



School Nutrition Program

Administrative Guidelines 2008-2009



February 2008

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1 *These Guidelines*

- 1.1 *Purpose of these Guidelines*** These Guidelines set out the requirements for the implementation of the Australian Government's School Nutrition Program (hereafter referred to as "the Program") by the organisations contracted to deliver the program (hereafter referred to as "the Providers"). They include information about the goals of the program, how it should operate, and the administrative and legal environment within which it operates.
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- 1.2 *Relationship of Guidelines to the Funding Agreement*** These Guidelines form part of the Funding Agreement between DEEWR and contracted School Nutrition Program Providers. Where there is any inconsistency between the Funding Agreement and these Guidelines, the Funding Agreement shall prevail to the extent of the inconsistency.
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- 1.3 *These Guidelines may be amended from time to time*** The Australian Government reserves the right to amend these Guidelines from time to time. In making such amendments, the Department of Education, Employment and Workplace Relations (DEEWR) may consult with contracted Providers prior to the change, but is not obliged to. Contracted program Providers will be advised of any changes in writing.
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2 Introduction to the School Nutrition Program

2.1 Program Overview

The School Nutrition Program is a breakfast and/or lunch service for school-aged children from remote communities of the Northern Territory which aims to support better school attendance and to help with learning and engagement in education. The Program also provides job opportunities and training for local community members.

The Program is a sub-measure of the Northern Territory Emergency Response (NTER) announced by the Australian Government in June 2007 in response to the *Little Children are Sacred* report.

The Emergency Response's main aim is the protection of children living in remote communities and town camps in the Northern Territory. Approximately 8,000 children (180 non Indigenous) are enrolled in 71 schools in the 73 communities prescribed under the NTER with an estimated 2,500 children not attending sufficiently regularly to benefit from their education. Up to a further 2,000 children of school age are estimated not to be enrolled in education.

The Program is administered by the Department of Education, Employment and Workplace Relations on behalf of the Australian Government. The Department works with each community to establish and fund SNP Providers so they can employ local workers to prepare and deliver the meals, to ensure adequate kitchen facilities and equipment are available, and to support any related professional development activity.

Parents and carers are expected to contribute to the cost of the food for each child they support by making contributions via Income Management (IM), Centrepay or cash .

2.2 Program rationale

Nutrition programs have been found to be a positive support avenue for increased engagement, attendance, and performance in schools, as well as a positive mechanism for parental involvement.

Qualitative evidence shows that students who have consumed a meal before school are better able to concentrate and engage in their education.

School nutrition programs have been proven to have a positive impact on school enrolment and attendance rates, regardless of the environment in which they operate. It is reasonable to assume the School Nutrition Program will lead to improved educational outcomes over time, as long as there is an appropriate level of school access, and quality education programs available.

The attribution of educational outcomes to school nutrition programs is complex and problematic. There are many contributing factors to poor school attendance and engagement in education such as poor health, overcrowded housing, lack of basic infrastructure, quality of schooling and so on. The School Nutrition Program must therefore not be considered in isolation, but rather as part of a broader school engagement strategy.

Many schools across Australia have long-term meals or nutrition programs in place. These programs are sustained because they provide an important service, one that benefits the teaching and learning environment in the school.

2.3 Program Objectives

The School Nutrition Program aims to achieve two main policy goals:

- Contribute to improved school attendance and engagement by providing breakfast and / or lunch to children enrolled in Year 1 to Year 10 in communities in the Northern Territory (NT) prescribed under the NTER Act 2007 (Cth); and
- Provide for employment opportunities for local Indigenous people. It will do this by working closely with local Indigenous communities, to identify and build local people's skills, and supporting them to take up positions in delivering the Program.

2.4 Subsidiary program aims

The Program also has three subsidiary aims:

- Supporting greater Indigenous parental and community involvement in schools;
- building parental skills in meal preparation and provision; and
- Contributing to a 'work ready' base of Indigenous people in remote NT communities.

The Department's expectations of Providers is that they prioritise their resources and efforts toward achieving the main policy goals set out above at 2.3.

The purpose of subsidiary aims is to provide direction for providers who have the capacity and resources to expand their role in the community beyond service provision.

More information about subsidiary program aims can be found [here](#).

2.5 Policy / Program Principles

Caring for children is a primary and fundamental responsibility of parents and carers, and wherever possible, should be the default position of preference.

This Program promotes the principle of mutual obligation between parents and government. Accordingly the Program meets the costs of infrastructure and service provision, and expects that parents and carers will contribute toward the cost of food.

Local Indigenous people are best placed to provide advice on what is likely to work in their communities. The Department and SNP Providers must involve local Indigenous people in discussions about Program implementation from the earliest opportunity, to ensure that they have input and a sense of ownership as the Program evolves.

Where an organised meal program for children already exists in a community or at a school, the School Nutrition Program will seek to harmonise with it and dovetail operations to the greatest extent possible.

Employment arrangements for the delivery of the Program are to be flexible, with the aim of maximising, over time, local Indigenous employment outcomes and sustaining that employment.

Meal preparation and storage of foods should comply with all relevant regulations and standards.

2.6 SNP Program Contacts

DEEWR contact officers and details for formal contract correspondence are set out at Item N of the Funding Agreement.

To contact DEEWR Field Officers, Providers should call their nearest DEEWR State / Regional office.

Darwin: (08) 8936 5125 or (08) 8936 5146

Alice Springs (08) 8959 8839 or (08) 8959 8840

Or visit our website at www.deewr.gov.au

3 Participation in the School Nutrition Program

3.1 Eligibility

The School Nutrition Program is available to all children of compulsory school age (aged 6-15 years) in the 73 prescribed communities and ten town camp regions whose parents are making contributions toward the cost of their meals. Providers are responsible for maximising participation by encouraging and signing-up parents to the Program.

The Australian Government can assist Providers to improve participation so that as many eligible children as possible can access the Program. Providers can request assistance by contacting their DEEWR field officer. Local Community Employment Brokers (CEBs) and Centrelink are also available to help Providers in this process.

3.2 Interim arrangements for unfunded children

In the funding period to 30 June 2009 all children of school age attending school will be provided with meals under the School Nutrition Program regardless of whether a contribution has been made on their behalf.

Providers are required to contact parents of unfunded children to further explain the Program to them, promote its benefits, and encourage them to participate. DEEWR officers will support Providers to engage parents of unfunded children as and where they can.

Where providers are unable to meet the costs of feeding unfunded children through existing contributions they should approach DEEWR for support.

3.3 Attendance

Participating parents are responsible for ensuring their children attend the Program at the scheduled time for meals. They must also notify the School when their child is absent from school.

3.4 No reimbursements

No reimbursements are payable in the normal running of the School Nutrition Program. It is the responsibility of the child's parent or carer to EITHER collect the child's meal from the school (see 3.7) OR notify Centrelink to stop payments (see 3.8).

3.5 Extraordinary and unanticipated circumstances

DEEWR acknowledges that extraordinary and unanticipated circumstances may arise in which people may have a reasonable claim for reimbursement of SNP funds. Where a person believes they have such a claim, they should contact their SNP provider who will notify their DEEWR Field Officer. DEEWR will then work with Centrelink to assess the claim, and will liaise directly with the claimant.

Any claims that are made directly to Centrelink under these circumstances will also be referred to a joint Centrelink-DEEWR body for a decision.

3.6 Appeals under Income Management

Income Managed Centrelink customers who are unhappy with Income Management decisions made by Centrelink may appeal to an Authorised Review Officer to have that decision reviewed. Centrelink will be able to provide advice on the process for lodging such an appeal.

The Australian Government has indicated that they will legislate in 2009 to ensure that people subject to Income Management have access to the full range of appeal mechanisms afforded to other Australians, including through the Social Security Appeals Tribunal and the Administrative Appeals Tribunal.

These Guidelines will be updated to reflect this legislation.

3.7 Student absences

Where children are absent from school and still in their home community, parents may collect the child's meal/s from the provider and bring them to the child. Parents are not entitled to refunds of meal costs under these circumstances.

	<p>Where parents or carers are not able to collect meals for the child from the provider under these circumstances, no reimbursement will be payable. A number of student absences, in line with national attendance rates of between 91% and 93%, were taken into account when meal costs under the SNP were calculated.</p>
<p>3.8 Extended absences from home base</p>	<p>Where children are absent from school for periods of longer than five consecutive school days, AND are not in their home community, it is the responsibility of their parents / carers to notify Centrelink <u>immediately</u> of their change of circumstances.</p> <p>In these circumstances Centrelink will stop SNP deductions from the date of the notification, and re-start them only when the parents / carers have requested that they be re-started.</p> <p>Where the child moves to another community where a School Nutrition Program is in place, Centrelink will make arrangements for SNP deductions to be transferred to the provider in the child's new community for the duration of their stay.</p>
<p>3.9 Payment methods</p>	<p>Parents/Carers can pay for the Program through either Income Management (IM), Centrepay or by direct debit. Providers are required to take an active role in assisting parents to access these payment methods.</p>
<p>3.10 Income Management</p>	<p>Income Management arrangements apply to people whose main income is via income support payments, and live in prescribed areas or town camps in the NT. A description of prescribed areas can be found in the glossary.</p> <p>Under Income Management, 50% of income support payments and family assistance payments are income managed to ensure priority needs such as food and housing are met.</p> <p>Priority needs include food, clothing, housing, utilities (such as electricity, water, telephone), health and hygiene needs, child care and development, education and training, and basic household goods.</p> <p>It is possible that the full 50% of compulsory income managed funds may be committed to other priority needs (eg rent, household food, basic household needs, utilities) meaning that School Nutrition Program contributions could be made from discretionary funds available through the non income managed portion of an individuals income support payments.</p>
<p>3.11 Participation in the SNP is voluntary</p>	<p>Participation in the School Nutrition Program is voluntary, although parents with school aged children are strongly encouraged to participate.</p>
<p>3.12 Centrelink may direct Income Management customers to contribute to the SNP</p>	<p>Notwithstanding the voluntary nature of the SNP as described at 3.10, Centrelink are authorised under the Social Security and Other Legislation Amendment (Welfare Payment Reform) Act, 2007 (C'th) Section 123YA (1) and (2), to compel Income Managed Centrelink customers to direct their IM funds to priority needs if they become aware of any unmet needs, provided the customer has an IM balance.</p> <p>In the context of the SNP, if Centrelink becomes aware that children are not receiving breakfast and lunch during the school week, and their parents or carers are not already contributing to the SNP, Centrelink are obliged to direct Income Managed funds to the SNP on behalf of those children without necessarily obtaining the permission of the parent or carer to do so, provided they have an IM balance.</p>
<p>3.13 Paying through Income Management</p>	<p>Parents/Carers who are subject to Income Management arrangements can pay out of the Income Managed portion of their Centrelink benefits.</p>

	<p>To authorise payments to the Program through Income management parents will need to talk to Centrelink or complete an Income Management School Nutrition Program deduction form and send it to Centrelink. The form is provided at Attachment 1.</p>
<p>3.14 Third Party Organisations (TPOs) under the Income Management regime</p>	<p>A Third Party Organisation (TPO) under IM is an organisation that provides Centrelink customers with goods and services that are classed as priority expenses under Income Management conditions. Businesses must register with Centrelink to become an income management registered TPO. Once registered and approved, a TPO may be paid Centrelink customers' income managed funds directly into a bank account nominated and agreed with Centrelink to receive customer IM funds.</p> <p>School Nutrition Program Providers are registered as income management TPOs so that they can receive IM funds.</p> <p>Where Providers do not have the administrative capacity to receive and manage IM funds, DEEWR may contract another organisation to receive and manage those funds on the provider's behalf. Centrelink would also need to register this new organisation (TPO) under IM who would be receiving IM funds, not necessarily the Provider.</p>
<p>3.15 Paying through Centrepay</p>	<p>Centrepay is a direct bill-paying service offered to people receiving payments from Centrelink. Through Centrepay parents/carers can have a regular amount deducted from their Centrelink payment for the Program.</p> <p>To authorise payments to the Program through Centrepay, parents / carers will need to talk to Centrelink or complete a Centrepay Deductions form and submit it to Centrelink. The form is provided at Attachment 2.</p> <p>Providers (TPOs) must be registered under Centrepay. Payments made via Centrepay will attract a transaction fee for the TPO.</p>
<p>3.16 Paying through direct debit arrangements</p>	<p>Parents/Carers can also have deductions made via direct debit for the Program through their bank or employer. Parents/Carers need to talk to their bank or employer and arrange for deductions to be transferred to the Provider.</p>
<p>3.17 Paying from CDEP wages</p>	<p>Parents/Carers who are Community Development Employment Program (CDEP) participants can ask their CDEP Manager or CDEP Provider to make deductions from their CDEP wages. To authorise payment via this method, Parent/carers need to sign an Authority Form at the CDEP Office and ask them to send the payments to the service provider.</p> <p>From 1 July 2009, new CDEP participants will be subject to Income Management. Existing CDEP participants will continue to be paid under current CDEP wages arrangements until 30 June 2010.</p>
<p>3.18 Operating Periods</p>	<p>Deductions for the SNP for Income Managed customers are made over 46 weeks of the year, starting from the first Centrelink pay day after school commences for 2009, and ceasing on the last Centrelink pay day before school finishes in Term 4. Deductions will continue during school holidays, however as the payments are spread out over 46 weeks (instead of the 40 weeks of the school year), deductions are smaller.</p> <p>Parents/Carers who contribute to the SNP via Centrepay are responsible for advising Centrelink when deductions should not be made.</p> <p>Parents/Carers who are Community Development Employment Program (CDEP) participants are responsible for advising their CDEP Provider when deductions should not be made.</p> <p>Parents/Carers who have deductions made via direct debit for the Program through their bank or employer will also need to advise their bank employer</p>

when deductions should not be made.

Term dates for NT Government schools can be found at:

http://www.det.nt.gov.au/education/term_dates/#2008

Term dates for NT Catholic schools can be found at:

http://www.ceo.nt.catholic.edu.au/CEO/main/index.php?ch_table=link10&SID=XXhvsKiTUMkiAYo&PID=6&st=1

3.19 Commencing SNP payments during the year

Income Management customers who wish to commence SNP deductions during the year will pay the same rate as people who commenced the program at the start of the year. However they will only pay that rate for the number of weeks remaining in the program year, and their deductions will cease on the same date as all other deductions (see 3.18).

4 Program Delivery Models

4.1 Customise the Program to suit the community	To accommodate needs and conditions in each community, customised delivery arrangements should be developed. Good practice suggests that Programs should engage with existing structures and frameworks rather than imposing new ones. Programs are also more likely to succeed where there is some room for flexibility in delivery to react to and accommodate local issues.
4.2 Town camps	<p>Students from Town Camps are enrolled in a large number of schools in each township across all education sectors. The School Nutrition Program is not funded to set up meals services in Town Camps. However, Town Camps may set up their own school nutrition programs if they wish, noting that School Nutrition Program funding will not be available to them.</p> <p>Where Town Camp students are attending a school with a canteen DEEWR will negotiate for the parents to pay IM or other funds directly to the school canteen in order that their children have a meal prepared for them each day. Alternatively a private provider may be contracted to deliver lunches to the school.</p>
4.3 Outstations and Homelands	The School Nutrition Program is not funded to provide services for outstations and homelands. Parents in these communities can set up their own program if they so wish, however School Nutrition Program funding will not be available to them.
4.4 Types of contracting organisations which are eligible for SNP funding	Providers may include, but are not limited to Women's Centres, Aged Care Centres, Schools, stores, private businesses, non-government organisations and philanthropic organisations.
4.5 Other organisations providing school meals in the NT	A number of organisations are providing programs in prescribed communities, both under the NTER and independent of it, and these can be complemented and enhanced by the Program. Organisations currently involved in meal provision include the Australian Red Cross, Smith Family and the Australian Sports Commission.

5 Roles and responsibilities of a School Nutrition Program Provider

<p>5.1 Role of a contracted Program Provider</p>	<p>The role of a contracted Provider of the Australian Government's School Nutrition Program is to provide breakfast and / or lunch to all eligible children in the community for which the Provider has been contracted to deliver the Program.</p>
<p>5.2 Promoting the Program to families</p>	<p>Providers are required to contact parents of unfunded children to further explain the Program to them, promote its benefits, and encourage them to participate. DEEWR officers will support Providers to engage parents of unfunded children as and where they can.</p>
<p>5.3 Building partnerships</p>	<p>Partnerships are crucial to the success and sustainability of school nutrition programs. Providers should work closely with other relevant organisations such as schools, local health clinics, community stores, Shire Councils and other community and government organisations to promote positive nutrition messages and participation in the Program.</p>
<p>5.4 Commitment to employ local Indigenous people</p>	<p>Providers are required to provide employment opportunities for local Indigenous people. This will involve working closely with individuals to support them to take up employment in the Program. Providers will be required to demonstrate that they are addressing this aspect of their obligations in their reporting to the Department.</p>
<p>5.5 Supporting parental and community involvement in schools</p>	<p>This subsidiary program aim is an opportunity for Providers to use the Program to help engage parents and the broader community in schools. Providers engage with parents and schools in day to day Program business, and should see themselves as part of a larger effort to encourage parents and communities to become involved with their children's' school.</p> <p>Providers will be given an opportunity through their Annual Performance Report to share any initiatives, lessons or successes they have experienced in this area during the reporting period</p>
<p>5.6 Building parental skills in meal preparation and provision</p>	<p>This subsidiary program aim gives Providers an avenue to share their skills and knowledge in food preparation and nutrition with interested parents in the community. Where providers are able to undertake some activity in this area, its exact nature, scope and purpose will be influenced by the community environment, and by the level of resources the Provider is able to commit.</p> <p>Providers will be given an opportunity through their Annual Performance Report to share any initiatives, lessons or successes they have experienced in this area during the reporting period.</p>
<p>5.7 Contributing to a 'work ready' base of Indigenous people in remote NT communities</p>	<p>This subsidiary program aim acknowledges the role SNP Providers are playing to improve the 'work readiness' of Indigenous people in the communities in which they operate.</p> <p>SNP providers are encouraged to participate in community-level initiatives to improve the 'work readiness' of Indigenous people. Local Community Employment Brokers (CEBs) and Government Business Managers (GBMs) will be well placed to support participation in initiatives such as these.</p> <p>Providers will be given an opportunity through their Annual Performance Report to share any contribution they have made to this subsidiary aim during the reporting period</p>
<p>5.8 Participate in Program review and evaluation activities</p>	<p>The Department may conduct Program review and evaluation exercises during the life of the Funding Agreement. In the interests of Program improvement, Providers are required to cooperate with and participate in these activities.</p>
<p>5.9 Dining areas must be insured</p>	<p>The Provider must ensure that all dining areas where food is to be consumed off school premises as part of the Program are covered by public liability insurance.</p>

5.10 Privacy of Participant information

Australian Government privacy obligations

Australian Government agencies (including DEEWR, Centrelink, and FaHCSIA) are bound by the *Privacy Act 1988 (the Privacy Act)*, which contains Information Privacy Principles (IPPs) that prescribe the rules for the handling of personal information by government agencies.

In brief, in accordance with the provisions of the Privacy Act and the IPPs Australian Government agencies will ensure that:

- personal information is collected in accordance with IPPs 1–3;
- suitable storage arrangements, including appropriate filing procedures, are in place;
- suitable security arrangements exist for all records containing personal information;
- access to a person's own personal information held by the organisation is made available to them at no charge;
- records are accurate, up to date, complete and not misleading;
- where a record is found to be inaccurate, it is corrected;
- where the person contends that a record is inaccurate but it is found to be correct, the details of the request for amendment are noted on the record;
- personal information is only used for the purposes for which it was collected, or for other purposes expressly allowed by IPP 10;
- personal information is only disclosed in accordance with IPP 11; and
- any collection, storage, security, use or disclosure of Tax File Numbers complies with the Privacy Commissioner's Tax File Number Guidelines 1992.

5.11 Privacy complaints

Privacy complaints can be made directly to the Federal Privacy Commissioner; however, the Federal Privacy Commissioner prefers that the Department be given an opportunity to deal with the complaint in the first instance.

Complaints to DEEWR

Complaints about breaches of privacy should be referred to:

The Privacy Officer
Legal, Investigations and Procurement Group
Department of Education, Employment and Workplace Relations
GPO Box 9880
Canberra ACT 2601

5.12 Freedom of Information (FOI)

Documents held by DEEWR

The public may request access under *the Freedom of Information Act 1982* (FOI Act) to all documents created or held by DEEWR relating to the Program. Unless a document falls under an exemption provision, it will be made available to the general public if requested under the FOI Act. Decisions regarding requests for access will be made by DEEWR's authorised decision-maker in accordance with the requirements of the FOI Act.

All requests for access to DEEWR documents under the FOI Act should be referred to:

FOI Coordinator
Legal, Investigations and Procurement Group
Department of Education, Employment and Workplace Relations
GPO Box 9880

**5.13 Other
Commonwealth
legislation**

Providers must be familiar with Commonwealth legislation, some of which may impose obligations on them:

- *Criminal Code Act 1955*;
- *Equal Opportunity for Women in the Workplace Act 1999*;
- *Archives Act 1983*;
- *Financial Management and Accountability Act 1997 (replaced the Audits Act 1901 from 1/1/1998)*;
- *Crimes Act 1914*;
- *The Criminal Code Amendment (Theft, Fraud, Bribery and Related Offences) Act 2000*;
- *Disability Discrimination Act 1992*;
- *Human Rights and Equal Opportunity Commission Act 1986*;
- *Racial Discrimination Act 1975*;
- *Sex Discrimination Act 1984*;
- *Trade Practices Act 1974*;
- *A New Tax System (Goods and Services Tax) Act 1999*;
- *A New Tax System (Goods and Services Tax Transition) Act 1999*;
- *A New Tax System (Australian Business Number) Act 1999*.

Commonwealth Acts are available from COMLaw, the legal information retrieval system owned by the Australian Government's Attorney-General's Department. The internet address is: www.comlaw.gov.au

**5.14 Northern Territory
legislation**

Providers must also be familiar with all relevant Northern Territory legislation which may impose obligations on them including:

- Legislation covering the preparation and provision of food;
 - Child protection legislation; and
 - Employment & occupational health and safety legislation.
-

**5.15 NT Community
Welfare Act**

Under *The Community Welfare Act* in the Northern Territory any person who believes that a child is being, or has been, abused or neglected is required by law to report their concerns.

Reports should be made to the 24 hour Centralised Intake Service by using the free-call phone number 1800 700 250.

Providers should be aware that they do not need to prove abuse or neglect, they only need to believe, on reasonable grounds, that a child has suffered or is suffering maltreatment to report their concerns. *The Community Welfare Act* provides legal protection against civil or criminal liability for people who make reports in good faith.

The Act also makes it clear that making a report does not breach any requirements of confidentiality or professional ethics.

6 Meals

6.1 Breakfast and / or lunch

Throughout these Guidelines and other Program documentation, reference is made to the provision of breakfast and / or lunch to students. Providers may provide morning tea and afternoon tea in addition to or in place of other meals. At the end of each reporting period providers will be asked to report to DEEWR Field Officers the meals service they are providing each day.

6.2 Meal costs

The cost of meals varies from community to community based on the local economy and the number of meals provided. For example, not all School Nutrition Programs include both breakfast and lunch. Other variables such as freight costs and food prices can vary widely between communities.

Allowance has also been made for a number of student absences, based on national attendance rates of between 91% and 93%. This negates any obligation by DEEWR or SNP providers to pay meal reimbursements when children are unable to attend school or have their meal collected (see 3.7).

The Department encourages SNP Providers to minimise costs. However they should also ensure that their Program expenses are met and the quality of meals remains high.

Parents' contributions toward food costs are paid directly to the Provider responsible for delivery of the Program (see Sections 3.4 to 3.8 above for a description of payment methods).

The maximum contribution parents may be charged is \$35 per week.

6.3 Nutritional guidance for meal planning

Nutritional guidance should be taken from the *Northern Territory School Canteen Guidelines 2006*.

Providers should also obtain a copy of the companion booklet to the canteen guidelines called *Tummy Rumbles: Guidelines for Remote Area Canteens (revised 2005)*. These may be downloaded from http://digitallibrary.health.nt.gov.au/dspace/bitstream/10137/76/1/tummy_rumbles_part1.pdf

Further advice on providing nutritionally adequate meals can be found in the following resources:

- *The Australian Guide to Healthy Eating* (<http://www.health.gov.au/internet/main/publishing.nsf/Content/health-publth-strateg-food-guide-index.htm>)
 - *The Aboriginal and Torres Strait Islander Guide to Healthy Eating* (<http://www.health.sa.gov.au/PEHS/branches/health-promotion/ATSI-nutrition-educators.pdf>)
 - *Dietary Guidelines for Children and Adolescents in Australia* (www.nutritionaustralia.org.au), and
 - the *Nutrient Reference Values for Australia and New Zealand, including the Recommended Dietary Intakes* (http://www.nhmrc.gov.au/PUBLICATIONS/synopses/_files/n35.pdf).
-

6.4 Special diets must be catered to

Individual dietary requirements, such as allergies, vegetarianism and diabetes, must be taken into consideration when planning a menu. It is the parent or carer's responsibility to ensure that the SNP Provider is aware of any special dietary requirements, and it is the Provider's responsibility to cater for them.

6.5 Meal Preparation

Providers are required to use appropriate kitchen facilities and meal preparation areas with hot and cold running water. In some instances meals

and Clean Up

will be prepared away from school dining areas (e.g. in aged care or other community facilities). This will require Providers to safely transport meals to appropriate dining areas.

Providers should work with schools to determine the most efficient and least disruptive means of food preparation, storage, delivery and clean up.

6.6 Dining Areas

Where Providers are providing dining areas, they should ensure that appropriate space and infrastructure are available.

Where dining areas are off school grounds, arrangements must be in place to ensure that children travel from and to school in a safe and timely manner. Providers should work closely with schools to develop these procedures.

6.7 Food Storage and hygiene

Provider food storage and preparation procedures must comply with relevant regulations. It is the Provider's responsibility to be aware of the regulatory environment in which they operate.

Advice on Provider's obligations in this regard can be found on the website of the NT Department of Health and Families at http://www.health.nt.gov.au/Environmental_Health/Food_Safety/index.aspx

7 Employment

7.1 Create employment opportunities for Indigenous people	<p>The School Nutrition Program aims to create jobs for local Indigenous people in communities. Providers are therefore required, wherever possible, to employ local Indigenous people as coordinators and assistants.</p> <p>Consideration must be given to workers and volunteers who have shown a capacity in, and commitment to, delivering existing nutrition projects. Merit based recruitment processes must also be adopted.</p>
7.2 Employment roles in a School Nutrition Program	<p>Employees for projects could include supervisors, breakfast and lunch coordinators, part time assistants, administrative assistants, storepersons, volunteers, and clean up staff.</p>
7.3 Supervisors	<p>Supervisors may be contracted to assist with the implementation of the projects. Supervisors should be experienced managers with the ability to coordinate activities, recruit and organise the local workforce, supervise meal planning and preparation, order food and manage the financial and reporting aspects of the project. They are also responsible for training and mentoring the local workforce and identifying staff.</p>
7.4 Workers' compensation	<p>The Provider must hold relevant Workers' Compensation insurance. Detailed insurance obligations are described at Schedule 1 Item H of the Funding Agreement.</p>
7.5 Parental / carer engagement	<p>Parental / carer involvement in the Program, whether paid or volunteer, is strongly encouraged. Note that when engaging parents or carers, Providers must still comply with insurance requirements, working with children, and volunteers in schools policies.</p>
7.6 Working with children checks	<p>Anyone who has contact with children for the purpose of the School Nutrition Program, whether paid or volunteer, must undergo a criminal record check in accordance with Schedule 3 of the Funding Agreement and Section 12 of these Guidelines.</p>
7.7 Succession planning	<p>Succession planning should be used to assist in developing the local workforce, and to assist with the smooth operation of activities when Program employees are unavailable due to leave, illness or personal commitments.</p>
7.8 Working conditions	<p>Salaries, subject to meeting relevant Awards, should reflect parity with existing employing organisation salaries. Project employees should have access to:</p> <ul style="list-style-type: none">• Six weeks annual leave;• Sick or personal leave;• Superannuation; and• The ability to purchase an additional 6 weeks leave to allow for school holidays ('stand down' based on being paid 96% of a full time salary or pro rata according to the hours worked each week).
7.9 Community Development Employment Projects (CDEP)	<p>Community Development Employment Program (CDEP) participants may only work on the School Nutrition Program when they are participating in a work experience placement (see 7.11 below).</p> <p>CDEP participants cannot be engaged to deliver the School Nutrition Program under any other circumstances. The Australian Government provides funding under the program for all Program positions to be properly paid during the funding period.</p>
7.10 Work for the Dole (WfD)	<p>Work for the Dole (WfD) participants may only work on the School Nutrition Program when they are participating in a work experience placement (see 7.11 below).</p>

Work for the Dole (WfD) participants cannot be engaged to deliver the School Nutrition Program under any other circumstances. The Australian Government provides funding under the Program for all Program positions to be properly paid during the funding period.

7.11 Work Experience Placement (WEP) program

SNP Providers may engage CDEP participants, WfD participants or eligible job seekers through the Department's Work Experience Placement (WEP) program.

Work experience placements can be from 5 days to 8 weeks duration, and involve a minimum of 8 hours per week. Work experience participants do not receive any wages, but do learn valuable work skills. Providers are required to provide training for the person on work placement. More details about the WEP can be found on the internet [here](#).

Work Experience Placements are only to be taken on at the Provider's complete discretion, and where the Provider has sufficient capacity to properly support participants.

7.12 WEP placements may not substitute for paid positions

It is very important that providers take note:

Work Experience Placements are to be undertaken **over and above paid positions** on the program. In other words, **the WEP may not be used as a substitute for paid positions**. The Australian Government provides funding under the Program for all Program positions to be properly paid during the funding period.

8 Funding

8.1 Funding formula

Provider funding is calculated according to a formula which is based partly on student enrolments, and partly on a fixed payment. This formula determines only how the Program funding is distributed to Providers. Providers are not compelled to pay the wages described here, these amounts are used for Program administrative purposes only.

Program funding has two elements: **salaries** and **infrastructure and equipment maintenance**.

Salaries

Providers are paid an amount for staff salaries. This amount is based on the number of compulsory school-aged children from each community for which that Provider is contracted.*

Generally, Providers are funded to employ **one full-time Indigenous School Nutrition Coordinator**. This salary is based on the bottom level of an NT Administrative Officer Level 2 (\$40,126 as at November 2008) plus up to 30% on costs.

In addition, Providers may be funded to employ **one part-time Indigenous assistant at 0.5 FTE** for every 50 students enrolled at the school above the first 50.. This salary is based on the bottom level of an NT Administrative Officer Level 1 (\$36,387 as at November 2008) salary in the NT plus up 30% on-costs.

* DEEWR uses enrolment numbers provided by the Northern Territory Government and the Northern Territory Catholic Education Office.

Infrastructure and equipment maintenance

All Providers receive a payment of \$2 000 for infrastructure and equipment maintenance.

Once off professional development allowance

Providers were paid a once off professional development allowance in the 2007/2008 Program year. This funding is not available in the 2008/2009 Program year.

A Provider payment is therefore calculated as:

F/t Coordinator salary	\$40 126
	+
Additional p/t Assistant salary	\$18 193 x each 50 students above the first 50
	+
Salary on-costs	Up to 30% of salaries
	+
Infrastructure and equipment maintenance	\$2 000
	+
GST	10%
	=
TOTAL FUNDING	\$

8.2 GST

GST has been included in all School Nutrition Program payments.

8.3 Infrastructure and equipment

Projects may require minor infrastructure upgrades and equipment including, but not limited to:

- tables and chairs for children to eat meals,
 - white goods,
 - non disposable cutlery and crockery,
-

	<ul style="list-style-type: none"> • storage space for non refrigerated perishables, and • consumables. <p>Ownership of infrastructure equipment purchased under the School Nutrition Program will remain with the Provider, unless other arrangements are made.</p>
8.4 Spending funding	<p>DEEWR will consider Provider requests to vary expenditure against different line items (E.g. a Provider may wish to allocate unspent salary funding to staff training costs.)</p> <p>In making such a request, the Provider must set out a case that reflects the Program's objectives.</p> <p>DEEWR will consider requests on their merit, and in discussion with the Provider.</p>
8.5 Payments	<p>Providers will receive two payments during the funding period October 2008 to June 2009.</p> <p>Payment 1, comprising 60% of total funding amount, will be paid within 30 days of the Department executing a variation extending the Funding Agreement to 30 September 2009. Payment 1 is dependent on all Provider reporting from the prior funding period being received and satisfactory.</p> <p>Payment 2, comprising 40% of the total funding amount, is payable from 9 April 2009 on receipt by the Department of a correctly rendered tax invoice. Payment 2 is dependent on all Provider reporting being received and satisfactory.</p>
8.6 Tax invoices	<p>The Department will release payments within 30 days of receiving a correctly rendered Tax Invoice from the Provider.</p> <p>The Tax Invoice must contain information as required by Section 29-70 of the <i>A New Tax System (Goods and Services Tax) Act 1999</i> (GST Act) and Regulation 29-70 of the GST regulations.</p> <p>In addition, the Tax Invoice must include:</p> <ul style="list-style-type: none"> • The name of project; • Provider name and ABN (where applicable); • Name of the DEEWR Program Delegate; • Payment number being invoiced; and • Bank account details for payment by electronic funds transfer.
8.7 Incorrect tax invoices	<p>Tax invoices that do not meet the requirements at Section 12.4 of these Guidelines will be returned unpaid to the Provider for correction and re-submission.</p>
8.8 Maintain a separate bank account	<p>The Funding Agreement requires Providers to maintain a separate bank account for funds payable under the School Nutrition Program.</p>
8.9 Insurance, repairs and maintenance	<p>Insurance, repairs and maintenance of infrastructure and equipment purchased with Australian Government funding under the School Nutrition Program are the responsibility of the Provider.</p>
8.10 Unspent SNP program funding	<p>In the case of unspent SNP Program funding, DEEWR may direct that it be used for Program related purposes. Eg. Improved infrastructure and facilities; professional development; and end of term school community barbeque for</p>

teachers, students, parents and carers of school students.

8.11 Unspent parent contributions

Centrelink will advise Providers about how to manage unspent parent contributions. These Guidelines will be updated when that advice is available.

9 Performance Reporting and Monitoring Requirements

9.1 Reporting	<p>Providers are required to provide an Annual Performance Report at the end of the funding period.</p>
9.2 Annual Performance Report	<p>Providers are also required to provide data to DEEWR Field Officers during their monitoring visits. (Financial reporting obligations are described below at Section 10).</p> <hr/> <p>In their Annual Performance Reports, Providers will be asked to report against subsidiary program aim, where they have had the resources and capacity to pursue them. Specifically, they will be asked to report on any initiatives, lessons or success have experienced in:</p> <ul style="list-style-type: none">• Supporting parental and community involvement in schools;• Building parental skills in meal preparation and provision; and• Contributing to a work-ready base of Indigenous people.
9.3 How will information from the Annual Performance Report be used?	<p>This information will be used to help assess Provider performance, and to inform Program and policy development.</p>
9.4 Reporting date	<p>Providers are required to submit their Annual Performance Report by 31 July 2009.</p> <p>DEEWR will develop reporting templates and instructions for submitting reporting prior to their falling due.</p>
9.5 Monitoring visits	<p>DEEWR Field Officers will conduct site monitoring visits at least once each school term. On these visits, Field Officers will check whether the Provider requires support, and pass on any Program information and resources that may have become available. This is also an opportunity for the Provider to raise any issues with DEEWR.</p> <p>In an effort to minimise the reporting burden on Providers, DEEWR Field Officers will gather performance data directly from Providers at these visits. Providers will be asked to supply Field Officers with the following information:</p> <ul style="list-style-type: none">• Program employees by Indigenous / non-Indigenous; work status (FT, PT, Casual, CDEP, CDEP top-up, or Work for the Dole); hours worked; and police check status.• Training activity undertaken in connection with the Program• Meals served (ie. Breakfast / recess / lunch / afternoon tea) <p>The Field Officer will also discuss with Providers:</p> <ul style="list-style-type: none">• Equipment needs• Environmental health and Occupational health and safety issues• Program promotion and marketing <p>In addition, Field Officers may assess Provider compliance in such matters as record keeping, insurance, criminal history checks and delivery of contractual obligations. Providers will be given as much notice as possible of DEEWR's requirements from these visits.</p>

	There is no formal Provider reporting required for site monitoring visits.		
9.6 How will data collected at monitoring visits be used?	Data collected at monitoring visits will be used to help assess Provider performance and the impact of the Program locally. It will also be central to the evaluation of the School Nutrition Program, and to Program and policy development.		
9.7 Monitoring dates	Visit 1	(Term 4, 2008)	No later than 12 Dec. 2008
	Visit 2	(Term 1, 2009)	No later than 3 Apr. 2009
	Visit 3	(Term 2, 2009)	No later than 19 Jun. 2009
9.8 Other performance data	<p>In addition to data and information gathered from performance reporting and monitoring visits, the Northern Territory Government and Catholic Education has agreed to share with DEEWR detailed school enrolment and attendance data.</p> <p>This will allow DEEWR to estimate the number of meals being prepared by our Program Providers. As the Program aims to contribute to improved enrolment and attendance, this data will allow us to monitor the extent to which those goals are being met.</p>		
9.9 Full Time Equivalence (FTE)	<p>Working hours are to be described in terms of Full Time Equivalence (or FTE), where one FTE is 36.45 hours per week (consistent with conditions identified by the Northern Territory Government Office of the Commissioner for Public Employment). Where an employee works less than 36.45 hours per week, their load should be described as a fraction of the FTE.</p> <p><i>E.g., if someone works 25 hours per week, they are described as 0.7 FTE (25 divided by 36.45 = 0.68).</i></p>		
9.10 Assessing Performance	<p>Provider performance will be assessed in several ways, including:</p> <ul style="list-style-type: none"> • Evaluation of Provider reporting and other Program data; • Program evaluation and audit exercises; • Site monitoring visits. 		

9.11 Under-performance	<p>A Provider may be judged to be underperforming where it is <i>demonstrably</i> and <i>persistently</i> unable to provide satisfactory standards of program delivery. Typically, this will take the form of:</p> <ul style="list-style-type: none"> • <i>Persistent</i> non-compliance with reporting obligations; • <i>Persistent</i> failure to deliver contracted SNP services; • <i>Persistent</i> failure to achieve, or to make reasonable efforts to achieve, contracted Program deliverables.
9.12 Low Program sign-up is not necessarily under-performance	<p>Low incidence of sign up to the School Nutrition Program among parents in a community will not be taken on its own as evidence of Provider under-performance. Providers will not be judged on sign-up rates. They need only demonstrate that they are making a reasonable effort to engage parents and community members in the Program.</p>
9.13 Managing under-performance	<p>Where a Provider is judged as underperforming, Departmental officers will frame their response according to the particular circumstances.</p> <p>In general, the Department favours relationship management and providing additional support to help Providers return to high performance. Where relationship management and support are not effective, the Department will work with Providers to shape an appropriate course of action.</p>
9.14 Temporary delivery arrangements	<p>Where Providers find they are unable to deliver the Program for any reason, either permanently or temporarily, they should notify DEEWR immediately. DEEWR may set up interim Program delivery arrangements to continue provision of the service.</p>

10 Financial accountability

10.1 Reporting requirement

Providers are required to provide two financial reports in this Project period.

- An interim Income and Expenditure Statement midway through the Project period (not audited); and
 - An audited Income and Expenditure Statement after the end of the Project period.
-

10.2 Report due dates

The interim Income and Expenditure Statement is to be submitted by **30 January 2009**.

The audited Income and Expenditure Statement is to be submitted by **30 September 2009**.

10.3 Report against funding

Funding is provided against specific line items – salaries, infrastructure and equipment, establishment costs and professional development (see Section 8 above for detail).

Providers are required to report income and expenditure in all financial reporting against those specific line items. Expenditure against each line item must not exceed the funding allocated to it, except where prior written permission to do so has been provided by DEEWR (see 8.4 above).

10.4 Interim Income and Expenditure Statement

The interim Income and Expenditure Statement is a statement of Program income and expenditure up to the day the report is made. The report is generated from the Provider's own records, and does not have to be certified by independent auditors. Providers should report:

- The income received (DEEWR program funding, parental contributions and any other revenues);
 - A description of how that money has been spent against funded line items (e.g., wages, infrastructure, foodstuffs, training costs); and
 - An indication of how much money, if any, is unexpended as at reporting time.
-

10.5 How will the interim Income and Expenditure Statement be used?

The interim Income and Expenditure Statement will be used by DEEWR to:

- Help identify and resolve any Provider financial difficulty early; and
 - Correct potential Program over- and under-payments within the Project period.
-

10.6 Audited Income and expenditure Statement

An Audited Income and Expenditure Statement is a comprehensive report of funding received and expended by the Provider under the School Nutrition Program, which has been independently certified by a member of either the:

- Institute of Chartered Accountants,
- Certified Practising Accountants of Australia, or the
- National Institute of Accountants.

If satisfied, auditors will certify the financial statement's fairness and compliance with generally accepted accounting practices.

10.7 Why have an audited Income and expenditure

DEEWR and the Department of Finance and Deregulation are required to report to Government that public money has been expended appropriately.

Statement

An audited Income and Expenditure Statement is a requirement of all organisations receiving public money.

10.8 Unexpended funding

Where Providers have not expended all their funds within the Project period, they should seek written permission from DEEWR to roll those funds over into the next funding round. If permission is received, rolled over funds should be shown in the financial reporting for both the current and subsequent Project period as 'unexpended funding'.

DEEWR may make specific directions about the expenditure of funds which have been rolled over.

11 Complaints

11.1 Lodging a complaint and providing feedback

Any person may lodge a complaint or provide feedback directly to DEEWR in relation to the School Nutrition Program.

Complaints and feedback can be submitted by:

- Sending an email to nter@deewr.gov.au
- Submitting them to the Department via our internet site at <http://www.dest.gov.au/feedback.htm>.
- or by writing to:

The National Program Manager, School Nutrition Program
Department of Education, Employment and Workplace Relations

Location 751

GPO Box 9880

CANBERRA ACT 2601

Customer or Provider complaints made directly to Centrelink will be referred to DEEWR for resolution.

11.2 DEEWR aims to resolve complaints within 30 days

DEEWR aims to resolve complaints within 30 days of receiving them. Where it is not possible to resolve a complaint within 30 days, concerned parties will be kept informed of progress.

11.3 Fraud and criminal conduct

Where a complaint involves an allegation of fraud, criminal activity or misappropriation of program funding, the matter should be reported to the DEEWR National Investigations Unit in Canberra on (02) 6240 8573 or (02) 6240 5394. The 30 day resolution provision does not apply to these cases.

12 Criminal Records Check

12.1 Change of requirements from January 2009

The Australian Federal Police (AFP) phased out its criminal history checks service in December 2008. AFP checks completed for SNP staff prior to January 2009 will remain valid.

Employees engaged by School Nutrition Program Providers from January 2009 are required to undergo a Criminal History Check by the Criminal History and Warrants Unit of the Northern Territory Police.

12.2 Criminal history checks

All Program personnel are required to undergo a Northern Territory Police Criminal History Check. This will check criminal records, or other information, kept by the Northern Territory Police, interstate and overseas police services, and release details of any convictions, including spent convictions, recorded against the applicant's name.

Program personnel are defined as:

- employees of the organisation who are engaged/ to be engaged to deliver the Service;
- volunteers who support the delivery of the Service; and
- personnel within the organisation who may come into contact with Participants.

Where the Criminal History Check reveals any convictions or pending charges the Provider must not, without authorisation from DEEWR, engage that person as Program personnel as defined above.

12.3 State/Territory legislation

Providers must also be familiar with Northern Territory legislation which may impose obligations on them. In particular, Providers must adhere to any requirements for the protection and reporting of the maltreatment or sexual abuse of children under the Northern Territory legislation.

12.4 How to undertake an NT Criminal History Check

An application form and supporting information are available from DEEWR Field Officers, by visiting the NT Police website at www.pfes.nt.gov.au, or by contacting the NT Police Criminal History and Warrants Unit on (08) 8922 3257 or (08) 8922 3723.

The cost of obtaining a Criminal History Check is to be borne by the Provider. The cost of each clearance is currently \$30.00. Checks are current at the time of making and the Department requires that these checks are renewed every two (2) years from the date of the initial check.

Records of all checks must be maintained and all documentation must be made available and accessible for viewing by Departmental staff during monitoring visits. Providers are required to confirm Criminal History Checks have been undertaken for the Program staff.

Applicants seeking to undertake a Criminal History Check should visit the NT Police website at www.pfes.nt.gov.au and download the Authority to Release Criminal History – Including Spent Convictions (PF166) form. The form can be found at http://www.pfes.nt.gov.au/documents/File/police/frontcounter/crimhist/PF166_0907.pdf.

Instructions for completing and submitting the form, including descriptions of identification documentation required, are on the form.

12.5 Procedures for handling adverse criminal history checks

The purpose of these procedures is to assist Providers and the Department in cases where the Criminal History Check reveals that an applicant has been charged or convicted for an offence which the Australian Government considers relevant for the purpose of assessing the suitability of prospective employees.

While the use of these procedures is an important tool for minimising the

likelihood of abuse or ill-treatment of children by those working with them, it does not replace the need for fostering a workplace culture committed to child safety.

Protecting Children

The Australian Government is committed to protecting children from harm and promoting their well-being. Therefore, in developing these procedures, the Department has taken into account:

- the age of the young people participating in the Program;
- the nature of the assistance being provided;
- the diverse range of locations of the provision of the Program Services and assistance; and
- when the assistance is to be conducted.

Responsibility of Providers

Providers must ensure that all Program Personnel undergo an NT Police Criminal History Check.

It is the responsibility of Providers to ensure that information obtained from these checks is assessed to determine the suitability of an applicant before the offer of employment is made.

In cases where a query arises in relation to an application following receipt of an adverse criminal history report, it is the responsibility of the Provider to contact the applicant to verify his/her identity and to confirm that the information in the report is consistent with the applicant's own understanding of their history.

It is the responsibility of the Provider:

- a) in cases where **the applicant's identity and criminal history is verified**, to assess the application on the basis of the verified information and advise the applicant of the outcome. The Provider must consult with the Program Delegate as part of this assessment process;
- b) in cases where **the applicant's identity and criminal history is unable to be verified**, advise the applicant that the matter will be referred to the Department for further consideration; and
- c) to refer all cases as mentioned in b) above to the Program Delegate in the Department's National Office in Canberra for possible investigation by the National Investigation Unit.

A Provider must not allow a person to work with children on the Program where an adverse result has been returned unless the Department gives written approval to do so.

An 'adverse result' means any information included on the criminal history check that indicates a person has a pending criminal charge or any conviction.

The Provider must provide copies of all adverse results from Criminal History Checks in hardcopy format to the Department for assessment.

Confidentiality

The Provider is responsible for keeping a record of all reports and considerations which are part of the screening process. All records and information pertaining to an applicant's criminal history check is highly sensitive information and must be treated in strict confidence. Disclosure of confidential information may result in breach of the *Privacy Act 1988*, the *Crimes Act 1914*, and an action for breach of confidence.

It is an Australian Government requirement that files containing such information must be accessed by only those people who have the need to know. Providers must store such files in a secure place to ensure that a reasonable level of security is maintained at all times. The minimum requirement for storage of these files is a lockable, commercial grade cabinet.

13 Glossary

AFP	Australian Federal Police
AFP Check	An Australian Federal Police criminal history check that provides full disclosure of any charges or convictions
CDEP	Community Development Employment Program
CEB	Community Employment Broker
Centrepay	A direct bill paying service offered to people receiving payments from Centrelink.
COMLaw	The legal information retrieval system owned by the Australian Government's Attorney General's Department.
Community Welfare Act	An Act with respect to community welfare 1987
Department	The Department of Education, Employment & Workplace Relations
DEEWR	The Department of Education, Employment & Workplace Relations
FaHCSIA	Department of Families, Housing, Community Services and Indigenous Affairs
FTE	Full Time Equivalent
Funding Agreement	Refers to an agreement between DEEWR and an organisation to deliver a Breakfast and Lunch project
Guidelines	Refers to the Program Guidelines
GBM	Government Business Manager
GST	Goods and Services Tax
IM	Income Management
IPP	Information Privacy Principle
Little Children are Sacred Report	2007 report of the Northern Territory Board of Inquiry into the protection of Aboriginal Children from sexual abuse.
NGO	Non-Government Organisation
NTER	Northern Territory Emergency Response
Participant	An eligible young person who is participates in the Program
Prescribed community	'Prescribed communities' are the 73 Indigenous communities specifically named in the <i>Northern Territory National Emergency Response Act 2007</i> .The wider prescribed areas also include smaller communities such as outstations and town camps.
Program	The School Nutrition Program
Program Delegate	The person holding the position of Branch Manager, Northern Territory Taskforce, Department of Education, Employment & workplace Relations
Program Manager	Person in the Department holding the position of Program Manager as specified in the Contract.
Provider	Organisation who has entered into a funding agreement with DEEWR to offer the Program services.
Project	Refers to a local service provided under the School Nutrition Program.
SNP	School Nutrition Program
TPO	Third Party Organisation
WfD	Work for the Dole

