National Aged Care Advocacy Program Guidelines

February 2017
Preface

The Australian Government Department of Health (the department) has a suite of Program Guideline documents which provide information about each Program that provides grants funding, and the group of activities that contribute to that Program. They provide the key starting point for parties considering whether to participate in a Program and form the basis for the business relationship between the department and the grant recipient.

The department is committed to reducing red tape, providing greater flexibility and respecting the independence of the aged care sector. This approach recognises that organisations should be supported to self-manage the delivery of support to our communities rather than being burdened with unnecessary government requirements.

The suite of Program Guideline documents are provided to applicants for each grant funding round. The approach to grants funding described in the Guidelines aims to foster collaboration and innovation in the community across civil society freeing up resources to improve outcomes for individuals, families and communities.

The Program Guidelines suite of documents for each grant funding round, include:

- a Program Guideline document (this document) that provides an overview of how funding rounds may be conducted for each activity that contribute to the overall Program outcome; and
- an Application Pack - a suite of documents with information specific to each grant funding round conducted within the Activity.

The simplified Program arrangements establish the framework for the department to move towards a single grant agreement per provider, implement new and improved financial reporting systems, reduce reporting and regulation, consolidate funding rounds and support greater service delivery innovation to meet the needs of clients.

The department reserves the right to amend these documents from time to time by whatever means it may determine in its absolute discretion and will provide reasonable notice of these amendments. When this happens the revised guidelines will be published on the Commonwealth’s GrantConnect page.
Version Control

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1 Program Overview – Access and Information

1.1 Program outcomes

The Australian Government is committed to improving the ability of older Australians, their families and carers to access aged care information and services, and to make informed and timely choices that best suit their individual needs.

1.2 Program objective

One of the objectives of the Access and Information Program is to support consumers to be empowered by the provision of advocacy services that promote their rights within the aged care sector through the National Aged Care Advocacy Program with an emphasis on supporting people from special needs groups as identified in the Aged Care Act’ 1997.

2 Overview: National Aged Care Advocacy Program (NACAP)

Individual advocacy support is an important part of the aged care service system in Australia. Advocacy services support older people suffering frailty or disability to understand and access the care services they require to meet their needs, and to support and protect their aged care rights. This includes older people receiving or seeking to receive Commonwealth-funded aged care services.

With the direction of aged care centred on embedding increased choice and control through the implementation of Consumer Directed Care, individual advocacy services have been identified as fundamental in supporting older people through the aged care system.

Advocacy services help older people to be empowered to more effectively interact with the aged care system, and apply informed and supported decisions about the care they wish to receive.

2.1 Aims and objectives

The aims and objectives of the NACAP are to provide free, independent, confidential advocacy support to older people (including their families or representatives) who are:

- suffering frailty or disability; and
- receiving or seeking to receive Commonwealth-funded aged care services, including people living with dementia and special needs groups as identified in the Aged Care Act 1997, to ensure they:
  - can effectively interact with the aged care system;
  - better transition between aged care services;
  - are enabled and empowered to apply informed decision making about the care they receive;
  - can exercise their right to choice in accessing and receiving care;
  - have their aged care rights better understood, recognised and upheld;
  - have their care needs more optimally met due to the intervention of advocacy support;
  - are better informed about the care options available to them;
  - are supported to resolve problems or complaints with care providers in relation to the aged care services they receive;
  - are supported with information and advice about their care rights and responsibilities; and
  - are supported to address issues that impact their ability to live in their own homes, with the aim of preventing premature admission to aged care facilities.

2.1.1 National Aged Care Advocacy Program (NACAP) Activities

The aims and objectives of the NACAP will be met through the delivery of the following program Activities:
• independent and individually focussed advocacy support delivered directly to older people (including their families or representatives) who are suffering frailty or disability;
• the provision of information to support older people (including their families or representatives) who are suffering frailty or disability;
• the delivery of education sessions promoting aged care consumer rights to older people (including their families or representatives); and
• the delivery of education sessions to aged care providers promoting consumer rights and aged care provider responsibilities, including through on-line / digital systems.

2.2 Applicant eligibility
The following entity types meet the eligibility requirements to be invited to apply for a grant for this Activity:

a. Incorporated Associations (incorporated under state/territory legislation, commonly have 'Association' or 'Incorporated' or 'Inc.' in their legal name);
b. Incorporated Cooperatives (also incorporated under state/territory legislation, commonly have 'Cooperative' in their legal name);
c. Companies (incorporated under the Corporations Act 2001 – may be a proprietary company (limited by shares or by guarantee) or a public company);
d. Aboriginal Corporations (incorporated under the Corporations (Aboriginal and Torres Strait Islander) Act 2006);
e. Organisations established through a specific piece of Commonwealth or state/territory legislation (public benevolent institutions, churches, universities, unions etc.);
f. Partnerships; and
g. Trustees on behalf of a Trust.

The following entity types are ineligible to apply for a grant for this Activity:
As per the legislative requirements set out in 81-2 (3) of the Aged Care Act 1997 a body may not make an application for an advocacy grant under subsection (1) if it is:
(a) an approved provider; or
(b) a body that is directly associated with an approved provider.

In addition to the legislative requirements noted above, the following entities are also ineligible to apply for a grant for this Activity:
• Unincorporated bodies;
• Organisations funded to deliver Commonwealth Home Support services;
• State and territory Governments; and
• Local Governments.

2.3 Participants/clients/recipients/target group
People eligible to receive advocacy services through the NACAP include older people who are suffering frailty or disability:
• who are receiving Commonwealth-funded aged care services;
• who are seeking to receive Commonwealth-funded aged care services and have made initial contact with My Aged Care (this may include prior to receiving an aged care assessment); and
• families or representatives of the above (please note: at the issuing of these Guidelines the Commonwealth Home Support Program does not apply in Western Australia where Home and Community Care (HACC) services continue to be provided under the Commonwealth-State jointly funded HACC Program).

Target groups with a particular focus include those who are mentioned above and identify as being from:
• a special needs groups as defined under the Aged Care Act 1997; or
• people living with Dementia.
2.4 Funding for the activity

An amount of up to $25.7 million (GST exclusive) has been allocated to funding the National Aged Care Advocacy Program from 1 July 2017 to 30 June 2020.

The Minister for Aged Care has overall responsibility for the NACAP.

As a part of the NACAP, organisations may choose to use up to 10% of their funding for innovative projects. Innovative projects could include such things as use of online or digital technologies to deliver services. This will be negotiated as part of the grant agreement.

Where the department has invited applications for grants, the final decision about service delivery areas, sites and proposals for service delivery will be made by the departmental delegate.

Service delivery areas and/or catchment areas designated within the grant agreement must not change without prior written agreement from the department.

The department may at its discretion facilitate grants in circumstances where service providers have met requirements for specific groups within a specified area and wish to reallocate all or part of any remaining funds to another Activity they are funded to deliver in another Activity Delivery Area under the same grant agreement.

The department may negotiate grant agreements ranging up to a four and a half years based on the grant purpose, degree of risk and priorities for funding.

2.5 Eligible and ineligible activities

The grant may be used for:

- staff salaries and on-costs which can be directly attributed to the provision of advocacy services through the NACAP as per the grant agreement;
- employee training for paid and unpaid staff including Committee and Board members, that is relevant, appropriate and in line with the Activity;
- operating and administration expenses directly related to the delivery services, such as:
  - telephones;
  - rent and outgoings;
  - computer/IT/website/software;
  - insurance;
  - utilities;
  - postage;
  - stationery and printing;
  - accounting and auditing;
  - travel/accommodation costs; and
  - assets as defined in the Terms and Conditions that can be reasonably attributed to meeting agreement deliverables.

Grants are not provided for:

- purchase of land;
- the covering of retrospective costs;
- costs incurred in the preparation of a grant application or related documentation;
- major construction/capital works;
- overseas travel; and
- activities for which other Commonwealth, State, Territory or Local Government bodies have primary responsibility.
2.6 Links and working with other agencies and services

In delivering the services, funded organisations will be required to have effective and active networks and linkages with the following agencies and services to support access to service and effective referrals to meet a range of advocacy needs for aged care consumers:

- Other funded NACAP Providers;
- Funded providers of the National Disability Advocacy Program;
- The Aged Care Complaints Scheme;
- Aged Care Quality Agency;
- My Aged Care face to face assessment organisations including:
  - Aged Care Assessment Teams (ACATs);
  - Regional Assessment Services (RAS');
- Organisations representing aged care consumers from special needs groups, as defined under the Aged Care Act 1997;
- Primary Health Networks; and
- Relevant Department of Health program areas.

2.7 Specialist requirements (e.g. Legislative requirements)

All funded activities are operated in line with, and comply with, the requirements of relevant Commonwealth and state and territory legislation.

Providers of National Aged Care Advocacy Services will comply with all Commonwealth legislation including:

- The Aged Care Act 1997, and associated Grant Principles 2014
- The Privacy Act 1988 (Cth) in performing the obligations outlined in the grant agreement
- The Copyright Act 1968 (the Act) in regards to undertaking the Activity
- The Freedom of Information Act 1982 (Commonwealth) (FOI Act)
- The Family Law Act 1975 (Family Law Act)
- The Family Law Amendment (Shared Parental Responsibility) Act 2006
- The Family Law (Family Dispute Resolution Practitioners) Regulations 2008
- The Marriage Act 1961
- Age Discrimination Act 2004
- Australian Human Rights Commission Act 1986
- Disability Discrimination Act 1992
- Racial Discrimination Act 1975
- Sex Discrimination Act 1984
- Workplace Gender Equality Act 2012
- Ombudsman Act 1976
- Auditor-General Act 1997
- Public Governance, Performance and Accountability Act 2013

Service providers must also comply with all relevant State and Territory legislation, including State and Territory legislation applicable to working with children and vulnerable people.

In delivering NACAP Activities, service providers are required to:

- comply with all relevant legislation;
- ensure that workers (paid and voluntary) are suitably qualified or are undertaking training appropriate to the service they deliver;
- meet police check and reportable assault requirements; and
- adhere to the Charter of Care Recipients’ Rights and Responsibilities – Home Care or the Charter of Care Recipients’ Rights and Responsibilities – Residential Care, as appropriate to the care services being provided.
2.8 Information technology

Grant recipients must have systems in place to allow them to meet their data collection and reporting obligations outlined in their Schedule.

Performance information (e.g. client characteristics and service delivery information) will be required to be collected by service providers at the client level and may be required to be entered directly into the department’s client data capture system, its predecessor or via the department’s approved alternative mechanism.

Where collection of client level data is not appropriate for instance due to the Activity involving a large group, aggregate reporting will be permitted.

The new application will:
- Be a web based portal;
- Allow submission of data through external approved third party applications; and
- Support submission of data through other approved methods.

Performance information required to be collected may include (but is not limited to):
- Client consent (where required);
- Client identity characteristics;
- Client demographic characteristics;
- Service delivery information; and
- Client outcomes.

Please note there are no minimum Information Technology requirements for grant recipients.

2.9 Performance and reporting

The department monitors and evaluates program performance to ensure activities and grant recipients have a focus on outcomes for beneficiaries through effective and efficient use of funds and resources.

The department’s Performance Indicators focus on three key questions:
1. Are we achieving what we expected?
2. How well is it being done?
3. How much is being done?

Performance Indicators based on these questions may be included in the grant agreement for the grant recipient. Performance against agreed targets for the indicators, and additional information needed to evaluate service delivery/project performance, must be reported in progress reports and a final report as outlined in the grant agreement with the department.

Grant recipient performance will be measured against benchmarking of other organisations funded for this program and compare a grant recipient’s service delivery performance against national benchmarks. Benchmarking will take into consideration the delivery of similar services, scale of funding, locality of service location and other relevant characteristics.

Information needed to evaluate service delivery/project performance, must be reported via the department’s approved mechanisms outlined in the grant agreement with the department.

Full details of reporting requirements will be listed in the grant agreement for each grant recipient.

2.10 Financial reporting

Grant agreements will be managed to ensure the efficient and effective use of public monies. This will be consistent with best value in social services principles, the department’s grant agreement, and will aim to maintain viable services and act to prevent fraud upon the Commonwealth.
Acquittal documents must be provided to the department as outlined in the grant agreement.

Funding must only be used for the purposes for which it was provided.

2.11 The department’s responsibilities and accountabilities

The department will:

• meet the Australian Government’s terms and conditions of the grant agreement established with organisations;
• ensure that services provided under the program are accountable to the Australian Government under the terms and conditions agreed in the grant agreement;
• administer the operation of the program in a timely manner;
• identify suitable providers to deliver the activities required as per the grant agreement;
• work in partnership with the provider to ensure the program is implemented and will provide the service provider with constructive feedback;
• ensure that the outcomes contained within the Program Guidelines are being met and evaluate the provider’s performance against the program outcomes; and
• information on the successful grants will be published on the department website within the required timeframes.

2.12 Grant recipients responsibilities and accountabilities

In entering into a grant agreement with the department, the grant recipient must comply with all requirements outlined in the suite of documents that comprise the agreement including these Program Guidelines, the grant agreement and the Agreement Terms and Conditions (available on the department website).

Grant recipients are responsible for ensuring:

• the terms and conditions of the grant agreement are met;
• service provision is effective, efficient, and appropriately targeted;
• the highest standards of duty of care are applied;
• services are operated in line with, and comply with the requirements as set out within all state and territory and Commonwealth legislation and regulations;
• Indigenous Australians have equal and equitable access to services;
• they work collaboratively to deliver the program; and
• they contribute to the overall development and improvement of the program such as sharing best practice.

2.13 Risk management strategy

Risk management is a key business process and an essential component of sound management and good corporate governance. Risk can be defined as the ‘effect of uncertainty on objectives’. The department is committed to the effective management of risk to ensure we harness opportunities and minimise adverse effects to activity objectives. Every activity involves some degree of risk. Risk management is not about eliminating risk. It is about managing risk from the start of any activity in order to achieve our business objectives. Organisations may be required to participate in a Financial Viability Assessment during the Assessment process of an application.

The department’s approach to risk management is based on the Australian/New Zealand International Standard on Risk Management (AS/NZS ISO 31000:2009) and aligns with the Commonwealth Risk Management Policy which supports the Public Governance, Performance and Accountability Act 2013 (PGPA Act).
3 Application Process

3.1 Overview of the application process

All grant processes will be undertaken in accordance with the requirements of the Commonwealth Grant Rules and Guidelines and will be for purposes that are consistent with the objectives and priorities of the provision of National Aged Care Advocacy Services Program.

3.2 Program Guidelines overview

Applicants for grants funding rounds conducted for NACAP will be provided with the Program Guidelines suite of documents comprising:
- the Program Guidelines Overview (this document); and
- an Application Pack - a suite of documents with information specific to each grant funding round conducted.

3.2.1 Application Pack

The Application Pack may comprise the following documents:

Funding Round Summary
This document includes the following information:
- objectives and requirements of the funding round;
- the type of selection process being used;
- opening and closing dates;
- the value of the funding round;
- how to submit an application;
- selection criteria; and
- eligibility criteria.

Application Form
This document asks you to address selection criteria relating to the particular funding round you are applying for and also requires you to complete general information about you as the provider applying for funding.

Grant Agreement template
The sample grant agreement will include information relating to the Grant objectives, the activities to be undertaken, the duration of the grant, payment, reporting requirements, supplementary terms and conditions. This template will form the basis of the final grant agreement which will be sent to successful applicants.

Questions and Answers
This document aims to answer any questions and provide additional information relating to the activity and the application process. Additional questions will be made available on the Government’s GrantConnect site.

3.2.2 Achieving value for money

In assessing the extent to which the application represents value for money, the department will have regard to the following:
- the relative merit of each application;
- the overall objective/s to be achieved in providing the funding;
- the relative cost of the proposal, or of elements of the proposal;
- the extent to which the applicant has demonstrated a capacity to fund the proposal taking into consideration all possible sources of finance, including debt finance; and
- The geographic location of the proposal.
3.2.3 Choice of selection process
When undertaking a selection process the department will consider the proportionality of scale, nature, funding amount, complexity and risks involved in the funding round. The department will consider proportionality to inform the choice of the application and selection process, the type of grant agreement to be used, and the reporting and acquittal requirements.

3.2.4 Open competitive selection process
An open competitive selection process is open to all providers operating in the market place. Open processes are advertised through the media, on www.grants.gov.au and other sources in order to attract as much interest as possible. Open competitive grant rounds have open and closed nominated dates, with eligible applications being assessed against the nominated selection criteria.

3.2.5 Restricted competitive selection process
A restricted (or targeted) selection process is used where there are few providers available due to highly specialised services being required, there are geographical considerations, specific expertise is required or there are time constraints. A restricted grant round is still competitive, but only opens to a small number of potential grant recipients based on the specialised requirements of the granting activity or project under consideration. Potential grant recipients are invited to apply and will still need to be assessed against nominated selection criteria.

3.2.6 Direct selection process
A direct selection process is a closed non-competitive process where an approach is made directly to an existing, high performing provider to expand their current service delivery activities or deliver new services. It involves assessment of a provider’s capacity to deliver an expanded service or capability to deliver a new service through use of selection criteria and/or an assessment of a provider’s current performance.

The department from time to time may conduct a direct selection in the event that there is a change in government policy, a shift in demographics, unforeseen circumstances (including urgent need) or due to service provider failure.

3.2.7 Expressions of Interest (EOI) process
The department may call for EOIs to test the market to ascertain the extent of potential applicants. An EOI will be advertised as the first in a two stage process. The second stage involves applicants selected through the EOI process applying in either a targeted or direct process.

3.2.8 Unsolicited proposals
The department may make provision under the activity for one-off grants from unsolicited proposals. The unsolicited proposal would be to meet a specific need, often due to urgency or other circumstances. The proposal will be assessed by the department via a direct selection process to ensure it meets the aims and objectives of the activity.

The department has no obligation to accept an unsolicited proposal. Should the department decide that it would be appropriate to accept an unsolicited proposal, it will notify the applicant in writing and enclose an application form. The applicant must return the completed application form to the department. Acceptance of an unsolicited proposal by the delegate does not guarantee funding.

The department will assess unsolicited proposals in accordance with these program guidelines, particularly with regards to the activity under which the proposal falls.

Any decisions by the department regarding the funding or non-funding of an unsolicited proposal will be final.
3.3 Selection criteria

This section sets out the full suite of selection criteria that may be used for any funding process under the provision of the NACAP.

Depending on the Activity and type of funding process, a reduced set of assessment criteria may be set by the appropriate departmental delegate exercising their ability to waive certain criteria. The final set of selection criteria will be reflected in the Application Pack.

Threshold criteria

Assessment criteria or sub-criteria may be used as threshold criteria for any funding process. Should any of the assessment criteria be used as threshold criteria, this will be clearly indicated in the Application pack.

The equally weighted selection criteria are:

1. demonstrate your understanding of the aims and objectives of the program outlined in section 2.1 and how your proposal will be implemented to meet these aims and objectives and achieve value for money;
2. provide a detailed description of the proposed service delivery model your organisation plans to implement for all of the Activities outlined in section 2.1.1;
3. provide a detailed description on how your organisation’s service model will ensure to reach across the entire jurisdiction, including effective delivery in rural and remote areas;
4. provide a detailed description on how your organisation’s service model will develop and implement strategies that ensure access to services for eligible target groups, with a particular focus on those from special needs groups;
5. provide a detailed description on how your organisation’s service model will ensure effective networks and linkages with the agencies mentioned in section 2.6 of this document, and services are established and maintained to support the delivery of the program services;
6. provide evidence of your organisation’s demonstrated experience in effectively delivering similar services. Include how you manage and monitoring the service delivery to achieve the program objectives; and
7. demonstrate your organisation’s capacity and your staff capability (experience and qualifications) to deliver the program services.
8. a proposed budget for the delivery of the service, including, but not limited to, staffing, administration and infrastructure costs (template provided in application form).

Applicants should consider addressing the following with their responses to the selection criteria. It should be noted that this is not an exhaustive list:

- appropriateness of the proposal to the NACAP objectives;
- potential for the proposal to meet the NACAP objectives;
- the governance, expertise and capacity of the applicant, including the applicant’s financial, risk and audit/fraud strategic plans;
- understanding and experience in delivering quality services, to relevant stakeholders including special needs groups and other target groups, communities, government etc. For example this may include, an understanding of cultural issues, as well as strategies and policies used to engage and support these groups effectively;
- evidence base, where applicable;
- the applicant’s viable and sustainable financial model; and
- value for money (of the proposed outcomes, projected deliverables, location, community benefit and the amount of funding sought as detailed in the Application Form).

3.4 Advertising a selection process

The department may advertise any funding process:

- in major national newspapers and other selected newspapers or
- on the department website, or
- on the Commonwealth’s GrantConnect page.
Any advertisement will inform potential applicants of where to obtain application information for the relevant process.

3.5 How to submit an application

Your application is not an agreement or contract. Meeting the selection criteria does not guarantee funding. Funding is limited and applications will be assessed and prioritised according to the extent to which they meet the selection criteria. Only applications meeting the selection criteria to a high degree are likely to be considered for funding. All information requested on the Application Form must be provided to enable your application to be fully considered.

3.5.1 How to submit an unsolicited proposal

A service provider, community, region or jurisdiction may approach the department through a State and/or Territory Network Office or directly to the National Office to discuss unsolicited proposals at any time. An application form may be provided via email for the applicant to complete and return to the department for assessment.

All applicants will need to respond fully to the selection criteria in the application form and provide the information required in the format and to the extent specified.

All information requested on the application form must be provided to enable an application to be fully considered.

Applicants must meet the costs associated with the development and lodgement of their application.

Your application is not an agreement or contract.

Completed application forms should be sent to aged_care_grant@health.gov.au. Applicants will receive confirmation of their submission within two (2) business days of submitting their application.

3.5.2 How to submit an application through a selection process or an EOI

Applications are to be submitted electronically and should be sent to aged_care_grant@health.gov.au.

The department will not issue Application Forms or accept completed applications by fax. Note: please only submit your application in .doc, .docx or .pdf format. Applications cannot exceed 20MB; if an application exceeds 20MB, email attachments separately. Do not include macros, zip or password protect applications or attachments.

All applications must be received by the closing date and time as stated in the Application Pack.

All applicants, including current service providers, will need to respond fully to the selection criteria in the application form and provide the information required in the format and to the extent specified.

Applications can only be submitted during the application round for the Activity and for the locations or sites as defined in the Application Pack.

All information requested on the application form must be provided to enable an application to be fully considered.

Applicants must meet the costs associated with the development and lodgement of their application.

An application is not an agreement or contract.
3.5.3 Applicant responsibilities

It is the responsibility of the applicant to ensure that their application is complete and accurate. Giving false or misleading information to the department is a serious offence, applicants or their partners who do so may be prosecuted under section 137.1 of the Criminal Code Act 1995.

Make sure you keep a copy of your application and any supporting papers, either electronically or in hard copy, for your own records.

Only one application per organisation/region will be assessed. If more than one application is submitted, only the latest application will be considered.

3.5.4 What needs to be included?

The department will not assess applications that do not contain all required attachments (see Application Form checklist) outlined in the application form where an application form is provided for completion by applicants.

3.5.5 What should not be included?

Any attachments to the application form which are not specifically requested in the application form will not be considered as part of the assessment process.

3.5.6 What happens if you provide more than the specified number of words?

The application form specifies a word limit for each selection criteria. Text beyond the word limits will not be considered as part of the assessment process.

3.5.7 Closing date and time

The timeframe for submission of applications for any funding process will be set out in the Application Pack.

In order to be received by the department, the application must be submitted in full via the method prescribed in the Application Pack.

The applications must be received by the department within the application period to be considered.

3.5.8 Late applications

The department may reject any application lodged after the closing date. If an application is late, the department may determine that there were exceptional circumstances beyond the applicant’s control that meant the deadline could not be met. The applicant will need to supply documentary evidence to support any exceptional circumstances. The department has no obligation to accept a late application. Any decision by the department to accept or not accept a late application will be final.

3.5.9 Questions and answers during the application period

The department will respond to emailed questions within five working days.

Note: A list of ‘Frequently Asked Questions’ will be made available on the Commonwealth’s GrantConnect page. Responses to questions of interest to all applicants may be added to the list during the application period.

The department will only respond to requests for information that seek clarification of issues to allow them to better understand the requirements of the Program Guidelines Overview including the Application Pack.
3.5.10 Questions after the application period
The department will not accept or respond to any applicant requests for information or correspondence about the status or progress of their application during the assessment phase.

3.5.11 Application acknowledgement
Unless prior agreement has been reached with the department, an application will not be considered lodged until it is received by the department. The applicant will receive email notification from the department within 48 hours of an application being lodged correctly. If the applicant has not received notification in this timeframe, the applicant should contact the department to confirm that the form has been lodged correctly.

4 Feedback
The department will provide applicants with verbal feedback, if requested after the Announcement of Outcomes.

5 Announcement of Outcomes
The department will advise all applicants of the outcomes of their applications in writing following a decision by the Approver. Unsuccessful applicants will be notified once delegate approval has been provided. Advice to applicants who are recommended for funding will contain details of any specific conditions attached to the funding offer.

6 Conflicts of interest
Applicants must identify, in their application, any potential or actual conflicts of interest they believe will or may arise from submitting the application. This should address their responsibilities to the department and other parties in the course of the NACAP.

A conflict of interest can arise when an applicant’s integrity, objectivity or fairness in performing the services is at risk due to a pecuniary interest of a person or organisation associated with the applicant or a conflicting business arrangement.

Applicants must specify in their applications how any actual or perceived conflict of interest will be addressed and monitored to ensure it does not compromise the outcomes desired for this grant process.

The department reserves the right to assess the potential impact of the conflict or perceived conflict and what plans, if any, are proposed to address the conflict of interest in relation to the application for funding.

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

7 Terms and Conditions Applying to a Selection process

7.1 Liability issues
The department is not liable to the applicant in relation to the selection process, including without limitation, when the department:
- varies or terminates all or any part of the selection process or any negotiations with the applicant;
- decides not to acquire any or all of the services sought through the selection process; and
- exercises or fails to exercise any of its other rights under, or in relation to the Program Guidelines.
7.2 The department’s rights
The department reserves the right to amend the Program Guidelines suite of documents by whatever means it may determine at its absolute discretion and will provide reasonable notice of these amendments.

7.3 Disclaimer
The department, its officers, agents and advisors:
- are not, and will not be, responsible or liable for the accuracy or completeness of any information in or provided in connection with the Program Guidelines;
- make no express or implied representation or warranty that any statement as to future matters will prove correct;
- disclaim any and all liability arising from any information provided to the applicant, including, without limitation, errors in, or omissions contained in, that information;
- except so far as liability under any statute applies, accept no responsibility arising from errors or omissions contained in any information in this document and the Application Form; and
- accept no liability for any loss or damage suffered by any person as a result of that person, or any other person, placing reliance on the contents of these documents, or any other information provided by the department.

7.4 Fraud
The department is committed to the Commonwealth Fraud Control Policy and Guidelines. Applicants should familiarise themselves with the Fraud Control Policy by visiting Report suspected fraud webpage of the department. The Fraud Control Policy Statement also underpins an applicant’s respective fraud and risk minimisation responsibilities when dealing with the department.

One key responsibility outlined in the department Fraud Control Policy Statement is to report all fraud concerns by:
- contacting the department fraud contact line on 02 6289 1700 (contact details are not required but may assist in any information gathering and subsequent investigation), or
- emailing: fraudsection@health.gov.au.

7.5 Personal information
Any personal information you provide is protected under the Privacy Act 1988. It can only be disclosed to someone else if you have been given reasonable notice of the disclosure; where disclosure is authorised or required by law or is reasonably necessary for the enforcement of the criminal law; if it will prevent or lessen a serious and imminent threat to a person’s life or health; or if you have consented to the disclosure.

If you have questions or concerns about how your personal information is handled you can contact the contact officer listed in any application documentation, or the Office of the Australian Information Commissioner on 1300 363 992 (local call cost, but calls from mobile and pay phones may incur higher charges) or by emailing: enquiries@oaic.gov.au.

8 Freedom of Information
All documents in the possession of the department including those in relation to the Activity are subject to the Freedom of Information Act 1982 (FOI Act).

The FOI Act creates a general right of access to documents in the possession of the department and this right of access is limited only by the exceptions and exemptions necessary for the protection of essential public interests and private and business affairs of persons in respect of whom the information relates.

Decisions regarding requests for access under the FOI Act will be made by an authorised decision-maker in accordance with the requirements of the FOI Act.
All FOI requests are to be referred to the FOI Coordinator, in the department. By mail: Freedom of Information Coordinator 
FOI Unit
Department of Health
GPO Box 9848
CANBERRA ACT 2601

By email: foi@health.gov.au.

For more information on making a request for access to documents in the possession of the department under the FOI Act, visit the department’s website.

9 Financial and Other Arrangements

9.1 Financial arrangements

The department uses standard grant agreements. Grants will only be provided in accordance with an executed grant agreement. The terms and conditions of the department’s grant agreements cannot be changed.

The grant agreement will contain the entire agreement between the parties. There is no binding agreement on any parties until the grant agreement is agreed to and signed by the applicant’s authorised representative and by the delegate.

The grant agreement is the legal agreement between the department and the grant recipient over the grant period. In managing the grant provided, the grant recipient must comply with all the requirements of the grant agreement.

Grant recipients are responsible for ensuring that:
- the terms and conditions of the grant agreement are met;
- service provision is effective, efficient, and appropriately targeted;
- highest standards of duty of care are applied; and
- services are operated in line with, and comply with the requirements as set out within all State and Territory and Commonwealth legislation and regulations.

Grant recipients should also be aware of any case-based law that may apply or affect their service delivery.

The Terms and Conditions of the grant agreement are available on the department’s website.

10 Complaints

10.1 Applicants/grant recipients

The department’s Procurement and Funding Complaints Handling Policy applies to complaints that arise in relation to a procurement or funding process. It covers events that occur between the time the request documentation is released publicly and the date of contract execution, regardless of when the actual complaint is made. The department requires that all complaints relating to a grant or procurement process must be lodged in writing. Further details of the policy are available on the department website.

10.2 Client/customer

It is a requirement of your grant agreement to have a transparent and accessible complaints handling policy. This policy should acknowledge the complainant’s right to complain directly to you, outline the process for both dealing with the complaint and provide options for escalation both within your organisation and to the department if necessary. Ensure that you provide information about
your complaints handling policy and processes in all correspondence to guarantee it is readily available to the public.

**11 Contact Information**

Contact information for the Activity:
Address:    Sirius Building
           Furzer Street
           Woden Town Centre ACT

Mail:       GPO Box 9848
            CANBERRA ACT  2601

Phone:      1800 020 103 (local call cost, calls from mobile and pay phones may incur higher charges)

Electronic: Submit an enquiry at: NACAP@health.gov.au.

If you are deaf or have a hearing or speech impairment, you can use the National Relay Service to contact any of the department's listed phone numbers.
## 12 Glossary

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
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<tbody>
<tr>
<td>Activity</td>
<td>the specific activity or project that is the subject of a grant.</td>
</tr>
<tr>
<td>Approver</td>
<td>the person with the authority to award funding under the grant opportunity. For the NACAP, the Approver is the Assistant Secretary, Ageing and Sector Support Branch, Ageing and Aged Care Services Division.</td>
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<tr>
<td>Assessment Committee</td>
<td>the panel of assessment staff formed to assess applications for funding.</td>
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<tr>
<td>Selection criteria</td>
<td>the specified principles or standards, against which applications will be judged. These criteria are also used to assess the merits of the proposals and, in the case of a competitive granting activity, to determine applicant rankings or comparative benefits.</td>
</tr>
<tr>
<td>Consortium</td>
<td>a consortium is two or more businesses who are working together to combine their capabilities when developing and delivering a grant activity. The consortia’s lead entity will complete the application form and enter into a grant agreement on behalf of all the consortia partners.</td>
</tr>
<tr>
<td>Department</td>
<td>the Australian Government Department of Health, unless otherwise stated.</td>
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<tr>
<td>Eligibility criteria</td>
<td>the minimum mandatory requirements which applicants must meet in order to qualify for a grant under a funding round.</td>
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<tr>
<td>Financial year</td>
<td>a 12 month period beginning on 1 July of one year and ending on 30 June the following year.</td>
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<tr>
<td>Grant agreement</td>
<td>a contractual arrangement between a grant recipient and the Commonwealth, as represented by the department, including the terms and conditions of the department’s Standard Funding Agreement, any supplementary conditions and the schedule for a specific activity.</td>
</tr>
<tr>
<td>Grant recipient</td>
<td>an organisation funded by the Commonwealth to deliver a grant activity.</td>
</tr>
<tr>
<td>Selection process</td>
<td>the method used to select potential grant recipients. This process may involve comparative assessment of applications or the assessment of applications against the eligibility criteria and/or the assessment criteria.</td>
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