Building better superannuation outcomes for Aboriginal and Torres Strait Islander people

Discussion paper

Indigenous Superannuation Working Group

February 2015
ABOUT THE INDIGENOUS SUPERANNUATION WORKING GROUP

The Indigenous Superannuation Working Group is an industry-led initiative established in 2013 by the superannuation industry associations with the objective of working to improve the gap between Indigenous and non-Indigenous Australians in accessing and engaging with their superannuation.

Since forming, the Working Group has met as follows:

<table>
<thead>
<tr>
<th>2013</th>
<th>2014</th>
<th>2015</th>
</tr>
</thead>
<tbody>
<tr>
<td>23 May</td>
<td>22 January</td>
<td>28 January</td>
</tr>
<tr>
<td>29 October</td>
<td>27 May</td>
<td>24 June</td>
</tr>
<tr>
<td></td>
<td>29 July</td>
<td>22 October</td>
</tr>
</tbody>
</table>

Members of the working group are as follows:

<table>
<thead>
<tr>
<th>Superannuation Industry Bodies:</th>
<th>Superannuation entities:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Association of Superannuation Funds of Australia</td>
<td>AMP</td>
</tr>
<tr>
<td>Australian Institute of Superannuation Trustees</td>
<td>Australian Super</td>
</tr>
<tr>
<td>Financial Services Council</td>
<td>MLC</td>
</tr>
<tr>
<td>Superannuation entities:</td>
<td>QSuper</td>
</tr>
<tr>
<td>AMP</td>
<td>Cbus</td>
</tr>
<tr>
<td>Australian Super</td>
<td>Super SA</td>
</tr>
<tr>
<td>Cbus</td>
<td>First State Super</td>
</tr>
<tr>
<td>First State Super</td>
<td>Vision Super</td>
</tr>
<tr>
<td>GESB</td>
<td>Gordon Noble</td>
</tr>
<tr>
<td>Individuals:</td>
<td></td>
</tr>
</tbody>
</table>
BACKGROUND AND INTRODUCTION

The objective for the Indigenous Superannuation Working Group (Working Group) is to improve the gap between Indigenous and non-Indigenous Australians when it comes to access to and engagement with superannuation.

The Working Group’s Terms of Reference state that the initial focus of the group is:

1. To collect data;
2. To assess the superannuation industry’s ability to meet specific needs of Australia’s Indigenous people;
3. To consider self-regulation initiatives and industry guidance; and
4. To analyse relevant legislation and make appropriate recommendations to government.

Following an industry survey conducted by the Working Group in 2013, it was determined that a Discussion Paper be developed to engage the superannuation industry on the challenges faced by Aboriginal and Torres Strait Islander people when trying to access the superannuation system. The survey was concerned with Indigenous superannuation membership and engagement initiatives targeted at Indigenous members, as well as Indigenous employment within super funds.

The Working Group recognises that its objectives cannot be progressed without broad industry support. We also recognise that success requires the combined efforts of government, the Indigenous community and the superannuation industry. Consequently, this Discussion Paper aims to raise awareness and stimulate discussion within the industry on this important issue. An industry forum to discuss these issues further will be held in June 2015.

Feedback on this paper can be submitted to the Working Group’s Chair:

   Eva Scheerlinck  
   C/- AIST, Ground Floor  
   215 Spring St,  
   Melbourne VIC 300  
   or at escheerlinck@aist.asn.au.

Consultations close 1 May, 2015.
Background to the Working Group

Over the last few years there have been a number of discussion forums that have focused on addressing Aboriginal and Torres Strait Islander people’s experience and engagement with superannuation.

In December 2008 the then Assistant Treasurer, Senator the Hon Nick Sherry took a delegation from the financial services industry to Northern Australia to investigate Indigenous financial services issues. One of the issues identified by the delegation was the number of Indigenous Australians with lost superannuation accounts. Nick Sherry heard direct evidence about the challenge that Indigenous Australians face providing proof of identity, with many complaining that in the end it was too hard and too time consuming to pursue queries regarding their entitlements. The result being that many Indigenous Australians gave up engaging with superannuation.

In recent times however, it appears that superannuation is again on the agenda across Indigenous communities, with financial counsellors and other service providers reporting that enquiries about superannuation have significantly increased.

The National Aboriginal and Torres Strait Islander Women’s Alliance conducted research and published a report, “Aboriginal & Torres Strait Islander Women and Superannuation” in February 2013. The following month the Public Interest Advocacy Centre, in partnership with the Anti Discrimination Board and Australia’s First People (National Congress) hosted a discussion forum on super and Indigenous consumers, publishing a summary of issues raised in “Securing better outcomes for Aboriginal and Torres Strait Islander people in superannuation”.

During this period ASIC organised a number of discussion forums through its Indigenous Outreach Program, bringing together all of the stakeholders to meet with industry on the challenges in the superannuation area. The Working Group participated in these forums and has kept in regular touch with ASIC since the formation of the group.

A number of superannuation funds have invested significant resources in programs that are focused on engaging with Indigenous members while industry associations have conducted research and started to lead conversations amongst their membership.

As a result, a broad industry consensus began to emerge on the need to establish an industry-wide mechanism to address the raft of issues in the superannuation system that result in challenges for Indigenous Australians. The need for a collaborative approach to addressing Indigenous issues has directly led to the establishment of this Working Group.
The first phase of the Working Group involved numerous consultations with the superannuation industry to discuss operational challenges and current practices. The second phase of the Working Group includes the release of this Discussion Paper and the upcoming one-day event – The Indigenous Super Summit - which marks an important shift towards broader engagement and collaboration with Aboriginal and Torres Strait Islander people. Up until now, there have been many consultations with Indigenous people and visits to Indigenous communities by the superannuation and financial services industries to understand the challenges outlined in this paper. Feedback and experiences have been included and discussed in the Working Group meetings. However, with industry commitment now established, the Working Group looks forward to moving into its next phase and hopes that one of the outcomes of the one-day event will be to add permanent Indigenous representation to the Working Group.
The Working Group’s Survey

The Working Group, through the industry associations, invited super funds to participate in a survey on the challenges faced by Indigenous Australians in the superannuation arena. Twenty-seven superannuation funds participated in the survey.

The key conclusions from the survey are as follows:

- The identification of super fund members as being of Aboriginal or Torres Strait Islander origin is not widespread. Only two of the surveyed funds collected such data.
- Only four of the surveyed funds have developed specific initiatives targeted at their Indigenous members, with one fund producing tailored communications, a dedicated webpage, seminars and worksite visits.
- One fund advised of an internal process whereby Indigenous identification issues were escalated to the trustee.
- A number of the funds surveyed indicated that they had experienced problems in maintaining contact with Indigenous members. Funds also indicated issues around providing access to insurance benefits.
- Six respondents indicated that Aboriginal or Torres Strait Islander members had experienced difficulties making claims for insurance. Five respondents indicated that they had experienced difficulties settling insurance claims for Aboriginal or Torres Strait Islander members.
- Survey respondents commented that funds experienced difficulty identifying members and their beneficiaries due to inconsistent names and dates of birth on documentation. Determining family relationships to identify possible beneficiaries as well as the prolonged time to meet requirements such as estate details were also identified as challenges.
- Seven of the surveyed funds accept Indigenous ID cards such as the Larrakia Nation’s card to verify a person’s identity (in conjunction with other sources of ID).
- Four of the funds surveyed have an Indigenous employment strategy in place.
- Three of the funds surveyed had a Reconciliation Action Plan.
- The overwhelming majority of funds surveyed indicated an interest in continuing to participate in initiatives to improve access to superannuation for Indigenous people.

The survey results confirmed the Working Group’s hypothesis that awareness of issues specific to Indigenous consumers is limited and that widespread attention is not being dedicated to improving access to and engagement with superannuation for this group of consumers.
ABORIGINAL AND TORRES STRAIT ISLANDER PEOPLE – SOME KEY STATISTICS

The range of issues that Aboriginal and Torres Strait Islander people face that are different to those faced by the non-Indigenous population have been identified through stakeholder dialogue, research and industry engagement. The statistics below provide context to the issues that exist in our superannuation system for Indigenous consumers.

<table>
<thead>
<tr>
<th>Theme</th>
<th>Statistic</th>
<th>Relevance to super</th>
</tr>
</thead>
<tbody>
<tr>
<td>Population</td>
<td>The Aboriginal and Torres Strait Islander population at 30 June 2011 was around 670,000 persons, with over half located in New South Wales and Queensland. NSW has the highest overall Aboriginal and Torres Strait Islander numbers with 208,000. The Northern Territory has the highest proportion of Aboriginal and Torres Strait Islander people with almost 50% of the Territory’s population so identifying.</td>
<td>Proportion of people impacted</td>
</tr>
<tr>
<td>Age demographic</td>
<td>The Aboriginal and Torres Strait Islander population has a younger age structure than the non-Indigenous population, with a larger proportion of young people and a smaller proportion of older people. The much younger age structure of the Aboriginal and Torres Strait Islander population is largely a product of relatively high birth rates and mortality compared with the non-Indigenous population. In 2011, the proportion of Aboriginal and Torres Strait Islander people under 15 years of age was 35.8%, compared with 18.3% of the non-Indigenous population in the same age group. Persons aged 65 years and over comprised 3.4% of the Aboriginal and Torres Strait Islander population and 14.1% of the non-Indigenous population. There was no noteworthy differential on the basis of gender.</td>
<td>Capacity for workforce participation and retirement</td>
</tr>
<tr>
<td>Workforce participation</td>
<td>Labour force participation rates for Aboriginal and Torres Strait Islander people aged 15 years and over in 2011 was 61.6% with 66.5% in major cities compared to 54.65% in remote areas. Rates of labour force participation are higher for men and higher for those in major cities. Participation rates fell marginally for men and rose marginally for women between 2005 and 2011. The unemployment rate in 2011 for Aboriginal and Torres Strait Islander men was 16.4%. Men living in major cities experienced lower unemployment (12.3%) than regional Australia (19.8%). Unemployment for women was comparable to men.</td>
<td>Access to super through paid employment</td>
</tr>
</tbody>
</table>
### Household composition

In 2006, Indigenous single family households were three times more likely than other single family households to be one-parent families with dependent children or students (30% compared with 10%). Indigenous families without dependents comprise 33% of households compared with 54% of non-Indigenous families.

### Super balances

Indigenous Australians have lower coverage and lower superannuation balances on average than the general population, largely related to differences in paid labour force experience. Superannuation coverage for Indigenous Australians is about 70% for men and 60% for women, compared with rates of 85% for men and 80% for women for the population more generally. Average (mean) balances are also lower than for the equivalent Australian population as a whole. While Indigenous men had an average balance of $55,743 in 2010, the equivalent figure for non-Indigenous was $110,000. For women the respective figures were $39,909 and $63,000.

### Emergency money

Aboriginal and Torres Strait Islander people aged 18 years and over are almost four times more likely than non-Indigenous people to live in households unable to raise $2,000 within a week in an emergency (47% compared with 13%).

### Educational attainment

59% of Aboriginal and Torres Strait Islander people aged 20-24 in 2012-2013 have completed year 12 or equivalent. For the non-Indigenous population aged 20-24 in 2010-2012 the proportion was 86-88%.

### Access to services

30% of Aboriginal and Torres Strait Islander people aged 15 years and over in 2008 reported problems accessing services over the previous year, with the proportion reaching 48% in very remote areas.

### Life expectancy

In 2010-2012, life expectancy at birth for Aboriginal and Torres Strait Islander males was 69.1 years, and 73.7 years for Aboriginal and Torres Strait Islander women. This represents a gap between Aboriginal and Torres Strait Islander Australians and non-Indigenous Australians of 10.6 years for men and 9.5 years for women. The lower life expectancy for Aboriginal and Torres Strait Islander people has been attributed to a higher incidence of diseases such as diabetes mellitus, respiratory disorders, ear disease, eye disorders and some cancers.
The above statistics highlight important differences in the life experience of Indigenous and non-Indigenous people in Australia. The age distribution of the Indigenous population, educational attainment levels, capacity for workforce participation and the gap in life expectancy generally result in lower superannuation balances and less capacity to convert superannuation savings into retirement income.

The classifications used to describe Indigenous households and family structures in the ABS five-yearly Census do not fully capture the complexity of many Indigenous families and their living arrangements. The statistics above therefore do not reflect the unique family and kinship structures that complicate many of the beneficiary arrangements. ABS data and anecdotal evidence at stakeholder forums tell us that the characteristics of Indigenous households differ from non-Indigenous households - they tend to be larger, non-nuclear and more fluid in composition. Indigenous families have overlapping and extensive kinship networks, with both adults and children commonly moving between different households. These extensive and fluid family structures are more common in remote communities, but are also found in more settled areas of Australia.
SUPERANNUATION AND INDIGENOUS PEOPLE

There have been many challenges for Indigenous Australians in accessing superannuation identified by the various stakeholders and interested parties, including the Working Group. These challenges include:

- Problems with the verification of identity;
- Communication and literacy issues;
- Different cultural practices, expectations and relationships; and
- Life expectancy differences and early onset of illness.

The Working Group seeks to overcome the issues and challenges identified in the paper by working collaboratively with industry, government agencies, other stakeholders and of course, Aboriginal and Torres Strait Islander people.

Member Identification

There are a number of challenges in managing and maintaining accurate matches between Aboriginal and Torres Strait Islander members’ identities and the way their identities are recorded within the superannuation system as account holders and beneficiaries. This is particularly a challenge in remote and first-language speaking communities.

Indigenous identities often emphasise a collective or relational character, in contrast to the non-Indigenous emphasis on a stable individual identity and name. This is evident in the greater use of kinship names than individual names, and individuals having varying and multiple names throughout their life and in different circumstances. Names in many Aboriginal societies are also considered cultural property, often of particular groups, and restrictions on the sharing and use of these names are actively managed in everyday life. A common example is that after the death of a person, their name will not be spoken and those with the same or similar name will use an alternative name for some period. In addition to this, the unfamiliarity of Aboriginal languages to many Australians, and often carelessness on behalf of administrators, means that Aboriginal names are often spelt incorrectly and not corroborated by the named person themselves.

Identification problems for many Aboriginal and Torres Strait Islander people start at birth. Particularly with the older generation, births were not recorded in the official register resulting in no birth certificate being available. Many records are also inaccurate. The changing of names,
and the incorrect recording of birth dates or spelling of names has also proved challenging for many Indigenous people, leading to difficulties in proving their identity. The fact that super funds don’t record a person’s Aboriginality or Torres Strait Islander descent does not assist in helping individuals facing these identity verification issues to have the matter escalated to a separate protocol. Traditional marriages are also often not performed in accordance with Australia’s marriage laws and are accordingly not registered. The same lack of registration can occur at the time of death where, if there is no funeral director, the actual step of registration can be missed. These circumstances pose problems for the identification of members and beneficiaries under the superannuation legislative framework.

The Working Group is keen to examine the possibility of the industry developing some consistent protocols to assist Indigenous people in the verification of their identity to facilitate access to their superannuation accounts or to insurance entitlements. The Working Group is cooperating with the Australian Bankers Association on their Indigenous identification protocol project, which is somewhat advanced at the time of writing this paper. The Working Group also supports improved cooperation and dialogue with other agencies including the Register of Births, Deaths and Marriages, the Australian Taxation Office, Centrelink, AUSTRAC and other government agencies to facilitate improved access.

There have been a number of projects that have sought to assist Aboriginal and Torres Strait Islander people with the verification of identity. The Larrakia Nation, which comprises people from Darwin and the surrounding area, has developed a Larrakia ID card, which has had success in addressing identification issues for the local community. The Australian Taxation Office has developed alternatives for Aboriginal and Torres Strait Islander people so they can apply for a tax file number without the usual 100 points of identification.

The anti-money laundering provisions impact financial services institutions’ ability to modify identification requirements, however the Working Group believes there is scope to work with the various stakeholders and government to develop special guidelines and requirements to improve fairness and access for Indigenous people.

All of these factors make it difficult for many service providers, including superannuation funds, to correctly identify their members over time. Establishing an identity sufficient to meet the legal requirements of superannuation can become particularly demanding in relation to insurance claims and tracking lost superannuation.

The Working Group considers that there is merit in considering some form of identification program for Aboriginal and Torres Strait Islander people that explicitly addresses their unique identification issues. Such a program could play an important role in enabling Aboriginal and Torres Strait Islander people to engage with their superannuation in a much improved way.
There are also unique problems faced by people living in remote communities. Around 20 per cent of Aboriginal and Torres Strait Islander people live in remote communities, and those that do often find it hard to engage with superannuation funds, due to a number of factors including having English as a second language and limited access to telephone or internet. The superannuation industry has been structured to deliver superannuation services through centralised call centres and administration centres. Superannuation field staff most often focus on delivering services in major cities and regional centres.

The challenge that any individual superannuation fund faces is that it is uneconomical to deliver services face-to-face in remote communities across Australia.

The Working Group considers that there may be merit in considering an industry-wide engagement program that is focused on remote communities. While many non-Indigenous Australians living in remote communities are also disadvantaged, many of the identification issues are unique to Aboriginal and Torres Strait Islander people (such as a lack of birth date, name changes, skin names, etc). Such a program could focus on connecting people in remote communities with their superannuation (including their wishes in the event of death) and assisting with insurance claims where relevant. There are a number of ways such a program could be delivered including through partnership with ASIC’s Indigenous Outreach Program or through community partnerships.

**Literacy, numeracy and cultural issues**

Financial counsellors and other stakeholders have expressed concerns about the capacity of many Indigenous superannuation consumers to engage with superannuation funds and their existing processes. For many Aboriginal or Torres Strait Islander people English is not a first language, numeracy and literacy levels are often low, and the financial terminology and legal requirements can be confounding. While similar issues are faced by migrant communities, “Aboriginal and Torres Strait Islander Australians are over-represented among Australians facing disadvantage, and this disadvantage appears more persistent over time and across generations.” For the purposes of the Working Group’s work, the focus will be the needs of Aboriginal and Torres Strait Islander people.

The Working group sees potential value in the industry working together to streamline and simplify processes and requirements for Indigenous members and to create appropriate generic resources that could be utilised across the industry.
Indigenous employment in the industry

With Indigenous employment in the superannuation industry not identified in the survey as being a consideration for most funds, the Working Group recognises that this area of focus is more difficult for an industry-wide solution at this time. However, as the Working Group looks to promote the adoption of Reconciliation Action Plans within the industry, this then becomes a possibility for individual funds to consider going forward.

Reconciliation Action Plans

A Reconciliation Action Plan (RAP) helps an organisation to realise their vision for reconciliation through meaningful and practical plans to develop relationships, show respect and increase opportunities for Aboriginal and Torres Strait Islander people.

Reconciliation Action Plans should be considered as a priority for the superannuation industry. While some funds are looking to link the existing RAPs of their parent companies (such as in the banking sector), others are yet to commence the process. The Working Group has commenced discussions with Reconciliation Australia about developing a pathway forward.

One option is for the superannuation industry, perhaps through the Working Group, to establish a network that supports superannuation funds that have an interest in developing their own Reconciliation Action Plan, having regard to existing RAPs in the financial services industry.
CONCLUSION

Through stakeholder dialogue, research and industry engagement the Working Group has identified a basis for action to address the range of issues that Aboriginal and Torres Strait Islander people face in relation to superannuation.

- **First**, Aboriginal and Torres Strait Islander people are often disadvantaged within the superannuation system. This is both due to the nature of the superannuation system, as a system reliant on consistent workforce participation, and the fact that the system amplifies other disadvantages, including life expectancy, education levels and literacy.

- **Second**, many of the difficulties superannuation funds face in trying to engage with Aboriginal and Torres Strait Islander people are common to many other industries and areas of government. These include identity, family structures, and the inclination towards top-down centralised models of engagement.

- **Third**, there is currently no united industry-wide effort to address these issues within the superannuation industry.

- **Fourth**, many people in the superannuation industry recognise the less than adequate relationship between the industry and Aboriginal and Torres Strait Islander communities and there is some energy and momentum within the industry to undertake concrete action.

Over the last couple of years there has been engagement with superannuation industry participants around Indigenous superannuation. From these conversations it is clear that there are people within the industry that have a strong interest and passion to support any work program that is ultimately developed by the Working Group.

A key issue is how the interest and passion of superannuation fund professionals can be harnessed. A wider question is how the industry can develop a program with long-term benchmarks and accountability.

One initiative is to hold an annual Indigenous superannuation event that would provide a mechanism for ongoing engagement and the sharing of ideas and experiences. Such a forum could provide an opportunity for superannuation funds to report on their progress and on their experiences in developing and delivering programs that are focused on achieving better outcomes for Indigenous superannuation fund members and their beneficiaries. The first such forum is envisaged to take place in June 2015 to take up the matters raised in this paper. Participation will be invited from Aboriginal and Torres Strait Islander organisations, government, government agencies, academics and the superannuation industry.
WORKING GROUP RECOMMENDATIONS

The following recommendations are proposed as discrete projects the Working Group will pursue. Guiding these actions is a broad framework that helps translate evidence and research findings into effective action that better develops relationships, shows respect and increases opportunities for Aboriginal and Torres Strait Islander people.

The Working Group recognises that Aboriginal and Torres Strait Islander communities are diverse, and solutions need to be developed at a local/regional level. National statistics and industry-wide data are important to identify and quantify common issues, however, they should not compel solutions to be similarly national or industry-wide. According to Gary Banks, chair of the Productivity Commission responsible for the “Overcoming Indigenous Disadvantage” regular reports that measure the wellbeing of Australia’s Indigenous people:

“[T]here is more going on in Indigenous communities than is being (or can be) captured by statistics. Our consultations across the country have brought to light many positive and successful initiatives at a local or community level. Because they are localised in their effects, they tend to be swamped in the aggregate statistics (even at the State or wider regional level. …

Our analysis of the ‘things that work’, together with consultations with governments and Indigenous people, identified the following factors that many of the success stories have had in common:

- cooperative approaches between Indigenous people and government (and the private sector);
- community involvement in program design and decision-making — a ‘bottom-up’ rather than ‘top-down’ approach;
- good governance; and
- on-going government support (human as well as financial).”

Nevertheless, to the extent that there are issues internal to the administration and policy processes of the superannuation system in relation to Aboriginal and Torres Strait Islander people, these should be addressed with an industry-wide approach.

The Working Group recognises addressing Aboriginal and Torres Strait Islander disadvantage and disenfranchisement with superannuation will be a long process. It is therefore critical that
good faith be demonstrated in an ongoing manner. Ongoing engagement and concrete gestures of local support are effective means to achieve this.

Recommendations:

1. That the superannuation industry through the Indigenous Superannuation Working Group establishes an annual Indigenous superannuation event that provides a forum for engagement and accountability around the superannuation industry’s progress in pursuing the objective of improving the access to and engagement in superannuation of Aboriginal and Torres Strait Islander people.

2. That the superannuation industry through the Indigenous Superannuation Working Group provide a network fostering peer support for superannuation funds who decide to develop Reconciliation Action Plans.

3. That the Indigenous Superannuation Working Group, particularly through its industry association members, identifies, facilitates and promotes the production and distribution of superannuation resources appropriate for improving engagement with Aboriginal and Torres Strait Islander people regarding superannuation.

4. That the superannuation industry through the Indigenous Superannuation Working Group engages with the Australian Bankers Association, AUSTRAC and State and Federal Governments on establishing protocols on how best to address identification challenges faced by Aboriginal and Torres Strait Islander people in relation to superannuation.
REFERENCES


3 Unless otherwise stated, statistics gathered from Australian Bureau of Statistics.


7 Sources include the National Aboriginal and Torres Strait Islander Women’s Alliance paper: *Aboriginal & Torres Strait Islander Women and Superannuation*, Report, and ASIC forum discussions.

