

National Disability Insurance Scheme Transition

Programme

Outside School Hours Care for

Teenagers with Disability Activity

Operational Guidelines

March 2015

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# Programme Overview

## Programme Outcomes

The Department of Social Services (DSS) works to provide improved independence, participation and lifetime wellbeing for people with disability, people with a mental illness and their carers.

The National Disability Insurance Scheme (NDIS) intends to ensure people with disability are supported to participate in and contribute to social and economic life to the extent of their abilities. People with disability and their carers will have certainty that they will receive the individualised care and support they need over their lifetime.

## 1.2 Programme Objectives

To improve the wellbeing and social and economic participation of people with disability, and their families and carers, by building a National Disability Insurance Scheme (NDIS) that delivers individualised support through an insurance approach. This programme also includes existing supports that are transitioning in to the Scheme in a phased approach as well as services to support the market, sector and workforce to adjust to the NDIS environment.

# Activity Overview

Outside School Hours Care for Teenagers with Disability (OTD) is an Australian Government initiative, managed by DSS, providing teenagers with a permanent and significant disability aged 12 to 18 years with appropriate outside school hours care. Outside school hours care includes before school, after school and holiday care.

In 2015‑16 $ 7.1 million will be provided to organisations located across Australia to deliver OTD*.*

OTD services are delivered from over 60 locations across Australia. In 2013-14 over 2,000 students with disability accessed OTD.

An evaluation of the activity in 2011 found that OTD has made a significant difference to the lives of many teenagers with disability, their parents and/or carers, and families as a whole. The evaluation revealed that 93% of parents/carers considered this initiative was effective in facilitating quality, appropriate care that allowed them to work or participate in the community. The evaluation report is available on the [DSS website](http://www.dss.gov.au/our-responsibilities/disability-and-carers/program-services/for-people-with-disability/outside-school-hours-care-for-teenagers-with-disability).

## 2.1 Aims and objectives

The activity provides:

* quality outside school hours care for students with permanent and significant disability aged 12 to 18 years; and
* the parents and carers of these students with time to work or participate in the community
* by delivering:
* before school, after school and holiday care;
* flexible and appropriate care; and
* social, recreational and life skills developmental activities that are stimulating and age appropriate.

## 2.2 Applicant eligibility

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

1. Incorporated Associations (incorporated under State/Territory legislation, commonly have 'Association' or 'Incorporated' or 'Inc.' in their legal name);
2. Incorporated Cooperatives (also incorporated under State/Territory legislation, commonly have ‘Cooperative' in their legal name);
3. Companies (incorporated under the Corporations Act 2001 – may be a not-for-profit or for-profit proprietary company (limited by shares or by guarantee) or public companies);
4. Aboriginal Corporations (incorporated under the Corporations (Aboriginal and Torres Strait Islander) Act 2006);
5. Organisations established through a specific piece of Commonwealth or state/territory legislation (public benevolent institutions, churches, universities, unions etc.;
6. Partnerships;
7. Trustees on behalf of a Trust;
8. State and territory Governments; and
9. Local Governments.

## 2.3 Participants/clients/recipients/target group

Programme clients are students aged 12 to 18 years and have a a permanent and significant disability that significantly affects their communication, mobility, self-care or self-management.

## 2.4 Funding for the activity

A total administered grant of $ 7.1 million has been allocated to organisations delivering the OTD activity in 2015-16.Providers are to administer the activity in accordance with the Terms and Conditions of the grant agreement with due regard to legal, managerial and ethical responsibilities of governance.

Funding can only be used for purposes detailed in these guidelines. Providers must ensure that funds are expended in a manner that represents value for money for the Australian Government.

Funding will be paid bi-annually and is provided for both administration and delivery of the OTD activity. Providers will be required to demonstrate value for money as judged against:

* using resources in an efficient, effective and ethical manner; and
* making decisions in an accountable and transparent manner.

In accordance with the Fair Work Australia decision of 1 February 2012 to increase wages in the Social and Community Services (SACS) sector, the Department of Social Services will provide supplementation funding to organisations employing SACS workers delivering OTD. To be eligible for supplementation funding organisations must be delivering in-scope Commonwealth funded programmes and have employed staff under the Social, Community, Home Care and Disability Services Industry Award 2010 (SACS Modern Award), specifically under one of the following Schedules:

* Schedule B – Classification Definitions - Social and Community Services Employees; and
* Schedule C – Classification Definitions - Crisis Accommodation Employees.

Organisations affected by the Western Australia Industrial Relation Commission (WAIRC) SACS Decision of 29 August 2013 may also be entitled to SACS supplementation.

## 2.5 Eligible and in-eligible activities

Funding provided to service provider may be used for:

* staffing expenses (including staff training and professional development);
* operating expenses;
* transport costs (not purchase of vehicles);
* premises expenses;
* administration (including staffing) costs;
* training for service providers;
* promotional activities; or
* materials and equipment directly related to assisting the target group for the activity.

Funding cannot be used:

* to purchase vehicles; or
* for capital projects involving land or buildings.

For advice on any expenditure not provided in the list above service providers should contact their grant agreement manager.

## 2.6 Activity links and working with other agencies and services

### Child Care

Organisations delivering the OTD activity are encouraged to build on the financial support provided to the sector under the Child Care Service Support Program (CCSSP), and child related family assistance payments to families, through the Child Care Benefit (CCB) and Child Care Tax Rebate.

Child Care information for service providers can be found in the [Child Care Service Handbook](http://www.education.gov.au/child-care-service-handbook) on the Education website.

### National Carer Strategy

Carers are central to current reforms to disability, mental health and aged care services because the role of informal carers is critical to sustaining these care support systems. The National Carer Strategy will guide future reforms occurring in the disability, health, mental health, aged care and service delivery sectors and ensure that carers get the support they deserve from the Government and the community.

The OTD activity supports parents and carers of teenagers with permanent and significant disabilities aged 12 to 18 years old to join or return to work. In doing so the activity contributes to addressing Priority 3 of the National Carer Strategy, which is to improve supports so carers have more options to participate in paid work.

### Employment for Carers

Job Services Australia and Disability Employment Services (DES) provide employment support for carers.

Job Services Australia provides support for carers who wish to enter or re-enter the paid workforce and for people returning to the workforce after their caring role ends. It provides opportunities for training, skills development and work experience and provides tailored assistance to ensure responsiveness to individual circumstances. Further information about Job Services Australia is available on the Australian Government [Department of Employment’s website](http://employment.gov.au/job-services-australia-jsa).

Disability Employment Services (DES) provide job seekers (including carers who wish to enter or re-enter the paid workforce) with disability, injury or a health condition with assistance to prepare for, find and keep a job. Further information is available on the [DSS Website](https://www.dss.gov.au/DES).

## 2.7 Information technology

Funding may be used for the cost of information technology and communication devices however this must be limited to those directly related to the activity.

## 2.8 Activity performance and reporting

Service providers must understand their rights and obligations in the grant agreement, and comply with the Terms and Conditions specified therein. These include complying with professional standards, maintaining required levels of insurance coverage, ensuring appropriate codes of conduct are in place and abiding by privacy and confidentiality obligations.

Service providers are required to demonstrate sound corporate governance, recognising that the Australian Government and the Australian public it represents are key stakeholders in their operations. This includes implementing processes and controls to maximise operational efficiency and ensuring the appropriate use of Australian Government funding.

Service providers must maximise outcomes for which the Australian Government has provided funding. Key elements of good corporate governance include sound record keeping practices, transparency in decision making and adherence to all relevant laws and regulations governing the industry within which the service operates.

Service providers are responsible for:

* administering funding in accordance with their grant agreement;
* delivering the services specified in the grant agreement;
* working within the Programme Guidelines;
* ensuring that staff are well supported and have appropriate skills and qualifications to deliver the services;
* providing a complaints handling mechanism;
* adhering to the Terms and Conditions of the grant agreement; and
* ensuring the ongoing viability of services through sound business governance practices and prudent use of Government funding.

The Department assesses a service provider’s performance through reports and other compliance mechanisms.

### Activity Reporting

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

## 2.9 Financial Reporting

The activity will be managed to ensure the efficient and effective use of public monies. This will be consistent with best value in social services principles; the DSS grant agreement and will aim to maintain viable services and act to prevent fraud upon the Commonwealth.

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

## 2.10 DSS’ responsibilities and accountabilities under the activity

DSS will:

* Meet the Government’s Terms and Conditions of the grant agreement established with organisations;
* Ensure that services provided under the programme are accountable to the Australian Government under the terms and conditions agreed in the grant agreement;
* Administer the operation of the programme in a timely manner;
* Identify suitable providers to deliver the activities required as per the grant agreement;
* Work in partnership with providers to ensure the programme is implemented and provide service providers with constructive feedback; and
* Ensure that the outcomes contained within the Programme Guidelines are being met and evaluate providers’ performance against the programme outcomes.

## 2.11 Grant recipients responsibilities and accountabilities under the activity

In entering into a grant agreement with DSS, the grant recipient must comply with all requirements outlined in the suite of documents that comprise the Agreement including these Programme Guidelines, the grant agreement and the [Standard Agreement Terms and Conditions](https://www.dss.gov.au/grants/information-for-grant-recipients/dss-grant-agreements-grant-conditions) (available at the DSS website).

Grant recipients are responsible for ensuring:

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

## 2.12 Risk management strategy

A risk management assessment will be conducted on each organisation selected for grants. Where indicated as being necessary, and in consultation with the funded entity, a risk management strategy will be put into place and monitored by DSS.

## 2.13 Special conditions applying to this activity

There are no special conditions.

# Application Process

## 3.1 Overview of the application process

DSS is conducting a direct selection process for 43 grant recipients who provide the OTD activity to 65 sites nationally. These grant recipients are meeting their grant agreement obligations and will have their grant agreements extended for twelve months until 30 June 2016.

The overall funding being distributed in this renewal process is $7.1 million from 1 July 2015 until 30 June 2016.

# Terms and conditions applying to Direct Selection

## 4.1 Liability issues

DSS is not liable to the applicant in relation to the selection process, including without limitation, when DSS:

* varies or terminates all or any part of the selection process or any negotiations with the applicant;
* decides not to acquire any or all of the services sought through the selection process;
* varies the selection process; and /or
* exercises or fails to exercise any of its other rights under, or in relation to, the Programme Guidelines.

## 4.2 DSS’ rights

DSS reserves the right to amend the Programme Guidelines by whatever means it may determine in its absolute discretion and will provide reasonable notice of these amendments.

## 4.3 Disclaimer

DSS, its officers, agents and advisors:

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

## 4.4 Fraud

DSS is committed to the Commonwealth Fraud Control Policy and Guidelines. Applicants should familiarise themselves with [the DSS Fraud Control Policy Statement](https://www.dss.gov.au/about-the-department/policies-legislation/dss-fraud-policy-statement). The Fraud Control Policy Statement also underpins an Applicant’s respective fraud and risk minimisation responsibilities when dealing with the Department.

One key responsibility outlined in the DSS Fraud Control Policy Statement is to report all fraud concerns by:

* leaving an anonymous voicemail message on the DSS Fraud Hotline (1800 133 611); or
* emailing [fraud@DSS.gov.au](mailto:fraud@DSS.gov.au).

## 4.5 Personal Information

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

If you have questions or concerns about how your personal information is handled you can contact the Privacy Officer at DSS on 02 6244 1449, the Privacy Commissioner on 1300 363 992 (local call cost, but calls from mobile and pay phones may incur higher charges) or the Australian Government Privacy Officer by emailing: [privacy@privacy.gov.au](mailto:privacy@privacy.gov.au).

## 4.6 Freedom of Information

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

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

Decisions regarding requests for access under the FOI Act will be made by an authorised decision‐maker in accordance with the requirements of the FOI Act.

All FOI requests are to be referred to the FOI Coordinator, Public Law Branch, in DSS.

By mail:

FOI Coordinator

The Department of Social Services

Public Law Branch,

PO Box 7576

CANBERRA BUSINESS CENTRE

ACT 2610

By email:

[foi@dss.gov.au](mailto:foi@dss.gov.au)

For more information on making a request for access to documents in the possession of DSS under the FOI Act, visit the [DSS Website](https://www.dss.gov.au/contact/freedom-of-information).

# Financial and Other Arrangements

## 5.1 Financial arrangements

The Department uses standard grant agreements. Funding will only be provided in accordance with an executed grant agreement. The terms and conditions of DSS’ grant agreements cannot be changed.

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

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

Grant recipients are responsible for ensuring that:

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

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

The [Terms and Conditions of the grant agreement](https://www.dss.gov.au/grants/information-for-grant-recipients/dss-grant-agreements-grant-conditions) are available on the DSS website.

# Complaints

## 6.1 Applicants/Grant Recipients

Applicants and grant recipients can contact the complaints service with complaints about DSS’ service(s), the selection process or the service of another of DSS grant recipient.

Details of what constitutes an eligible complaint can be provided upon request by DSS. Applicants and grant recipients can lodge complaints through the following channels:

Telephone: 1800 634 035

Fax: (02) 6204 4587

Mail:

The Department of Social Services Complaints

PO Box 7576

Canberra Business Centre ACT 2610

If an applicant or grant recipient is at any time dissatisfied with DSS’s handling of a complaint, they can contact the Commonwealth Ombudsman on 1300 362 072. Further information is also available from the [Commonwealth Ombudsman website](http://www.ombudsman.gov.au).

## 6.2 Client/Customer

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

# Contact information

The primary contact for the OTD activity is the Grant Agreement Manager in the relevant DSS State or Territory Office. Any enquiries in relation to this activity should be directed to that person in the first instance.

# Glossary

## Carer

A carer, as defined in the Carer Recognition Act 2010, is an individual who provides personal care, support and assistance to another individual who needs it because that other individual:

1. has a disability;
2. has a medical condition (including a terminal or chronic illness);
3. has a mental illness; or
4. is frail and aged.

An individual is not a carer in respect of care, support and assistance he or she provides:

1. under a contract of service or a contract for the provision of services;
2. in the course of doing voluntary work for a charitable, welfare or community organisation; or
3. as part of the requirements of a course of education or training.

To avoid doubt, an individual is not a carer merely because he or she:

1. is the spouse, de facto partner, parent, child or other relative of an individual, or is the guardian of an individual; or
2. lives with an individual who requires care.