



## Australian Government

### National Indigenous Australians Agency

# Indigenous Advancement Strategy (IAS) Grant Opportunity Guidelines Agency Collaborates (non-competitive)

<b>Opening date:</b>	This grant opportunity is ongoing from 26 July 2021.
<b>Closing date and time:</b>	This grant opportunity is open until 30 October 2023 Note: The National Indigenous Australians Agency (NIAA or Agency) may amend the closing date and time at its own discretion by issuing a notice through the <a href="#">GrantConnect</a> website.
<b>Commonwealth policy entity:</b>	National Indigenous Australians Agency (NIAA or the Agency)
<b>Enquiries:</b>	If you have any general enquiries refer to your <a href="#">NIAA Regional Office</a> (listed at <a href="http://niaa.gov.au/contact-us/regional-network-addresses">niaa.gov.au/contact-us/regional-network-addresses</a> ) or if applicable contact National Office (refer to <a href="http://niaa.gov.au/who-we-are/contact-us">niaa.gov.au/who-we-are/contact-us</a> ).
<b>Date Guidelines released:</b>	26 July 2021
<b>Type of grant opportunity:</b>	Agency Collaborates (open and targeted non-competitive)

Note: other grant opportunities under the IAS will be advertised separately on [GrantConnect](#) at [grants.gov.au](http://grants.gov.au) and may have different requirements to those listed in this document.

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# 1. Indigenous Advancement Strategy non-competitive process

**The IAS is designed to achieve Australian Government objectives.**

The Agency works with stakeholders to plan and design grant programs. This process may be triggered by a proposal that is initiated by either a stakeholder or the Agency.



**Agency Collaborates (non-competitive)**

If you submit an initial proposal we will consider whether your proposal is within scope of the IAS and funding is available, we may then invite you to submit an application



**We assess your application**

We will determine whether your application meets eligibility requirements under the guidelines.

We will notify you if you do not meet these requirements

We will assess your eligible application against the assessment criteria including an overall consideration of value with relevant money.



**We make a recommendation on your application**

We provide advice to the Minister for Indigenous Australians or the Agency delegate on the merits of your application including how well it meets the assessment criteria and represents value with relevant money.



**A decision is made**

The Minister for Indigenous Australians or Agency delegate decides whether your application will be funded and the level of funding to be provided.



**We notify you of the outcome**

If you have been successful we negotiate a grant agreement. The type of grant agreement and its terms will depend on the nature of the grant and the risks involved.

Note: there is no guarantee of funding until both parties sign the grant agreement.

Unsuccessful applicants will also be notified and feedback provided on request.



**Delivery of grant activity**

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**

We may evaluate the specific grant activity and broader IAS program.

We base this on information you provide to us and that we collect from various sources

## 2. The Indigenous Advancement Strategy

### 2.1 About these Guidelines

The Indigenous Advancement Strategy (IAS) provides funding through grants and procurement activities that address the objectives the government has set for the IAS.

These guidelines provide information about the grant funding opportunity through the *Agency Collaborates* process under the IAS, including how to apply for grant funding.

You may only apply for grant funding under these guidelines when the Agency has:

- Discussed a proposal with you which is intended to benefit Indigenous Australians, including locally tailored solutions to identified issues. **and**
- Approached you as the only suitable provider, **and**
- Asked you to submit an application for funding. This process is non-competitive.

The Agency may use this approach where there is only one suitable provider; following involvement and development of an activity with the Indigenous community and/or stakeholders; where specialist experience or skills are required; or where there is urgency for a need to be addressed promptly.

These guidelines do not apply to procurement activities. The procurement of goods and services under the IAS is undertaken in accordance with the Commonwealth Procurement Rules, Secretary's Instructions and Financial Rules of the Agency, and the provisions of the *Public Governance Performance and Accountability Act 2013*.

Any alterations and addenda<sup>1</sup> to these guidelines will be published on [GrantConnect](#).

### 2.2 About the Indigenous Advancement Strategy

The IAS is one way the Australian Government funds and delivers programs for Indigenous Australians. There are a number of grant opportunities under the IAS, including the *Agency Collaborates non-competitive* grants process outlined in these guidelines.

The IAS contributes to the Agency's Outcome 1: *Indigenous—Improve results for Indigenous Australians, including in relation to school attendance, employment and community safety, through delivering services and programs, and through measures that recognise the special place that Indigenous peoples hold in this Nation.*

The IAS contributes to Closing the Gap (CtG) between Indigenous and non-Indigenous Australians by providing grant funding for activities that address areas of need for Indigenous Australians that align with CtG targets.

To ensure the best outcomes, the IAS has a focus on:

- Aligning investment with [CtG](#) targets.
  - Ensuring Indigenous Australians are actively involved in the development, delivery and evaluation of local and regional solutions, including deciding how they will be involved.
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- Drawing on the strengths of Indigenous Australians and communities, and building capacity in Indigenous organisations and businesses.
- Increasing the number of Indigenous organisations delivering grants for the benefit of Indigenous Australians, where this is supported by value with relevant money, and/or engaging organisations who are committed to improving Indigenous outcomes.
- Using evidence and innovation to develop solutions or improve existing approaches.
- Building an effective evidence base to ensure funding delivered through the IAS improves the lives of Indigenous Australians and communities.
- Fostering engagement between government, Indigenous organisations, Indigenous Australians and communities, and other stakeholders such as experts and business.

For more information on the IAS visit [Funding under the IAS](#).

**The IAS comprises six programs:**

- 1.1 Jobs, Land and Economy
- 1.2 Children and Schooling
- 1.3 Safety and Wellbeing
- 1.4 Culture and Capability
- 1.5 Remote Australia Strategies
- 1.6 Research and Evaluation

You can find a description of these programs, including details of the outcomes sought and the types of activities that we fund, at **Appendix 1**.

### 2.3 NIAA regional presence and National Office

The Agency has a regional presence (NIAA Regional Offices) across Australia. We have offices in capital cities, and regional and remote locations (Figure A). Staff from these offices routinely visit over 400 communities. We also have an Agency officer in residence in nearly 50 Indigenous communities.

Agency staff in NIAA Regional Offices can provide information about the IAS, including whether a proposal is not consistent with regional priorities or is unlikely to be funded. A list of [NIAA Regional Offices](#) and contact details is available [here](#). The NIAA Regional Offices work in partnership with Indigenous Australians, their communities and other stakeholders to develop solutions tailored to address local need. Solutions may involve the implementation of several complementary activities working together to address a particular issue or challenge.

The NIAA Regional Offices have strong relationships with other Australian Government agencies and departments, state, territory and local government, as well as non-government and industry partners. Staff within each region work with these groups to ensure applications complement existing services and leverage local opportunities.

The NIAA National Office, based in Canberra, provides national oversight, policy advice and program management and support to the NIAA Regional Offices in the implementation of the IAS.

## 3. Grant amount and grant period

### 3.1 Grants available

In the 2020-21 Budget, the Australian Government allocated \$5.7 billion to the IAS, over four years to 2024-25, for grant funding processes and administered procurement activities that address the objectives of the IAS. The funding is delivered through various mechanisms such as the *Agency Collaborates* process and other selection methods and grant rounds.

There is no maximum grant amount available to applicants. The Agency will consider value with relevant money and availability of funds to meet priorities in offering a grant amount. Information on previous grants awarded is available on the [GrantConnect](#) website.

Applicants can apply for funding for activities for up to 12 months or over multiple years.

Successful applicants will need to enter into a grant agreement with the Agency. The terms and conditions of your grant agreement, including payment frequency and reporting requirements, will be proportionate to the level of risk associated with the activity and the nature of the activity being delivered. Further details on risk is at Section 10.8 of these guidelines.

## 4. Eligibility criteria

The Agency cannot consider applications that do not satisfy all the eligibility criteria.

Community groups that are not eligible to apply for funding are encouraged to consider partnering with an eligible organisation.

### 4.1 Who is eligible for funding?

To be eligible to apply for grant funding under the Agency Collaborates guidelines you must:

- have been invited to apply by the Agency
- have an Australian Business Number (ABN) (exemptions may apply in special cases)
- where relevant, be registered for the purposes of GST
- if an individual, be a permanent resident of Australia
- have an account with an Australian financial institution.

AND be one of the following entity types:

- an Aboriginal and/or Torres Strait Islander Corporation registered under the [Corporations \(Aboriginal and Torres Strait Islander\) Act 2006](#) (CATSI Act)
- a company incorporated in Australia under the [Corporations Act 2001](#)
- an incorporated associations (incorporated under state/territory legislation, commonly have 'Association' or 'Incorporated' or 'Inc' in their legal name)
- an incorporated cooperatives (incorporated under state/territory legislation, commonly have 'Cooperative' in their legal name)
- Organisations established through a specific piece of Commonwealth or state/territory legislation including public benevolent institutions, churches and universities
- an Australian state or territory government body
- an Australian local government body
- an incorporated trustee on behalf of a trust<sup>1</sup>
- a partnership
- a joint (consortia) application with a lead organisation that satisfies the entity type

- an individual with an ABN.

In addition you must:

- Have rectified any issues of previous non-compliance with existing Commonwealth agreements to the satisfaction of the Commonwealth, or be in the process of rectifying any issues of non-compliance with existing Commonwealth agreements to the satisfaction of the Commonwealth.
- Be financially viable. The application form has questions about financial viability. The Agency may undertake its own enquiries in relation to the applicant's financial viability.

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

You are not eligible to apply for grant funding under the IAS if you are:

- an organisation, or your project partner is an organisation, included on the [National Redress Scheme's](#) website on the list of 'Institutions that have not joined or signified their intent to join the Scheme' (National Redress Scheme)
- a non-corporate Commonwealth entity
- an unincorporated association
- subject to the Agency's sole discretion, an overseas resident
- an organisation or individual not included in Section 4.1
- declared bankrupt or subject to insolvency proceedings—as relevant to the entity type
- named as currently non-compliant under the [Workplace Gender Equality Act 2012](#)

## 4.3 What qualifications and licencing are required?

All applicants must be able to demonstrate that they intend to, and can demonstrate they will be able to comply with all applicable laws if their application is successful. This includes maintaining all qualifications, permits, registrations and licences required for the lawful performance of the activity or service they will provide. This also includes mandatory requirements for:

- Working with Children checks
- Working with Vulnerable People registration
- Industry licenses or registration, or
- Australian Skills Quality Authority accreditation.

## 4.4 Incorporation requirements

Subject to certain exceptions, under the Strengthening Organisational Governance Policy, all organisations that receive grant funding of \$500,000 or more (GST exclusive) in any single financial year from IAS funding are required to:

Incorporate under Commonwealth legislation—Indigenous organisations will be required to incorporate under the [Corporations \(Aboriginal and Torres Strait Islander\) Act 2006](#) and, other organisations will be required to incorporate under the [Corporations Act 2001](#).

Maintain these arrangements while they continue to receive any IAS funding.

Indigenous organisations already incorporated under the [Corporations Act 2001](#) do not have to change their incorporation status. However, all other Indigenous Organisations must be incorporated under the [Corporations \(Aboriginal and Torres Strait Islander\) Act 2006](#) so they can access the assistance and support available under the Act.

For further information on incorporation requirements please refer to Appendix 2.



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

### 5.1 Eligible grant activities

Given the changing and variable impacts of COVID-19 across Australia, activities must be delivered in alignment with relevant government and health advice to limit the risk of transmission of COVID-19, particularly with respect to protecting Elders and those with chronic health issues. Before commencing an activity, it is your responsibility to develop a COVID-19 Risk Management Plan. The Risk Management Plan should include any potential risks associated with the delivery of an activity, and identify the strategies that you will put in place to minimise those risks. Upon request, you may be required to provide evidence to the NIAA that you have a COVID-19 Risk Management Plan in place. Where possible and relevant, your proposed grant activity should take into account:

- The cultural and linguistic needs of Indigenous Australians and others whose first language is not English, and be mindful of the Commonwealth Ombudsman's Best Practice Principles for interpreting. [Use of Interpreters - Commonwealth Ombudsman](#)

The needs of Australians with disability including how the proposal supports one or more of the six policy outcome areas outlined in the Department of Social [National Disability Strategy 2010-2020](#).

- Differing barriers and opportunities experienced by subsets of the target community, including Indigenous men and women, and the impact these might have on access to funded activities—this could include articulating the specific ways delivery of the activity will address barriers to participation for different groups. For example, how the activity will support gender equitable outcomes in the community.

A description of the six programs, the program objectives and outcomes and the types of activities that can be funded under the IAS is at Appendix 1.

### 5.2 Eligible locations

Your grant activity must be delivered in Australia, unless the Agency, in its sole discretion, grants an exemption for an activity that occurs overseas but meets an objective outlined in Appendix 1 and contributes to an outcome in Australia.

### 5.3 Eligible expenditure

You can only spend grant funds for agreed and/or eligible grant activities as defined in your grant agreement, unless we otherwise agree in writing to an alternative use. Unless otherwise agreed in writing by the Commonwealth, you must incur the expenditure between the dates specified in your grant agreement for it to be eligible.

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

Grant funding cannot be used for a purpose that does not directly contribute to the outcomes of the activity, so cannot generally be used for items such as payment of fines or loans, purchase of gifts, personal debts, or sitting fees.

You cannot use the grant for the following activities:

- Activities that do not clearly align to the identified outcomes of the IAS.
- Purposes that do not directly contribute to the outcomes of the activity, typically including (but not limited to) payment of fines or loans, purchase of gifts, personal debts, or sitting fees.

- Costs incurred in the preparation of a grant application or related documentation unless specifically agreed with the Agency
- Activities for which other Commonwealth, state, territory or local government bodies have primary responsibility.
- Expenses for which other Commonwealth, state, territory or local government bodies have primary responsibility to provide the source of funding, unless otherwise specifically agreed with the Agency.

Further detail of activities that are out of scope for funding is included at Appendix 1.

## 6. The assessment criteria

Unless otherwise advised by the Agency you must address all of the assessment criteria in your application.

All criterion have equal weighting under these guidelines.

The amount of detail and supporting evidence you provide in your application should be relative to the size, complexity and grant amount requested. The application form includes word limits.

You can attach evidence in support of your application such as letters of support and research/statistics; however, this is not mandatory.

### Criterion 1: Need and community involvement

You should demonstrate this by identifying how the proposed activity:

- Is needed by the target community/ies or group/s you are proposing to service
- Will support improved outcomes in the target Indigenous community/ies or group, and

Aligns with any community or regional plan that may be in place, including regional priorities identified by community leadership groups (such as in Empowered Communities—refer to Section 15 Glossary), where relevant. **AND**

That the target community/ies or group:

- supports the proposed activity
- has participated in the planning and design of the proposed activity, and
- will be involved in delivery of the proposed activity.

### Criterion 2: Cultural competence

You should demonstrate this by explaining your:

- Understanding of the service delivery area(s) and how your organisation is accepted by the target community/ies or groups.
- Capacity to deliver quality, culturally competent services for the target community/ies or groups. **AND**
- Commitment to:
  - provide Indigenous employment opportunities, and
  - use Indigenous organisations in your supply chain.

### Criterion 3: Capability

You should demonstrate this by describing how:

- Your resources and capability will support you to deliver high quality activities.

- You have delivered this or a similar activity to a high standard.
- The risks associated with the proposed activity will be managed. AND
- You will measure the performance of the proposed activity.

#### **Criterion 4: Delivering Outcomes**

You should demonstrate this by:

- Providing evidence that the proposed activity can deliver the intended outcomes for the community/ies or group/s, and how you will measure its effectiveness.
- Describing how outcomes of the proposed activity can be sustained into the future, including how you will maximise the contribution of Indigenous Australians and communities and develop capacity in Indigenous organisations and businesses.
- Describing how the proposed activity will complement other activities or services within the target community/ies or group/s. AND
- Describing how your organisation learns from experience and feedback, and how you can adapt the activity to improve outcomes.

## **7. How to Apply**

These grant opportunities are available by invitation only. You will be required to complete an application form or provide other documentation to enable the Agency to gather sufficient information to assess your proposal and to verify details.

It is important to note that any discussion with the Agency about a grant activity or the lodgement of an application form does not guarantee that your activity will be funded. All applications will be assessed according to the assessment process undertaken by the Agency as outlined in these guidelines and the final decision is made by the Minister for Indigenous Australians or the Agency delegate.

The process is non-competitive, which means your application will be considered on its merits and priorities for the Agency and will not be compared to other applications.

Before applying, you must read and understand these guidelines.

You should also read and understand the application form and the sample grant agreement. These documents can be found on [GrantConnect](#).

### **Step 1: Ensure that your proposal aligns with the objectives of the IAS**

Refer to Appendix 1 in this document to ensure that your proposal addresses the objectives of the IAS. This provides a description of the IAS programs, including outcomes sought and the types of activities that the Agency funds.

### **Step 2: Ensure you meet all eligibility criteria**

Refer to Section 4: Eligibility criteria for further information around eligibility under the IAS.

### **Step 3: Complete the application form ensuring you have addressed all assessment criteria**

To apply for grant funding under the IAS you will be asked to:

1. Complete the application form, including addressing all eligibility and assessment criteria.
2. Provide all the information requested, including any attachments.

3. Submit your application online by the closing date, where applicable.

A checklist is available at Appendix 3 to assist you with making sure that your application is complete.

You are responsible for ensuring that 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 find an error in your application after submitting it, you should contact the NIAA Assessment Management Office immediately at [IASAMO@niaa.gov.au](mailto:IASAMO@niaa.gov.au). [If applicable] We do not have to accept any additional information, nor 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 information that is missing, we may ask for clarification or additional information from you that will not change the nature of your application. However, we can refuse to accept any additional information from you that would change your submission after the application closing time.

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

You will receive an electronic Application ID Number once you lodge your application.

If you need further guidance around the application process or if you are unable to submit an application online please contact your local [NIAA Regional Office](#).

## 7.1 Attachments to the application

We require the following documents with your application:

- Evidence of bank account details, such as a copy of a current bank statement.
- Itemised indicative budget (on template provided) that is GST exclusive—the budget should include:
  - A breakdown of costs and funding for each financial year in which the proposed activity will operate.
  - Total funding being requested.
  - Details of funding from other sources that will contribute to the costs of the activity outlined in the application, this should include confirmation of whether the funding is approved.
  - Details of any applications for funding that are currently awaiting a decision and include the nature of the support for example, funding contribution, in kind support, resources and expertise.
- A document containing:
  - A list of your key personnel, including your Chief Executive Officer, Chief Financial Officer, Chief Operating Officer and Directors (or equivalents), including names and position titles.
  - An organisation chart for your organisation. AND
  - If applicable, a chart of associated entities, as defined by s50AAA Corporations Act, (Cth) showing the relationships between companies, including levels of ownership and control.
- Evidence of your organisation's Indigeneity:
  - If you indicate that your organisation is Indigenous owned and/or controlled you may be required to provide additional information or to complete a declaration (particularly if you are **not** Registered or Certified on Supply Nation or incorporated under the CATSI Act).

Note: Supply Nation Registration is based on 50% ownership. If you are actually 51% owned and controlled, you will need to complete a declaration to be identified in that category for NIAA funding (unless you are also incorporated under the CATSI Act).

- If you are a non-government applicant who does not have a current grant agreement with the NIAA or former Department of the Prime Minister and Cabinet (PM&C), you will be required to provide the following documentation with your application:
  - A copy of your most recent financial statements such as an audited financial statement (audited expenditure report), income and expenditure statement, or a balance sheet to inform your Organisation Risk Profile (ORP).<sup>2</sup>
  - A copy of your Certificate of Incorporation where relevant (Organisations registered with Australian Charities and Not-for-profits Commission are exempt from this requirement).
  - A copy of a completed ATO 'Statement by a supplier (reason for not quoting an ABN to an enterprise)' form if you are not able to quote an ABN.

Please note the size limit for each application is 10MB. There is also a 2MB size limit for each attachment. The Agency's information technology system is not capable of receiving applications that exceed 10MB and any applications above this limit will not be received.

## 7.2 Joint (consortia) applications

We recognise that some organisations may want to join together as a group to deliver a grant activity. In these circumstances, you must appoint a 'lead organisation' Only the lead organisation can submit the application and to enter into a grant agreement with the Commonwealth.

The application must identify all other members of the proposed group (and include a letter of support from each of the partners).

Each letter of support should include:

Details of the partner organisation (including the percentages of Indigenous ownership, control and/or management).

An overview of how each partner organisation will work with the lead organisation and any other partner organisations in the group to successfully complete the [grant activity or project/services].

An outline of the relevant experience and/or expertise each partner organisation will bring to the group.

The roles/responsibilities of each partner organisation and the resources they will contribute, (if any).

Details of a nominated management level contact officer at each partner organisation.

You must have a formal arrangement in place with all parties prior to execution of the agreement.

## 7.3 Trust applications

For applications made on behalf of a Trust, the application must be made in the name of the Trustee as listed in the Trust Deed.

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<sup>2</sup> The ORP and the Activity Risk Assessment (ARA) help to determine the level of controls applied to your grant agreement, noting that if your ARA is high or extreme, an annual audited expenditure report will be a standard requirement under your grant agreement. For further information, please refer to section 10.8.

The applicant must be prepared to provide a copy of the Trust Deed as in force at the time the application is made if requested.

For example, if ABC Trust has a Trustee listed in the Trust Deed as XYZ Pty Ltd, then the application must be made in the name of XYZ Pty Ltd as Trustee for ABC Trust.

## 7.4 Timing of grant opportunity

Where the Agency invites you to submit an application for funding, you must submit before the notified closing date.

The Agency aims to notify you of the outcome of your application within 90 days.

## 7.5 Questions during the application process

If you have any questions during the application period please contact your [NIAA Regional Office](#). Answers to questions may also be posted on [GrantConnect](#).

The Agency does not provide financial or legal advice to applicants or grantees. Applicants or grantees should seek their own independent professional advice on financial and legal matters, including compliance with any statutory obligations.

# 8. The grant selection process

## 8.1 Assessment of grant applications

If your application is not consistent with the objectives of the IAS, as listed at Appendix 1 of these guidelines, or you do not meet the eligibility criteria, we will not assess your application and will notify you if this is the case. You may be asked to provide further information; your application may not be able to be processed while this information is outstanding, so grantees are encouraged to provide any requested documents as soon as possible.

The Agency assesses all applications against the assessment criteria and considers value with relevant money. This enables applications to be rated on whether they 'fully meet', 'partially meet' or 'do not meet' the assessment criteria. Key considerations in determining value with relevant money include cost, the quality and purpose of the grant activity, intended outcomes, alignment with IAS objectives and relevant experience of the applicant.

If you are an applicant who has received IAS funding we may consider your previous performance, demonstrated capability to deliver the activity, and/or information which has been made available to the Agency during the assessment of your application.

As noted below in Section 8.2, preference will be given to fund suitable Indigenous organisations.

In addition to considering your responses to the assessment criteria and overall value with relevant money, the Agency may also consider whether your organisation meets one of the 'Indigenous organisation' categories. In order to give integrity to the preference process, the Agency may request additional information to support this.

## 8.2 Indigenous Grants Policy Trial

The IAS is part of a trial of the Indigenous Grants Policy (IGP), announced on 12 February 2018 by the former Prime Minister and the former Minister for Indigenous Affairs. The trial commenced on 1 July 2018. NIAA is one of three Commonwealth agencies participating in the trial, which is intended to test how best to achieve the following objectives:

- Increase the involvement of Indigenous Australians and organisations in the grant funded services and programs that are intended to benefit them.

- Improve on-the-ground service delivery for Indigenous Australians.
- Leverage the Australian Government's investment to stimulate greater economic development for Indigenous Australian peoples.

In order to meet these objectives, the Agency may give ordered preference to:

1. Indigenous Organisations (at least 51% Indigenous ownership and at least 51% Indigenous control), and then
2. organisations with at least 50% Indigenous ownership, control or management, and then
3. any organisation, including non-Indigenous organisations, with a demonstrated commitment to increasing Indigenous employment, supplier use and/or engagement.

Refer to the Section '15. Glossary' for definitions of "ownership", "control" and "management".

As part of the IGP Trial, the Agency may gather information to determine the number of Indigenous and non-Indigenous organisations funded through the IAS; and the number and percentage of Indigenous peoples employed in all funded organisations.

The Agency may also gather information from grantees about the total value and number of contracts for goods and services that are provided by Indigenous Enterprises.

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

Agency officer(s) or an assessment panel will assess your application against the assessment criteria. An assessment panel may include Agency officers, community representatives and/or subject matter experts.

In accordance with the CGRGs, any panel member who is not a Commonwealth or state official will be subject to the same requirements as a government employee.

To ensure probity, staff who provide support in developing a proposal will not be involved in the assessment of the application.

The Agency will then put forward a recommendation to the Minister for Indigenous Australians, or the Agency delegate, about whether to approve the proposed grant. The recommendation will be based on the merits of the application including consideration of the assessment, risk and value with relevant money; priority areas of need; and availability of funding.

The assessment panel may seek additional information about you or your application. They may do this from within the Commonwealth, even if the sources are not nominated by you as referees. The assessment panel may also consider information about you or your application that is available through the normal course of business.

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

The Minister for Indigenous Australians or the Agency delegate, as the decision-maker, approves grants, taking into account the recommendations of the Agency and the availability of grant funds.

The decision-maker's decision is final in all matters, including:

- the approval of the grant
- the grant funding 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.

## 9. Notification of application outcomes

We will advise you of the outcome of your application in writing. If you are successful, we will advise you of any specific conditions attached to the grant.

### 9.1 Feedback on your application

If your application is unsuccessful, you may seek feedback on your application by contacting your [NIAA Regional Office](#).

## 10. Successful grant applications

### 10.1 The grant agreement

If you are successful and you choose to accept a grant offer, you must enter into a legally binding grant agreement with the Commonwealth. This agreement may be through a letter of offer or standard grant agreement, or another form of agreement specified by the Commonwealth.

The type of grant agreement and its mandatory terms and conditions will depend on the size and complexity of your grant activity(s), as well as the level of risk associated with the activity. Sample grant agreements are available on [GrantConnect](#).

The grant agreement will provide a detailed description of the funded activity and specific terms and conditions, which may include:

- key performance indicators and performance reporting requirements
- financial reporting requirements
- a funding payment schedule
- mandatory requirements for Working with Children checks, Working with Vulnerable People checks
- mandatory requirements to comply with applicable work health and safety obligations including those provided under Commonwealth work health and safety legislation
- insurance requirements including compliance with the [Work Health and Safety Act 2011](#) to cover your obligations in relation to the grant funding to be delivered
- compliance with the Australian Privacy Principles as set out in Schedule 1 of [Privacy Act 1988](#). Further information about privacy and confidentiality is also included at Section 13.3 of this document
- requirements to maintain the confidentiality of any information deemed by the Commonwealth to be confidential
- record keeping requirements.

To give assurance to the preference to fund suitable Indigenous organisations, your grant agreement may also contain conditions that your organisation must maintain a specified percentage of Indigenous ownership, control, management or employment and be able to provide evidence of this, on request. You may also be required to notify the Agency if you have a change in circumstances that means you no longer meet these conditions.

You will work with an Agreement Manager from the NIAA Regional Office or National Office to effectively manage the grant agreement.

The Agency must execute a grant agreement with you before we can make any payments. There is no guarantee of funding until both parties have executed a grant agreement, and the Agency is not responsible for any of your expenditure until a grant agreement is executed.



If you choose to start your grant activities before you have an executed grant agreement, you do so at your own risk (including incurring financial costs that may not be covered by the grant agreement).

If you receive any grant funding from other Commonwealth, state or territory government granting programs for the same activity this may limit the amount of funding you might be entitled to under the Agency Collaborates Grant Opportunity Guidelines, unless specifically agreed to in writing by the Agency. You must provide information about other funding received for the Agency's consideration.

If you fail to meet the obligations of the grant agreement, the Agency may terminate the agreement. The Agency or the Commonwealth may also recover grant funds if there is a breach of the grant agreement.

## **10.2 Management of Debt and Underspend**

A previous debt or underspend of an IAS grant may influence the outcome of an application, including an awarded grant amount. The Agency reserves the right to recover underspends of one grant via offsets in another. Offsetting involves reducing future grant payments up to the amount of the underspend. If a debt has been incurred, the Agency may seek return of those funds or pursue other remedies.

## **10.3 Negotiation of funded activities**

Before a grant agreement is entered into, the Agency will negotiate the scope of the activity and the terms and conditions with you. Relevant community stakeholders may also be involved in these negotiations to ensure the activity is tailored to meet local community or regional need.

If there are unreasonable delays in finalising a grant agreement, the grant offer may be withdrawn and the grant may be offered to a different applicant.

## **10.4 Execution of the grant agreement**

You will have 30 days from the date of a written offer to execute the grant agreement with the Commonwealth or in accordance with other instructions provided by the Agency in writing. 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.

## **10.5 Specific legislation, policies and industry standards**

To be eligible for a grant, you must declare in your application that you comply with these requirements. You will need to declare you can meet these requirements in your grant agreement with the Commonwealth.

## **10.6 How we pay the grant**

Funding will be paid in accordance with the terms and conditions of the grant agreement.

The Agency may make an initial payment on execution of the grant agreement. Subsequent payment of funding, whether quarterly, six monthly or annually, is dependent on you complying with the grant agreement requirements, including satisfactory progress against performance and financial reporting milestones. You will also be required to report how you spent the grant funds during the period of the grant activity or at the completion of the grant activity.

The funding provided by the Agency will not exceed the total funding amount set out in the funding agreement. If your expenditure exceeds the amount granted you must pay this additional expenditure yourself.

## 10.7 Grants payment and GST

Payments will be [Goods and Services Tax](#) (GST) inclusive unless you are not registered for GST or certain exceptions set out in the GST legislation apply. Subject to those exceptions, we will add GST to your grant payment and issue you with a [Recipient Created Tax Invoice](#).

Unless otherwise indicated by the Agency, all figures quoted in grant documentation will be GST exclusive.

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

## 10.8. Risk and compliance

In managing risk and compliance, the Agency will work with you to achieve the intended outcomes of the grant activity. The risk management approach will focus management effort where risk levels are high, and supports consistent application of appropriate grant controls based on assessed risks.

The type of grant agreement and its terms and conditions will depend on the nature of the activity and the level of risk involved at both the **organisation** and **activity** levels. You will be advised of both the organisation and activity risk levels prior to the negotiation of your grant agreement.

- **Organisation** risk assessment. At the time a grant application is assessed, or an existing grant is considered for extension, an Organisation Risk Profile (ORP) is completed. The ORP is an evidence-based tool that assesses an organisation's governance, financial management and service delivery capability. The ORP enables consistent and transparent assessment by Agency staff.
- **Activity** risk assessment. All IAS grant activities undergo an Activity Risk Assessment (ARA) to determine whether the grant activity risk is low, medium, high or extreme. This assessment takes into account the ORP rating, the annualised value of the grant activity and the nature of the activity. This approach enables the application of standard grant agreement requirements, controls and management approaches for low, medium, high or extreme risk grant activities, while also building in controls for any special requirements that apply, such as working with vulnerable people and work health and safety.

You will be advised of both the organisation and activity risk levels prior to the negotiation of your grant agreement.

As a principle, higher risk activities will typically be subject to increased controls and greater oversight. The intent of this is to work with organisations to overcome risks. Conversely, low risk activities will be subject to less oversight and management, which may include a single annual payment and reduced reporting.

The Agency will work with you to achieve the intended outcomes of the activity. In circumstances of non-compliance with the grant agreement, the Agency will consider an appropriate response under the grant agreement, including recovery of grant funds or termination of the agreement.

## 11. Announcement of grants

Once your grant is executed, it will be listed on the [GrantConnect](#) website within 21 calendar days after the grant execution date, as required by Section 5.3 of the *CGRGs*. An exception to this is payments made for the purposes of the [Australian Education Act 2013](#) and the [Higher Education Support Act 2003](#).

## 12. How we monitor your grant activity

The Agency uses a number of approaches to monitor IAS activities. These include the below.

- On-the-ground monitoring, predominately through the NIAA Regional Offices
  - The Agency uses an active 'on-the-ground' strategy to monitor the [grant opportunity name] grantees and activities primarily through the NIAA Regional Offices. This can involve site visits, discussions with community members and service recipients, and ongoing contact with the grantees. A priority for the Agency is active engagement to assist with early identification and treatment of activity delivery risks and other issues as they arise.
- Periodic reporting by the provider on the performance of activities
  - The Agency, in conjunction with the grant recipient, will set key performance indicators for each activity to measure progress against identified outcomes. These will be set out in the grant agreement. The Agency has two mandatory key performance indicators to provide consistency across funding agreements. In addition, the Agency may, negotiate extra individual key performance indicators with the successful applicant, based upon the type of grant funded.
- Compliance operations, where necessary
  - We may visit you during or after the completion of your grant activity to review your compliance with the grant agreement. We may also inspect, copy or remove and retain the records you are required to keep under the grant agreement. We will provide you with reasonable notice of any compliance visit.

### 12.1 Keeping us informed

You should let us know if anything is likely to affect your grant activity or organisation by contacting the Agency's contact officer listed in your grant agreement.

We need to know of any key changes to your organisation or its business activities, particularly if they affect your ability to complete your grant activity, carry on business and pay debts due.

You must also inform us of any of the following changes:

- name
- addresses
- nominated contact details
- bank account details
- ABN
- GST registration or status
- any instance where your organisation may no longer meet the definition of an Indigenous Organisation (if it initially did).

- if your organisation has an outstanding and overdue ATO debt.

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

## 12.2 Reporting

You will be required to periodically report on the overall progress and performance of your activity, and against the key performance indicators in your grant agreement. The frequency and content of reporting requirements will depend on the funded activity and will be contained in the grant agreement. The Agency will also source a range of data and information to inform its judgement. In completing performance reports, you are encouraged to be open about the status of the activity, any service delivery risks and issues, and to provide data to support any claims made. This instils confidence in your management reporting systems and allows us to better work with you to improve performance, if necessary.

Financial reports are required from grantees to provide evidence that funds have been expended for the purposes provided as agreed and so that any underspend or over spend can be managed.

The annual value of the grant and the risk rating of the grantee and the activity determine the financial reporting requirements. The default financial reporting requirement is one report per year. Financial reporting requirements will be specified in the grant agreement.

## 12.3 Grant agreement variations

The Agency recognises that unexpected events may affect your progress, or the project may not be achieving results that are consistent with the Agency's priorities. In these circumstances, either the Agency or you can request a variation to the grant agreement, including:

- changing key performance indicators or milestones
- extending the timeframe for completing the grant
- changing grant activities
- reducing funding.

If either the Agency or you want to propose changes to the grant agreement, the instigating party must put its concerns, issues and proposed changes in writing before the grant agreement end date.

You should not assume that a variation request will be successful. The Agency will consider your request based on factors such as:

- how it affects the grant activity outcome
- consistency with the program policy objectives and any relevant policies of the Agency
- changes to the timing of grant payments
- availability of program funding.

All decisions to vary a grant agreement must be mutually agreed to between you and the Agency before a variation is provided for the parties to execute.

## 12.4 Record keeping

You must comply with the record keeping requirements as set out in the grant agreement.

## 12.5 Evaluation

We will evaluate the grant activity to investigate how well the outcomes and objectives have been achieved and to ensure the activity has achieved value with relevant money.

We may use information from your application and performance reports for this purpose. We may also interview you, or ask you for more information to help us understand how the grant affected you and to evaluate how effective your grant activity has been in achieving its outcomes.

Quality evaluation will help Indigenous Australians, communities and Government to see whether they are getting the results they expect; to determine to what extent solutions have involved local people in driving change; how projects or activities collectively produce or enable long-term impact; and assists government with future investment decisions.

## 12.6 Acknowledgement of funding

If you make a public statement about a grant activity funded under the program, we require you to acknowledge the grant by using the following: 'This grant activity received grant funding from the Australian Government.'

## 13. Probity

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

### 13.1 Enquiries and feedback

If you would like to make a complaint about a grant process phone (02) 6152 3050 or email [niaacomplaints@niaa.gov.au](mailto:niaacomplaints@niaa.gov.au).

If you do not agree with the way the Agency has handled your complaint, you may wish to contact the Commonwealth Ombudsman. The Ombudsman will not usually look into a complaint unless the matter has first been raised directly with the Agency.

The Commonwealth Ombudsman can be contacted on:

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

### 13.2 Conflicts of interest

Conflicts of interest can affect the performance of the grant opportunity or program. There may be an actual conflict of interest, a perceived conflict of interest, or a potential conflict of interest, if the Agency's staff, any member of a committee, panel or advisor and/or you or any of your personnel, including subcontractors has, but not limited to:

- A professional, political, commercial or personal relationship with a party who or is perceived to be able to influence the application selection process, such as a Australian Government officer or member of an external panel.
- A relationship with or interest in, an organisation or individual, which is likely to interfere with or restrict the applicants from carrying out the proposed activities fairly and independently. And,or
- A relationship with, or interest in, an organisation or individual 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 actual, perceived or potential conflicts of interests or that, to the best of your knowledge, there is no conflict of interest.

The Agency will make the final decision on what is determined as an actual, potential or perceived conflict of interest.

If you later identify an actual conflict of interest, a perceived conflict of interest, or a potential conflict of interest, you must inform the Agency in writing immediately and provide further information to the satisfaction of the Agency.

Committee members and other officials including the decision maker must also declare any conflicts of interest.

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](#).

### 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 for the primary purpose for which it was collected, unless an exemption applies.

The Australian Government may also use and disclose 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 Agency would breach an Australian Privacy Principle as defined in the Act.

The [Agency's Privacy Policy](#) contains information about how you can access the personal information held by the Agency and seek correction of the information. It also explains how you can make a complaint about a breach of the Australian Privacy Principles. You can access the Privacy Policy on our website at [niaa.gov.au](http://niaa.gov.au) or email [privacy@niaa.gov.au](mailto:privacy@niaa.gov.au) for a copy of the policy.

### 13.4 Confidential information

We will treat the information you give us as sensitive and therefore confidential if 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.

The Australian Government may use and disclose information about grant applicants and grant recipients under this grant opportunity in any other Australian Government business or function. This includes giving information to the Australian Taxation Office and other government agencies for compliance purposes.

We may reveal personal and confidential information to:

- The assessment panel, which may include Agency officers, community representatives and/or subject matter experts, and other Commonwealth employees and contractors to help us manage the program effectively.
- Employees and contractors of our Agency 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.

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.

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

### 13.5 Freedom of information

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

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:           The Freedom of Information Coordinator  
National Indigenous Australians Agency  
PO Box 2191  
CANBERRA ACT 2601

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

## 14. Consultation

These guidelines draw on feedback received from previous public consultation processes and the Agency's daily role in working with providers and Indigenous Australians and communities across Australia.

The Agency will continue to review the guidelines based on our experience in working with Indigenous Australians and communities, as well as the experiences of our grantees. We will also seek advice from Indigenous Australians, communities, and other stakeholders such as representative groups.

## 15. Glossary

Term	Definition
Agency	The National Indigenous Australians Agency (also referred to as NIAA)
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 or ratings.
Commonwealth entity	An Agency of a State, or a Parliamentary Department or Agency, or a listed entity or a body corporate established by a law of the Commonwealth. See Division 2, subsections 10(1) and (2) of the <a href="#">Public Governance Performance and Accountability Act 2013</a> .
<a href="#">Commonwealth Grants Rules and Guidelines</a> (CGRGs)	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.
Control	<p>Control is related to the people in your organisation that have decision-making authority over strategic direction or governance. For most entities, this will mean your Board or Management Committee. Depending on the legal entity type, control may mean:</p> <ul style="list-style-type: none"> <li>• <b>Directors and Secretary</b>—Company Limited by Shares, Company Limited by Guarantee, Cooperatives.</li> <li>• <b>Management Committee and Public Officer</b>—ORIC-Registered Indigenous Corporations, Incorporated Associations.</li> <li>• <b>Proprietor/partner</b>—Sole traders, actual person partnerships.</li> </ul> <p><b>Note:</b> for trusts, the trustee will typically be one of the legal entities above.</p>
<a href="#">Corporations Act 2001</a>	An act of the Commonwealth that sets out the laws dealing with business entities in Australia at federal and interstate level. It focuses primarily on companies, although it also covers some laws relating to other entities such as partnerships and managed grant funding schemes. Incorporation can be applied for through the <a href="#">Australian Securities and Investment Commission</a> (ASIC) website.



Term	Definition
<a href="#">Corporations (Aboriginal and Torres Strait Islander) Act 2006</a>	<p>The law that establishes the role of the Registrar of Aboriginal and Torres Strait Islander Corporations, now called the Registrar of Indigenous Corporations, and allows Indigenous Australian groups to form corporations. The <a href="#">Corporations (Aboriginal and Torres Strait Islander) Act 2006</a> (CATSI Act) replaced the <i>Aboriginal Councils and Associations Act 1976</i>. Under the CATSI Act, laws governing Indigenous corporations have been modernised while retaining special measures to meet the specific needs of Aboriginal and Torres Strait Islander Australians. Incorporation can be applied for through the <a href="#">Office of the Registrar of Indigenous Corporations (ORIC) website</a>.</p>
Decision maker	The person who makes a decision to award a grant.
Eligibility criteria	Refers to the mandatory criteria, which must be met to qualify for a grant.
Evaluation	Evaluation is the systematic measurement of the significance, merit and worth of policies and programs, undertaken to understand and improve decisions about investment. Evaluation involves the assessment of outcomes and operations of programs or policy compared to expectations in order to make improvements.
Grant Opportunity Guidelines	<ol style="list-style-type: none"> <li>1) Grant Opportunity Guidelines inform potential applicants of the terms and conditions of a grant opportunity.</li> <li>2) Activity-specific Guidelines outline the context for a specific grant opportunity, designed to inform the potential applicant of the terms and conditions. <ul style="list-style-type: none"> <li>• It is a CGRG requirement to develop Grant Opportunity Guidelines and have them publically available.</li> </ul> </li> </ol>
Indigenous Enterprise	An entity with at least 50% Indigenous ownership, as outlined in the <a href="#">Indigenous Procurement Policy</a> .
Indigenous organisation	<p>Aligns with the <a href="#">Corporations (Aboriginal and Torres Strait Islander) Act 2006</a>), under which an organisation is Indigenous if it satisfies the Indigeneity requirement—that is:</p> <ul style="list-style-type: none"> <li>• <u>At least 51% of members must be Indigenous (Section 29-1) and a majority of the directors must be Indigenous (Section 246-5).</u></li> </ul>

Term	Definition
Grant	<p>Is defined by <a href="#">CGRGs</a> paragraph 2.3 as an arrangement for the provision of financial assistance by the Commonwealth or on behalf of the Commonwealth:</p> <p>(a) under which relevant money or other Consolidated Revenue Fund money is to be paid to a grantee other than the Commonwealth, and</p> <p>(b) which is to help achieve one or more of the Australian Government policy outcomes while assisting the grantee to achieve its objectives.</p>
Grant activity	<p>Is the project/tasks/services that the grantee is required to undertake with the grant money. It is described in the grant agreement.</p>
Grant agreement	<p>Sets out the relationship between the parties to the agreement, and specifies the details of the grant.</p> <p>A grant agreement comprises the Head Agreement, the Project Schedule and any documents attached or incorporated by references into either of those documents.</p> <p>The Head Agreement sets out the general terms and conditions that apply to all IAS funded projects for a particular grantee.</p> <p>The Project Schedule sets out specific terms and conditions that apply to particular projects.</p>
<a href="#">GrantConnect</a>	<p>Is the Australian Government's whole-of-government grants information system, which centralises the publication and reporting of Commonwealth grants in accordance with the <a href="#">CGRGs</a>.</p>
Grant opportunity	<p>Refers to the specific grant round or process where a Commonwealth grant is made available to potential grantees.</p>
Grantee	<p>An individual/organisation that has been awarded a grant.</p>
Key Performance Indicator	<p>A measure that provides information about the extent to which the activities or services meet agreed performance requirements.</p>

Term	Definition
Management	<p>Management refers to the responsibility for the day-to-day operation of the funded organisation. It includes:</p> <ul style="list-style-type: none"> <li>• the <a href="#">Chief Executive Officer CEO</a> (or equivalent)</li> <li>• the people occupying the highest positions in relation to: <ul style="list-style-type: none"> <li>○ service delivery</li> <li>○ finances</li> <li>○ operations (e.g. property, ICT), and/or</li> <li>○ human resources.</li> </ul> </li> </ul>
Ownership	<p>Depending on legal entity type, “Ownership” may be based on your:</p> <ul style="list-style-type: none"> <li>• <b>Members</b>—ORIC-Registered Indigenous Corporations, Companies Limited by Guarantee, Incorporated Associations.</li> <li>• <b>Shareholders</b>—Companies Limited by Shares, Cooperatives.</li> <li>• <b>Proprietors/partners</b>—Sole traders, actual person partnerships.</li> <li>• <b>Beneficiaries</b>—Trusts.</li> </ul> <p>If you are a for-profit entity, ownership relates to those who draw a financial benefit from the entity (other than a salary/wage). For not-for-profits, “benefit” is a broader term that may include social/cultural benefits or maintaining an asset or rights (including native title).</p>
Selection process	<p>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.</p>
Value with relevant money	<p>Value with relevant money in this document refers to 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 will consider the relevant financial and non-financial costs and benefits of each proposal including, but not limited to:</p> <ul style="list-style-type: none"> <li>the quality of the grant activity/s proposed;</li> <li>fitness for purpose of the proposal in contributing to government objectives;</li> <li>that the absence of a grant is likely to prevent the grantee and government’s outcomes being achieved; and</li> <li>the potential grantee’s relevant experience and performance history.</li> </ul>

## Appendix 1: IAS Program information

### Program 1.1 Jobs, Land and Economy

#### Program objectives

The objectives of the program are to:

- Support Aboriginal and Torres Strait Islander peoples to find and remain in sustainable work.
- Support remote job seekers' work readiness, through community activities and work experience.
- Foster Indigenous business.
- Assist Aboriginal and Torres Strait Islander peoples to generate economic and social benefit from natural and cultural assets, including through the effective and sustainable management of their land.
- Assist Aboriginal and Torres Strait Islander peoples to progress land and sea claims, and township leases under Commonwealth native title and land rights legislation.

#### Description

The Jobs, Land and Economy Program supports Aboriginal and Torres Strait Islander Australians to overcome barriers to employment and economic participation. It does this by connecting Aboriginal and Torres Strait Islander peoples with sustainable jobs, and ensuring remote job seekers participate in activities that provide both work-readiness experience and that contribute to the broader community. Another key support element is fostering Indigenous business and assisting Aboriginal and Torres Strait Islander peoples to generate economic and social benefits from natural and cultural assets, through the effective management of Indigenous-owned land and seas and by supporting Aboriginal and Torres Strait Islander peoples to have their native title rights recognised.

The program complements a range of state, territory and Commonwealth programs, which also aim to improve Aboriginal and Torres Strait Islander Australians' employment outcomes and to support the development of Indigenous businesses, entrepreneurial skills and community economic participation. It does this by addressing gaps between these activities and targeting additional investment where it can maximise employment opportunities and economic outcomes for Aboriginal and Torres Strait Islander peoples. The program may also provide funding for projects that address immediate need in community through small-scale place based activities that align with IAS objectives.

#### Program outcomes

The desired outcomes of the Jobs, Land and Economy Program include:

- Increasing employment and participation rates for Aboriginal and Torres Strait Islander peoples.
- Increasing the number of Aboriginal and Torres Strait Islander peoples participating in activities and work experience that build work-readiness and contribute to community.
- Increasing the proportion of school/tertiary students and graduates connecting to employment through pathway activities including, but not limited to, school based traineeships and cadetships.
- Increasing the number of Aboriginal and Torres Strait Islander participants who reach 26 weeks and/or longer outcomes in employment.
- Increasing the number and viability of Indigenous enterprises.
- Supporting Australian workplaces to increase their cultural competency and employment of Aboriginal and Torres Strait Islander peoples.
- Engaging local communities in employment solutions.
- Support for Aboriginal and Torres Strait Islander peoples in prison to transition into employment on their release from prison.

- Assisting Aboriginal and Torres Strait Islander peoples engaged in jobs to engage in jobs relating to land and sea management.
- Progressing land and sea claims and township leases under Commonwealth native title and land rights legislation.
- Supporting Aboriginal and Torres Strait Islander peoples to use their land and sea assets to create economic and social benefits.

### **Activities that contribute to program outcomes**

Activities contributing to these outcomes that can be funded through the Jobs, Land and Economy Program include:

#### **1. Economic Development**

Support for Indigenous entrepreneurs to establish or grow sustainable businesses.

Support for Aboriginal and Torres Strait Islander communities to build and promote increased social and economic outcomes.

Support for Aboriginal and Torres Strait Islander landowners to leverage economic benefits from their land assets, including support for Traditional Owners to make well-informed decisions about how they can use their land, economic development opportunities, and understanding land use processes.

Support for long-term tradable tenure, including land reform and land administration for Indigenous landowners.

#### **2. Employment**

Tailored assistance to support Aboriginal and Torres Strait Islander peoples to overcome disadvantage in the labour market, connect to sustainable jobs and address barriers to recruitment and retention.

Support for Aboriginal and Torres Strait Islander secondary school and post school students to transition from education into sustainable employment or further education.

Support Vocational Training Employment Centres to connect Aboriginal and Torres Strait Islander job seekers with guaranteed jobs and provide the support services necessary to work with and support Aboriginal and Torres Strait Islander peoples into sustainable employment.

Increase the number of large Australian companies to build a workforce reflective of the size of the Aboriginal and Torres Strait Islander population through the Employment Parity Initiative.

Activities that support jobs in land and sea management, including but not limited to, land and sea management, agriculture and tourism:

- Supporting employment opportunities and career pathways for individuals in the Indigenous Land and Sea Management (ILSM) sector.
- Supporting skills and capacity within the ILSM sector, including through traineeships, mentoring and job-ready programs.
- Supporting employment opportunities for economic development and fee for service arrangements for Indigenous communities through the sustainable use of land and sea.

#### **3. Community Development Program (CDP)**

The CDP is a community driven program that prepares job seekers for work while contributing to the goals of the community. Across remote Australia a network of CDP providers deliver a range of activities to respond to the specific needs of local communities and available employment opportunities. This may include:

- Services to assist job seekers to increase their work-readiness, language, literacy and numeracy skills, and contribute to the community.
- Services to support and complement cultural business.

- Services that provide work—like activities that reflect local employment opportunities.
- Services to assist job seekers to overcome vocational and non-vocational barriers.
- Accredited and non-accredited training.
- Services that cater for different work readiness levels and interests.
- Support personal development or community awareness.
- Activities that include and cater for diversity within a caseload.
- Increase access to job opportunities and support job seekers to retain a job.
- Support job seekers to meet their income support mutual obligations.

#### **4. Recognition of Native Title and maximising economic and social benefit from the use of native title rights**

Support the performance of statutory functions of native title representative bodies and service providers under the [Native Title Act 1993](#). Only native title representative bodies and organisations invited to apply for funding are able to apply.

Build the capacity of registered native title bodies corporate, more commonly known as Prescribed Bodies Corporate or 'PBCs', to maximise the economic and social potential of their native title.

Improve the governance and provide access to training to equip PBCs to build their long-term organisational capacity.

Further information on funding opportunities to support capacity building for PBCs is available on [GrantConnect](#) at [grants.gov.au](http://grants.gov.au).

#### **Out-of-scope**

The types of activities that will not be funded through the Jobs Land and Economy Program include:

- Activities and training that are not directly linked to employment or do not have a demonstrated aim to overcome barriers to employment.
- Training that is not connected to employment and/or employment positions that are not sustainable, or that is not needed to undertake a CDP activity.
- Activities and services that are the responsibility of states and territory governments or other Commonwealth programs, including:
  - Adult vocational education and training (VET) activities (although assistance that complements the completion of such activities may be considered).
  - Cultural heritage, land rights and land management activities subject to state or territory legislation.
- Funding full wages for employment project positions.
- Areas that are within the responsibility of state and territory governments such as land administration, for example survey and planning, which is not typically funded.
- Jobs already being funded through mainstream employment programs or other service providers.
- Businesses that are unviable and/or unsustainable.

## **Program 1.2 Children and Schooling**

### **Program objectives**

The objective of the Children and Schooling Program is to deliver activities that contribute to the wellbeing of Aboriginal and Torres Strait Islander children, youth and adults that ensure:

- Children receive a healthy, safe and positive start to life.
- Parents, carers and families nurture their children's development, school readiness, and life ambitions.
- Children get to school every day ready and able to participate to their full ability.
- Improvements in literacy and numeracy.
- Young people successfully transition to further education and work.

## Description

The program's critical focus is on ensuring the healthy development of Aboriginal and Torres Strait Islander children in their earliest years, increased school attendance and improved educational outcomes that lead to employment. This program seeks to achieve this through activities that nurture and educate Aboriginal and Torres Strait Islander children, youth and adults to improve pathways to prosperity and wellbeing. This includes support for children and young people to be engaged in their education and to transition into higher education, training, employment or positive pathways; and improving family and parenting support. This also includes consideration of the specific needs for Aboriginal and Torres Strait Islander females and males in achieving improved educational outcomes for students.

The Children and Schooling Program complements a range of state, territory and Australian Government programs that aim to improve the educational outcomes and engagement in employment of Aboriginal and Torres Strait Islander peoples. The program provides opportunities to complement existing services, enables innovation and leverages further grant funding.

## Program outcomes

The desired outcomes of the Children and Schooling Program include, but are not limited to:

- Increasing access and participation of Aboriginal and Torres Strait Islander children in high quality early years services that support positive and healthy development.
- Increasing Aboriginal and Torres Strait Islander parents and families confidence and participation in their children's development from conception.
- Increasing school attendance and improving educational outcomes, including literacy and numeracy.
- Increasing Year 12 or equivalent attainment, including vocational training and education.
- Increasing numbers of students working toward a post school qualification in Certificate III or above.
- Reducing barriers that Aboriginal and Torres Strait Islander children and young people face to participate in education and improved personal development.

## Activities that contribute to program outcomes

### ***1. Increasing access and participation of Aboriginal and Torres Strait Islander children in high quality early years services that support positive and healthy child development.***

Activities contributing to this outcome area that can be funded through the Children and Schooling Program include, but are not limited to:

- 'Outside the classroom' activities to improve health, cognition and physical development of children.
- Activities that complement mainstream funding, facilitate access to services, or fill a gap where mainstream services are unavailable.
- Building a qualified workforce and service delivery system to ensure quality outcomes regardless of location.

**2. *Increasing Aboriginal and Torres Strait Islander parents and families confidence and participation in their children's development from conception.***

Activities contributing to this outcome area that can be funded through the Children and Schooling Program include, but are not limited to:

- Early intervention initiatives that strengthen the capacity and confidence of families to support positive development from conception, during pregnancy and through the early years of a child's life.
- Engaging parents and community in quality facilitated health, education and training, including early years' services and support.

**3. *Increasing school attendance and improving educational outcomes, including literacy and numeracy.***

Activities contributing to this outcome area that can be funded through the Children and Schooling Program include, but are not limited to those that:

- Complement mainstream grant funding.
- Demonstrate national leadership in education for Aboriginal and Torres Strait Islander peoples.
- Provide 'outside the classroom' activities (actions which support the capacity building of parents, caregivers and communities) that complement mainstream grant funding.
- Support the capacity building of parents, caregivers and communities to actively participate in and make informed decisions about their children's education.

**4. *Increasing Year 12 or equivalent attainment, including vocational training and education.***

Activities contributing to this outcome area that can be funded through the Children and Schooling Program include, but are not limited to those that:

- Support Aboriginal and Torres Strait Islander students who study away from home, particularly those who do not have a full secondary program in their home communities.
- Improve the capacity of Aboriginal and Torres Strait Islander peoples to get jobs and advance their career aspirations.

**5. *Increasing numbers of students working toward a post school qualification—Certificate III or above.***

Activities contributing to this outcome area that can be funded through the Children and Schooling Program include, but are not limited to those that:

- Support 'Away from Base for mixed mode' delivery for university and VET students who study at home but are required to also spend periods of time away at institutions.

**6. *Reducing barriers that Aboriginal and Torres Strait Islander children and young people face to participate in education and improved personal development.***

Activities contributing to this outcome area that can be funded through the Children and Schooling Program include, but are not limited to those that:

- Support youth engagement in education and the community, and school retention and attainment, and/or transition activities for compulsory school-aged students.



- Support youth engagement in training or tertiary education and/or supporting positive pathways and contributions in the community.
- Engage parents and community to help drive the demand for quality education and training, including early childhood education and care.

### **Funding is being prioritised for activities that:**

Demonstrate national leadership for Aboriginal and Torres Strait Islander peoples.

Demonstrate outcomes related to program objectives.

Contribute to the development of an evidence-base by integrating robust evaluation of impact into the activity design.

Support Aboriginal and Torres Strait Islander children, young people and their families who may not currently engage with learning opportunities or mainstream education.

Target those who are most disadvantaged, including in rural and remote localities.

### **Out-of-scope**

This program will not fund activities that are funded through:

- Mainstream programs, such as child care, long day care, family day care, out of school hours care, and preschool.
- Recurrent school grant funding, or to higher education, for example, teachers or curriculum resource development.
- ABSTUDY or Family Tax Benefit including travel and living allowances at boarding schools or universities.
- State, territory or local governments.

The following activities are managed by the Agency under separate guidelines or administrative arrangements and are not part of the Children and Schooling Program:

- Indigenous Student Success Program – under Part 2-2A of the Higher Education Support Act 2003.
- Aboriginal Tutorial Assistance Scheme (ATAS) Superannuation, a reserve fulfilling superannuation obligations for some former ATAS employees.

## Program 1.3 Safety and Wellbeing

### Program objectives

The objectives of the Safety and Wellbeing Program are to:

- Enable Aboriginal and Torres Strait Islander peoples to enjoy similar levels of physical, emotional and social wellbeing and safety as those enjoyed by other Australians.
- Reduce the rates of crime, violence and substance abuse to build healthier, safer and more resilient communities.
- Make sure Australian laws are followed in all communities across the country.

### Description

The Safety and Wellbeing Program is about making communities safer for Aboriginal and Torres Strait Islander peoples, and enabling them to enjoy similar levels of physical, emotional and social wellbeing as those enjoyed by other Australians. Safe communities are places where people thrive and are able to go about their daily activities without fear of violence. They are places where people not only feel safe, but are safe – because they are strong, cohesive and vibrant. Feeling well and having a safe community to live in are critical to closing the gap in Indigenous disadvantage. It makes other important things possible, like ensuring children have the best start in life, getting kids to school, helping them achieve good results, and getting adults into jobs.

Addressing violence is key to improving community safety. Aboriginal and Torres Strait Islander peoples are significantly more likely to be victims of violence than non- Aboriginal and Torres Strait Islander peoples. For example, Aboriginal and Torres Strait Islander women are far more likely to be hospitalised because of family violence than non- Aboriginal and Torres Strait Islander women. In addition, Aboriginal and Torres Strait Islander peoples are incarcerated at rates far higher than non- Aboriginal and Torres Strait Islander peoples, with the majority of Aboriginal and Torres Strait Islander peoples imprisoned for violent offences. Activities that address the drivers of violent behaviour and reduce recidivism are a high priority, as well as those that provide support to victims and address the trauma that results from violence.

Harmful levels of alcohol and substance use is the most significant driver of violence in Aboriginal and Torres Strait Islander communities. Excessive alcohol consumption is also linked to a range of health and social problems. Activities that reduce harmful alcohol and substance use are considered a high priority under the Safety and Wellbeing program, given the links to both community safety and wellbeing outcomes.

Activities that result in a measurable reduction in the rates of offending or recidivism are also a high priority because they focus on preventing violent offending, and subsequently, making communities safer. This would have a positive flow-on effect of reducing the number of Aboriginal and Torres Strait Islander victims and perpetrators of violent crime, and the over-representation of Aboriginal and Torres Strait Islander peoples in the criminal justice system.

Children involved in the child protection system are at significantly higher risk of involvement in the youth justice system, as well as a number of negative life outcomes. Providing early intervention support to vulnerable families to address risk factors and build protective factors is an effective way to prevent contact with the child protection system.

The social and emotional wellbeing of an Aboriginal and Torres Strait Islander person is based on their connection to country, community, family, and culture. Activities that seek to enhance connection to family and community, and build the capacity of individuals to respond to life stressors can be considered under the Program.

The Safety and Wellbeing Program seeks to increase levels of community safety and individual wellbeing by funding initiatives that go towards addressing community and government priorities and are informed by evidence. Where appropriate, activities should seek to support the particular and specific experiences of Aboriginal and Torres Strait Islander females and males, to ensure appropriate access to services.

## **Program outcomes**

The desired outcomes of the Safety and Wellbeing Program include:

1. Safe, functional and resilient communities
2. Healthy, safe and strong family environments for vulnerable children
3. Improved physical, social and emotional wellbeing
4. Reduced substance misuse and harm
5. Reduced contact with the criminal justice system
6. Violence reduction and victim support.

## **Activities that contribute to Safety and Wellbeing Program outcomes**

### **1. *Safe, functional and resilient communities***

Activities contributing to this outcome area that can be funded through the Safety and Wellbeing Program include, but are not limited to:

- Targeted, culturally appropriate responses that complement local place-based strategies to ensure Aboriginal and Torres Strait Islander peoples are safe, particularly in remote communities.
- Culturally appropriate restorative justice and mediation projects that assist offenders to understand the impact of their offending and provide mechanisms to resolve disputes within communities.

### **2. *Healthy, safe and strong family environments for vulnerable children***

Activities contributing to this outcome area that can be funded through the Safety and Wellbeing Program include, but are not limited to:

- Initiatives that reduce child abuse and neglect, where they complement state and territory government efforts.
- Activities that are proven to build the capacity and protective factors of vulnerable families to ensure children grow up safe and can thrive in their own communities.

### **3. *Improved physical, social and emotional wellbeing***

Activities contributing to this outcome area that can be funded through the Safety and Wellbeing Program include, but are not limited to:

- Holistic support for individuals and families to address the barriers to wellbeing and connection, particularly for those impacted by past government removal policies and intergenerational trauma. For examples, activities that:
  - Provide holistic, person-centred and culturally appropriate counselling and therapy for individuals, families and groups.
  - Provide wrap around coordinated care, case management and referrals through strong partnerships.
  - Provide community healing, outreach and advocacy relating to the impact of past government removal policies and intergenerational trauma.
  - Reconnect families by providing family tracing and reunions, and other supports.
  - Deliver a highly-skilled and supported social and emotional wellbeing, and alcohol and other drugs workforce and/or
  - Provide national leadership and representation of Aboriginal and Torres Strait Islander individuals and communities to assist with healing.

These type activities must be guided by the principles outlined in the [National Strategic Framework for Aboriginal and Torres Strait Islander Peoples' Mental Health and Social and Emotional Wellbeing 2017-2023](#).

Initiatives that enhance social participation or reduce antisocial behaviour, as well as address other safety and wellbeing outcomes.

#### **4. *Reduced substance misuse and harm***

Activities contributing to this outcome area that can be funded through the Safety and Wellbeing Program include, but are not limited to:

- High quality, evidence based, culturally appropriate and safe Indigenous alcohol and other drug (AOD) treatment rehabilitation and support services that achieve improved health and related outcomes for individuals, their families and communities; culturally appropriate prevention and intervention activities to reduce demand and supply of alcohol and other substances and/or
- Supply of low aromatic unleaded fuel.

AOD services/projects should in principle:

- Be targeted to and prioritise Aboriginal and Torres Strait Islander peoples and/or their families.
- Have AOD support as the primary focus, either by directly providing AOD treatment services and/or formal case management and referral supports into appropriate treatment and aftercare pathways.
- Work within AOD models of care that are trauma informed and culturally appropriate, taking a holistic approach to rehabilitation and recovery that meets the physical and mental health needs of the individual client and supports the broader social needs for reengagement with family and community.
- Be delivered by appropriately qualified staff with AOD specific qualifications and experience, whereby staff are supported to undertake further training and development appropriate to their employment.
- Have regular engagement and strong working relationships with the local Indigenous community, health (particularly primary and AOD related) and broader social services, facilitating treatment and broader support pathways for clients.
- Be specific to residential and non-residential based rehabilitation services:
  - Deliver evidence based AOD treatment models of care, ideally trauma informed approaches, that have local community support and best meet local and cultural needs.
  - Be available to a cohort that best meets local community needs, which depending on demand, may be men's or women's only, mixed, youth (specific), and delivered within a family based setting where possible.
  - Provide formal structured therapies under a treatment program tailored appropriately to each individual client's needs and
  - Hold, or are working towards, formal accreditation under an appropriate recognised accreditation framework.
- Support clients to directly address AOD issues, other AOD related supports may:
  - Provide formal structured therapies, activities and supports, complementary to primary AOD treatment, that support the broader holistic needs of the client, such as life skills and capacity building based programs and/or
  - Provide diversionary and early intervention activities, coupled with community based education and prevention activities that promote evidence based harm minimisation approaches.

#### **5. *Reduced contact with the criminal justice system.***

Activities contributing to this outcome area that can be funded through the Safety and Wellbeing Program include, but are not limited to:

- Intensive case management that addresses the underlying causes of offending and anti-social behaviour in order to assist people to make positive life decisions, build pro-social behaviours and reduce their risk of offending and re-offending.
- Crime prevention activities targeted to adults and young people at risk of engaging in antisocial or offending behaviour, that aim to reinforce self-esteem and positive behaviours and have strong links to other support services and opportunities in communities.
- Early intervention activities targeted to adults and young people at high risk of engaging in antisocial or offending behaviour, which provide targeted services to increase protective factors and reduce risk factors and are delivered in conjunction with other specialised support programs, services and opportunities in communities.
- Targeted diversion activities focussed on adults and young people who have offended to divert them away from further contact with the criminal justice system, delivered through referral from police, courts or other justice mechanisms.
- Delivery of Australia's youth and adult through-care models, which aim to reduce re-offending and re-incarceration by supporting Aboriginal and Torres Strait Islander offenders to transition successfully and safely out of prison and back into their communities and families.

## **6. Violence reduction and victim support**

Activities contributing to this outcome area that can be funded through the Safety and Wellbeing Program include, but are not limited to:

- Victim support services, such as:
  - Intensive family focused case management for victims of family violence, to assist them with the practical support needed to escape violence, and be safe from further violence.
  - Trauma-informed therapies for children who have experienced violence to help them to recover from the trauma and address any developmental or behavioural issues that result
  - Intensive and holistic support for victims of all forms of violence, including trauma and crisis counselling.
  - Culturally appropriate legal services that support victims of family and other forms of violence.
- Perpetrator services, such as:
  - Men's behaviour change programs, which hold perpetrators accountable while addressing the drivers of their violent behaviour to prevent future offending and improve family functioning.

Violence reduction and victim support activities/services should in principle:

- Operate within a framework of trauma-informed care and practice.
- Target high-risk families and work intensively to address their needs holistically.
- Use recognised, evidence based, age appropriate interventions, for example, cognitive behavioural therapy (CBT) combined with motivational interviewing to change perpetrator behaviour.
- Provide intensive support over a sustained period of time, rather than short term or one-off activities.

### **Funding is being prioritised for activities that:**

Are evidence based with demonstrated evidence towards achieving outcomes related to program objectives.

Help to develop the evidence-base by integrating robust evaluation of impact into the activity design.

Are delivered by Aboriginal and Torres Strait Islander peoples and/or organisations that demonstrate genuine partnership with Indigenous organisations with a view to building capacity and transferring delivery of the activity to the Indigenous organisation over time.

Demonstrate support from the relevant state and territory government and/or complement, but do not duplicate current state and territory government efforts.

### **Out-of-scope**

The types of applications that will not normally be funded through the Safety and Wellbeing Program include:

- Primary health care activities including doctors, hospitals, dental and eye health and support for the health system, including clinical mental health services. Please note: non-clinical services such as counselling may be provided under the IAS. Clinical services focus on assessment and treatment of people with a mental illness. Non-clinical services focus on activities and programs that help people manage their own wellbeing and maximise their participation in community life.
- Sport and recreation activities focussed on promoting healthy lifestyles that do not address any of the six Safety and Wellbeing outcome areas.
- Generalised parenting programs that do not target at-risk families or do not provide sufficiently intensive support to build their capacity.
- Generalised community awareness and prevention activities that are not targeted to particular cohorts or risk or protective factors, and that cannot demonstrate logically how they contribute to improved safety outcomes.
- Activities that duplicate services funded by, or that are the responsibility of, other Commonwealth agencies, including the Agency of Health, including through Primary Health Networks (PHNs), and the Attorney-General's Department, or state and territory governments. Such activities include general legal support services, crisis accommodation and family relationship services.
- Activities for individuals and/or families that are experiencing violence but do not directly address the violence, for example, empowerment or well-being workshops.
- Capital works projects.

## Program 1.4 Culture and Capability

### Program Objectives

The objectives of the Culture and Capability Program are to:

- Support the expression, engagement and re-vitalisation of Aboriginal and Torres Strait Islander cultures.
- Increase Aboriginal and Torres Strait Islander peoples participation in the social and economic life of Australia through strengthening the capability, governance and leadership of Aboriginal and Torres Strait Islander peoples, organisations and communities.
- Promote broader understanding and acceptance of the unique place of Aboriginal and Torres Strait Islander cultures in Australian society.

### Description

The Culture and Capability Program acknowledges the intrinsic value of culture to Aboriginal and Torres Strait Islander peoples identity. It contributes to Aboriginal and Torres Strait Islander peoples participating freely and fully in Australian society as equals and free from discrimination. Strong culture supports the achievement of outcomes across the IAS priority areas of schooling, economic participation and community safety.

Culture is central to the lives of Aboriginal and Torres Strait Islander peoples and is a key factor in improving and maintaining wellbeing. Pride in culture plays a pivotal role in shaping Aboriginal and Torres Strait Islander peoples aspirations and choices. Efforts to address Indigenous disadvantage must recognise and build on the strengths of Aboriginal and Torres Strait Islander cultures and identities.

Supporting culture better enables Aboriginal and Torres Strait Islander peoples, organisations and communities to participate fully in the social and economic life of Australia. It provides a platform by which individuals, families and communities can contribute to their own development in culturally informed ways. Recognition of the value of Aboriginal and Torres Strait Islander cultures assists in the achievement of a just, inclusive and socially cohesive society.

The Culture and Capability Program focuses on developing skills, knowledge and competencies of Aboriginal and Torres Strait Islander peoples, including supporting effective leadership and governance within Aboriginal and Torres Strait Islander communities and organisations. Improving capability can contribute to the development and maintenance of effective partnerships with Aboriginal and Torres Strait Islander peoples, organisations and communities.

Strengthening the capability of Aboriginal and Torres Strait Islander organisations also plays an important role in building social capital of Aboriginal and Torres Strait Islander communities. Capable Aboriginal and Torres Strait Islander organisations with strong leadership that are connected to their communities can facilitate delivery of high quality services and community development initiatives to Aboriginal and Torres Strait Islander peoples.

Strengthening Aboriginal and Torres Strait Islander culture and capability underpins the government's new engagement with Aboriginal and Torres Strait Islander peoples; an engagement through which the government and its workforce are better able to work in partnership with Aboriginal and Torres Strait Islander peoples to understand and develop tailored responses to the aspirations and priorities of communities.

### Program outcomes

The desired outcomes of the Culture and Capability Program are to:

- Contribute to the strengthening of Aboriginal and Torres Strait Islander cultural expression and re-vitalisation, including recognition of Australia's shared history and valuable Aboriginal and Torres Strait Islander heritage.
- Support activities that increase the participation of Aboriginal and Torres Strait Islander peoples in Australian society through improved individual, community and organisational capability and leadership.
- Promote the unique place Aboriginal and Torres Strait Islander peoples and their cultures have in Australian society.

## **Activities that contribute to Program outcomes**

### **1. Indigenous cultural expression and conservation**

Indigenous cultural activities support Aboriginal and Torres Strait Islander peoples to: express and engage with their culture; identify, conserve or promote heritage places and practices of significance; and strengthen culture by sharing cultural knowledge with younger generations and the broader community.

Activities should support Aboriginal and Torres Strait Islander peoples aspirations to reconnect with culture and country, practice cultural traditions and maintain heritage places. Aboriginal and Torres Strait Islander heritage places may include landscapes, sites and areas that are particularly important to Indigenous Australians as part of their customary law, developing traditions, history or current practices.

Activities may include:

- The engagement of young Aboriginal and Torres Strait Islander peoples and future generations in the practice and expression of culture.
- Sharing cultural knowledge and history across generations and with non-Aboriginal and Torres Strait Islander peoples. Preservation and protection of cultural heritage, not including sites management.
- Identification, conservation and promotion of Aboriginal and Torres Strait Islander heritage places.

### **Out-of-Scope activities include:**

- Activities that fall within the scope of the Ministry for the Arts (See the Agency of Communication and the Arts website), including:
  - Indigenous Art Centres operational and capital works funding  
The Indigenous Visual Arts Industry Support (IVAIS) program provides modest core operational funding to Art Centres. See the Agency of Communication and the Arts website for more information
  - Indigenous Language Centres, operational and capital works, projects with an arts outcome
  - Indigenous arts worker wages
  - Indigenous repatriation
  - Regional Touring exhibitions
  - Production and presentation of arts activities at regional and remote festivals
  - Arts training bodies.
- Activities that fall within the scope of the Australia Council for the Arts' Aboriginal and Torres Strait Islander Board, see the Australia Council's website, for example:
  - Music, dance, theatre, multi-art form, emerging and experimental works, literature, visual arts, community arts and cultural development projects.
- Activities that fall within the scope of Screen Australia, and state or territory based screen agencies, for example:



- Film or other screen based works.
- Bilingual education, curriculum resources and other activities that are the core business of schools.
- Attendance at, or organisation of, sorry business/funerals.

## **2. Increased participation in society through improved capability and leadership**

Capacity building and leadership activities strengthen the capability of Aboriginal and Torres Strait Islander peoples to work together to address each community's needs, arrive at an agreed vision for their own community, determine priorities, and articulate and negotiate these with government and service providers.

Capability building activities should contribute to strengthening the capacity and capability of Indigenous Australians so:

- They are better able to contribute to decisions on matters that affect them.
- Communities are better placed to lead reforms on matters that affect them.
- Organisations are better placed to deliver funded services to the required standard.

Developing the leadership skills of Aboriginal and Torres Strait Islander peoples will contribute to strengthening the governance and capabilities of Aboriginal and Torres Strait Islander peoples as leaders and organisations. This includes strengthening personal leadership, so that people are better equipped to make sound decisions about their own futures, and about matters that impact on their families.

Activities may include:

- Strengthening the capability and leadership of Aboriginal and Torres Strait Islander individuals and supportive community systems, such as those underpinning making decisions, building productive networks and handling conflict.
- Addressing barriers to development and participation at the individual and community levels, including supporting access to healing, cultural re-engagement and life skills activities.
- Supporting community building and cohesion initiatives that empower Aboriginal and Torres Strait Islander peoples to demonstrate leadership in reforms that contribute to safer, more functional families and communities.
- Improving the capability and governance of Aboriginal and Torres Strait Islander peoples so they can more effectively deliver services to Aboriginal and Torres Strait Islander peoples and communities.
- Aboriginal and Torres Strait Islander language interpreter services, including training and development for interpreters.
- Initiatives aimed at overcoming trauma-induced community dysfunction.

### **Out-of-Scope activities include:**

- Activities unable to demonstrate the need and support of Aboriginal and Torres Strait Islander peoples.
- Activities that do not have clearly defined deliverables that lead to long-term sustained benefits and outcomes.
- Activities not tailored to local circumstances, that cannot demonstrate active participation and agreement of the target group, or that don't address the specific issues in a community or organisation.

## **3. Promote the unique place of Indigenous cultures in Australian society**

The Culture and Capability Program aims to increase levels of understanding and respect for Aboriginal and Torres Strait Islander peoples and their cultures. Activities should highlight the enduring contributions of Aboriginal and Torres Strait Islander peoples and cultures to the life of the nation, and raise public awareness about the recognition of Aboriginal and Torres Strait Islander peoples in the Commonwealth Constitution.

Activities may include:

- Promoting understanding of the importance of Aboriginal and Torres Strait Islander heritage and the unique place of Aboriginal and Torres Strait Islander cultures in Australian society.
- Promoting unity by rectifying misunderstandings of the past and highlighting the contributions made by Aboriginal and Torres Strait Islander peoples to Australian society, past and present.
- Recognising significant events or people in Aboriginal and Torres Strait Islander history.
- Promoting recognition of Aboriginal and Torres Strait Islander peoples in the Commonwealth Constitution.

**Out-of-Scope activities include:**

- Activities falling within the scope of Reconciliation Australia, for example, the development or implementation of Reconciliation Action Plans.
- The development and delivery of Cultural Appreciation Programs.
- Welcome to Country services or ceremonies.
- Activities not supported by the Aboriginal and Torres Strait Islander community or organisations where the activity or service is to be ran.

## Program 1.5 Remote Australia Strategies

### Program Objectives

The Remote Australia Strategies Program (RAS) addresses the disproportionate disadvantage of Aboriginal and Torres Strait Islander peoples in remote Australia. The objective of the RAS Program is to support the achievement of outcomes across the IAS priority areas of schooling, employment and community safety in remote areas.

A definition of remote is provided in the Glossary and illustrated in the map below (Figure A). The Agency recognises there are some communities located within inner or outer regional areas that may be considered remote that fall outside the definition of remote explained in the glossary. These may be communities that have limited access to government services or infrastructure. Applications from these communities will be considered on their merits on a case-by case basis.

### Description

To address the multiple dimensions of disadvantage that many remote Aboriginal and Torres Strait Islander communities face, the government is working to refocus remote Aboriginal and Torres Strait Islander funding to create a genuine partnership between government and Aboriginal and Torres Strait Islander peoples and to tailor solutions to local circumstances.

Along with other programs under the IAS, the RAS Program supports the government's key priorities of increased participation in education and work, and ensuring safe communities. RAS does this by providing opportunities to complement existing services, enable innovation and leverage further grant funding. It can also be used to address identified gaps in service delivery and infrastructure for remote communities.

Wherever possible, projects funded under RAS should be led by communities, delivered through Aboriginal and Torres Strait Islander organisations and support Aboriginal and Torres Strait Islander employment outcomes. Applicants are also encouraged to leverage off investment from other funding sources, such as state and territory governments.

### Program outcomes

The desired outcomes of the RAS Program are to support local priorities and contribute to improved education, employment and community safety outcomes in remote areas through:

- Delivery of flexible, tailored local solutions in remote areas.
- Improved infrastructure in remote areas.

### Activities that contribute to the program outcomes

#### ***1. Flexible, tailored local solutions***

Tailored local solutions are community-led initiatives that support local and regional innovations.

These activities must address a clearly identified community need and be aligned with the government's priority areas of education, employment and safe and functioning communities. For example, activities that provide increased opportunities for home ownership in remote Australia can address economic development through the growth of personal assets and employment through the provision of accommodation for working households.

The activity should either be:

- Supported by robust evidence of the ability of the activity to achieve measurable outcomes and/or;
- Designed with a built in evaluation and performance measurement systems that will demonstrate the achievement of the activity's outcomes.

These activities may be a precursor to further funding applications under other program streams of the IAS.

**Out-of-Scope activities include:**

- Activities that are clearly the responsibility of other Australian Government departments or agencies, state, territory or local governments, for example police and health services.
- Activities that do not lead to outcomes that support improved Aboriginal and Torres Strait Islander school attendance and attainment, employment and community safety.

**2. Remote Infrastructure**

Infrastructure is one of the foundations that support improved Aboriginal and Torres Strait Islander school attendance and attainment, employment and community safety. Activities that can be funded through the RAS Program include:

- New, discrete infrastructure projects.
- Urgent critical repairs and replacements for infrastructure in remote Indigenous communities that will impact positively on the health, well-being and environmental safety of community members.
- Support for renewable energy systems that contribute to identifiable outcomes under the IAS.
- Temporary accommodation facilities so residents of remote communities can access critical services such as hospitals and dialysis clinics, or that address issues such as overcrowding, homelessness, or safety.
- Increased access to, maintenance of and training in telecommunications, including infrastructure that builds on existing services to increase access or coverage and digital literacy and/or cyber safety training.

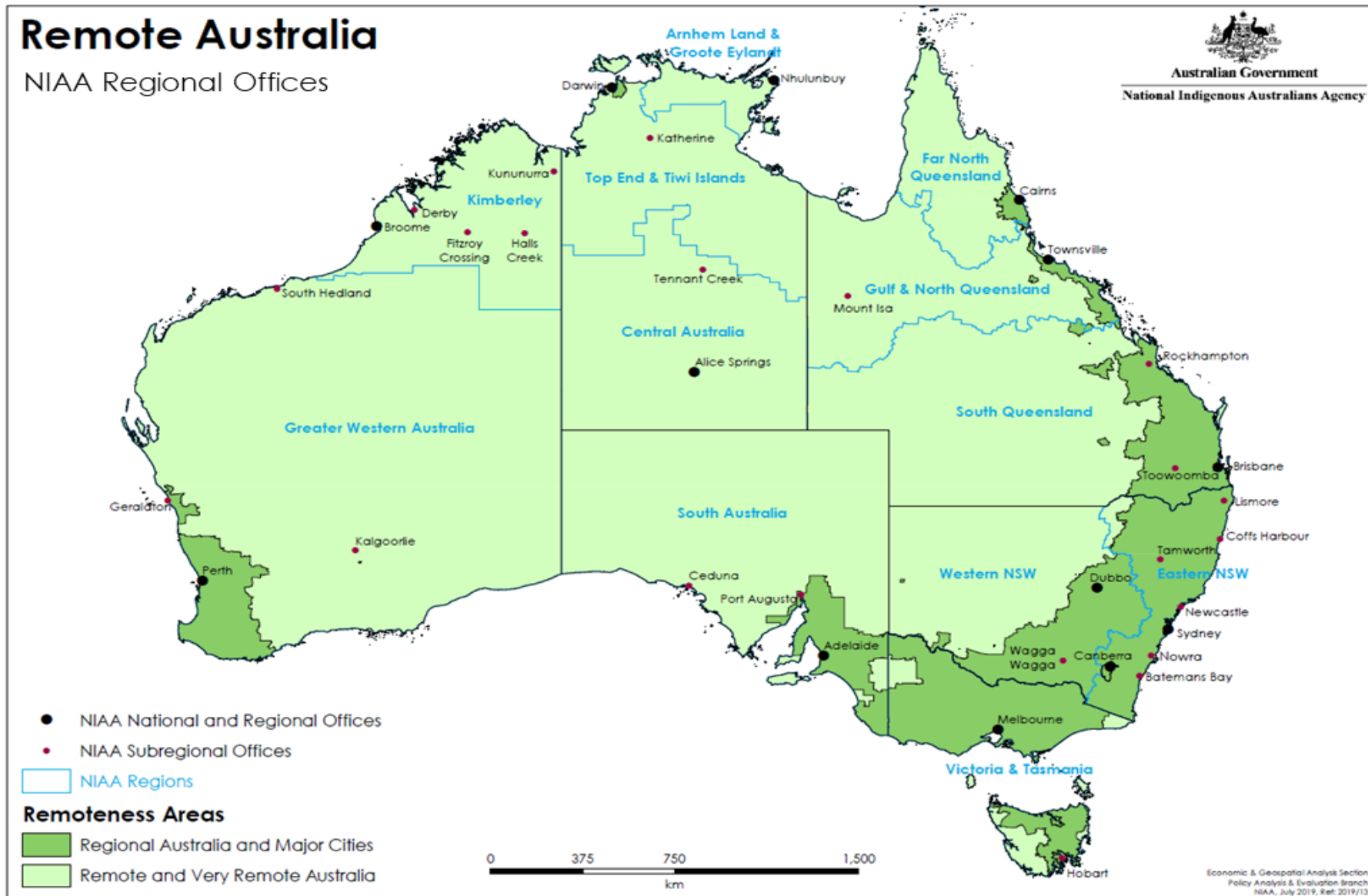
The Commonwealth will only provide funding for infrastructure when the following conditions are met:

- There is a clear understanding of who owns the asset and who will be responsible for ongoing repairs, maintenance, and other costs.
- Secure land tenure is in place.
- Any associated costs including but not limited to rates, insurance, or connection to essential services, such as power, water and sewerage, have been considered and factored into the budget and project timeframes, the Commonwealth will generally not provide funding for ongoing service costs.
- The construction complies with all relevant Commonwealth and state or territory legislation.
- The Agency may consider contributing grant funding where there is a co-contribution from an Aboriginal and Torres Strait Islander community; from state, territory or local government; or from the private or not-for-profit sectors; for proposals that meet IAS objectives.

**Out-of-Scope activities include:**

- Infrastructure that is generally the responsibility of other Australian Government departments or agencies, state, territory or local governments or other relevant entities – such as private companies and non-government organisations, for example:
  - Major roads and bridges.
  - Major telecommunications infrastructure, the responsibility of the Department of Communications.

Figure A: Indigenous Advancement Strategy - remoteness areas



## Program 1.6: Research and Evaluation

**Please note:** the Agency may on occasion invite applications under Program 1.6.

### Program objectives

The objectives of Program 1.6 are to:

- Build the evidence base to support policy development and its implementation.
- Strengthen the monitoring, reporting and evaluation of Indigenous affairs programs.
- Improve the capability and capacity of Aboriginal and Torres Strait Islander communities, service providers and NIAA staff to undertake and use evaluations.

### Description

Evaluations under Program 1.6 are guided by the [Indigenous Advancement Strategy Evaluation Framework](#) that sets out best practice principles for evaluation. The Framework aims to ensure that evaluation is high quality, ethical, inclusive and focused on improving outcomes for Aboriginal and Torres Strait Islander peoples.

The principles for identifying evaluation priorities are outlined in the Framework and cover issues of significance, contribution and policy risk. Evaluation priorities are endorsed by the Indigenous Evaluation Committee following consultation with selected stakeholders.

An [Evaluation Work Plan](#) is released each year and updated as required. In general, evaluations will need to be listed in the Work Plan in order to access Program 1.6 funds.

The Agency generally procures evaluation services for the conduct of evaluations listed on the Work Plan, with a small number of evaluations undertaken in-house by the Agency.

### Program outcomes

Desired outcomes of Program 1.6 include:

- Better availability of evaluation and evidence to support policy development and its implementation.
- Better targeted and more robust evaluations that are fit for purpose and accessible outside of government.
- Increased evaluative capability and capacity, to undertake and use evaluations, both within the NIAA and by Indigenous communities, organisations and service providers.

## Appendix 2: Incorporation requirements

Subject to certain exceptions, under the Strengthening Organisational Governance Policy all organisations receiving grant funding of \$500,000 (GST exclusive) or more in any single financial year from the IAS funding are required to:

Incorporate under Commonwealth legislation – Indigenous organisations will be required to incorporate under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* and other organisations will be required to incorporate under the *Corporations Act 2001*.

Maintain these arrangements while they continue to receive any IAS funding.

The incorporation requirements apply to grant funding under grant agreements or variations executed on or after 1 July 2014. Grants for capital works and funding sourced through procurement activities are not included in the calculation of applicable funding.

Statutory bodies, government bodies, and organisations operating under a specific piece of legislation are excluded from the requirements and do not have to apply for an exemption.

Indigenous organisations already incorporated under the *Corporations Act 2001* do not have to change their incorporation status. However, all other Indigenous organisations in scope of this policy must incorporate under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* so they can access the assistance and support available under the Act.

Organisations will need to comply with this requirement as part of their grant agreement. Non-compliance will constitute a breach and may result in the termination of the grant agreement.

Organisations will have a six-month transition period to comply with the incorporation requirement from the execution of the Grant Agreement or variation of an existing grant agreement. At the Commonwealth's discretion extended transition periods may be granted to organisations if the organisation has applied for an extension in writing and can provide evidence that they have made reasonable attempts during the six month period to transition, but are unable to meet this requirement in that time.

Organisations may apply for an exemption from the requirement to incorporate under the Strengthening Organisational Governance Policy. Applications for exemption must be submitted using the process outlined by the Agency. Details about the exemptions policy and the Application for Exemption form can be found on the Agency's website.

Exemptions will be considered where an organisation can demonstrate at least one of the following:

1. That grant funding received from the Indigenous Affairs Group within the Agency is a small portion of its total revenue, and as such changing incorporation status may unfairly impose additional requirements on its operations and business model.
2. It is required to incorporate under specific non-Commonwealth legislation as part of its licensing arrangements or funding received through other sources.

Applications for exemption will be considered on a case-by-case basis, and will take into consideration information demonstrating that the organisation is well-governed, high-performing and low risk.

Applications for exemption from the requirements should be lodged through the Agreement Manager in the NIAA Regional Office. Applications should be lodged within the transition period, as soon as practicable once an offer of funding has been made. Organisations will be expected to comply with the requirements within the transition period should an exemption not be granted.

Support for Indigenous organisations transferring to the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* is available through the Office of the Registrar of Indigenous Corporations (ORIC). This includes assistance in developing a rulebook, guidance on the process to transfer incorporation, and access to pro bono legal assistance through the LawHelp service.

Organisations required to transfer their incorporation from state and territory legislation to either the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* or the *Corporations Act 2001* may incur some additional, one-off costs for independent legal advice and accountancy services to support the transfer of incorporation. **To assist those organisations required to transfer their incorporation status, the Agency will provide a one-off \$10,000 (GST exclusive) payment upon receipt of evidence that the transfer has occurred.**

Please refer to the [Agency's website](#) for further information.



## Appendix 3: Application checklist

Before you submit an application, it is recommended the following checklist be used to ensure the application is complete and contains the information needed for the application and assessment process.

	The proposal has been discussed with the Aboriginal and Torres Strait Islander groups who will be involved in the project and with other groups with an interest in the project.
	The proposal has been discussed with the local NIAA Regional Office, or National Office where relevant.
	Any issues raised by the Agency about the proposal have been considered and addressed.
	Eligibility requirements set out in the IAS Grant Guidelines are met.
	Evidence can be provided to demonstrate incorporation and/or Indigeneity status where applicable.
	This document has been read and can be addressed.
	IAS objectives and outcomes are understood and the proposed activity(s) contributes to the outcomes of the IAS.
	The assessment criteria are understood and met.
	The draft grant agreement has been read.  When an application is submitted applicants must confirm that, if their application is successful, they will accept the terms of the grant agreement. If you are not able to accept the terms of the agreement, you should discuss this with the NIAA Regional Office before completing the application form.
	If the applicant has a current NIAA grant agreement, have the Provider Reference Number ready.  The 'Provider Reference Number' can be found on the grant agreement.

### *Completing the application form*

	Ensure every section of the application form is completed.
	Complete the application form in English.
	Complete the declaration section of the application form. Ensure all fields are completed including the check boxes.
	Attach evidence of your bank account. A copy of your bank statement is preferred.
	Attach a document containing:  A list of your key personnel, including your Chief Executive Officer, Chief Financial Officer, Chief Operating Officer and Directors (or equivalents), including names and position titles.  An organisation chart for your organisation. AND  If applicable, a chart of associated entities, as defined by s50AAA Corporations Act, (Cth) showing the relationships between companies, including levels of ownership and control.
	Attach an itemised indicative budget (on the template provided) that is GST exclusive.

### *Consortia applicants:*

	Ensure the nominated lead organisation (the applicant) is a legal entity capable of entering into a grant agreement with the Commonwealth.
	Attach a letter of support from each consortia organisation. Ensure that each letter of support includes the information required as set out in section 6.2 of this document.

### *Non-government applicants who do not have a current grant agreement with NIAA*

If you are a non-government applicant and do not have an existing grant agreement with NIAA you will need to attach the following supporting documentation:

	A copy of your most recent audited financial statement. If you do not have audited financial statements, please provide equivalent financial information required by your regulator (e.g. General Report, financial statements, Annual Information Statement etc.). Organisations registered with Australian Charities and Not-for-profits Commission are exempt from this requirement.
	A copy of the applicants Certificate of Incorporation where relevant. Organisations registered with Australian Charities and Not-for-profits Commission are exempt from this requirement.
	If the applicant is not able to quote an ABN as required in the application form they will be required to provide a copy of a completed 'Statement by a supplier (reason for not quoting an ABN to an enterprise)' form that can be found on the ATO website.