



# Community Legal Services Program National Program Support Grant Opportunity Guidelines

<b>Opening date:</b>	<b>31 March 2020</b>
<b>Closing date and time:</b>	11.00PM AEST on 16 April 2020
<b>Commonwealth policy entity:</b>	Attorney-General's Department
<b>Administering entity</b>	Community Grants Hub
<b>Enquiries:</b>	If you have any questions, contact Community Grants Hub Phone: 1800 020 283 (option 1) Email: <a href="mailto:support@communitygrants.gov.au">support@communitygrants.gov.au</a> Questions should be sent no later than 5.00PM AEST on 6 April 2020
<b>Date guidelines released:</b>	31 March 2020
<b>Type of grant opportunity:</b>	Closed non-competitive

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# 1. Community Legal Services Program: National Program Support Grant processes

The **Community Legal Services Program** (the program) is designed to achieve a national legal assistance sector that is integrated, efficient and effective, and is focused on improving access to justice for disadvantaged people and maximising service delivery within available resources.

This grant opportunity is part of the above grant program which contributes to the Attorney-General's Department's (AGD) Outcome 1.4. Justice Services. AGD works with stakeholders to plan and design the grant program according to the [Commonwealth Grants Rules and Guidelines 2017 \(CGRGs\)](#).



## The grant opportunity opens

We publish the grant guidelines on the [GrantConnect](#) and [Community Grants Hub](#) websites.



## You complete and submit a grant application

You complete the application form and address all of the eligibility and assessment criteria to be considered for a grant.



## We assess all grant applications

We assess the applications against eligibility criteria and notify you if you are not eligible. If you are eligible, we then assess your eligible application against the assessment criteria including an overall consideration of value with money.



## We make grant recommendations

We provide advice to the decision maker on the merits of each application.



## Grant decisions are made

The decision maker, the Deputy Secretary, Legal Services and Families Group, Attorney-General's Department, decides which applications are successful.



## We notify you of the outcome

We advise you of the outcome of your application. We may not notify unsuccessful applicants until grant agreements have been executed with successful applicants.



## We enter into a grant agreement

We enter into a grant agreement with you if successful. The type of grant agreement is based on the nature or complexity of the grant and is proportional to the risks involved.



## Delivery of grant

You undertake the grant activity as set out in your grant agreement. We manage the grant by working with you, monitoring your progress and making payments.



## Evaluation of the National Program Support Grant

We evaluate your specific grant activity and the National Program Support Grant as a whole. We base this on information you provide us and that we collect from various sources.

## 1.1 Introduction

These guidelines contain information for the Community Legal Services Program - National Program Support grant round.

You must read these guidelines before filling out an application.

This document sets out:

- the purpose of the grant program/grant opportunity
- the eligibility and assessment criteria
- how grant applications are considered and selected
- how grantees are notified and receive grant payments
- how grantees will be monitored and evaluated
- responsibilities and expectations in relation to the opportunity.

This grant opportunity and process will be administered by the Community Grants Hub on behalf of AGD.

## 2. About the grant program

The Community Legal Services Program - National Program Support (the program) is being provided by AGD and contributes to AGD Outcome 1 — A just and secure society through the maintenance and improvement of Australia's law, justice, security and integrity frameworks. It also supports AGD's Strategic Priority 4 — Maintain an efficient and effective civil Commonwealth justice system that meets the needs of all Australians.

The objective of the program is to support the provision of legal assistance to the community by funding national service delivery and program support activities that complement the delivery of community legal services by the states and territories.

The program aims to achieve a national legal assistance sector that is integrated, efficient, effective, and appropriate legal assistance services that are focused on improving outcomes and keeping the justice system within reach for vulnerable people facing disadvantage, within available resources.

The purpose of the grant opportunity is to provide continuity of national legal assistance services and support priority activities, over five years from 2020-21 to 2024-25, as listed in section 5.1. Organisations listed in section 4.1 are invited to apply to continue to deliver these activities.

Applications for funding under the program, National Program Support grant round, must be consistent with the objectives and principles of the *National Strategic Framework for Legal Assistance* and meet one or more of the following key priorities:

- **National** - the activity must have a national footprint and achieve outcomes nationwide. For example, program funding may cover activities such as an online service that provides legal assistance and referrals to a particular target group across Australia.
- **Program Support** - to support activities that are complementary to the effective operation of legal assistance service providers by the states and territories. Activities may include training, sector coordination, activities in support of the sector, and liaison between the sector and the Commonwealth.

The Community Grants Hub administers the program in accordance with the [CGRGs](#).

### 3. Grant amount and grant period

#### 3.1 Grants available

For this grant opportunity, approximately \$12.84m (GST exclusive) is available over five financial years from 2020-21 to 2024-25.

#### 3.2 Grant period

The maximum grant period is five years (60 months) commencing 1 July 2020.

### 4. Eligibility criteria

We cannot consider your application if it does not meet **all** the eligibility criteria.

The grant opportunity is a closed non-competitive grant selection process. Given the limited scope of the proposed activities, AGD considers this is an appropriate type of selection process. The invited organisations at section 4.1 have been identified as best placed to undertake the activities, having a proven record of high-performance in previously delivering similar activities for AGD.

#### 4.1 Who is eligible to apply for a grant?

To be eligible to receive a grant, you must be one of the listed invited organisations, which are currently funded to deliver the listed activities, and have received an invitation to apply through GrantConnect. No further organisations will be invited to apply.

An estimate of the funding allocation for each invited organisation and their eligible activity is set out in the table below; grant applications up to these funding amounts will be considered.

Invited Organisation and ABN	Eligible Activity	Funding (GST exclusive)					TOTAL
		2020-21	2021-22	2022-23	2023-24	2024-25	
<b>LawRight</b> 52 033 468 135	Self-Representation Service	\$177,450	\$180,112	\$182,994	\$185,922	\$188,781	<b>\$915,259</b>
<b>Justice Connect</b> 54 206 789 276	Self-Representation Service	\$532,350	\$540,335	\$548,980	\$557,764	\$566,130	<b>\$2,745,559</b>
<b>JusticeNet SA</b> 31 135 823 513	Self-Representation Service	\$152,100	\$154,382	\$156,852	\$159,362	\$161,752	<b>\$784,448</b>
<b>Legal Aid WA</b> 96 166 412 580	Self-Representation Service	\$152,100	\$154,382	\$156,852	\$159,362	\$161,752	<b>\$784,448</b>
<b>Financial Rights Legal Centre</b> 40 506 635 273	Insurance Law	\$162,240	\$178,926	\$181,789	\$184,698	\$187,468	<b>\$895,121</b>
<b>Arts Law Centre of Australia</b> 11 155 887 463	Artists in the Black service	\$121,680	\$123,505	\$125,481	\$127,489	\$129,401	<b>\$627,556</b>
<b>Youth Law Australia</b> 73 062 253 874	Youth Law Legal Help	\$202,800	\$223,657	\$227,236	\$230,872	\$234,335	<b>\$1,118,900</b>

Invited Organisation and ABN	Eligible Activity	Funding (GST exclusive)					
		2020-21	2021-22	2022-23	2023-24	2024-25	TOTAL
<b>Community Legal Centres Australia</b> 67 757 001 303	Community Legal Centres Sector Support for legal assistance arrangements.	\$304,200	\$308,831	\$313,772	\$318,793	\$323,575	<b>\$1,569,171</b>
<b>National Aboriginal and Torres Strait Islander Legal Services represented by Victorian Aboriginal Legal Service</b> 45 926 675 900	Aboriginal and Torres Strait Islander Legal Services Sector Support for legal assistance arrangements.	\$304,200	\$308,831	\$313,772	\$318,793	\$323,575	<b>\$1,569,171</b>
<b>Australian Pro Bono Centre</b> 13 102 444 557	Pro Bono Support and Promotion	\$354,900	\$360,224	\$365,988	\$371,844	\$377,422	<b>\$1,830,378</b>
<b>Total Funding*</b>		<b>\$2,464,020</b>	<b>\$2,533,185</b>	<b>\$2,573,716</b>	<b>\$2,614,899</b>	<b>\$2,654,191</b>	<b>\$12,840,011</b>

\*Funding does not include SACS for those organisations that may be eligible.

### Commonwealth Social and Community Services Award supplementation

The National Program Support grant recipients may be eligible to receive Commonwealth Social and Community Services (SACS) Award supplementation. The SACS supplementation is provided only to programs that existed in February 2012, and is limited to programs that were in-scope as at 1 February 2012. This is because when new policy proposals and programs are developed, SACS wage costs (at the relevant award rate) are included in the baseline program funding. If the program is an in-scope program the SACS supplementation can only be used to pay SACS workers' salaries and costs associated with meeting their obligations as a result of the Equal Remuneration Order.

Applicants who are eligible for the SACS supplementation need to complete the relevant SACS questions in the application form; and if successful, complete a SACS Financial Declaration form as outlined in your grant agreement. SACS supplementation ceases on 30 June 2021. Further information can be found [on the Department of Social Services website](#).

#### 4.2 Who is not eligible to apply for a grant?

You are not eligible to apply for this grant opportunity if you have not received an invitation to apply through GrantConnect and your organisation is not listed as an eligible invited organisation at section 4.1.

## 5. What the grant money can be used for

### 5.1 Eligible grant activities

To be eligible your grant activity must meet one or more of the key priorities referred to in section 2, and one of the following activities which focus on improving outcomes and keeping the justice system within reach of vulnerable people facing disadvantage:

- **Self-Representation Service** – to provide assistance to unrepresented people in the Federal Court and Federal Circuit Courts.
- **Artists in the Black Service** – to deliver legal information, assistance and advice to Aboriginal and Torres Strait Islander artists and communities.
- **Youth Law Legal Help** – for the provision of legal assistance services for children and young people nationally.
- **Insurance Law** – to support operation of the Insurance Law Service.
- **Pro Bono Support and Promotion** – to support operation of the Australian Pro Bono Centre.
- **Community Legal Centres Sector Support for Legal Assistance Arrangements** – continue to provide sector coordination and support for legal assistance arrangements from 1 July 2020 to 30 June 2025.
- **Aboriginal and Torres Strait Islander Legal Services Sector Support for Legal Assistance Arrangements** – continue support for the national peak body for Aboriginal and Torres Strait Islander Legal Services and promote its engagement for legal assistance arrangements from 1 July 2020 to 30 June 2025.

## 5.2 Eligible expenditure

You can only spend the grant on eligible grant activities in accordance with your signed grant agreement.

Eligible expenditure may include but is not limited to:

- wages and employment on costs of staff engaged to work on the activity
- staff recruitment costs
- ITC and corporate overheads
- travel and communication costs
- necessary disbursements e.g. valuations, travel, interpreters etc.
- interpreter services costs
- application form and communication material development and printing/publication costs
- training and capacity development costs related to the activity
- survey and other documents or systems designed to capture and report on data from the activity.

We may update the guidelines on eligible and ineligible expenditure from time to time. If your application is successful, the version in place when you submitted your application applies to your grant activity.

If your application is successful, we may ask you to verify activity costs that you provided in your application. You may need to provide evidence such as quotes for major costs.

Not all expenditure on your grant activity may be eligible for grant funding. The decision maker makes the final decision on what is eligible expenditure.

### 5.3 What the grant money cannot be used for

You cannot use the grant for:

- any activities not in connection with the approved activities
- purchase of land
- board remuneration
- major capital expenditure
- the covering of retrospective costs
- costs incurred in the preparation of a grant application or related documentation
- major construction/capital works
- overseas travel
- activities for which other Commonwealth, state, territory or local government bodies have primary responsibility.

## 6. The assessment criteria

You must address all of the following assessment criteria in the application. The criteria are equally weighted.

The application form includes character limits – up to 6000 characters (approximately 900 words) per criterion. The application form will not accept characters beyond this limit. Please note spaces are included in the character limit.

### **Criterion 1: Need and suitability of the activity.**

Describe the grant activity in detail including the need for the grant activity.

When addressing the criterion, strong applicants will:

- Describe the activity you propose to undertake and demonstrated value for money.
- Demonstrate the need for the continuation of the activity.
- Outline the issues that the activity is seeking to address/target and any identified service gaps.
- Describe the outcomes, the activity aims to achieve and how these relate to the program objectives outlined in section 2 of the Grant Opportunity Guidelines.

### **Criterion 2: Capability of your organisation to deliver the grant activity.**

Demonstrate your organisation's capability to deliver the grant activity successfully.

When addressing the criterion, strong applicants will:

- Describe your organisation's experience in delivering similar projects/activities and the outcomes achieved, including the ability to collect data and measure the success of the activity.
- Describe the policies and procedures you have in place to manage a grant agreement if successful, including management of funding.
- Explain, where applicable, how your organisation will ensure the delivery of the activity is culturally appropriate.

## 7. How to apply

Before applying, you must read and understand these guidelines, the terms and conditions, sample grant agreement, and questions and answers.

These documents are found on the [GrantConnect](#) website. Any changes to grant documentation are published and addenda<sup>1</sup> will be published on GrantConnect and only accessible by invitees. GrantConnect is the authoritative source for grants information.

Only invitees can access these documents and the application form.

You can only submit one application form for this grant opportunity. If more than one application is submitted, the latest accepted application form will progress.

To apply you must:

- complete the online application form on [GrantConnect](#)
- provide all the information requested
- address all eligibility criteria and assessment criteria
- submit your application to the Community Grants Hub by 11.00PM AEDT on 16 April 2020.

We will not provide application forms or accept applications for this grant opportunity by fax or mail.

The application form includes help information. You are responsible for making sure your application is complete and accurate. Giving false or misleading information is a serious offence under the [Criminal Code 1995](#) and we will investigate any false or misleading information and may exclude your application from further consideration.

If you need more help about the application process, submitting an application online, have any technical difficulties or find an error in your application after submission, but before the closing date and time, you should contact the Community Grants Hub immediately on 1800 020 283 (option 1) or email [support@communitygrants.gov.au](mailto:support@communitygrants.gov.au). The Community Grants Hub does not have to accept any additional information, or requests from you to correct your application after the closing time.

You cannot change your application after the closing date and time.

If we find an error or something missing, we may ask you for clarification or additional information. This will not change your application. However, we can refuse to accept any additional information from you that would change your application after the closing time.

You should keep a copy of your application and any supporting documents submitted.

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<sup>1</sup> Alterations and addenda include but are not limited to: corrections to currently published documents, changes to close times for applications and questions and answers documents.

## 7.1 Timing of grant opportunity processes

You must submit an application between the published opening and closing dates.

### Late applications

As per the nature of this grant opportunity late applications will not be considered.

### Expected timing for this grant opportunity

If you are successful, you will be expected to be able to commence your grant activity on 1 July 2020.

Table 1: Expected timing for this grant opportunity

Activity	Timeframe
Assessment of applications	Up to 4 weeks
Approval of outcomes of selection process	Up to 4 weeks
Negotiations and award of grant agreements	Up to 6 weeks
Notification to unsuccessful applicants	Up to 2 weeks
Earliest start date of grant activity	1 July 2020
End date of grant activity	30 June 2025
End date of grant agreement (if applicable)	Approximately 3 months after the grant activity date

## 7.2 Questions during the application process

Only invited applicants' questions will be answered during the application submission period, please contact the Community Grants Hub on 1800 020 283 (option 1) or email [support@communitygrants.gov.au](mailto:support@communitygrants.gov.au).

The Community Grants Hub will respond to emailed questions within five working days. Answers to questions are posted on [GrantConnect](#).

The question period will close at 5:00PM AEST on 6 April 2020. Following this time, only questions about using and/or submitting the application form will be answered.

## 8. The grant selection process

### 8.1 Assessment of grant applications

The Assessment Centre will review your application against the eligibility criteria. Only eligible applications will move to the next stage. Eligible applications will be considered through a closed non-competitive grant process. This means AGD has identified suitable organisations and has invited them to apply.

If eligible, we will then assess your application against the assessment criteria (see section 6). We consider your application on its merits, based on:

- how well it meets the criteria
- whether it provides value with relevant money.<sup>2</sup>

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<sup>2</sup> See glossary for an explanation of 'value with money'.

While officials do not have to rank all grants when briefing ministers on the merits of a specific grant or group of grants, officials should, at a minimum, indicate which grant applications:

- fully meet the selection criteria
- partially meet the selection criteria
- do not meet any of the selection criteria.

## **8.2 Financial viability**

Applicants may be subject to a financial viability assessment. The financial viability assessment forms part of the risk mitigation strategy and can include:

- establishing whether relevant persons have any adverse business history (for example current or past bankruptcy)
- assessment of the financial health of an entity.

## **8.3 Who will assess applications?**

The Community Grants Hub will assess each eligible and compliant application on its individual merit. Assessors are Commonwealth staff, who will undertake training to ensure consistent assessment of all applications.

AGD uses this information to help them develop recommendations to their decision maker who has the final say on applications to be awarded a grant.

## **8.4 Who will approve grants?**

The Deputy Secretary, Legal Services and Families Group, Attorney-General's Department, (the decision maker) decides which grants to approve based on the recommendations of the assessment centre and the availability of grant funds for the purposes of the grant program.

The decision maker's decision is final, including the:

- approval of the grant
- grant funding amount to be awarded
- terms and conditions of the grant.

There is no appeal mechanism for decisions to approve or not approve a grant.

# **9. Notification of application outcomes**

We will write to you about the outcome of your application. If you are successful, you are advised of any specific conditions attached to the grant.

## **9.1 Feedback on your application**

Individual feedback will not be provided for this grant opportunity.

# **10. Successful grant applications**

## **10.1 The grant agreement**

You must enter into a legally binding grant agreement with the Commonwealth. We will offer successful applicants a Commonwealth Simple Grant Agreement for this grant opportunity.

Each agreement has general/standard grant conditions that cannot be changed. Sample grant agreements are available on GrantConnect as part of the grant documentation. We will use a schedule to outline the specific grant requirements.

We must execute a grant agreement with you before we can make any payments. We are not responsible for any of your expenditure until a grant agreement is executed.

The Commonwealth may recover grant funds if there is a breach of the grant agreement.

### **Commonwealth Simple Grant Agreement**

We will use a Commonwealth Simple Grant Agreement.

You will have ten (10) business days from the date of a written offer to sign and return this grant agreement. The grant agreement is not considered to be executed until both you and the Commonwealth have signed the agreement. During this time, we will work with you to finalise details.

The offer may lapse if both parties do not sign the grant agreement within this time. Under certain circumstances, we may extend this period. We base the approval of your grant on the information you provide in your application.

## **10.2 Commonwealth Child Safe Framework**

The Royal Commission into Institutional Responses to Child Sexual Abuse highlighted the need for organisations to adopt child safe practices including appropriate screening of staff, mandatory reporting and adoption of the National Principles for Child Safe Organisations. The Australian Government committed to a new Commonwealth-wide framework to protect children and young people it is responsible for – the Commonwealth Child Safe Framework (CCSF).

The Australian Government is considering appropriate ways to apply the requirements of the CCSF to grant recipients. A child safety clause is likely to be included in a grant agreement where the Commonwealth considers the grant is for:

- services directly to children
- activities that involve contact with children that is a usual part of, and more than incidental to, the grant activity.

A child safety clause may also be included in the grant agreement if the Commonwealth considers the grant activity involves children more broadly.

The successful applicant will be required to comply with all child safety obligations included in the grant agreement published with this grant opportunity or notified to the successful applicant prior to execution of the grant agreement. Irrespective of the child safety obligations in the grant agreement you must always comply with your state and territory legislative requirements for working with children and mandatory reporting.

## **10.3 How we pay the grant**

The grant agreement will state the maximum grant amount to be paid.

We will make periodic payments, per financial year, according to the agreed schedule set out in the grant agreement.

## 10.4 Grants payments and GST

Where applicable, payments will be inclusive of Goods and Services Tax (GST). If you are registered for (GST) where applicable, we will add GST to your grant payment and issue you with a [Recipient Created Tax Invoice](#).

Grants are assessable income for taxation purposes, unless exempted by a taxation law. We recommend you seek independent professional advice on your taxation obligations or seek assistance from the [Australian Taxation Office](#). We do not provide advice on your particular taxation circumstances.

## 11. Announcement of grants

If successful, your grant will be listed on the GrantConnect website no later than 21 calendar days after the date of effect as required by section 5.3 of the [CGRGs](#).

## 12. How we monitor your grant activity

### 12.1 Keeping us informed

You should let us know if anything is likely to affect your grant activities or organisation.

### 12.2 Reporting

You must submit reports in line with the executed grant agreement. We will remind you of your reporting obligations before a report is due. We will expect you to report on:

- progress against agreed grant activity milestones and outcomes
- expenditure of the grant.

The amount of detail you provide in your reports should be relative to the size, complexity and grant amount.

#### **Progress reports**

Progress reports must:

- include evidence of your progress towards the grant activities intended outcomes
- show the total eligible expenditure incurred to date
- be submitted by the report due date (you can submit reports ahead of time if you have completed relevant activities).

We will only make grant payments when we receive satisfactory progress reports.

You must discuss any reporting delays with us as soon as you become aware of them.

#### **Final report**

When the grant agreement is complete, you must submit a final report.

Final reports must:

- identify if and how outcomes have been achieved
- include the agreed evidence as specified in the grant agreement
- identify the total eligible expenditure incurred
- be submitted by the due date and in the format provided in the grant agreement.

### 12.3 Financial declaration

We may ask you to provide a declaration that the grant money was spent in accordance with the grant agreement and to report on any underspends of the grant money.

The Commonwealth may recover unspent funds.

### 12.4 Grant agreement variations

We recognise that unexpected events may affect your progress. In these circumstances, you can request a variation to your grant agreement. You can request a variation by contacting your Funding Arrangement Manager, Community Grants Hub.

You should not assume that a variation request will be successful. We will consider your request based on provisions in the grant agreement and the likely impact on achieving outcomes.

### 12.5 Record keeping

We may also inspect the records you are required to keep under the grant agreement.

### 12.6 Evaluation

AGD may undertake an evaluation of the program to determine the effectiveness of grant activities in contributing to government objectives. Funding recipients may be required to provide information to assist in such evaluations.

## 13. Probity

The Australian Government will make sure that the grant opportunity process is fair, according to the published guidelines, incorporates appropriate safeguards against fraud, unlawful activities and other inappropriate conduct and is consistent with the CGRGs.

These guidelines may be changed by AGD. When this happens, the revised guidelines are published on [GrantConnect](#) and the [Community Grants Hub](#) websites.

### 13.1 Enquiries and feedback

#### **Complaints about this grant opportunity**

The AGD [Client Service Charter](#) applies to complaints about the program. AGD will reply to complaints about the program. All complaints about the program including grant decisions must be made in writing.

Any questions you have about grant decisions for this grant opportunity should be directed to AGD.

#### **Complaints about the selection process**

Applicants can contact the complaints service with complaints about the Community Grants Hub's service(s) or the selection process.

Details of what makes an eligible complaint can be provided by asking the Community Grants Hub. Applicants can use the [online complaints form](#) on the [Department of Social Services](#) (DSS) website, or contact the DSS Complaints line.

Phone: 1800 634 035

Email: [complaints@dss.gov.au](mailto:complaints@dss.gov.au)

Mail: Complaints  
GPO Box 9820  
Canberra ACT 2601

### Complaints to the Ombudsman

If you do not agree with the way the Community Grants Hub or AGD has handled your complaint, you may complain to the [Commonwealth Ombudsman](#). The Ombudsman will not usually look into a complaint unless the matter has first been raised directly with the Community Grants Hub or AGD.

The Commonwealth Ombudsman can be contacted on:

Phone (Toll free): 1300 362 072  
Email: [ombudsman@ombudsman.gov.au](mailto:ombudsman@ombudsman.gov.au)  
Website: [www.ombudsman.gov.au](http://www.ombudsman.gov.au)

## 13.2 Conflicts of interest

Any conflicts of interest could affect the performance of the grant opportunity or program. There may be a conflict of interest, or perceived conflict of interest, if AGD and the Community Grants Hub staff, any member of a committee or advisor and/or you or any of your personnel has a:

- professional, commercial or personal relationship with a party who is able to influence the application selection process, such as an Australian Government officer
- relationship with or interest in, an organisation, which is likely to interfere with or restrict the applicants from carrying out the proposed activities fairly and independently
- relationship with, or interest in, an organisation from which they will receive personal gain because the organisation receives a grant under the grant program/grant opportunity.

You will be asked to declare, as part of your application, any perceived or existing conflicts of interests or that, to the best of your knowledge, there is no conflict of interest.

If you later think there is an actual, apparent, or perceived conflict of interest, you must inform the Community Grants Hub in writing immediately.

Conflicts of interest for Australian Government staff will be handled as set out in the Australian [Public Service Code of Conduct \(Section 13\(7\)\)](#) of the [Public Service Act 1999](#). Committee members and other officials including the decision maker must also declare any conflicts of interest.

We publish our conflict of interest policy on the [Community Grants Hub](#) website.

## 13.3 Privacy

We treat your personal information according to the [Privacy Act 1988](#) and the [Australian Privacy Principles](#). This includes letting you know:

- what personal information we collect
- why we collect your personal information
- who we give your personal information to.

Your personal information can only be disclosed to someone else for the primary purpose for which it was collected, unless an exemption applies.

The Australian Government may also use and give out information about grant applicants and grant recipients under this grant opportunity in any other Australian Government business or function. This includes disclosing grant information on GrantConnect as required for reporting purposes and giving information to the Australian Taxation Office for compliance purposes.

We may share the information you give us with other Commonwealth entities for purposes including government administration, research or service delivery, according to Australian laws.

As part of your application, you declare your ability to comply with the *Privacy Act 1988* and the Australian Privacy Principles and impose the same privacy obligations on officers, employees, agents and subcontractors that you engage to assist with the activity, in respect of personal information you collect, use, store, or disclose in connection with the activity. Accordingly, you must not do anything, which if done by the AGD would breach an Australian Privacy Principle as defined in the Act.

### **13.4 Confidential information**

Other than information available in the public domain, you agree not to give out to any person, other than us, any confidential information relating to the grant application and/or agreement, without our prior written approval. The obligation will not be breached where you are required by law, Parliament or a stock exchange to disclose the relevant information or where the relevant information is publicly available (other than through breach of a confidentiality or non-disclosure obligation).

We may at any time, require you to arrange for you; or your employees, agents or subcontractors to give a written undertaking relating to nondisclosure of our confidential information in a form we consider acceptable.

We will keep any information in connection with the grant agreement confidential to the extent that it meets all of the three conditions below:

1. You clearly identify the information as confidential and explain why we should treat it as confidential.
2. The information is commercially sensitive.
3. Revealing the information would cause unreasonable harm to you or someone else.

We will not be in breach of any confidentiality agreement if the information is disclosed to:

- Commonwealth employees and contractors to help us manage the program effectively
- employees and contractors of our department so we can research, assess, monitor and analyse our programs and activities
- employees and contractors of other Commonwealth agencies for any purposes, including government administration, research or service delivery
- other Commonwealth, state, territory or local government agencies in program reports and consultations
- the Auditor-General, Ombudsman or Privacy Commissioner
- the responsible Minister or Parliamentary Secretary
- a House or a Committee of the Australian Parliament.

The grant agreement may also include any specific requirements about special categories of information collected, created or held under the grant agreement.

### **13.5 Freedom of information**

All documents that the Australian Government has, including those about this grant opportunity, are subject to the [Freedom of Information Act 1982](#) (FOI Act).

The purpose of the FOI Act gives people the ability to get information held by the Australian Government and its organisations. Under the FOI Act, people can ask for documents the Australian Government has. People may not be able to get these documents if these documents need to protect essential public interests and private and business affairs of persons who the information relates to.

All Freedom of Information requests must be referred to the Freedom of Information Coordinator in writing.

By mail:           Freedom of Information Team  
                      Government and Executive Services Branch  
                      Department of Social Services (DSS)  
                      GPO Box 9820  
                      Canberra ACT 2601

By email:         [foi@dss.gov.au](mailto:foi@dss.gov.au)

## 14. Glossary

Term	Definition
accountable authority	see subsection 12(2) of the <a href="#">Public Governance, Performance and Accountability Act 2013</a> .
administering entity	when an entity that is not responsible for the policy, is responsible for the administration of part or all of the grant administration processes.
assessment criteria	are the specified principles or standards, against which applications will be judged. These criteria are also used to assess the merits of proposals and, in the case of a competitive grant opportunity, to determine application rankings.
commencement date	the expected start date for the grant activity.
completion date	the expected date that the grant activity must be completed and the grant spent by.
Commonwealth entity	a department of state, or a parliamentary department, or a listed entity or a body corporate established by a law of the Commonwealth. See subsections 10(1) and (2) of the PGPA Act.
<a href="#">Commonwealth Grants Rules and Guidelines (CGRGs) 2017</a>	establish the overarching Commonwealth grants policy framework and articulate the expectations for all non-corporate Commonwealth entities in relation to grants administration. Under this overarching framework, non-corporate Commonwealth entities undertake grants administration based on the mandatory requirements and key principles of grants administration.
co-sponsoring entity	when two or more entities are responsible for the policy and the appropriation for outcomes associated with it.
date of effect	can be the date on which a grant agreement is signed or a specified starting date. Where there is no grant agreement, entities must publish information on individual grants as soon as practicable.
decision maker	the person who makes a decision to award a grant.
eligibility criteria	refer to the mandatory criteria which must be met to qualify for a grant. Assessment criteria may apply in addition to eligibility criteria.
Funding Arrangement Manager	the officer responsible for the ongoing management of the grantee and their compliance with the grant agreement.

Term	Definition
grant	<p>for the purposes of the CGRGs, a 'grant' is an arrangement for the provision of financial assistance by the Commonwealth or on behalf of the Commonwealth:</p> <ol style="list-style-type: none"> <li>a. under which relevant money<sup>3</sup> or other <a href="#">Consolidated Revenue Fund</a> (CRF) money<sup>4</sup> is to be paid to a grantee other than the Commonwealth</li> <li>b. which is intended to help address one or more of the Australian Government's policy outcomes while assisting the grantee achieve its objectives.</li> </ol>
grant activity/activities	refers to the project/tasks/services that the grantee is required to undertake.
grant agreement	sets out the relationship between the parties to the agreement, and specifies the details of the grant.
<a href="#">GrantConnect</a>	the Australian Government's whole-of-government grants information system, which centralises the publication and reporting of Commonwealth grants in accordance with the CGRGs.
grant opportunity	refers to the specific grant round or process where a Commonwealth grant is made available to potential grantees. Grant opportunities may be open or targeted, and will reflect the relevant grant selection process.
grant program	a 'program' carries its natural meaning and is intended to cover a potentially wide range of related activities aimed at achieving government policy outcomes. A grant program is a group of one or more grant opportunities under a single [entity] Portfolio Budget Statement Program.
grantee	the individual/organisation which has been selected to receive a grant.
Portfolio Budget Statement (PBS) Program	described within the entity's <a href="#">Portfolio Budget Statement</a> , PBS programs each link to a single outcome and provide transparency for funding decisions. These high-level PBS programs often comprise a number of lower level, more publicly recognised programs, some of which will be grant programs. A PBS program may have more than one grant program associated with it, and each of these may have one or more grant opportunities.
selection criteria	comprise eligibility criteria and assessment criteria.

<sup>3</sup> Relevant money is defined in the PGPA Act. See section 8, Dictionary.

<sup>4</sup> Other CRF money is defined in the PGPA Act. See section 105, Rules in relation to other CRF money.

Term	Definition
selection process	the method used to select potential grantees. This process may involve comparative assessment of applications or the assessment of applications against the eligibility criteria and/or the assessment criteria.
Selection Advisory Panel	provides strategic oversight, advice and recommendations to the decision maker on assessed applications from the program specific, service provider composition and service location perspectives.
value with money	<p>refers to ‘value with relevant money’ which is a judgement based on the grant proposal representing an efficient, effective, economical and ethical use of public resources and determined from a variety of considerations.</p> <p>When administering a grant opportunity, an official should consider the relevant financial and non-financial costs and benefits of each proposal including, but not limited to the:</p> <ul style="list-style-type: none"> <li>▪ quality of the project proposal and activities</li> <li>▪ fit for purpose of the proposal in contributing to government objectives</li> <li>▪ absence of a grant is likely to prevent the grantee and government’s outcomes being achieved</li> <li>▪ potential grantee's relevant experience and performance history.</li> </ul>