

# Community Child Care Fund

## – restricted non-competitive process (for specified services)

### Grant Guidelines

Opening date:	xx xxxx 2017
Closing date and time:	6 weeks from opening Australian Eastern Standard Time (AEST) on [insert day/month/year]
Commonwealth policy entity:	Department of Education and Training
Co-Sponsoring Entities	[n/a]
Enquiries:	If you have any questions, please contact [insert relevant officials name, title, phone number, email, and other] Questions should be sent no later than [insert day/month/year]
Date guidelines released:	xx xxxx 2017
Type of grant opportunity:	Restricted, non-competitive

## Contents

About this document .....	4
1. Overview of CCCF Processes .....	5
2. About the CCCF .....	6
2.1 Legislative authority.....	6
2.2 CCCF Program Funding.....	6
3. About the CCCF restricted non-competitive grant opportunity .....	6
3.1 Grant opportunity objectives.....	7
3.2 Grant opportunity outcomes .....	7
3.3 Grant opportunity funding allocation .....	7
3.4 PricewaterhouseCoopers Transition Plans .....	7
3.5 Grant opportunity special circumstances .....	8
4. Grant eligibility criteria .....	8
4.1 Who is eligible to apply? .....	8
5. Eligible grant activities .....	8
5.1 What the grant money can be used for .....	8
5.2 Examples of grant activities .....	8
5.3 What the grant money cannot be used for .....	9
6. The assessment criteria .....	10
6.1 Additional information.....	10
7. The grant application process.....	10
7.1 Overview of application process.....	10
7.2 Questions during the application process .....	11
7.3 Closing date for applications.....	12
7.4 Late applications .....	12
7.5 Applications from consortia.....	12
8. Assessment of grant applications .....	13
8.1 Who will assess applications? .....	13
8.2 Value for money.....	14
8.3 Financial Viability .....	14
8.4 Who will approve grants? .....	15
8.5 Notification of application outcomes .....	15
8.6 Feedback on your application.....	15
8.7 Announcement of grants .....	15

## Community Child Care Fund: restricted non-competitive process (for specified services)

9.	Funding Agreements.....	15
9.1	Variations .....	16
10.	Delivery of grant activities .....	16
10.1	Your responsibilities.....	16
10.2	The department’s responsibilities .....	16
10.3	Monitoring and performance reporting .....	17
10.4	Financial reporting .....	17
10.5	Grant payments and GST .....	17
10.6	Evaluation.....	17
10.7	Acknowledgement .....	17
10.8	The department’s rights.....	18
11.	Probity.....	18
11.1	Risk management.....	18
11.2	Additional checks .....	18
11.3	Fraud .....	18
11.4	Complaints process .....	19
11.5	Conflict of interest .....	19
11.6	Privacy: confidentiality and protection of personal information .....	20
11.7	Freedom of information.....	21
11.8	Taxation.....	21
11.9	Other specialist requirements .....	21
11.10	Multicultural access and equity policy.....	21
11.11	Liability issues .....	22
12.	Consultation.....	22
13.	Glossary.....	23

## **About this document**

This document provides guidelines for the Community Child Care Fund (CCCF) restricted non-competitive process. This grant opportunity is open to specified services.

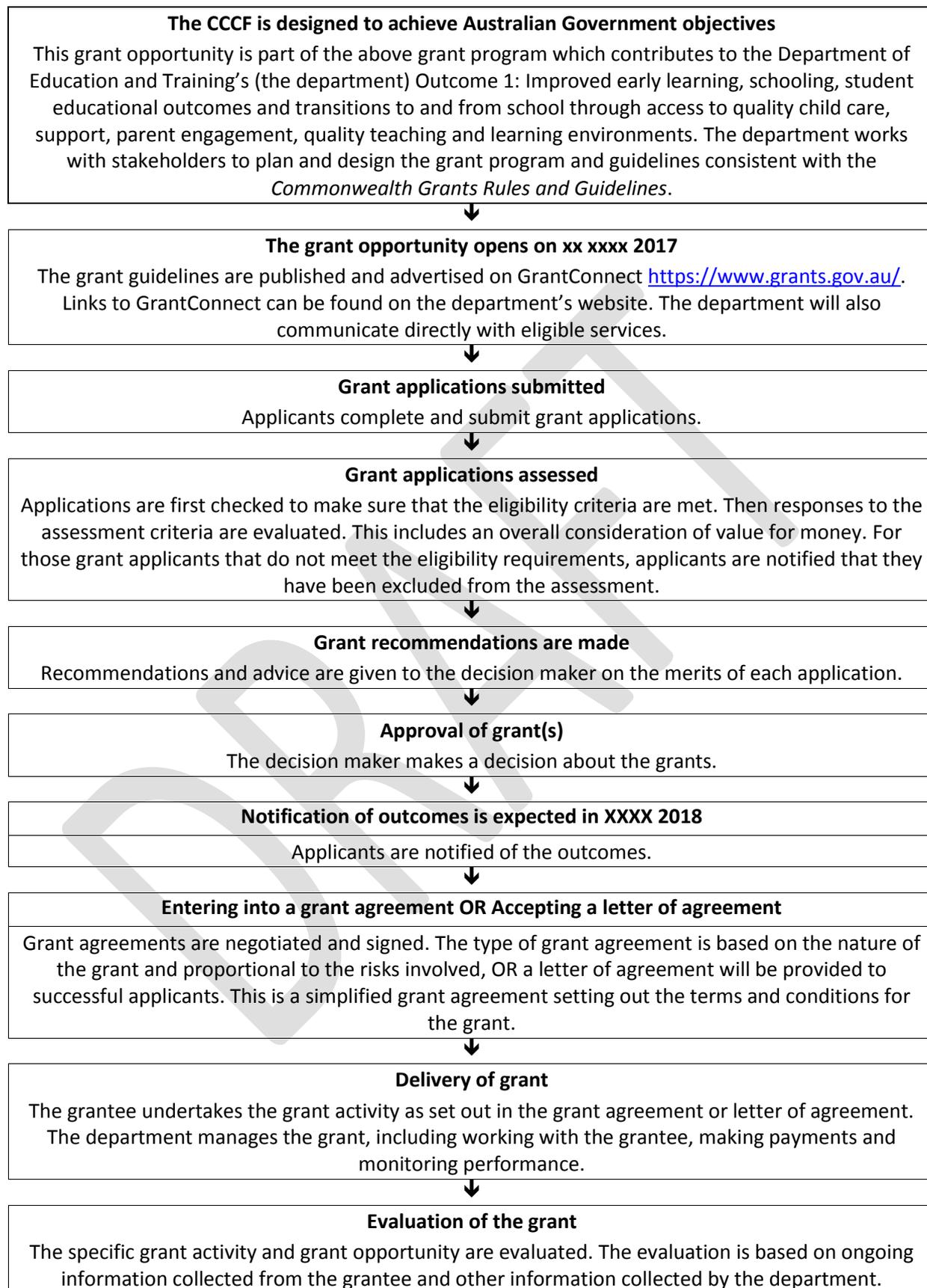
This document sets out:

- the purpose of the grant opportunity
- eligibility and assessment criteria
- application, assessment and notification process
- Responsibilities and expectations in relation to the grant opportunity.

You must read this document before filling out an application.

DRAFT

## 1. Overview of CCCF Processes



These processes are explained further within this document.

## **2. About the CCCF**

The CCCF was announced as part of the *Jobs for Families* Child Care Package (the Package), which is designed to make the child care system more affordable, more accessible, more flexible and targeted to those who need it most.

The CCCF is part of the Australian Government's Child Care Safety Net, which contributes to giving the most vulnerable children a strong start in life, while supporting parents into work.

The objective of the CCCF is to support child care services to address barriers to child care participation, particularly targeting disadvantaged and vulnerable families and communities.

The expected outcomes of the CCCF are to:

- improve early childhood development outcomes for vulnerable and disadvantaged children
- increase workforce participation by vulnerable and disadvantaged families.

The CCCF includes three key grant opportunities:

- Open competitive (for approved child care services)
- Restricted non-competitive (for specified services)
- Connected Beginnings.

The CCCF is an ongoing program.

The CCCF will be undertaken in accordance with the Commonwealth Grants Rules and Guidelines (CGRGs) <http://www.finance.gov.au/sites/default/files/commonwealth-grants-rules-and-guidelines-July2014.pdf>.

### **2.1 Legislative authority**

The legislative authority for the CCCF is contained in item 110 in Schedule 1AB to the *Financial Framework (Supplementary Powers) Amendment (2015 Measures No. 9) Regulation 2015*, made under the *Financial Framework (Supplementary Powers) Act 1997*.

### **2.2 CCCF Program Funding**

The Government provides administered funding through the *Jobs for Families* Child Care Package under the *Appropriations Act (No.1)*.

The CCCF has approved funding of around \$124 million per year over the Forward Estimates commencing from 1 July 2018, subject to annual appropriation.

The Minister for Education and Training has overall policy responsibility for the CCCF.

## **3. About the CCCF restricted non-competitive grant opportunity**

These guidelines contain information for the CCCF restricted non-competitive grant opportunity. This opportunity is available to specified services only (see Section 4.1), in particular eligible Budget Based Funded (BBF) services.

This grant opportunity will be managed by the Department of Education and Training (the department).

Funding provided under this grant opportunity is available from July 2018. Grant agreements will be offered for periods of up to five years.

## **Community Child Care Fund: restricted non-competitive process (for specified services)**

### **3.1 Grant opportunity objectives**

The main objectives of the CCCF restricted non-competitive grant opportunity are to:

- support eligible child care services to transition to and operate viably under the new child care system, and
- ensure continuity of child care services during and beyond any period of transition.

Funding available under this grant opportunity will provide a third income stream for eligible services, to supplement fee income, including Child Care Subsidy and Additional Child Care Subsidy payments.

### **3.2 Grant opportunity outcomes**

The expected outcomes through the CCCF restricted non-competitive grant opportunity are:

- continuity of locally-driven service delivery, appropriate for the particular community
- increased capacity of the service to operate sustainably under the new child care system
- reduction in community level barriers to participation
- increase in children from vulnerable or disadvantaged families or communities accessing services
- increased collaboration between relevant services, in particular to meet the needs of vulnerable families
- increased participation in early childhood education and care by Indigenous children.

### **3.3 Grant opportunity funding allocation**

Up to \$62.5 million is expected to be available under the CCCF restricted non-competitive grant opportunity. This includes \$61.8 million to support the viability of BBF services, as well as to support services to increase participation by Indigenous children.

There is no minimum or maximum amount that can be applied for under this grant opportunity. Grant amounts will be determined on a case by case basis taking into account the individual circumstances of the service, and recommendations from the service's Transition Plans (refer section 3.4). The grant applicant should demonstrate that the requested grant amount is required to adequately support the effective transition to and sustainability of the child care service under the new child care system.

Grants will only be approved where the department is satisfied that the application represents value for money and the amount is within the overall budget.

### **3.4 PricewaterhouseCoopers Transition Plans**

In line with the Australian Government's commitment to support BBF services to transition to the new child care system, PricewaterhouseCoopers Consultancy (Australia) Pty Limited (PwC) were engaged by the department to prepare individual Transition Plans (Transition Plans) for BBF services. Funding available under this grant opportunity is intended to cover any costs associated with implementing Transition Plans, taking into account the individual circumstances of the service, as well as other income streams such as fee income, including the Child Care Subsidy and the Additional Child Care Subsidy.

## **Community Child Care Fund: restricted non-competitive process (for specified services)**

Some services declined to work with PwC and where an eligible service does not have a PwC Transition Plan, they should contact the department [insert link] to make arrangements regarding alternative evidence or information that may be used to support the grant application.

### **3.5 Grant opportunity special circumstances**

The department reserves the right to offer grants to organisations on a one-off, ad hoc basis, where a specific need has been identified. This may include where service viability is affected by a natural disaster or another unexpected factor outside the control of the service. Such funding would be provided at the sole discretion of the department and would not be on an ongoing basis.

## **4. Grant eligibility criteria**

### **4.1 Who is eligible to apply?**

To be eligible to apply for a grant under the CCCF restricted non-competitive grant opportunity, your service must be on the list of eligible services specified by the department, available from [insert link].

Where funding is sought for more than one eligible service, the applicant is required to address the eligibility and assessment criteria for each service through separate application forms.

Please note: BBF service providers looking to expand their current BBF service to increase participation by Indigenous children are eligible to apply for this funding under this CCCF restricted non-competitive grant opportunity as part of a single streamlined application process.

## **5. Eligible grant activities**

### **5.1 What the grant money can be used for**

Money available under this grant opportunity can be used to fund activities identified in your service's Transition Plan. These activities will generally fall into the following categories:

- improving service viability and sustainability
- addressing community level barriers to child care participation
- capital works necessary for the service to operate sustainably under the new child care system.

CCCF funding available under this grant opportunity can also be used to support services to meet the cost of expanding to increase Indigenous children's participation in early education and child care.

### **5.2 Examples of grant activities**

The following are examples of activities that may appear in transition plans that grant money can be used for:

- implementing changes to service models and business practices to improve service sustainability and viability, including meeting standard service operating costs during transition to a more sustainable business model
- helping with additional costs of providing a service in an unviable market where the service is providing the most suitable model of care for the community

## Community Child Care Fund: restricted non-competitive process (for specified services)

- supplementing fee income, where there may be additional challenges and costs affecting the service's operation, such as remoteness, low child attendance, and family or community circumstances that directly impact income or operating costs
- linking child care services with relevant local organisations to work together to address community level barriers to child care participation and ultimately deliver increased child care utilisation
- building relationships with vulnerable and disadvantaged families with children who currently don't use child care
- providing transport assistance that is clearly linked to broader child care engagement activities for isolated families and those with transport difficulties to access child care (for example, fuel costs for a community vehicle used to transport children to and from the child care service or purpose built vehicle fit outs for mobile child care services)
- extensions or modifications to buildings (capital works) required to support service delivery under the new child care system, including to support a move to a different service delivery model or to address workplace safety requirements. NB capital works projects may be subject to:
  - a capital contribution towards the total cost of the project. In-kind contributions will be considered.
  - a designated use period, which means that the building must be used for the intended purpose for a minimum period of time, to be agreed between the department and the applicant.

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

The following are examples of activities grant money cannot be used to pay for (this list is not exhaustive):

- activities that are not directly related to service transition or sustainability, unless included in your service's Transition Plan
- activities not related to the delivery of child care or that have not been identified by the department as eligible activities for that service, for the purposes of CCCF
- purchasing land
- proposals where capital works have commenced and/or been fully committed to at the time of application
- activities which are already fully funded by another government program
- activities which have already occurred, or to re-produce resources that have previously been developed.

## 6. The assessment criteria

Grant applications will need to address the following assessment criteria. Responses should be no more than 500 words per criterion.

<b>Assessment Criteria</b>		
<b>1</b>	<p><b>Describe the proposal and how it will support your service to improve over time to achieve greater viability and/or sustainably under the new child care system.</b></p> <p>Your description may include any/all of the following:</p> <ul style="list-style-type: none"> <li>• Factors that impact on your service’s viability and/or sustainability.</li> <li>• How the proposal will be delivered.</li> <li>• How the activities in the proposal will enable your service to become sustainable over time.</li> <li>• How your service will ensure continuity of child care during the period of transition.</li> <li>• How your organisation intends to manage the grant funding including any previous experience.</li> <li>• How you will increase access and participation of children from vulnerable or disadvantaged families or communities.</li> </ul>	Address this assessment criterion in 500 words or less
<b>2</b>	<p><b>Describe how you will measure your success in this proposal.</b></p> <p>Include:</p> <ul style="list-style-type: none"> <li>• How improvements to viability and/or sustainability will be measured, including estimated timeframes for improvements.</li> <li>• How the proposal represents value for money in the long term, including whether the proposal will result in your service achieving greater sustainability under the new child care system.</li> </ul>	Address this assessment criterion in 500 words or less

### 6.1 Additional information

The department may ask services to provide additional information that is relevant to the grant application during the application or assessment process.

## 7. The grant application process

### 7.1 Overview of application process

You must apply for funding by completing the online application form, which can be accessed at [\[hyperlink\]](#). The application form is designed to assist you to demonstrate how your proposal meets

## Community Child Care Fund: restricted non-competitive process (for specified services)

the objectives of this grant opportunity and address the assessment criteria. You must complete each section of the application form, including addressing all assessment criteria, as well as providing any requested information.

Where funding is sought for more than one eligible service, the applicant is required to complete a separate application form for each service.

Hard copy application forms are available in exceptional circumstances. Please contact us if you require a hard copy form, noting that all applications including any requested information must be received by the closing date.

Before you submit the Application Form, you must first read these grant guidelines, the draft Grant Agreement Terms and Conditions [insert link], and any Questions and Answers (Q&As) available.

*Table 1: Expected timing*

<b>Activity</b>	<b>Time</b>
Application period	<b>Open: XX XXXX 2017 (AEST) Close: XX XXXX 2017 (AEST)</b>
Assessment of applications	<b>8 weeks from close date</b>
Approval of outcomes of selection process	<b>6 weeks</b>
Notification of outcome	<b>XXXXX 2018</b>
Grant negotiations	<b>X weeks</b>
Grant agreements finalised	<b>X weeks</b>
Activity commences and payments processed as per grant agreement	<b>XX July 2018</b>
End date	<b>Subject to individual grant agreements</b>

### 7.2 Questions during the application process

If you have any questions during the application period, please contact [insert contact] through the following methods:

Email: [email address]

Phone: [hotline]

Mailing address:

[Insert address]

The department will answer emailed questions within five working days.

Answers to questions may be posted on GrantConnect [include hyperlink].

People with hearing or speech disability can use the National Relay Service to access the department's phone numbers. Call 1300 555 727 (speak and listen) or go to the National Relay Service website for other options.

The department may choose to provide nominated grant applicants with an opportunity for an interview to supplement the written application process. Should you wish to discuss this process please contact the department.

### **7.3 Closing date for applications**

All applications must be received by the department by **4 pm AEST XXday XX XXXX 2017**.

Completed applications should be emailed to [insert email address]. If you are unable to complete or lodge your application electronically, your hard copy application must be sent to [insert address] by registered mail.

Please make sure you keep a copy of your application for your records.

The department will acknowledge receipt of your grant application within three working days.

You should contact the department [insert link] immediately if you find an error in an application after it has been submitted. The department may then ask you for additional information, as long as it does not change the substance of your application.

### **7.4 Late applications**

If an application is late or the department is requested to approve a lodgement after the closing date, the department may determine that there were exceptional circumstances beyond the applicant's control that meant they could not meet the deadline. Examples of exceptional circumstances could include, but may not be limited to:

- departmental infrastructure failures
- natural disasters
- power outages affecting the ability of the applicant to submit their application by the deadline and
- death or disability of key personnel.

### **7.5 Applications from consortia**

Some organisations may apply together, as a consortium, to deliver grant activities. If you are submitting a grant application on behalf of a consortium, a member organisation must be appointed as the 'lead organisation'. The lead organisation, as well as consortium members, must be a specified service, identified by the department as being eligible to apply under this grant opportunity.

Only the lead organisation will enter into a grant agreement with the Commonwealth and will be responsible for the grant. The lead organisation must complete the application form and identify all other members of the proposed consortium in the application. The lead organisation will act on behalf of all members of the consortium, and enter into grant agreements which are binding to them.

The application must include a letter of support from each organisation involved in the consortium. Each letter of support should include:

- an overview of how the consortium will work together to support the successful completion of the grant activity
- an outline of the relevant experience and/or expertise of the consortium members
- the roles/responsibilities of consortium members and the resources they will contribute (if any)
- details of a nominated management level contact officer

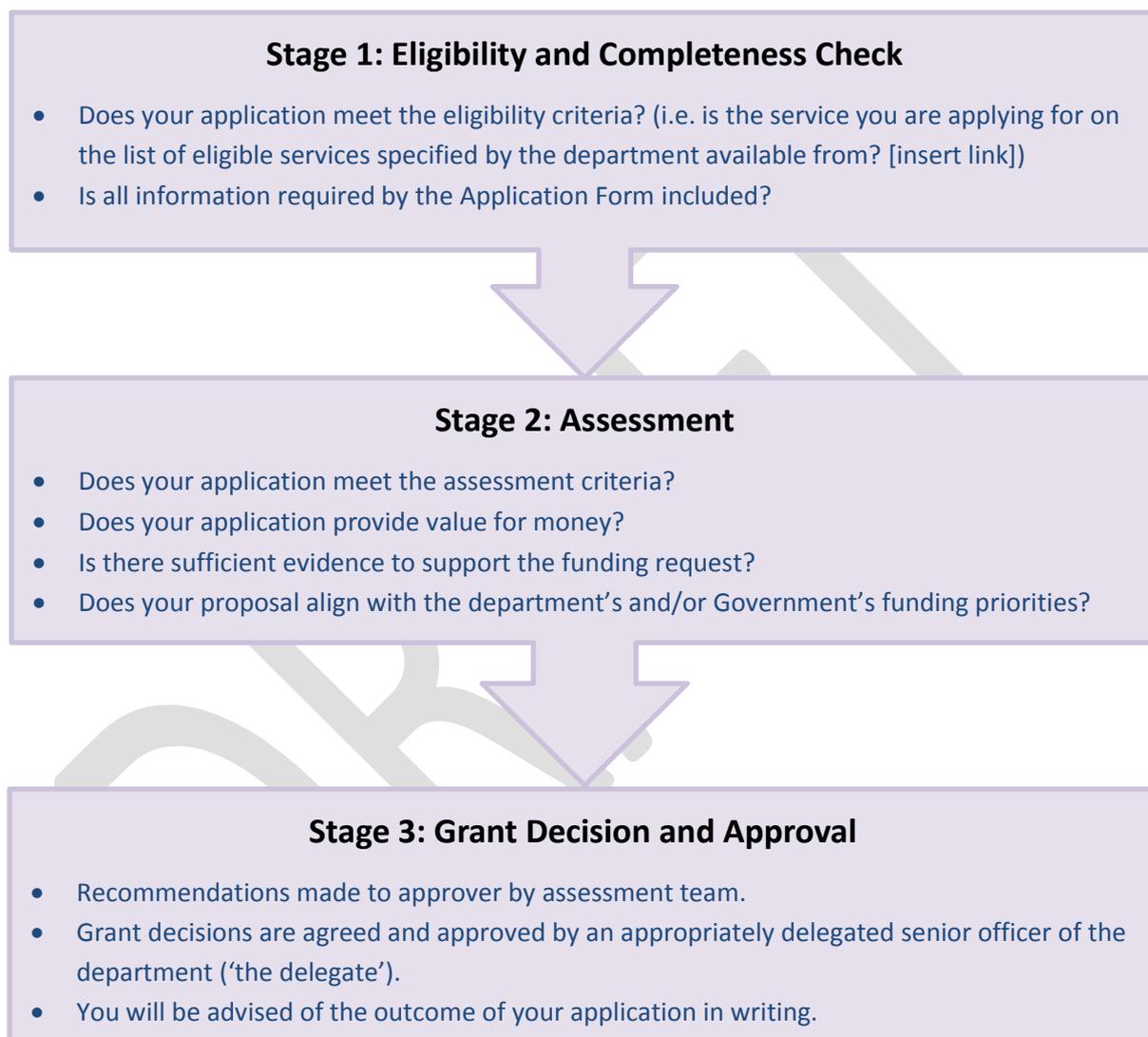
## Community Child Care Fund: restricted non-competitive process (for specified services)

- details of the lead organisation.

Applications from consortia that do not contain this letter of support may not proceed to assessment. If you have consortia arrangements in place you must have an agreed 'internal complaints process' and an agreed mechanism for dispute resolution.

### 8. Assessment of grant applications

Applications will be assessed through a three-stage process (see below).



#### 8.1 Who will assess applications?

Applications will be assessed by an assessment team, comprising departmental officers. They will be bound by the Australian Public Service Code of Conduct and Secretary's Instructions. The Assessment Team led by the Chair of the Assessment Team will assess the strengths of each eligible application against the assessment criteria, relative to the proposal's size, complexity and funding amount requested.

The department may seek information about you or your application from any other source, including from within the Commonwealth, even if the sources are not referees nominated by you.

## **Community Child Care Fund: restricted non-competitive process (for specified services)**

The Assessment Team may also consider information about you or your application that is available to the department through the normal course of business, including your history of compliance with child care laws and regulations (if applicable).

If the assessment process identifies unintentional errors in your application, you may be contacted to correct or clarify the information.

Following assessment of the application and financial viability of the grant applicant (if applicable), the Assessment Team will make recommendations to the delegate on the suitability of proposals for funding, including the level of funding recommended for each successful application. The Branch Manager of the department's Child Care Safety Net Branch is the Minister's delegate, and the authorised decision-maker in relation to funding under the CCCF.

The department reserves the right to negotiate elements of the application, including proposals and budgets, prior to entering into a grant agreement. The Assessment Team may apply an equitable funding formula to determine the amount services may require during their transition to the new child care system.

### **8.2 Value for money**

In assessing funding applications, the department will assess the extent to which the application represents value for money, having regard to the following:

- the expected results and outcomes within the amount of funding requested
- the geographic location of the proposal
- the applicant's relevant experience and performance history
- any contribution partners, will make
- the extent to which the proposed activity will support the service to operate sustainably under the new child care system, as identified in the service's Transition Plan.

Recipients must contribute to achieving value with public money by:

- considering how to deliver the proposal and achieve the greatest outcomes in the most cost effective way possible
- having in place an effective risk management approach that will minimise risk and ensure that the funding is achieving the outcomes, objectives and performance indicators
- ongoing monitoring and management of the funding as appropriate. This may involve the effective use of organisational processes, procedures and systems to produce the required reporting information, adjusting activities to ensure they are meeting the objectives and performance indicators
- participating in evaluation of funding outcomes upon request.

### **8.3 Financial Viability**

Grant applicants may be subject to a Financial Viability assessment in accordance with the department's Financial Viability Policy [insert link]. These assessments form part of the risk mitigation strategy. They can include:

- verification that entities have a legal existence
- verification of the correct legal names of entities for contracting purposes
- verifying relevant persons in those entities to establish that contract signatories are correct

## Community Child Care Fund: restricted non-competitive process (for specified services)

- establishing whether relevant persons have any adverse business history (e.g. current or past bankruptcy)
- possible identification of conflict of interest issues
- assessment of the financial health of an entity.

### 8.4 Who will approve grants?

Grants will be approved by the Branch Manager, who is authorised, on behalf of the Minister, to make decisions in relation to the administration of the CCCF. This includes giving directions to departmental staff on the interpretation of the Program Guidelines and other documents used in, or in relation to, the CCCF. The decision maker may make policies, authorisations and delegations and consider exceptions in relation to the administration of the CCCF, within its policy objectives.

Grant decisions are final, including:

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

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

The decision maker must not approve a grant if they reasonably consider the program funding available across financial years will not accommodate the grant offer and/or the application does not represent value for money.

In making grant decisions, the decision maker may also take into account other considerations such as making sure families will have equitable access to services and that grants are allocated fairly across geographical areas and across a diverse range of service types.

### 8.5 Notification of application outcomes

You will be advised of the outcomes of your application in writing, following a decision by the delegate. Advice to successful applicants will include details of any specific conditions that may be attached to the grant.

### 8.6 Feedback on your application

Feedback on your application can be provided on request by contacting [insert email contact].

### 8.7 Announcement of grants

Successful grants will be listed on grants.gov.au 14 days after the date of effect<sup>1</sup> as required by Section 5.3 of the CGRGs.

## 9. Funding Agreements

Successful grant applicants must enter into a legally binding grant agreement with the Commonwealth, represented by the department. The department will use the Commonwealth Grant Agreement [insert URL]. A schedule may be used to outline the specific grant requirements. Any additional conditions attached to the grant will be identified in the grant offer or during the grant agreement negotiations.

---

<sup>1</sup> See Glossary

## **Community Child Care Fund: restricted non-competitive process (for specified services)**

You must spend the grant as specified in the grant agreement.

The grant period will be agreed between the department and the grant recipient. The maximum grant period is five years.

For amounts of less than \$XXXX, grants may be provided via a formal exchange of letters (letter of agreement).

Payments will be made according to schedules agreed between grant recipients and the department, as recorded in the grant agreement. Payment schedules will reflect the nature of the proposal, and generally be linked to the achievement of pre-agreed activity milestones and key performance indicators. Release of each payment will depend on your organisation meeting all requirements as specified in the grant agreement.

You must accurately report on the grant activities and the expenditure of the grant, as required in the grant agreement (or letter of agreement). The grant must be spent and acquitted by the grant agreement end date unless otherwise agreed with the department.

The department may vary or extend grant agreements in some circumstances where permissible under the terms and conditions of the agreement, and where agreed by both parties.

You should not make financial commitments in expectation of receiving the grant until an agreement has been signed by the Commonwealth.

You may start your activity from the date that the department notifies you that your application is eligible and complete. If you choose to start your activity before you enter into a grant agreement with the Commonwealth, you do so at your own risk.

### **9.1 Variations**

Variations to the funding agreement terms require prior written approval from the Department.

## **10. Delivery of grant activities**

### **10.1 Your responsibilities**

You will be responsible for:

- meeting the terms and conditions of the grant agreement and managing the activity efficiently and effectively
- meeting milestones and other timeframes specified in the grant agreement
- complying with record keeping, reporting and acquittal requirements as set out in the grant agreement
- participating in grant program evaluation as specified in the grant agreement.

### **10.2 The department's responsibilities**

The department will:

- meet the terms and conditions set out in the grant agreement
- provide timely administration of the grant
- evaluate the grant recipient's performance against progress on milestones as set out in the grant agreement schedule.

### **10.3 Monitoring and performance reporting**

Successful recipients will be required to submit reports to the department concerning the funding, in the format and by the due dates detailed in the grant agreement. Recipients will need to collect data that measures how the activity contributes to the CCCF outcomes and objectives. Recipients must agree, if requested by the department, to collect data and maintain records to assist with performance monitoring or evaluation.

The department will work with organisations to minimise the volume of reporting requirements whilst maintaining transparency and accountability requirements.

### **10.4 Financial reporting**

The CCCF is managed to ensure the efficient, effective and ethical use of public monies. Funding must only be used for the purposes for which it is provided. Recipients are required to provide financial statements/reports in accordance with the grant agreement, including:

- a final financial acquittal, and
- financial declaration or an independently audited financial statement as required by the department.

Full details of what recipients must submit to acquit the funding will be specified in the grant agreement.

### **10.5 Grant payments and GST**

Payments will be made as set out in the grant agreement or letter of agreement. A grant may include provision for any applicable Goods and Services Tax (GST), provided it is specified as part of the application process.

Before any payments are made, you must provide:

- a tax invoice for the amount of the payment (the Australian Government's default invoice process is Recipient Created Tax Invoices)
- evidence that you have achieved the associated milestone, and/or
- any other conditions of payment (e.g. evidence of purchase of equipment, satisfactory progress report, approvals, and any other documentation).

### **10.6 Evaluation**

The department will evaluate the CCCF to measure whether, and to what extent, the outcomes and objectives have been achieved. Where possible, the department will use information you have already provided as part of your regular reporting. In some cases, you may be invited or required (as part of agreement negotiations) to participate in case studies of innovation and/or best practice or in additional review and/or evaluation activities.

### **10.7 Acknowledgement**

All publications related to grants under this grant opportunity must acknowledge the Commonwealth as follows:

'This activity received grant funding from the Australian Government.'

## **10.8 The department's rights**

The department reserves the right to amend the program guidelines and other relevant documents by whatever means it may determine, at its absolute discretion, and will provide reasonable notice of these amendments. Amended guidelines will be published on the GrantConnect at [insert link].

Through the grant agreements, the department will maintain a right to use the grants provided to offset a debt against a provider in respect of the Child Care Subsidy (as per Minister's rules made under section 3(1) – the definition of a *child care service payment* – of the *A New Tax System (Family Assistance) (Administration) Act 1999*).

## **11. Probity**

The Australian Government will make sure that the program 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.

### **11.1 Risk management**

The department is committed to a comprehensive and systematic approach to effectively manage potential risk. Grant recipients are expected to do the same in the course of their normal operations.

Risks may include:

- non-compliance with legal, contractual and program requirements
- financial or misuse of funds
- risks associated with loss of service delivery
- reduced outcomes due to poor quality of service delivery.

The department's risk management practices and decisions are in accordance with its Risk Management Policy [insert link]. The Risk Management Policy provides that risks must be identified, monitored, treated and, if necessary, additional treatments applied to reduce the risk level.

Grant recipients will be assessed in accordance with the Risk Management Policy prior to the negotiation of grant agreements, which are managed according to their level of risk. Services may be required to undergo a risk management assessment.

A periodic monitoring process is undertaken during the term of an agreement which monitors service delivery and is used to provide evidence for ongoing risk assessments.

### **11.2 Additional checks**

The department may perform security, probity and financial investigations as it determines necessary in relation to an application. Organisations will be required to supply financial and other information for this process if requested.

You should note that as part of the assessment process the department reserves the right to use information gained as part of its normal course of business in determining performance against the eligibility and assessment criteria.

### **11.3 Fraud**

The department is committed to preventing fraud in all aspects of its business. The department's fraud reporting procedures can be found at <http://www.education.gov.au/how-report-fraud>

## **11.4 Complaints process**

If you are not satisfied with the way an application has been handled by the department, you can lodge a complaint by completing the [feedback and enquiry form](#) available on the department's website. The complaint will be reviewed by one or more independent areas of the department.

For complaints that relate to policy aspects of this grant opportunity, you can lodge a complaint by completing the [feedback and enquiry form](#) available on the department's website. The complaint will be reviewed by one or more independent areas of the department.

If you do not agree with the way in which the department has handled your complaint, you may complain to the Commonwealth Ombudsman. The Ombudsman will usually decline to investigate a complaint unless the matter has first been raised directly with the department.

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)

## **11.5 Conflict of interest**

Any conflicts of interest could affect the performance of the grant. There may be a conflict of interest, or perceived conflict of interest, if departmental staff, any member of a committee or advisor and/or you or any of your personnel:

- has a relationship (whether professional, commercial or personal) with a party who is able to influence the application selection process, such as an Australian Government officer
- has a 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 or
- has a relationship with, or interest in, an organisation from which they will receive personal gain because the organisation receives a grant under the program.

The department also has mechanisms in place for identifying and managing potential or actual conflicts of interest involving its own staff, such as requiring assessment officers to sign conflict of interest declarations prior to undertaking the assessment of applications.

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.

Where you later identify that there is an actual, apparent, or potential conflict of interest or that one might arise in relation to a grant application, you must inform the department in writing immediately. Committee members and other officials including the decision maker must also declare any conflicts of interest.

The delegate will be made aware of any conflicts of interest and will handle them in compliance with Australian Government policies and procedures. 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. We publish our conflict of interest policy on the department's website [insert link].

## **11.6 Privacy: confidentiality and protection of personal information**

We treat your personal information according to the 13 Australian Privacy Principles (APPs) and the *Privacy Act 1988*. This includes letting you know:

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

You are required, as part of your application, to declare your ability to comply with the *Privacy Act 1988*, including the Australian Privacy Principles and impose the same privacy obligations on any subcontractors you engage to assist with the activity. You must ask for the Australian Government's consent in writing before disclosing confidential information.

Your personal information can only be disclosed to someone else if you are given reasonable notice of the disclosure; where disclosure is authorised or required by law or is reasonably necessary for the enforcement of the criminal law; if it will prevent or lessen a serious and imminent threat to a person's life or health; or if you have consented to the disclosure.

The Australian Government may also use and disclose information relating to grant applicants and grant recipients under the program in any other Australian Government business or function, including providing information to the Australian Taxation Office for compliance purposes.

We may reveal confidential information:

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

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

- *Public Service Act 1999*
- *Public Service Regulations 1999*
- *Public Governance, Performance and Accountability Act*
- *Privacy Act 1988*
- *Crimes Act 1914*
- *Criminal Code Act 1995*

We will treat the information you give us as sensitive and therefore confidential if it meets all of the four 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

## Community Child Care Fund: restricted non-competitive process (for specified services)

3. revealing the information would cause unreasonable harm to you or someone else
4. you provide the information with an understanding that it will stay confidential.

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

Further information can be found at [education.gov.au/privacy](http://education.gov.au/privacy), or by writing to:

Privacy Contact Officer  
People, Communication and Legal Group  
Department of Education and Training  
GPO Box 9880  
Canberra ACT 2601  
[privacy@education.gov.au](mailto:privacy@education.gov.au)

### 11.7 Freedom of information

All documents in the possession of the Australian Government, including those about the program, are subject to the *Freedom of Information Act 1982 (FOI Act)*.

The purpose of the FOI Act is to give members of the public rights of access to information held by the Australian Government and its entities. Under the FOI Act, members of the public can seek access to documents held by the Australian Government. This right of access is limited only by the exceptions and exemptions necessary to protect essential public interests and private and business affairs of persons in respect of whom the information relates.

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

By mail: [insert details]

By email: [insert details]

For more information, please visit the department's website: [insert link].

### 11.8 Taxation

You are advised to carefully consider any possible taxation obligations and requirements of any grant received through the CCCF program, prior to submitting an application.

Successful applicants should consider seeking guidance from a tax advisor or the Australian Taxation Office at [www.ato.gov.au](http://www.ato.gov.au) about the effect of receiving a grant before you enter into a grant agreement.

As noted in Section 10.5, grants provided under the CCCF may include provision for GST, where applicable, provided it is specified by applicants as part of the application process.

### 11.9 Other specialist requirements

You must comply with all relevant Commonwealth and state/territory legislation and regulations.

### 11.10 Multicultural access and equity policy

Australia's *Multicultural Access and Equity Policy* is about ensuring that Australian Government programs and services meet the needs of all Australians, regardless of their cultural and linguistic backgrounds. The policy centres on six commitments essential to the effective delivery of

## **Community Child Care Fund: restricted non-competitive process (for specified services)**

government programs and services in a multicultural society: leadership; engagement; performance; capability; responsiveness; and openness. Australian Government departments and agencies are required to apply the commitments to all relevant activities, including those conducted on behalf of government by contractors and service delivery partners. This includes ensuring that cultural and linguistic diversity is not a barrier for families accessing child care services to which they are entitled.

Grant applicants should consider whether grant activities may require the use of professional translating or interpreting services so they can communicate with non-English speakers. If translating and interpreting services are required, applicants may include these costs in their grant proposal.

### **11.11 Liability issues**

The department is not liable in relation to the application and/or assessment process, including without limitation, when the department:

- varies or terminates all or any part of the application and/or assessment process or any negotiations with the applicant
- decides not to fund any or all of the activities sought by applicants through the assessment process
- exercises or fails to exercise any of its other rights under, or in relation to, the program guidelines.

## **12. Consultation**

To be completed once public consultation on draft guidelines has taken place.

### 13. Glossary

Assessment criteria	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 activity, to determine applicant rankings.
Budget Based Funded (BBF) service	Service that is currently funded through the BBF program.
Capital works	Works to build, extend, modify or renovate facilities.
Child Care Benefit	Government subsidy that helps with costs for approved and registered care such as long, family or occasional day care, outside school hours care, vacation care, pre-school and kindergarten.
Child Care Provider	Legal entity that runs the child care business. One child care provider can operate more than one child care service in several locations.
Child Care Rebate	Government subsidy that covers 50 per cent of out of pocket child care expenses for approved child care, up to an annual limit per child, in addition to any other child care assistance.
Child Care Service	The physical location where children are cared for and where proposals under the CCCF would be executed.
Child Care Subsidy	Income and activity tested Australian Government child care subsidy that will replace Child Care Benefit and Child Care Rebate from July 2018.
Commencement date	The expected start date for the grant activity.
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 Public Governance, Performance and Accountability (PGPA) Act.
Commonwealth Grants Rules and Guidelines	The <i>Commonwealth Grants Rules and Guidelines</i> (CGRGs) establish the Commonwealth Government's grants policy framework. They contain the key legislative and policy requirements, and explain the better practice principles of grants administration.
Community experiencing disadvantage	Community with high levels of childhood developmental vulnerability, socio-economic disadvantage and other complex social issues.
Community level barriers	Reasons that may prevent families from using available child care, for example their socio-economic background and family resources.
Completion date	The expected date that the grant activity must be completed and the grant spent by.
Date of effect	This will depend on the particular grant. It can be the date in 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 practical. (CGRGs)
Decision Maker	The person who makes a decision to award a grant. This person is an officer of the department with authority to make decisions regarding the CCCF.
Delegate	An officer of the department with authority delegated by the Minister for Education and Training.

## Community Child Care Fund: restricted non-competitive process (for specified services)

Department	The Australian Government Department of Education and Training
Designated use period	Agreed minimum period of time that a capital asset funded under the CCCF must be used for child care.
Eligibility criteria	The principles, standards or rules that a grant applicant must meet to qualify for consideration of a grant. Eligibility criteria may apply in addition to assessment criteria. (CGRGs)
Grant	A grant is an arrangement for the provision of financial assistance by the Commonwealth or on behalf of the Commonwealth: <ul style="list-style-type: none"> <li>a) under which relevant money or other Consolidated Revenue Fund (CRF) money, is to be paid to a recipient other than the Commonwealth; and</li> <li>b) which is intended to assist the recipient achieve its goals; and</li> <li>c) which is intended to help address one or more of the Australian Government's policy objectives; and</li> <li>d) under which the recipient may be required to act in accordance with specified terms or conditions. (CGRGs)</li> </ul>
Grant activity	Is the project /tasks /services that the grantee is required to undertake with the grant money. It is described in the grant agreement. (Proposed definition in the grants taxonomy)
Grant agreement	The contract template used by Australian Government entities to standardise and streamline grant agreements between the Commonwealth and grant recipients to allow grant recipients to engage more easily and efficiently with the Commonwealth. The grant agreement sets out the conditions and requirements related to the funded activity (CGRGs)
Grant opportunity	A notice published on GrantConnect advertising the availability of Commonwealth grants.
Grant program	May be advertised within the 'Forecast Opportunity' (FO) section of GrantConnect to provide a consolidated view of associated grant opportunities and provide strategic context for specific grant opportunities
Grantee	An individual/organisation that has been awarded a grant. (Proposed definition in the grants taxonomy)
(High) unmet demand	Situation where there is a shortage of child care places because of (significantly and consistently) higher demand for child care places than supply.
Mobile service	Services that travel to isolated communities to deliver child care services where centre-based child care is not readily available.
PBS program	Described within the entity's Portfolio Budget Statement, PBS programs each link to a single outcome and provide transparency for grant 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 process	The method used to select potential grantees. For the grant opportunity covered by these guidelines, this process involves the assessment of applications against the eligibility criteria and the assessment criteria. (CGRGs)

## Community Child Care Fund: restricted non-competitive process (for specified services)

Specified services	Services as specified by the department as eligible to apply under this grant opportunity.
Sustainability	The ability to maintain viability in the long-term.
Transition Plan	A plan that outlines specific activities to be undertaken by the service to enable them to transition to and operate within the new child care system.
Value for Money	This is an assessment of whether the intended outcomes will justify the government investing the requested amount of funding, including that resources are deployed in an efficient, effective, economical and ethical way.
Viability	The ability of a business to survive, measured by its financial performance and position.

DRAFT