



Lawyer-assisted Family Law Property Mediation: Legal Aid Commission Trials

Grant Opportunity Guidelines

Opening date:	21 May 2019
Closing date and time:	11.00PM AEST on 4 June 2019
Commonwealth policy entity:	Attorney-General's Department (AGD)
Administering entity	Community Grants Hub
Enquiries:	If you have any questions, contact Community Grants Hub Phone: 1800 020 283 Email: support@communitygrants.gov.au Questions should be sent no later than 5.00PM AEST on 28 May 2019.
Date guidelines released:	21 May 2019
Type of grant opportunity:	Closed non-competitive

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1. Lawyer-assisted Family Law Property Mediation: Legal Aid Commission Trials processes

The Program is designed to achieve Australian government objectives.

This grant opportunity contributes to AGD's Program 1.4 Justice Services: *Legally Assisted Financial Dispute Resolution Pilots – Small Property Claims*.
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 [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 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 Lawyer-assisted Family Law Property Mediation: Legal Aid Commission Trials

AGD evaluate your specific grant activity and the program as a whole. AGD base this on information you provide us and that we collect from various sources.

1.1 Introduction

These guidelines contain information for the Lawyer-assisted Family Law Property Mediation: Legal Aid Commission Trials grants.

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 under a Whole-Of-Australian Government initiative.

2. About the grant program

The Lawyer-assisted Family Law Property Mediation: Legal Aid Commission Trials (the trials) were announced on 20 November 2018 as part of the Women's Economic Security Package.

The grant opportunity will fund Legal Aid Commissions (LACs) in each state and territory to conduct a two year trial of lawyer-assisted mediation for family law property matters. The trials will be targeted at families with a property pool of up to \$500,000 or less and will run between January 2020 – December 2021. The trials will include a more relaxed means and merit test than is currently required for a grant of legal aid.

Under the trials, lawyers will support legally aided clients through the mediation process, and provide legal advice as required. If a mediated agreement is reached, lawyers will help their clients to document their agreement and file it with the court. If an agreement cannot be reached after mediation, lawyers will continue to provide advice to clients about their options, and where appropriate represent them through any subsequent court process.

As part of the trials, each LAC will undertake capacity development activities such as development of written materials; forming a community of practice; enabling staff awareness and delivering training related to the trials.

The trials will also collect data that will be independently evaluated to inform whether a broader roll out of this service should occur.

The objective of the trials is to support separating couples with small value property pools who require legal advice to mediate and reach agreement on family law property splits. Legally-assisted mediation can assist separating couples with more complex needs and legal issues, including cases of financial abuse and where cultural factors may influence the negotiating capacity of the parties.

The trials will enable property mediation services to be provided to clients who:

- may not ordinarily be able to access legal aid or afford legal advice and legal representation
- may be likely to abandon their claims or agree to inequitable settlements, or
- would otherwise proceed to court.

The trials contribute 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 Community Grants Hub administers the program according to the [2017 CGRGs](#).

3. Grant amount and grant period

3.1 Grants available

The Australian Government will provide a total of \$8.345 million (GST exclusive) over three financial years for the Lawyer-assisted Family Law Property Mediation: Legal Aid Commission Trials grant opportunity.

	2019-20 (GST exclusive)	2020-21 (GST exclusive)	2021-22 (GST exclusive)	Total (GST exclusive)
Lawyer-assisted Family Law Property Mediation: Legal Aid Commission Trials	\$2.055m	\$4.172m	\$2.118m	\$8.345m

The trials will run between January 2020 and December 2021.

Funding will be allocated to LACs according to the number of matters each jurisdiction has estimated it could undertake over the course of the two year trials.

An estimate of the funding allocation for each jurisdiction is set out in the table below, grant applications based on these amounts will be considered.

Approximately \$16,250.00 (GST exclusive) per jurisdiction has been allocated for capacity development as part of funding in the 2019-20 financial year.

YEAR:	2019-20 (GST exclusive)	2020-21 (GST exclusive)	2021-22 (GST exclusive)	TOTAL funding (GST exclusive):
Total available funding (GST exclusive)	\$2,055,000.00 <i>(Includes equal division of the \$130,000.00 capacity development funding (\$16,250.00 per jurisdiction))</i>	\$4,172,000.00	\$2,118,000.00	\$8,345,000.00
Estimated 100 matters				
NSW	\$316,153.85	\$641,846.15	\$325,846.15	\$1,283,846.15
VIC	\$316,153.85	\$641,846.15	\$325,846.15	\$1,283,846.15
QLD	\$316,153.85	\$641,846.15	\$325,846.15	\$1,283,846.15
SA	\$316,153.85	\$641,846.15	\$325,846.15	\$1,283,846.15
WA	\$316,153.85	\$641,846.15	\$325,846.15	\$1,283,846.15
Estimated 50 matters				
ACT	\$158,076.92	\$320,923.08	\$162,923.08	\$641,923.08
TAS	\$158,076.92	\$320,923.08	\$162,923.08	\$641,923.08
NT	\$158,076.92	\$320,923.08	\$162,923.08	\$641,923.08
TOTAL:	\$2,055,000.01	\$4, 171,999.99	\$2,117,999.99	\$8,344,999.99

3.2 Grant period

The maximum grant period is 3 years (36 months).

4. Eligibility criteria

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

This grant opportunity is a closed non-competitive grant selection process, consistent with the Government's decision to fund Legal Aid Commissions in each state and territory to deliver these trials. LACs are well established, highly skilled and experienced in family law matters, and are well placed to provide lawyer-assisted property mediation under the trials.

4.1 Who is eligible to apply for a grant?

Only LACs can apply for grant funding under the Program.

A LAC is a statutory body established pursuant to legislation in the relevant state or territory to provide legal aid services.

To be eligible to apply, you must be one of the listed invited LACs and have received an invitation to apply through GrantConnect.

Invited Organisations
Legal Services Commission of South Australia
Victoria Legal Aid
Legal Aid Western Australia
Legal Aid Queensland
Legal Aid New South Wales
Northern Territory Legal Aid Commission
Legal Aid Commission of Tasmania
Legal Aid ACT

The list of eligible applicants was determined in line with the purpose and objective of the Program, no further organisations will be invited to apply.

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 (as above).

5. What the grant money can be used for

5.1 Eligible grant activities

Funding will be available for LACs to undertake the Lawyer-assisted Family Law Property Mediation: Legal Aid Commission Trials, which may include the following activities:

- review of applications to assess eligibility under the trials
- referrals to financial counselling, social workers and other services providers
- review of case material
- legal advice
- confer with party
- case management
- gather evidence
- preparation for mediation, including but not limited to:
 - identifying the asset pool, including by valuations and searches
 - assisting with financial disclosure and exchange of documents between parties
- legally-assisted mediation
- drafting legal documents, including but not limited to, consent orders
- court filing
- representation in court proceedings (where appropriate under the trials)
- record data on matters in the trials
- report on data
- engage in-house/private legal representation (from an appropriate LAC panel/list),
- payment of all necessary disbursements, e.g. valuations, travel, interpreters etc.

Eligible administrative duties related to the trials, including but not limited to:

- training of staff and/or private legal practitioners on LAC panels
- capacity development of staff including, forming a community of practice and enabling staff awareness
- capacity development of private legal practitioners and mediators
- engaging staff
- reporting to Commonwealth/acquittal processes
- managing disbursements
- development of communication material, including but not limited to:
 - applications for services under the trials
 - forms, surveys or other documents designed to capture data on matters in the trials
 - material to advertise the trials.

5.2 Eligible expenditure

You can only spend grant funds on eligible grant activities as defined in the grant details in your grant agreement.

Eligible expenditure includes:

- wages and employment on costs of staff engaged to work on the trials
- staff recruitment costs
- ITC and corporate overheads
- travel and communication costs for community of practice
- necessary disbursements e.g. valuations, travel, interpreters etc.
- interpreter services costs
- private legal representation fees
- application form and communication material development and printing/publication costs
- training and capacity development costs related to the trials
- survey and other documents or systems designed to capture and report on data on matters in the trials
- mediation costs.

5.3 What the grant money cannot be used for

You cannot use the grant for the following activities:

- representation in mediation or court proceedings for matters not eligible for the trials
- costs related to preparation of mediation or court proceedings for matters not eligible for the trials
- any activities not in connection with the trials
- purchase of land
- 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 will need to address the following assessment criteria in the on-line Application Form.

Please provide a description of how your organisation will establish and deliver services to eligible clients in accordance with the requirements of the grant.

In responding to this criterion you should:

- describe the capacity development activities you will undertake as part of establishing the trials, and
- provide a description of how you will use the funding to deliver the services as described in Section 2 of the Grant Opportunity Guidelines.

Your response must be limited to 900 words. The application form will not accept words beyond this limit.

7. How to apply

Before applying, you must read these grant guidelines, the grant agreement terms and conditions, questions and answers and shell grant agreement prior to submitting your on-line application.

These documents are found on the [GrantConnect](#) website. Any changes to grant documentation are published and addenda¹ will be published on GrantConnect and will only be 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 (only).

To apply you must complete the online application form on [GrantConnect](#) and:

- provide all the information requested
- address all eligibility criteria and assessment criteria
- submit your application/s to the Community Grants Hub by 11.00PM AEST on 4 June 2019.

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 or email support@communitygrants.gov.au. The Community Grants Hub do 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.

You will receive an automated notification acknowledging the receipt of your application.

7.1 Timing of grant opportunity processes

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

Late applications

We will not accept late applications unless an applicant has experienced exceptional circumstances that prevent the submission of the application. Broadly, exceptional circumstances are events characterised by one or more of the following:

¹ Alterations and addenda include but are not limited to: corrections to currently published documents, changes to close times for applications, Questions and Answers (Q&A) documents

- reasonably unforeseeable
- beyond the applicant's control
- unable to be managed or resolved within the application period.

Exceptional circumstances will be considered on their merits and in accordance with probity principles.

How to lodge a late application

Applicants seeking to submit a late application will be required to submit a late application request to the Community Grants Hub Hotline via support@communitygrants.gov.au.

The request should include a detailed explanation of the circumstances that prevented the application being submitted prior to the closing time. Where appropriate, supporting evidence can be provided to verify the claim of exceptional circumstances.

Written requests to lodge a late application will only be accepted within three days after the grant opportunity has closed.

The Delegate or their appointed representative^[1] will determine whether a late application will be accepted. The decision of the delegate will be final and not be subject to a review or appeals process.

Once the outcome is determined, the Community Grants Hub will advise the applicant if their request is accepted or declined.

Expected timing for this grant opportunity

If you are successful, you will be expected be able to commence your grant activity around August 2019.

Table 1: Expected timing for this grant opportunity

Activity	Timeframe
Assessment of applications	Up to 3 weeks
Approval of outcomes of selection process	Up to 2 weeks
Negotiations and award of grant agreements	Up to 2 weeks
Notification to unsuccessful applicants	2 weeks
Earliest start date of grant activity	14 August 2019
End date of grant activity	1 July 2022

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 or email support@communitygrants.gov.au.

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

^[1] This may be the Hub Delegate or nominated staff member of the client agency at the EL2 level or above.

The question period will close at 5:00PM AEST on 28 May 2019. 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.

Descriptive Classification Scoring Method

A Descriptive Classification Scoring Method has been selected as the most appropriate scoring methodology for this grant opportunity.

Table 2: Descriptive Classification Rating Scale

Rating (for individual criterion)	Rank
High quality – response to this criterion addresses all or most sub-criteria to a higher than average standard. Evidence is available and confirms good performance against this criterion	Highly suitable
Good quality – response against this criterion meets most sub-criteria to an average and acceptable level. Some evidence is available and provides some support for claims against this criterion.	Suitable
Poor quality – poor claims against this criterion, meets some or none of the sub-criteria. Evidence is unavailable, not relevant or lacking in detail.	Not suitable

8.2 Who will assess applications?

The Assessment Centre will assess each eligible and compliant application on its individual merit. The Assessment Centre uses fully trained Community Grants Hub staff for consistent assessment of all applications.

AGD uses this information to help them develop recommendations on applications to be awarded a grant. AGD will consider your application on its merits, based on whether it provides value with relevant money.²

When assessing the extent to which the application represents value with relevant money, AGD will have regard to:

- the overall objective/s to be achieved in providing the grant
- the extent to which the evidence in the application demonstrates that it will contribute to meeting the outcomes/objectives
- how the grant activities will target groups or individuals.

² See glossary for an explanation of 'value with money'.

8.3 Who will approve grants?

The Deputy Secretary, Legal Services and Families Group (the decision maker) will make the final decision to approve a grant.

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 the GrantConnect website 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.

Your grant agreement may have specific conditions determined by the assessment process or other considerations made by the decision maker. These are identified in the agreement.

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 15 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.

You may request changes to the grant agreement. However, we will review any changes to make sure they do not affect the grant as approved by the decision maker.

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; or
- 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 Multicultural Access and Equity

The Australian Government's *Multicultural Access and Equity Policy* obliges Australian government agencies to ensure their policies, programs and services - including those provided by contractors and service delivery partners - are accessible to, and deliver equitable outcomes for, people from culturally and linguistically diverse (CALD) backgrounds.

Grant applicants should consider how they will ensure their services will be accessible to people from CALD backgrounds. For example, service delivery partners may require cultural competency skills. In addition, services, projects, activities or events may require the use of professional translating or interpreting services in order to communicate with clients who have limited English proficiency. Based on an assessment of the client target group, costs for translating and interpreting services should be considered.

10.4 How we pay the grant

The grant agreement will state the:

- maximum grant amount to be paid
- proportion of eligible expenditure covered by the grant (grant percentage)
- capacity to carry-over funds where underspent.

We will not exceed the maximum grant amount under any circumstances, if you incur extra costs, you must meet them yourself.

We will make payments according to an agreed schedule set out in the grant agreement. Payments are subject to satisfactory progress on the grant activity and related reporting.

10.5 Grants payments and GST

If applicable, GST will be payable on this grant funding. Payment details will be set out in the grant agreement.

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](#).³ 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 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.

If you become aware of a breach of the terms and conditions under the grant agreement, you must contact us immediately.

12.2 Reporting

You must submit reports in line with the 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 6 monthly, and
- expenditure of the grant at the end of each financial year.

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

We will monitor progress by assessing reports you submit and may conduct site visits or request records to confirm details of your reports if necessary. Occasionally we may need to re-examine claims, ask for more information or an independent audit of claims and payments.

Progress reports

Progress reports must:

- include evidence of your progress towards completion of agreed activities and 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 you complete the grant activity 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.

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 Compliance visits

We may visit you during or at the completion of your grant activity to review your compliance with the grant agreement. We will provide you with reasonable notice of any compliance visit.

12.6 Record keeping

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

12.7 Evaluation

Separate to the selection process, AGD will be funding a \$300,000 independent evaluation of the trials to assess if the objectives of the trials were met. Grant recipients will be required to participate in the evaluation process and provide information as required by the evaluators. A Final Evaluation report is expected to be delivered to AGD following the conclusion of the trials.

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

AGD will reply to complaints about the Program. All complaints about the Program, including grant decisions, must be lodged in writing.

Any questions you have about grant decisions for the Program should be sent to familylawunit@ag.gov.au.

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 complaints form on the Department of Social Services website, by phone or mail.

Phone: 1800 634 035

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.

The Commonwealth Ombudsman can be contacted on:

Phone (Toll free): 1300 362 072
Email: ombudsman@ombudsman.gov.au
Website: 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 later you think there is an actual, apparent, or perceived conflict of interest, you must inform AGD and 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

14. Consultation

AGD has engaged in stakeholder consultation with National Legal Aid in the development of the grant program.

15. Glossary

Term	Definition
accountable authority	see subsection 12(2) of the Public Governance, Performance and Accountability Act 2013 .
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.
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.
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.
Commonwealth Grants Rules and Guidelines (CGRGs) 2017	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.
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"> a. under which relevant money⁴ or other Consolidated Revenue Fund (CRF) money⁵ is to be paid to a grantee other than the Commonwealth b. which is intended to help address one or more of the Australian government’s policy outcomes while assisting the grantee achieve its objectives.
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.
GrantConnect	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 Portfolio Budget Statement , 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.

⁴ Relevant money is defined in the PGPA Act. See section 8, Dictionary.

⁵ 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.
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"> • quality of the project proposal and activities • fit for purpose of the proposal in contributing to government objectives • absence of a grant is likely to prevent the grantee and government's outcomes being achieved • potential grantee's relevant experience and performance history.