



Australian Government

Attorney-General's Department

Proceeds of Crime Act 2002
Section 298 Programs of Expenditure

**Guidelines for Non-Government Organisation
Funding Applications**

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The Proceeds of Crime Act 2002

Programs of expenditure

These Guidelines are divided into three parts:

1. Overview of the *Proceeds of Crime Act 2002* programs of expenditure
2. Managing a program of expenditure under the *Proceeds of Crime Act 2002*, and
3. Information to assist you in preparing your application.

Part One

Overview of the *Proceeds of Crime Act 2002* Programs of Expenditure

1 Overview of the *Proceeds of Crime Act 2002* programs of expenditure

1.1 What is the *Proceeds of Crime Act 2002*?

Each year in Australia, drug trafficking, money laundering, fraud, people-smuggling and other forms of serious crime generate millions of dollars for criminals and crime syndicates. This money is derived at the expense of the Australian community. It is generated through the harm, suffering, inconvenience and financial disadvantage of others and is used to finance further illegal activity.

Criminals have no legal or moral right or entitlement to benefit from their crimes. The Australian Government has been working to combat organised crime within Australia and deter trans-national criminals from using Australia as a centre for their activities.

The *Proceeds of Crime Act 2002* (POCA) was passed by parliament on 11 October 2002 and came into operation on 1 January 2003. The POCA was enacted to discourage and deter crime by preventing criminals from enjoying the financial benefits their illegal activity, reducing the ability of offenders to finance future criminal activity, and to remedy the unjust profiting of criminals at the Australian community's expense.

The POCA provides a scheme to trace, restrain and confiscate the proceeds of crime against Australian Commonwealth law. In some circumstances it can also be used to confiscate the proceeds of a crime against foreign law or the proceeds of a crime against state law (if those proceeds have been used in a way that contravenes Australian Commonwealth law).

Importantly, the POCA introduces a civil based recovery stream. Unlike the previous conviction based *Proceeds of Crime Act 1987*, the new civil based recovery stream allows recovery action to be taken independently of the prosecution process. This is an important step in preventing criminals from enjoying the financial benefits of their criminal activity.

Section 298 of the new POCA allows for confiscated funds to be returned to the community, in an effort to further prevent and reduce the harmful effects of crime on the Australian Community.

These guidelines have been developed to assist non government organisations seeking funding under the POCA. They include an overview of the principles governing eligibility, the assessment process and selection criteria, and management requirements for non-government organisations receiving funding under the POCA. It is anticipated that the guidelines will assist non-government organisations in applying for funding.

1.2 What programs can be funded under the POCA?

Under Section 298 of the POCA the Minister for Justice and Customs may approve a program for the expenditure of money standing to the credit of the Confiscated Assets Account (CAA). Funds may be provided to both government and non-government organisations.

Under the POCA funding can be provided for programs of expenditure on:

- crime prevention measures (including substance misuse programs)
- law enforcement measures
- measures relating to treatment of drug addictions, and
- diversionary measures relating to the illegal use of drugs.

1.3 Key principles

Key principles underpinning the decision-making, management and policy requirements of section 298 programs of expenditure include:

- *Shared responsibility and collaborative approaches*—crime prevention, drug treatment and preventing the use of illicit drugs are the responsibility of all sectors of the community
- *Building on what has been achieved to date*—maximising outcomes from existing structures and strategies
- *Targeting*—developing responses based on data about the volume, impact, extent and location of crime in the community
- *Evidence Based Response*—research about what works, what doesn't work and what is promising will guide decisions on how to invest resources, and
- *A Focus on Results*—performance measures will need to set clear targets for improvement including effective evaluation mechanisms.

1.4 Program limit and funding period

Unlike traditional funding programs, the amount of funds available under section 298 of the POCA is not limited to a budget allocation. Neither are the amount of funds available known, as the available funds will fluctuate depending on the number of successful prosecutions and the volume of criminal assets confiscated.

As the amount of funds available will vary from year to year, and the POCA only allows for the allocation of funds standing to the credit of the CAA, the Australian Government believes that a targeted grants process will provide the greatest benefits to the Australian community.

Under the targeted grants process, non-government organisations are able to seek funding of up to \$750,000 for each program, with a maximum of \$250,000 to be paid out to each program in any one financial year. Approved programs *must* run for a minimum duration of three years.

1.5 Eligibility

1.5.1 Who is eligible to apply?

To be eligible for funding, organisations must be:

1. not-for-profit
2. incorporated, and
3. a community organisation.

Local government organisations are also eligible to apply for funding.

Eligible organisations include not-for-profit incorporated foundations, service clubs, sporting bodies, Indigenous groups, ethnic community groups, youth organisations, local government bodies and other sections of the general community.

Evidence of incorporation and not for profit status must be included in the Expression of Interest and if required Full Application.

For the purposes of receiving funding under the POCA, a not-for-profit organisation is an organisation which is not operated for profit or for the individual gain of its members or promoters.

The aim of the POCA grants process is to spread the benefits of the initiative as widely as possible across the Australian community. However, organisations that have already successfully applied for funding under the POCA are still eligible to apply for funding for new or additional programs of expenditure.

If your organisation has already applied for funding but was unsuccessful, your organisation can reapply. It may be useful to obtain feedback from the Attorney-General's Department on the reasons why your application was unsuccessful. If you reapply you should consider the currency of the documents attached to the unsuccessful application. For example it may also be useful to include letters from organisations which have more recently indicated support for your project.

1.5.2 Who is not eligible to apply?

Applications will not be accepted from:

- individuals
- political organisations
- unincorporated organisations
- government agencies (apart from local government bodies), or
- commercial/for profit organisations.

Unincorporated organisations

If your organisation is not incorporated, you should either:

- seek incorporation, or
- approach an incorporated community-based organisation to sponsor the project under its name.

This means that the sponsoring organisation will take full responsibility for the legal and financial accountability of the proposed project, ie sign the Funding Agreement with the Attorney-General's Department.

Managing POCA funding on behalf of another organisation

If your organisation is managing POCA funding on behalf of another organisation, the Funding Agreement is signed between your organisation and the Attorney-General's Department. Your organisation is legally responsible for the management and implementation of the Funding Agreement. The different roles and practical arrangements between your organisation and the managed organisation in implementing the project should be set out in a letter of agreement, which will be included with the Work Plan. If these roles and arrangements change in any way that affects delivery of the project, you must notify the Attorney-General's Department and request approval for any changes before they are implemented.

It is the responsibility of applicants to negotiate a sponsoring body.

1.5.3 What types of programs will be funded?

Funding under the POCA can only be provided for programs that operate for a **minimum duration of three years**.

Applicants must identify and address a specific issue or need within their own organisation's area of operations, or their community or locality that meets the requirements of the Act, being:

- a) crime prevention measures (including substance misuse programs)
- b) law enforcement measures
- c) measures relating to treatment of drug addiction, or
- d) diversionary measures relating to the illegal use of drugs.

Applicants should demonstrate why the program is important and how it will specifically address the identified issue.

Preference will be given to programs which demonstrate long term benefits beyond the funding period.

Information about programs currently and previously receiving funding under the POCA can be found at www.crimeprevention.gov.au.

1.5.4 Programs not eligible for funding

Programs that are not eligible for funding include those that:

- do not demonstrate they are consistent with the Key Principles (see section 1.3)

- do not meet the selection criteria
- do not reflect evidence based good practice, or
- conflict with government policy.

Funding will normally not be provided for the following purposes:

- development costs associated with an application (eg the cost of a survey to establish the need for a project)
- travel to conferences, fund raising or sponsorship
- programs that duplicate existing services in the same community which are accessible to and adequate for the target group
- retrospective or deficit funding (ie reimbursement of expenses incurred by an organisation prior to grant funds being approved, or meeting existing debts)
- an applicant organisation's ongoing administration or running costs (however, administrative costs will be considered if directly and exclusively associated with the establishment or administration of the specific program), or
- organisations which have not fulfilled previous grant requirements including acquittal reports and evaluations, or organisations or programs previously defunded by State/Territory or Australian Government agencies due to performance and/or integrity issues.

1.6 Selection process

The Australian Government recognises the considerable efforts of organisations in preparing applications for grant funding. In seeking to minimise the level of time and resources that organisations commit to this process, funding under the POCA will employ a two-stage selection process to determine successful grant applicants using the following process:

- Stage One: Expression of Interest, and
- Stage Two: Full Application.

All organisations applying for funding will be required to submit an Expression of Interest (EOI). In the EOI, applicants will identify the issue they are seeking to address, the strategy and activities that they plan to undertake, the community support required and the level of funding sought.

After the closing date for EOI applications, an expert referee panel will undertake an initial assessment of all EOI applications received. The expert referee panel will take into account the merits of the proposed program against the selection criteria for EOI applications (outlined below). Subsequently, the Attorney-General's Department *may* contact applicants for further clarification or to discuss some aspect of the proposal to better match the overall aims of the initiative.

Expert referee panels will assist in the selection process by increasing transparency and community participation, and bring wider relevant expertise to the process. The expert referee panel for drug treatment and diversion programs will include representatives from the Australian National Council on Drugs, the National Drug and Alcohol Research Centre, and the Australian

Government Department of Health and Ageing. An expert referee panel for crime prevention programs will also be appointed by the Minister for Justice and Customs.

On the basis of their EOI, applicants will be short listed for further consideration. The number of short listed applicants will be determined by the quantity and quality of the EOI received, the levels of funding sought, and the amount of funding available in the CAA.

The Attorney-General's Department reserves the right to invite applicants to submit the Full Application even after short listing has occurred.

Applicants short listed for further consideration will be notified in writing and invited to submit the Full Application. Unsuccessful applicants will be notified in writing at the same time.

Short listed applicants will be given an additional four weeks (from the time of their notification) to complete the Full Application and provide all of the requested attachments. After the closing date, the expert referee panel will assess the Full Applications taking into account the merits of the proposed program against the Full Application selection criteria (in addition to the EOI selection criteria—also outlined below) and the need to equitably distribute funding for programs across all States and Territories.

The expert referee panels will make recommendations to the Minister for Justice and Customs who will make the final decisions regarding successful applications. Successful applicants will be announced by the Minister, and notified in writing. Unsuccessful short listed applicants will also be notified in writing.

1.6.1 Selection Criteria

September 2006 Funding Round:

For the September 2006 funding round under the POCA, funding will be used to **enhance existing drug treatment and rehabilitation services, targeting poly drug use**. The priority for this round will be residential drug treatment and rehabilitation, however non-residential services will not be excluded.

This will ensure that POCA funds are used to assist a broad spectrum of high need communities, building upon existing service delivery frameworks. Eligible applicants may apply for funding under this round to:

- bolster residential/non-residential drug treatment and rehabilitation client capacity
- fund minor capital expenses (equipment purchases, building repairs, etc), and
- fund ongoing workforce development and training in this vital employment sector.

Specific selection criteria for September 2006 funding round under the POCA.

The applicant organisation must:

1. provide evidence that the proposed treatment service model will meet the needs of the identified target group and is based on good practice in the delivery of this treatment type (as identified by research or independent expert opinion).
2. demonstrate that the organisation has the capacity and experience to work with the providers of related services such as other alcohol and drug services, clinical, welfare,

- housing, mental health services, children's and youth services to enhance the delivery of the treatment service.
3. demonstrate how the organisation has the experience and expertise to provide the proposed intervention for the identified target groups.
 4. demonstrate how the service relates to State/Territory Government strategic plans and service deliver standards/guidelines in dealing with the problems of illicit drug use.

Expression of Interest:

In assessing EOI, the expert referee panel will consider the:

1. eligibility of the applicant organisation
2. eligibility of the proposed program—its consistency with the Key Principles
3. demonstrated need for, and the potential impact of, the proposed program, and
4. strength of the program's design and methodology.

Full Application:

In assessing the Full Application, the expert referee panel will consider (in addition to the selection criteria used at the EOI stage):

5. that the program has been initiated, planned and implemented by a core group of people that have the ability to plan, implement and evaluate programs effectively
6. how the impact/success of the program/strategy will be measured
7. community/key stakeholder involvement in, or support for, the program (if appropriate)
8. the agreement of any community groups involved in the program
9. the enduring value or ongoing benefits to the community
10. organisational capacity of the applicant organisation (demonstrated capacity to successfully manage programs and to administer government funds). The applicant must have efficient, transparent and accountable administrative structures
11. the exit strategy by the organisations on how the program will finalise or continue beyond the funding period
12. consistency with proven good practice,
13. opportunities for community involvement and participation in the program as appropriate, including in its evaluation and assessment, and
14. if appropriate, Ethics Committee approval.

Research programs only:

15. public policy relevance
16. the extent the proposed research will have practical application, and
17. the likelihood the research will make a substantial and original contribution to knowledge about crime prevention, drug treatment and/or drug diversion measures.

Local Indigenous support

Programs that have an Indigenous focus or component must have the explicit agreement and support for the program from the appropriate local elders.

1.6.2 Successful applications

The number of successful programs will depend on the number of quality applications received, the amount of funding sought, and the available funds in the CAA at the time of application.

The Attorney-General's Department will negotiate a Funding Agreement with successful applicants based upon the proposal and the amount of funding awarded. The Funding Agreement forms a contractual arrangement and will require acknowledgment of the Australian Government's support in all material associated with the program. This will include:

- use of the Australian Government logos, and
- standard text of acknowledgment.

The Attorney-General's Department will provide the above to successful applicants when the Funding Agreement is signed.

1.7 Funding rounds

As the amount of funds available may vary considerably, and the POCA only allows the allocation of funds standing to the credit of the CAA, the Australian Government believes a proactive and focussed approach will provide the greatest benefit to the Australian community.

When sufficient funds are available, advertisements will be placed in the national press seeking expressions of interest for program funding to address a specified area of crime prevention, drug treatment, or drug diversion. Each call for applications will address a different priority issue. Closing dates for these funding rounds will be advertised in the national press and on the website www.crimeprevention.gov.au.

1.7.1 Expression of Interest and Full Application lodgment

It is the responsibility of the applicant organisation to submit a clear and complete application (EOI and/or Full Application) ensuring that the application is postmarked or hand delivered on or before the closing date. Late applications will not be considered.

The Attorney-General's Department is not able to assist organisations with the cost of applying for grants. Applicants are responsible for all the costs of preparing and lodging their application and for the costs of answering the Attorney-General's Department's requests for more information or clarification.

The Attorney-General's Department is able to provide limited telephone assistance to applicants with queries on completion of the application form.

Application kits and other information for receiving funding under the POCA can be downloaded from www.crimeprevention.gov.au. Alternatively you can call (02) 6250 5599 or e-mail your request for the kit to POCA@ag.gov.au.

Applications must be:

Submitted on the official forms provided, unbound, and include all requested information and address the selection criteria - *supporting documents may be attached*:

- submitted in hardcopy (one original and two copies)
- received in full, and
- post marked; hand delivered on or before the closing date.

Note: *faxed or e-mailed applications will **not** be accepted.*

Please mail or deliver Expressions of Interest and Full Applications to:

Proceeds of Crime Act 2002 Funding Proposals

Strategic Law Enforcement and Fraud Policy Section

Community Safety and Justice Branch

Criminal Justice Division

Attorney-General's Department

Robert Garran Offices

National Circuit BARTON ACT 2600

Applicants are also responsible for promptly advising the Attorney-General's Department if there are any changes to the information provided in the Expression of Interest or Full Application or any other changes that will affect their application.

1.8 Conflict of interest

You must indicate any potential conflict of interest arising from the proposal. A perception of a conflict of interest can arise if an individual signing the application declaration receives a direct benefit from a program (for example, the paid employees of an organisation).

Where the Attorney-General's Department establishes that a conflict of interest exists, this may be grounds for excluding the program from consideration.

If there is a possible perception of a conflict of interest, then include a statement addressing this and show why a conflict of interest should not impact on the organisations application for funding.

1.9 Additional information

Applicants are advised to consider the information required to prepare the Full Application form in the event that they are short listed. For example, whether their project stakeholders will be able to provide letters of support, and whether the applicant has the appropriate organisational documentation available if asked to submit it, such as Annual Reports and financial statements.

Part Two

Managing a Program of Expenditure under the *Proceeds of Crime Act 2002*

2 Managing a program of expenditure under the *Proceeds of Crime Act 2002*

2.1 Overview

If your organisation is successful in receiving funding under the POCA, the following information will help you to manage your program of expenditure.

2.2 What happens if an offer of funding is received?

If your organisation is successful in receiving an offer of funding, the Attorney-General's Department will negotiate a Funding Agreement based upon your successful project proposal and the amount of funding awarded.

2.3 Funding provided under the *Proceeds of Crime Act 2002*

Your organisation can only use POCA funding to deliver the program for which funding is offered. Funding will be paid to your organisation as specified in the Funding Agreement (timing of payments) and will only be paid if the Attorney-General's Department is satisfied with your organisation's performance and the implementation of the Work Plan.

At the end of the funding period, if your organisation has any unspent or uncommitted funds, you must return them to the Attorney-General's Department. Your organisation cannot commit funding beyond the end of the funding period.

2.4 Funding agreement

POCA funding will be managed through a Funding Agreement, which is a contract between your organisation and the Attorney-General's Department, acting on behalf of the Australian Government. The Funding Agreement outlines the terms, conditions and obligations of funding, service delivery, accountability and reporting requirements for both the Attorney-General's Department and your organisation.

2.5 Goods and Services Tax

If your organisation is registered for GST, the funding payments will include a GST gross-up component.

2.6 Continued incorporation and insurance requirements

Your organisation is required to maintain its status as an eligible incorporated organisation. Your organisation is also required to take out the following insurance and must maintain such insurance for the life of the funding agreement:

- public liability insurance (to a minimum of \$10 million)
- workers compensation insurance, and
- professional indemnity insurance (or association's liability insurance that is acceptable to the Attorney-General's Department).

Professional indemnity insurance protects organisations providing professional services if they breach their professional duty to a client and, for example, provide incorrect advice on which a client relies and suffers damages as a result.

2.7 Authorised Representative of your organisation

Your organisation will need to nominate at least one person (usually Chairperson or equivalent) who is authorised to sign on behalf of your organisation, or to witness the organisation's seal, according to its constitution. Only the Authorised Representative(s) can sign the Funding Agreement, reports and any variations to the Funding Agreement.

2.8 Managing funds on behalf of another organisation

If your organisation is managing funds on behalf of another organisation, the Funding Agreement is signed between your organisation and the Attorney-General's Department. Your organisation is legally responsible for the management and implementation of the Funding Agreement. The different roles and practical arrangements between your organisation and the managed organisation in implementing the project should be set out in a letter of agreement, which will be included with the Work Plan. If these roles and arrangements change in any way that affects delivery of the program, you must notify the Attorney-General's Department and request approval for any changes before they are implemented.

2.9 What is a Work Plan?

Your program Work Plan provides the details of the services to be delivered by your organisation for the duration of the program. You are required to provide a draft Work Plan with your Full Application. The Work Plan will be incorporated into the Schedule of the Funding Agreement.

2.10 How can a Work Plan be changed during the funded term?

If your organisation needs to change its Work Plan during the agreement period, the Authorised Representative must write to the Attorney-General's Department requesting approval for a change. The Attorney-General's Department will discuss the proposed changes with you and if the change is accepted, the organisation's Authorised Representative will be asked to sign a document outlining the amendment.

Changes to the Work Plan must not be made until approval is granted and finalised in writing.

2.11 Standards of behaviour of organisation's staff

The Attorney-General's Department expects a certain standard of behaviour and conduct from organisations that are successful in their application for funding. Those involved in managing or delivering services provided under the funding agreement should act honestly, ethically and professionally; avoid activities which might jeopardise the program; and comply with all relevant Australian laws. If your organisation becomes aware of any person involved in managing or delivering the Attorney-General's Department's funded services under the Funding Agreement who does not meet these standards, you are required to notify the Department and remove the person from any role in administering the funding.

2.12 Appropriate salary levels of staff

Your organisation must ensure that all staff are paid at an appropriate salary for their skills and qualifications and in line with relevant legislation.

2.13 Service Standards for the delivery of the funded activity

Your organisation is required to provide services to a high standard, by demonstrating a commitment to the following:

- information Privacy Principles (see <http://www.privacy.gov.au> or Tel: 1300 363 992)
- declaration of Conflict of Interest
- relevant Occupational Health and Safety legislation, and
- relevant workplace standards (contact the Office of Workplace Services, Australian Government Department of Employment and Workplace Relations; see <http://www.wagenet.gov.au>, or Wageline National, Tel: 1300 363 264).

2.14 How to manage a program of expenditure under the *Proceeds of Crime Act 2002*

Your organisation is expected to employ sound financial management strategies. The Attorney-General's Department would prefer funding to be directly credited to your organisation's bank account (ie through electronic banking). If payment is by cheque, it should be immediately deposited into your organisation's appropriate account. Your organisation may consider opening a separate bank account to manage POCA funds.

Any interest earned on the balance of the bank account must be credited to the account. If your organisation holds the same account for more than one source of funding, you must be able to monitor and report on the POCA program of expenditure separately.

Program funds drawn from the account during the specified term are to be used only for fulfilling the approved purposes of the program.

Accounts and records should be kept in a way that enables accurate and timely preparation of the financial statements and the Post Activity Report audited financial statement.

All records relating to the program are to be kept for at least seven years with, if required, assurance of access by the relevant authorised authorities. If electronic records are used, hard copy versions are required to be stored for the same period.

2.15 Deed of Confidentiality and Privacy Principles

Your organisation may hold personal records about clients and other sensitive or confidential information. It is a condition of funding that your organisation does not disclose or use any personal or confidential information for purposes that are not related to the program, without first obtaining the Department's written approval. In all cases, your organisation must comply with the Information Privacy Principles contained in the *Privacy Act 1988* (see <http://www.privacy.gov.au> or Tel: 1300 363 992) and the National Privacy Provisions.

Your organisation is also responsible for ensuring, during the program, that all members of the Management Committee, workers and other associated employees, volunteers or approved sub-contractors understand:

- their responsibilities under the *Privacy Act 1988* for access of personal information of clients under the Agreement
- the possible penalties for not complying with the Act, and
- their need to sign and observe Deeds of Confidentiality.

Your organisation is responsible for the maintenance of signed Deeds of Confidentiality by all personnel with access to clients' personal information through the life of the funding agreement:

- to ensure appropriate personnel and office security/handling procedures guarantee privacy for these records during and following the period of funding, and
- in the event of a complaint of breach of privacy, that the Privacy Complaints Procedures are observed (available on the web site at <http://www.privacy.gov.au>).

2.16 Acquittal of funding

As part of the funding acquittal requirements, recipients will be required to evaluate and report on the overall outcomes of the program in terms of meeting the objectives, its impact on the community and to provide evidence that the program was carried out as agreed.

As part of this process and the interim reporting requirements, recipients will report in terms of the program-specific performance indicators identified in their application work plans and milestones.

2.17 Reporting and accountability requirements

During the Funding Agreement, you will be required to provide reports to the Attorney-General's Department about different aspects of your funded activity. These reports are required by the Department to monitor your organisation's performance and the progress and the effectiveness of the funded program. Reporting ensures that your organisation and the Attorney-General's Department will be aware of any issues or difficulties which may affect your organisation's ability to deliver the program. Completing the reports is linked to payments as set out in the Funding Agreement.

Your organisation is required to submit reports throughout the life of the funding agreement as specified. Reporting would include **quarterly progress reports** for the periods ending on 31 March, 30 June, 30 September, and 31 December. Progress reports will be required to be submitted within ten working days following the end of each quarter.

Quarterly Progress Report

A Quarterly Progress Report provides an overview of the progress of the program and is a performance measure for the implementation and delivery of the activity. Each Progress Report is used to assess the overall performance of your organisation's delivery of the program.

Generally, you need to identify some milestones to report against in each quarterly period. The milestones are selected from the Outputs identified in the Work Plan. However, the number may vary depending on the complexity of the program.

Quarterly Progress Reports must include as a minimum:

- details of progress and performance against the Activity Objectives and Activity Milestones specified
- details of mitigating circumstances and remedial action undertaken in the event an Activity Milestone is not met or completed in the manner and/or by the time specified
- copies of any published reports, promotional material, media publicity, pamphlets or other documentation relevant to the Activity
- an Assets Register, and
- copies of financial statements, including income and expenditure, accruals and pre-payments, statement of balance, and statement of liabilities.

Post Activity Report

A Post Activity Report must be provided at the end of each funding period to demonstrate the satisfactory management and implementation of the program. It includes four parts:

- (a) an evaluation that includes:
 - i) a summary of your performance against the Activity Objectives and Activity Milestones specified
 - ii) details of mitigating circumstances and remedial action undertaken in the event an Activity Milestone was not met or completed in the manner and/or by the time specified
 - iii) an analysis of the planning, implementation and overall process you followed to deliver the Activity
 - iii) any lessons learned throughout the Activity, and
 - iv) any recommendations on improved practice, relevant to your and our practices, that may assist in the delivery of future Activities.
- (b) copies of any published reports, promotional material, media publicity, pamphlets or other documentation relevant to the Activity, not already included in the Progress Report/s
- (c) an audited statement of receipts, expenditure, and certification, and
- (d) a copy of your organisation's annual report.

The Post Activity Report must be submitted no later than three months from the end of the Activity Period.

End of Financial Year Reporting

In addition to the audited statement of receipts, expenditure and certification required in the Post Activity Report, you will also be required to provide an audited financial statement **within 60 Business Days** after the completion of each financial year during the life of the funding agreement.

2.18 What happens if an organisation cannot meet the reporting requirements?

If your organisation cannot meet a reporting requirement, condition or deadline, you must write to the Attorney-General's Department before the due date explaining the reason that is preventing, or likely to prevent, your organisation from meeting the requirement. If the Department accepts the reason(s) for the delay, and the delay is significant, a document varying the Funding Agreement, and outlining the new requirements may be completed. The milestone and/or report will then be expected to be achieved by the new due date, to the required standards and to the satisfaction of the Department.

When writing to the Attorney-General's Department, the following details should be included:

- the reasons why the milestone and/or report have not been or are unlikely to be achieved
- how your organisation proposes to manage the problem which has caused or may cause the delay
- whether it will be possible to complete the milestone and/or report within a reasonable timeframe and the expected date on which they will be completed, and
- the expected effect the delay may have on the delivery of the program and on other milestone or reporting delivery dates.

The Attorney-General's Department can give consideration to genuine circumstances, beyond your organisation's control, which might affect its ability to perform as agreed and which may lead to a renegotiation of the Funding Agreement.

Despite this, if your organisation does not provide a Quarterly Progress Report and/or Accountability Report to the satisfaction of the Department by the agreed due dates, the Department may withhold, or provide only part of, the next funding payment, until it is satisfied that performance and reporting requirements are satisfactorily met.

2.19 How to avoid and resolve disputes

To avoid or resolve disputes, both parties to the Funding Agreement need to work in a spirit of cooperation. When clarification is needed or a problem arises, both parties should aim to resolve it as quickly as possible. However, if an issue is not resolved within an agreed reasonable period, then a formal dispute process begins and must be formally recognised in writing. Even while a dispute process is occurring, your organisation is obliged to continue to deliver its approved services.

If your organisation and the Attorney-General's Department are unable to reach a mutually agreeable resolution, the Department may require your organisation and/or the managed organisation to undertake remedial action and/or to cooperate with a review or audit.

Where your organisation fails to undertake, to the satisfaction of the Attorney-General's Department, the required remedial action within the specified time or where it appears to the Department that the dispute cannot be satisfactorily resolved, the Department can terminate the funding agreement.

However to avoid disputes occurring, it is recommended that organisations seek assistance from the Attorney-General's Department as soon as a problem arises.

Part Three

Information to Assist You in Preparing Your Application

3 Information to assist you in preparing your application

You should consider the following information when developing a program proposal.

3.1 Introduction

You will need to provide background information on the organisation and the need for the program, including:

- information on the organisation, when it was established, the management structure, its mandate, goals, objectives, activities and accomplishments.

Organisations must be able to:

- demonstrate a sound management structure, administrative and financial base
- comply with all reporting and financial accountability standards as set out in the Funding Agreement, in a timely manner and to a high standard and to the satisfaction of the Attorney-General's Department. Evidence of the organisation's track record in this area will be required

(Organisations are encouraged to provide evidence of program management skills by providing information of previous projects of this nature successfully delivered on time and within budget.)

- specific information relevant to the context of the proposed program (eg, socio-economic information, data on crime and victimisation, if available), and
- a description of the need, gap in programming and/or specific problem the program will address.

3.2 Program summary

You will need to provide a brief description of the program activity, including the program goals, activities and anticipated outcomes/products.

3.3 Program description

The program description should provide **detailed** information about the program activity, including:

- a description of the main goal or purpose of the program, what it expects to accomplish and what its specific and measurable objectives will be
- a detailed description of the program model, its content, activities and method of delivery
- description of the location where the program will be delivered
- identification of the specific client group(s) or population(s) including numbers that will benefit from the program
- a description of the expected outputs, outcomes and products

- a description of the governance and administrative structure and any anticipated committees (eg a community advisory committee, a program steering committee, or variations of such bodies)
- an overview of the work plan or schedule of activities to be carried out, described in the sequence planned, and a specification of the duration of the program
- evidence of the ability to commence the program in a timely manner
- a strategy for ensuring the financial viability/sustainability of the program beyond the initial funding period (if relevant), and
- a communications plan for disseminating information about the program and its products.

3.4 Program budget

The program budget is to be broken down by financial year and major expenditure items including:

- salary costs (including on-costs)
- capital items
- evaluation costs
- public liability and other insurances for the life of the project
- cost of an independent financial audit of the grant, and
- any item exceeding \$2000 should be broken down into composite parts.

The Budget should specify the amount of funding sought and any other proposed sources of revenue and/or in-kind support. It should clearly show which expenses the funding is expected to cover.

NB: If the applicant organisation subsequently applies for or is granted other funding for the proposed project, you must notify the Attorney-General's Department immediately so that this can be taken into account in the assessment. If your program application is contingent upon other funding sources being received, the other funding must be verified prior to the funding being awarded.

3.5 Attachments

Program proposals should include the following support documents:

- letters of support for the program from relevant stakeholders
- documents describing the mandate, objectives, activities and structure of your organisation, including a copy of the incorporation certificate and constitution
- a copy of the Australian Business Number issued by the Australian Taxation Office for the Goods and Services Tax

- a copy of your organisation's annual report and audit and financial statements for the last two fiscal years, including all sources of revenue, and
- a list of your organisation's other funded projects and other federally-funded projects, including a description of the project, its status and/or results achieved, along with contact information on the federal funding program and responsible officer. As part of the assessment process, the Attorney-General's Department may seek additional advice from applicants.

3.6 Evaluation

Evaluation involves collecting data on how effective a process has been and whether your original objectives have been met.

An evaluation process should be built into the proposal to ensure that the program is delivering the results it set out to achieve. It is important to keep this in mind when formulating the objectives and outcomes. Outcomes of the program should be tangible and realistically able to be delivered in the timeframe and budget.

Your evaluation methodology needs to be consistent with the aims and objectives of the program. This will focus the evaluation and identify who are the key persons/groups that need to be included, and the kinds of questions that need to be asked.

If your program is large or complex, you may consider engaging an external organisation to conduct the evaluation. The cost should be addressed within the budget.

The kinds of evaluation measures that can assess the impact of the program include:

- the number of people who have engaged/utilised your program materials
- key stakeholder feedback on the usefulness of your findings/products, and
- statistics on take-up of your findings/products, numbers of people who have successfully completed your project, the cost and time-efficiency of your project, etc.

Useful evaluation questions to apply are:

- What worked well?
- What did not work well?
- What improvements need to be made in order for the program to be successful in the future?
- How effective was the program overall?

To save time and expense, see if the evaluation can be done as part of other program activities (for example, a questionnaire attached to an information booklet, or a focus group to be run as part of a final program workshop).

3.7 Completing and lodging applications

Please use the official **Expression of Interest** and if requested, **Full Application** forms. You can complete the forms in hand writing or download from the website and type in the required

information. By using the official application form you will ensure that you have addressed all the relevant information.

DO NOT fax or e-mail complete applications. They must be posted or hand delivered by the due date.

Please ensure that you provide **ONE** original and **TWO** copies of your application and attachments. Please make sure that your application is **UNBOUND** – that is, **NO STAPLES** and **NO BINDING** of any form. You need only provide one copy of bound Annual Reports etc.

3.8 Hints and tips

Below are some suggestions for developing your program and application. They should not be read in isolation:

- you need to be familiar with the other parts of the Guidelines in order to meet the requirements for POCA funding. This will assist you in filling out the application form, and
- you also need to be aware that applications may be subject to Freedom of Information requests from third parties or other applicants.

Step 1: Identifying the need for a program.

How do you know that a need exists?

- Find out the facts and use statistics if you have them. Find out if there is a program that is already addressing the need, and if there is not, tell us in the application, and
- Demonstrate why the program is important to your community and how it could specifically address the identified issue or need.

Step 2: Developing a program plan.

You need to define the goals of your program

- Think about who needs to be involved to make your program work
- Make sure those groups/people (*stakeholders*) that need to be involved are committed to your program. Ask for letters of support to show this. This could include approvals for capital works or the agreement of local agencies to take part in the program
- Develop a comprehensive and practical program plan that includes a clear timeline, milestones and outcomes
- Make sure that your milestones are relevant, achievable and clearly measurable. Assessing the results achieved from funded programs is an important priority. The inclusion of evaluation and performance measurement processes in the project program will be an important consideration in assessing funding applications

- Remember to allow time for report writing and promoting your program, and
- You will need to determine how your program will be evaluated.

Step 3: Working out a budget.

Work out the budget based on the tasks you have planned. This should identify proposed costs and income, including all sources of revenue for the program and all budgeted expenses

- Check appropriate rates of pay for staffing. Remember to include on-costs such as leave loading, superannuation and insurance (workers compensation and professional indemnity)
- Make provision for the costs of a financial audit of the program and for program evaluation processes, and
- If your program is contingent upon other funding sources being received, the other funding must be secured or verified prior to the funds being awarded.

Step 4: Writing your application (EOI and Full Application).

A well written application will clearly explain and support your proposed program. Here are some suggestions to help you to write your application:

- be direct and brief
- give yourself plenty of time to write the application
- include all requested information and address all the relevant selection criteria
- make sure the contact officer nominated in the application knows about the program and can respond to requests for clarification or further information, and
- submit the application on time.

Outcomes

Be specific. Make sure the outcomes can be measured and are clearly linked to the program activities.

Note: Program funding under the *Proceeds of Crime Act 2002* is at the discretion of the Minister for Justice and Customs. Meeting the assessment criteria does not guarantee funding as it is a highly competitive exercise and limited funds are available.