



Australian Government

National Disability Coordination Officer Program Program Guidelines

1 January 2008 – 30 June 2011



National Disability Coordination Officer Program

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1. National Disability Coordination Officer Program Overview

1.1. Program Overview

In the 2007–2008 Budget, the Australian Government extended its commitment to assist people with a disability to access post-school education and training with the announcement of the National Disability Coordination Officer Program (the 'Program'). This measure combines and enhances two existing programs, the Disability Coordination Officer Program and the Regional Disability Liaison Officer Program.

The Program will assist people with a disability access, and participate in, post-school education and training, and then subsequent employment, through a comprehensive national network consisting of 31 National Disability Coordination Officers (NDCO). These officers will offer information, coordination and referral services for people with a disability who are interested in, or enrolled in, post-school education and training.

1.2. Objectives and Key Performance Indicators

There are three **key objectives** for the Program:

- Improved transitions for people with a disability between school and/or the community and Higher Education and/or Vocational Education and Training (VET), and then on to subsequent employment;
- Improved participation by people with a disability in Higher Education and VET, and subsequent employment; and
- Improved linkages between schools, Higher Education and VET providers and providers of disability programs and assistance, such as those funded by the Department of Families, Housing, Community Services and Indigenous Affairs and other programs funded by the Department of Education, Employment and Workplace Relations.

The following Key Performance Indicators (KPIs) will be used to measure the success of the program and the providers delivering it, and ensure the overall objectives are being met:

Participation

- The proportion of people with a disability in post secondary education (higher education and VET).

Attainment

- The proportion of people with a disability with a Certificate level III qualification or higher.
- The proportion of people with a disability with a Certificate level III qualification or higher who are in employment.

Quality

- Increased awareness of services and supports to assist improved transitions and participation in post-secondary education amongst people with a disability and key stakeholders.

- Barriers to transitions for people with a disability into post-secondary education are identified at regional, state and national level and progress is made towards overcoming these barriers.
- Providers are effective in facilitating and improving coordinated service provision for people with a disability at the regional, state and national level, and in establishing and maintaining appropriate networks and partnerships.

Note: While the Department acknowledges that the attainment of a Certificate level I or II is a successful outcome under this program, it has not been included as a measurement in the Key Performance Indicators. This type of outcome will contribute to achieving the overall objectives of the Program.

Organisations funded under the Program (the 'Providers') will be required to undertake activities that contribute to achieving these KPIs and assist in meeting the Program objectives.

1.3. Purpose of these Program Guidelines

These Guidelines set out the requirements for the provision of services required by Providers to administer and deliver the Program on behalf of the Department of Education, Employment and Workplace Relations ('DEEWR' or 'the Department').

The Program Guidelines form part of the Funding Agreement (the 'Agreement') with Providers. The Agreement and these Guidelines must be read and complied with jointly, for the purpose of administering and delivering the Program. If there is any inconsistency between the terms of the Agreement and these Guidelines, the terms of the Agreement shall prevail.

In accordance with item B.3 of Schedule 1 of the Agreement between the Australian Government and Providers, DEEWR reserves the right to amend these Guidelines at any time. Providers will be advised in writing of any amendments.

1.4. National Disability Coordination Officer Service Regions

To achieve national coverage, 31 NDCO Service Regions ('NDCO Service Regions') have been established. The NDCO Service Regions are made up of clusters of Australian Bureau of Statistics (ABS) Statistical Subdivisions (SSDs). Typically, SSDs take in complete Local Government Areas which are linked together by common social and economic factors.

Further information about the establishment of the NDCO Service Regions and a list of Service Regions is at Attachment A of these Guidelines.

The Department will fund one Provider per NDCO Service Region.

1.5. Provision of Program Activities within NDCO Service Regions

Providers must employ and retain a National Disability Coordination Officer for the benefit of eligible people with a disability and all post-school education and training institutions within each of their approved NDCO Service Regions.

Providers will also form and maintain strong relationships with key stakeholders, including relevant government agencies and disability service providers in the NDCO Service Region.

Providers will be expected to be flexible in the way they deliver services to the entire region.

2. Eligibility for Participation

2.1. Target Group

The Program aims to assist working age people (aged 15–64) with a disability who may wish to participate in, or who are currently enrolled in, post-school education and training.

2.2. Target Priority Groups and Eligibility for National Disability Coordination Officer Program Participants

Priority Target Groups

To be eligible to receive information, advice and referral support from a National Disability Coordination Officer, a program participant or beneficiary must belong to one of following three target groups:

People with a disability, and their families, who are:

- Seeking advice and/or support on transition between schools and post-school educational and training institutions;
- Seeking advice and/or support on transition from general community to school, post-school education and training;
- Seeking advice and/or support on transition from post-school education and training to employment; and/or
- Seeking advice, support and/or referral to access services/programs offered by government and non-government agencies that support people with a disability.

An **educational institution or training organisation** which:

- Requires advice/support on ensuring the institution is appropriately equipped to meet the needs of people with a disability;
- Requires advice/support on ensuring their curricula and/or resources are appropriate to the learning needs of a person with a disability; and/or
- Requires advice/support on how they can attract and retain students with a disability within their institution.

An **employment or community support agency** which:

- Requires advice/support on ensuring their accommodation is appropriately equipped to meet the needs of people with a disability; and/or
- Requires advice/support on encouraging and assisting employers who are employing, or who have employed, people with a disability.

Eligibility

To be eligible to receive information, advice and referral support from a National Disability Coordination Officer, a program participant must meet the following eligibility criteria:

- An Australian citizen; or
- A permanent resident of Australia. Where appropriate, evidence of citizenship or residency status must be sighted by the National Disability Coordination Officer. Evidence will take the form of one of the following: an Australian birth certificate, a certified copy of Australian birth certificate or extract of Australian birth certificate, Australian passport, naturalisation certificate, Medicare card or appropriate visa. When requested, the original document, or a certified copy of the original document, must be sighted.

Providers are responsible for assessing participants against the eligibility criteria outlined below. Providers are required to maintain sufficiently detailed documentation on file outlining why the participant is assessed as eligible for the Program.

3. Roles and Responsibilities of Providers

3.1. Overview

Providers are funded by DEEWR under a Funding Agreement to employ and retain a NDCO to undertake information, coordination and referral activities for people with a disability and to support the administration of the Program on behalf of DEEWR in the nominated NDCO Service Region.

Providers should ensure that they are able to respond flexibly to the needs of people with a disability in their NDCO Service Region and ensure they have the capacity to provide services across the entire NDCO Service Region that they are contracted for.

All activities undertaken by providers must contribute towards meeting the Program objectives and achieving the Program Key Performance Indicators.

Before an organisation can participate in the Program, that organisation must be a party to a Funding Agreement with DEEWR for the Program.

DEEWR may suspend or terminate the Funding Agreement at any time, as outlined in clauses 27 and 28 of the Funding Agreement.

3.2. Eligible Organisations

Organisations eligible to apply for funding under the Program may include, but are not limited to:

- Public and private universities;
- Public, private and community Registered Training Organisations (RTO); and
- Non-government agencies (such as disability employment agencies and disability support organisations).

3.3. Roles of Organisations funded under the Program

Organisations funded under the Program as providers must undertake the following activities with regard to the Program:

- Employ and retain a full time (or equivalent) National Disability Coordination Officer (NDCO) to undertake required activities (as outlined in section 3.5 below) in the nominated NDCO Service Region;
- Be responsible for all requirements in relation to the employer/employee relationship with the NDCO, including, but not limited to, payment of their salary and other entitlements, making superannuation contributions and maintaining workers' compensation insurance;
- Ensure that the person(s) employed to undertake the role of the NDCO has appropriate professional development opportunities;
- Provide and maintain office space, telephone, facsimile and computer with email and internet services for the NDCO. The office must be appropriately equipped and easily accessible for a person with a disability, as well as complying with relevant State and Territory Workplace Occupational Health and Safety legislation and standards;

- Cover the cost of appropriate travel and accommodation undertaken by the NDCO in the course of attending required NDCO functions, including for the NDCO to attend an annual interstate Network meeting;
- Nominate a manager for the NDCO who can be contacted by DEEWR in regard to the Program and performance, and ensure that the NDCO and Manager meet regularly to discuss progress, and that the manager raises any issues in relation to the NDCO with DEEWR;
- Meet the specified reporting requirements outlined in section 4 of these Guidelines and items B and L, Schedule 1 of the Funding Agreement, including the collection of relevant data and performance information and supply to DEEWR as directed;
- Attend and facilitate site monitoring visits conducted by DEEWR, as outlined in section 4 of these Guidelines;
- Ensure that the NDCO is supported and successfully provides the required activities to the entire NDCO service region;
- Immediately inform DEEWR of any significant changes which affect the organisation's ability to undertake the NDCO Project; and
- Provide necessary insurance for all aspects of the operation of the NDCO program, including professional indemnity, public liability and appropriate workers' compensation insurance.

3.4. Relationships with Key Stakeholders

Building and maintaining relationships with key stakeholders will enhance the performance of Providers and add value to the services that they offer.

Providers must build effective collaborative relationships in the NDCO Service Region in order to identify the needs and clarify expectations of people with a disability, education and training providers, community groups, schools, employers and others.

Providers must also form relationships with other providers of Australian or State/Territory Government Services, particularly providers of disability support services, Local Community Partnerships and Youth Pathways. In doing so, issues relating to training and education support for people with a disability can be identified and solved. Relationships can be both formal and informal.

Providers will be required to report on the level of contact with all stakeholders in their Region in the Annual Performance Report (Refer to Section 4 of these Guidelines).

3.5. Required Activities to be offered by the NDCO

The Provider organisations must ensure that the NDCO they employ successfully undertakes the following required activities in the NDCO Service Region.

Providers must ensure that all activities undertaken by NDCOs contribute to achieving the Program Objectives and meeting the Program KPIs, specifically:

Objective 1: Improved transitions for people with a disability between school and/or community and Higher Education and/or Vocational Education and Training, and then on to subsequent employment. Providers must ensure that the NDCO they employ:

- Assists in building the capacity of education and training providers in the NDCO Service Region for the education and training providers to assist students or prospective students with a disability, particularly private training providers. This will include working with disability officers, career counsellors and other relevant staff in education and training providers, secondary schools and senior colleges within the region and with regional education office staff.
- Provides information to DEEWR, the NDCO Program Steering Committee and relevant government bodies as appropriate. This may include identifying gaps in supports and services, or barriers to successful transitions to post-secondary education for people with a disability.
- Identifies barriers, and strategies to overcome these barriers, to successful transitions from school and/or community to Higher Education and/or Vocational Education and Training, and then subsequent employment for people with disability.
- Identifies the availability of and demand for disability support services in the nominated Service Region.
- Ensures education and training providers and other key stakeholders in the Service Region have an awareness of their responsibilities under the *Disability Discrimination Act 1992* and the *Disability Standards for Education 2005*.
- Refers higher education and vocational education and training graduates with disabilities to appropriate employment agencies or other support services to assist them transition to sustainable employment.

Objective 2: Improved participation by people with a disability in Higher Education and/or Vocational Education and Training, and subsequent employment. Providers must ensure that the NDCO they employ:

- Provides information, coordination and referral type activities to people with a disability who are interested in, or enrolled in, post-school education and training.
- Assists people with a disability to make informed choices about the most appropriate post-school education or training institutions for them, including linking students with appropriate institutional staff responsible for direct support services.
- Assists school leavers with disabilities with transitional arrangements in to Higher Education or Vocational Education and Training in liaison with secondary schools or senior colleges and other service providers such as Local Community Partnerships and Youth Pathways providers.
- Provides information on support, services and resources available in the region for students and potential students with a disability to assist them in their transition from school and/or community to Higher Education and/or Vocational Education and Training. This may include referrals to health services, financial assistance, Centrelink, career services, advocacy services, tutoring, alternative teaching and learning, student networks and/or housing assistance.
- Promotes Vocational Education and Training and Higher Education to people with a disability and their families and support networks in the NDCO Service Region. Providers must ensure NDCOs strategically target groups of students and prospective students across the NDCO Service Region, including special needs schools and indigenous people with a disability.

Objective 3: Improved linkages between schools, Higher Education and Vocational Education and Training providers, community groups and providers of disability programs and assistance, such as those funded by the Department of Family and Community Services and Indigenous Affairs and the Department of Employment and Workplace Relations. Providers must ensure that the NDCO they employ:

- Provides information about the objectives and intent of the Program to interested participants and key stakeholders.
- Establishes and maintains links with all key stakeholders in the NDCO Service Region including education and training providers, schools, employer groups, Australian Apprenticeship Centres, Career Advice Australia providers, community groups, Commonwealth Rehabilitation Service and providers of other Australian Government initiatives.
- Participates in state/territory and regional post-school education disability networks and other local service networks and agencies, such as community organisations, employment organisations, and other bodies to assist appropriate coordination, referral and collaboration.
- Establishes and maintains links with other NDCOs in the network, particularly NDCOs in the surrounding regions.
- Maintain an awareness of local, state and territory and national developments in the provision of support services to people with a disability.

3.6. Linkages to other Australian Government Programs

Providers must ensure that the NDCO they employ provides information to people with a disability about other relevant Australian Government programs under which they may be able to receive assistance such as Career Advice Australia, Job Network, the Disability Employment Network, the Commonwealth Rehabilitation Service and those funded by the Australian Government Departments of Families, Community Services and Indigenous Affairs, and Employment and Workplace Relations.

In addition, States and Territories fund programs and assistance for people with disabilities in education and training. Universities and many TAFE institutions have a person responsible for services for students enrolled with a disability, often called Disability Liaison Officers. Providers must ensure that the NDCOs they employ work in collaboration with these officers and other State and Territory funded providers of assistance for people with a disability.

Providers must ensure that the NDCOs they employ do not duplicate or replace the work of the Disability Liaison Officers or other Australian Government or State/Territory funded providers of assistance/services for people with a disability.

4. Reporting and Monitoring Requirements

4.1. Reporting and Monitoring Overview

Providers are accountable for the funding they receive and must adhere to the reporting requirements in these Guidelines and the Funding Agreement.

The quality and suitability of the required activities undertaken by Program providers will be measured using information obtained from reports, data and site monitoring visits. The Department may also undertake surveys of participants and stakeholders in the NDCO Service Regions. This information will be used to determine if the Program is achieving the Key Performance Indicators and meeting its stated objectives.

The information provided by Providers will also be used by DEEWR to ensure that individual Providers are compliant with the requirements of the Funding Agreement, specifically for monitoring their performance against the milestones outlined in the Funding Agreement and these Guidelines. It will also allow DEEWR to identify policy and delivery issues early, develop remedial management strategies to assist the Provider to achieve required performance standards, where appropriate, and protect Australian Government funds to ensure they are used appropriately.

4.2. Reporting Cycle

Providers must have a Strategic Plan in place which covers the full three and a half year funding period. In addition, Providers must submit a Business Plan, a Progress Report and an Annual Report in each full calendar year of the Program. In the final half year of the Program, providers will be required to submit a Business Plan and a Final Report.

Providers will be required to provide these reports to the Department through the completion of templates, which will be provided electronically.

4.3. Strategic Plan

Providers must develop, and operate in accordance with, a Strategic Plan covering the period 1 January 2008 to 30 June 2011. The original proposal submitted by the provider to DEEWR will form the basis of the Strategic Plan. The finalised Strategic Plan must be submitted to DEEWR by 31 January 2008 for DEEWR's approval. Providers must make any changes to the Strategic Plan that may be required by DEEWR.

The Strategic Plan must set out the provider's goals, strategies and activities against the Program Objectives to establish and expand the NDCO program in the NDCO Service Region. Providers must review and update their Strategic Plan if the Provider's operating environment changes substantially. Providers must implement the approved Strategic Plan.

4.4. Business Plan

Providers must develop an Annual Business Plan covering each funding year from 1 January to 31 December, and in the final year, from 1 January 2011 to 30 June 2011. The first Annual Business Plan must be completed and submitted to DEEWR by the 29 February 2008 for DEEWR's approval. Providers must make any changes to the Annual Business Plans that may be required by DEEWR. Subsequent Business Plans must be updated annually and submitted by 15 February in each full year of funding for DEEWR approval.

The Annual Business Plan must ensure that activities undertaken by Providers remain current and responsive to the needs of the target group and stakeholders. The Annual Business Plan must set out the activities that the Provider will undertake against the Program Objectives, the resources and timeframes associated with each of these activities and how key stakeholders will be engaged throughout the course of the Program. Providers must implement the approved Annual Business Plan.

4.5. Progress Report

Providers must submit a Progress Report to DEEWR by 30 June of each funding year. The Progress Report will be a brief update of progress against the activities outlined in the approved Annual Business Plan. Providers must provide more detailed reporting in the Progress Report as advised in writing by DEEWR. This will be on an exception basis only, that is, where the activities outlined in the approved Annual Business Plan are not being satisfactorily achieved.

4.6. Annual Report

Providers must submit an Annual Report to DEEWR by 31 January of each funding year. The Annual Report must consist of the following:

- A final report against the activities outlined in previous year's approved Annual Business Plan, including reporting on progress towards achieving the Program objectives and Key Performance Indicators;
- Quantitative data on the number and types of activities and successful outcomes that the NDCO has undertaken in the NDCO Service Region; and
- An audited Income and Expenditure Statement for the period 1 January to 31 December of the previous funding year.

In addition, Providers must provide additional information in the Annual Report about their experiences during the reporting period, including but not limited to information such as:

- Comments on the environment in which the provider is operating, including the barriers to successful transitions for people with a disability between school, community, higher education and Vocational Education and Training at a regional, state and territory and national level;
- Examples of best practice in assisting people with a disability between school, community, higher education and VET;
- Case studies of individuals with a disability who have made a successful transition, or of education and training providers or employers who have assisted people with a disability; and/or
- Feedback about DEEWR's management of the Program.

4.7. Final Report

Providers must submit a Final Report to DEEWR by 31 May 2011. DEEWR will provide a template for providers to complete. The final report must include, but is not limited to, the following:

- A summary of the activities undertaken during the full funding period and the way these activities assisted in meeting the Program Objectives and achieving the KPIs;
- Quantitative data on the number and types of activities that the NDCO has undertaken during the funding period;
- An audited Income and Expenditure Statement for the funding period;
- Comments on the environment in which the provider is operating, including the barriers to successful transitions for people with a disability between school, further education and training and subsequent employment;
- Feedback on the operation of the Program, and the way in which the Program has been received by key stakeholders;
- Examples of best practice in assisting people with a disability between school, community and higher education and VET; and
- Case studies of individuals with a disability who have made a successful transition, or of education and training providers or employers who have assisted people with a disability.

4.8. Reporting Obligation

Note that, in the submission of any progress reports, annual reports, final reports, acquittals or any other information to be provided to the Department pursuant to this Program, giving false or misleading information is a serious offence.

4.9. Site Monitoring

The Department will conduct annual site monitoring visits to assist in measuring progress towards achieving the Program objectives and in assessing compliance with the Funding Agreement and these Guidelines. Site Monitoring will be conducted from July to October each year. Site Monitoring is an opportunity to:

- Establish a cooperative working relationship and a common understanding between DEEWR and the Provider in relation to the Program expectations and contractual requirements;
- Discuss current Provider performance and appropriateness of the activities undertaken in the NDCO Service Region;
- Discuss local, regional and national issues that may have implications for the Provider;
- Provide feedback to DEEWR on the management of the Program;
- Review suitability of the premises for providing assistance under the Program including accessibility for people with disabilities;
- Check compliance with record keeping requirements and record management arrangements; and
- Review suitability of staffing arrangements.

All Program records, accounts, documents and papers must be made available to Departmental staff during Site Monitoring and otherwise on request, including records held by banking or other institutions. Where DEEWR intends to undertake site monitoring, the Provider will be advised in writing at least 10 working days prior to the proposed meeting (note that this does not limit clause 18 of the Funding Agreement).

Providers must ensure that appropriate personnel, including the NDCO and their direct manager, are present at site monitoring meetings.

4.10. Unsatisfactory Performance

An underperforming Provider is one which is not achieving the goals it has been contracted to deliver in the Funding Agreement. Typically, underperformance may be classified by DEEWR as:

- Persistent non-compliance with performance reporting obligations;
- Failure to offer required Program activities across the entire NDCO Service Region;
- Persistent and demonstrable unsatisfactory standard of Program delivery;
- Failure to establish or maintain effective working relationships with key stakeholders in the NDCO Service Region; or
- Demonstrated lack of understanding about the role of an NDCO.

If the Department assesses performance to be unsatisfactory, the Provider will be contacted and advised in writing as to why the performance is deemed to be unsatisfactory. DEEWR may use the following strategies for dealing with underperformance:

- Increase communication between the parties (eg by way of progress meetings and reviews);
- Setting more frequent milestones;
- Monitoring performance more closely;
- Enforcing the terms of the Funding Agreement;
- Assessing whether a contract variation may be an appropriate solution and then negotiating the variation;
- Stopping or holding payments; and/or
- Terminating the funding agreement and seeking damages (this would be used as a last resort).

5. Roles and Responsibilities of Providers —Program Administration

5.1. Overview

Providers are required to undertake and/or abide by the administrative requirements outlined below, with respect to:

- Arrangements for Program funding and payments;
- Records Management;
- Marketing;
- Risk Management;
- Conflict of Interest;
- Consortia;
- Subcontracting; and
- NDCO Network Meetings.

Providers must contact DEEWR for clarification of any issues as they arise and notify DEEWR immediately of any issues that may affect the management or administration of the Program.

5.2. Funding Agreements

DEEWR will ask each Provider to enter into a standard Funding Agreement for the provision of required activities in a specified NDCO Service Region.

The Funding Agreement will not be binding until executed by DEEWR following signing by the Provider.

5.3. Funding Agreement Variations

A variation is a change to the originally agreed terms and conditions of the Funding Agreement executed by both parties.

Variations are to be in writing and signed by DEEWR and the Provider and shall be binding on the parties only if implemented in accordance with the process stipulated in the Funding Agreement (refer to clause 22 of the Funding Agreement).

If a variation to the Funding Agreement is required, the person authorised to sign the Agreement must make the request in writing to DEEWR, detailing the reasons for the request.

DEEWR will consider, at its absolute discretion, whether or not it agrees to the proposed variation, and if it does so, the Funding Agreement will be varied in accordance with the terms and conditions of the Funding Agreement.

If DEEWR requires a variation to the Funding Agreement, it will be detailed in writing and sent from the DEEWR Program Delegate to the Authorised Representative.

5.4. Funding

DEEWR will fund the Provider to provide the NDCO Program for a period of up to three and a half years, subject to satisfactory performance.

Funding given to Providers under the National Disability Coordination Program must not be used to subsidise or replace costs for services or support networks currently offered by the organisation.

5.5. Payments

Payment amounts specified in the Funding Agreement are GST inclusive and are limited to the amount set out in the Funding Agreement.

The details of the required activities and performance outcomes to be provided and the conditions for payment are specified in the Funding Agreement between DEEWR and the Provider.

The first payment is made within 30 days of execution of the Funding Agreement and receipt by DEEWR of a correctly rendered tax invoice as per the Funding Agreement.

All subsequent payments are subject to compliance by the Provider within the terms and conditions of the Funding Agreement and Guidelines.

5.6. Tax Invoices

The tax invoice must contain information as required by Section 29–70 of the A New Tax System (Goods and Services Tax) Act 1999 (GST Act) and Regulation 29–70 of the A new Tax System (Goods and Services Tax) Regulations 1999. In addition, the tax invoice must include:

- Title of the Program;
- The Provider name and ABN;
- Name of the DEEWR Program Delegate;
- Payment amount to be invoiced plus GST amount if applicable (including a brief description of the deliverables that the invoice relates to); and
- Bank account details for payment of the invoice by electronic funds transfer.

Where the invoice relates to a taxable supply under the Agreement, the invoice must comply with the requirements for a tax invoice as defined in the GST Act. The date for payment is within 30 days after delivery of a correctly rendered Tax invoice to DEEWR and after satisfactorily meeting the reporting requirements as set out in the Funding Agreement.

A separate Tax invoice for each NDCO Service Region a Provider is funded for must be submitted.

5.7. Audited Financial Acquittal

Providers are required to provide an Audited Income and Expenditure Statement to DEEWR as at 31 December of each funding year as specified in the Funding Agreement, and at the end date of the Funding Agreement.

The Detailed Income and Expenditure Statement must solely reflect DEEWR funding in relation to the Funding Agreement and any interest accrued on that funding.

Providers must provide a separate Detailed Income and Expenditure Statement for each NDCO Service Region funded by DEEWR.

The Provider must provide a letter from the Authorised Representative certifying that all funding received was expended for the project and in accordance with the Funding Agreement.

The Audit is to be carried out by a person who is not an officer or employee of the Provider, and is registered as a company auditor, or a member of CPA Australia who is entitled to use the letters 'CPA' or 'FCPA' or a member of the Institute of Chartered Accountants who is entitled to use the letters 'CA' or 'FCA'; or a member of the National Institute of Accountants in Australia who is entitled to use the letters 'MNI', 'FNIA', 'PNA' or 'FPNA'.

5.8. Un-acquitted and Unexpended Funds

At the completion date of the period specified by the end date in the Funding Agreement, or earlier termination of the Funding Agreement, all funding not spent in accordance with the Funding Agreement or not acquitted to the satisfaction of DEEWR shall be repaid to DEEWR within 20 business days of written notice from DEEWR. With the exception of those funds approved by DEEWR as being required for expenses incurred during the currency of the Funding Agreement and which fall due for payment thereafter (accrued expenditure).

For this purpose, accrued expenditure shall include provision for liabilities in relation to audit and acquittal requirements. If the exact amounts are not known, providers must estimate the amount of accrued expenditure as accurately as possible.

The above requirements as to "accrued expenditure" constitute a direction in writing by DEEWR for the purposes of clause 5.1 of the Funding Agreement.

Where a Provider is funded for more than one NDCO Service Region, they must acquit the funding for each Service Region and any surplus funds cannot be transferred between the Service Regions at any time during the term of the Funding Agreement.

Without limiting DEEWR's rights under the Funding Agreement, including under clause 5.4 of the Funding Agreement, funds remaining un-acquitted for 12 months or more after the Completion Date will be reported to the DEEWR Audit and Business Assurance Committee.

5.9. Bank Accounts

The Funding Agreement requires Providers to maintain a separate bank account for the funds at the NDCO Service Region level unless an exemption is granted in writing by DEEWR.

5.10. Overpayments

If an overpayment occurs for any reason (including but not limited to where a Tax Invoice is found to have been incorrectly rendered after payment), then the amount must be repaid to DEEWR within 20 business days of a written notice from DEEWR or dealt with as directed in writing by DEEWR.

An overpayment may be recovered from DEEWR, including by offsetting that overpayment against any amount subsequently due to a Provider under the Funding Agreement or any other arrangement between DEEWR and the Provider.

If an overpayment is not repaid to DEEWR, interest is payable on the amount after the expiry of the 20 business days, until the amount is paid in full.

Any amount owed to DEEWR is recoverable by DEEWR as a debt to DEEWR without further proof of the debt by DEEWR.

An adjustment note must be provided to DEEWR if required by the GST Act, including where a Provider repays some or all of the fees or allowances to DEEWR.

5.11. Assets

Providers must not use the Funding to purchase or create any Asset without obtaining prior written approval from the DEEWR Program Delegate.

If approval is given for the Provider to purchase an Asset in order to provide value for money, three written quotes will need to be obtained by the Provider, and kept on file, prior to purchasing the Asset. Providers must provide these quotes to DEEWR upon request.

Purchases of Assets less than \$5,000 (including GST) should be itemised on the income and expenditure statement.

Where a Provider requires a motor vehicle to deliver the Program, and have sought approval from DEEWR, they are mandated to enter into an Operating Lease. It should be noted that the approval of the lease arrangement will be at the discretion of DEEWR and each Provider's request for leasing a motor vehicle will be considered on a case-by-case basis.

5.12. Assets Register

Where a Provider has been given approval to purchase an Asset then a Register of Assets must be maintained (note an Asset is defined as being an item of tangible property with a value of over \$5,000 inclusive of GST, not including Project Material).

5.13. Records Management

Providers are required to maintain records of all activities undertaken as part of Funding Agreement, including, but not limited to:

- Correspondence and contact with stakeholders, including participants, education and training providers, schools and other service providers;
- Marketing or promotional material; and
- Internal processes and procedures.

All documentation and material developed must be held on files at the premises of the Provider, and it must be made available to DEEWR officers if requested.

If monitoring reveals that the standard of record keeping is unsatisfactory, the Provider will be advised. Unsatisfactory record keeping can include lack of documentation in relation to financial records and records not being kept in accordance with the Privacy Act 1988. DEEWR will subsequently outline in writing why the record keeping has been deemed unsatisfactory and may defer payment under the Funding Agreement pending resolution.

5.14. Marketing

Providers must ensure that all marketing material acknowledges the Australian Government funding provided, and supply DEEWR with a copy of all marketing materials.

In all publications, promotional materials and activities relating to the Program, the Provider shall acknowledge the financial and other support it has received from the Australian Government in such form and containing such information as specified here:

“Funded by the Australian Government Department of Education, Employment and Workplace Relations under the National Disability Coordination Officer Program.” If Providers would like to use the Australian Government Coat of Arms in their marketing material, they must contact the Program Delegate for further information and approval processes.

5.15. Risk Management

Each Provider must have a documented risk management process in place. A risk management process identifies key risks, outlines strategies for minimising those risks and provides a plan to address residual risks across the organisation.

Each Provider must periodically review its Risk Management Plan, the level of risk, and the day-to-day operational processes used to manage risks. Risk Management Plans must be made available to DEEWR on request.

5.16. Conflict of Interest

As a recipient of Australian Government funds, Providers must perform their functions in a fair, non-biased, and apolitical manner and ensure that there is no actual or perceived conflict of interest in the decisions taken by the Provider.

If during the term of the Funding Agreement, a conflict of interest arises, or is likely to arise, Providers must notify DEEWR in writing of the conflict, specifying how the actual or potential conflict of interest will be addressed and monitored to ensure that it does not conflict with the outcomes desired under the Funding Agreement. DEEWR may require Providers to take steps to resolve or otherwise deal with that conflict.

5.17. Consortia

DEEWR may enter in to Funding Agreements with consortia. DEEWR requires that consortia appoint a lead member who is authorised to deal with DEEWR on behalf of all members of the consortia, and enter in to contracts which are binding on them.

5.18. Subcontractors

Subcontracting is an arrangement where the Provider engages a person or organisation to deliver any part of the services that the Provider is legally bound to deliver under their Funding Agreement with the Commonwealth, where such a person or organisation is a separate legal entity to the Provider, and is not engaged as an employee of the Provider.

Providers must not, without DEEWR's prior written approval, subcontract the performance of any obligations under their Funding Agreement.

Providers are fully responsible for ensuring the suitability of any subcontractor for the work to be carried out, and for ensuring that the work meets the requirements of the Funding Agreement.

DEEWR may, at any time, revoke its approval of any subcontractor from performing work related to the Program on any reasonable ground by giving written notice to the Provider. The Provider must, at its own cost, promptly cease using that subcontractor and arrange their own replacement with other personnel.

5.19. Network Meetings

Providers must ensure that the NDCO attends annual interstate NDCO Network meetings. These Network meetings will be managed jointly by DEEWR and Providers, and will give the Network an opportunity to discuss strategic matters and best practice, and raise concerns or issues with the operation of the Program.

Providers must ensure that the person they employ as an NDCO and their direct line managers must attend an induction for the Program, to be managed and funded by DEEWR, scheduled to be held in early 2008.

6. Australian Government Responsibilities

6.1. Program Management Overview

DEEWR is responsible for the overall management and administration of the Program on behalf of the Australian Government.

DEEWR seeks to establish effective relationships with Providers to support achievement of the desired outcomes of the Program.

6.2. Program Delegate

The Program Delegate is defined in the Funding Agreement as the person who has responsibility for:

- Approving and signing of Funding Agreement documentation;
- Approving payments under the Programs;
- Supervising performance; and
- Accepting and issuing any written notification under the Funding Agreement.

The Program Delegate can assign responsibility for these functions to DEEWR officers and advise Providers accordingly. The Program Delegate is the Branch Manager, National Disability Coordination Officer Program located in the DEEWR Victorian State Office.

6.3. Amendments to Organisations Participating in the Program

DEEWR may, at any time:

- Amend, or alter the process outlined in these Guidelines, or in certain circumstances, cease to proceed with the process outlined in these Guidelines; or
- Provide additional information or clarification to Providers.

DEEWR can do this without prejudice to the rights, liabilities or obligations of DEEWR, Providers and participants.

6.4. Contract Management

DEEWR:

- Will enter into a Funding Agreement with each Provider for each NDCO Service Region; and
- Is responsible for managing Funding Agreements with Providers that administer the Program, including building relationships with Providers and managing Provider compliance with the Funding Agreement.

The terms of the Funding Agreement are non-negotiable. Under the Funding Agreement, parties can agree to vary the Agreement.

6.5. Management of IT for the Program

DEEWR is responsible for initiating and overseeing the development and maintenance of a National Disability Coordination Officer Program Information System and/or website.

6.6. Monitoring and Auditing

DEEWR will closely monitor the administration and delivery of the Program, including;

- Monitoring the performance of Providers and taking such action as DEEWR, in its absolute discretion, determines appropriate in the event of non-performance or under-performance;
- Conducting annual Site Monitoring visits (from July to October each year) to Providers to discuss performance, special projects and/or program development; and/or
- Collecting, analysing and reporting information on the overall performance of Providers and the Program towards achieving the Program objectives and Key Performance Indicators.

6.7. Provision of High Level Advice and Dispute Resolution

DEEWR will:

- Be responsible for ensuring consistency in the interpretation and application of policy by acting as a reference point, final arbiter, policy helpdesk and author of Program related documents; and
- Manage and resolve any complaints or other issues referred to DEEWR by Providers. DEEWR will do this in a timely manner.

6.8. General Program Management

Other DEEWR responsibilities include, but are not limited to:

- Identifying opportunities to provide, and providing, support to Providers;
- Promoting the Program nationally, including developing and managing marketing and communications strategies;
- Updating these Program Guidelines and supporting documentation as required and effectively communicating these additions/changes to Providers;
- Developing and maintaining strong relationships with key Program stakeholders using both formal and informal communication channels;
- Developing Risk Management Plans for the Program nationally (including fraud) and for reviewing this plan annually;
- Advising the Australian Government Minister for Education, Employment and Workplace Relations on the Program and its administration; and
- Providing advice about the Program to other Australian Government Departments.

6.9. Australian Government Material

Ownership of all Australian Government Material, including Intellectual Property Rights in that Material remains vested at all times in the Commonwealth.

DEEWR may grant Providers a licence to use, copy and reproduce that Material only for the purposes of this Program and in accordance with any conditions or restrictions specified in the Funding Agreement.

6.10. Complaints Handling

Providers must advise any person wishing to lodge a complaint or provide feedback directly to DEEWR in relation to the operations of a Provider that they may do so through the Program Hotline (133 873) or by emailing ndco@DEEWR.gov.au. DEEWR will aim to resolve a complaint within 30 days of its receipt. Where it is not possible to resolve a complaint within 30 days, concerned parties will be kept informed of progress.

Where a complaint involves an allegation of fraud, criminal activity or the misappropriation of Program funding, the matter must be reported directly to the Contract Officer or to the DEEWR National Investigations Unit in Canberra by phoning (02) 6229 4166 or (02) 6229 4071. The indicative 30 days complaint resolution time will not apply in such cases.

6.11. NDCO Steering Committee

DEEWR will establish and manage a high level steering committee to oversee the operation of the Program at a national level, to support the NDCO Network and to discuss national strategic issues.

The steering committee will consist of representatives from DEEWR, other Australian Government agencies, disability support agencies and peak bodies, education and training providers and peak bodies, and employer groups.

6.12. Strategic Project Funding

Funding may be available throughout the funding period for Providers or other eligible organisations to undertake national strategic activities that support the development and operation of the Program.

DEEWR will manage this funding through a separate application and assessment process, including developing separate guidelines for the purpose and use of this funding. DEEWR will advise Providers when applications for this funding are open.

7. Legislative Requirements

7.1. Overview

This section provides details on some legislative requirements applicable to the administration of the Program. Providers are responsible for obtaining their own legal advice on the legislative and other requirements impacting on their participation in the Program and should rely on the following information as a guide only.

Providers must also be familiar with State or Territory legislation, some of 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 relevant State or Territory legislation.

7.2. Discrimination Legislation

Government agencies, including the Department, Centrelink, Providers, and Job Network Members are subject to Acts which prohibit discriminatory practices, including:

Racial Discrimination Act 1975;

Sex Discrimination Act 1984;

Disability Discrimination Act 1992; and

Human Rights and Equal Opportunity Commission Act 1986.

The Department has a legal responsibility to ensure its Participants receive assistance in an environment free from discrimination and Providers must ensure they are aware of, and comply with, relevant anti-discrimination legislation.

7.3. Participants' Confidentiality

Participants' personal information is to be collected, stored, accessed, used and disclosed in accordance with the Privacy Act 1988.

Note: The Crimes Act 1914 and The Criminal Code provide severe penalties for the unlawful disclosure of information.

7.4. Privacy Act

The Privacy Act 1988 provides for the protection of personal information in relation to its collection, storage, access, use and disclosure. Personal information is information or an opinion (including information or an opinion forming part of a database), whether true or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion.

DEEWR is bound, in administering the National Disability Coordination Officer Program, by the provisions of the Privacy Act. Section 14 of the Privacy Act contains the Information Privacy Principles (IPPs) which prescribe the rules for handling personal information.

Providers and DEEWR personnel involved in the National Disability Coordination Officer Program must abide by the IPPs and the Privacy Act when handling personal information collected for the purposes of the Program. In brief, Providers and DEEWR must 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 the person at no charge;
- Records are accurate, up-to-date, complete and not misleading;
- Where a record is found to be inaccurate, the correction is made;
- Where a person requests that a record be amended because it is inaccurate but the record is found to be accurate, the details of the request for amendment are noted on the record;
- The personal information is only to be used for the purposes for which it was collected, or for other purposes where expressly allowed by IPP 10; and
- Personal information is only disclosed in accordance with IPP 11.

7.5. Privacy Complaints

Complaints about breaches of privacy will be referred to the Principal Government Lawyer, Litigation and External Review Section in the Procurement, Procurement, Assurance and Legal Group in the Department.

Privacy complaints can be made directly to the Federal Privacy Commissioner (the contact number is 1300 363 922), however the Federal Privacy Commissioner prefers that the Department be given an opportunity to deal with the complaint in the first instance.

7.6. Freedom of Information

All documents created or held by the Department with regard to the Program are subject to the Freedom of Information Act 1982 (‘the FOI Act’). The FOI Act extends as far as possible the right of the Australian community to access information in the possession of Government Departments.

Unless a document falls under an exemption provision, it will be made available to the general public if requested under the FOI Act. All FOI requests are to be referred to the Director of the Litigation and External Review Section in the Procurement, Assurance and Legal Group in the Department. Decisions regarding requests for access will be made by an authorised officer in accordance with the requirements of the FOI Act.

7.7. Working with Children and Police Record Checks

Safety of children

The Australian Government considers that protecting children from harm and promoting their well-being is of utmost importance. The safety of not only young people eligible to participate in the activities under the NDCO Program delivered by the Provider, but that of parents, employers, coordinators, workplace supervisors and other parties involved in

the implementation of the NDCO program is paramount. Therefore, in developing these procedures, the Government has taken into account:

- the age of the young people potentially participating in the NDCO Program;
- the nature of the assistance being provided; and
- the diverse range of locations of the provision of the NDCO Program.

All NDCO personnel who come into contact with children under 18 years of age are required to undergo an Australian Federal Police National Police Check for Working with Children through the Australian Federal Police (AFP) that provides full disclosure of any charges or convictions before undertaking any Program activities. National Police Checks for Working with Children must be renewed every 2 years from the date of the initial check.

In addition, Providers must comply with relevant State/Territory legislation requiring screening for persons who work with children (see further below) before undertaking any Program activities.

Note: The requirement for all NDCO personnel who come into contact with children under 18 years of age to undergo a National Police Check for Working with Children is in addition to police checks undertaken in compliance with State/Territory working with children legislation. This is because State/Territory police checks do not provide the level of disclosure that the Australian Government requires.

NDCO personnel are defined as:

- employees of the organisation funded under the Program including any personnel employed under an approved sub-contracting arrangement;
- volunteers who support the delivery of the Program; and
- personnel within the organisation funded under the Program who may come into contact with young people participating in Program activities.

Where the National Police Check for Working with Children reveals any convictions or pending charges the Provider must not, without written authorisation from DEEWR, engage that person as:

- an employee of the organisation who delivers the Program;
- a volunteer who supports the delivery of the Program; or
- a person who performs any task within the organisation where the task will bring the person into contact with young people participating in Program activities.

State/Territory Legislation

Providers must ensure that NDCO personnel satisfy the requirements of any relevant working with children checks under required State or Territory based working with children legislation, including:

In NSW: Before Providers engage NDCO personnel, they must ensure that they have been screened in accordance with the requirements of the NSW Government's Commission for Children and Young People Act 1998 (NSW). Providers may obtain Information regarding their obligations under this Act from: www.kids.nsw.gov.au/director/check.cfm or phone (02) 9286 7219.

In Queensland: Before Providers engage NDCO personnel to deliver the Program, they must ensure that they obtain a Suitability Card or 'blue card' in accordance with the requirements of the Queensland Government's Commission for Children and Young People and Child Guardian Act 2000 (QLD). Information regarding the obligations of Providers under the Act may be obtained from: <http://www.ccypcg.qld.gov.au> or phone 1800 113 611.

In Western Australia: Before Providers engage NDCO personnel to deliver the Program, they must ensure that they pass a Working with Children Check by the Working with Children Screening Unit of the Western Australian Department of Community Development in accordance with the Western Australian Government's Working with Children (Criminal Record Checking) ACT 2004 (WA). Providers may obtain Information regarding their obligations under this Act from:
www.checkwwc.wa.gov.au or phone (08) 6217 8100 or toll free 1800 883 979.

In Victoria: Before Providers engage NDCO personnel to deliver the Program, they must ensure that NDCO employees pass a Working with Children check in accordance with the requirements of the Working with Children Act 2005 (Vic). Providers may obtain Information regarding their obligations under this Act from:
www.justice.vic.gov.au/workingwithchildren or phone 1300 652 879.

Note: The Department's preferred position is for NDCO personnel to undertake the National Police Check for Working with Children in addition to any other State/Territory requirements. However, where:

- the person has undergone a National Police Check for Working with Children in compliance with a State or Territory law or employment conditions relating to screening of person for working with children;
- the person has retained the original of the National Police Check for Working with Children, or a State authority which holds the original is able to provide a certified true copy;
- the National Police Check for Working with Children is less than one year old; and
- the person consents to the results of the check being provided to DEEWR,

then that National Police Check for Working with Children may be relied upon for the purposes of DEEWR's working with children clearance requirements.

Where the National Police Check for Working with Children reveals anything other than a nil result the Provider must not, without written authorisation from the Department allow that person to work with children on the NDCO program.

How to undertake a National Police Check for Working with Children

The cost of obtaining a National Police Check for Working with Children through the AFP is currently \$32.73 and routine criminal record checks are usually completed within twenty-five (25) working days. Providers must establish an account with the AFP prior to submitting a request for a National Police Check for Working with Children. An account can currently be established by contacting the AFP Criminal Records Client Services Team on telephone (02) 6202 3333 or facsimile (02) 6287 0269. The preferred contact is via e-mail at criminalrecords-clientservices@afp.gov.au. The e-mail should specify that the check is being undertaken for the purpose of complying with the requirements of the Department of Education, Employment and Workplace Relations in relation to working with children. The website is currently www.afp.gov.au/services/operational/criminal_history_checks.

Records of all checks must be maintained and all documentation must be available and accessible for viewing by Department staff during monitoring visits.

7.8. Procedures Following an Adverse Criminal Record and Character Check

The purpose of these procedures is to assist Providers and DEEWR in cases where the National Police Check for Working with Children 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 NDCO personnel.

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.

You must provide copies of all adverse results (where checks reveals any pending charges or convictions) from National Police Checks for Working with Children and any relevant State or Territory working with children checks as required, in hardcopy format to DEEWR for assessment in accordance with the "Adverse Results" and "Screening Committee" sections below.

Offences which make a person ineligible

A person will not be eligible to be NDCO personnel (as defined under section 7.7 Police Records Checks) if he/she is considered unsuitable by DEEWR or the person has been convicted of or has any pending charges in relation to the following:

- Any sexual offence committed against, with or in the presence of a child;
- Any offence involving sexual activity or an act of indecency that was punishable by greater than 12 months in prison;
- Any offence involving child pornography, or any offence against any law relating to the classification of publications, films or computer games, where it is an element of the offence that a person under the age of 18 years is present;
- Any offence of violence committed against, with or in the presence of a child, including murder of a child or causing grievous bodily harm to a child
- Any offence where a consequence of a conviction for that offence is that the person is placed on a reporting or registration list or that his or her behaviour is otherwise monitored;
- Any offence involving manufacturing, trafficking or otherwise dealing in narcotics or other banned or controlled substances;
- Any offence involving trafficking in children for whatever purpose;
- Any offence involving the detention or other deprivation of liberty of a child;
- Any offence where the intent to commit any of the above offences is an element of the offence.

No NDCO Personnel who is a prohibited person under any law of a State or Territory relating to working with children may be permitted to work with children under the NDCO program.

If a person has matters of this nature before a court, **these matters must be resolved** and a judgement handed down **before** the person will be considered eligible to be engaged under as NDCO personnel.

If the National Police Check reveals **any other offences or pending charges** DEEWR may refuse to allow the person to participate in the NDCO program.

Responsibility of Providers

Prospective NDCO Personnel:

Providers must ensure that all prospective NDCO personnel undergo a National Police Check for Working with Children by the AFP (refer section 7.7 Police Records Checks). Where state or territory specific working with children requirements must also be met (ie. Currently, NSW, Queensland, Victoria and Western Australia), the relevant check for that state or territory must also be obtained (refer section 7.7 Police Records Checks).

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

Adverse Results:

Where National Police Checks for Working with Children and any relevant State or Territory working with children checks reveal any pending charges or convictions, this is considered to be an "adverse result".

In cases where an adverse result arises in relation to a National Police Check for Working with Children 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 record is verified**, to refer the matter to the DEEWR Screening Committee for assessment (see "Screening Committee" section below);
- 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 DEEWR Screening Committee for further consideration; and
- c) to refer all cases as mentioned in a) and b) above to the DEEWR Screening Committee for assessment.

DEEWR reserves the right to direct the Provider not to employ applicants as NDCO personnel who have an adverse criminal history record (refer section 7.7 Police Records Checks).

Obligation of Ongoing Disclosure

Providers must immediately notify DEEWR if any NDCO Personnel are charged with or found guilty of an indictable offence. You also must immediately notify DEEWR if NDCO Personnel are the subject of an allegation of an offence relating to the following:

- violence against children;
- all sexual offences;
- all offences involving pornography; and/or
- all offences involving manufacturing, dealing or trafficking of narcotics or other banned substances.

Notifications in accordance with this ongoing disclosure requirement will be treated as 'Adverse Results'.

DEEWR will make a decision as to whether the individual concerned can continue to have contact with children as part of the NDCO Program. The individual in question must not have contact with children in connection with the Program while a decision from DEEWR is pending.

Screening Committee:

All adverse results will be referred to DEEWR National Office for further consideration by a DEEWR Screening Committee. This committee will be convened by the DEEWR National Office Program Manager and consist of an officer from the National Investigations Unit, an officer from the Procurement, Assurance and Legal Group, and the Director of the program area (section) responsible for delivery of the NDCO Program.

This committee, in consultation with the relevant DEEWR State Office delegate, will consider the context in which the adverse result exists and make a decision on the suitability of the person for engagement under the NDCO Program.

If an adverse result is received in DEEWR the Screening Committee will determine the suitability of the applicant based on:

- The seriousness of the offences;
- The nature and seriousness of the penalties imposed;
- The period of time since those offences were committed;
- The age of the offender at the time the offences were committed and also the offender's present age;
- Where relevant, whether the person knew or could reasonably have known that the victim was a child;
- Whether the offence was an offence against the person;
- The seriousness of the person's criminal record considered in total;
- Whether the conduct has been decriminalised since the offence was committed; and
- Any other matters considered relevant by DEEWR, including, any order made by a court or tribunal competent under the law of a State or Territory to deal with the matter, and any information that may have been lawfully obtained from an authority in a State or Territory, or from an overseas authority.

Where DEEWR determines that a person cannot be engaged in the delivery of the NDCO Program due to an adverse result, DEEWR will formally document the reasons for the determination reached, and provide the person with a statement of reasons.

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 are considered sensitive information under the *Privacy Act 1988* and must be treated in strict 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 and stored 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.

7.9. Insurance and Indemnity

Providers are required to indemnify the Australian Government as specified in clause 19 of the Funding Agreement.

Providers are required to provide and maintain insurance coverage, including public liability, as specified in the Funding Agreement. Insurance must be valid for the full period of the Agreement, including the time that Participants are actively undertaking the Program services or activities leading to post-school education and training or employment.

The full insurance coverage required is:

- Workers' compensation insurance for an amount required by the relevant State or Territory legislation;
- Public liability insurance (i.e. insurance that covers a Provider's liability arising out of negligent acts or omissions that cause personal injury to other people or damage to the property of another person or organisation) for an amount of not less than \$10,000,000 (ten million dollars); and
- Professional indemnity insurance (i.e. insurance that covers a Provider's liability arising out of performance of professional services or breach of professional duty) for an amount of not less than \$1,000,000 (one million dollars).

8. Other Programs and Initiatives

8.1. Overview

The Program is one of a suite of initiatives aimed at delivering more opportunities for Australians with a disability to obtain advice, information and referral services in accessing post-school education and training, and subsequent employment. There are a range of Australian Government, and State and Territory Government initiatives and related organisations which assist people with a disability access education and training. Some programs can be complementary to the intent of the National Disability Coordination Officer Program.

9. Definitions

Centrelink

Centrelink is a statutory authority providing information and assistance relating to a range of Australian Government programs, including childcare and student assistance payments and services, registration of all new applicants for income support and employment assistance, self-help job search facilities, referrals for employment assistance, and specialist labour market assistance services for disadvantaged groups. Centrelink is part of the Department of Human Services.

Australian Government Material

Material provided by DEEWR for the purpose of administering and delivering this Program which is copied or derived from that Material, except for Project Material.

Project Material

All Material a) brought into existence for the purpose of performing the agreement; b) incorporated in, supplied or required to be supplied along with the Material referred to in a); or c) copied or derived from Material referred to in a) or b).

Department

The Australian Government Department of Education, Employment and Workplace Relations.

Funding Agreement

National Disability Coordination Officer Program Funding Agreement based on the standard DEEWR pro-forma Funding Agreement.

Guidelines

Refers to these National Disability Coordination Officer Program Guidelines.

National Disability Coordination Officer

A person employed by the Provider, who will offer information, coordination, and referral services for people with a disability who are interested in, or enrolled in, post school education and training.

NDCO Steering Committee

A high level Steering Committee to oversee the operation of the Program at a national level, to support the NDCO Network and to discuss national strategic issues.

People with a Disability

For definition of "disability" in relation to people with a disability, the Department suggests that providers use sources such as the *Disability Discrimination Act* or the World Health Organisation.

Program

The National Disability Coordination Officer Program.

Program Delegate

The person holding the position of Branch Manager, National Disability Coordination Officer Program, located in the Victorian State Office, Department of Education, Employment and Workplace Relations.

Provider

Organisation who has been funded by the Department under the Program.

Service Region

One of 31 national regions that make up the National Disability Coordination Officer Program Network. There is one Provider per Service Region.

10. Acronyms

DDA	Disability Discrimination Act 1992
DEEWR	Australian Government Department of Education, Employment and Workplace Relations
DoHA	Australian Government Department of Health and Ageing
EEO	Equal Employment Opportunity
EOI	Expression of Interest
FACISA	Australian Government Department of Family and Community Services and Indigenous Affairs
FOI	Freedom of Information
GST	Goods and Services Tax
IPP	Information Privacy Principle
NDCO	National Disability Coordination Officer

Attachment A

National Disability Coordination Officer Service Regions

In order to achieve national coverage, 31 National Disability Coordination Officer (NDCO) Service Regions have been established for delivery of services by providers. The default geographic region for an NDCO Service Region is the Australian Bureau of Statistics (ABS) defined Statistical Sub Division (SSD). This classification of geographic area delineates socially and economically homogenous regions with identifiable links between the inhabitants.

The SSD level is the smallest regional level for which important social and economic data is readily available from the Census and other sources. Data for people with a disability, education and population are obtained from the most recently available ABS Census of Population and Housing.

Basing NDCO Service Regions on clusters of SSDs will facilitate a more equitable framework based on the distribution of people with a disability, which are the primary client of an NDCO provider, and enable transparency of the service regions. An additional benefit will be the availability of comprehensive ABS data for the regions and alignment with other Australian Government Programmes, such as the Career Advice Australia network. In defining NDCO Service Regions, the Department has also taken into consideration local circumstances, the number of schools, Higher Education and training providers and the geographic make-up to ensure that regions are viable both operationally and financially.

There is some expected disparity between the numbers of people with a disability in each Service Region. Generally, metropolitan regions have greater numbers of people with a disability, whereas the geographically larger regions have smaller numbers of people with a disability. All Programme providers will be required to tailor their activities and service delivery to the Service Region, which may include accounting for large geographic distances or larger numbers of people with a disability. Providers will also be expected to offer flexibility in the way they deliver services to the entire region.

The age range used for the distribution of people with a disability is to 10–64, as people with a disability aged between 10 and 14 may be eligible for assistance from the Programme over the three and a half year funding period.

The NDCO Service Regions are outlined in the attached tables. Maps of the NDCO Service Regions will be made available to successful providers. In the meantime, maps of individual SSDs can be accessed through the ABS website (www.abs.gov.au).

New South Wales

SSD Number and Name	People with a Disability Aged 10–64	Geographic Category
NDCO Service Region 1		
10505 Inner Sydney	3978	Metropolitan (Metro)
10510 Eastern Suburbs	1829	Metro
10515 St George-Sutherland	4646	Metro
Total	10453	
NDCO Service Region 2		
10520 Canterbury–Bankstown	5601	Metro
10535 Inner Western Sydney	1828	Metro
10540 Central Western Sydney	5448	Metro
Total	12877	
NDCO Service Region 3		
10555 Lower Northern Sydney	2492	Metro
10560 Central Northern Sydney	3448	Metro
10565 Northern Beaches	1786	Metro
10570 Gosford–Wyong	5562	Metro
Total	13288	
NDCO Service Region 4		
10530 Outer South Western Sydney	4205	Metro
10525 Fairfield–Liverpool	6864	Metro
Total	11069	
NDCO Service Region 5		
10545 Outer Western Sydney	5016	Metro
10553 Blacktown	4787	Metro
Total	9803	
NDCO Service Region 6		
11005 Newcastle	11299	Metro
11010 Hunter SD Bal	1860	Other Provincial Areas (OP)
Total	13159	

New South Wales (continued)

SSD Number and Name	People with a Disability Aged 10–64	Geographic Category
NDCO Service Region 7		
12005 Tweed Heads	1277	Metro
12007 Lismore	706	Provincial City (Prov)
12010 Richmond–Tweed SD Bal	2825	OP
12501 Coffs Harbour	1135	Prov
12503 Port Macquarie	849	
12505 Clarence (excl. Coffs Harbour)	2483	
12510 Hastings (excl. Port Macquarie)	2803	OP
13015 Northern Tablelands	1333	OP
Total	13411	
NDCO Service Region 8		
11507 Nowra–Bomaderry	763	Prov
11510 Illawarra SD Bal	2064	OP
11505 Wollongong	5188	Metro
14515 Lower South Coast	1459	OP
Total	9474	
NDCO Service Region 9		
13515 Upper Darling	126	Remote
15015 Lower Murrumbidgee	715	OP
15515 Central Murray	462	OP
15520 Murray–Darling	153	OP
16010 Far West	603	Remote
14015 Lachlan	1074	OP
13510 Macquarie–Barwon	418	Remote
13501 Dubbo	668	Prov
13505 Central Macquarie (excl. Dubbo)	1093	OP
14005 Bathurst–Orange	774	Prov
14010 Central Tablelands (excl. Bathurst–Orange)	1110	OP

New South Wales (continued)

SSD Number and Name	People with a Disability Aged 10–64	Geographic Category
NDCO Service Region 9		
13005 Tamworth	764	Prov
13010 Northern Slopes (excl. Tamworth)	881	OP
13020 North Central Plain	460	OP
Total	9301	

ACT and Surrounding Regions

SSD Number and Name	People with a Disability Aged 10–64	Geographic Category
NDCO Service Region 10		
80505 North Canberra	551	Metro
80510 Belconnen	1356	Metro
80515 Woden Valley	375	Metro
80520 Weston Creek–Stromlo	327	Metro
80525 Tuggeranong	1259	Metro
80535 South Canberra	297	Metro
80540 Gungahlin–Hall	341	Metro
14505 Queanbeyan	636	OP
14510 Southern Tablelands (excl. Queanbeyan)	1348	OP
14520 Snowy	293	OP
15505 Albury	819	Prov
15510 Upper Murray (excl. Albury)	367	OP
15005 Wagga Wagga	842	Prov
15010 Central Murrumbidgee (excl. Wagga Wagga)	971	OP
Total	9782	

Victoria

SSD Number and Name	People with a Disability Aged 10–64	Geographic Category
NDCO Service Region 11		
20505 Inner Melbourne	2711	Metro
20530 Northern Middle Melbourne	4235	Metro
20535 Hume City	3128	Metro
20540 Northern Outer Melbourne	3233	Metro
Total	13307	
NDCO Service Region 12		
20520 Melton–Wyndham	3183	Metro
20510 Western Melbourne	7788	Metro
20525 Moreland City	2322	Metro
Total	13293	
NDCO Service Region 13		
20545 Boroondara City	1355	Metro
20550 Eastern Middle Melbourne	4945	Metro
20555 Eastern Outer Melbourne	3517	Metro
20560 Yarra Ranges Shire Part A	2150	Metro
Total	11967	
NDCO Service Region 14		
20565 Southern Melbourne	4402	Metro
20575 Greater Dandenong City	2845	Metro
20585 Frankston City	2162	Metro
20590 Mornington Peninsula Shire	2110	Metro
Total	11519	
NDCO Service Region 15		
23005 Mildura Rural City Part A	993	Prov
23010 West Mallee	185	OP
23015 East Mallee	583	OP
22510 North Wimmera	315	OP
23505 Greater Bendigo City Part A	1731	Prov

Victoria (continued)

SSD Number and Name	People with a Disability Aged 10–64	Geographic Category
NDCO Service Region 15		
23510 North Loddon	1199	OP
24005 Greater Shepparton City Part A	912	Prov
24010 North Goulburn	1437	OP
24015 South Goulburn	593	OP
23520 South Loddon	551	OP
24020 South West Goulburn	809	OP
Total	9308	
NDCO Service Region 16		
21005 Greater Geelong City Part A	3079	Metro
21010 East Barwon	804	OP
21501 Warrnambool City	566	Prov
21505 Hopkins	514	OP
21510 Glenelg	670	OP
21015 West Barwon	910	OP
22005 Ballarat City	1816	Prov
22010 East Central Highlands	785	OP
22015 West Central Highlands	458	OP
22505 South Wimmera	763	OP
Total	10365	
NDCO Service Region 17		
25015 Wellington Shire	877	OP
25505 La Trobe Valley	1818	Prov
25510 West Gippsland	653	OP
25520 South Gippsland	1075	OP
24510 West Ovens–Murray	583	OP
24515 East Ovens–Murray	260	OP
25005 East Gippsland Shire	929	OP
24505 Wodonga	847	Prov
20580 South Eastern Outer Melbourne	4179	Metro
Total	11221	

Queensland

SSD Number and Name	People with a Disability Aged 10–64	Geographic Category
NDCO Service Region 18		
30505 Brisbane City	4464	Metro
30540 Pine Rivers Shire	1975	Metro
30545 Redcliffe City	1239	Metro
30520 Caboolture Shire Part A	3180	Metro
30550 Redland Shire	2129	
Total	12987	
NDCO Service Region 19		
30510 Gold Coast City Part A	1138	Metro
30525 Ipswich City	3369	Metro
30515 Beaudesert Shire Part A	749	Metro
30530 Logan City	3640	Metro
31005 Gold Coast City Part B	3387	Metro
Total	12283	
NDCO Service Region 20		
31020 Moreton SD Bal	1272	OP
32001 Toowoomba	2239	Prov
32005 Darling Downs SD Bal	2120	OP
32505 South West	371	Remote
31015 Sunshine Coast	3428	Metro
33505 Central West	143	Remote
Total	9573	
NDCO Service Region 21		
31505 Bundaberg	1677	Prov
31507 Hervey Bay City Part A	1567	Prov
31510 Wide Bay–Burnett SD Bal	5101	OP
33005 Rockhampton	1259	Prov
33010 Gladstone	625	Prov
33015 Fitzroy SD Bal	1159	OP
Total	11388	

Queensland (continued)

SSD Number and Name	People with a Disability Aged 10–64	Geographic Category
NDCO Service Region 22		
34505 Townsville City Part A	1386	Metro
34510 Thuringowa City Part A	945	Metro
34515 Northern SD Bal	1089	OP
35005 Cairns City Part A	1791	Metro
35010 Far North SD Bal	1966	OP
35505 North West	307	Remote
34005 Mackay City Part A	1057	Prov
34010 Mackay SD Bal	1143	OP
Total	9684	

South Australia

SSD Number and Name	People with a Disability Aged 10–64	Geographic Category
NDCO Service Region 23		
40510 Western Adelaide	4238	Metro
40515 Eastern Adelaide	2836	Metro
40520 Southern Adelaide	6242	Metro
Total	13316	

NDCO Service Region 24		
40505 Northern Adelaide	8032	Metro
41015 Mt Lofty Ranges	645	OP
41020 Fleurieu	822	OP
41010 Kangaroo Island	62	OP
42010 Murray Mallee	617	OP
42505 Upper South East	196	OP
42510 Lower South East	821	OP
Total	11195	

South Australia (continued)

SSD Number and Name	People with a Disability Aged 10–64	Geographic Category
NDCO Service Region 25		
43005 Lincoln	434	Remote
43010 West Coast	87	Remote
43505 Whyalla	595	OP
43515 Pirie	700	OP
43520 Flinders Ranges	423	OP
43525 Far North	148	Remote
41505 Yorke	733	OP
41510 Lower North	431	OP
42005 Riverland	833	OP
41005 Barossa	718	OP
Total	5102	

Western Australia

SSD Number and Name	People with a Disability Aged 10–64	Geographic Category
NDCO Service Region 26		
50525 South East Metropolitan	5001	Metro
51001 Mandurah	1336	Prov
52510 Avon	600	OP
53001 Kalgoorlie/Boulder City Part A	291	OP
53005 Lefroy	105	Remote
53010 Johnston	227	Remote
51003 Bunbury	826	Prov
51010 Preston	649	OP
51015 Vasse	411	OP
51020 Blackwood	308	OP
51505 Pallinup	145	Remote

Queensland

SSD Number and Name	People with a Disability Aged 10–64	Geographic Category
NDCO Service Region 26		
51510 King	750	OP
52005 Hotham	210	OP
53510 Carnegie	46	Remote
52515 Champion	133	Remote
52010 Lakes	39	Remote
Total	11077	
NDCO Service Region 27		
50505 Central Metropolitan	1207	Metro
50520 South West Metropolitan	4462	Metro
50510 East Metropolitan	3930	Metro
Total	9599	
NDCO Service Region 28		
50515 North Metropolitan	5664	Metro
53503 Geraldton	467	Prov
53505 Gascoyne	129	Remote
53515 Greenough River	176	Remote
54005 De Grey	139	Remote
54010 Fortescue	129	Remote
54505 Ord	134	Remote
54510 Fitzroy	270	Remote
52505 Moore	224	OP
Total	7332	

Tasmania

SSD Number and Name	People with a Disability Aged 10–64	Geographic Category
NDCO Service Region 29		
60505 Greater Hobart	4212	Metro
61005 Southern	1058	OP
Total	5270	

NDCO Service Region 30		
61505 Greater Launceston	2123	Prov
61510 Central North	455	OP
61515 North Eastern	395	OP
62005 Burnie–Devonport	1938	Prov
62010 North Western Rural	489	OP
62015 Lyell	148	OP
Total	5548	

Northern Territory

SSD Number and Name	People with a Disability Aged 10–64	Geographic Category
NDCO Service Region 31		
70505 Darwin City	873	Prov
70510 Palmerston–East Arm	314	Prov
70520 Litchfield Shire	203	Prov
71005 Finnis	42	Prov
71010 Bathurst–Melville	46	Prov
71015 Alligator	99	Remote
71020 Daly	36	Remote
71025 East Arnhem	195	Remote
71030 Lower Top End NT	217	Remote
71035 Barkly	89	Remote
71040 Central NT	497	Remote
Total	2611	