

# Indigenous Visual Arts Industry Support Grant Guidelines

<b>Opening date:</b>	20 November 2019
<b>Closing date and time:</b>	Midnight on 16 March 2020
<b>Commonwealth policy entity:</b>	Department of Communications and the Arts
<b>Enquiries:</b>	If you have any questions, please contact the Indigenous Visual Arts Industry Support team via email at <a href="mailto:ivais@arts.gov.au">ivais@arts.gov.au</a> or via phone on 1800 006 992.
<b>Date guidelines released:</b>	20 November 2019
<b>Type of grant opportunity:</b>	Closed Non-Competitive and Open Competitive

## Contents

1.	Arts and Cultural Development Program: IVAIS Processes .....	4
1.1	Introduction .....	5
2.	About the Grant Program .....	5
2.1	About the IVAIS grant opportunity .....	5
3.	Grant amount and grant period.....	6
3.1	Grants available.....	6
3.2	Grant period.....	7
4.	Eligibility criteria.....	7
4.1	Who is eligible to apply for a grant? .....	7
4.2	What qualifications, skills or checks are required?.....	8
	National Principles for Child Safe Organisations.....	8
5.	What the grant money can be used for .....	8
5.1	Eligible grant activities .....	8
5.2	Eligible Locations.....	9
5.3	Eligible expenditure .....	9
5.4	Who is not eligible to receive a grant? .....	9
5.5	What the grant money cannot be used for .....	9
6.	The assessment criteria .....	10
6.1	Criteria.....	10
6.2	Value for money.....	11
7.	How to apply .....	11
7.1	Attachments to the application .....	13
7.2	Timing of grant opportunity process .....	13
7.3	Questions .....	13
8.	The grant selection process .....	13
8.1	Assessment of organisations and/or grant applications.....	13
8.2	Who will assess organisations and/or grant applications?.....	14
8.3	Who will approve grants? .....	14
9.	Notification of the Minister’s Decision .....	14
9.1	Feedback .....	14
10.	Successful organisations and/or grant applications .....	15
10.1	The grant agreement .....	15
10.2	The Indigenous Art Code.....	15

## Indigenous Visual Art Industry Support Guidelines

10.3	How we pay the grant.....	15
10.4	Grants payments and GST.....	16
11.	Announcement of grants .....	16
12.	How we monitor your grant activity .....	16
12.1	Keeping us informed .....	16
12.2	Reporting.....	16
12.3	Audited financial acquittal report.....	17
12.4	Grant agreement variations .....	17
12.5	Evaluation.....	18
12.6	Acknowledgement .....	18
13.	Probity.....	18
13.1	Enquiries and feedback.....	18
13.2	Conflict of interest .....	19
13.3	Privacy .....	19
13.4	Confidential Information.....	20
13.5	Freedom of information.....	20
14.	Consultation.....	21
15.	Glossary.....	21

## 1. Arts and Cultural Development Program: IVAIS Processes



↓ SEE NEXT PAGE

SEE PREVIOUS PAGE



### We enter into a grant agreement

We will enter into a grant agreement if you are successful. The type of agreement is based on the nature of the grant and is proportional to the risks involved.



### Delivery of grant

You will undertake the grant activity as set out in your grant agreement. We manage the grant by monitoring progress and making payments.



### Evaluation of IVAIS

We evaluate the specific grant activity and the IVAIS grant opportunity as a whole. We primarily base this on information you provide to us and that we collect through various sources.

## 1.1 Introduction

These guidelines contain information for the IVAIS grant opportunity. You must read these guidelines before applying for an IVAIS grant.

This document sets out:

- the purpose of the grant opportunity
- the eligibility and assessment criteria
- how organisations are considered and selected
- how organisations are notified and receive grant payments
- how organisations will be monitored and evaluated
- responsibilities and expectations in relation to the opportunity.

## 2. About the Grant Program

The IVAIS grant opportunity is a part of the Australian Government's Arts and Cultural Development Program (the Program). The Program supports participation in, and access to, Australia's arts and culture through developing and supporting cultural expression.

We administer the Program according to the [Commonwealth Grants Rules and Guidelines](#) (CGRGs).

### 2.1 About the IVAIS grant opportunity

The IVAIS grant opportunity is delivered as:

- a **closed non-competitive grant opportunity** for existing IVAIS funded grantees activities; or
- an **open competitive grant opportunity** to support new providers and activities.

The IVAIS grant opportunity provides funding to Indigenous visual art centres, industry service organisations, art fairs and arts hubs that are at the heart of Australia's world-famous Indigenous visual art movement.

The intended outcomes of the IVAIS grant opportunity are:

- a professional, viable and ethical Indigenous visual arts industry that features strong participation and provides economic opportunities for Aboriginal and Torres Strait Islander people
- the continued production, exhibition, critique, purchase and collection of Indigenous visual art.

## Indigenous Visual Art Industry Support Guidelines

### Policy Context

Australian Indigenous visual art is internationally recognised and sought after for its quality, innovation and cultural richness. The Australian Government is committed to investing in our Indigenous visual arts industry so that it is developed and strengthened for future generations. The Government has supported Aboriginal and Torres Strait Islander visual artists in some form since 1971. This grant opportunity was established in 1992 as the *Arts and Crafts Industry Support Strategy* (ACISS) administered by the Aboriginal and Torres Strait Islander Commission. It was renamed in 1995 as the *National Arts and Crafts Industry Support* (NACIS) program and transferred to the Arts Portfolio in 2004. In 2012, it was renamed the *Indigenous Visual Arts Industry Support* (IVAIS) program and, from 2015-16, includes funding for employment of Indigenous arts workers.

Some of Australia's most dynamic visual art is produced in remote art centres which provide the infrastructure and relationships that allow artists to create new art, generate income, develop professional skills and connect to the commercial art market through partnerships with dealers and galleries, online sales and marketing. As community organisations, art centres also play an important role in enhancing social cohesion, respect for traditional knowledge and the transmission of culture.

### The Indigenous Art Centre Plan

IVAIS is underpinned by the Indigenous Art Centre Plan (the Plan) that provides a co-operative framework for the Government and stakeholders to work together to support the Indigenous visual arts industry. Part of the assessment criteria for funding is the degree to which your activity aligns with the strategies and actions outlined in the Plan. When you develop your organisation's strategic plan you should refer to the Plan, noting that each action in the Plan may not necessarily apply to every organisation. The Plan is available at: [www.arts.gov.au/documents/indigenous-art-centre-plan](http://www.arts.gov.au/documents/indigenous-art-centre-plan)

### Organisational Strategic Plan

Organisations that receive operational or multi-year funding through the program are required to have a current strategic plan that relates to the grant activity and has been agreed to by us, prior to receiving their first payment. Your strategic plan should include an executive summary and an outline of your organisation's:

- purpose
- context (history, internal and external environment, markets and competition);
- goals and key performance indicators (KPIs)
- strategies
- artistic program
- marketing plan
- financial plan
- management: organisational structure, governance, succession plan, risk management.

## 3. Grant amount and grant period

### 3.1 Grants available

The Australian Government will provide up to \$21.4 million through the IVAIS grant opportunity in 2020-21.

## Indigenous Visual Art Industry Support Guidelines

### **IVAIS closed non-competitive grant opportunity**

Approximately \$21 million per annum is committed to support existing funded activities. There is no maximum amount for each grant. Funding levels to existing organisations vary depending on the scale and type of activities.

### **IVAIS open competitive grant opportunity**

Approximately \$400,000 per annum is earmarked to support new activities. Funding levels for new activities would generally range from \$5,000 to \$80,000 per annum depending on the scale and type of activity.

IVAIS is designed to provide base-level operational funding and it is expected that grant recipients will generate significant other income through art sales, fundraising activities, other government and philanthropic support.

## **3.2 Grant period**

### **IVAIS closed non-competitive grant opportunity**

Grant periods range from one to five years. Long-term funded, high performing organisations may have a maximum grant period of up to five years.

### **IVAIS open competitive grant opportunity**

One-off or new activities generally have a grant period of one to two years.

## **4. Eligibility criteria**

### **4.1 Who is eligible to apply for a grant?**

Eligibility criteria are the same for any organisations applying through this grant opportunity. We cannot consider your organisation for a grant if it does not satisfy all the eligibility criteria. To be eligible for an IVAIS grant, your organisation must:

- be one of the following entity types:
  - an Aboriginal and/or Torres Strait Islander Corporation registered under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006*<sup>1</sup>
  - an organisation established through specific Commonwealth or State or Territory legislation
  - a company incorporated in Australia
  - a company limited by guarantee
  - an incorporated association
  - a not-for-profit organisation
  - a publicly funded research organisation
  - an Australian local government body
  - State or Territory Government
- have an Australian Business Number (ABN)
- be registered for the Goods and Services Tax, if required by the Tax Office

---

<sup>1</sup> Grantees may seek more information about free business support and training available to Corporations registered under *Corporations (Aboriginal and Torres Strait Islander) Act 2006* by contacting the Office for the Registrar of Indigenous Corporations, or visit: [www.oric.gov.au](http://www.oric.gov.au)

## Indigenous Visual Art Industry Support Guidelines

- have no overdue acquittals or serious breaches relating to Australian Government funding. A serious breach is one that has resulted in, or warrants, the termination of a grant agreement.

### 4.2 What qualifications, skills or checks are required?

#### National Principles for Child Safe Organisations

The Royal Commission into Institutional Responses to Child Sexual Abuse highlighted the need for organisations to adopt child safe practices including appropriate screening of staff, mandatory reporting and adoption of the National Principles for Child Safe Organisations. The Australian Government committed to a new Commonwealth-wide framework to protect children and young people it is responsible for – the Commonwealth Child Safe Framework (CCSF).

The Australian Government is considering appropriate ways to apply the requirements of the CCSF to grant recipients. A child safety clause is likely to be included in a grant agreement where the Commonwealth considers the grant is for:

- services directly to children; or
- activities that involve contact with children that is a usual part of, and more than incidental to, the grant activity.

A child safety clause may also be included in the grant agreement if the Commonwealth considers the grant activity involves children more broadly.

The successful applicant will be required to comply with all child safety obligations included in the grant agreement published with this grant opportunity or notified to the successful applicant prior to execution of the grant agreement. Irrespective of the child safety obligations in the grant agreement you must always comply with your state and territory legislative requirements for working with children and mandatory reporting.

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

### 5.1 Eligible grant activities

An IVAIS grant can only be used to:

- support the operations of Indigenous visual art centres, hubs, marketing events and service organisations that provide professional support to Aboriginal and Torres Strait Islander artists in the production, promotion and marketing of their art
- provide opportunities for Aboriginal and Torres Strait Islander artists to develop, extend, market and generate income from their professional visual art practice
- provide employment and economic opportunities in the visual arts industry for Aboriginal and Torres Strait Islander peoples, particularly in remote communities
- provide opportunities for art centre staff, artists and board members to develop professional skills and gain experience
- contribute to strengthening the Indigenous visual art industry, including the delivery of professional services and support by industry service organisations.



## Indigenous Visual Art Industry Support Guidelines

### Arts worker employment

IVAIS grant funds are also provided for the employment of Aboriginal and Torres Strait Islander arts workers who typically support the day-to-day functions of an art centre including administrative assistance, studio technical assistance, artist support, art centre maintenance and cultural liaison.

When negotiating arts worker conditions, you will be required to adhere to the *National Employment Standards* (NES) which apply to all employees in the national system, regardless of any industrial instrument or contract of employment. You are also required to abide by minimum pay scales and make provision for superannuation, workers compensation and leave entitlements. The NES can be found at [www.fairwork.gov.au/employee-entitlements/national-employment-standards](http://www.fairwork.gov.au/employee-entitlements/national-employment-standards).

### 5.2 Eligible Locations

Your grant activity must take place in Australia.

### 5.3 Eligible expenditure

You can only spend the grant on eligible expenditure you have incurred on the grant activities, as per the project budget you will be required to provide to us. Expenditure on your grant activities must occur between the start date and end date of your grant agreement for it to be eligible.

### 5.4 Who is not eligible to receive a grant?

You are not eligible to receive an IVAIS grant if you are an:

- individual
- unincorporated association
- overseas resident or organisation based outside Australia.

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

You cannot use the grant for activities that:

- are primarily focussed on community development or cultural maintenance
- will occur outside Australia
- have already occurred
- are the primary responsibility of other Australian, State or Territory government programs.<sup>2</sup>

The program does not fund visual art activities that focus on community development. As part of running a professional visual arts program, art centres and hubs that receive operational support through the IVAIS program are expected to participate in exhibitions regionally and nationally, as well as internationally where other resourcing can be found. This includes participation in Indigenous art fairs, with a focus on art sales.

---

<sup>2</sup> refer to [www.business.gov.au/assistance](http://www.business.gov.au/assistance) for information about other government grants.

## 6. The assessment criteria

### 6.1 Criteria

To receive IVAIS grant funds, you must demonstrate that your organisation, and the artists associated with it, have the expertise to deliver a professional visual art program, as well as appropriate governance, cultural competency, financial management and business planning skills.

#### IVAIS closed non-competitive grant opportunity process

Existing funded organisations that have consistently high-levels of performance against the criteria will be considered under the closed non-competitive process, and do not need to submit an application. Your organisation will be assessed against the assessment criteria and corresponding weighting below (below), based on previous performance against your strategic plan, and as demonstrated in IVAIS reporting throughout the term of your lapsing grant agreement. Funding will only be continued at current levels to organisations that can demonstrate value for money in the achievement of KPIs and other targets outlined in their strategic plan.

Existing funded organisations that do not have consistently high-levels of performance against the criteria may be required to apply for any future funding through the open competitive grant opportunity in order to be assessed in the context of new activities competing for grant funding.

#### IVAIS open competitive grant opportunity process

If you are seeking funding for an activity under the open competitive process you will need to address the following assessment criteria in your application. We will judge the application based on the weighting given to each criterion. The amount of detail and supporting evidence provided in the application should be relative to the project size, complexity and grant amount requested. The application form includes word limits.

	Criterion	Indicators	Weighting %
1	<p><b>The degree to which the activity will contribute to achieving IVAIS outcomes:</b></p> <ul style="list-style-type: none"> <li>a professional, viable and ethical Indigenous visual arts industry that features strong participation and provides economic opportunities for Aboriginal and Torres Strait Islander people</li> <li>the continued production, exhibition, critique, purchase and collection of Indigenous visual art.</li> </ul> <p>As this is a national grant opportunity, consideration will also be given to the overall balance of activities funded across remote regions.</p>	<p>Number of Aboriginal and Torres Strait Islander:</p> <ul style="list-style-type: none"> <li>artists expected to participate in or benefit from the activity</li> <li>employees working in the organisation</li> </ul> <p>Number of events and exhibitions</p> <p>Value and/or number of art sales</p> <p>Not duplicating other visual art services in the community or region</p>	40
2	<p><b>The degree to which the activity aligns with the strategies and actions outlined in the Indigenous Art Centre Plan.</b> The Plan outlines strategies and actions for the Indigenous visual arts industry across these key result areas: artists and industry, culture and community, marketing and promotion,</p>	<ul style="list-style-type: none"> <li>Provision of professional opportunities for artists</li> <li>Provision of key professional training and development for artists, board directors and staff</li> <li>Community Support</li> </ul>	30

## Indigenous Visual Art Industry Support Guidelines

	business management, employment, professional development and training, resources and infrastructure. See: <a href="https://www.arts.gov.au/documents/indigenous-art-centre-plan">https://www.arts.gov.au/documents/indigenous-art-centre-plan</a>		
3	<b>The demonstrated expertise and capacity of the organisation to undertake the grant activity.</b> This includes demonstrated prior experience in managing and acquitting funding, and appropriate governance structures being in place.	<ul style="list-style-type: none"> <li>• Demonstrated history of managing government or other grant funding, including no serious breaches</li> <li>• Demonstrated financial stability</li> <li>• Evidence of appropriate personnel delivering the activity</li> </ul>	20
4	<b>The demonstrated need for the grant.</b> This includes providing a budget that shows how the grant funding will be expended, and outlines any other income that will be used to support delivery of the activity. In all cases, assessment includes an overall consideration of value for money (See section 6.2).	<ul style="list-style-type: none"> <li>• Provision of a balanced and realistic budget showing requested grant amount and projected expenses</li> <li>• Scale and level of other funding and/or in-kind support proposed to support activity</li> <li>• Meeting value for money benchmarks</li> </ul>	10

### 6.2 Value for money

In order to ensure that the grant opportunity achieves value for money, activities must:

- respond to a demonstrated need for grant funds
- represent efficient, equitable, effective, economical and ethical use of public resources
- not duplicate activities that are, or could be, provided by other funded organisations
- provide overall public benefit.

## 7. How to apply

Before applying you must read and understand these guidelines, the Indigenous Art Centre Plan and the sample grant agreement. The Plan is at [www.arts.gov.au/documents/indigenous-art-centre-plan](http://www.arts.gov.au/documents/indigenous-art-centre-plan)

The grant agreement can be found at [GrantConnect](#). Any alterations and addenda<sup>3</sup> will be published on GrantConnect and by registering on this website, you will be automatically notified on any changes. GrantConnect is the authoritative source for grants information.

### IVAIS closed non-competitive grant opportunity

Grants are primarily delivered through a closed non-competitive process to organisations that have a history of high level performance, with priority given to organisations that have previously received IVAIS funding. For closed non-competitive activities, existing funded organisations do not need to submit an application unless advised by us.

<sup>3</sup> Alterations and addenda include but are not limited to: corrections to currently published documents, changes to close times for applications, Questions and Answers (Q&A) documents and Frequently Asked Questions (FAQ) documents

## Indigenous Visual Art Industry Support Guidelines

On the basis of our assessment of an organisation's past performance, using the criteria and rating scale from these guidelines, we will make grant recommendations to the Minister for the Cyber Safety and the Arts who will make the final grant decision based on this advice and in the context of the total available program budget. Existing funded organisations that do not have consistent high-levels of performance against the criteria will be advised if they need to apply for any future funding through the open competitive grant opportunity.

### **IVAIS open competitive grant opportunity**

The open competitive grant application requires evidence of eligibility, a description of the activity, how it addresses the criteria and a budget showing proposed grant expenditure.

To apply you must:

- complete the online IVAIS application form on SmartyGrants at <https://arts.smartygrants.com.au/>.
- provide all the information requested
- address all eligibility criteria and assessment criteria
- include all necessary attachments
- submit your application by midnight 16 March 2020

You are responsible for ensuring that your application is complete and accurate. Giving false or misleading information is a serious offence under the [Criminal Code 1995](#) and we will investigate any false or misleading information and may exclude your application from further consideration.

If your organisation plans to submit an application, you are encouraged to seek advice from the Department of Communications and the Arts when preparing your application. Please contact the IVAIS team at: [ivais@arts.gov.au](mailto:ivais@arts.gov.au).

Submit your application to the Department of Communications and the Arts via SmartyGrants by midnight 16 March 2020. The Australian Government will only accept a late application where an applicant has contacted the Department to request late submission, and we have agreed in writing to this. Agreement can be made on the basis that the organisation is experiencing internet connectivity issues, community sorry business, extreme weather events, or other temporary extenuating administrative or governance issues. If you find an error in your application after submitting it, you should contact us immediately by emailing [ivais@arts.gov.au](mailto:ivais@arts.gov.au) or by calling 1800 006 992.

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

Application receipt will be acknowledged via a SmartyGrants confirmation email along with an application reference number.

If you need further guidance around the application process or if you are unable to submit an application online, contact us at [ivais@arts.gov.au](mailto:ivais@arts.gov.au) or by calling 1800 006 992.

We will assess your applications against the IVAIS eligibility and assessment criteria, past performance of your organisation, on a value for money basis, and within the available IVAIS budget. On the basis of these assessments, we will make grant recommendations to the Minister for the Arts who will make the final grant decision based on this advice and in the context of the total available program budget.

### 7.1 Attachments to the application

If you are applying for the open competitive grant you may provide additional supporting information including, but not limited to:

- evidence of community or industry support
- evidence of other financial support

### 7.2 Timing of grant opportunity process

#### **IVAIS closed non-competitive grant opportunity**

If you have received a grant through the IVAIS program to deliver an ongoing activity and your grant agreement is due to expire at the end of the financial year, the IVAIS team will contact you during the final year of your grant activity to discuss future funding processes and opportunities.

#### **IVAIS open competitive grant opportunity**

You can submit an application for grant funding for a new activity or additional funding any time between 20 November 2019 to midnight on 16 March 2020. After the round closes, all applications for this grant opportunity will be assessed, and grant recommendations will then be made to the Delegate.

You will generally be notified in May or June each year regarding the success or otherwise of your request for grant funds. Grant funding would generally take effect from 1 July each year, unless otherwise stated in the grant agreement. The grant agreement must be executed by all parties prior to the payment of the grant.

### 7.3 Questions

If you have any questions, please contact [ivais@arts.gov.au](mailto:ivais@arts.gov.au). We aim to respond to emails within three working days.

## 8. The grant selection process

### 8.1 Assessment of organisations and/or grant applications

#### **IVAIS closed non-competitive grant opportunity**

IVAIS grants are primarily delivered through targeted allocation through a closed non-competitive process and multi-year agreements to organisations that best contribute to achieving IVAIS outcomes and that have met the IVAIS criteria at a consistently high-level.

You will be contacted during the final year of your grant activity to discuss your achievements, plans, challenges or opportunities. You will be assessed based on this conversation, as well as against the IVAIS eligibility and assessment criteria, past performance, on a value for money basis, within the available IVAIS budget and in comparison to other lapsing organisations.

See 6.1 for more details.

### IVAIS open competitive grant opportunity

If you are applying through the open competitive process, we will review your application against the eligibility criteria. Only eligible applications will move to the next stage.

If eligible, we will then assess your application against the assessment criteria as well as past performance. We consider your application on its merits, based on:

- how well it meets the criteria
- how it compares to other applications
- whether it provides value for money.

To support activities that provide social and economic opportunities for Aboriginal and Torres Strait Islander peoples, where a number of applications are found suitable for funding for the same activity, and/or have equal ranking, preference will be given to Indigenous organisations, followed by organisations with a demonstrated commitment to increasing Indigenous employment, supplier use and/or engagement.

## 8.2 Who will assess organisations and/or grant applications?

### IVAIS closed non-competitive grant opportunity

The Department of Communications and the Arts will assess each ongoing activity. A funding moderation process will then be undertaken to ensure consistency in the evaluation and to finalise grant recommendations within the available program budget. Grant recommendations will then be made to the Minister for the Arts.

### IVAIS open competitive grant opportunity

The Department of Communications and the Arts will assess each application for new grant funding based on its merits. A funding moderation process will then be undertaken to ensure consistency in the evaluation and to finalise grant recommendations within the available program budget. Grant recommendations will then be made to the Minister for the Arts.

## 8.3 Who will approve grants?

The Minister for the Arts will make the decision to approve a grant. The Minister's decision is final in all matters, including:

- the approval of the grant
- the grant amount to be provided.

## 9. Notification of the Minister's Decision

We will generally advise you of the Minister's decision in writing in May or June. If successful, you will also be advised about any specific terms and conditions attached to the grant.

### 9.1 Feedback

If you are unsuccessful, you may ask for feedback by emailing [ivais@arts.gov.au](mailto:ivais@arts.gov.au). We will give feedback within **three weeks** of your request.

You can submit a new application for the same grant (or a similar grant) in any future grant opportunities under the program. You should include new or more information to address any weaknesses that may have prevented your previous application from being successful.

## 10. Successful organisations and/or grant applications

### 10.1 The grant agreement

You must enter into a legally binding grant agreement with the Commonwealth. We use the Commonwealth Simple Grant Agreement for this program.

Each agreement has general terms and conditions that cannot be changed. Sample grant agreements are available at <https://www.finance.gov.au/resource-management/grants/grant-agreement-templates/>. We will use a schedule to outline the specific grant requirements. Any additional conditions attached to the grant will be identified in the grant offer or during the grant agreement negotiations.

We aim to negotiate agreements with you within 30 days of the grants announcement. If there are unreasonable delays by you in finalising a grant agreement, the grant offer may be withdrawn and the grant may be awarded to a different applicant.

We must execute a grant agreement with you before we can make any payments. You must not make financial commitments until a grant agreement has been executed by the Commonwealth.

If you have previously received IVAIS funding, we will determine the duration of the grant agreement based on your past performance, delivery against contract milestones, financial viability and administrative stability. If you are a new organisation, without a proven track record in delivering IVAIS funded activities, grant agreements are likely to be of one to two years' duration.

The Commonwealth may recover grant funds if there is a breach of the grant agreement.

This grant opportunity aligns with the Indigenous Grants Policy (IGP) principles in that, where feasible, funding will be provided to Indigenous organisations to deliver the activity.

### 10.2 The Indigenous Art Code

The Indigenous Art Code (the Code) is a voluntary industry-led code of conduct that guides ethical trade in the industry. If you receive an IVAIS grant you are expected to abide by the Code, and are encouraged to become a signatory to the Code. Further information is available at: [www.indigenousartcode.org](http://www.indigenousartcode.org).

### 10.3 How we pay the grant

The grant agreement will state the maximum grant amount to be paid.

We will make payments according to an agreed schedule set out in the grant agreement. Depending on the value of your grant, or the risk level of your activity, this would be either one payment per financial year (generally in July) or two payments per financial year (generally in July and December). Unless otherwise agreed by us, the first payment will be processed once we have executed the grant agreement, and been provided with your organisation's bank details, current strategic plan, Commonwealth Child Safe Framework compliance and annual IVAIS budget.

Unless otherwise agreed by us, we must receive and accept documents including but not limited to periodic reports, a strategic plan, a budget proposal and an Indigenous arts worker budget, before subsequent milestone payments will be made. Payments will not be made where the grantee has a breach or overdue acquittal relating to previous IVAIS grant funding.

### 10.4 Grants payments and GST

Payments will be made as set out in the grant agreement. If you are registered for the [Goods and Services Tax \(GST\)](#), where applicable, we will add GST to your grant payment and issue you with a [Recipient Created Tax Invoice](#). If your organisation receives a grant, you should consider speaking to a tax advisor about the effect of receiving a grant before entering into a grant agreement. See the Australian Taxation Office website at [www.ato.gov.au](http://www.ato.gov.au) for more information. We do not provide advice on your particular taxation circumstances.

## 11. Announcement of grants

If successful your grant will be listed on GrantConnect and DCA's website 21 days after the date of effect as required by Section 5.3 of the [CGRGs](#).

Your grant may also be announced by the Minister for the Arts and by your local Member of Parliament.

## 12. How we monitor your grant activity

### 12.1 Keeping us informed

You should let us know if anything is likely to affect your grant activity or organisation.

You must also inform us of any changes to your:

- name
- addresses
- nominated contact details
- bank account details.

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

You must notify us of events relating to your grant and provide an opportunity for the Minister or their representative to attend.

### 12.2 Reporting

You must submit reports in line with the grant agreement. We will provide sample templates for these reports and remind you of your reporting obligations before a report is due. We will expect you to report on:

- progress against grant opportunity outcomes
- expenditure of the grant.



## Indigenous Visual Art Industry Support Guidelines

### Progress reports

Progress reports must:

- include evidence of your progress towards completion of agreed activities and outcomes
- show the total eligible expenditure incurred to date
- be submitted by the report due date

We will only make grant payments when we receive satisfactory progress reports.

You must discuss any reporting delays with us as soon as you become aware of them.

### Ad-hoc reports

We may ask you for ad-hoc reports on your grant. This may be to provide an update on progress, or any significant delays or difficulties in completing the grant activity.

### Indigenous Grants Policy (IGP)

The IVAIS program is participating in the trial of the Indigenous Grants Policy<sup>4</sup> that was announced on 12 February 2018 by the Prime Minister and the Minister for Indigenous Affairs. The trial is testing how to best achieve the following objectives:

- increase the involvement of Aboriginal and Torres Strait Islander people in the grant funded services and programs that are intended to benefit them
- improve on-the-ground service delivery for Aboriginal and Torres Strait Islander people
- leverage the Australian Government's investment to stimulate greater economic development for Aboriginal and Torres Strait Islander people.

The Department of Communications and the Arts is one of three Commonwealth agencies participating in the trial through the IVAIS and Indigenous Languages and Arts programs.

To contribute to the trial, we are gathering information to determine the number of Indigenous and non-Indigenous organisations funded through IVAIS; and the number and percentage of Aboriginal or Torres Strait Islander Australians employed in all funded organisations. From organisations that are non-Indigenous, we are also gathering information about the total value of goods and services that are provided by Indigenous businesses.

### 12.3 Audited financial acquittal report

You are required to provide an independently audited financial acquittal report. A financial acquittal report will verify that you spent the grant in accordance with the grant agreement.

### 12.4 Grant agreement variations

We recognise that unexpected events may affect progress. In these circumstances, you can request a variation to your agreement, including:

- adjusting activity milestones
- extending the timeframe, for a reasonable period of time, to allow completion of the activity

---

<sup>4</sup> <https://www.pmc.gov.au/indigenous-affairs/economic-development/overview-indigenous-grants-policy>

## Indigenous Visual Art Industry Support Guidelines

- changing allocations across budget items.

You can request a variation by advising [ivais@arts.gov.au](mailto:ivais@arts.gov.au) before the grant agreement end date.

You should not assume that a variation request will be successful. We will consider the request based on factors such as:

- how it affects the activity outcome
- whether it is consistent with IVAIS outcomes, and any relevant Australian Government policies
- changes to the timing of grant payments
- availability of IVAIS budget.

### 12.5 Evaluation

We will evaluate the grant to measure how well the outcomes have been achieved. IVAIS grant agreements require you to provide information to assist us with this evaluation including:

- number of Aboriginal and Torres Strait Islander:
  - artists provided with professional visual art services
  - people employed
- value of art sales
- demonstrated participation in exhibitions and other industry events
- demonstrated provision of professional development and training opportunities for artists, staff and board directors
- demonstrated financial viability and administrative stability.

### 12.6 Acknowledgement

The IVAIS logo must be used on all published materials related to funded activities under the grant opportunity. Whenever the logo is used, the IVAIS grant must be acknowledged as follows:

***(Name of organisation or event) receives funding through the Australian Government's Indigenous Visual Arts Industry Support Program.***

The IVAIS grant opportunity must also be acknowledged in speeches at any public events, such as exhibition openings and symposiums, as follows:

***(Name of organisation or event) receives funding through the Australian Government's Indigenous Visual Arts Industry Support Program.***

## 13. Probity

The Australian Government will make sure that the grant opportunity process is fair, according to the published guidelines, incorporates appropriate safeguards against fraud, unlawful activities and other inappropriate conduct and is consistent with the CGRGs. These guidelines may be changed from time-to-time by the Australian Government. When this happens the revised guidelines will be published on the GrantConnect at <https://www.grants.gov.au>.

### 13.1 Enquiries and feedback

All complaints about a grant process must be provided in writing.

## Indigenous Visual Art Industry Support Guidelines

Any questions you have about grant decisions for this grant opportunity should be sent to [ivais@arts.gov.au](mailto:ivais@arts.gov.au).

If you do not agree with the way the Department of Communications and the Arts has handled your complaint, you may complain to the [Commonwealth Ombudsman](#). The Ombudsman will not usually look into a complaint unless the matter has first been raised directly with DCA.

The Commonwealth Ombudsman can be contacted on:

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

### 13.2 Conflict of interest

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

- has a professional, commercial or personal relationship with a party who is able to influence the application selection process, such as an Australian Government officer
- has a relationship with, or in, an organisation, which is likely to interfere with or restrict the applicants from carrying out the proposed activities fairly and independently or
- has a relationship with, or interest in, an organisation from which they will receive personal gain because the organisation receives a grant under the grant opportunity.

You must declare any perceived or existing conflicts of interests to us, and we will handle them as set out in Australian Government policies and procedures. If you later identify that there is an actual, apparent, or potential conflict of interest, or that one might arise in relation to a grant, you must inform us in writing immediately.

Conflicts of interest for Australian Government staff will be handled as set out in the Australian [Public Service Code of Conduct \(Section 13\(7\)\)](#) of the [Public Service Act 1999](#). Our conflict of interest policy is available on DCA's website at: <http://www.apsc.gov.au/publications-and-media/current-publications/aps-values-and-code-of-conduct-in-practice>.

### 13.3 Privacy

We treat your personal information according to the [Privacy Act 1988](#) and the [Australian Privacy Principles](#). This includes letting you know:

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

Your personal information can only be disclosed to someone else for the primary purpose for which it was collected, unless an exemption applies.

The Australian Government may also use and disclose information about grant applicants and grant recipients under this grant opportunity in any other Australian Government business or function. This includes disclosing grant information on GrantConnect as required for reporting purposes and giving information to the Australian Taxation Office for compliance purposes.

## Indigenous Visual Art Industry Support Guidelines

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

As part of your application, you declare your ability to comply with the *Privacy Act 1988* and the Australian Privacy Principles and impose the same privacy obligations on officers, employees, agents and subcontractors that you engage to assist with the activity, in respect of personal information you collect, use, store, or disclose in connection with the activity. Accordingly, you must not do anything, which if done by DCA would breach an Australian Privacy Principle as defined in the Act.

### 13.4 Confidential Information

Other than information available in the public domain, you agree not to disclose to any person, other than us, any confidential information relating to the grant application and/or agreement, without our prior written approval. The obligation will not be breached where you are required by law, Parliament or a stock exchange to disclose the relevant information or where the relevant information is publicly available (other than through breach of a confidentiality or non-disclosure obligation).

We may at any time, require you to arrange for you; or your employees, agents or subcontractors to give a written undertaking relating to nondisclosure of our confidential information in a form we consider acceptable.

We will keep any information in connection with the grant agreement confidential to the extent that it meets all of the three conditions below:

1. you clearly identify the information as confidential and explain why we should treat it as confidential
2. the information is commercially sensitive
3. revealing the information would cause unreasonable harm to you or someone else.

We will not be in breach of any confidentiality agreement if the information is disclosed to:

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

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

### 13.5 Freedom of information

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

## Indigenous Visual Art Industry Support Guidelines

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

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

By mail: Freedom of Information Coordinator  
Department of Communications and the Arts  
Nishi Building, 25 Edinburgh Ave, Canberra ACT 2601

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

## 14. Consultation

Indigenous Australians, as the principle beneficiaries of IVAIS, have been consulted in the grant opportunity design process.

## 15. Glossary

Term	Definition
Aboriginal or Torres Strait Islander person (or Indigenous person)	Someone who : a) is of Aboriginal or Torres Strait Islander descent b) identifies as an Aboriginal or Torres Strait Islander person; and c) is accepted as an Aboriginal or Torres Strait Islander person by the community in which she or he lives
assessment criteria	The specified principles or standards against which applications will be judged. These criteria are used to assess the merits of proposals and, in the case of a competitive granting activity, to determine applicant rankings. (as defined in the CGRGs)
CGRGS	<i>Commonwealth Grants Rules and Guidelines</i>
date of effect	Depending on the particular grant, this can be the date in which a grant agreement is signed or a specified starting date. (as defined in the CGRGs)
eligibility criteria	The principles, standards or rules that a grant applicant must meet to qualify for consideration of a grant. Eligibility criteria may apply in addition to assessment criteria.
grant	A grant is an arrangement for the provision of financial assistance by the Commonwealth or on behalf of the Commonwealth: <ul style="list-style-type: none"><li>• under which relevant money or other Consolidated Revenue Fund money, is paid to a recipient other than the Commonwealth; and</li><li>• which is intended to assist the recipient achieve its goals; and</li><li>• which is intended to help address one or more of the Australian Government's policy objectives; and</li></ul>

## Indigenous Visual Art Industry Support Guidelines

	under which the recipient may be required to act in accordance with specified terms or conditions. (CGRGs section 2.3)
grant activity or activity	Is the activity /tasks /services that the Grantee is required to undertake with the grant funds. It is described in the Grant Agreement.
Grant agreement	Grant agreement means the contract template used by Australian Government entities to set out the mutual obligations relating to the provision of the grant.
Grant opportunity	A notice published on GrantConnect advertising the availability of Commonwealth grants. Previously known as a grant program or a program.
Grant program	The Australian Government’s Arts and Cultural Development Program which contributes to the Department of Communications and the Arts Outcome 2 in the Portfolio Budget Statements.
Grantee	An individual/organisation that has been awarded a grant.
Indigenous business	Any business that is more than 50 per cent owned by Aboriginal or Torres Strait Islander people.
Indigenous organisation	<p>An organisation is Indigenous if it satisfies the Indigeneity requirement under Section 29-5 of the <i>Corporations (Aboriginal and Torres Strait Islander) Act 2006 (CATSI)</i>:</p> <ul style="list-style-type: none"> <li>▪ If the corporation has five (5) or more members – at least 51 per cent of the members are Indigenous Australians.</li> <li>▪ If the corporation has fewer than five (5) members but more than one (1) member – all of the members, or all but one of the members are Indigenous Australians.</li> <li>▪ If the corporation has only one (1) member – that member is an Indigenous Australian.</li> </ul> <p>While not all organisations will be incorporated under the CATSI Act, the above membership ratios need to be met for an organisation to be deemed to be an Indigenous organisation.</p>
Member	<p>A member of an Aboriginal and Torres Strait Islander corporation is someone who:</p> <ul style="list-style-type: none"> <li>▪ is a member of the corporation on its registration; or</li> <li>▪ after registration, agrees to become a member and their name is entered on the register of members. They are not a member until this is done.</li> </ul>
Selection criteria	Comprise eligibility criteria and assessment criteria (CGRGs)

## Indigenous Visual Art Industry Support Guidelines

Selection process	The method used to select potential grantees. This process may involve comparative assessment of applications or the assessment of applications against the eligibility criteria and/or the assessment criteria. (CGRGs)
-------------------	--