

# Indigenous Languages and Arts Program

## 2018-19 Guidelines

**IMPORTANT:** You must read this document before filling out an application for funding under the Program. These guidelines contain important information about the 2018-19 Grant Opportunity and what you need to consider when filling out an application.

Opening date:	<b>03/04/2018</b>
Closing date and time:	<b>11.59pm AEST on 14/05/2018</b>
Commonwealth policy entity:	<b>Department of Communications and the Arts</b>
Enquiries:	If you have any questions, please contact 1800 006 992 or <a href="mailto:ila@arts.gov.au">ila@arts.gov.au</a> . Questions should be sent no later than <b>11/05/2018</b>
Date guidelines released:	<b>03/04/2018</b>
Type of grant opportunity:	<b>Open competitive; Restricted competitive</b>

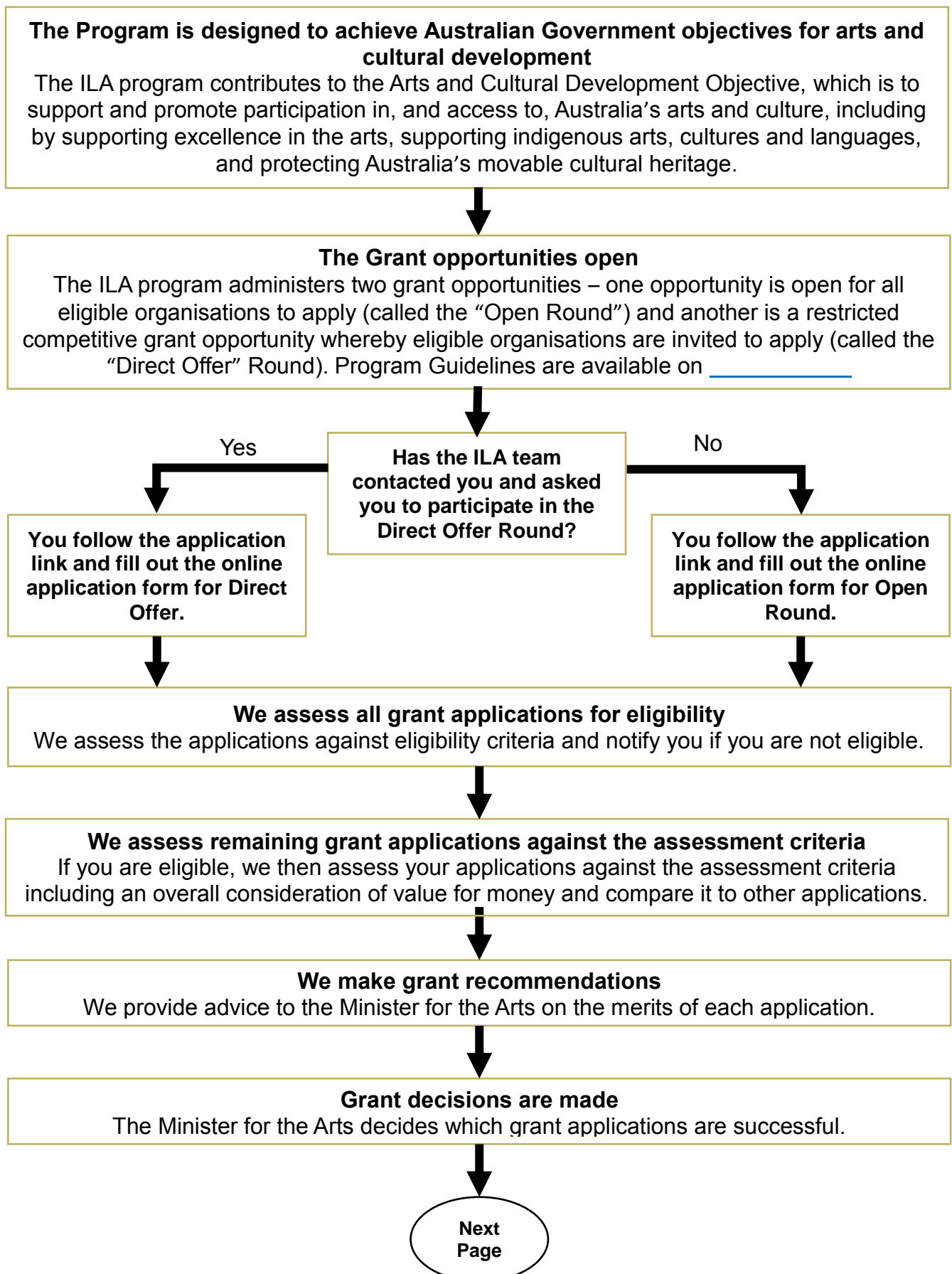
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# 1. Indigenous Languages and Arts (ILA) Program Flowchart



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graph TD; A([Previous Page]) --> B[We notify you of the outcome  
We advise you if your application was successful or not. We may not notify unsuccessful applications until successful applicants are publicly announced.]; B --> C[We enter into a grant funding agreement  
We will enter into a grant funding agreement (similar to a contract). The type of grant agreement is based on the nature of the grant and proportional to the risks involved.]; C --> D[Delivery of grant  
You undertake the grant activity as set out in your grant funding agreement and regularly report to us. We manage the grant by working with you, monitoring your progress and making milestone payments.]; D --> E[Evaluation of the ILA Program  
We evaluate the specific grant activity and ILA program as a whole. We will use information you provide to us through your reports to inform the evaluation.];
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### **We notify you of the outcome**

We advise you if your application was successful or not. We may not notify unsuccessful applications until successful applicants are publicly announced.

### **We enter into a grant funding agreement**

We will enter into a grant funding agreement (similar to a contract). The type of grant agreement is based on the nature of the grant and proportional to the risks involved.

### **Delivery of grant**

You undertake the grant activity as set out in your grant funding agreement and regularly report to us. We manage the grant by working with you, monitoring your progress and making milestone payments.

### **Evaluation of the ILA Program**

We evaluate the specific grant activity and ILA program as a whole. We will use information you provide to us through your reports to inform the evaluation.

## 2. About Arts and Cultural Development

The Indigenous Languages and Arts program (the Program) is part of a suite of programs under the Australian Government's commitment to Arts and Cultural Development. The Arts and Cultural Development objective is to support and promote participation in, and access to, Australia's arts and culture, including by supporting excellence in the arts, supporting indigenous arts, cultures and languages, and protecting Australia's movable cultural heritage.<sup>1</sup>

## 3. About the Program

The Program commenced in its current form in 2015-16 and is an ongoing program and these guidelines set out:

- the purpose of the grant opportunity
- the eligibility and assessment criteria
- how activities are monitored and evaluated
- responsibilities and expectations in relation to the grant opportunity.

The Program will be undertaken according to the Commonwealth Grants Rules and Guidelines (CGRGs) – visit [www.finance.gov.au/sites/default/files/commonwealth-grants-rules-and-guidelines.pdf](http://www.finance.gov.au/sites/default/files/commonwealth-grants-rules-and-guidelines.pdf).

### Program outcome

The outcome of the Program is to support a professional, viable and ethical Indigenous languages and arts network that features strong participation and provides for economic opportunities for Aboriginal and Torres Strait Islander people.

### Program objectives

The Department will ensure that the Program outcome is met by funding a diverse range of Indigenous language and arts projects that contribute towards at least one of the following Program objectives:

- 1) preserve, revive and maintain Indigenous languages by:
  - a) facilitating activities that capture and preserve Indigenous language
  - b) promoting participation in Indigenous language teaching and learning
  - c) developing Indigenous language resources, including utilising digital technology in an innovative and culturally sensitive manner (see highlighted note below).
- 2) develop, produce, present, exhibit or perform a diverse range of traditional and contemporary Indigenous arts
- 3) support new and innovative forms of Indigenous expression through art
- 4) support the transmission and development of Indigenous cultural heritage and knowledge through languages and arts projects.

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<sup>1</sup> Schedule 1 AA of the Financial Framework (Supplementary Powers) Regulations 1997

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**IMPORTANT:** The Australian Government has committed additional grant funding over four years for eligible projects that specifically targets the achievement of Program objective 1c. This initiative is called “the commitment to protect, preserve and celebrate Indigenous languages” (the Commitment).

Under the Commitment, the Australian Government (in addition to a number of other goals) seeks to support language projects with a specific focus on digital initiatives that use technology in an innovative and culturally sensitive manner. More information about this support is provided under Section 5 – Grant Amount.

For more information regarding the Commitment – visit [www.arts.gov.au/what-we-do/indigenous-arts-and-languages/protect-preserve-and-celebrate-indigenous-languages](http://www.arts.gov.au/what-we-do/indigenous-arts-and-languages/protect-preserve-and-celebrate-indigenous-languages)

## Indigenous Grants Policy (IGP) trial

The Program is participating in the trial of an Indigenous Grants Policy (IGP), that was announced on 12 February 2018 by the Prime Minister. The trial will test how to best achieve the following objectives:

- increase the involvement of Aboriginal and Torres Strait Islander people in the grant funded activities 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 ILA Program and the Indigenous Visual Arts Industry Support program.

To contribute to the Trial, we will be gathering the following information:

- number of Indigenous organisations funded
- number and percentage of Aboriginal or Torres Strait Islander people employed in all funded organisations
- total value of goods and services provided by Indigenous suppliers in the delivery of the funded activities.

## 4. About the Grant Opportunities

Funding under the Program is distributed annually through two grant opportunities:

- a competitive grant round (called “the Open Round”) open to all eligible organisations wishing to submit applications for languages and arts projects – see Section 5.1
- a restricted competitive grant opportunity (called “the Direct Offer Round”) for eligible organisations who have been invited by the ILA Team to apply – see Section 5.2

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The table below summarises the key differences between the two grant opportunities:

	Open Round	Direct Offer Round
<b>Eligibility</b>	Open to all organisations that meet the criteria in Section 6.1	Open to <u>invited</u> organisations who meet the eligibility criteria in Section 6.1 and also Section 6.2; which includes: <ul style="list-style-type: none"><li>○ having been previously funded by the Australian Government for Indigenous language, <b>or</b> Indigenous arts, <b>or</b> Indigenous culture projects</li><li>○ demonstrated capability in delivering successful projects of a higher strategic value</li><li>○ demonstrated financial management and administrative stability over an extended period.</li></ul>
<b>Duration of Agreement</b>	Up to two years	Up to five years
<b>Funding Limit</b>	Up to \$100,000 per financial year	Up to \$400,000 per financial year

## 5. Grant amount

The Australian Government funding for this Program comprises of:

- approximately \$20 million funding annually for general Indigenous languages and arts program, and
- approximately \$10 million funding over four years until FY2019-2020 for the Commitment to protect, preserve and celebrate Indigenous languages.

Note that as a result of existing multi-year grant agreements, approximately \$15 million is already committed.

For the 2018-19, a total of approximately \$8 million is available for successful projects through the open round and direct offer round. This comprises of:

- approximately \$2.5 million from the Commitment (for those projects that specifically target Program objective 1c)
- approximately \$5.5 million for general languages and arts projects.

Note that all funding decisions regarding the Program will be made by the Minister or the Minister's authorised delegate.

The Minister or the Minister's authorised delegate may approve less funding than requested by an applicant, or approve a project in part. If this occurs, the Department will work with the relevant organisation to revise the project objectives and budget.

If successful, you can only spend grant funds on eligible grant activities as defined in Section 7 and the grant details in your grant agreement.



## 5.1 Open Round Grant Opportunity

It is anticipated that most language and arts projects would apply for funding in the range of \$30,000-\$150,000, depending on the length and scope of the project, and its complexity. Multi-year funding up to a maximum of two years may be considered if a strong case is put forward.

Funding is available on either a single-year or two-year basis with a funding limit of \$100,000 per year and a maximum total project cost of \$200,000 over two years.

To apply for funding through the Open Round you will need to fill out and submit an application that can be found using the following link: [Indigenous Languages and Arts – Open Round application form](#).

## 5.2 Direct Offer Grant Opportunity

Participation in the direct offer process is by invitation only. If you receive an invitation, you will need to fill out and submit an Indigenous Languages and Arts - Direct Offer application form. A link to the application form will be included in your invitation.

It is anticipated that successful direct offer projects invited would apply for funding in the range of \$150,000 to \$400,000 per year. The level of funding available to support projects through direct offer grants is flexible to reflect demand, outcomes and priorities.

Funding is available on either a single-year or multi-year basis for up to a maximum of five years with a funding limit of \$400,000 per year and a maximum total project cost of \$2 million over five years.

## 6. Grant eligibility criteria

### 6.1 Who is eligible to apply for a grant?

To be eligible you must:

- be one of the following entity types:
  - an Aboriginal and/or Torres Strait Islander Corporation registered under the [Corporations \(Aboriginal and /or Torres Strait Islander\) Act 2006](#)
  - a company incorporated in Australia
  - a company incorporated by guarantee
  - an incorporated trustee on behalf of a trust
  - an incorporated association
  - a partnership
  - a registered charity or not-for-profit organisation
  - an Australian local government body
- have an Australian Business Number (ABN)
- be registered for the purposes of GST if required by the Australian Tax Office
- have an account with an Australian financial institution
- have no outstanding reports, acquittals or serious breaches relating to any Australian Government funding – a serious breach is one that has resulted in, or warrants, termination of a grant agreement

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- not be bankrupt or subject to insolvency proceedings (as relevant to the entity type).

Where applicable, we will review your funding history, including your performance delivering projects and achieving outcomes, and your financial and performance reporting history.

Eligible organisations can apply as a consortium provided they nominate a lead organisation that also meets the eligibility criteria above – See Section 10.5.

Unincorporated associations are able to apply through an eligible auspicing body – see Section 10.5.

### 6.2 Additional eligibility requirements for Direct Offer applicants

In addition to the above requirements, to be eligible to apply for Program funding through the Direct Offer of funding process you must also:

- have received funding from the Arts portfolio Indigenous languages, arts and culture programs in the last five years
- have a demonstrated capacity to deliver quality Indigenous language or arts projects
- have a demonstrated history of good governance, good financial management over an extended period, effective business planning and high-quality performance against funding objectives
- be a separate legal entity, such as an incorporated association or a company
- have an Australian Business Number
- be registered for the Goods and Services Tax, if required by the Australian Tax Office
- have no overdue acquittals or serious breaches relating to any Australian Government funding. A serious breach is one that has resulted in, or warrants, the termination of a funding agreement.

Your eligibility will be determined by the Department. We will review your funding history with us, including your performance against funded objectives, and your financial and performance reporting history.

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

You are not eligible to apply if you are:

- a Commonwealth or State or Territory Government (including portfolio agencies)
- a school
- an individual
- an unincorporated association without an auspicing body
- an organisation based outside of Australia.

These eligibility criteria are subject to change, based on Australian Government policy. Funding recipients will be advised of any changes to the Program.

## 7. Eligible grant activities

Your eligibility for Program funding will be determined by the Department. In the event that we determine part of your application comprises one or more ineligible activities, we may assess

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your application based only on the eligible components. In this instance, you may be offered partial funding for your project.

## 7.1 What can the grant money be used for?

The grant monies can only be used to fund activities for Indigenous languages and/or arts projects that align with Program objectives. These activities include:

- the engagement of consultants, specialists, experts or contractors (for example linguists, artist fees, art workers, curators, Indigenous language experts, Indigenous cultural experts),
- project administration (a maximum of 30 per cent of total grant monies) for items such as project management, report-writing, book-keeping, audits and financial management
- consultation on, as well as development, maintenance and storage of, language and/or arts resources and materials, including website(s), apps and hard-copy materials
- facilitation of access to language and/or arts resources and materials
- facilitation of language and/or arts workshops and/or community meetings
- domestic travel to meet with community and key stakeholders for the project

We do not fund ongoing organisational operational costs. See Section 7.2 for information on activities we do not fund. To see examples of eligible projects refer to Appendix A.

## 7.2 What the grant money cannot be used for?

You cannot use the grant for the following activities:

- the ongoing employment of staff
- operational funding or ongoing administration costs of an organisation
- the conservation, exhibition or interpretation of museum artefacts
- projects, or components of projects that are also funded by other programs administered by the Australian Government
- cultural camps that do not deliver a language and/or arts outcome
- the staging and production of festivals
- infrastructure projects and projects including the purchase of non-arts assets
- activities with a primarily commercial focus or intent
- activities with a political or lobbying focus or intent
- international travel or activities that happen outside Australia
- interpreting and translating services
- purchase of land or buildings
- costs incurred in the preparation of a grant application or related documentation
- major construction/capital works
- activities for which other Commonwealth or State or Territory or Local Government bodies have primary responsibility.

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Additionally, Program funding cannot be used for activities that:

- are part of the National Aborigines and Islanders Day Observance Committee (NAIDOC) celebrations
- are the core business of schools, for example, teacher salaries and the development of teaching and learning resources that are for exclusive use in schools. If you are developing teaching and learning resources as part of your project you must demonstrate that they will be used outside the school setting, and have evidence to support this
- have received funding from another government source for the same purpose. If you are currently receiving funding from another government source, or through a previous round of the Program, your application will need to clearly distinguish how this project is different to your existing grant agreement
- include re-granting of funds to other groups or organisations without prior agreement from the Department
- fall within the scope of the Indigenous Advancement Strategy, Culture and Capability program – visit [www.dpmc.gov.au](http://www.dpmc.gov.au).

## 8. The grant selection process

First we will assess your application against the eligibility criteria. Only eligible applications will move to the next stage. Eligible applications will be considered through a competitive grant process.

We will then assess your application against the criteria set out below and against other applications. Your application will be considered on its merits, based on:

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

Upon assessing your application based on the above, a second phase assessment process will occur where all applications will be reviewed to ensure that as a whole, the funding round meets program objectives. See Section 11.1 for more detail.

## 9. The assessment criteria

The assessment criteria applies to both direct offer and open round applications.

You will need to address all of the following assessment criteria in your application. We will judge your application based on the weighting given to each criterion. The amount of detail and supporting evidence you provide in your application should be relative to the project size, complexity and grant amount requested. The application form includes word limits.

**IMPORTANT:** The assessment process is a competitive one. Providing quality information in your application that is clear and concise within the available word limits is essential.

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The assessment criteria are outlined in the table below along with their weighting.

Criteria	Weighting
Ability of the project to meet the objectives of the Program	30%
Evidence of community engagement and support	25%
Benefit to Aboriginal and/or Torres Strait Islander community	25%
Capability and capacity of the organisation to undertake all aspects of managing delivery of the project	20%

**Criterion 1:** Ability of the project to meet the objectives of the Program (as outlined in section 3) **(Weighting: 30%)**

In providing a response to this criterion you should demonstrate how the project will achieve one or more of the Program's objectives.

If your project is a languages project, you must first determine whether an Indigenous Language Centre currently targets the language you are seeking funding to revive and/or maintain. Visit the Department's website at [www.arts.gov.au/documents/indigenous-languages-and-arts-program-language-centres](http://www.arts.gov.au/documents/indigenous-languages-and-arts-program-language-centres) to see the language centres funded by the Program. If the language is targeted by an Indigenous Language Centre, you must have consulted with that language centre prior to submitting your application. Your application must demonstrate a clear need for additional funding for that language, and collaboration with the Language Centre in terms of use of resources.

**Criterion 2:** Evidence of community engagement and support **(Weighting: 25%)**

Projects should support, and be supported by community, foster a strong sense of identity and, where possible, build on existing community projects and sound organisational infrastructure.

In providing a response to this criterion you should:

- describe how Aboriginal and Torres Strait Islander peoples have been, and will be involved in the design, planning and delivery of the project
- demonstrate ability to engage and maintain positive relationships with Indigenous communities in the delivery of the project
- provide relevant, signed letters of support from individuals and/or organisations that will be involved in or benefit from the project
- non-Indigenous organisations will need to demonstrate local cultural competence. In addition to community support, non-Indigenous organisations may wish to disclose:
  - numbers and roles of local Indigenous staff within your organisation
  - numbers of Indigenous organisations to be used as suppliers or sub-contractors for key parts of the project (if applicable).

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## **Criterion 3: Benefit to Aboriginal and/or Torres Strait Islander community (Weighting: 25%)**

In providing a response to this criterion you should:

- identify a need in your target group or community
- clearly articulate the benefits of your project for the target group or community.

## **Criterion 4: Capability and capacity of the organisation to undertake all aspects of managing delivery of the project (Weighting: 20%)**

In providing a response to this criterion you should:

- address the risks associated with your project and provide relevant mitigation strategies
- provide a realistic and cost effective project budget (see highlighted paragraph below)
- outline the governance arrangements in place within your organisation that will enable you to successfully manage funding
- demonstrate proven service and project delivery skills, and ability to achieve outcomes
- demonstrate skills, experience and expertise of the key personnel involved in the project, including project officers, facilitators, artists and language workers, as applicable
- address how you will evaluate the project and document the results
- nominate any contribution your organisation or other project partners could make (optional).

**IMPORTANT:** You need to carefully consider the amount of funding you are requesting and the associated timeframe needed to deliver your project. These need to be realistic and demonstrate how the project will achieve the greatest outcomes in the most cost effective way possible. Note that we will not consider applications for funding beyond the funding limits stated in Section 5.

## 10. The grant application process

**IMPORTANT:** All applicants are encouraged to read the *Frequently Asked Questions* (FAQs) that accompany these guidelines. The FAQs can be found on Grant Connect website at: <https://www.grants.gov.au/> and the Department's website at: <https://www.arts.gov.au/funding-and-support/indigenous-languages-and-arts-program>

### 10.1 Overview of application process

**IMPORTANT:** You must read these grant guidelines, the application form and the draft grant agreement before you submit an application.

You are responsible for ensuring that your application is complete and accurate. Giving false or misleading information will exclude your application from further consideration.

You must address all of the eligibility and assessment criteria to be considered for a grant. Please complete each section of the application form and make sure you provide the information we have requested.

## 10.2 Application process timing

Submit your application/s to the Department by the closing date below. The Australian Government will only accept a late application where there are exceptional and unanticipated circumstances. The decision to accept late applications will be at the discretion of the Director, Indigenous Languages and Arts Section in the Department.

**Table 1: Expected timing for this grant opportunity**

Activity	Timeframe
Application period	Open: 9am AEST/03/04/2018 Close: 11.59pm AEST/ 14/05/2018
Assessment of applications	4 – 6 weeks
Approval of outcomes of selection process	2 – 4 weeks
Negotiations and award of grant agreements	4 – 6 weeks
Notification to unsuccessful applicants	1 week
Activity commences	07/2018
End date	N/A

## 10.3 Completing the grant application

You must submit your grant application using the SmartyGrants application form, which is available at the following link: [Indigenous Languages and Arts – Open Round application form](#).

This is an online application form that you can submit electronically and is compatible with screen readers. If you have any technical difficulties, please contact [ila@arts.gov.au](mailto:ila@arts.gov.au) or phone 1800 006 992.

Hard copy application forms may be provided in exceptional circumstances. Please contact [ila@arts.gov.au](mailto:ila@arts.gov.au) if you require a hard copy form, noting that all applications, including supporting documentation, must be received by the closing date.

You must make sure that your application is complete and accurate and submitted in accordance with these guidelines and application form.

You cannot change your application after the closing date and time.

The Department will acknowledge receipt of your application via an email notification once received. If you do not receive a notification or if you find a mistake in your application after it has been submitted, you should contact [ila@arts.gov.au](mailto:ila@arts.gov.au) or phone 1800 006 992 straight away.

The Department may ask you for more information, as long as it does not change the substance of your application. The Department does not have to accept any additional information, nor requests from applicants to correct applications after the closing time.

## 10.4 Attachments to the application

Supporting documentation to your application could include, but is not limited to:

- Arts Access Australia project accessibility template
- community support letters
- evidence of financial support
- evidence of audience demand (e.g. venue confirmations)
- invitation to perform/exhibit.

Your supporting documentation should be uploaded through the application form. There will be instructions in the application form to help you. Only attach the documents you have been asked to include.

Please keep a copy of any attachments to your application.

## 10.5 Applications through auspice bodies or from consortia

### **Auspice Body**

If you are an ineligible organisation, then you must arrange for a legal entity that meets the eligibility criteria in section 6.1 to auspice your application. By doing so, this means that all of the activities you do for the project must be done with the support and approval of the auspice body.

You and your auspice body should be aware that the auspice body will need to enter into a legally binding funding agreement with the Commonwealth of Australia. The auspice body will be ultimately responsible for meeting the obligations set out in the agreement as well as managing, reporting on and acquitting the funding.

### **Consortia**

Some organisations may apply as a consortium to deliver grant activities. A consortium is two or more eligible organisations who are working together to combine their capabilities when developing and delivering a grant activity.

If you are submitting a grant application on behalf of a consortium, a member organisation or a newly created organisation must be appointed as the 'lead organisation'. Only the lead organisation will enter into a grant agreement with the Commonwealth and will be responsible for the grant. The lead organisation must complete the application form and identify all other members of the proposed consortium in the application.

### **Supporting letters**

For both auspice body arrangements and consortia, the application must include a letter of support from each organisation involved in the grant.

Each letter of support should include:

- an overview of how the auspice body and applicant or the consortium will work together to complete the grant activity
- an outline of the relevant experience and/or expertise of each organisation involved in the grant



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- the roles/responsibilities of members and the resources they will contribute (if any)
- details of a nominated management level contact officer
- details of the auspice body or lead consortium organisation

## 9.6 Questions during the application process

If you have any questions during the application period, please contact [ila@arts.gov.au](mailto:ila@arts.gov.au). The Department will aim to respond to emailed questions within three working days.

Answers to general questions will be addressed in these guidelines, any other questions may be posted on [GrantConnect](#) and [the Arts](#) website and will be updated on a as needs basis throughout the funding round.

## 11. Assessment of grant applications

### 11.1 Who will assess applications?

Following an eligibility check, the first phase of assessing each application against the selection criteria is undertaken independently by two Department staff members who allocate a score out of 100. Assessing officers may seek information about you or your application and may also consider information about you or your application that is available through the normal course of business.

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

During the second phase of assessing, all eligible projects will be ranked in order of their overall score. Where there is a deviation in scores from the first phase of assessment, a third independent Department staff member reviews the assessments and determines the final score. The ranked projects will be provided to a Recommendation Review Committee (the Committee) consisting of Executive level Program staff. The Committee will be chaired by the Assistant Secretary, Access and Participation Branch.

The Committee will consider the applications and make recommendations to the Minister giving considerations to the following issues:

- whether the applicant is an Indigenous organisation or non-Indigenous organisation (see highlighted note below)
- a spread of arts and language projects being delivered across the program
- a geographic spread of projects across the states and territories and between city and regional areas.

**IMPORTANT:** As part of Government policy 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 and/or have equal ranking, preference will be given first to Indigenous organisations then to those organisations that can demonstrate their commitment to the principles of Indigenous inclusion through the employment of Indigenous Australians and/or engagement of Indigenous businesses in supply chains in the delivery of the grant activity.

## 11.2 Who will approve grants?

The Committee will make recommendations to the Minister. The Minister will make the final decision to approve a grant.

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

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

The Minister must not approve funding if they reasonably consider the program funding available across financial years will not accommodate the funding offer, and/or the application does not represent value for money. There is no appeal mechanism for decisions to approve or not approve a grant.

## 12. Notification of application outcomes

You will be advised of the outcomes of your application in writing, following a decision by the Minister. If you are successful, you will also be advised about any specific conditions attached to the grant.

If you are unsuccessful, we will notify you in writing and give you an opportunity to discuss the outcome. You can submit a new application for the same project (or a similar project) in any future Grant Opportunity rounds. You should include new or more information to address any weaknesses that may have prevented your previous application from being successful.

### 12.1 Feedback on your application

If you are unsuccessful, you may ask for feedback from the Department within one month of being advised of the outcome. The Department will give written feedback within one month of feedback being requested.

## 13. Successful grant applications

### 13.1 The grant agreement

If you are successful, you must enter into a legally binding grant agreement with the Commonwealth represented by the Department. The Department will use the *Commonwealth Low-Risk Grant Agreement* [www.finance.gov.au/resource-management/grants/grant-agreement-template/](http://www.finance.gov.au/resource-management/grants/grant-agreement-template/). Standard terms and conditions for the grant agreement will apply and cannot be changed. A schedule will be used to outline the specific grant requirements. Any additional conditions attached to the grant will be identified in the grant offer or during the grant agreement negotiations.

You will be required to:

- meet key deliverables
- collect and supply data
- submit reports, activity plans, budgets and/or financial acquittals

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- undertake risk management
- facilitate site visits by the Commonwealth if requested.

The Department will aim to negotiate agreements with successful applicants for both the open and direct offer streams of the ILA program by 31 July 2018. If there are unreasonable delays in finalising a grant agreement, the grant offer may be withdrawn and the grant may be awarded to a different applicant.

All funding will be subject to the terms and conditions set out in the grant agreement, including conditions relating to the deposit of funds, auditing and unspent program funds. Breach of an organisation's grant agreement may result in a requirement to repay funding to the Australian Government.

All funds provided by the Department must be appropriately expended in accordance with the approved budget prior to the end of the funding period identified in the grant agreement.

You should not make financial commitments until a grant agreement has been executed by the Commonwealth.

**IMPORTANT:** Funds will not be paid unless the grant agreement has been signed by both parties; activities must not begin before the grant agreement is signed by both parties; and funding is not available for activities that have already occurred.

### 13.2 How the grant will be paid

All funding recipients will be required to establish a separate bank account, specifically for the purpose of depositing and withdrawing Program funds.

The grant agreement will state the maximum grant amount to be paid. We will not exceed the maximum grant amount under any circumstances. If you incur extra eligible expenditure, you must pay it yourself.

Payments will be made against the agreed schedule, set out in the grant agreement, following its execution.

For one year projects, we will make a single payment on execution of the grant agreement.

For multi-year projects, one or two payments will usually be made each financial year.

Payments against the schedule are subject to the Department's acceptance of performance and financial reports, set out in the grant agreement, and the demonstrated need for approved funds to continue the activity. Payments will not be processed where the recipient has a breach, overdue report or outstanding acquittal relating to the grant agreement or previous Program funding.

### 13.3 Grant agreement variations

We recognise that unexpected events may affect the progress of a project. In these circumstances, you can request a project variation, including:

- changing project milestones
- extending the timeframe for completing the project.

The program does not allow for:

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- an increase to the agreed amount of grant funds.

If you want to propose changes to the grant agreement, you must put them in writing before the grant agreement end date. Contact [ila@arts.gov.au](mailto:ila@arts.gov.au) for further information. We will not consider changes after the grant agreement end date.

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

- how it affects the project outcome
- consistency with the program policy objective and any relevant policies of the Department
- changes to the timing of grant payments
- availability of program funds.

## 14. Announcement of grants

If successful, your grant will be listed on the GrantConnect website no later than 21 calendar days after the grant agreement takes effect<sup>2</sup> as required by Section 5.3 of the Commonwealth Grant Rules and Guidelines.

## 15. Delivery of grant activities

### 15.1 Your responsibilities

You must submit reports in line with the timeframes in the grant agreement. We will expect you to report on:

- progress against agreed key deliverables
- achievement against performance indicators
- eligible expenditure of grant funds.

You will also be responsible for:

- meeting the terms and conditions of the grant agreement and managing the activity efficiently and effectively
- complying with record keeping, reporting and acquittal requirements as set out in the grant agreement.

### 15.2 Department of Communications and the Arts' responsibilities

The Department will:

- meet the terms and conditions set out in the grant agreement
- provide timely administration of the grant
- evaluate the grantee's performance.

We will monitor the progress of your project by assessing reports you submit and may conduct site visits to confirm details of your reports if necessary. Occasionally we may need to re-

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<sup>2</sup> See Section 18 - Glossary

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examine claims, seek further information or request an independent audit of claims and payments.

### 15.3 Grant payments and GST

Payments will be made as set out in the grant agreement. If applicable, payments will be GST inclusive.

Before any payments are made, you must provide:

- a tax invoice for the amount of the payment (the Australian Government's default invoice process is Recipient Created Tax Invoices).

If you receive a grant, you should consider speaking to a tax advisor about the effect of receiving a grant before you enter into a grant agreement. You can also visit the Australian Taxation Office website at [www.ato.gov.au](http://www.ato.gov.au) for more information.

### 15.4 Evaluation

The Department will evaluate the Program to measure how well the outcomes and objectives have been achieved. Funding recipients may be required to participate in this evaluation. The evaluation will seek to identify and document the impact of activities. The evaluation may also include a survey of organisations who have received funding support. Grant agreements require grantees to provide information to assist the Department with a possible evaluation including:

- number of Aboriginal and Torres Strait Islander:
  - languages being revived or maintained (if applicable)
  - people employed
- demonstrated participation in funded activities and/or events
- demonstrated provision of professional development and training opportunities for people involved in delivering funded activities and/or events
- demonstrated financial viability and administrative stability.

### 15.5 Acknowledgement

The [ILA program logos](#) is designed to be used on all materials related to grants under the Program. Whenever the logo is used the publication must also acknowledge the Commonwealth as follows:

- 'Indigenous Languages and Arts Program – an Australian Government initiative'.

## 16. Probity

The Australian Government will make sure that the program process is fair, according to the published guidelines, incorporates appropriate safeguards against fraud, unlawful activities and other inappropriate conduct and is consistent with the Commonwealth Grant Rules and Guidelines.

**Note:** These guidelines may be changed from time-to-time by the Department. When this happens the revised guidelines will be published on GrantConnect at <https://www.grants.gov.au/>.

### 16.1 Complaints process

Any complaints about the grants process must be lodged in writing. If you have a complaint, please follow the steps outlined in the Department's Client Service Charter at [www.communications.gov.au/who-we-are/departments/client-service-charter](http://www.communications.gov.au/who-we-are/departments/client-service-charter). All complaints about a grant process must be lodged in writing.

If you do not agree with the way the Department 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 the Department.

The Commonwealth Ombudsman can be contacted on:

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

### 16.2 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 Departmental staff, any member of a committee or advisor 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 interest in, an organisation, which is likely to interfere with or restrict the applicants from carrying out the proposed activities fairly and independently
- has a relationship with, or interest in, an organisation from which they will receive personal gain because the organisation receives funding under the Program.

You will be asked to declare, as part of your application, any perceived or existing conflicts of interests or that, to the best of your knowledge, there is no conflict of interest.

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 application, you must inform the Department in writing immediately. Committee members and other officials including the decision maker must also declare any conflicts of interest.

The Director of the Indigenous Languages and Arts team will be made aware of any conflicts of interest and will handle them as set out in Australian Government policies and procedures. Conflicts of interest for Australian Government staff will be handled as set out in the Australian Public Service Code of Conduct (Section 13(7)) of the *Public Service Act 1999*.

### 16.3 Privacy: confidentiality and protection of personal information

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

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

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

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

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

We may reveal confidential information 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
- a House or a Committee of the Australian Parliament.

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

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

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

1. you clearly identify the information as confidential and explain why we should treat it as confidential
2. the information is commercially sensitive
3. revealing the information would cause unreasonable harm to you or someone else
4. you provide the information with an understanding that it will stay confidential.

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

### 16.4 Freedom of information

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

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

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

By mail:            Freedom of Information Coordinator  
                         Department of Communications and the Arts  
                         GPO Box 2154  
                         CANBERRA ACT 2601

By email:          Freedom of Information Coordinator  
                         Department of Communications and the Arts  
                         [foi@communications.gov.au](mailto:foi@communications.gov.au)

## 17. Consultation

Aboriginal and Torres Strait Islander peoples, as the principle beneficiaries of the Program, have been consulted in the guideline design process.



## 18. Glossary

Aboriginal or Torres Strait Islander person	<p>A person who:</p> <ul style="list-style-type: none"> <li>• is of Aboriginal or Torres Strait Islander descent</li> <li>• identifies as an Aboriginal or Torres Strait Islander person</li> <li>• is accepted as an Aboriginal or Torres Strait Islander person by the community in which he or she lives.</li> </ul>
assessment criteria	The specified principles or standards against which applications will be judged. These criteria are also used to assess the merits of proposals and, in the case of a competitive granting activity, to determine applicant rankings. (as defined in the CGRGs)
date of effect	This will depend on the particular grant. It can be the date in which a grant agreement is signed or a specified starting date. Where there is no grant agreement, entities must publish information on individual grants as soon as practicable. CGRGs
decision maker	The person who makes a decision to award a grant, in this case the Minister for the Arts.
eligibility criteria	The principles, standards or rules that a grant applicant must meet to qualify for consideration of a grant. Eligibility criteria may apply in addition to assessment criteria. (CGRGs)
Commonwealth entity	A Department of State, or a Parliamentary Department, or a listed entity or a body corporate established by a law of the Commonwealth. See subsections 10(1) and (2) of the Public Governance and Performance Accountability Act.
Country	a single word expression to denote Indigenous peoples “spiritual inter-being with the land, the sea, the sky, and all life and geologic forms therein” (as defined by Dr Shayne T. Williams in <i>The Importance of Teaching and Learning Aboriginal Languages and Cultures</i> )
grant	<p>a grant is an arrangement for the provision of financial assistance by the Commonwealth or on behalf of the Commonwealth:</p> <ol style="list-style-type: none"> <li>a) under which relevant money or other Consolidated Revenue Funding (CRF) money, is to be paid to a recipient other than the Commonwealth; and</li> <li>b) which is intended to assist the recipient achieve its goals; and</li> </ol>

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	<p>c) which is intended to help address one or more of the Australian Government's policy objectives; and</p> <p>under which the recipient may be required to act in accordance with specified terms or conditions.</p> <p>Commonwealth Grant Rules and Guidelines section 2.3</p>
grant activity	Is the project /tasks /services that the Grantee is required to undertake with the grant money. It is described in the Grant Agreement. (Proposed definition in the grants taxonomy)
grant agreement	Grant agreement means the contract template used by Australian Government entities to set out the mutual obligations relating to the provision of the grant. The Australian Government is standardising and streamlining grant agreements between the Commonwealth and grant recipients to allow grant recipients to engage more easily and efficiently with the Commonwealth. (CGRGs)
grant opportunity	A notice published on GrantConnect advertising the availability of Commonwealth grants. (Proposed definition in the grants taxonomy)
grant program	May be advertised within the 'Forecast Opportunity' (FO) section of GrantConnect to provide a consolidated view of associated grant opportunities and provide strategic context for specific grant opportunities
grantee	An individual/organisation that has been awarded a grant. (Proposed definition in the grants taxonomy)
Indigenous organisations	Where an organisation is more than 50 per cent Indigenous owned or controlled. For example where more than 50 per cent of an organisation's Board Directors are Aboriginal or Torres Strait Islander people.
Indigenous suppliers	Where the organisation that supplies the goods or services is more than 50 per cent Indigenous owned or controlled. For example, where an Indigenous organisation provides goods for sale in an art fair they would be considered an Indigenous supplier.
selection criteria	Comprise eligibility criteria and assessment criteria. (CGRGs)
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)

## Appendix A: Examples of Eligible Projects

Some examples of eligible projects include, but are not limited to:

- multi-media arts or languages projects that engage young Aboriginal and Torres Strait Islander peoples
- traditional Indigenous arts and craft production
- the development of new Indigenous dance or theatre pieces
- film or other screen based works
- contemporary or traditional music production or performance
- traditional storytelling, writing, poetry and/or contemporary narrative pieces
- multi-art projects involving installations, projections, recorded interviews or other art forms
- photography and arts projects that promote the use of Indigenous languages, including dance, literature, music or theatre
- the documentation, collection, digitisation, preservation and storage of Indigenous language material and language resources
- the development of Indigenous language teaching and learning resources for broad use in/by the community (note: the development of resources for exclusive use in schools is not eligible)
- projects designed to promote an increase in, or maintain the number of, Aboriginal and Torres Strait Islander people speaking their language
- the use of Indigenous languages in a range of fields and media
- the teaching of languages (other than in a school setting) that directly facilitate the teaching and learning of Indigenous arts and languages
- language activities that utilise technology in an innovative and culturally sensitive manner.