

First Nations peoples have many rights under western international and domestic law. These rights, however, are not always practically applied. There are many gaps within Australian law, as well as strengths to be leveraged. The University is committed to leveraging the strengths of international and domestic law within this Protocol, ensuring that the rights of First Nations peoples are protected in practice.

How do I use this Protocol?

The University is a large organisation, and staff will be reading this Protocol from many perspectives. It is intended that readers, especially leaders within the University, apply this Protocol to their particular circumstances. To do this, you are encouraged to utilise the Implementation Tool on the next page.

Implementation Tool

Use this table to apply this Protocol to your local context. Ask yourself these questions, referring to this Protocol for guidance, and in particular the True Tracks® principles. These steps may not be linear and should be viewed as interconnected.

	1. Prepare	2. Deepen ties	3. Activate	4. Nourish	5. Evaluate and Grow
Why	Why do I want to engage First Nations peoples and knowledges?	Does my 'why' align with the First Nations people(s) I am working with?	How am I ensuring cultural safety in this project?	Is the 'why' the same, or has it transformed?	Looking backwards, what can we learn? Looking forwards, what might be different?
Who	How do I engage First Nations peoples and knowledges?	Is it appropriate that I conduct this project?	How am I ensuring First Nations input during and after this project?	How am I nourishing the peoples involved in this project in the medium and longer term?	Does my evaluation include everyone involved, including the goals of First Nations peoples?
	Who do I speak to?	How do I ensure I am speaking to everyone that I need to?	How am I ensuring I remain open to feedback?	Am I nourishing the current and future generations to benefit from this project?	Does my evaluation include lessons learnt?
	How do I start the project?	How can I deepen relationships in this project?	How can I ensure that it is appropriate for the project to continue to run?	How can I practice humility and learn to move forward from mistakes?	Have I grown from this? How can the organisation grow further?
What and When	What is the project about? Does it include First Nations peoples?	Does the project itself align with what the First Nations people(s) want in this project?	Is the timing right for when to launch the project?	Is the project and timing still relevant and appropriate? What else can I do to get the most out of this?	Is the evaluation culturally informed?
Where	Where is the project? Who are the cultural authorities?	Should I deepen ties more here, is there anywhere else I should be doing this?	Does the project continue to involve First Nations people(s) during and after? Is this only local people, or broader?	Is this project able to be expanded?	Where else could this approach be relevant?

Image (opposite top left): Dale Harding, *Spine 2*, 2018, Eastern Avenue, Camperdown Campus. The work is an acknowledgement of the Great Dividing Range - the sandstone country that rises and falls along the spine of eastern Australia. Many of the University buildings have been built from this sandstone.

1. Indigenous Cultural and Intellectual Property

1.1 What is Indigenous Cultural and Intellectual Property?

Indigenous Cultural and Intellectual Property (ICIP) refers to the tangible and intangible elements of First Nations cultural heritage, Traditional Knowledge, and cultural expressions. The following graphic demonstrates the interconnectedness and breadth of ICIP:

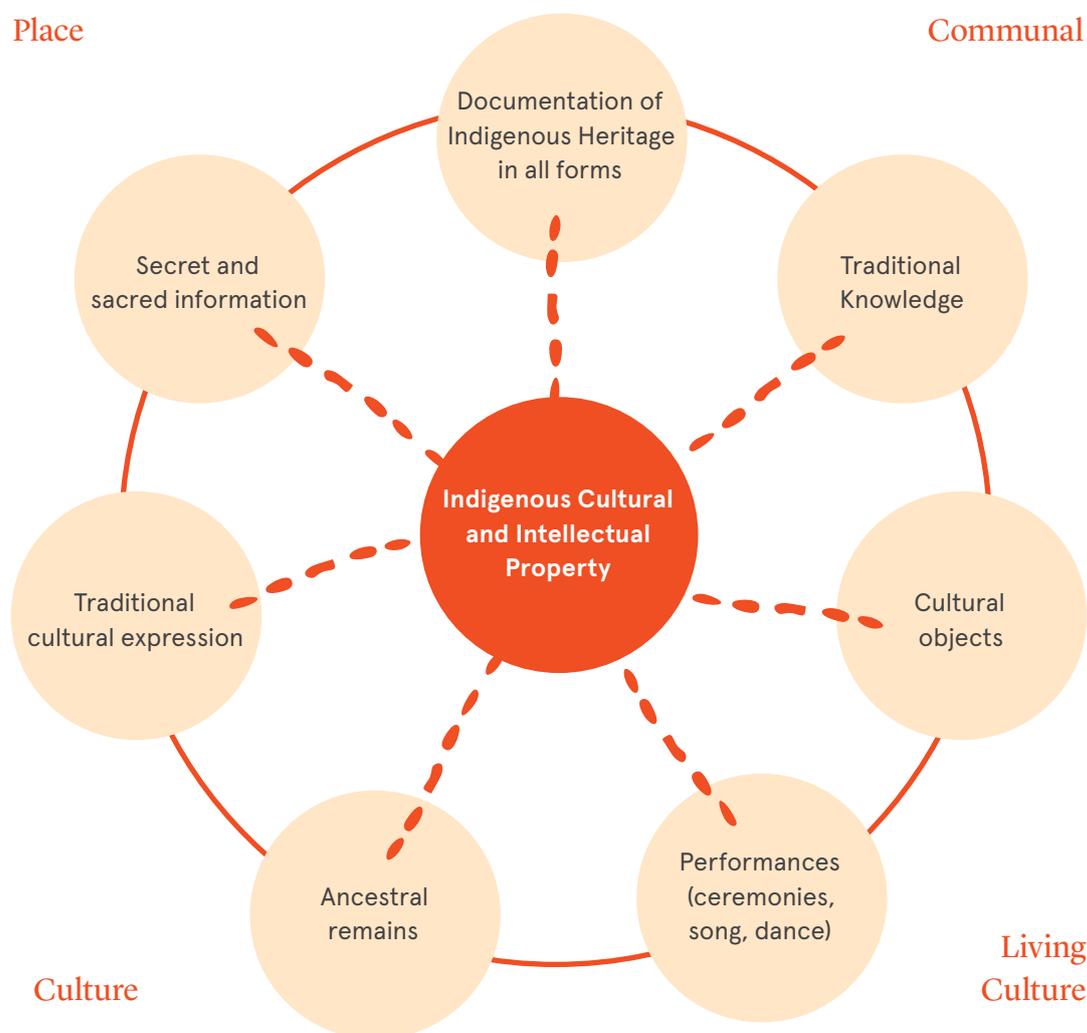


Figure 2: What is ICIP? ©Terri Janke and Company 2024

As detailed in [Figure 2](#), ICIP can include:

- Traditional Knowledge (scientific, agricultural, technical, ecological, and ritual);
- traditional cultural expression (language, stories, designs and symbols, literature, and cultural practices such as caring for Country, totems and culturally sensitive species – see [Important Definitions](#) for definition of ‘Country’);
- performances (ceremonies, dance, and song);
- cultural objects (including but not limited to arts, crafts, ceramics, jewellery, weapons, tools, visual arts, photographs, textiles, contemporary art practices);
- ancestral remains;
- secret and sacred information (including sacred/historically significant sites and burial grounds);
- documentation of First Nations peoples’ heritage in all forms of media such as films, photographs, artistic works, books, reports, archives, records taken by others, sound recordings and digital databases.

1.2 Implementing ICIP Rights in Practice

The **UNDRIP** [44] articulates the customary laws of First Nations peoples. Under western law, it is the primary international legal source of **ICIP** rights. Article 31 asserts that:

Indigenous peoples have the right to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions, as well as the manifestations of their sciences, technologies and cultures, including human and genetic resources, seeds, medicines, knowledge of the properties of fauna and flora, oral traditions, literatures, designs, sports and traditional games and visual and performing arts. They also have the right to maintain, control, protect and develop their intellectual property over such cultural heritage, traditional knowledge, and traditional cultural expressions.

UNDRIP is an instrument of international law and is the highest western legal instrument for **ICIP** rights in Australia. While Australia has accepted the **UNDRIP**, it is not yet implemented in full. This means organisations such as the University should commit to best practice by adopting practices that align with the **UNDRIP** – this is necessary to uphold the rights of First Nations peoples.

The University respects the rights of First Nations peoples to **maintain, control, protect and develop** their **ICIP**. The University recognises that **ICIP** rights refer to the rights that First Nations peoples have in relation to their cultural heritage, Traditional Knowledge, and traditional cultural expressions.

The University commits to following this Protocol to protect **ICIP** rights. In practice, the University should:

- ensure First Nations peoples are self-determined in what, how and why **ICIP** is being collected, used or in any way engaged with;
- acknowledge First Nations peoples as the owners and custodians of their **ICIP**;
- ensure that Traditional Owners retain ownership and control over any **ICIP** the University engages with;
- ensure that any means of protecting **ICIP** is based on the principle of self-determination;
- obtain **FPIC** from the relevant First Nations people(s) and/or communities over how their **ICIP** is collected, accessed, used, recorded, adapted and made public (including how **ICIP** is used commercially);
- only engage with **ICIP** for purposes or uses agreed to by Traditional Owners;
- adhere to any cultural protocols associated with **ICIP**;
- ensure First Nations peoples control the recording of cultural customs and expressions and the particular language which may be intrinsic to cultural identity, knowledge, skill and teaching of culture;
- recognise First Nations peoples as the primary guardians and interpreters of their cultures and heritage;
- ensure First Nations peoples control the use and interpretation of **ICIP** to guard the cultural integrity of their **ICIP**;
- ensure First Nations peoples are able to maintain the secrecy of Indigenous knowledge, other cultural practices, and the privacy of individuals and communities;
- fully and properly attribute First Nations peoples and communities for sharing their cultural heritage;
- share the benefits from the use of **ICIP** with Traditional Owners;
- respect the rights of First Nations peoples to continue to practice culture using their **ICIP**, and to nurture **ICIP** for transmission to the next generations; and
- keep records of who the Traditional Owners of **ICIP** are to:
 - » maintain ongoing relationships with source communities; and
 - » maintain ongoing lines of communication with source communities – this is especially important:
 - ◇ if the University needs to re-seek consent or renegotiate with community; and
 - ◇ in the event of staff turnover in the University – incoming staff can know who in community to speak with.

1.3 What is Indigenous Knowledge of Staff?

Indigenous Knowledge of Staff refers to information belonging to or used by First Nations peoples and businesses, including:

- brand and reputation of Indigenous people;
- knowledge of the Indigenous community including Indigenous people's social, economic, cultural and political structures;
- knowledge of **ICIP**, **ID**, and cultural protocols;
- specific business methods and consultation processes for working with people;
- language group affiliations, kinships and community connections;
- documentation of Indigenous peoples including photographs and films of Indigenous peoples and written reports; and
- Indigenous client contacts and databases, customers and supplier information.

Indigenous Knowledge of Staff is not to be confused with **ICIP** or **ID-Sov** - it is a separate concept. Indigenous Knowledge of Staff refers to information provided by First Nations staff, contributors, affiliates and contractors, that is used by the University to enhance First Nations engagement and build trust and relationships with First Nations communities. It is important for the University to acknowledge that First Nations staff offer unique perspectives, lived experiences and contributions to the University.

The following hypothetical scenarios are examples of how Indigenous Knowledge of Staff can appear in the University's context:

Scenario 1

A University researcher needs to consult with a local First Nations community for a project. However, the researcher does not know who in the community they should be speaking to. A First Nations colleague has ties to the community and knows who the Elders are that have the cultural authority to speak on behalf of the community. The First Nations colleague informs the researcher of who they should be speaking to - this knowledge about the community and Elders is an example of Indigenous Knowledge of Staff.

Scenario 2

University researchers are consulting with First Nations community contributors on a project. In the course of this project, **ICIP** has been shared with the University. In discussions with researchers, a First Nations contributor provides information on how the community should be consulted around their **ICIP** (regarding timeframes, cultural protocols associated with how the **ICIP** can be used and/or accessed etc.) - this knowledge of the community's consultation preferences and cultural protocols is an example of Indigenous Knowledge of Staff.

It is not appropriate to always expect or rely on First Nations staff, contributors, affiliates or contractors to share Indigenous Knowledge of Staff, especially when it is outside of their job description and/or unpaid, as this can create and/or contribute to issues of colonial load (see 5.3.2 [Colonial Load](#)). It is recommended that all University members are able to recognise the inherent value of Indigenous Knowledge of Staff.

Image (right): Robert Andrews, Garabara (detail), 2018, Faculty of Arts and Social Sciences Building, Camperdown Campus. The work acknowledges the Gadi peoples of this Land, and displays the Sydney Language word for corroboree or dance - Garabara, which is eroded into the surface of the building.



2. Indigenous Data Sovereignty

2.1 What is Indigenous Data Sovereignty?

Indigenous Data Sovereignty (**ID-Sov**) affirms the rights of First Nations peoples to govern the collection, access, control, ownership, and application of data about their communities, lands, waters and resources. This data is often termed 'Indigenous Data' or '**ID**' and is defined as all data about First Nations peoples, from First Nations peoples, and about Country (such as both quantitative and qualitative information, factual information, private information and **ICIP**). The University supports the rights of First Nations peoples to their data.

ID may pertain to private information which includes 'personal information' and 'sensitive information' under western privacy laws. The Federal *Privacy Act*¹ defines 'personal information' as:

information or an opinion about an identified individual, or an individual who is reasonably identifiable:
(a) whether the information or opinion is true or not; and
(b) whether the information or opinion is recorded in a material form or not.

UNDRIP is the principal source of rights relating to **ID** (see [1.2 Implementing ICIP Rights in Practice](#)).

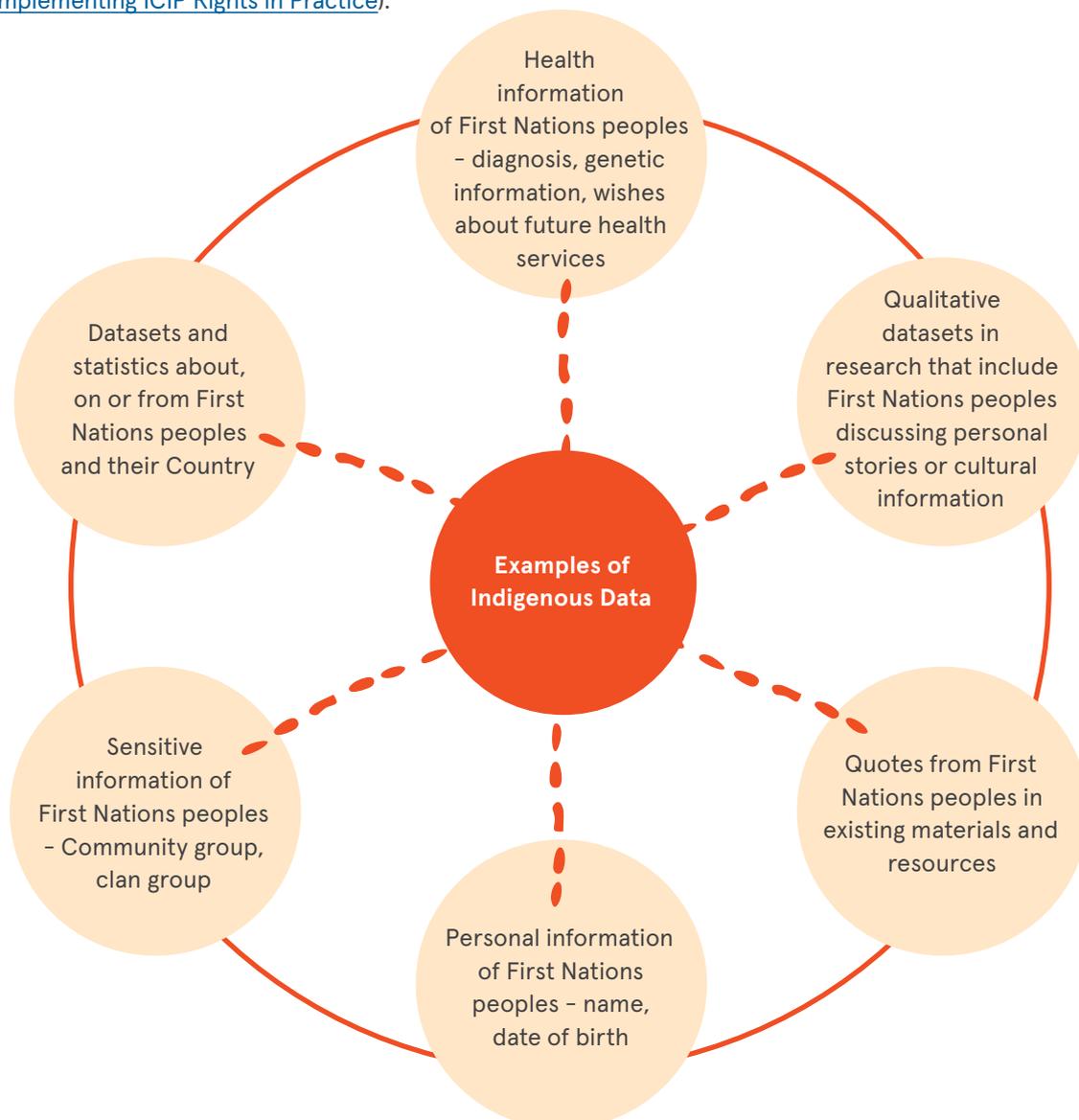


Figure 3: *Examples of Indigenous Data* © Terri Janke and Company 2025

¹ *Privacy Act 1988* (Cth) s 6.

This can include information such as age, occupation, geographic location and more sensitive details. Similarly, the NSW *Privacy and Personal Information Protection Act*² defines ‘personal information’ as:

information or an opinion (including information or an opinion forming part of a database and whether or not recorded in a material form) about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion.

The wording of both Acts is similar, although it is important to note that the University is principally governed by the NSW Act. However, the University is also bound to the Federal Act’s requirements at times, mainly through individual contractual obligations.

The Federal *Privacy Act*³ defines ‘sensitive information’ as including information or an opinion about an individual’s racial or ethnic origin (such as being First Nations and their community group). [Figure 3](#) shows examples of **ID**, that the University will commonly find generally, but in particular, in curricula materials, research, archival records and data.

It is important to understand that many types of content and information that the University holds will be **ICIP** and **ID** simultaneously. Many types of **ICIP** and **ID** may also be sensitive or personal information under western privacy law.

The focus of **ID-Sov** is to ensure First Nations **control** over the data ecosystem (that being, collection, storage, access, use, interpretation, classification and categorisation), emphasising [sovereignty](#) and self-determination in data governance. What this looks like in practice may present differently, for different First Nations communities, but can be determined through ongoing consultation and collaboration with the relevant First Nations community(s).

Sovereignty and self-determination are important for the University to understand and respect. These concepts are not isolated to **ID-Sov** and instead apply to many facets of the lives and lived experiences of First Nations peoples.

ID-Sov emerged as a response to colonial data collection and management practices which has led to a deficit data approach towards First Nations peoples and communities. Global data collectives such as [Maiam nayri Wingara](#) [16] (the Australian data collective), have emerged to challenge deficit narratives and to shift the data agenda in favour of First Nations peoples.

ID-Sov seeks to centre First Nations perspectives in data collection and management practices, such as challenging the notion of ‘open data’ which is a direct contradiction to **ID-Sov** due to cultural restrictions on who can access and use certain knowledge. For example, the concept of ‘open data’ is often inconsistent with the protocols around how First Nations knowledges are shared, including certain information being withheld according to gender, status and clan. The **CARE** principles are preferred for First Nations contexts. See [2.2 for more information](#).

Maiam nayri Wingara, with the [Australian Indigenous Governance Institute](#) [7] led the development of the Australian **ID-Sov** principles. At the 2018 Indigenous Data Summit, it was asserted that in Australia, Indigenous peoples have the right to:

- exercise **control** of the data ecosystem including creation, development, stewardship, analysis, dissemination and infrastructure;
- data that is **contextual and disaggregated** (available and accessible at individual, community and Indigenous levels);
- data that is relevant and **empowers** sustainable self-determination and effective self-governance;
- data structures that are **accountable** to Indigenous peoples;
- data that is **protective** and respects Indigenous peoples’ individual and collective interests.

² *Privacy and Personal Information Protection Act 1998* (NSW) s 4.

³ See *Privacy Act 1988* (Cth) s 6 (n 1)

2.2 What is Indigenous Data Governance ?

Indigenous Data Governance (**ID-Gov**) is the practical application of **ID-Sov** and the structures and systems enacted to ensure **ID-Sov** is activated and applied to data practices. This includes empowerment through self-determination.

The [Global Indigenous Data Alliance](#) [10] developed the **CARE** principles, which is a framework for **ID-Gov** to better empower the rights, cultures and histories of First Nations peoples in data practices. The University acknowledges the need to challenge colonial data practices, and believes that this can be achieved through the application of the **CARE** principles:

- **Collective Benefit** – First Nations peoples and communities share in the benefits for the collection and use of their data.
- **Authority to Control** – First Nations peoples are empowered as decision-makers in the control and management of their data.
- **Responsibility** – The data of First Nations peoples is cared for and treated with respect of First Nations' values.
- **Ethics** – The collection, access, use and storage of First Nations data empowers the rights and wellbeing of First Nations peoples and communities.

The **CARE** principles are a First Nations data governance framework that are people and purpose-orientated.⁴

2.3 Implementing ID-Sov and ID-Gov in Practice

The University respects the rights of First Nations peoples to own, access and control their data (also referred to as Indigenous Data or **ID**). The University recognises that although it may collect, analyse and house **ID**, it may not be the owner of that data. The University has a responsibility to **CARE** for data and ensure it is used in accordance with Indigenous Data Sovereignty (**ID-Sov**), and any Indigenous Cultural and Intellectual Property (**ICIP**) considerations.

The University's [Research Data Management Policy](#) [40] states that the University is the owner of employees' research data, and Higher Degree Research (HDR) students are the owners of their research data. The University and its students are responsible for using data in accordance with all consents and ethical approvals including any acknowledgment of data ownership by First Nations peoples. When working with First Nations peoples, ownership of **ID** should be negotiated and included in collaboration agreements to ensure that source communities own and control their data, but consent to the University using their data for agreed purposes.

The University will collaborate with First Nations peoples to determine how they understand **ID-Sov** in practice, which may have similarities and differences to the details included in this Protocol. It is important that **ID-Sov** is always respected and implemented in accordance with directions of First Nations peoples. This may require the University to adapt its implementation of **ID-Sov**.

⁴ These principles complement the existing FAIR principles (data that is Findable, Accessible, Interoperable and Reusable) which encourage open data and other data movements. The FAIR Principles can be found at: Go Fair. (2025). *FAIR Principles*. Retrieved 25 February 2025 from <https://www.go-fair.org/fair-principles/>

The University understands that to implement **ID-Sov** and **ID-Gov** in practice, it should:

- respect **ID**, **ID-Sov** and **ID-Gov**, including around datasets and personal information;
- prevent misuse and misrepresentation of **ID**;
- uphold the self-determination of First Nations peoples around their **ID**, especially with respect to what, how and why **ID** is collected;
- obtain the **FPIC** of the relevant First Nations people(s) when gathering, collecting, accessing, interpreting, attributing, using, sharing, presenting and/or storing **ID** (if there are any proposed changes to the purposes or uses of data, **FPIC** should be obtained again);
- ensure First Nations control over data management practices (such as how data is created, who has access to it, how it is used, and how it is destroyed, etc.);
- ensure First Nations peoples are acknowledged as the owners and custodians of the data they provide;
- ensure data practices are in line with the **CARE** principles;
- provide access to, and return, **ID** to the First Nations person whose data it is and the First Nations community, where appropriate;
- ensure that where **ID** is being accessed or returned to First Nations peoples, it is done in a useable and appropriate format as determined by the First Nations people;
- use categorisation and labelling practices that align with First Nations cultural protocols;
- implement access restrictions based on First Nations cultural protocols, such as gender restrictions;
- store **ID** in a secure location to avoid unauthorised access and use;
- ensure analysis and interpretation of **ID** is led by First Nations peoples as much as possible;
- keep accurate records of any **ID** and accompanying information, including:
 - » the person/group who gave the information;
 - » who it belongs to;
 - » permitted uses;
 - » any specific restrictions (including secret and sacred information);

- » any relevant cultural protocols (i.e. men's/ women's business, cultural mourning, etc.);
 - » contact details for obtaining further consents, including Next of Kin information;
 - » succession planning – how the data can be cared for into the future.
- not over collect data from First Nations peoples, and only collect what is directly relevant to a project;
 - only share information deemed suitable for sharing by First Nations knowledge holders, and to treat data with special care and protections particularly for any information that is not suitable for sharing;
 - take special care with any digitisation to ensure **ICIP** and **ID** are protected;
 - follow Tui Raven's [Guidelines for First Nations Collection Description](#) [30] when managing cataloguing data to ensure culturally appropriate approaches – including appropriate accompanying text and information in records.

It is recommended that the University observes Tui Raven's *Guidelines for First Nations Collection Description* which provides guidance relating (but not limited) to:

- **culturally appropriate language** – including appropriate terminology, culturally inclusive language, and derogatory terms;
- **adding information about ICIP to records** – including classification, subject headings/controlled vocabularies, and other descriptive metadata;
- **contextual information**;
- **discrete groupings** – including highlighting First Nations materials, and digital archives.

3. Relationship Between ICIP and ID-Sov

3.1 How are ICIP and ID-Sov Considerations the Same and Different?

ICIP rights and ID-Sov share similarities and differences. The graphic below demonstrates these points:

ICIP and ID-Sov share some overlap but are treated separately for a few reasons. Firstly, ICIP rights and ID-Sov can interact with and be impacted by different laws and institutions. For example, ICIP rights serve to protect, preserve, control, and maintain the use, cultural integrity,

and interpretation of First Nations cultural heritage, Traditional Knowledge, and traditional cultural expressions, ensuring respect for its origins and continuity. ID-Sov is focused more on ensuring First Nations peoples are self-determined in their social, economic, and cultural lives through the control over data related to themselves and their communities.

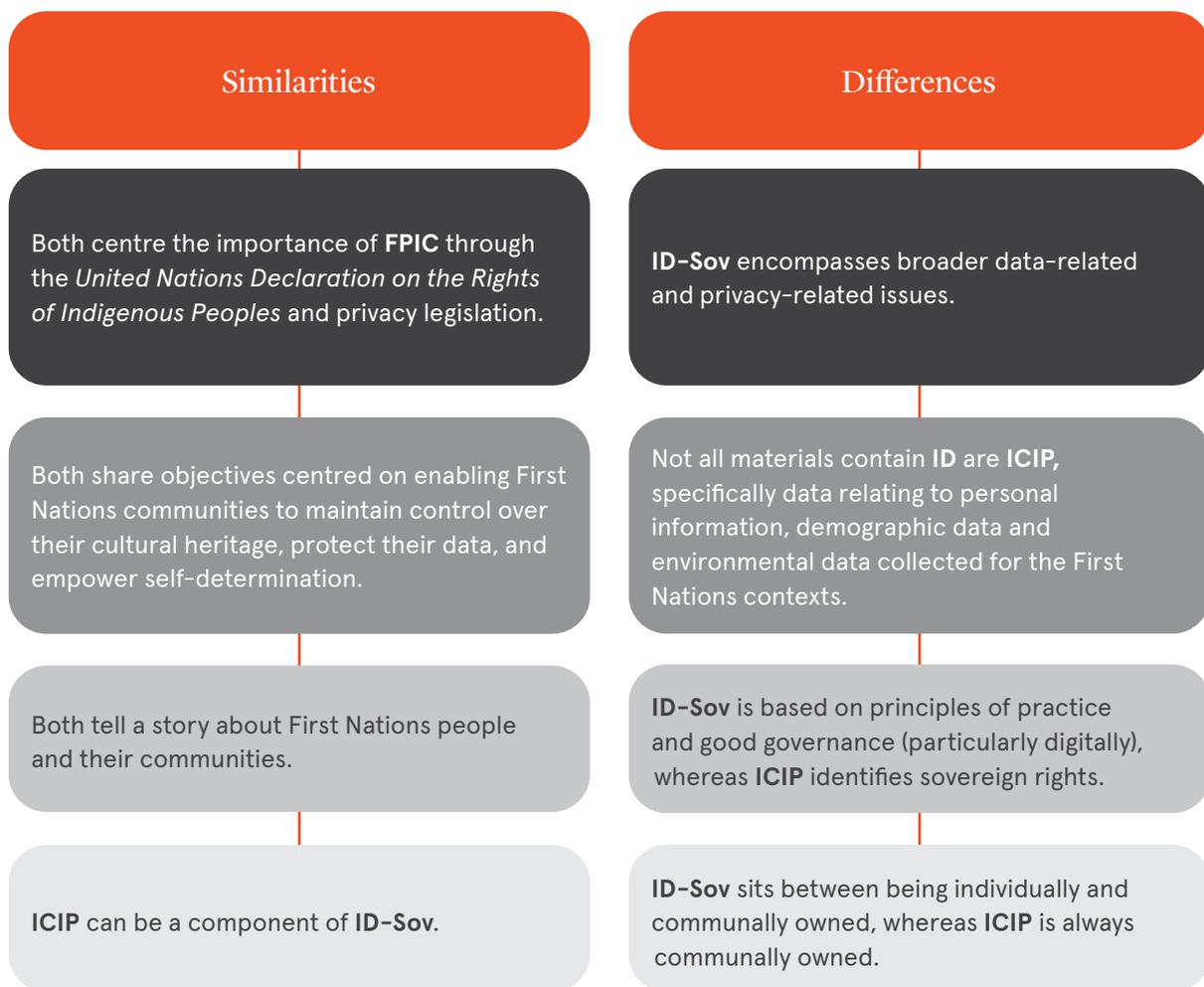


Figure 4: Similarities and Differences Between ICIP and ID-Sov © Terri Janke and Company 2025

3.2 ICIP can be Indigenous Data, but not all Indigenous Data is ICIP

Examples that are both **ICIP** and **ID**:

- knowledge, photographs, languages, and written, audio and visual recordings;
- research findings that involve Traditional Knowledge (caring for Country methods, traditional ecological knowledge).

Examples of **ID** that are not **ICIP**:

- factual information such as statistics, demographic information, environmental data, socio-economic data collected in First Nations contexts;
- the personal information of a First Nations person (name, date of birth, community or clan group, academic records) in University records or information held by the University;
- statistics of First Nations employment, student intake, and retention in the University.

This demonstrates the interconnectedness of **ICIP** and **ID-Sov** and how the University may see it arise. It is important that the University therefore understands each concept in isolation as well as how they work together. At the core of both **ICIP** and **ID-Sov** is self-determination and **FPIC**.

3.3 Gaps in Laws to Protect ICIP and ID

At the time of writing, specific Australian laws do not provide express protection for **ICIP** or **ID**.

Existing intellectual property (**IP**) and privacy laws, contracts and protocols can be used together to protect **ICIP** and **ID** rights. **IP** laws can be used to protect certain types of **ICIP**, which enables protection of the **IP** and the **ICIP** which is incorporated in the **IP** (see Article 31 of **UNDRIP**). Privacy laws can be used to protect certain types of **ID**, and place obligations surrounding private information.

Copyright law (which is a type of **IP** law) in Australia provides rights to creators to control the reproduction of their original works (including literary and artist works, films and sound recordings). The University regularly negotiates with individuals and organisations to use copyright works.

Working with First Nations individuals, communities, consultants and professionals will involve negotiation of copyright, **ICIP** and **ID**.

It is important to understand the current gaps in copyright law in protecting **ICIP**, as **ICIP** sometimes does not meet the criteria for copyright law protection. For example:

- many types of **ICIP** are passed on orally, and are not always written down, and therefore do not meet the 'material form' requirements of copyright. This includes verbal knowledge passed down by Ancestors and Elders;
- themes within artworks tell stories, and these stories are **ICIP**. While the artwork may be protected under copyright law, the stories may not be under default copyright laws;
- First Nations peoples may share their **ICIP** with the University through professional services, sharing knowledges and ways of thinking and being. Usually, a default position for non-Indigenous organisations is to seek copyright ownership for products created through services - this may not always be appropriate with First Nations peoples and their works.

Current privacy laws also have gaps, including:

- individual focus rather than community;
- focus on data that is valuable for the institutions seeking that data, rather than what is valuable for First Nations peoples and communities - including storage, access and transparency.

To address the current gaps in the western legal framework, this Protocol commits the University to a standard of excellence in engaging with First Nations peoples and their **ICIP** and **ID**. A method to do this is through the True Tracks® principles, explained in [Section 4](#).

It is important to note that, at the time of writing, the Australian Government is in the process of developing a standalone legislation dedicated to protecting **ICIP**. If this legislation is enacted, the information in this section may need to be revised.

4. True Tracks® Principles

The University commits to protecting ICIP and ID in the many ways we engage with First Nations peoples. The True Tracks® principles provide a framework to approach working with First Nations peoples and their ICIP and ID.

Respect

First Nations peoples have the right to maintain, control, protect and develop their diverse cultures and knowledges. In the spirit of developing authentic and respectful relationships, ICIP rights, ID-Sov and IP rights must be considered when entering into projects with First Nations peoples. This is enshrined under Article 31 of the UNDRIP [44]. This includes incorporating ICIP and ID into research and curriculum, embedding artwork into design and place-making, using languages, and enhancing cultural competency and cultural safety.

Embedding **Respect** within University practice looks like:

- applying ICIP and ID-Sov as modern rights management practices throughout the University, that complement existing management structures such as copyright and privacy;
- undertaking ongoing cultural awareness training to develop cultural literacy;
- developing relationships with First Nations peoples which are authentic, reciprocal and longer-term;
- facilitating Welcome to Country to open events, and Acknowledgement of Country to open meetings;
- updating policies and procedures, and local practices and processes, to reflect this Protocol across the University and in local teams;
- seeking guidance from First Nations advisory panels or committees.

Self-Determination

First Nations peoples have the right to self-determination in matters that affect them. Self-determination in practice means different things to different First Nations peoples. A foundational principle is for First Nations peoples to freely determine all matters related to them. The University is committed to adjusting its perception and application of self-determination in accordance with the community it is engaging with. Through facilitating authentic self-determination, the University enables First Nations peoples to activate a spectrum of inherent sovereign rights.

Embedding **Self-Determination** within University practice looks like:

- First Nations leadership and decision making, and adjusting University approaches in collaboration with First Nations peoples;
- ensuring First Nations peoples are collaborators, co-designers and joint authors in works and projects;
- embedding ICIP and ID-Sov considerations and processes in collaboration with First Nations peoples.

Consultation and Consent

First Nations peoples have the right to be consulted about projects and practices which may affect or involve them, their **ICIP** and **ID**. Any engagement, collection, access, use or storage of **ICIP** must involve Free, Prior and Informed Consent (**FPIC**). **FPIC** ensures that First Nations peoples are free from coercion when making decisions, are engaged prior to a project commencing, and have all the information to be informed of the benefits and risks. This process of consultation must be ongoing for the life of a project. The University will ensure that it seeks consent and respects any wishes to withdraw consent and amend details of the consent, ensuring this is factored into budgets and deadlines.

Embedding **Consultation and Consent** within University practice looks like:

- first identifying **ICIP** and **ID** rights holders and communities, and consulting from inception to ensure First Nations leadership and design (not engaging retrospectively);
- accommodating appropriate time for consultation as determined by First Nations peoples, and not rushing consultation to meet pre-determined budgets and deadlines;
- engaging with First Nations peoples and their **ICIP** and **ID** with **FPIC** at all times;
- ensuring that **FPIC** includes a broad scope of information, format of information, transparency, language considerations, capacity, time and flexibility;
- ensuring that **FPIC** is ongoing, and allowing space and flexibility for First Nations peoples to withdraw or amend their consent;
- if **FPIC** is not provided, or withdrawn, **do not use the ICIP or ID**.

Interpretation

From time immemorial First Nations peoples have been the primary interpreters, stewards and custodians of their **ICIP** and **ID**. This sovereign right and responsibility for First Nations peoples has not been ceded. The University recognises the importance of this through ensuring First Nations peoples are engaged and have a voice in all matters related to them and their **ICIP** and **ID**. This includes where **ICIP** is incorporated in research and research outcomes, curriculum, publications, and language, and how **ICIP** and **ID** is being stored.

Embedding **Interpretation** within University practice looks like:

- ensuring First Nations perspectives are appropriately represented and that interpretation of **ICIP** and **ID** is from their perspective, including by fostering truth-telling;
- ensuring the interpretation of **ICIP** and **ID** comes through First Nations engagement and **FPIC**;
- collaborating with First Nations peoples to ensure appropriate naming, spelling, classification, categorisation;
- providing opportunities for feedback and comment;
- using Traditional Custodian, **ICIP** and **ID** notices.

Cultural Integrity

First Nations peoples have the right to ensure integrity over their **ICIP** and **ID**, and how it is expressed and managed. Where cultural integrity has not been valued, there are instances of derogatory, harmful or racist perceptions of First Nations peoples and their **ICIP** and **ID**. Maintaining cultural integrity ensures that **ICIP**, **ID**, community and Country remain strong to which the University has an ongoing commitment. Cultural Integrity can include education and awareness as well as adjusting University practices where advised by First Nations peoples.

Embedding **Cultural Integrity** within University practice looks like:

- maintenance of authority of Traditional Custodians over **ICIP** and **ID**;
- ensuring accurate accompanying stories, storage, filing, labelling and categorisation;
- embedding First Nations perspectives in the management of **ICIP** and **ID**, including archiving, access and security, and integrity;
- ensuring all staff at the University commit to an ongoing journey of cultural literacy, familiarising themselves with this Protocol, and being courageous to ask questions when appropriate.

Secrecy and Privacy

First Nations peoples have rich and continuing cultures that have been practiced from time immemorial. First Nations peoples have a sovereign right to practice their cultures and to keep secret their sacred and ritual knowledge in accordance with cultural protocols within community and clan groups. Additionally, First Nations peoples have a right to keep their personal information private. The University acknowledges the importance of this continued practice, and further facilitates this through protection of their confidential information and privacy.

Embedding **Secrecy and Privacy** within University practice looks like:

- not enquiring, commissioning, licensing or making public, secret or sacred information without clear, written consent;
- ensuring cultural protocols are respected and applied to **ICIP** and **ID**, including taking into account gender considerations;
- not engaging with, or storing, information that is identified as secret or sacred, without the express consent and direction of First Nations peoples with cultural authority, and ensuring any such engagement is handled with sensitivity and care;
- appropriate warnings, notices, labelling, storage, conditions and processes for sensitive or private material;
- ensuring private information is kept private.



Attribution

First Nations peoples have a right to be attributed for, and in relation to, their **ICIP** and **ID**. This attribution is in addition to the attribution legally required under the Copyright Act. This Protocol will ensure that First Nations peoples are attributed in a way that is meaningful to community. The University will facilitate the right to not be attributed when directed by community. This may apply to research, projects, reports and outcomes expressed at the University.

Embedding **Attribution** within University practice looks like:

- acknowledging First Nations peoples and communities for their engagement, contribution, and role in relation to sharing their **ICIP** and **ID**;
- consulting with First Nations people(s) to ensure attribution is correct and appropriate, including to attribute Ancestors and Country;
- facilitating the right to not be acknowledged as an **ICIP** and **ID** holder, and author or co-author, if this is requested by First Nations people;
- observing cultural protocols, including around deceased persons, which requires ongoing relationships and maintaining records, to update attributions where appropriate.

Benefit-Sharing

The University acknowledges that there is a history of theft and misappropriation of First Nations peoples' **ICIP** and **ID**. The University seeks to change this dynamic by ensuring that First Nations peoples benefit from the activities of the University. The University facilitates this by acknowledging that benefit-sharing can be a combination of monetary or non-monetary benefits as negotiated with community. This includes for First Nations peoples engaging with the University and conducting Welcome to Country or Acknowledgement of Country, through collection, access, use and storage of their **ICIP** and **ID**.

Embedding **Benefit-Sharing** within University practice looks like:

- providing opportunities for engagement of First Nations services, consultants, contributors, researchers, students, mentors and mentees;
- ensuring First Nations peoples are compensated for their engagement, wisdom, time and **ICIP** and **ID** through appropriate benefit-sharing;
- consulting and negotiating with First Nations peoples on what the appropriate benefit-sharing should be;
- acknowledging that benefit-sharing can be monetary or non-monetary, or a combination of both;
- working with businesses that are legitimately First Nations owned and/or controlled, and avoiding working with 'black cladded' businesses:
 - » 'Black cladding' is when a business claims to be a First Nations business but has little to no substantive ownership, leadership, or decision-making by First Nations peoples.⁵

⁵ A business may engage in black cladding to gain access to Indigenous procurement contracts, acquiring First Nations identified opportunities in place of legitimate First Nations businesses. Supply Nation, the peak organisation for registering Indigenous businesses, defines an 'Indigenous business' as a business that is at least 50% owned by an Aboriginal or Torres Strait Islander person(s). See: Supply Nation. (2024). *Black Cladding*. Retrieved 25 February 2025 from <https://supplynation.org.au/about-us/black-cladding/>

Maintaining First Nations Cultures

First Nations peoples and their cultures are not ancient, lost or static, but living and ongoing. Measures need to be taken to ensure culture is maintained, revitalised and advanced. First Nations peoples have an obligation to ensure generational succession and practice of their cultures. The University acknowledges this through its engagement with First Nations peoples and in relation to their **ICIP** and **ID**. The University ensures that First Nations perspectives and participation are present in all matters that affect them or are about them and their cultures.

Embedding **Maintaining First Nations Cultures** within University practice looks like:

- First Nations peoples having a greater say, control and autonomy in relation to the collection, access and use of their **ICIP** and **ID**;
- ensuring engagement with First Nations peoples and their **ICIP** and **ID** has a positive impact;
- only using **ICIP** and **ID** for the purposes agreed by First Nations peoples, and obtaining **FPIC** for any additional uses;
- educating staff, students, partners, and the wider public in appropriate engagement with First Nations peoples and **ICIP** and **ID**;
- to the extent possible, ensuring third parties don't misuse or misappropriate **ICIP** and **ID**, and seek **FPIC** for use.

Recognition and Protection

While there is no singular law which can be used to protect **ICIP** or **ID**, the University acknowledges that international best practice and Australian law, contracts, protocols and policies should be used to recognise and protect **ICIP** rights and **ID-Sov**. The University does this through proactive practices such as developing this Protocol, amending its contracts to ensure appropriate protection of **ICIP** rights and **ID-Sov**, and through awareness and education campaigns to advance First Nations rights.

Embedding **Recognition and Protection** within University practice looks like:

- recognising **ICIP** and **ID** for its cultural, social and community value and significance;
- ensuring protection of **ICIP** and **ID** in line with this Protocol, best practice, leveraging existing legal frameworks, and entering into legally binding contracts;
- raising awareness and advocating for First Nations rights in relation to their **ICIP** and **ID**.

Image (right): Judy Watson, *djuguma*, (2020), Susan Wakil Health Building, Camperdown Campus. "Djuguma is the local name for the dilly bag made by female ancestors and used in this Country to collect and carry. This artwork pays homage to the important role of Aboriginal women who gathered food and bush medicine to feed, nurture and heal their communities. We have survived because of the efforts of our mothers, aunties, sisters, grandmothers and theirs before them."



5. The Protocol

5.1 Embedding Protocols

The University undertook a gaps analysis, leading to **Four Focus Areas** (see [Figure 1](#)) that underpin this Protocol.

This Part looks at how the **Four Focus Areas** can be operationalised practically across key areas of the University. It is intended that the Protocol be used as overarching guidance for academic and professional units to tailor more detailed local implementation plans to their specific needs and aims.

[Figure 5](#) (on page 31) details how each of the **Four Focus Areas** have been set out into **Actions**. The next part sets out ways that these actions can be achieved. It also details how the University presents itself and engages externally (looking outwards) and how the University reflects internally with its staff and processes (looking inwards), when working with First Nations peoples, their **ICIP** and **ID**. This shows the University's ongoing reflection process of looking inwardly and outwardly, which are interconnected. Through holistic implementation of this Protocol the University sets a benchmark for best practice engagement with First Nations peoples, their **ICIP** and **ID**.

5.2 Looking Outwards

5.2.1 Free, Prior and Informed Consent

The foundation of best practice for engagement and consultation with First Nations peoples is Free, Prior and Informed Consent (**FPIC**) as set by the **UNDRIP** and enshrined in Article 19 [44].

The University commits to **FPIC** in all its work with and about First Nations peoples:

- Free** Granted without coercion or manipulation.
- Prior** Obtained in advance of any activities commencing.
- Informed** Giving all the relevant facts about how First Nations people's perspectives are embedded and for what purposes **ICIP** and **ID** will be collected, accessed or used; and ensuring First Nations people are informed of relevant risks and benefits.
- Consent** First Nations peoples provide their consent at the beginning of any engagement and throughout the course of activities that involve **ICIP** and **ID**. This may even include after the conclusion of the engagement. First Nations peoples are open to withdraw or amend consent. The University circles back in the future to check ongoing consent.

Historically, universities and non-Indigenous research organisations and institutions of learning have created, collected and held information about First Nations peoples without their consent or control. Sometimes, consent has been initially given, but does not relate to where the information has eventually ended up, or how it has been used. This is problematic because it means the authenticity and integrity of First Nations cultures, heritage and **ICIP** and **ID** is put at risk. This further affects the cultural rights of First Nations peoples by potentially altering the interpretation and maintenance of culture, directly impacting the rights of First Nations peoples under the **UNDRIP**.



Figure 5: Embedding Protocols at the University of Sydney ©Terri Janke and Company 2025

The University commits to upholding **FPIC** in all its affairs, to ensure that First Nations peoples have self-determination of their **ICIP** and **ID**.

The University will obtain **FPIC** from the Traditional Owners of **ICIP** and **ID** when:

- using, representing, reproducing, adapting or otherwise engaging with **ICIP** and **ID**; and
- engaging, consulting and/or working with First Nations peoples in relation to **ICIP** and **ID**.

The University is regulated by ethics frameworks in research and academic projects. Consent is a significant consideration in human research. However, not all standards of ethics in practice meet the standard of **FPIC** under the **UNDRIP**.

In October 2020, AIATSIS published the [AIATSIS Code of Ethics for Aboriginal and Torres Strait Islander Research](#) (the **AIATSIS Code**) [1]. This is the leading framework for research and ethics when working with First Nations peoples. The [National Statement of Ethical Conduct in Human Research 2023](#) [26] stipulates that researchers planning to do any type of research involving Aboriginal and Torres Strait Islander peoples must follow the AIATSIS Code.

In 2021, the University, in collaboration with AIATSIS and the University of Queensland, designed an e-learning module titled Core: Ethics for Aboriginal and Torres Strait Islander Research. This is available to staff and students on Workday and Canvas. The comprehensive module explores ethical practice for Aboriginal and Torres Strait Islander research, and is designed to help staff and students prepare and shape research to meet national standards; safeguard Aboriginal and Torres Strait Islander communities and knowledges; and increase the likelihood of obtaining ethics approval.

This Protocol commits the University to applying the AIATSIS Code across its research projects. All projects with and about First Nations peoples should be assessed through the lens of the AIATSIS Code. The AIATSIS Code also provides guidance for considerations of **ID-Sov**.

The University commits to upholding **FPIC** in all matters with and about First Nations peoples. This includes not only projects that are going through formal ethics committees, but in all matters of University life. Refer to [5.3.5 Ethics](#).

The University engages with First Nations peoples across a wide range of activities. Beyond ethics, **FPIC** must be obtained for:

- collection of data and personal information;
- use of existing resources;
- photographs and recordings;
- stories;
- language;
- artwork & design;
- songlines;
- access to or excursions on Country;
- cultural mourning protocols.

If **FPIC** is not provided, or is withdrawn, do not use the **ICIP** or **ID**.

It is the responsibility of all staff to:

- build and maintain ongoing relationships with First Nations **ICIP** holders to enable ongoing consent;
- check that the scope of the original consents given is not exceeded;
- discuss copyright ownership and licensing with First Nations peoples, including respecting [moral rights](#);
- respect self-determination and empower First Nations peoples and community bodies by recognising their rights as owners of **ICIP**, and having the right to control data.

5.2.2 How to Engage with First Nations Peoples to Seek Consent

First Nations peoples have the right to **FPIC** for any matters that affect them.

This Part sets out a process that will:

- a) help stakeholders identify who they should speak to during engagements; and
- b) how to go about implementing **FPIC**.

Internal research should first be undertaken to seek those who may be appropriate to speak with about engagement with community, **ICIP** and **ID**. This demonstrates respect as stakeholders have taken the initiative and tried to understand who should be engaged and consulted with.

Reciprocity is important as reciprocal relationships are a part of First Nations cultures – thinking, being and doing. It is important to think firstly about:

- why do I want to engage with First Nations people(s) and their culture(s)?
- is it appropriate to do so?
- how will I ensure this activity is First Nations-led or co-designed?
- what do First Nations people(s) gain from this?
- what can I give back?

[Figure 6](#) displays individuals and groups that may be engaged with:



A Coordinated Approach

First Nations peoples and communities can experience consultation fatigue, particularly when they are experts in their field. Many people and organisations may approach them for their time and advice. This becomes more challenging when many people are approaching them about the same thing. Even though this comes from goodwill, it can put undue pressure on First Nations peoples. This is called **consultation fatigue**. This becomes more problematic when time and effort is not compensated. It is important that benefits are shared with contributors.

The University is a large organisation, spanning researchers, teachers, students, executive leadership, higher education providers, governance and audit units, faculties, schools, libraries, museums and galleries, centres and institutes of academic excellence, and strategic, engagement, operations and legal services. This creates a risk of different areas duplicating consultation efforts and contributing to consultation fatigue.

The University commits to a coordinated approach, to prevent consultation fatigue, and unnecessary duplication. The University will do this by keeping internal records about who is consulted, by whom, what the consultation is about, and what permissions have been granted.

Figure 6: *Individuals and Groups to Engage With* © Terri Janke and Company 2025

All professional and academic units will be responsible for keeping a record of consultations with First Nations peoples in efforts to establish meaningful and longer-term relationships and partnerships. These records should be shared with DVC-ISS, who will compile a University-wide log that can be accessed by staff. This will ensure that efforts are not duplicated.

Remember that when the University consults First Nations peoples and communities, **FPIC** must be observed at all times. This means that any information shared by First Nations peoples with the University is only shared for specific purposes or reasons. This will have limitations.

It is important not to assume that information which has been given in a certain context is applicable to different contexts; or that consent covers use of that information in different ways. In most cases, if stakeholders and units are seeking to use information already shared with the University, but in a different context, there will need to be a 'circle back' to the contributors to re-consult and negotiate use for the new purpose.

This approach also supports building longer-term relationships.

Units should commit to keeping records of what consultations have occurred in their area, and support others to create a coordinated approach and community of practice which does not infringe on **ICIP** and **ID**.

How do I know who to speak to?

It is best to use current internal relationships, to the extent possible, to build further relationships.

It is a careful balance that the University will need to maintain between deepening current relationships, building new relationships, and not overburdening certain contacts with consultation fatigue. Some strategies may be as follows:

- prioritise approaching people in positions where consulting on First Nations perspectives is within their job description – for example, going through DVC-ISS;
- working with First Nations peoples/bodies the University already has engaged with, when the engagement is for the purposes of consulting on First Nations perspectives;
- if seeking to work with a colleague, ask if they would be willing to take on additional duties for extra compensation.

If you have exhausted all internal options and still don't know who to speak to, Local Aboriginal Land Councils and Representative Bodies are a good first point of call. Again, local contacts are advised first. Organisations with grassroots Aboriginal governance structures may also be able to provide extremely valuable help. Such organisations include Aboriginal Community Controlled Health Organisations (ACCHOs), Aboriginal Education Consultative Groups (AECGs) and incorporated Aboriginal organisations focused on the arts and cultural maintenance, such as Keeping Places and Cultural Centres.

For Land Councils in New South Wales, you can find contact information from the NSW Aboriginal Land Council. A list of all the Local Aboriginal Land Councils in NSW and their contact details can be found on their website [21].

ACCHOs across Australia can be found using the National Aboriginal Community Controlled Health Organisation's (NACCHO) search function, available on their website [20].

Information about the NSW AECG can be found on the NSW Aboriginal Education Consultative Group Inc.'s website [22].

Information about NSW Aboriginal Keeping Places and Cultural Centres can be found on the NSW Government's Arts and culture webpage [23].

The University has reach all over Australia. At times it may be appropriate to engage with First Nations peoples and organisations outside of local areas.

Please note that not all areas in Australia have a land council, so it may be necessary to contact other representative bodies, including Prescribed Bodies Corporate or Native Title Groups. You can find further information on the Prescribed Body Corporate website [28].

When speaking or consulting with First Nations representatives, it is best practice to ask, ***"Who else should I speak to?"*** This will help identify additional stakeholders.

Image (right): Garawan Wanambi, Totem poles, 2020, Regiment Building, Newtown. The artist is a Marrakulu clansman, who lives and works in Gangan, Northern Territory.



What is involved in FPIC?

The following information should be provided to First Nations peoples in plain English, and in a way that is understandable:

Why	Who	How
<ul style="list-style-type: none"> - Why is this project being undertaken? - Why is the project relevant for the affected First Nations people or communities? - Why should they consider being involved? 	<ul style="list-style-type: none"> - Who is involved? - Who are the First Nations leaders? - Are there other communities involved? - How do we ensure First Nations design? 	<ul style="list-style-type: none"> - How will IP, ICIP and ID-Sov be respected and protected? - How will First Nations people be engaged and empowered in this project? - How will this project involve collaboration and co-design with First Nations people? - How can First Nations people withdraw consent in the future? - How is ICIP and ID going to be used and shared?
What	When	Where
<ul style="list-style-type: none"> - What is the project about? - What is the proposed engagement with First Nations people? - What is the proposed collection, access or use of ICIP or ID? - Is there broader sharing? - Will there be any commercial aspects? - How might others perceive the ICIP or ID? - What are the risks and benefits to First Nations peoples and communities in giving consent? - What opportunities are there for mutual benefits? - Does the community have other ideas for mutual benefits? 	<ul style="list-style-type: none"> - When will the project start? - How long will it run for? - How long will lasting relationships be built to be able to address future issues as and when they arise? 	<ul style="list-style-type: none"> - Which communities are affected by the project? - Are there multiple communities being consulted?

Figure 7: What is Involved in FPIC? © Terri Janke and Company 2025

The best way to obtain **FPIC** is with a consent form. Consent forms should be written in plain language that is, to the greatest extent possible, easily understandable to project contributors or consultants. Consent forms should clearly outline:

- all details and proposed aims of the project;
- ownership of **ICIP**, **ID**, and **IP**; and
- all proposed uses of **ICIP**, **ID**, and **IP**.

The University should keep records of consents sought and obtained, and information and correspondence relating to consent processes. This information should be stored with the project materials and/or be appropriately accessible to University staff and project contributors.

While consent forms are best practice, where it is not possible to get written consent the University may obtain **FPIC** through alternative methods. Clear records of the consent process must also be kept in all instances.

5.2.3 Respectful Engagement

The University is committed to engaging with First Nations peoples and their **ICIP** and **ID** in respectful ways. This includes gaining an understanding of First Nations practice of the following cultural protocols:

Going on Country

University staff and students may seek to go on Country for all kinds of projects. It is important that the University seeks permission and follows cultural protocols.

Respect and care for Country is an important part of First Nations peoples' cultural practice – Country must always be respected by its custodians and visitors. Country extends beyond rural, regional and remote contexts and includes all lands on which we live, study and work. 'Country' not only refers to the lands, seas and waterways, skies, plants and animals of the geographical areas communities have cared for since time immemorial, it also includes the spirituality and lore which governs community and Country. Country may not always be a physical place; Country is living and carries obligations for First Nations peoples.

There may be circumstances through research, projects and events that the University will visit Country (other than those where campuses are situated) to observe, study and seek to collect resources. In this context, this may involve 'going on Country'. When doing so, the University must ensure that:

- the University does not visit Country without first obtaining consent to do so from the relevant First Nations community. Ideally consent should be in writing;
- access has been given for the specific areas and times that the University wishes to attend;

- the process for going on Country has been clarified and whether certain protocols must be observed;
- there is clarity around the obligations and responsibilities when going on Country, such as whether cultural burning is taking place, whether areas can be filmed or photographed, and whether resources can be taken;
- there is clarity about what can be collected and recorded on Country or about people, places or practices, and what can be accessed and used off Country by whom and for what purposes;
- a First Nations person is employed to guide the University when visiting Country, to ensure compliance with cultural protocols and responsibilities;
- once on Country, the University observes sustainable approaches and practices, such as ensuring projects are environmentally, culturally, socially and economically sustainable;
- information which is learnt and gathered from Country is with **FPIC**, including how material is collected, housed, stored, archived, made available or returned to the First Nations community. Consideration should also be given to how current and future generations of First Nations peoples can access the material;
- ensure there are processes in place for current and future staff of the University to maintain ongoing **FPIC** and relationships.

Cultural Authority

Cultural authority means when a person or organisation is entrusted by their community and/or language group to safeguard, share, speak on and make decisions about **ICIP** and **ID**, or more broadly, to speak for Country. An individual may have cultural authority by virtue of their position in a community or through initiations. An individual's position in a community may be that they are a respected member of that community, or that they possess knowledge that others do not.

When engaging with First Nations peoples around the use of **ICIP** and **ID**, it is the responsibility of those engaged to ensure they have the cultural authority to provide consent for the use of **ICIP** and **ID** by the University. However, it is good practice for the University to ask whether this cultural authority is present. Deciding on who has cultural authority is not a matter for the University, and should be guided by community. The University should be seeking confirmation that a person has cultural authority on the matters at hand, via the licence agreement. Refer to [5.2.2 How to Engage with First Nations Peoples to Seek Consent](#) for more information on who to engage with; and [5.3.7 Contractual Arrangements and Cultural Consents](#).

Where **ID** is the personal information or sensitive information from an individual, this consent must be sought directly from the individual whose information it is.

Leadership, Co-design and Collaboration

Ensuring First Nations leadership, co-design and collaboration is a key component of empowering self-determination. Self-determination is not possible without First Nations leadership. University projects, events, and practices which involve First Nations peoples or their **ICIP** and **ID** must enable First Nations leadership and incorporate co-design and collaboration from inception and throughout.

This Protocol reinforces the University's commitment to empowering First Nations peoples as the decision makers of themselves and in relation to their **ICIP** and **ID**.

Genuine leadership means First Nations peoples having control, influence, and decision-making power on what a project is, what it looks like, what objectives it is intended to achieve, and how it is evaluated and potentially reframed. Co-design is a collaborative approach that involves partnerships with First Nations peoples and communities to be empowered to create approaches, solutions and outcomes. Co-design is also an important practice of **FPIC** and respecting the rights of First Nations peoples. Collaboration involves ensuring First Nations peoples are not only engaged as cultural advisors or at the beginning of a project, but instead First Nations peoples are authentically and respectfully engaged throughout a project.

Promoting leadership, co-design and collaboration within the University ensures an authentic and culturally appropriate approach to engagement with First Nations peoples and their **ICIP** and **ID**. This empowers First Nations peoples to provide input and direct University projects and practices.

To implement a co-design approach, the University should:

- ensure staff and students consider why they want to engage in a project that involves First Nations peoples, their **ICIP** or **ID**, and whether it is appropriate;
- be guided by First Nations peoples in project development and confirm that it aligns with community values and needs;
- understand how the First Nations community defines self-determination;

- ensure that First Nations peoples have leadership roles and influence in the project, and continued and active involvement in all stages of the project;
- ensure those working on projects with First Nations peoples are, and feel, culturally competent;
- commit to building longer-term relationships with the First Nations community based on awareness and trust;
- continuously check whether there is **FPIC**;
- have open and transparent dialogue with the First Nations community, which includes a free flow of information and knowledge between the University and the First Nations community;
- ensure that First Nations peoples share in the benefits of the project and for their involvement;
- ensure First Nations peoples are involved in the outcome and future iterations of the project, including publication and commercialisation.

Secret and Sacred Information

Note that it is possible that secret or sacred information may be shared with the University, or that the University already holds secret and sacred material. It is crucial that the University ask if there is any information that should not be shared more broadly, or has any restrictions attached to it.

Mourning Protocols

First Nations peoples have unique and sensitive customs with respect to deceased persons and mourning. In many First Nations communities, the reproduction of names, images, recordings and likenesses of deceased persons is not permitted during the mourning period, and sensitivities around use of names or images can remain long after. The protocols across communities can vary quite significantly.

To engage with First Nations peoples in a culturally appropriate way, the University should discuss any mourning protocols that may be relevant with the First Nations peoples it engages at the outset of engagement. It is good practice to ask First Nations peoples how they would like their names, contributions, **ICIP** and **ID** to be used in the event of their passing. The University should also ask contributors to nominate a next of kin that can be contacted in the event of their passing, to provide consent on any continued use of the deceased person's name, likeness, contributions, **ICIP** or **ID**.

Sorry Business

First Nations peoples are community-focused, not individualistic. This means when someone dies, the loss impacts whole communities. This extends to the wider kinship networks, through which the concept of immediate family also includes cousins, second cousins, Aunties and Uncles. Cultural mourning periods and practices are referred to as 'Sorry Business'.

While Sorry Business is taking place, work, meetings or projects may be put on hold. There is no definitive length of time where Sorry Business may take place. The University will respect any Sorry Business that occurs when engaging with First Nations peoples and their **ICIP** and **ID**. This may mean deadlines need to be paused or extended.

Sensitivity Notices

Sensitivity notices can be used to ensure that **ICIP** and **ID** materials are managed, accessed and used in accordance with cultural protocols and considerations. There are many types of sensitivity notices, such as:

- **ICIP** and **ID** notices inform viewers/readers that the content includes **ICIP** and/or **ID**, which may include details on how the material can be used;
- cultural sensitivity notices advise the viewer/reader that the material contains depictions which may not be considered appropriate today;
- gender notices advise of any gender restrictions on the access of the **ICIP** and **ID** material, where it may be women's business or men's business;
- Traditional Custodian's Notice acknowledges the origins of **ICIP** and **ID**, and details permission to include **ICIP** and **ID** in the material, obtained from community.

As part of the University's rights management practices, these notices can be put online, as labels on records and on written material. They may provide specific guidance on how the **ICIP** or **ID** material, granted by the First Nations community, can be used. The University can include a relevant sensitivity notice in relation to **ICIP** or **ID**, which may be developed in collaboration with a First Nation community or communities (in respect of their **ICIP** or **ID** material).

You can find additional examples of notices at [Appendix 3 - Tools](#) and on the [AIATSIS website](#) [2].

5.2.4 Visibility of First Nations Cultures

Naming and Placemaking

The University has the opportunity to attribute First Nations peoples, cultures and Country in many ways. The University is on a continuous journey celebrating First Nations peoples, their truths and cultures, in the literal and spiritual fabric of the University. This means that First Nations peoples and their works must be attributed in placemaking.

The kinds of people and businesses that must be attributed are:

- contributors to projects and initiatives;
- architects, designers;
- artists, photographers and creators;
- families or communities who are the custodians of communal knowledge or stories;
- people quoted or interviewed;
- people recorded in photographs and films;
- organisations, such as Aboriginal Land Councils, ACCHOs, AECGs and cultural centres;
- senior knowledge holders, language and cultural;
- authorities who have given permission for knowledge to be used, including Elders;
- writers.

Artworks, sculptures, and facilitation of design concepts involving **ICIP** and **ID** will be commissioned throughout the University and in projects. These kinds of works present an opportunity to attribute and uplift the relevant artists, knowledge holders, custodians and contributors.

Appropriate attribution may include an accompanying story to provide appropriate context and information about the **ICIP** and **ID** incorporated. This enables control by the custodians over the interpretation of the work, maintaining its integrity, and protecting **ICIP** for further generations. It is also possible that custodians may not want any accompanying stories or information to be included. Custodians should be consulted about the inclusion of any such accompaniments and their wishes should be respected and honoured. Start by inquiring with the artist/creative as to whether there are cultural consents that need to be sought from the relevant community(s). Refer to [5.3.10 Referencing and Citation](#) for more information on citations.

Using Language

Language is crucial **ICIP** for story-telling, communicating and continuing culture. In this case, we refer to language in **written** and **spoken** forms including:

- naming of a place or thing – a location, building, sculpture, or other tangible thing;
- art pieces and installations – their names, descriptions, stories and symbolism;
- Welcomes to Country and Acknowledgements of Country;
- sounds, songs and dance;
- project planning, marketing material, signage or other written materials associated with the project.

When using First Nations language to name tangible or intangible University assets, refer to the University's [Aboriginal and Torres Strait Islander Naming Policy 2025](#) [34]. Often when language is used in these ways, there is both a First Nations language name, accompanied by a non-Indigenous name and an explanation of the language or story.

First Nations peoples have the right to revitalise, safeguard, maintain and protect languages. These are **ICIP** rights, as established in Article 31 of the **UNDRIP** [44] (see [1.2 Implementing ICIP Rights in Practice](#)).

The University can play a supportive role in empowering the maintenance, protection, and revitalisation of language through its infrastructure and design. It should first be considered whether using a local language word is possible. It may not always be appropriate to use the languages of other groups in certain areas. This is why it is important to seek **FPIC** before any use of language. Depending on the context, objectives, and the story associated with how the language sought is to be used, it may be appropriate to use language from First Nations communities outside the local area.

Spellings, definitions, interpretations and pronunciations must be correct, to ensure that language is being maintained and used properly, with permission. Clarifying accuracy and authenticity is a part of True Tracks® principles, and upholding **FPIC**. Permissions must be obtained, and maintained, for any use of the language.

The particular spelling given by a person or community should be followed. However, inconsistencies may arise amongst different people and groups. Use the most commonly used spelling, clarified via research and consultation with relevant First Nations peoples.

First Nations names for places should be used as much as possible. This enhances the visibility of First Nations sovereignty over lands and waters, and of the original custodians and Ancestors.

In line with maintaining and protecting cultures, the University will enter into licence agreements with custodians for any use of language. This is particularly important where there is a proposed commercial use. Benefit-sharing via the licence agreement is crucial. You can find more information about licensing at [5.3.7 Contractual Arrangements and Cultural Consents](#).

The University Being a Leader

Advocacy supports staff and students to feel seen and heard by the University. The University should undertake the following steps to guide its advocacy regarding First Nations issues:

1. liaise closely with First Nations peoples and communities to understand how the University can best advocate for First Nations peoples – including whether this is public, private, when and how;
2. take time to understand key issues and nuances – do not rush in just because you feel passionate about a subject;
3. take time to consult widely with First Nations peoples and communities – noting that First Nations peoples and communities can vary significantly in their goals, views and aspirations, and may have quite different views on subjects;
4. remember that while advocacy is well-intended, it is worth taking time to tread carefully to ensure any advocacy is well-timed, nuanced and respectful;
5. take seriously its role as a leading education institution, to lead by example and educate third parties about **ICIP** and **ID**, its position on **ICIP** and **ID**, and support external parties to develop their own understandings of **ICIP** and **ID**.

Philanthropy

The University engages in philanthropic campaigning and gratefully receives donations from many individuals and organisations to advance research, address some of the world’s challenges, and provide pathways to students and staff. With this comes great opportunities.

The University can continue to enhance its reputation with partners and sponsors by proactively protecting ICIP and ID in agreements, around philanthropy and gifts.

The University defines sponsorship as a partnership with a company or organisation that offers financial support in return for promotional opportunities or increased visibility [41].

The University commits to the following principles for sponsorship, including embedding the True Tracks® principles, specifically:

1. benefit-share with First Nations peoples, which includes aligning with the needs and goals of First Nations communities;
2. build capacity of First Nations peoples and communities;
3. provide opportunities for young people;
4. think of sustainable long-term aims;
5. establish partners in sponsorship and philanthropy.

Sponsorships and Philanthropy

What the University currently does	What the future of the University looks like
Advisory group	First Nations partners and leaders, working with University teams and decision makers.
Consulting	First Nations project lead or partner.
Informant	Copyright owner.
Multi-year funding agreements	Longer-term strategy and relationship building, working with First Nations service providers.

Image (right): Uncle Leslie McLeod performing a Welcome to Country for National Reconciliation Week 2021, Camperdown Campus.



5.3 Looking Inwards

The University is a collector, holder and in some cases custodian of **ICIP** and **ID**, and has a responsibility to protect **ICIP** and **ID** within its sphere of influence. The University is committed to driving best practice in how it considers, approaches and works with First Nations peoples and their **ICIP** and **ID**, improving past legacies of research conduct and University practices.

5.3.1 Welcome to and Acknowledgement of Country

Welcomes to Country and Acknowledgements of Country shows a respect for the ongoing cultural and spiritual connections First Nations peoples have to Country as the Traditional Owners and custodians of the lands and waters they have cared for since time immemorial. It is important to note that a Welcome to Country is different to an Acknowledgement of Country.

A **Welcome to Country** should only be given by a person or organisation who:

- has cultural authority to do so;
- is recognised as a Traditional Owner or custodian, having linkages to the clan or language groups of the relevant Country; or
- has been granted permission by Traditional Owners or is permitted by customary law to give a Welcome to the relevant Country.

When inviting an Elder or Traditional Owner to give a Welcome to Country, they should be paid and/or compensated for this service.

An **Acknowledgement of Country** may be given by any person. Acknowledgements do not always need to be delivered in the same way or using the same words. The most important thing is that the acknowledgement is authentic and sincere, showing a genuine appreciation for the custodianship of Country that has taken place over thousands of years and continues today. When giving an Acknowledgement of Country, it may also be important to be sensitive to any days of significance to First Nations peoples as well as First Nations Elders, leaders, and persons of seniority present.

The University may use Welcomes to, and Acknowledgements of, Country in University events, to open meetings, in publications, written materials, videos, emails, or any other medium where it may be appropriate.

5.3.2 Colonial Load

Colonial load refers to when First Nations and culturally diverse persons in work, social or educational contexts are unreasonably relied on for duties relating to cultural matters. First Nations peoples can often be asked to speak for, or act on, all things First Nations-related. This may occur even when it is not part of their job description, when they are not being paid for these additional duties, and when it is about cultural matters they may not feel comfortable speaking about. This can place an unfair burden on First Nations peoples. Colonial load also places more responsibility on certain staff than others, which disadvantages them in terms of career progression and burn-out.

Note that this concept of colonial load has also been referred to as 'cultural load'. This Protocol uses the term 'colonial load' to reflect an emerging shift in language. Culture is a strength for First Nations peoples, and it is not culture that causes strain or distress, but rather the pressures of working within colonial systems. The shift from the term 'cultural load' to 'colonial load' more accurately articulates the concept and appropriately frames culture as a strength.

It is common for non-Indigenous people to unwittingly place colonial load on First Nations peoples, based on unconscious biases and stereotypes. This may occur unknowingly and may not be intended. Placing colonial load can also be considered discrimination, or a microaggression.

This is not to say that First Nations peoples should not be asked to be involved in First Nations matters. First Nations peoples are the experts on their experiences and are best suited to speak to First Nations topics. However, there is a nuance between engaging them on cultural matters respectfully and burdening them with colonial load.



Ensuring that a colonial load is not placed on First Nations peoples involves increasing representation in all parts of the University and continuing to build cultural competency amongst non-Indigenous staff. This means not making the following assumptions, based on someone identifying as a First Nations person:

- that it should always be their job to do an Acknowledgement of Country or facilitate or provide a Welcome to Country;
- that they want, or it is their job to, do more culturally related work on top of their job;
- that it is their job to consult their community, or other communities, and it may not be appropriate for them to do so;
- that they want to be in an identified role, or that First Nations peoples can only occupy identified roles. Realistically, identified roles exist to specify where lived experience and perspectives are helpful for that job. However, there are many reasons why First Nations peoples may not want to occupy identified roles. The University is committed to improving representation, and this is not limited only to identified roles.

Structurally, the University commits to job design that specifically includes cultural and engagement activities reasonably within set job descriptions, to prevent undue colonial load on certain peoples. The University's [Indigenous Workforce Plan 2025-2032](#) [13] commits to recognise colonial load. [The Enterprise Agreement 2023-2026](#) [42]

...recognises that the additional cultural [colonial] load undertaken by Aboriginal and Torres Strait Islander staff on behalf of the University enriches the institution and its commitment to empowering Aboriginal and Torres Strait Islander staff and communities.

The University is therefore exploring options to substantiate this recognition via remuneration or other means.

5.3.3 Working with ICIP and ID in Curriculum

Curriculum in the University will reflect the strength, resilience, diversities and unique perspectives, knowledges and experiences of First Nations cultures. An Indigenous Curriculum Design Team has been established to support the inclusion of **ICIP** and **ID** in the curriculum. It is intended that local Protocols be developed for curricula.

The University commits to:

1. obtain **FPIC** and permissions of First Nations peoples to include **ICIP** and **ID** in curriculum;
2. provide opportunities for First Nations peoples to teach and educate staff and students on their **ICIP** and **ID**;
3. attribute source communities;
4. enter into legally binding agreements so **ICIP** and **ID** remains legally protected and owned by Traditional Custodians;
5. observe cultural protocols, including when Traditional Custodians pass away;
6. benefit-share with source communities, including remuneration;
7. lead by example and encourage students to observe this Protocol.

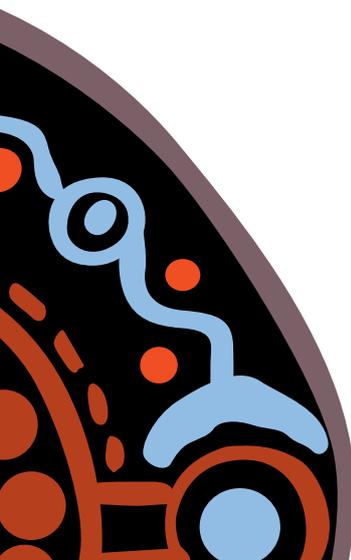
In addition to respecting cultural protocols and customary law, curriculum development must abide by copyright law considerations. You can find more information on copyright licensing at [5.3.7 Contractual Arrangements and Cultural Consents](#).

5.3.4 First Nations-led Research

Universities typically have colonial and western led frameworks for research. The University is committed to First Nations-led research.

First Nations-led research is made possible when First Nations students, staff and communities have opportunities to drive their own research, and when ideas are heard and supported. First Nations students and staff must have clear pathways and support to drive their own research.

The University commits to First Nations-led research across the University. Where First Nations-led research is not yet possible, this should be seen as an opportunity to provide more pathways to students and staff to do so. This is an opportunity for the University to be guided by First Nations peoples in supporting pathways for First Nations-led research.



Pathways can be continuously improved by:

1. entry level First Nations identified positions;
2. entry level positions that are not only First Nations identified;
3. mentoring and coaching;
4. informal and formal pathways from communities and secondary schools;
5. First Nations peoples in positions of leadership, decision-making and influence;
6. appointments of First Nations peoples into interim and secondment high-level positions to increase visibility and capability.

Attracting First Nations peoples to the University is the first step. However, First Nations peoples in typically colonial organisations may not always stay in roles in the longer term due to colonial load, racism, unconscious bias, and lack of support and cultural competency. The University is committed to attracting and retaining First Nations peoples. Retention of First Nations peoples is achieved by maintaining a culturally safe, culturally competent and supportive workplace. Retaining First Nations peoples to lead research ensures authenticity and integrity, reinforcing the University's commitment to best research practice.

Practical actions to support First Nations-led research include:

- co-authorship;
- development of a Protocol for specific project(s);
- maintenance of **IP**, **ICIP** and **ID** Project Register;
- research, Collaboration and Participant Agreements incorporating **ICIP** and **ID**;
- updating the University's Indigenous Research and Innovation Strategy, with faculties and schools developing their own complementary strategies;
- development of Cultural Consents for collection, access and use of **ICIP** and **ID**;
- ensuring community approval of what is to be incorporated in outputs including publications, reports, data;
- approval whether to proceed with commercialisation opportunities;
- access to results.

While it is important to elevate First Nations voices and self-determination in research, the University must also leverage the expertise and resources of its researchers and the University more broadly to support First Nations communities in achieving the highest quality of research outcomes whilst maintaining best practices.

5.3.5 Ethics

Ethics Committees have oversight, and influence over how research is conducted. It is particularly important that there is First Nations representation on Ethics Committees, to guide respectful engagement with First Nations peoples and their **ICIP** and **ID**.

Crucially, engagement with First Nations peoples should not only be prompted at the time when an ethics application is being made. Historically, and even recently, non-Indigenous researchers may only realise, upon applying to an ethics committee, that research about First Nations peoples requires First Nations leadership and **FPIC** **before** a research project formally commences.

It is not appropriate for a researcher to have an established project in mind, but rather to be guided and led by First Nations peoples who are best placed to identify what their community's needs and wants are. If non-Indigenous researchers are only prompted to reach out to First Nations communities retrospectively, this is tokenistic engagement, and risks degrading relationships and the University's reputation. Such results or outcomes are not true reflections of the experiences of First Nations peoples, and ultimately may be of little interest or importance to First Nations peoples. Consent should be sought prior to the commencement of any activities and should be checked across the life of a project to ensure the scope of consent has not been exceeded. (See [5.2.1 Free, Prior and Informed Consent](#) and [5.2.2 How to Engage with First Nations Peoples to Seek Consent](#) for further guidance around **FPIC** and consultation).

5.3.6 ICIP and ID incorporated into IP

The University enters into agreements regularly with partners, governments, consultants, contractors, and many more organisations and people. In such agreements there will be clauses that set out the ownership of Intellectual Property (**IP**). Because of the gaps in western laws that First Nations knowledges or oral stories are generally not protected, it is important to expressly consider the protection of any **ICIP** and **ID** in any contract.

Intellectual Property (**IP**) can incorporate **ICIP** and **ID** and it is recommended that Contractual Arrangements and Cultural Consents expressly protect them (refer [5.3.7 Contractual Arrangements and Cultural Consents](#)). **IP** applies to the results of the creativity and intellect of human beings; it includes things like copyright, trademarks, and to some extent confidential information.

Best practice is for the Traditional Owner to own or jointly own **IP** in material incorporating **ICIP** and **ID**. The University’s typical position is that it owns copyright in material created by its staff and students. However, this should not be the position when **ICIP** and **ID** is incorporated into the **IP**. The **IP** should uphold **FPIC**, and recognise **ICIP** and **ID**. The University is committed to this outcome as it strives to uphold best practice.

The key message is:
IP ownership of the University has to be considered in light of any **ICIP** or **ID**, and **ICIP** and **ID** clauses need to be added into contracts where **IP** materials incorporate **ICIP** or **ID**. The Pre-Award or Post-Award units of the Research Portfolio can assist you with this.

5.3.7 Contractual Arrangements and Cultural Consents

For the University to embed and uplift First Nations perspectives and voices throughout its many activities – education, research, services, and commissioning works – it is necessary to engage First Nations peoples as partners, educators, consultants and advisors. As discussed in [3.3 Gaps in Laws to Protect ICIP and ID](#), Australian laws do not, at the time of writing, provide express acknowledgment and protections for **ICIP** or **ID-Sov**. All contractual arrangements must therefore incorporate best practices to ensure holistic protections for **ICIP** and **ID** in University engagements with First Nations peoples. This applies to copyright ownership and licences, cultural consents and data collection agreements.

The University also has a responsibility to respect moral rights under copyright law. Moral rights under western laws include the right to attribution, the right against false attribution, and the right of integrity. These moral rights go some way to protect **ICIP** and **ID**. However, express protection in contracts of **ICIP** and **ID** is recommended – this is because the rights of First Nations peoples under the **UNDRIP** are broader and more holistic than just moral rights under current western laws.

For example, if the University seeks to engage a First Nations contributor to share knowledges from their Ancestors and data from their community to be used as research or in curriculum, the following (outlined in Figure 8) will need to be considered:



Figure 8: Contract Considerations for Engaging First Nations Peoples © Terri Janke and Company 2025

The University commits to upholding **ICIP** rights and **ID-Sov** in all agreements and contracts entered into with First Nations peoples. The University commits to obtain **FPIC** for these activities, in addition to copyright ownership and licences.

It is important to:

- discuss copyright ownership up front;
- consider commissioning projects;
- ensure **ICIP** and **ID** remains owned by the Traditional Custodians;
- negotiate ownership and licences in good faith;
- ensure detailed proposed uses, timelines, consents and permissions are included. Cross-check against the True Tracks® principles.

For example, if a First Nations person is sharing knowledge of Country with the University, that specific knowledge needs to be expressly protected in the consent form or agreement as **ICIP** and/or **ID**.

The following are some examples of where the University may seek to incorporate **ICIP** and/or **ID**:

- **Curriculum and learning resources:** materials developed for units of study, learning materials for staff;
- **Research:** research papers by academics;
- **Design (physical, graphical):** design incorporated onto clothing, prints, in artworks;
- **Infrastructure:** concepts incorporated into buildings.

Common ways that **ICIP** or **ID** may be used in these mediums includes them being written into documents, presentations, or other outputs.

Where the University seeks to include **ICIP** in film, photographs, recordings, marketing, communication, and promotional purposes, this should also be expressly set out in the licence. For example, if the University is seeking to use **ICIP** or **ID** in curriculum and this includes showing a pre-recorded short film within a lecture, the licence should seek consent to use the **ICIP** or **ID** in both of those mediums.

Some further examples on the relevant kinds of activities in which **ICIP** and **ID** may be included are:

Film, Photographs and Recordings:

- film-based case studies;
- live/pre-recorded lectures;
- images and photographs taken of people, places and practices;
- when promoting programs/courses with First Nations partner organisations;
- during events such as graduation ceremonies or orientation where cultural ceremony or dance performances are recorded. Staff may also seek to use photographs and recordings of First Nations peoples contained in existing marketing, communication or promotional purposes.

Marketing, Communication and Promotional Purposes:

- images, text, language, performances, art or designs in written materials or promotional videos.

Gifts to the University:

- when receiving philanthropic gifts, the University should refer to following this Protocol as a way to commit itself to best practice. Whether or not a copyright licence is involved in a philanthropic gift, the University should commit to protecting **ICIP** and **ID** through written or recorded consent when a project is properly commenced.

It is important to note that **ICIP** and **ID** rights do not only apply to copyright ownership and licensing. These rights should be addressed in all agreements between the University and First Nations peoples. There may also be instances where copyright ownership and licensing are not relevant, and cultural consents and/or data collection agreements will suffice.

5.3.8 Indigenous Knowledge of Staff

Identifying that First Nations staff share particular knowledge based on their inherent lived experience as First Nations peoples is important and promotes a respectful and culturally safe workplace. Knowing who to speak to in community regarding a particular project, may rise from the Indigenous Knowledge of Staff stemming from their lived experiences, connections and networking. This kind of information is not always **ICIP** or **ID**. Examples are:

- a First Nations staff member sharing their contacts, which they have grown through professional and personal networking;
- a First Nations staff member sharing their knowledge of key experts and cultural authorities on certain matters.

The University will respect the Indigenous Knowledge of Staff by following this Protocol. In practice, this looks like:

- when a staff member of the University leaves, they can ask the University to no longer use that Indigenous Knowledge of Staff if they do not want them to. The University will respect this where possible;
- personal stories may need to be withdrawn from University content;
- perspectives such as whole clan way of thinking may need to be withdrawn from projects or published documents.

This Indigenous **IP** may contain **ID** and **ICIP**, but it may not. It is important for the University to be led by any requests of the First Nations staff regarding sharing their Indigenous **IP**.

5.3.9 Existing ICIP and ID Materials

The University already holds existing **ICIP** and **ID** materials. By committing to this Protocol, the University commits to a process of truth-telling, and working respectfully with **ICIP** and **ID**. This requires a careful case-by-case approach. This section provides high-level guidance, but note that dealing with existing **ICIP** and **ID** materials can be incredibly sensitive and must be handled with great care. It is recommended that University staff seek guidance from DVC-ISS.

The University will continue to come across further **ICIP** and **ID** materials. While the types of **ICIP** and **ID** are extremely broad, some high-level examples may include:

- stories, language, anthropological records, and artworks, including when incorporated into curriculum, photographs, media, production, film, sculptures, design, architecture, signage;
- artworks in curriculum materials or corporate, procurement documents – for example, in slide decks, lectures and unit materials;
- knowledges in research projects, philanthropy or sponsorships;
- stories, language, knowledges graphics in archives and libraries, marketing and communications material;
- datasets and personal information;
- information about First Nations peoples in libraries;
- collection and archived items, including where they may not have appropriate provenance.

It is a responsibility of all University staff to question where the information is sourced from, if it is appropriate in how it is used, and is there **FPIC** to use it in this way. As outlined in the following table, when this occurs, the University should question and clarify whether:

Example	Guidance on Responding
1. The source community and information about its collection and/or incorporation in the material is known and identified, or identifiable.	Inquire internally, for example, to the relevant faculty, school or authors.
2. The resource has been created, and or provided, with the FPIC of First Nations peoples.	<p>Inquire internally as to whether there are written agreements between the University and First Nations contributors on record. Consents should meet the standards of FPIC.</p> <p>If contact details are available for First Nations contributors, contact them to ensure FPIC was granted, and is still granted. If contact details are not available for contributors, consider contacting representative organisations in the relevant First Nations community, such as a local Aboriginal Land Council. (See How do I know who to speak to? in Section 5.2.2 How to Engage with First Nations Peoples to Seek Consent.)</p>
3. The methodology is still relevant or current - if outdated, you may need to consider more recent materials.	See the University's Research Code of Conduct 2023 [39] and AIATSIS Code of Ethics for Aboriginal and Torres Strait Islander Research [1] for guidance on appropriate research methodologies.
4. There is outdated language, depictions, references or terminology, and what notices or instructions may need to be applied.	<p>See page 17 of Tui Raven's Guidelines for First Nations Collection Description [30] for guidance on culturally appropriate language.</p> <p>Note that this does not seek to rewrite or obscure past resources or the socio-cultural contexts in which they were created.</p>
5. There are First Nations voices and community perspectives empowered in the work, and attributed.	Review the materials to determine this. If First Nations voices and perspectives are absent, where possible, contact contributors or the source community for their input (see How do I know who to speak to?). Attach First Nations input to the materials.
6. There are restrictions or cultural protocols regarding access and any future use of the materials.	<p>Inquire internally.</p> <p>Check this with First Nations contributors if contact information is on record. If contributors cannot be contacted, contact the source communities (see How do I know who to speak to?).</p>
7. There is appropriate attribution.	See Attribution and 5.3.10 Referencing and Citation for guidance on how to appropriately attribute First Nations peoples.
8. The source community has access to this material.	Inquire internally to determine this. If it cannot be determined, or if access has not been granted to the source community, contact the community to offer access to the materials. See 1.2 Implementing ICIP Rights in Practice and 2.3 Implementing ID-Sov and ID-Gov in Practice for guidance on providing community access to materials.

Existing **ICIP** and **ID** materials should be viewed as an opportunity for the University to develop relationships with First Nations peoples, uphold **FPIC**, ensure that resources and materials are up to date, and that attribution is appropriate.

5.3.10 Referencing and Citation

The University follows many styles of referencing and citation. The University is open to and encourages use of culturally appropriate referencing styles. The [Indigenous Referencing Guidance for Indigenous Knowledges](#) – created by the Indigenous Archives Collective (IAC) [8], and [AustLang](#) – created by AIATSIS [4], are the guiding sources recommended.

Culturally safe referencing styles are a respectful way to ensure:

1. language is up to date and respectful;
2. FPIC is obtained;
3. the source acknowledges First Nations ways of being, doing and knowing.

Tips for citation:

1. cite the source – e.g. interview transcript, audio, book, spoken word;
2. if possible and agreed to by contributor – include the person’s Nation, Country, clan or language group;
3. do a final check of the proposed citation before finalising or publishing your document and to assure permission has been received for inclusion;
4. include a Traditional Custodian’s notice (refer to [Appendix 3 - Tools](#)).

Further resources for guidance include:

- Monash University, [Citing and Referencing](#) [18]
- James Cook University, [APA \(7th Edition\) Referencing Guide](#) [14]
- Tui Raven, [Guidelines for First Nations Description](#) [43]

5.3.11 Evaluating Curriculum

Evaluating curriculum provides an accountability measure for the University to check whether its content and pedagogies uplift and incorporate First Nations voices, views and perspectives into educational materials. Evaluation is appropriate for continuous improvement and relevance.

Evaluating curriculum is crucial for the University to undertake an ongoing reflective process, ensuring its teachings remain up to date, appropriate and respectful. This requirement also supports the University in maintaining ongoing relationships with First Nations peoples and communities.

Where curricula include First Nations content, the University commits to undertaking ongoing formal evaluation to ensure alignment with this Protocol. This may occur every two or four years, and otherwise as required. Programs may already have timelines for review, so evaluating content to align with this Protocol should become business as usual. Outside the context of a formal evaluation, the schools and faculties commit to an ongoing effort to ensure compliance with this Protocol.

The [AIATSIS Guide to evaluating and selecting education resources \(2022\)](#) [3] is the guiding standard, assisting non-Indigenous educators to ‘critically self-reflect on history and the effects that this has on pedagogical practises today’, and foster trust and build a sense of pride in education.





6. Accountability

FPIC must be the foundation of everything that the University does, including accountability, feedback, and facilitating constructive change.

For the University to be accountable in practice, it may be necessary to revisit timelines and redesign projects to ensure that **FPIC** can occur continuously. It may also be necessary for the University to take time to reflect and rebuild relationships. The University must be introspective in its role as a leading education institution, and in its influence on current and future generations. This includes being humble and reflecting on lessons learned to build deeper relationships with integrity.

The University has mechanisms for hearing formal and informal feedback, including a complaints framework.

7. Appendix

Appendix 1 - Existing Governance and Initiatives

Current structures and initiatives at the University at the time of writing that are worth highlighting are as follows. Further case studies are provided from [page 52](#).



Figure 9: Spotlight on Current Structures and Initiatives in the University © Terri Janke and Company 2025

Appendix 2 - Case Studies

Case study 2.1 – Walanga Wingara Mura Design Principles

Introduction:

The [Walanga Wingara Mura Design Principles](#) [45] (the Design Principles) were developed in 2016 and updated in 2020 to provide guidance on how to weave First Nations cultures, world views and histories into the very fabric of the University. The Design Principles ultimately ask what it means to be a university on Aboriginal land; provoking consideration of how First Nations cultures can and should be celebrated in ways that honour and respect ICIP.

Awareness and Motivation Leading to Action:

The Design Principles draw on the University's four values, which reflect our commitment to creating inclusive campuses that promote courage and creativity, respect and integrity, diversity and inclusion, and openness and engagement. The Design Principles promote awareness of First Nations connections to place and Country, motivating actions that respectfully recognise First Nations peoples and cultures through physical design, architecture, engineering, landscaping, scholarship, curriculum, and research. The Design Principles highlight case studies that showcase best practices on how First Nations knowledges and cultures have been integrated in the University's design and provide steps towards further integrating cultural understandings of place across all areas of the University. Through the promotion and application of the Design Principles, it is intended that staff and students will gain a better understanding of the history of place and their responsibilities to care for Country.

The Design Principles seek to strengthen a community of practice that promotes reconciliation and fosters conversations about belonging. To initiate action, a template provided on page 26 of the Design Principles document, can be applied to project briefs and designs. The template includes guidelines on establishing engaged enquiries by creating a community of practice that recognises mutual accountabilities. Projects that seek to include First Nations design principles should consider the project's possibilities; those who should be involved in its design; key steps for its implementation; the permissions needed to bring the project to fruition; and realistic time frames.

Cultural Safety and Competency:

The Design Principles encourage University stakeholders to gain deeper understandings of First Nations cultures and how they can be ethically and respectfully represented in the University's shared environment. Cultural competency within design requires the recognition that First Nations

peoples have enduring bonds with Country that have continued for thousands of years, withstanding numerous social, political, and environmental changes. Creating a culturally safe campus means recognising that First Nations cultures belong to Country, and that First Nations peoples should equally feel that they belong on the University's campuses, which remain on Aboriginal land. Including First Nations cultures in the built environment should be a priority. To avoid the perpetuation of stereotypes and misleading or false representation, however, design projects should follow the University's consultation process. Stakeholders should seek common creative ground with local First Nations communities and knowledge holders and engage in constructive dialogues. As an example, the Design Principles highlight how the consultation process to ensure the culturally safe and competent design of the Chau Chak Wing Museum took over 10 years before being finalised.

Student and Career Pathways:

The design of the University's campuses can have meaningful impact on student and career pathways and experiences. The Design Principles highlight how recognising the achievements of First Nations graduates and alumni within the built environment can help promote inclusion and belonging, as well as motivate staff and students' engagement and participation whilst on campus. First Nations students, for example, were involved in the naming of the common areas in the Regiment Building on the Darlington campus. Their involvement helped create a sense of community amongst students. Furthermore, the Design Principles highlight the positive impact that establishing designated spaces for cultural programs and communities of practice can have, both by creating opportunities for First Nations peoples and in progressing reconciliation.

Celebration and Visibility:

The Design Principles recognise that all activities conducted at the University are done so on the lands of First Nations peoples, and that knowledge and ideas have been shared on this land for over 60,000 years. Increasing the visibility of First Nations cultures and celebrating connections to Country provides First Nations peoples with a sense of belonging, which is central to the *Walanga Wingara Mura Design Principles*. The Design Principles recognise that connections to place are continuous – both ancient and contemporary – and that the campus remains a place of ceremony and knowledge exchange.

The Design Principles emphasise that First Nations knowledges and **ICIP** are as much embedded in place, and narratives of that place, as they are in cultural practices, expressions, and traditions. Recognising Country within the

built environment can be achieved through different means, including using local materials and craft; incorporating local language(s); remaining responsive to climate; incorporating native flora such as the Gadi grasstree; and highlighting the events and actions that occurred at a particular location. When the traditional owners of place are respectfully acknowledged in the design of the University, opportunities to educate and inspire conversations may arise.

The Design Principles include case studies that highlight how projects such as *Garabara* by Robert Andrews – a public art installation on the exterior of the Social Sciences Building on the Darlington Campus – can open conversations about the history of the University. The potential to design and implement similar projects across the University is numerous. Designs that seek to incorporate First Nations cultures and narratives, however, must be informed by First Nations voices at every stage of the design, decision-making, and implementation process. The Design Principles *alignment template* provides guidance on how this may be done in culturally appropriate ways that value **ICIP**. The Design Principles should be considered during all proposals for new or renovated buildings, landscapes, and other developments on University campuses.

Conclusion:

In 2020, the *Walanga Wingara Mura Design Principles* were reviewed and revised in consultation with First Nations stakeholders. The updated version incorporated case studies on how the Design Principles have effectively informed design projects across the University. The case studies, alongside the guiding principles, encourage staff and students to consider their role in ensuring that First Nations cultures, histories, and **ICIP** are acknowledged and celebrated in the design of the University. The Design Principles play a key role in ensuring that *all* members of the University community gain a sense of belonging.

Image (right): Robert Andrews, *Garabara* (detail), 2018, Faculty of Arts and Social Sciences Building, Camperdown Campus.



Case study 2.2 – National Centre for Cultural Competence

Introduction:

Established in 2014, the [National Centre for Cultural Competence](#) (NCCC) [24] works to embed cultural competency across the University of Sydney and the wider community by providing teaching, research, engagement programs, and resources. The NCCC fosters social change by providing opportunities for students and staff to build their understanding of cultural competence, and acquire the skills needed to navigate respectful and reciprocal relationships with diverse cultures, including First Nations peoples. Some of the education and research tools provided by the NCCC reference Terri Janke and Company's True Tracks® principles and promote the protection and celebration of First Nations people's ICIP.

Knowledge and Motivation Leading to Action:

The NCCC recognises that cultural competence is a lifelong commitment that requires reflexive analysis of staff and students' worldviews and how these inform practices and interactions in cross-cultural contexts. The Centre provides a range of workshops and resources that build understanding of how to be culturally responsive and work respectfully and effectively with the University's culturally diverse community, including First Nations peoples. By promoting cultural competence, the NCCC encourages the University to confront racism and structural inequalities whilst enacting measures that contribute to transformative, just, and culturally responsive people and institutions. The NCCC encourages action relating to the protection of ICIP through the suite of workshops and education programs it offers. The NCCC also models practical ways that ICIP can be protected through the development of appropriate mechanisms, such as including cultural protocols in release forms used for filming resources.

Cultural Competence Education:

The NCCC provides a range of education programs including online modules, in-person workshops, internal Online Learning Environment courses (OLEs), and external Massive Open Online Courses (MOOCs). The programs are designed to improve understanding and implementation of culturally competent practices within the University and the wider community. Resources are regularly updated and are developed in consultation with, and drawing on the expertise and lived experiences of, academics and community members.

The NCCC provides *Cultural Competence Education* modules which are available to all staff. The five e-modules explore cultural competence as a journey of self-discovery; considers definitions of cultural competence; addresses the impact of racism; develops participants' capacity to implement culturally competent action; and addresses what the University community can learn from the development of First Nations self-determination in Sydney. The modules are designed to introduce staff to key concepts of cultural competence and assist in preparing them for more in-depth consideration of ICIP.

Culturally Competent Leadership Program

Cultural competency skills can be developed through the *Culturally Competent Leadership Program* (CCLP). The annual retreat provides opportunities for staff to develop and refine the expertise needed to become competent leaders and establish a community of practice. The CCLP offers a transformative opportunity for professional and academic staff to ensure that culturally competent action is embedded across the University, particularly within leadership positions.

Massive Open Online Course (MOOCs)

The NCCC has developed two MOOCs. The first, *Cultural Competence: Aboriginal Sydney*, examines key themes and capabilities of cultural competence by exploring First Nations experiences and narratives of the city of Sydney. At the heart of this MOOC is the theme that sovereignty was never ceded, and Sydney always was and always will be Aboriginal Land. Despite this, the First Nations presence in the city is often invisible to non-Indigenous eyes. This course aims to bring to light the marginalised narratives of First Nations presence in this space.

The newest MOOC is *Confident Conversations about Race and Racism*. The course helps learners increase their knowledge of race and racism and develop the skills to understand different histories, identities, and concepts of race and racism in a way that validates and values diverse cultural, historical, and contemporary experiences. The course draws on various cultural and theoretical traditions to equip students with the ability to participate in impactful, transformative, and confident conversations about race and racism and move to further concrete action.

Student and Career Pathways:

The *Open Learning Environment* (OLE) offers University learners the opportunity to build on their skills and knowledge of cultural competency in ways that are applicable to their studies and/or careers. Two courses are currently offered as part of the OLE; one on cultural competency and another on advancing understandings of First Nations peoples in Sydney. *Cultural Competence: Fundamentals* (OLET1103) provides a starting point for students to enhance their understanding of culturally responsive behaviour. This course explores the meaning of culture and cultural competence and identifies core capabilities required to be culturally competent. *Aboriginal Sydney* (OLET1101) emphasises that diverse First Nations cultures continue to be practiced within urban and highly populated settings such as the city of Sydney. Both traditional and contemporary expressions of First Nations cultures and identities demand the recognition and respect of **ICIP**.

In addition to these courses, the NCCC provides a selection of research papers, book chapters, and other resources aimed at promoting wider understandings of culturally competent action in national and international contexts.

Celebration and Visibility:

Celebrating the richness of cultural diversity, both on and off campus, is central to the NCCC. As the Centre stands on Aboriginal Country, it is important that First Nations communities and cultures are recognised in all its endeavours. The NCCC seeks to increase the visibility of First Nations communities through education and by establishing national and international partnerships that engage in respectful dialogue about engaging with First Nations communities, and the protection of their **ICIP**.

Conclusion:

The National Centre for Cultural Competence is a central space within the University that facilitates education and resources on ethical action and understanding. The Centre's focus on socially just action, through promoting reflexive consideration of staff and students' engagement with diverse cultures and **ICIP**, helps foster a welcoming and culturally safe university. The NCCC continues to work in partnership with community representatives and experts to ensure that the training and resources it offers align with and benefit First Nations communities.



Case study 2.3 – Indigenous Procurement Strategy

Introduction:

The University's Procurement Services and Office of the Deputy Vice-Chancellor (Indigenous Strategy and Services) developed the *Indigenous Procurement Strategy* [29] to increase the participation of Indigenous-owned businesses in the University's economic endeavours, employment, events, and pursuits. It is hoped that the Strategy will create positive futures and have ongoing benefits for the University and First Nations peoples, their families, and communities.

Awareness and Motivation Leading to Action:

The *Indigenous Procurement Strategy* builds awareness of the University's need to support Indigenous-owned businesses by providing opportunities for First Nations communities and the wider University. The Strategy offers practical guidance on procurement practices aimed at motivating staff to establish strong partnerships between the University and First Nations communities. It is intended that each University unit or stakeholder will oversee the implementation of the Strategy and, for large contracts, develop their own Indigenous Participation Plans. Procurement targets will be included within the Plans, with financial thresholds being negotiated with stakeholders on a case-by-case basis.

Improvements to procurement practices will be monitored via the number of contracts with Indigenous suppliers that a unit enters, the number of unique Indigenous suppliers engaged, and the FTE employment opportunities created for First Nations suppliers. All engagements with Indigenous businesses and suppliers must be respectful and transparent. The document is regularly updated in consultation with First Nations communities and Indigenous supplier experts.

Cultural Safety and Competency:

The University remains committed to upholding ethical conduct that values and demonstrates social responsibility through its business choices. Cultural competency is promoted through the University's partnership with Supply Nation and the NSW Indigenous Chamber of Commerce, which provide access to Indigenous business registries and quality assurance. Training on culturally competent procurement practice is also provided by the NCCC. The Strategy highlights the importance of University staff and stakeholders acquiring an understanding of how colonisation disadvantages First Nations peoples, obstructing opportunities to fully participate in the business sector.

Culturally competent procurement practices require staff to be mindful of *black cladding*, a term that refers to actions that could potentially take unfair advantage of Indigenous knowledges, ICIP, and businesses. This includes actions that hinder Indigenous procurement or contracts. The *Indigenous Procurement Strategy* seeks long-term and sustainable outcomes for Indigenous businesses. Sustainability means implementing practices that care for Country; develop partnerships with Indigenous businesses, contracts, and service providers; share knowledge in culturally appropriate ways; and build capacity and capability among First Nations peoples.

Student and Career Pathways:

The Strategy advises on how the University can provide greater opportunities for First Nations peoples so that they may enter partnerships with the institution. It also outlines how the University may assist First Nations peoples in attaining their desired careers. Through the celebration of First Nations businesses – including the use of Indigenous knowledges, ICIP, and services – the *Indigenous Procurement Strategy* seeks to redress prejudice and misperceptions. It recognises the value and contributions made by First Nations peoples. The Strategy seeks to assist faculties, professional service units, and staff in engaging subcontracting services, First Nations-owned businesses, and build career pathways and leadership capacity. Career pathways and opportunities are also promoted via the University's partnership with, and guidance from, leading Indigenous-led employment organisations such as Supply Nation.

Celebration and Visibility:

The University is committed to implementing practices that increase the visibility and participation of Indigenous-owned business in all its engagements. The University endeavours to be an inclusive and welcoming environment for all and recognises its responsibility to reflect this commitment through the goods and services it purchases. The *Indigenous Procurement Strategy* celebrates the contributions First Nations businesses, innovators, and services have made to our economic, social, and cultural landscape. The Strategy celebrates the strength and confidence of First Nations suppliers and acknowledges them as role models who inspire other First Nations peoples.

The Strategy will be considered during reviews of the University's major initiatives, programs, and goals. In alignment with NSW State requirements, stakeholders are required to complete an Indigenous Participation Plan for large contracts, events, and tender processes. The Plans outline whether First Nations suppliers have been included in contracts and, if so, how. All University staff, however, play a role in promoting the visibility and participation of First Nations businesses. First Nations-owned businesses can be identified within the University's UniBuy catalogue. The University will continue to be mindful of the many ways to facilitate procurement of First Nations businesses, including beyond Supply Nation.

Conclusion:

The *Indigenous Procurement Strategy* promotes awareness of the importance, value, and benefits of partnering with First Nations businesses – and the wider social impact of doing so. The Plan will continue to outline and revise actions that seek to increase First Nations suppliers' participation and partnership with the University. Procurement targets will be monitored and evaluated so that the Strategy may become core business within the University.

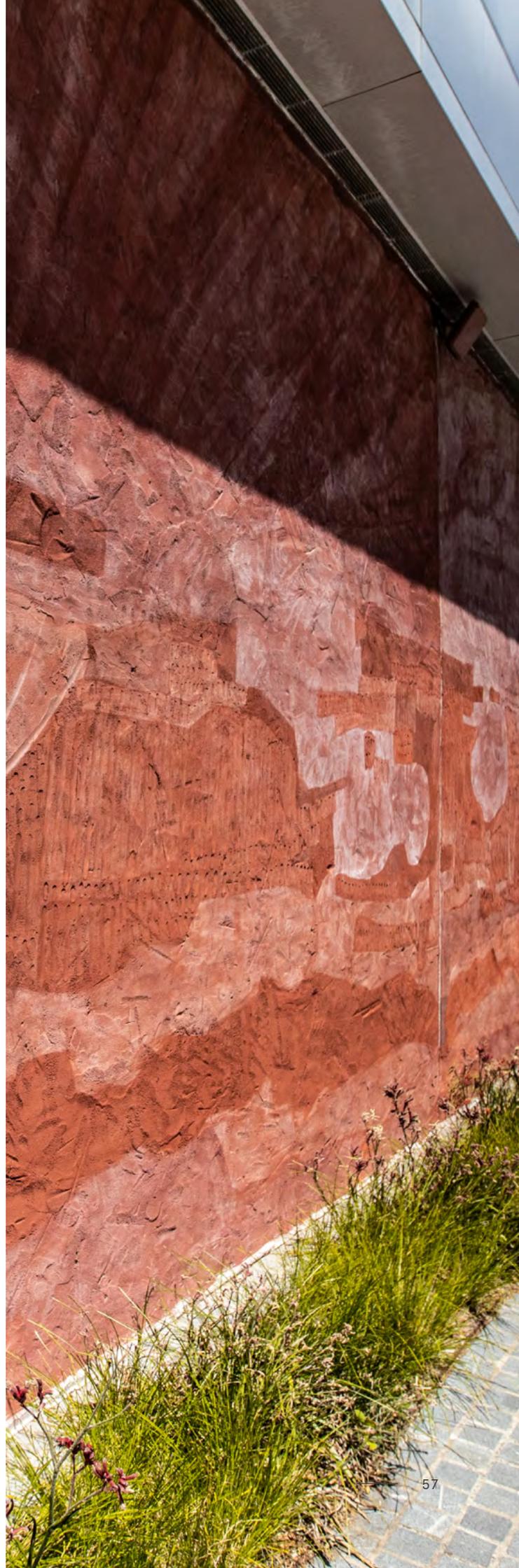


Image (right): Dale Harding, *Spine 3 (radiance)*, 2018, Carlaw Building, Camperdown Campus.

Case study 2.4 – The Library: Aboriginal and Torres Strait Islander Cultural Protocols

Introduction:

The University of Sydney Library is the first university library in Australia to implement [Aboriginal and Torres Strait Islander Cultural Protocols](#) [33] (the Library Protocols).

The Library Protocols and their implementation plan provide guidelines on best practice in protecting and honouring **ICIP** and embedding culturally competent practice within an academic context. The University of Sydney Library is committed to establishing and maintaining strong reciprocal relationships with First Nations peoples. The Library Protocols are part of the Library's ongoing commitment to ensuring that First Nations peoples maintain control over their **ICIP** and have authentic input over materials relating to their cultures, knowledges, and heritage.

Awareness and Motivation Leading to Action:

The University of Sydney Library acknowledges its responsibility to uphold **ICIP** when engaging with materials relating to First Nations peoples, cultures, heritage, and knowledges. This includes responsibilities to consult knowledge holders about culturally sensitive materials and uphold copyright and **ICIP**. As part of its Protocols, the Library has committed to conducting surveys to identify what First Nations materials are held within its collection, assess how the **ICIP** of these materials is respected, and develop actions to ensure that **ICIP** is responded to in culturally appropriate ways.

The Library Protocols contain guidelines that help staff identify the types of cultural content held within the Library, as well as protocols to inform the ongoing acquisition and attribution of First Nations knowledges. The discoverability of First Nations' content is also promoted through the descriptive metadata that the Library is adding to its catalogue for existing materials. Metadata includes thesaurus headings developed by the Australian Institute of Aboriginal and Torres Strait Islander Studies, Austlang codes, cultural care notices, and other contextual notes. Awareness of **ICIP** best practice is additionally promoted via information and resources published on the Library's website.

Cultural Safety and Competency:

The Library Protocols on cultural safety and competency recommend ongoing consultation with First Nations communities. To achieve this goal, The Library's Cultural Collections Reference Group has been established as an advisory body, led by Aboriginal cultural collections experts, and student and staff stakeholders, to provide guidance on managing cultural collections, embedding First Nations' guidance on the access, use, and restrictions of **ICIP**, and providing pathways for community consultation. The Library Protocols align with international standards as outlined in the **UNDRIP** [44]. The principles of self-determination and **FPIC** of First Nations knowledge holders are central to the Library Protocols. This means that practices respecting communities' wishes regarding the access, maintenance, and control of **ICIP** must be enacted, as well as consideration of who should benefit from their use. In cases where **ICIP** has not been honoured, the Library Protocols outline avenues for knowledge holders to request the takedown of materials.

A range of additional resources are provided in the Library Protocols, including a 'terminology guide' for the correct use of First Nations languages and terminology, as well as the CARE and FAIR principles developed for Indigenous Data Governance [10]. The Library Protocols advise on the inclusion of notices and disclaimers to metadata, warning viewers of the cultural sensitivity of the content, and enabling knowledge holders the right of reply. These resources are part of the Library's wider effort to build a Cultural Competence Community of Practice, with learning opportunities to advance understandings of First Nations cultures and histories.

Although applicable to all **ICIP** content, as well as materials relating to First Nations peoples, the Library Protocols emphasise consulting with the appropriate knowledge holders when secret or sacred cultural information is identified to determine appropriate access. To ensure that First Nations communities have access to collections, the Library Protocols outline that digitising materials can play an important role in accessibility but must also be done in collaboration with Indigenous stakeholders.

Culturally sensitive information requires measures that protect the safety and wellbeing of staff and patrons. The Library Protocols outline the need to mitigate risk by creating safe spaces and practices, with an understanding of the wider context of how such materials and knowledges were attained.

Student and Career Pathways:

The Library Protocols outline the need for additional resources to support the research of students and staff, including a citation guide on the appropriate attribution of **ICIP**. HDR students and academic staff are advised on suitable classifications and descriptions for research outputs, and the need for this to be done in consultation with First Nations communities, before they are deposited within collections. First Nations peoples should be provided opportunities to conduct workshops, tours, and other events relating to their **ICIP**, knowledge, and heritage. This work however should benefit all parties, not create additional load, and should be remunerated. The Library Protocols identify the need for an Indigenous Engagement Officer to liaise between the Library content creators and the University's First Nations students. Embedding culturally safe practice and providing designated culturally safe spaces within the Library is important for First Nations student and staff retention and can improve outcomes for First Nations students. Cultural spaces created in response to the Library Protocols include a First Nations Hub and Rooftop Terrace in the Fisher Library, a designated study space within SciTech, and an HDR Lounge in the Macleay Building. The University of Sydney Library also recognises the need to increase the recruitment of First Nations staff and their retention.

Celebration and Visibility:

The Library Protocols emphasise the Library's commitment to increasing First Nations visibility and voices via the principle of 'nothing about us, without us'. First Nations cultures, knowledges, and heritage should be highlighted by attributing First Nations content creators and knowledge holders as cultural authorities and authors. The Library, therefore, seeks to ensure that the materials held in its collection uphold the principles of **FPIC**; provide disclaimers for research that has not followed **FPIC**; and provide First Nations peoples with the right of reply, which can be added to metadata.

As the Library has access to rich and diverse First Nations content, the Library Protocols highlight that its collections and spaces should be used to promote truth-telling. The visibility of First Nations peoples can be bolstered by the Library holding displays and public/private exhibitions that increase understandings of First Nations perspectives and raise critical awareness of Australia's history. The Library also continues to increase its collection of First Nations publications and provides guidelines on their appropriate acquisition, as well as on the obligations of publishers to uphold **ICIP**.

Initiatives within the Library that relate to **ICIP** must always be guided by First Nations peoples. As committed to in the Library Protocols, the Library's Cultural Collections Reference Group advises on best practice, approaches to reciprocity, and ensures that the benefits derived from First Nations knowledges and content is shared amongst content creators, knowledge holders, communities, and the institution.

Conclusion:

The *Aboriginal and Torres Strait Islander Cultural Protocols* acknowledge the Library's role and responsibilities toward First Nations communities and knowledge holders. The Library Protocols state that "as a site of knowledge production and custodian of Aboriginal and Torres Strait Islander knowledges," it is essential that the Library implements measures that protect **ICIP**, empower **ID-Sov**, and support self-determination. The Library Protocols outline practical steps to design and implement the policies and practices needed to achieve this.

Image (below): Fisher Library Roof Terrace.



Case study 2.5 – Indigenous Workforce Plan 2025–2032

Introduction:

The University is committed to creating an inclusive and respectful community that values the skills, expertise, and unique cultural lens of First Nations peoples. Currently, First Nations staff represent just 1.22% of the University's workforce. This disparity is unacceptable. The University has therefore implemented measurable targets and actions to achieve population parity in First Nations staff participation by 2032. The [Indigenous Workforce Plan 2025–2032](#) (the Workforce Plan) [13] builds on the progress of the [Aboriginal and Torres Strait Islander Employment Plan 2022–2024](#) [12], and compliments the University's strategic vision outlined in the *Walanga One Sydney, Many People Strategy* [38]. The University, however, recognises the need for continuing support and acknowledges the impact staff turnover, a lack of appropriate resources, and job insecurity has on recruiting and maintaining an Indigenous workforce.

The University's commitment to the *Workforce Plan* is ongoing and iterative. Progress will be bi-annually reviewed by the University Executive's People and Culture Committee who will assess improvements to community engagement, career attraction, development and progression, workplace culture and experience, accountability, and best practice.

The Workforce Plan is based on the four key principles of Respect; Empowerment; Inclusivity and Cultural Safety; and Opportunities. Having a strong First Nations workforce is essential to developing culturally safe policies and practices that inform how the University engages with First Nations cultures, knowledges, heritage, and ICIP.

Awareness and Motivation Leading to Action:

In 2021, the University employed specialist First Nations consultants to conduct consultations, surveys, and reviews to assess the University's achievements, and opportunities for improvement, in increasing and retaining First Nations staff. The consultations found that senior staff across schools, faculties, and portfolios were both aware of the need to improve the employment, retention, and progression of First Nations staff and motivated to make the necessary changes. Greater support and accountability mechanisms were identified as measures needed to improve human resources policies and create culturally safe work environments and sustainable job opportunities for First Nations peoples. A similar process took place in 2023/2024 and laid the foundation for the *Indigenous Workforce Plan 2025–2032*.

The Workforce Plan emphasises the continuing need to “re-examine our systems, processes and practices across the employee lifecycle” (p.7) to ensure the University remains responsive and accountable to First Nations feedback. Monitoring success through mapping, developing talent pools, and building First Nations leadership is critical to meeting the targets outlined in the Workforce Plan. Leaders and Supervisors will have clear performance goals to which they are accountable for delivering.

Cultural Safety and Competency:

Through its ‘Culture and Experience Objective’, the Workforce Plan acknowledges correlations between cultural safety, competence, and First Nations staff recruitment, retention, and workplace experience. Since 2021, the University has offered Cultural Capability Training for managers of First Nations staff, which aims to enhance confidence and capability to deliver culturally safe workplaces. The Workforce Plan states that University Executive should monitor and measure participation and completion rates of cultural competency training, to ensure greater accountability and promote wider uptake. Workshops facilitated by the NCCC have also proven successful in improving cultural awareness and capability. Other approaches to boost cultural competence and self-awareness at a local level are also being considered, including monitoring completion rates of training online modules via Academic Planning and Development, and Performance Planning and Development processes.

Cultural load continues to be a major barrier to staff retention and workplace experience. The Workforce Plan therefore recognises the need for greater education about cultural load (also known as colonial load) and increased awareness of its adverse impact on the productivity and well-being of First Nations staff. To address this and other contributing factors, the University is working to develop a specific Cultural Safety Policy that not only outlines staff's responsibilities and obligations, but highlights the “unique strengths, skills, and abilities that Aboriginal and Torres Strait Islander staff, their families, and communities bring to the University” (p.30).

Student and Career Pathways:

The University recognises that frameworks aiming to increase the recruitment of First Nations staff must be supported by professional development and career pathways that contribute to staff promotion and job security. Positions should be offered to First Nations peoples at all levels of the University's academic, research, and professional sectors. Appointments, however, should be accompanied by opportunities to develop the skills and expertise needed for staff to transition into senior leadership roles, should they choose. The University's Leadership Academy Programs, piloted in 2024, have proven successful, but greater focus on First Nations leadership and representation in this space is needed.

Traineeship pathway programs and mentorship programs, such as the Indigenous Career Development and Coaching Program, are offered in partnership with the NCCC, the Gadigal Centre, and other networks within the University. The University has provided mentors and mentees with tailored support and learning and growth opportunities. The Workforce Plan outlines the need for the continuation of such programs to help First Nations staff articulate their career plans and aspirations. These should be targeted to all First Nations staff from early career graduates to senior leaders. The Workforce Plan outlines the need for funding models and additional resources to help the University attract and retain First Nations talent. The appointment of a specialist First Nations recruitment panel and a marketing strategy (in 2023) is advancing this work.

Data collection on First Nations staff appointments, promotions, retention, and experiences is needed to help identify barriers and develop greater understanding of staff career development – including progression from post-graduate roles into academic positions. Having access to centralised data will allow the University to maximise recruitment opportunities, improve promotion guidance, and develop talent pools and linkages for future appointment of First Nations staff. The Workforce Plan focuses on ensuring that all First Nations staff are aware of, and have access to, career development that result in sustainable career paths and permanent job opportunities.

Celebration and Visibility:

Whilst creating systemic changes to existing employment practices requires appropriate policies, these must respond to the needs of First Nations staff and be informed by First Nations perspectives and experiences. As a means of increasing the number of First Nations staff the continued support of the Yura Network, the University's First Nations staff network, is required. Since its rebranding in 2022/23, the Yura Network has "fostered community and connection among our Aboriginal and Torres Strait Islander staff and students" (p.13) in a culturally safe way. The Workforce Plan, however, notes the need for designated spaces for First Nations staff so that they may engage with community in a culturally safe, welcoming, and protected environment.

There is a continuing need to showcase First Nations cultures, knowledges, skills, research, and expertise in ways that are not seen as tokenistic or virtue-signaling by First Nations communities. The University must develop and/or retain strong reciprocal relationships with local First Nations communities and businesses. Maintaining strong relationships and increasing the visibility of First Nations staff will help promote the University as a culturally safe environment and contribute to it being seen as an employer of choice for First Nations peoples. Through the *Aboriginal and Torres Strait Islander Employment Plan 2022-2024* the University has made inroads in building trust with First Nation communities. The *Indigenous Workforce Plan 2025-2032* will ensure that First Nations staff and student experience, community engagement, and participation will be further enhanced through the celebration of First Nations cultures.

Conclusion:

The *Indigenous Workforce Plan 2025-2032* outlines the University's commitment to develop and implement culturally competent policies that increase the recruitment, retention, experience, and career pathways of First Nations staff. Underpinning the Workforce Plan is the need to ensure accountability in implementing practices that measure success and respond to identified gaps. First Nations voices are central to the design of employment policies, and the University is committed to incorporating First Nations knowledges and expertise into existing and new projects and programs.

Case study 2.6 – Elements of Country: a First Nations–first approach to chemistry

Introduction:

The [Elements of Country project](#) [17] (the Project) encourages staff from the School of Chemistry, and across the University, to challenge assumptions by acquiring deeper understandings of how First Nations knowledges, languages, history, and art can inform approaches to chemistry and science. This is an ongoing and iterative project that seeks to apply Aboriginal knowledge and **ICIP** to the periodic table so that elements are positioned within a cultural interface where Aboriginal worldviews are prioritised, whilst maintaining a dialogue with western understandings.

Awareness and Motivation Leading to Action:

This Project builds on initiatives from other Indigenous contexts that have sought to situate the periodic table within non-western knowledge systems and cultural contexts. The Elements of Country researchers, comprising of First Nations and non-Indigenous scientists, chemists, linguists, and other scholars, acknowledge the value of incorporating First Nations perspectives within chemistry and are mindful that actions should not replicate or prioritise western approaches. The Project therefore encourages staff to step back from dominant knowledge systems so that they may consider the periodic elements in relation to local knowledges, on their own terms.

Cultural Safety and Competency:

First Nations ways of knowing, doing, and being inform definitions of First Peoples, approaches to chemistry and how understandings of elements are framed and communicated in the School of Chemistry. To assure cultural safety, the School of Chemistry is working with Aboriginal staff and community members to ensure that culturally safe practice is upheld. Informed by these consultations, the team is simultaneously developing protocols designed to help the School of Chemistry engage in collaborative and respectful partnerships with Aboriginal knowledge holders.

The project recognises that culturally competent practice requires new ways of thinking about knowledge production and dissemination. An Aboriginal–first approach to chemistry exists within a ‘cultural interface’ where multiple understandings enter two-way dialogues. It is not a simple matter of applying Indigenous translations to existing western paradigms or adding additional content to curriculum. Knowledge paradigms should be re-thought altogether. The project therefore encourages non-Indigenous chemists to play supportive roles that aid the Aboriginal cultural experts who are driving the reforms.

Student and Career Pathways:

The Project will influence chemistry curriculum at the School of Chemistry and hopes to inform how science is taught in Australian universities more broadly. It opens new possibilities to students and provides knowledge-holders with opportunities to shape and determine how curriculum is developed and delivered in relation to **ICIP**. In addition to designing an Aboriginal–first approach to chemistry, the project team recognises that Aboriginal peoples must have opportunities to share, teach, and disseminate **ICIP**, creating new partnerships and strengthening career pathways.

Celebration and Visibility:

The Project celebrates the knowledges, languages, cultures, and **ICIP** of Aboriginal peoples in the Eora Nation and acknowledges that they had in-depth understanding of Country well before European arrival and the introduction of western science. The Project encourages deeper thought into the diversity and reach of **ICIP**, demonstrating that Aboriginal and Torres Strait Islander knowledges are diverse and applicable to a broad range of areas and disciplines. It provides an opportunity to celebrate Aboriginal cultures by situating the elements within a First Peoples’ cultural context.

Establishing an Aboriginal–first approach to chemistry may be achieved by translating the element’s name into Aboriginal language; using pre-existing Aboriginal words and concepts to describe an element; describing the unique character, use, or meaning of the element in Indigenous cultures; or translating the etymology of the element into an Aboriginal context. A First Peoples–first approach to chemistry may therefore include information about the element’s embedding in Country. Elements may be described in relation to ceremony and storytelling, or be depicted through language, sign, dance, or other visual or non-visual means.

Conclusion:

The Elements of Country project demonstrates how understanding Country from a First Nations perspective, and applying this to western knowledge, provides deeper understandings of Country. Embedding Aboriginal knowledges in the periodic table is a complex task that requires ongoing discussion and negotiation with knowledge holders. Whilst there are numerous approaches to embedding First Nations knowledges and **ICIP** in the periodic table – and complex questions to navigate – all decisions must ultimately remain the choice of First Nations communities and knowledge holders, supporting their self-determination.

Case study 2.7 – School of Business Indigenising Curriculum

Introduction:

The Business School's (the School) [Indigenous Cultural and Intellectual Property Protocol for Curriculum](#) [46] (the Business School Protocol) provides guidance and resources on how staff may incorporate First Nations content into curriculum. Based on Terri Janke and Company's True Tracks® principles, the Business School Protocol promotes First Nations self-determination via Free, Prior and Informed Consent, and culturally competent access to and use of ICIP. The Business School Protocol is overseen by the School's Associate Dean (Indigenous Strategy and Services) and Associate Dean (Programs), whose role includes supporting staff in developing the skills, capability, and means to incorporate First Nations knowledges whilst ensuring that ICIP rights are protected.

Awareness and Motivation Leading to Action:

The Business School Protocol creates a unified approach towards Indigenising curriculum. Whilst it is intended that it will become 'core business' within the School, the Business School Protocol also serves as a tool that may be applied to other areas of the University. The Business School Protocol encourages curriculum mapping exercises that scaffold current content, identifies the need for new content, and reviews staff compliance and engagement with ICIP.

In their efforts to Indigenise curriculum, staff will encounter ICIP and must, therefore, develop the skills and competency needed to engage knowledge holders and respond in culturally safe ways that protect the rights of First Nations peoples. The School has also included *Practice Guides* to assist staff in engaging First Nations knowledges and knowledge holders in culturally respectful ways. Case studies and a checklist of key deliverables are also included to demonstrate how the Business School Protocol can be practically actioned and implemented.

Cultural Safety and Competency:

First Nations peoples should be consulted about the use of their ICIP at each stage of a content's inclusion within the curriculum – applying to both existing and new materials. As the authenticity and integrity of pre-existing materials may come into question if they are not reviewed, or the circumstances around their original context change, the Business School Protocol emphasises that conversations about ICIP with First Nations knowledge holders must be ongoing. The Business School Protocol encourages staff to engage in transparent consultations with First Nations peoples, upholding the principle of Free, Prior and Informed Consent.

Staff should discuss how ICIP will be used, published, accessed, and distributed in the curriculum. This involves staff acknowledging that current practices may need revision in accordance with changing circumstances, contexts, and directives from knowledge holders. Attaching cultural warnings to materials, which disclose the type of information held or indicate that contents contain images and/or names of those who have passed away, is encouraged, and are provided as templates within the Business School Protocol. To help guide staff's engagement with First Nations peoples, Consultation Plans are also recommended, as are written Cultural Clearance Forms that outline the agreed use and control of ICIP. The clearance form should outline copyright ownership and negotiate licences for their use.

The wider implications of using cultural materials, and their potential impact and/or risk on First Nations communities, should also be considered in curriculum. This is particularly the case for materials deemed secret and/or sacred. Identifying restricted-access materials and mitigating risk is possible through consultations with Elders, First Nations-led organisations, and community groups. The Business School Protocol highlights that co-design requires staff to work in partnership with Traditional Owner groups to ensure that their voices and priorities are centralised in curriculum design and delivery. To be culturally safe, any use of First Nations languages must be appropriate, with the decision about its use remaining with knowledge holders/custodians.

The Business School has a responsibility to provide appropriate timeframes that facilitate ongoing respectful communications between all parties involved in curriculum design and delivery. The Business School Protocol includes resources to help staff identify *who* should be consulted in curriculum projects and implores staff's compliance to the *AIATSIS Code of Ethics for Aboriginal and Torres Strait Islander Research* [1]. Projects should ultimately benefit First Nations peoples and advance self-determination. Benefit-sharing should be negotiated. Ensuring that First Nations peoples have ongoing access and control of their ICIP means that communities should have access to their own cultural records so that they are up-to-date, relevant, and accurate.

Student and Career Pathways:

The Business School Protocol hopes to inspire new generations of culturally engaged staff and students so that they may be better equipped with culturally competent skills and the confidence to apply them in real-world settings. Student surveys conducted by the School have shown a desire among students to learn more about how to engage in work that benefits and empowers First Nations communities. The foundational knowledge provided in the Business School Protocol is helping staff design and implement curriculum that fulfils this desire.

The School provides training on how best to implement the Business School Protocol at a unit level. Workshops and resources are provided by partners, including the NCCC, who provide opportunities for staff and students to expand their knowledge. It is important that staff remain reflective of their engagement with First Nations peoples, responsive to suggested improvements on how to include and protect **ICIP**, and consider the role Indigenous peoples can and should play in engagements beyond curriculum design.

The Business School has a responsibility to empower First Nations communities and provide opportunities for knowledge holders to access and use learning materials for their own purposes and benefit. The School should assist communities in developing their own learning materials and resources. All contributions, however, should benefit First Nations peoples – including payments for **ICIP**, and paid opportunities for Indigenous peoples to share their knowledge during forums and events facilitated by the University. The Business School Protocol also encourages benefit-sharing in multiple monetary and non-monetary forms, such as through capacity building.

Celebration and Visibility:

The Business School Protocol provides guidance on how to centralise First Nations peoples' voices in all courses and units offered by the Business School. Indigenising curriculum should be a collaborative and ongoing endeavour that initiates substantive, authentic, and respectful partnerships with First Nations knowledge holders. The School is committed to embedding practices that celebrate First Nations knowledges and amplify teaching and learning opportunities that are led and/or informed by First Nations staff, organisations, and communities.

Staff are encouraged to maintain relationships with First Nations knowledge holders and establish paid (or compensated) Indigenous governance committees, working groups, and boards to advise on the upkeep of **ICIP** rights. The celebration of First Nations cultures and knowledges within the curriculum *must prioritise First Nations peoples and voices*. The School can leverage its resources and outreach to improve the curriculum by facilitating First Nations guest lecturers and speaking engagements; excursions on Country; utilising cultural experts and organisations; having greater focus on attribution of First Nations knowledge holders; and increasing the number of First Nations staff and students.

Conclusion:

The Business School Protocol provides a foundational resource that aims to increase staff's (particularly non-Indigenous staff) capability, and culturally competent practice. The School acknowledges that efforts to Indigenise curriculum will be in vain unless they prioritise the voices and expertise of First Nations knowledge holders and communities. Building capacity via employing more First Nations staff and partnering with Indigenous stakeholders and communities is, therefore, essential to protecting **ICIP** and ensuring it is woven into the very fabric of the School's curriculum. This, however, must be done in culturally appropriate, responsible, and accountable ways that acknowledge and compensate First Nations peoples for their contributions. The Business School Protocol is the first step on the Business School's ongoing journey to Indigenise its curriculum.



Case study 2.8 Business School's Shaping the Curriculum

Introduction:

In 2021, the Business School committed to the Indigenisation of the University of Sydney's [Masters of Business Administration \(MBA\) program](#) [19]. To successfully embed First Nations content within the program, it was determined that greater understanding of Indigenous Cultural Competency (ICC), and the capacity for staff and students to enact it, was needed. This also meant ensuring the protection of ICIP. The Business School applied Terri Janke and Company's True Tracks® principles, and through a collaborative and consultative approach, was able to develop an MBA program that incorporates First Nations content in culturally respectful ways.

Awareness and Motivation Leading to Action:

The Business School built awareness of First Nations knowledges and pedagogies, with the intention of Indigenising its MBA program, by conducting a series of workshops and surveys across six weeks. Each 90-minute workshop gauged staff's understandings of ICC and identified existing gaps within the curriculum. Staff shared their experiences of engaging with Indigenous communities and reflected on how the MBA program could better embed ICC. The MBA program underwent a curriculum mapping exercise that provided staff with opportunities to review existing content. By building awareness of ICC, staff acquired the foundational knowledge needed to scaffold how ICC-relevant content could be integrated across the program.

Cultural Safety and Competency:

Cultural safety and competence were paramount to Indigenising the MBA program. First Nations consultants were engaged throughout the process, ensuring culturally safe and relevant practice. Indigenous consultants' participation allowed staff to develop the skills and confidence needed to incorporate ICC into the MBA. Just as staff were encouraged to reflect on their understandings of ICC, it was decided that students also needed to reflect on their identity and understandings of ICC through a self-assessment activity. This was incorporated into the students' orientation into the MBA program. The Business School acknowledges that cultural safety and competency requires continual engagement with First Nations peoples in the community. Indigenous peoples must be empowered with the resources and support needed to deliver content in ways that protect ICIP.

Student and Career Pathways:

During the curriculum design process, the School of Business applied a backwards design methodology that allowed staff to visualise what a culturally competent MBA graduate would look like. Indigenous cultural knowledge and ICC were progressively built into foundational, core, elective, and capstone units. Content includes reflective learning activities based on real-life scenarios. The MBA program seeks to prepare students with the skills needed to respond to ICC throughout their higher education and careers. This includes attributes to work in partnership with First Nations peoples, as well as developing capacity to navigate cultural differences with ICC and empathy. Graduate attributes and knowledge of ICC is assessed during the final capstone unit.

Celebration and Visibility:

The Business School agreed that the MBA should celebrate the diversity and richness of First Nations cultures and knowledges. The visibility of Indigenous peoples is therefore essential to the program's success. The MBA seeks to prioritise first-hand learning experiences directly from First Nations community representatives. Students' knowledge of ICC is advanced through their exposure to, and understanding of, Indigenous perspectives. These are shared in the program's lectures and guest lectures from First Nations peoples, as well as readings, simulations, and engagements with First Nations enterprises. The Business School also recognises the need to boost the number of First Nations students and staff. Greater collaboration with an Aboriginal and Torres Strait Islander advisory group, as well as collaborations with First Nations business partners is needed to improve First Nations representation and maintain ICC.

Conclusion:

The Business School's Indigenisation of its MBA program demonstrates how ICC and ICIP should work in conjunction with one another. Whilst much of the groundwork has already been done, upholding ICIP within the curriculum is an ongoing process that requires continual collaboration and communication between staff and First Nations peoples. Upholding ICIP via culturally competent practice calls for wider structural reforms that include boosting the number of First Nations staff and students, as well as providing culturally safe learning environments.

Appendix 3 - Tools

Tool 3.1 - Next of Kin

The University of Sydney respects First Nations peoples' and communities' cultural death protocols and agrees that, in the event of death or incapacitation of First Nations Contributor/Custodian/Knowledge Holder the University must discuss the ongoing use of the First Nations Contributor/Custodian/Knowledge Holder's name, any approved likeness, any approved biography, contributions and quotes, in connection with Project/Initiative with the First Nations Contributor/Custodian/Knowledge Holder's next of kin as follows:

- (a) Name: [insert details]
- (b) Relation: [insert details]
- (c) Address: [insert details]
- (d) Contact number: [insert details]

or such other representative of the *First Nations Contributor/Custodian/Knowledge Holder* who has the required legal capacity to perform the *First Nations Contributor/Custodian/Knowledge Holder's* obligations.

Tool 3.2 - Traditional Custodian Notice (ICIP)

[Title of work/product/material or "This work"] embodies the cultural heritage, Traditional Knowledge and/or traditional cultural expressions of the *[Community Name]* community. It was created with the consent of the custodians of the community.

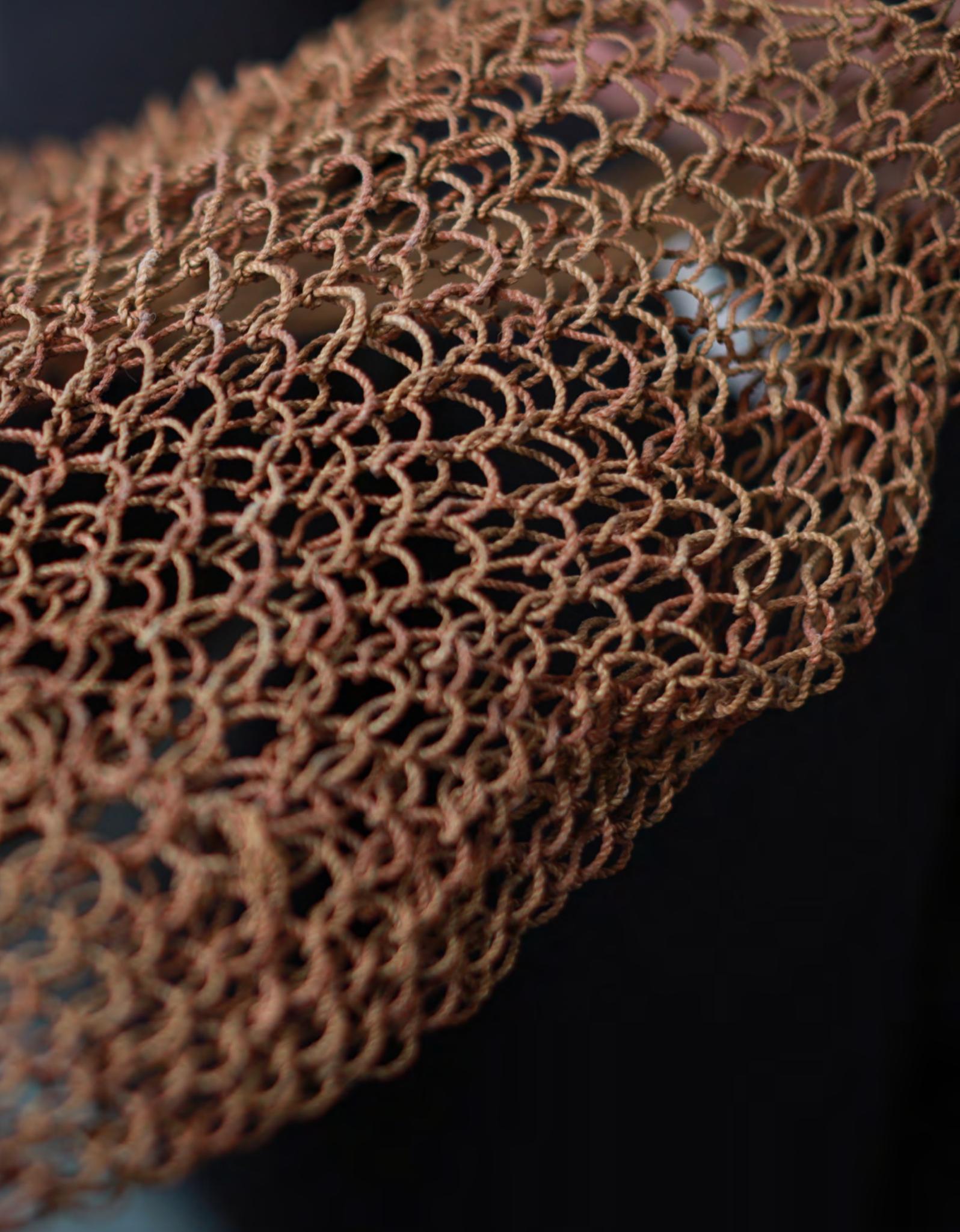
The *[Community Name]* community has the right to maintain, control, protect and develop their cultural heritage in accordance with Article 31 of the United Nations Declaration on the Rights of Indigenous Peoples. Dealing with any part of such materials for any purpose that has not been authorised by the custodians is a serious breach of the customary laws of the *[Community Name]* community and may also breach the Copyright Act 1968 (Cth). For enquiries about permitted reproductions of these materials, contact *[Contact Person Name]* at *[Contact Number]*.

Tool 3.3 - Traditional Custodian Notice (ID)

[Title of data/work/product/material or "This work"] embodies the Indigenous Data of the *[Person name/Community Name]*. It was created with the consent of the custodians of the person/community.

The *[Person Name/Community Name]* community has the right to exercise ownership and control over Indigenous Data, including through the creation, collection, access, analysis, interpretation, management, and dissemination of Indigenous Data, in accordance with Article 31 of the United Nations Declaration on the Rights of Indigenous Peoples. Dealing with any part of such materials for any purpose that has not been authorised by the custodians is a serious breach of the customary laws of the *[Person Name/Community Name]* community and may also breach the Copyright Act 1968 (Cth). For enquiries about permitted reproductions of these materials, contact *[Contact Person Name]* at *[Contact Number]*.

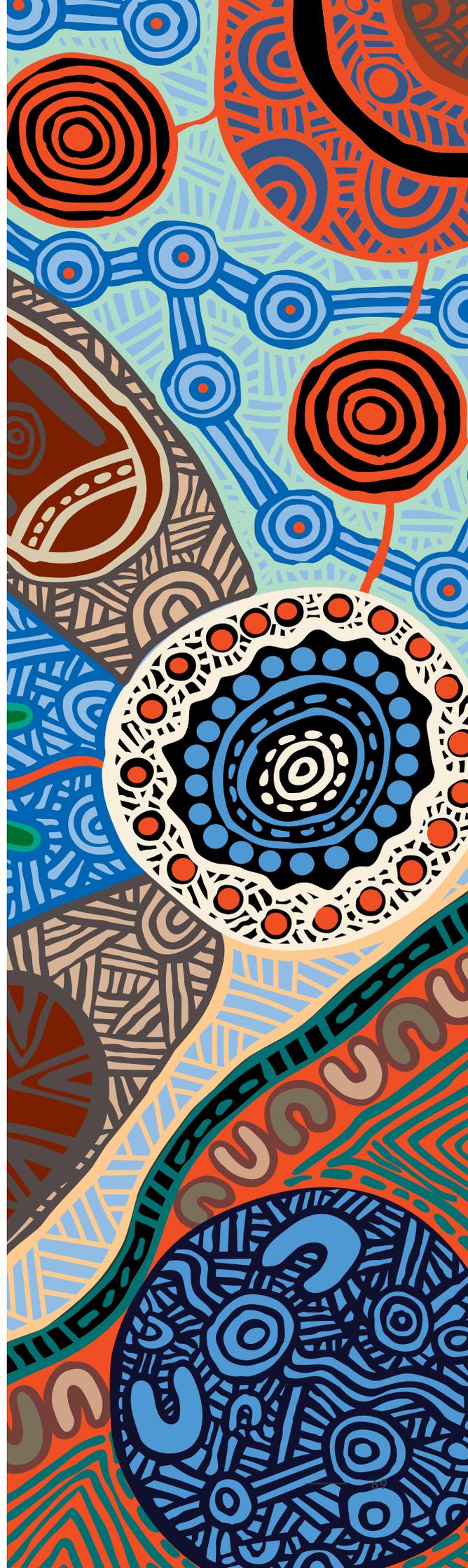
Image (right): Photograph by Cornel Ozies of a string basket acquired from Yuin Country crossing the NSW and VIC regions, Chau Chak Wing Museum, 2020.



Resources and References

1. AIATSIS. (2022). *AIATSIS Code of Ethics for Aboriginal and Torres Strait Islander Research*. Australian Institute of Aboriginal and Torres Strait Islander Studies. <https://aiatsis.gov.au/sites/default/files/2022-02/aiatsis-code-ethics-jan22.pdf>
2. AIATSIS. (2022). *Cultural sensitivity*. Retrieved 25 February 2025 from <https://aiatsis.gov.au/cultural-sensitivity>
3. AIATSIS. (2022). *AIATSIS Guide to evaluating and selecting education resources*. Australian Institute of Aboriginal and Torres Strait Islander Studies. Retrieved 25 February 2025 from <https://aiatsis.gov.au/education/guide-evaluating-and-selecting-education-resources>
4. AIATSIS. (2025). *AustLang*. Retrieved 25 February 2025 from <https://aiatsis.gov.au/austlang/search>
5. Arts Law Centre of Australia. (2025). Retrieved 25 February 2025 from <https://www.artslaw.com.au/information-sheet/moral-rights/>
6. Australian Heritage Commission. (2000). *Ask First: A Guide to Respecting Indigenous Heritage Places and Values*. WIPO. https://www.wipo.int/tk/en/databases/creative_heritage/researchers/link0001.html
7. Australian Indigenous Governance Institute. (2024). Retrieved 25 February 2025 from <https://aigi.org.au>
8. CAVAL and Indigenous Archives Collective, Faulkhead, S., Thorpe, K., Sentance, N., Booker, L., & Barrowcliffe, R. (2023). *Indigenous Referencing Guidance for Indigenous Knowledges*. Indigenous Archives Collective and the UTS Jumbunna Institute of Indigenous Education and Research. https://www.caval.edu.au/wp-content/uploads/2024/06/CAVAL_Indigenous_Knowledges_Citation_Guide.pdf
9. Copyright Agency. (2025). *Moral Rights*. Retrieved 25 February 2025 from <https://www.copyright.com.au/about-copyright/moral-rights/>
10. Global Indigenous Data Alliance. (2025). *CARE Principles for Indigenous Data Governance*. Retrieved 25 February 2025 from <https://www.gida-global.org/care>
11. Go Fair. (2025). *FAIR Principles*. Retrieved 25 February 2025 from <https://www.go-fair.org/fair-principles/>
12. Human Resources, the University of Sydney (2022). *Aboriginal and Torres Strait Islander Employment Plan 2022-2024*. https://www.sydney.edu.au/content/dam/corporate/documents/about-us/careers-at-sydney/usyd_aboriginal-and-torres-strait-islander_employment_plan_2022-2024.pdf
13. Human Resources, the University of Sydney. (2025). *Indigenous Workforce Plan 2025-2032*. <https://intranet.sydney.edu.au/employment/recruitment-job-design/indigenous-workforce-engagement.html>
14. James Cook University Library. (2025). *Referencing Guides*. Retrieved 25 February 2025 from <https://libguides.jcu.edu.au/apa/first-nations>
15. Janke, T. (2021). *True Tracks*. University of New South Wales Press.
16. Maiam nayri Wingara. (2025). *Maiam nayri Wingara*. Retrieved 25 February 2025 from <https://www.maiamnayriwingara.org>
17. Masters, A., Greenfield, P., Davison, C., Evans, J., Motion, A., Barrett, J., Troy, J., Constantine, K. and Jackson Pulver, L. (2023). Elements of Country: a First Nations-first approach to chemistry. *Chemistry Teacher International*, Vol. 5 (Issue 1), pp. 29-38. <https://doi.org/10.1515/cti-2022-0055>
18. Monash University. (2025). *Citing and referencing*. Retrieved 25 February 2025 from <https://www.monash.edu/library/help/citing-and-referencing>
19. Murphy, K., Ford, G., Mantai, L., Abrate, L., Ormond-Parker, L., Kelly-Mundine, J. (2022). *Shaping the Curriculum: Embedding Indigenous Cultural Competence in the Master of Business Administration*. The University of Sydney Business School <https://doi.org/10.25910/n8kz-2451>
20. NACCHO. (2024). *NACCHO Map*. Retrieved 25 February 2025 from <https://www.naccho.org.au/naccho-map/>
21. New South Wales Aboriginal Land Council. (2025). *Land Councils*. Retrieved 25 February 2025 from https://alc.org.au/land_council/
22. NSW Aboriginal Education Consultative Group Inc. (2025). *NSW AECG Inc*. Retrieved 25 February 2025 from <https://www.aecg.nsw.edu.au>
23. NSW Government. (2025). *Aboriginal Keeping places and cultural centres*. Retrieved 25 February 2025 from <https://www.nsw.gov.au/arts-and-culture/engage-nsw-arts-and-culture/aboriginal-art-funding/keeping-places>
24. National Centre for Cultural Competence. (2025). *National Centre for Cultural Competence*. Retrieved 25 February 2025 from <https://www.sydney.edu.au/nccc/>
25. NHMRC. (2018). *Keeping research on track II*. Retrieved 25 February 2025 from <https://www.nhmrc.gov.au/about-us/resources/keeping-research-track-ii>
26. NHMRC. (2023). *National Statement on Ethical Conduct in Human Research 2023*. National Health and Medical Research Council. <https://www.nhmrc.gov.au/about-us/publications/national-statement-ethical-conduct-human-research-2023#block-views-block-file-attachments-content-block>
27. Orr, M., Kenny, P., Gorey, I., Dixon, T., Mir, A., Cox, E., & Wilson, J. (2009). *Aboriginal Knowledge and Intellectual Property Protocol: Community Guide*. 2nd Edition. Ninti One Limited. <https://www.nintione.com.au/resource/Aboriginal-Knowledge-and-IP-Protocol-Community-Guide-booklet-A5.pdf>
28. PBC. (2025). *Home | PBC*. Retrieved 25 February 2025 from <https://nativetitle.org.au>
29. Procurement Services, the University of Sydney. (2022). *Indigenous Procurement Strategy*. <https://www.sydney.edu.au/content/dam/corporate/documents/about-us/working-with-the-university/suppliers/usyd-indigenous-procurement-strategy.pdf>
30. Raven, T. (2023). *Guidelines for First Nations collection description*. National and State Libraries Australasia. <https://nla.gov.au/nla.obj-3250767341/view>
31. Supply Nation. (2024). *Black Cladding*. Retrieved 25 February 2025 from <https://supplynation.org.au/about-us/black-cladding/>
32. The Uluru Dialogue. (2024). *View the statement – The Uluru Statement from the Heart*. Retrieved 25 February 2025 from <https://ulurustatement.org/the-statement/view-the-statement/>
33. The University of Sydney Library. (2021). *Aboriginal and Torres Strait Islander Cultural Protocols*. <https://www.library.sydney.edu.au/content/dam/library/documents/about/culturalprotocols.pdf>

34. The University of Sydney. (2025). *Aboriginal and Torres Strait Islander Naming Policy 2025*. <https://www.sydney.edu.au/policies/showdoc.aspx?recnum=PDOC2025/558&RendNum=0>
35. The University of Sydney. (2022). *Annual Report 2022*. The University of Sydney. <https://www.sydney.edu.au/content/dam/corporate/documents/about-us/values-and-visions/annual-report/university-of-sydney-2022-annual-report.pdf>.
36. The University of Sydney Intranet. (2025). *Indigenous Strategy and Services*. Retrieved 25 February 2025 from <https://intranet.sydney.edu.au/contacts-campuses/services/indigenous-strategy-services.html>
37. The University of Sydney. (2016). *Intellectual Property Policy 2016*. Senate of the University of Sydney. <https://www.sydney.edu.au/policies/showdoc.aspx?recnum=PDOC2016/418&RendNum=0>
38. The University of Sydney. (2021). *One Sydney, Many People Strategy 2021-2024*. <https://www.sydney.edu.au/content/dam/corporate/documents/about-us/values-and-visions/one-sydney-many-people-digital.pdf>
39. The University of Sydney. (2023). *Research Code of Conduct 2023*. Senate of the University of Sydney. <https://www.sydney.edu.au/policies/showdoc.aspx?recnum=PDOC2013/321&RendNum=0>
40. The University of Sydney. (2014). *Research Data Management Policy 2014*. <https://www.sydney.edu.au/policies/showdoc.aspx?recnum=PDOC2013/337&RendNum=0>
41. The University of Sydney. (2018). *Sponsorship Policy 2018*. Senate of the University of Sydney. <https://www.sydney.edu.au/policies/showdoc.aspx?recnum=PDOC2011/161&RendNum=0>
42. The University of Sydney. (2023). *The University of Sydney Enterprise Agreement 2023- 2026*. <https://intranet.sydney.edu.au/employment/enterprise-agreement.html>
43. Tui Raven Blog. (2025). *Guidelines for First Nations Description*. WordPress.com. Retrieved 25 February 2025 from <https://tuiraven.com/home/work/guidelines-for-first-nations-description-project>
44. United Nations General Assembly. (2007). *United Nations Declaration on the Rights of Indigenous Peoples*. Retrieved 25 February 2025 from https://www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf
45. Walanga Design Principles Project Control Group, the University of Sydney. (2020). *Walanga Wingara Mura Design Principles*. https://www.sydney.edu.au/content/dam/corporate/documents/about-us/values-and-visions/aboriginal-and-torres-straight-islander-community/wingara-mura-design-principles_2020_v9_web.pdf
46. Wright, D., Hardy, C., Janke, T., Auld, R., & Fitch, E. (2024). *Indigenous Cultural and Intellectual Property Protocol for Curriculum*. <https://hdl.handle.net/2123/32683>



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