

## Victorian Community Legal Services Program Funding Guidance

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## Background

Victoria Legal Aid (VLA) is an independent statutory authority established under the Legal Aid Act 1978 (Vic) and funded predominantly by the Commonwealth and Victorian State Governments. VLA's overarching strategy, [Strategy 26](#), was built on the foundation of our [Outcomes Framework](#). It adopts the five outcomes we hope to achieve as our strategic directions – increased access to justice for our clients, improved legal understanding in the community, a collaborative legal assistance sector, fairer laws and systems and an effective and sustainable Victoria Legal Aid

These key directions are intended to act as the foundation for more accessible, client-centred services and a collaborative style of leadership and partnership across the legal assistance sector. Each element of VLA's operational work supports the overall achievement of the goals articulated in Strategy 26.

The Community Legal Services Program (CLSP) at Victoria Legal Aid (VLA) supports community legal centres (CLCs) to provide legal assistance and associated activities – increasing access to justice in Victoria. The CLSP does this by administering funding (grants) to CLCs on behalf of the Commonwealth and State Governments and from internally budgeted funds for CLC activities. For the purposes of this document, this funding is referred to interchangeably as grants, funding, or grants funding. Most CLSP funding allocations and requirements are determined by the State or Commonwealth Governments, with VLA holding responsibilities for determining how to allocate some grants which make up CLSP funding.

To ensure a fair and transparent process for allocating new grants, from 1 July 2020, VLA's new CLSP Funding Principles have been in place. The principles provide a framework for new funding decisions by VLA from that date. A standardised process for awarding grants, including outlining how the Principles are applied in practice, has also been established and are shared with the sector so that this is clear to all potential applicants to any new grants.

While VLA may be required to pass on certain funding conditions from upstream funders, the CLSP program seeks to standardise fund administration across grants under -one service agreement. One of the key benefits of bringing a range of different funding arrangements under the overarching CLSP is that it allows VLA to streamline reporting and other acquittal requirements, reducing the burden on CLCs receiving multiple streams of funding through the life of the CLSP Service Agreement.

## Purpose

This document aims to increase the transparency through which CLSP grants are awarded and administered by documenting the Principles which VLA uses to make CLSP funding decisions, clarifying the minimum eligibility requirements for organisations in receipt of CLSP funds, outlining the standard process for awarding new CLSP grants, and describing standard conditions of funding which support the Service Agreement. This document has four sections:

- 1) CLSP funding principles and eligibility requirements** to ensure there is transparency about the underlying principles used to make decisions about grant funding and outline the eligibility requirements for organisation's receiving or applying to receive CLSP Grant funding.
- 2) General CLSP grant application process** to ensure there is transparency around the way CLSP grants are awarded, including how they are advertised and how applications are assessed. This document also outlines a standardised process by which the CLSP Grants will be administered.

- 3) **Supporting Procedures for CLSP Management** which outlines specific procedures for elements of CLSP Management.
- 4) **Standard conditions of CLSP funding** provides funded organisations further detail on the contractual requirements from the Service Agreement or Funding Advice Letter. This includes minimum service standards, data collection standards, reporting requirements and timelines for standard reporting. Some funding streams have specific conditions which apply to use of these specific-purpose funds outlined in this document.

## Attachments

A range of templates and guidance documents relevant to the process of awarding and acquitting grants are attached.

- Attachment 1: Standard assessment rubric model
- Attachment 2: Budget and Funds Report Template
- Attachment 3: CLSP Financial reporting guide
- Attachment 4: CLSP Plan and Progress Report template and guide
- Attachment 5: Auditor Certification template
- Attachment 6: Excess Surplus proposal template

## Enquiries

To register for information about CLSP funding opportunities or for direct enquiries regarding the CLSP, email [clcfdp@vla.vic.gov.au](mailto:clcfdp@vla.vic.gov.au).

## Section 1. CLSP funding principles and eligibility requirements

### Purpose and scope

The *CLSP Funding Principles and Eligibility Requirements* aim to ensure there is transparency of the underlying principles used to make decisions about grant funding and outline the eligibility requirements for organisation's receiving or applying to receive CLSP grant funding. They apply to fixed-term and new recurrent grant allocations from 1 July 2020 which are administered by, or in collaboration with, VLA's CLC Funding and Development Program. Information about the process for applying for grants (including assessment criteria) and the standard conditions imposed on CLSP grant funding for successful grantees are outlined in the *General CLSP Grant Application Process and Standard conditions of CLSP Funding*.

### Clarifying the decision-maker

Most funding decisions are made by government. Occasionally, VLA will:

- determine how government grants will be allocated, or
- provide grants from its own funds.

For transparency, VLA will communicate its role and scope /extent of the decision-making responsibility when administering grants.

### Eligibility for grants

In order to be eligible for grants administered via VLA's CLSP, the grant applicant must be:

- A legal entity (excluding individual persons, political organisations, and Commonwealth, State or Territory Government Departments) with an Australian Business Number and registered for GST, and
- Able to demonstrate sound governance and financial management (including necessary insurances)
- Be a community legal service within the meaning of the Legal Profession Uniform Law (Victoria), or formally collaborating with a community legal service
- Accredited via the [National Accreditation Standards](#) (NAS). If an organisation is not a CLC but is formally collaborating with one, the collaborative partner CLC must be NAS accredited.

Organisations wishing to apply for any CLSP grant funding must be able to demonstrate their eligibility based on these criteria. Generally, VLA will not review any grant applications from organisations which do not fulfil this eligibility criteria.

### Principles of Funding

In 2012, VLA's Board set principles to guide its decision making regarding CLSP funding decisions. Since this time the legal assistance sector has evolved significantly and has a more sophisticated approach to service design, outcomes measurement, legal needs assessment and collaborative service planning.

These principles, as revised below, have been expanded to reflect these developments. The principles have been used to create a standard assessment rubric model – which will be used to guide - the development of a given grant's application assessment criteria.

**Principle 1 Evidence-based decision making**

- The proposed activity / service will contribute to meeting a clear legal need
- Evidence that the proposed activity / service is an appropriate response to the legal need and / or specific client groups identified

**Principle 2 Effective management and good governance**

- Demonstrated capacity and capability of the organisation to undertake the proposed activity / service and accountability tasks associated with the grant
- Effective identification and management of risks associated with the proposed activity
- Demonstrated ability to responsibly manage funding

**Principle 3 Coordinated and integrated legal assistance**

- Effective partnerships with a range of legal assistance organisations and allied service providers
- Evidence of collaboration with legal and non-legal assistance sector partners including in service and / or activity delivery including through integrated models of service delivery
- Confirmation that the activity complements existing efforts

**Principle 4 Efficient service provision, including value for money**

- Confirmation that the service or activity does not (unnecessarily) duplicate existing programs or projects
- The service or activity impact targets priority clients
- Demonstrate reasonable costings for service or activity delivery
- The funded service or activity represents value for money (including any co-contributions being made)
- The service or activity plan demonstrates a sustainable benefit beyond the funded period e.g. through demonstrable additional funding, development of referral pathways which allow target communities to continue to receive services and / or the service / activity has a planned process for wind-down of services or activities once VLA funding ends

**Principle 5 Effective service provision including an outcomes focus**

- Overall objectives (and the outcomes that will be achieved) are clear and respond to a clearly identified need
- Provision of culturally safe services
- Ability to collect data and measure the success of the proposed activity in accordance with best practice research and evaluation methods
- The findings of monitoring and evaluation inform future service design and delivery



## Section 2. General CLSP grant application process

### Purpose and scope

The *General CLSP Grant Application Process* aims to ensure there is transparency in the way CLSP grants are awarded, including how they are advertised and how applications are assessed. This document also outlines a standardised process. While the process is standardised as outlined in this document, each grant will have its own Grant Application Pack (GAP) which outlines the process and the specifics of a particular grant. VLA notes that there may be situations where upstream requirements of funding mean that the standard process may not be followed – in such cases the information in the GAP will detail deviations from the standard process.

Information on the standard conditions imposed on CLSP grant funding for successful grantees are outlined in the *Standard conditions of CLSP Funding*.

For information about the CLSP Funding Principles which underpin CLSP Grant funding decisions, see *CLSP Funding Principles and Eligibility Requirements*.

### Relevant Attachments

- Attachment 1: Standard Assessment Rubric Model

### Types of grants offered under the CLSP

Via the CLSP, VLA administers and manages a range of funding including ongoing and fixed-term grants.

The CLSP usually offers grants for the following purposes:

- **Generalist** – funding for community legal service provision that is not tied to specific law types or specific clients other than as specified by the recipient – normally recurrent with deliverables negotiated between VLA and the funded organisation;
- **Specialist area of law** – funding for community legal service provision that must be used towards assisting clients in relation to a specific area of law or associated activities – both project based and recurrent, with deliverables negotiated between VLA and funded organisation. Current examples include child protection and family violence legal assistance funding;
- **Project-specific** – funding to provide services or activities for a specific purpose or project that is complementary to the effective operation of the CLSP and/or has sector wide benefits – normally fixed-term funding with deliverables usually specified by VLA;
- **Innovation** – This category of funding may include pilot projects and other initiatives that are designed to introduce or test new practices, ideas or technologies in the legal assistance sector. Priority will be given to innovative projects that can be thoroughly tested, adapted and scaled up if they are considered successful – normally fixed-term funding with activities proposed by funded organisation and deliverables agreed between VLA and funded organisation; or
- **Other** – other grants not described as above.

Depending on the individual grant, the applications may be open or restricted, and for recurrent or fixed-term funding as described below.

Selection types	Assessment process	Funding term
<p><i>Open</i> – usually a public call for application from any organisation meeting the eligibility criteria</p> <p><i>Restricted</i> – eligible organisations will receive a direct invitation to apply or express interest</p>	<p><i>Competitive</i> – where applications are assessed against each other against criteria available to all eligible applicants</p> <p><i>Non-competitive</i> – the proposals are not assessed against other applications. They are assessed individually against purpose designed criteria that will be made available at the time of the process.</p>	<p><i>Recurrent</i> – funding that is intended to be ‘core’ funding provided year-on-year as long as funding conditions are met, and funding is available</p> <p><i>Fixed-term</i> – funding that is provided for a set period, usually to test suitability of a service or activity (e.g. a pilot), or to meet a specified need for a fixed term.</p>

## CLSP standard grant process

CLSP grants will, where possible, follow a standardised advertisement, application, and assessment process.

The standard process is outlined below:

1. VLA will call for applications for the grant. For open grants, the GAP will be made available on VLA’s website and all organisations receiving CLSP funding will be notified of the opportunity via email. VLA may choose to provide details to other organisations to assist in the sharing of the GAP more broadly, for example, VLA may ask the Federation of CLCs to distribute information to their wider membership. For restricted grants, VLA will notify invitees directly.
2. The GAP will contain all grant details, including the purpose of the grant and specific application details. The GAP will provide details of the VLA contact person who can answer any questions about the grant, application process, and eligibility.
3. Applicants, who meet eligibility criteria, will submit the application to VLA for consideration.
4. The panel assigned to assess applications will be convened to assess and prioritise applications received in line with the CLSP eligibility and selection criteria detailed in the GAP.
5. Where the panel believes decision-making would be supported by additional information from applicants after review of submitted applications, the VLA contact person will seek this information from applicants.
6. Informed by recommendations from the panel, the appropriate decision-maker (such as the CEO, Board, or other person or group as noted in the GAP) will make a final decision on successful applications.
7. Successful applicants will be notified by VLA, initially by phone, and then in writing through a letter of offer and a Service Agreement (if needed). VLA will work with the successful applicants to develop any additional requirements and/or agreements as needed.

8. Unsuccessful applicants will be notified in writing and provided with feedback on request. If an applicant disagrees with a funding decision, they can seek a review of the decision through the *CLSP Complaints procedure* which can be found in the *Supporting Procedures for CLSP Management*.
9. All grants approved for funding under the CLSP will be published on VLA's website page within 30 days of funding agreements being executed.
10. VLA and the successful applicants will manage the grant in line with the Service Agreement, Funding Advice Letter, and *Standard conditions of CLSP Funding*.

## Further information about the standard grant process

### ***Applicants requesting additional information about grants***

If potential applicants request information about the grant which would be materially useful to other potential applicants, VLA will respond to these queries by updating information on the VLA webpage relevant to the grant and/or updating the GAP.

### ***Assessment Panel***

An assessment panel of VLA representatives and external representatives (where appropriate), will be formed to assess applications and proposals and make funding recommendations. All members of the panel will sign Conflict of Interest declarations to ensure they are acting independently. Where a conflict exists the relevant panel members with declared conflicts should be removed and replaced on the panel where practicable, otherwise the conflict will be managed according to VLA's Conflict of Interest Policy. The composition of the panel and details of the final decision-making responsibility will be made clear in the Grant Application Pack (GAP) provided for each grant.

### ***Assessment of grant applications***

The Assessment Panel will assess grant applications using the specified rubric, based on the *CLSP Funding Principles and Eligibility Requirements*. The final decision on any grant is reserved to VLA CEO or Board or other Delegated Authority. The GAP will include a copy of the assessment rubric which applications will be assessed against, and any other requirements set by the Commonwealth and State Governments. Applications from organisations which do not meet eligibility criteria will not be assessed.

When assessing an eligible grant application against the assessment rubric, panel members will take into consideration organisational capacity within centres. Furthermore, VLA is committed to working with Centres and the Federation of CLCs to support centres to build on their capacity for evidence-based planning across the life of the agreement, such as building capacity to undertake monitoring and evaluation and conduct outcomes reporting.

### ***Requesting clarification from applicants or additional information about applications***

VLA may request additional information from applicants to shortlist applications or differentiate between shortlisted applications. Where similar information is missing or inadequate from multiple shortlisted applications, VLA will request the same clarification and/or additional information from all relevant shortlisted applicants.

### ***Assessment Rubric***

New grants will be assessed using a rubric designed to reflect the *Principles of Funding* (articulated in the *CLSP Funding Principles and Eligibility Requirements*) which will be made available in the relevant GAP. A sample standard assessment rubric is attached and will be adapted for each grant and funding round.

### ***Successful grantees***

Before any CLSP funding is provided, the recipient organisation is required to enter into a CLSP Service Agreement with VLA, if not in such an agreement already. This Agreement sets out the terms and conditions under which the funding is to be provided. Additional terms and conditions will be found in the *Standard conditions of CLSP Funding*. Additional information will also be provided in the Funding Advice Letter.

These documents together will outline, in detail, the terms, conditions and obligations of service delivery, performance, accountability, and reporting requirements for both VLA and the recipient organisation.

### ***Unsolicited grant proposals***

VLA may accept, without obligation, unsolicited strategic proposals. If VLA considers that it would be appropriate to accept an unsolicited proposal, it will be assessed in accordance with the CLSP guiding principles, with any final grant amount subject to VLA's discretion. Any decisions by VLA related to the receipt, assessment/or funding of unsolicited proposals will be final.

### ***Grant recipients published on VLA website***

Information on Centres receiving CLSP funding will be published on VLA's website and updated following any new grant decision, including any unsolicited grants funded.

## Section 3. Supporting Procedures for CLSP Management

### Purpose and scope

The *Supporting Procedures for CLSP Management* contains additional procedures which support VLA's management of CLSP grants. These procedures support the transparent management of all CLSP grants.

For information about the CLSP Funding Principles which underpin CLSP Grant funding decisions, see *CLSP Funding Principles and Eligibility Requirements*. For information on the general CLSP Grant application process see *General CLSP Grant Application Process*. For information about the additional conditions which apply to CLSP Grants outside of the Service Agreement see *Standard conditions of CLSP Funding*.

### Covered in this section

1. CLSP Complaints procedure
2. CLSP Responding to concerns about CLC operations or performance procedure

## 1: CLSP Complaints procedure

This section outlines the procedure to address complaints related to CLSP funding administration and decision-making.

It provides information on:

- making a complaint,
- the complaint review process,
- how complaints are used to improve funding administration processes, and
- how information about complaints is protected.

### Out of scope

From time to time, VLA receives complaints about the legal practice or service provision of a CLC receiving funding via CLSP or due to the centre's status as a [section 29A panel practitioner](#).

VLA's Standard Complaints Process applies in these situations. Further information on the Complaints Process is available [here](#). Complaints are received by VLA's Internal Legal Services team.

If the complaint received relates to service provision by a CLC, VLA's CLC Funding and Development Program is responsible for communicating details of the complaint to the centre and requests that:

- the centre confirm that the person making the complaint is/was a client of the centre,
- the centre follow its own complaints management policy and procedures to address the complaint, and
- the centre advise CLCFDP Program Manager of outcome and resolution of the internal process.

Centres are requested to promptly review and resolve complaints.

It is a requirement of the CLSP Service Agreement that CLCs receiving funding maintain a client complaint and feedback mechanism that is easily accessible to service users, by publishing the policy on the centre website and maintaining an electronic copy accessible at the centre. Centres are required to manage complaints from clients and others in a prompt, fair and consistent way.

Sustained poor client feedback, case work and other activity may lead VLA to be concerned about a CLC receiving funding via CLSP. VLA's procedure for addressing concerns about CLC operations or performance is outlined in the *Community Legal Services Program: Responding to concerns about CLC operations or performance procedure*.

If a complaint is received about a CLC that relates to the operational or management concerns at the centre, the *Community Legal Services Program: Responding to concerns about CLC operations or performance procedure* will apply.

### Approach

VLA welcomes complaints. Our goal when handling complaints is to reach fair and reasonable resolutions and improve our services or processes.

We handle complaints in accordance with our values of fairness, care and courage. This means:

- *fairness* – we do not treat anyone adversely for making a complaint. We listen to both sides of a story. We are transparent about the reasons for decisions we make on complaints. We aim to

make our complaints process accessible. We are accountable internally and externally for our complaint handling performance.

- *care* – we are compassionate towards people who complain and people who are complained about. We aim to make the complaints process accessible. We are courteous to everyone we speak with. We aim to use complaints to make a difference to our services.
- *courage* – we accept we can be wrong. If we think we have made a mistake, we fix it and apologise. We are open to scrutiny and keep full records of what we do.

## Making a complaint

A CLC or the Federation of CLCs may make a complaint about VLA's management of CLSP or any other treatment of the organisation by VLA in connection with the CLSP Agreement via the following process.

## Complaint process

In the event of a complaint, the following steps will be followed:

1. Complaints are to be communicated to the Program Manager, CLC Funding and Development in the first instance. Complaints can be made via telephone or in writing. If provided in writing, complaints can be submitted via email to [CLCFDP@vla.vic.gov.au](mailto:CLCFDP@vla.vic.gov.au).
  - To assist in the consideration of the complaint, the Program Manager may obtain additional information and seek advice from VLA's Internal Legal Services or General Counsel.
  - Where the complaint is related to a dispute under the CLSP Service Agreement which cannot be resolved by informal discussions, the dispute resolution process at **Clause 24** of the CLSP Service Agreement will apply.
  - The Program Manager may request a meeting with the complainant to discuss the complaint.
  - A written response to the complaint will be provided.
  - The Program Manager will consider any recommendations for process improvements arising from the complaint.
2. If the complaint cannot be resolved or is not resolved to the satisfaction of the complainant, the complaint can be further escalated in writing to the Director, Client Services & Sector Engagement.
3. If the complaint cannot be resolved or is not resolved to the satisfaction to the complainant, the complaint can be further escalated in writing to the Executive Director, Region & Service Delivery for consideration.
4. If the complaint cannot be resolved or is not resolved to the satisfaction to the complainant, the complaint will be reviewed by the Chief Executive Officer for final consideration.

Whilst VLA is committed to responding to complaints in timely, effective and efficient manner, timeframes for response and resolution will be considered in discretionary manner taking into consideration the nature of the complaint.



## Privacy

VLA protects the personal and organisational information gathered through complaints and handles it in accordance with [VLA's privacy policy](#).

That means we:

- only use information to resolve the complaint or relevant systemic issue
- share information with staff only where necessary to resolve the complaint.

## Records

The CLC Funding and Development Program maintains a record of all funding administration complaints received including:

- the complaint details
- the complaint outcome
- time taken to resolve the complaint, and
- any recommendations for process improvements, and whether these were implemented.

## 2. CLSP Responding to concerns about CLC operations or performance procedure

### Background

VLA is an independent statutory authority established under the *Legal Aid Act 1978 (Vic)* that is funded by Commonwealth and Victorian Governments. Under VLA's Strategy 26, we are committed to leading and acting in ways that make the legal assistance sector more accessible for clients and we seek to build trust and deepen relationships with colleagues, partners and the community. VLA recognises the important role of CLCs in the mixed model of legal assistance and service delivery in Victoria and considers CLCs to be a major partner in achieving access to justice.

The primary function of CLSP in Victoria is to support the provision of a [mixed model of legal assistance](#) that is efficient, effective and focused on improving access to justice for socially and economically disadvantaged individuals and communities. Recipients of CLSP funding, are expected to design and provide high quality services that place clients and their communities at the centre of service provision. VLA also works with funded services<sup>1</sup> on a range of developmental and capacity building initiatives.

VLA also has responsibilities to ensure that services that are funded through CLSP are meeting their CLSP Service Agreement (Agreement) obligations. The Agreement defines VLA's role and authority in this regard and sets minimum quality and risk management standards to support best practice.

### What is an operation or performance concern?

VLA monitors the performance of funded CLCs in several ways. These include through the review of plans, budgets and reports from CLCs, through visits and other meetings with CLC staff and boards /

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<sup>1</sup> Funded services include the Federation of Community Legal Centres (Victoria).



committees of management and from time to time through the receipt of complaints and feedback, either directly to VLA's CLC Funding and Development Program, or through VLA's [Internal Legal Service](#).

Following is a list of examples of CLC operations or performance that may lead VLA to be concerned about a CLC:

- Repeated failure to lodge plans and reports (due under the Agreement) on time and to a standard acceptable to VLA<sup>2</sup>
- Failure to effectively target resources via evidence-based plans, casework guidelines, service delivery structures or other methods that have been informed by adequate planning and analysis of legal need<sup>3</sup>
- Sustained poor client, case work and other activity, outputs, outcomes or failure to meet agreed service targets
- Poor financial management or reporting (including consistent overspending or underspending without reasonable explanation or poor financial risk management)
- Significant and sustained staff turn-over such that Centre operations are seriously impacted
- Significant changes in Board or Committee of management that seriously impact Centre governance
- Credible complaints about performance by service-users or other key stakeholders
- Centres that are unable to demonstrate that their funding is being used effectively and consistent with:
  - the CLSP Service Agreement
  - Victorian Community Legal Services Program Funding Guidance, including CLSP Service Standards
  - National Accreditation Scheme (NAS) and the National Professional Indemnity Insurance Scheme (PII) and / or the Victorian Managed Insurance Authority
  - [Legal Profession Uniform Law](#)

## What is a notifiable concern?

1. This requirement places responsibility on funded organisations to notify VLA's CLC Funding and Development Program within five business days if they become aware of a notifiable concern. This strengthened provision also requires VLA to *respond within five business days*.
2. This requirement is intended to facilitate prompt and proactive support and direction by VLA to the Centre and is not intended to undermine CLC independent management or governance.

Organisations are required to notify VLA if they have evidence of, or receive a complaint or allegation about any of the following serious concerns:

- Health, safety or risk to a person who receives a community legal service, or is a person employed by the organisation, or a volunteer at the organisation

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<sup>2</sup> VLA Guidance on completing templates to assist centres to meet an acceptable standard when completing CLSP plan, budget and reporting documents.

<sup>3</sup> VLA Guidance to support centres.

- Service failure puts a client at risk of significant harm
- Poor governance, management and or financial accountability, including conduct which is fraudulent or potentially fraudulent
- An Australian Charities and Not for Profits Commission (ACNC) Governance Standards compliance investigation or any change in ACNC status of the organisation
- Ongoing financial viability of the organisation
- Significant disruption or delays to service delivery, without reasonable explanation
- Failure to comply with legal practice obligations as defined in Legal Profession Uniform Law

## **VLA's procedure for addressing concerns about CLC operations or performance or following receipt of a notifiable concern**

VLA's overall aim is to be aware of operational or performance concerns at the earliest possible stage, before concerns escalate and become serious.

When a concern is raised or identified by VLA, VLA will strive to:

- Notify the CLC promptly and clarify possible breaches of the Agreement by providing a clear outline and basis for the concern
- Provide the CLC with reasonable time, opportunity and support to remedy or address the concern
- In cases where concerns are not remedied, VLA will provide the CLC with reasonable notice of any proposed decision that is likely to have a significant detrimental impact on the CLC and their arrangements with VLA.

In the usual course of events, VLA will undertake the following steps, and noting that in most situations, concerns will be resolved at stage one.

### **Stage 1. Informal communication and support**

- a. Informal communication of concern: VLA will contact an appropriate person at the Centre (generally the CLC manager or CEO), to outline the concern and offer support or advice. This communication will generally take place informally via email and a phone call.
- b. Support to the Centre could include:
  - feedback on what the concerns or issues are (for example regarding the quality of reports)
  - clarification of what is expected
  - advice as to how the concerns could be addressed and resolved; including reasonable time, the assistance VLA is able to provide, and provide an opportunity to respond
  - Connecting the Centre to the Federation of CLCs (Vic) for any available capacity-building or other support (with agreed regular reporting by the Centre to VLA on the status of the plan).

### **Stage 2. Formal communication of concerns to the Chair of the Board / Committee of Management**

- a. Communication to the Chair: If VLA continues to hold concerns, either because the issues raised in Stage 1 are not rectified or because they recur within a short period of time, VLA will write to the Chair, outlining the nature of the concerns and the basis for the concerns. Such correspondence

will set out the process that VLA will follow either to investigate the concerns or to seek a response or action from the Centre.

These steps may include a service standards audit, financial audit or management review of the organisation pursuant to the Agreement. The letter will provide an opportunity for the Chair (and or Board or Committee) to meet with VLA and will include notice that VLA intends to inform the Federation of Community Legal Centres (Vic) Inc (the Federation) to facilitate the provision of support to the Centre.

- b. Opportunity to respond: The Chair will be given reasonable time to respond to the formal notification before any of the steps noted above in this clause are undertaken by VLA. The Chair will also be provided with an opportunity to object to the Federation being notified, with reasons for any objection. VLA will consider any objection but may still notify the Federation
- c. VLA notification of concern to the Federation: Subject to the above, VLA will inform the Federation of the above correspondence to facilitate the centre connecting with the Federation for any available capacity building or other support. VLA will not share detailed information with the Federation that has not been provided to the CLC or where the CLC has made a reasonable request that detailed information not be provided.
- d. Formal notification if VLA's concerns are resolved or addressed through the Centre's response to the concerns: VLA will inform the CLC Chair (and Manager / CEO) in writing to confirm that the concerns have been addressed or resolved and clarify what is likely to occur if the same or similar concerns arose in the future. If the Federation were informed about the concerns, VLA will also notify them that the concerns have been addressed or resolved.

### **Stage 3. Notification of breach of Agreement or risk of loss of funding**

- a. Communication to Chair: If the concerns are not rectified to VLA's satisfaction, or if further investigation by VLA indicates a breach of the Agreement, VLA will again write to the CLC Chair (and Manager / CEO) notifying them that it considers the Centre to be in breach of the Agreement or is otherwise at risk of having its funding reduced or terminated.

VLA's correspondence will include information about the nature of the action contemplated by VLA. VLA will provide the CLC with a reasonable opportunity to respond to the breach or possible loss of funding before a final decision is made. This letter will include notice that VLA intends to inform the Federation that VLA holds concerns about the Centre and has issued notification of breach or risk of loss of funding. As at Stage 2b (above), the Centre may object to the provision of notice to the Federation.

- b. Notification of breach or potential loss of funding to the Federation: Subject to its consideration of any objection, VLA will inform the Federation of the above correspondence as soon as practicable after sending of this letter.
- c. Notification if VLA's concerns are resolved or addressed: If the concerns have been addressed or resolved following the steps outlined in Stage 3a (above), VLA will inform the CLC Chair in writing and will make clear what is likely to occur if the same or similar concerns arise in the future. If the Federation was informed, VLA will notify the Federation that the concerns have been addressed or resolved and about any conditions and arrangements for monitoring of continued improvement or arrangements to avoid similar issues in the future.

### **Stage 4. Notification of action by VLA:**

- a. Communication with the Chair: Following the opportunity to respond to the formal notification in Stage 3a (above), VLA may decide under the Agreement that there has been a breach of the Agreement and may exercise its rights under Clauses 23.1.1 or 25.1.1. VLA may also decide to terminate an Agreement under Clause 25.2, or determine to not renew the Agreement, or to reduce funding as part of its annual budgeting process. In ordinary circumstances, VLA will clearly articulate the reasons for the decision and any steps the organisation may take in response to the decision. In the event of a breach not giving rise to termination of the agreement, VLA will comply with Clause 23.1.1 of the Agreement. VLA will provide formal written communication of its decision to the Chair of the affected Centre as soon as possible after the decision is made.
- b. Notification of decision to the Federation of CLCs: VLA will inform the Federation of the above correspondence.

This policy framework sets out the usual process that VLA will adopt. VLA cannot exhaustively list the situations in which VLA acts as a funder of CLCs.

While VLA will try to operate in accordance with this framework, there may be occasions when VLA is unable to apply some of the stated interventions. Such situations include (but are not limited to):

- Government reduction in funding for CLCs
- Significant changes in government policy for the application of CLC funding (where the corpus of that funding does not reduce, but the focus must shift)
- Where VLA becomes aware of particularly serious or urgent concerns or breaches of the Agreement.

The failure to complete one or more of the interventions set out in this framework does not give rise to any legally enforceable rights or expectations (noting that the entire agreement between VLA and CLCs is set out in the Agreement).

## Role of the Federation

While this is a VLA framework, the Federation is the peak body providing support and capacity building to the Victorian CLC sector and may be able to provide support to CLCs experiencing concerns under this policy and its procedures. Therefore, the Federation will receive notification of correspondence between VLA and a CLC as described in Stages 2b or 3c (above). The Federation will then contact the CLC Manager / CEO or Chair, as soon as practicable to offer support. Support offered will vary depending on a range of factors including the nature of the matter, the merits of the matter, the capacity of the Federation, and the ability of the CLC to deal with the matter itself or to seek external assistance.

### Support offered may include:

- Providing information or referral to appropriate internal or external expertise
- Facilitating access to mentors and similar support from other CLCs
- Providing support and assistance, such as relevant guidance in relation to policy development, risk management and identifying capacity-building opportunities.

Given the Federation's role as the peak body for Victorian community legal centres the decision to accept support from the Federation and the details, scope and timeframe for support will be at the discretion of the CLC Management and the Board.

In the rare event that the Federation of Community Legal Centres is itself the subject of concern, VLA will apply a modified form of this policy and engage with the CEO or Chair as may be required depending on the nature of concerns or the stage of enquiry.

## Section 4. Standard conditions of CLSP funding

Organisations receiving funding through the Community Legal Services Program (CLSP) at VLA must enter into a signed and binding Service Agreement with VLA. The Service Agreement details the contractual requirements for VLA and the funded organisation, and additional Funding Advice Letters may outline grant-specific funding requirements where applicable. These *Standard conditions of CLSP Funding* also apply. Consistent with Action 18 of the CLSP Reform Phase One – Final Report, these *Standard conditions of CLSP Funding* are outlined in this document. This supports a new, shorter and clearer Service Agreement that is connected to service quality and includes detailed and transparent requirements and procedures that clarify expectations, mutual responsibilities and complaints mechanisms.

### Purpose and scope

This *Standard conditions of CLSP Funding* outlines minimum service standards, data collection standards, reporting requirements and timelines for standard reporting for all CLSP funding. Where there are additional requirements for specific funding streams, this is also outlined. The funding streams which an organisation receives will be outlined in Schedule 1 of the Service Agreement or subsequent Funding Advice Letters.

For information about the CLSP Funding Principles which underpin CLSP Grant funding decisions, see *CLSP Funding Principles and Eligibility Requirements*. For information on the general CLSP Grant application process see *General CLSP Grant Application Process*.

#### Related Attachments:

Attachment 2: Budget and Funds Report Template

Attachment 3: CLSP Financial reporting guide

Attachment 4: CLSP Plan and Progress Report template and guide

Attachment 5: Auditor Certification template

Attachment 6: Excess Surplus proposal template

### Covered in this section

1. CLSP Service Standards
2. Information on use of funds and assets
3. Client and service delivery data collection requirements
4. Administrative reporting requirements and reporting schedule (including proposal to retain excess surplus)
5. Funding Stream specific requirements
  - a. Commonwealth Priorities and Eligibility Criteria (Commonwealth Funding including Commonwealth Family Law and/or Family Violence)
  - b. State Family Violence Funding
  - c. Specialist Family Violence Court Funding
  - d. Child Protection Funding
  - e. Bushfire Support Funding

## 1. CLSP Service standards

VLA supports Centres to operate using a combination of service approaches, as appropriate to the needs of the community being served, subject to Funding Stream specific requirements.

Organisations receiving CLSP funds must comply with and meet the following Service Standards.

### **CLSP funding may be used to support Core Service Activities:**

- Information and Referral to people where appropriate and on the basis of need.
- Provision of Advice to people on legal and other issues that is within their area of competence; clear and up to date; adequate to establish all of the apparent, relevant legal options accompanied by any immediate, appropriate support, such as writing a letter or referral to other service providers; and provided in a way that avoids conflicts of interest.
- Duty lawyer services to people in accordance with legal and other professional legislation and regulations applicable in each state and territory; and provided in a way that avoids actual or perceived conflicts of interest.
- Casework services in accord with legal and other professional legislation and regulations applicable in each state and territory, which is adequate to establish all of the apparent, relevant legal options and limitation dates; and provided in a way that avoids actual or perceived conflicts of interest.
- Community Legal Education that is high quality and accessible; and meets the priority needs of the target groups and the communities with which they work.
- Law Reform and Legal Policy in a planned and coordinated manner to meet the priority needs of the target groups and the communities with which they work.

### **Organisations must endeavour to ensure their Legal Assistance Services:**

- are targeted to priority clients with the greatest legal need including people experiencing financial disadvantage
- are appropriate, proportionate and tailored to people's legal needs and levels of capability
- help people to identify their legal problems and facilitate the resolution of those problems in a timely manner before they escalate; and
- empower people to understand and assert their legal rights and responsibilities and to address, or prevent, legal problems.

### **Organisations receiving CLSP funds must demonstrate a commitment to:**

- Service planning: Community legal services should be planned, in collaboration and/or consultation with other service providers in the legal assistance sector and other relevant local, non-legal agencies, through:
  - assessment of evidence,
  - identification of legal need,
  - effective triage of clients and their matters, including assessment of relative legal needs and capability,



- assessment of the most effective means of addressing legal problems affecting disadvantaged people and communities,
  - targeting and tailoring of services to those most in need and most disadvantaged, and
  - establishing and maintaining a forum or practice for collaborating with appropriate legal and non-legal assistance providers in the Organisation's area of work or expertise and informing VLA of this work through the CLSP Plan and Progress Report.
- Accessibility: Community legal services are actively committed to promoting access, equity and non-discrimination.
  - Provision of Service information: Community legal service providers make service information available to the public, including the following:
    - centre contact details
    - advice and casework guidelines and eligibility criteria.

Centres will be required to publish this information on their website, keep an electronic copy accessible at the centre, and to keep this information updated.

- Good organisational management: Community legal service providers operate in a way that ensures community involvement in the effective and efficient management of all aspects of community legal service delivery.
- Collect and use data and information: Community legal services should collect and use data and information to support the governance role of Boards/Committees of Management, assist in planning processes and governance, meet the accountability requirements of funding agencies, and assist them in their applications for funding to undertake special projects and in their applications for additional funding. Data must be collected by service providers in a way that ensures that the data is accurate, comprehensive and up to date. Data must be maintained in a way that ensures safety from accidental loss or destruction.
- Assessing Client Satisfaction and Managing Complaints: Community legal service providers are required to have a client complaint and feedback mechanism that is easily accessible to service users, by publishing the policy on the centre website and maintaining an electronic copy accessible at the centre. Centres are required to manage complaints from clients and others in a prompt, fair and consistent way.
- CLC Quality Services and Accreditation: Community legal service organisations must maintain accreditation status under the Community Legal Centres Australia (CLCs Australia) National Accreditation Scheme to be eligible for CLSP funding. If an organisation is not a CLC but is formally collaborating with one, the collaborative partner CLC must be NAS accredited. If the organisation (or partner organisation) is not accredited, or loses its accreditation, the organisation must:
  - notify VLA within five (5) Business Days, including whether it to appeal the certifier's decision; and
  - notify VLA of any Notifiable Concerns as defined in the *Responding to concerns about CLC operations or performance procedure* within the timeframe specified in that Protocol.

Where an organisation is not accredited under NAS, VLA may suspend or stop the funding, and/or take any other appropriate action contemplated under **clause 23.1.1** of this Agreement.



## 2: Information on use of funds and assets

Organisations must comply with the following conditions on the use of CLSP funds and assets purchased with CLSP Funds:

### **When managing their CLSP Funding and Assets, the organisation must:**

- ensure that a minimum of two signatories are required to operate any account in which the organisation deposits funds pursuant to **clause 9.1.3.b**,
- maintain separate financial records in respect of the receipt and expenditure for each Funding Category of all funds covered by this Agreement,
- where the organisation receives Other Income, ensure that costs, for example operational costs that support service delivery, are apportioned appropriately across all funding sources.
- maintain an Assets Register and provide access to it to VLA on request,
- maintain and depreciate Assets according to Australian Accounting Standards,
- retain an amount of cash equivalent to the annual amount of depreciation, to be used for the future replacement of Assets,
- when a depreciable Asset is disposed of, ensure that any proceeds from the disposal in excess of the written down value of the Asset are accounted for as Service Generated Income,
- if the organisation has received specific funding, including one-off funding under this Agreement to assist victims of family violence, set aside an appropriate amount to help clients meet the costs of disbursements, such as medical reports, associated with the lodging of victims' compensation claims, and
- Submit a Budget each year for each of the applicable funding streams for approval by VLA and compile and submit Funds Reports on an accruals basis each year.

VLA does not normally approve deficit Budgets. Where the organisation wishes to have a deficit budget approved, it must satisfy VLA that there are unusual or special circumstances that necessitate the approval of a deficit budget and that there are strategies in place to make up this deficit, resulting in a balanced actual Funds Report in the next Financial Year of this Agreement, provided that notwithstanding this process VLA is not liable for any shortfall in the organisation's budget.

### **The organisation must also facilitate a Registered Auditor to audit their financial statements annually, and;**

- following completion of an audit by a Registered Auditor, provide VLA with a certificate in the format of the *Auditor Certification* (attached), completed by the Organisation's Registered Auditor, and
- if its Registered Auditor qualifies the organisation's accounts or financial reports with any irregularity or disclaimer, provide VLA with a full version of the Registered Auditor's report within 5 Business Days of the report being provided to the organisation.

**If the organisation discovers or suspects a fraud has been committed against funds covered by this agreement, the organisation must:**

- after fulfilling its obligation under **clause 22.1.2**, make full disclosure to VLA of all relevant information relating to the Fraud and take such steps as VLA may reasonably require to resolve or otherwise deal with the situation. If the organisation fails to notify VLA or is unable or unwilling to resolve or deal with the situation as required, VLA may terminate this Agreement in accordance with the provisions of **clause 25**.

**The Organisation must not, without prior written approval of VLA:**

- transfer funds between Funding Categories, Streams, or sub-streams except as specified in the *CLSP Financial Reporting Guide*,
- spend in excess of 5% or \$10,000 of Annual Funds (whichever is the lesser) on Assets in any Financial Year, or
- spend in excess of 5% or \$10,000 of Annual Funds (whichever is the lesser), to defend itself against any litigation in accordance with **clause 9.3.3**, and
- sell, transfer or write-off any Asset after receiving a notice of termination of the Agreement.

### 3: Client and service delivery data collection requirements

The requirements outlined are based on the Data Standards Manual for Legal Assistance Services (DSM) as developed by the Commonwealth of Australia Attorney-General's Department, which is updated from time to time. The Data Standards Manual aims to standardise elements of data collection across Australia for better data on community legal services provision. The data collection requirements apply to all centres, not only centres receiving Commonwealth funding.

Centres are required to collect a minimum level of data on clients and on services delivered as outlined below. This minimum level of data requirement is consistent with the National Legal Assistance Partnership (NLAP) reporting requirements.

For centres using CLASS, this system is updated to align to the DSM by CLCs Australia. Some items in this list may not be available in CLASS as CLCs Australia seeks to implement changes required under the NLAP. Where this is the case, the data field do not need to be captured (and can be omitted by non-CLASS centres also) until it becomes available in CLASS.

For centres that do not use CLASS, refer to the DSM to ensure your system is capturing the required response options for each Data Field currently available. These response options can be customised by your Centre if the data can still be aligned to the response options specified in the DSM to ensure consistency of data when aggregated by VLA. If the DSM is updated or replaced with an equivalent document, these requirements may need to be updated. VLA will allow for an appropriate period of transition to allow for changes to data collection in consultation with the sector and Federation of CLCs.

Centres are also encouraged to collect additional information for their own operational and strategic needs, including for more detailed data to monitor and evaluate service delivery or to meet the reporting requirements of other funders. In CLASS, custom fields/tags can also be created for this purpose.

Organisations must develop and maintain processes to support the collection of the data outlined in this section relating to services and activities funded via CLSP. Intake forms, for example, should include fields and response options aligned to the data entry required by the DSM.

VLA may request data extracts where data is needed (for example, to respond to additional reporting requests from the Commonwealth or the State Governments) and information is not available through business as usual CLSP reporting. The purpose of the data request will be explained to Centres. VLA will endeavour to provide at least 10 business days' notice of any ad hoc requests.

#### Minimum Data Collection Fields

The below tables outline minimum data collection fields required by type of service or activity. While this data needs to be collected to meet compliance requirements, the *Program Manager CLASS User Agreement* limits VLA access to client personal information input by Centres into CLASS. Data reporting processes for organisations with permission to use an alternative database will be consistent.

We note there may be updates to CLASS and State Program Manager CLASS reports during the period of the NLAP to meet NLAP reporting requirements.

The minimum data collection is not reflective of what best-practice data collection might look like for individual centres, as additional data collection may be useful and necessary depending on the centre context. It is open to Centres to provide VLA with additional data to demonstrate the effectiveness of service delivery, policy and strategic advocacy activities.

## Minimum data fields for collection

All data items which are defined by the [National Legal Assistance Data Standards Manual](#) as part of the *National Legal Assistance Data Set* or as *Data for all services* must be collected by all CLSP funded services. The National Legal Assistance Data Set includes:

- Service Type
- Service User Basic Data such as Age, Gender, Aboriginal and Torres Strait Islander status
- Basic Service Characteristics such as Family Violence indicator, Problem Type and Law Type
- Court-based Service Characteristics or FRP Service Characteristics
- Target Audience for CLE/CE resources

In addition, for CLSP funded services, the following data from the *Additional data* collection category from the Data Standards manual must be collected by CLSP-funded services for services to individuals:

The following Service User Detailed Data

- Country of birth
- Proficiency in English (spoken and written)

The following Detailed Service Delivery Characteristics

- Interpreter/Translator used
- Homelessness status
- Individual Income Level
- In custody status

All Referral Data

All Non-Legal Support type data

For services provided to the community, the following additional data is required:

- Problem Type and Law Type
- Number of activities delivered (CLE/CE)
- Target Audience for the service
- Law and legal services reform activities undertaken
- Nature of stakeholder engagement activity

Not all data indicated above needs to be collected for each service type.

The exact data which needs to be recorded depends on the service type, please refer to Part 2 of the Data Standards Manual for detailed information.

Some funding streams will have additional data collection requirements. If applicable, these will be specified in the relevant Funding Advice Letter.

## Where data is not recorded in CLASS

For organisations that have permissions to use an alternative to CLASS (in accordance with **clause 12.1.1** of the Service Agreement), the alternative data system must be able to collect the data items specified in this Section and in line with the DSM.

As a condition of permission to use an alternative system, organisations will need provide data extracts, at least six monthly, to VLA with reports equivalent to the State Program Manager CLASS reports unless the Centre has uploaded this data into CLASS. This is detailed below, and in the Reporting Schedule in Part 4 of this Section. Any data provided in lieu of CLASS data will be subject to the same conditions as CLASS data under clause 12.1.3. of the Service Agreement between the VLA and the Organisation 2020-2023.

Additional reports, such as those required to meet NLAP reporting requirements, may be requested on an ad hoc basis.

Report	Reporting Time Period	Report Due Date
Six-month Data Report 1	1 July – 31 December	31 January
Six-month Data Report 2	31 December - 30 June	31 -July

## Data entry timing

Data entry in CLASS or other approved database should be done as soon as possible after the relevant service delivery, but no later than 10 business days after the service or project work has completed.

## Data entry compliance checking

Organisations need to avoid leaving any of the fields detailed above blank when entering data and should also avoid Not Stated or Not Reported data entries where possible. VLA will monitor data entry to see the rate of Not Stated/Not Reported data for each centre, as stated in **clause 12.1.1** in the Service Agreement.

## Assigning service delivery data to Funding Categories or Funding Streams

As a result of changes brought about by the NLAP, VLA requires services funded via the CLSP to be recorded against specified Funding Categories within CLASS, unless otherwise agreed in writing between a CLC and VLA.

Where possible, each centre must attribute the services provided to the correct Funding Category and Funding Stream in CLASS or alternative database. For CLSP funded services, the following CLASS funding categories should be used:

<b>Funding Category or Stream (Schedule 1)</b>	<b>Funding Category in CLASS (Services &gt; Basic Data)</b>	<b>CLASS Funding Category Code</b>
Baseline – Commonwealth Generalist or State Generalist	Generalist Services VIC	12100
Baseline – Commonwealth Family Law or Family Violence or State Family Violence	Family Violence	12200
Specialist Family Violence Court	SFVC	32100
Bushfire Funding or Bushfire Recovery Victoria/Emergency Recovery Victoria	Bushfire Support	3010
Flood Funding – Emergency Recovery Victoria	Flood Support	3040
COVID-19 Funding	COVID-19 Frontline Services	3030
International Students Employment and Accommodation Legal Service	ISEALS	32500
CLC Family Violence and Assistance Fund	CLCFVA	32200
Child Protection	Child Protection	32300
Family Law Continuity	Family Law Continuity	32400
Early Resolution Service	Early Resolution Services	32700
Family Law Access Project	Family Law Access Project	12400
Commonwealth – HJP/DVU	HJP/DVU – Women’s Safety Package	12300
Commonwealth – NLAP Bilateral Grants - Mental Health	NLAP Mental Health Funding (Vic)	12700
Commonwealth – NLAP Bilateral Grants - Vulnerable Women Frontline Service Delivery	Vulnerable Women - Frontline Service Delivery	12800
Commonwealth – NLAP Bilateral Grants - Vulnerable Women -Family Law Capacity	Vulnerable Women - Family Law Capacity	12810

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Commonwealth – NLAP Bilateral Grants - Workplace Sexual Harassment and Discrimination	Workplace Sexual Harassment & Discrimination	12900
The Orange Door	Services in the Orange Door	32800
Victims Legal Service	Victims Legal Service	32900

Where new funding is provided to centres during the life of the Agreement, the funding category to use will be specified in the Funding Advice Letter which outlines details of the funding and this document will be updated to reflect this. For centres using an alternative database, equivalent data collection must be used.

## 4. Administrative reporting requirements and reporting schedule

Most CLSP Reporting is annual on a Financial Year basis. The planning and reporting requirements for CLSP Grants are:

- CLSP Plan for the CLSP Service Agreement period
- Annual Budget
- Funds Report (FR1)
- Progress Report and Funds Report (FR2)
- Annual Report, alongside Audited Financial Statement, and
- Auditors Certificate.

For all ongoing grants, reporting requirements align to this schedule. For fixed-term grants, the CLSP Plan, Progress Report and Funds Reports will be the avenues for reporting on grant activities where possible, to minimise burden on grantees. Where grant timing does not align with the CLSP Financial Year schedule, the process for reporting will be outlined in the Funding Advice Letter. In general, VLA will endeavour to align reporting for fixed-term grants with the substantive CLSP planning and reporting schedule. However, an additional Final Report may be required to close and acquit a fixed-term grant. If this is required, details of this will be found in the Funding Advice Letter received in relation to the grant.

VLA will endeavour to acknowledge receipt of any of the above Reports or Plan within two business days and provided a formal response within six weeks of receipt.

In reviewing CLSP Reports, VLA will acknowledge and take into consideration extenuating circumstances such as natural disasters and pandemics and their impact on operation, administration and provision of service delivery and outcomes against the CLSP Plan.

### Reporting summary

#### CLSP Plan

The CLSP Plan (as defined in the CLSP Service Agreement) sets out Centres' work for the CLSP Service Agreement period (currently for a two-year period), however Centres can opt to submit an annual plan if they prefer. The CLSP Plan is due as set out in Schedule 2 of the Service Agreement or subsequent Funding Advice Letters.

VLA recognises that centres will vary in their capacity to conduct planning as specified in the CLSP Plan Template. VLA will work with Centres and the Federation of CLCs to support centres to build on their ability and capacity for planning across the life of the agreement, such as building capacity to develop program logics and conduct outcomes reporting.

Centres can update their CLSP Plan during the Service Agreement period, including updating the Operational Report in Section one, and adjusting targets in consultation with VLA.

VLA also acknowledges that some centres may prepare multi-year plans which cross CLSP Service Agreement periods. This is supported if the plan is reviewed in line with the CLSP Planning process.

The CLSP Plan must outline basic organisational information, strategic goals for the organisation, and activities required to achieve those goals. The CLSP Plan must include:

- Operational Report including:



- List of the organisation's Accreditations
- Key personnel contact details (e.g. Board Chair, CEO)
- Operational contact details (e.g. Finance Manager, Operations Manager and any others who should be on a CLSP mailing list)
- Service Summary
  - Location and Service details of all outreach, court services, and at centre services
  - Summary of planned CLE, advocacy and engagement work
  - Main areas of law being serviced
  - Summary of Legal Need Assessment
  - Strategic Plan
  - Service Plan

More detail on these requirements can be found in the CLSP Plan Template which also includes guidance on how to complete the CLSP Plan (and Progress Report). Guidance in the CLSP Plan Template identifies where the specific format of the template does not need to be followed if the information requested throughout is submitted to VLA in a clear manner.

When reviewing a Centre's CLSP Plan, VLA recognises the capacity to undertake strategic planning, monitoring, evaluation and outcomes reporting differs between Centres and is committed to supporting Centres to meet contractual requirements outlined and continuous improvement. All centres should include an activity/output for reporting on the Financial Disadvantage benchmark.

## Annual Budget

The Annual Budget is a line item budget for each stream of funding which an organisation receives. The specific line items which must be reported are outlined in the Budget and Funds Report template, and the relevant streams of funding will be outlined in the Schedule 1 of the Service Agreement or subsequent Funding Advice Letters from VLA.

Projected 'Other Income' must also be reported.

For centres with an auspice arrangement with a larger organisation, the Other Income reporting will only include Other Income which is used to fund community legal services.

The Annual Budget must be completed using the Budget and Funds Report template unless agreed in writing by VLA. Instructions on how to complete the Budget can be found in the *CLSP Financial Reporting Guide*.

The Consolidated Budget (combined Budget including all funding stream income and expenditure) should not be in deficit. Where possible, Sundry Income should be brought from 'Other Income' Sources to balance the Consolidated Budget.

The Annual Budget includes a Workforce Summary tab to report total FTE and CLSP-funded FTE by position type as at 1 July for the financial year.

When reviewing a Centre's Annual Budget, VLA:

- Acknowledges the cost of delivering legal services includes operational costs that support direct service delivery such as appropriate support and training for staff and on-costs

- Recognises that centres which operate in regional and rural areas may have operational costs that differ from metropolitan-based Centres and specialist Centres that operate state-wide services may have specific operational considerations that differ from other Centres.

## Funds Reports (*FR1 and FR2*)

The six-Month Funds Report (FR1) is due on the 31 January each year, for the reporting period of 1 July to 30 December (six months).

The 12-Month Funds Report (FR2) is due on the 31 July, for the reporting period of 1 July of the previous year, to 30 June of the current (12 months).

The Funds Reports includes line-item expenditure reporting against each stream of funding which the organisation provided a budget for. In this report, expenditure which varies by more than 10% of the line-item budget and varies by \$2,000 or more must be explained. Other Income must also be reported.

Any new funding streams received in the Budget period should also be included.

The Funds Reports must be completed using the Budget and Funds Report template unless agreed in writing by VLA. Instructions on how to complete the Funds Reports can be found in the *CLSP Financial Reporting Guide*.

Any FTE changes must be updated in the Workforce Summary tab when completing the FR1.

## Progress Report

The Progress Report is due on the 31 July, for the reporting period of 1 July (previous year) to 30 June (12 months). It provides updates on how the organisation is tracking against measures and targets specified in the CLSP Plan for both outcomes and activities/outputs. It needs to include numerical measures where these are available. Where an organisation is not on track to meet a target or has failed to meet a target, it must provide an explanation of why this occurred. Comments for targets which have been met can be included, as these are still useful information for VLA in assessing the organisation's progress against their plan.

The Progress Report should also report on achievements against the Financial Disadvantage benchmark.

VLA will provide necessary feedback to Centres following the Progress Report.

## Proposal to retain Excess Surplus

In accordance with **clause 9.2** of the Service Agreement, organisations are permitted to retain an Allowable Surplus for each funding stream they receive under the CLSP without approval from VLA. Allowable Surplus is defined as the equivalent value of 15% of the organisation's Annual Funds (being the combined Commonwealth and State funds specified in Schedule 1 of the Agreement or subsequent Funding Advice Letter for the relevant period). An Excess Surplus is any amount above the Allowable Surplus for an individual funding stream. For the purposes of usual CLSP administration, VLA will calculate Excess Surplus for all streams of Baseline Funding as a single pool.

If the organisation's Budget submitted as part of 31 July reporting, shows a projected Excess Surplus in any funding stream, the CLC will be required to add brief notes in the Budget which explain reasons that an Excess Surplus is projected and proposed use for the Excess Surplus.

If the organisation's Funds Report 2, submitted as part of 31 July reporting, shows an Excess Surplus which was not projected in the Budget, the CLC will be required to add brief notes in the Funds Report 2 which explain reasons that an Excess Surplus has accrued and proposed use for the Excess Surplus.

VLA will review these notes as part of usual assessment of the Budget or Funds Report 2 and, if approved, no further action is required. In certain circumstances, VLA may elect to request an Excess Surplus Proposal from a CLC after reviewing Funds Report 2 or the audited financial statements.

The proposal must be completed using the Excess Surplus Proposal template. The proposal will be assessed based on a range of factors including:

- the merits of the proposal, both on an individual basis and against competing national priorities.
- whether the organisation has demonstrated that the Allowable Surplus has been committed in an appropriate way to support continued service provision; and
- any exceptional circumstances identified in support of the proposal.

VLA will assess the proposals to retain and/or spend the Excess Surplus on a case-by-case basis. If VLA does not approve the proposal, VLA may exercise its rights to recoup the Excess Surplus as in accordance with **clause 9.2**.

If the audited financial statements show a change in Excess Surplus value of more than 5%, this must be noted by the organisation when submitting the audited financial statements.

## Audited Financial Statements

Financial Statements audited by a Registered Auditor and an Auditor Certification must be provided to VLA by 30 November. A template for the Auditor Certification is attached.

The Audited Financial Statements must include:

- cumulative and accruals-based Funds Report (being the final, full year Funds Report required under this Agreement) in respect of all funds provided under this Agreement and Service Generated Income for all Funding Categories in that Financial Year, and
- Surplus Funds clearly identified as a liability in the Organisation's Statement of Financial Position.

Where CLSP Surplus Funds are not able to be clearly identified as a liability in the 'Grants in Advance' or 'Prepaid Income' in the Organisation's Statement of Financial Position, the Organisation must:

- clearly indicate that the CLSP Surplus is reserved for service delivery under the CLSP in the following financial year in the Audited Financial Statement Notes, or
- provide a declaration from the CEO or CFO (or equivalent), indicating that the CLSP Surplus is reserved for service delivery in the following financial year.

## Annual Report

An electronic copy of the organisation's Annual Report must be submitted. In this report, the organisation must acknowledge VLA's funding. VLA also expects that the Board or Committee of Management membership is detailed in the Annual Report.

## Reporting Schedule

The CLSP has a standard reporting schedule across the year, as follows:

Deliverables need to be submitted by the due date to [clcfdp@vla.vic.gov.au](mailto:clcfdp@vla.vic.gov.au).

Deliverable	Due Date
CLSP Plan	31 July
Annual Budget	31 July
Six-month Funds Report (FR1)	31 January
Six-month Data Report 1 for Centres not using CLASS*	31 January
Annual Report	30 November
Audited Financial Statements	30 November
12 Month Reports consisting of Progress Report and Funds Report (FR2)	31 July
Six-month Data Report 2 for Centres not using CLASS*	31 July

\* only if applicable

## Compliance Checks

### Financial Disadvantage Benchmark

VLA has set a benchmark for the number of representation services (casework) which are for clients flagged with the Financial Disadvantage indicator. VLA requires that centres endeavour to provide 90% of representation services (casework) to clients that are financially disadvantaged but meet a benchmark of 80%. Where the benchmark has not been met, centres must provide a comment on why this has not been met in the reporting period e.g. servicing of clients with strategic litigation considerations, continuity of service from non-means tested family violence duty lawyer services to family law legal assistance, or where specific grants may prioritise clients in accordance with other priority indicators. Centres can disaggregate the Financial Disadvantage Benchmark reporting by Funding Category where relevant as part of any commentary against this benchmark.

### Other Reporting and Acquittal requirements

VLA will do compliance checks to ensure reporting and other requirements are met as required. This includes ensuring data entry requirements and checking that reports are submitted on time. VLA aims to deal with any non-compliance informally in the first instance, resolving issues through discussions with centre staff and ensuring centres are provided reasonable time, opportunity and support to ensure future compliance. In the unlikely scenario where a concern has not been resolved, VLA will use the *CLSP Responding to concerns about CLC operations or performance procedure* to determine the course of action.

## 5: Funding stream specific requirements

Some funding streams have specific conditions which apply to use of these funds. Where the Commonwealth or State governments sets conditions on use of funds, VLA will pass on these requirements. The funding streams which an organisation receives will be outlined in their Service Agreement Schedule 1. Centres are to check Schedule 1 of their Service Agreement to determine if additional funding requirements apply to funding received.

Specific funding conditions apply to:

- a. Commonwealth Priorities and Eligibility Criteria (Commonwealth Funding including Commonwealth Family Law and/or Family Violence)
- b. State family violence funding
- c. Specialist Family Violence Court funding
- d. Child protection funding
- e. Bushfire support funding

## a. Commonwealth Priorities and Eligibility Criteria (Commonwealth funding)

As part of the National Legal Assistance Partnership (NLAP), the Commonwealth Government has set principles for use of Commonwealth funding allocated to CLCs. These are laid out in full in Schedule A in the NLAP, and also outlined below.

Commonwealth Baseline Family Law and / or Family Violence must be used for family law and / or family violence related matters. As defined in the NLAP, family law and / or family violence related matters refers to the delivery of legal assistance services to assist a client(s) to address issues related to family law, and/or address issues arising from or connected with family violence, as defined in s 4AB, *Family Law Act 1975* (Cth). This includes, but is not limited to, family violence intervention orders, child protection, housing, credit and/or debt, social security, mental health and employment. For the purposes of the NLAP, there is no distinction between family violence and domestic violence.

### Commonwealth Priority Cohorts

Organisations must ensure that where Commonwealth funding is used, legal assistance services will be targeted to the following priority cohorts:

- people experiencing financial disadvantage,
- to people who fall within one or more of the following national priority client groups (in alphabetical order),
- Aboriginal and Torres Strait Islander people,
- children and young people (up to 24 years),
- older people (aged over 65 years or Aboriginal and Torres Strait Islander people aged over 50 years),
- people experiencing, or at risk of, family violence,
- people experiencing, or at risk of, homelessness,
- people in custody and/or prisoners,
- people residing in rural or remote areas,
- people who are culturally and linguistically diverse,
- people with a disability or mental illness,
- people with low education levels, and
- single parents, or
- People who fall into priority cohorts identified as specific to Victoria as identified in Victoria's Legal Assistance Strategy

The legal assistance sector is not excluded from assisting clients that fall outside these groups.

### Commonwealth Service Priorities

#### *General principles*

Organisations must ensure that where Commonwealth CLSP funding is used, the funding is prioritised:

- for the delivery of frontline services and focused on meeting the legal needs of individuals, with a specific focus on priority clients, and
- to directly enable legal assistance providers to undertake activities required by the NLAP.

Mainstream, specialist and Aboriginal and Torres Strait Islander specific legal assistance services must be delivered in a manner consistent with the National Strategic Framework.

Family or civil law disputes should be resolved through alternative dispute resolution processes rather than through litigation, where appropriate.

The legal assistance sector should consider whether other services (legal as well as non-legal) may be relevant to a client's needs and make referrals to these services where appropriate. Suitable collaborative arrangements should be established for this purpose.

#### *National and jurisdictional emergencies*

Organisations must endeavour to ensure the continued delivery of legal assistance services during national or jurisdictional emergencies, taking into consideration:

- the safety of individuals who will be responsible for the delivery of legal assistance services,
- the safety of those in receipt of legal assistance services, and
- the appropriateness of continuing to deliver legal assistance services during a national or jurisdictional emergency.

#### *Family law priorities*

Legal assistance services related to family law should focus on:

- matters where the safety or welfare of children are at risk,
- matters involving allegations of family violence,
- matters involving complex issues about the living arrangements, relationships and financial support of children, and
- assisting people with property settlement matters if they are experiencing financial disadvantage or are at risk of homelessness.

#### *Commonwealth civil law priorities*

Legal assistance services related to Commonwealth civil law, as a guide, should focus on:

- bankruptcy matters,
- consumer law matters,
- employment matters,
- extradition matters,
- human rights and anti-discrimination matters,
- insurance law matters,
- migration matters, and

- social security law matters (including matters relating to military entitlements and military compensation claims).

#### *Commonwealth criminal law priorities*

Legal assistance services related to Commonwealth criminal law should focus on:

- matters where the defendant is a child,
- matters where the defendant is being charged with a criminal offence for which a sentence of imprisonment is likely to apply should the defendant be found guilty, and
- assisting persons being detained in custody.

#### **Lobbying activities**

Organisations receiving Commonwealth funding can use Commonwealth resources or funding provided to undertake lobbying activities, provided use of Commonwealth funding is prioritised for the delivery of frontline legal assistance services and/or undertaking activities required under the NLAP.



## b. State family violence funding

Where State Family Violence Funding is provided, this funding must be used to provide family violence-related legal services including:

- At-court duty lawyer services (including 'online' duty lawyer services)
- Advice and information services
- Casework services
- Community legal education
- Community education
- Stakeholder engagement
- Law and policy reform activities

The primary purpose of the State Family Violence Funding is to provide at-court duty lawyer services (including 'online' duty lawyer services) to the Organisation's local venue of the Magistrates' Court of Victoria. As such, duty lawyer services must be preferenced when expending these funds.

Organisations receiving State Family Violence Funding must work collaboratively with other service providers and agencies to provide effective and high quality family violence services.

### **Service types**

#### Duty lawyer services

The duty lawyer service will primarily be focused on providing assistance to applicants for family violence intervention orders, affected family members in police-initiated family violence intervention order matters and other persons who may have experienced family violence and require information, advice or casework services.

The service will also act for and assist respondents to applications for family violence intervention orders and persons alleged to have perpetrated family violence in circumstances where such persons cannot utilise the duty lawyer service provided by VLA (whether provided by in-house VLA staff or a VLA-funded private practitioner service), or in accordance with local arrangements agreed between VLA and the Organisation.

Duty lawyer services include advice regarding matters before the court on the same day, negotiation and appearances in court in interim matters such as mentions, directions hearings and adjournments. It is not expected that Organisation lawyers will appear in final hearings or in matters where it is expected that parties would be cross examined.

#### Advice services

Legal advice will be provided to affected family members, applicants and respondents - parties to the application for an intervention order. As is the case for duty lawyer services, the Organisation will primarily respond to affected family members (adult and children) and VLA will primarily respond to respondents (adult and children) but role swaps will occur if required. Legal advice must only be provided by legal practitioners qualified under the *Legal Profession Act 2004*.

Legal advice includes providing an opinion on individual legal rights and obligations regarding intervention orders, civil jurisdiction of the Magistrates' Court, Victims of Crime Assistance Tribunal, criminal prosecutions, and opinion on cross-jurisdictional issues such as family law, child protection and child support agency matters. Advice can be provided on, or before, the court hearing day.

### Representation services

Representation services (casework) includes additional tasks and follow up required for both contested and uncontested cases, and other legal matters such as assistance with family law, civil debt, VOCAT, and criminal matters where appropriate.

### Community Legal Education, Community Education, Stakeholder Engagement and Law Reform

The Organisation is expected to provide community legal education and community education and produce related resources as the need is identified. Stakeholder engagement and law reform activities may be conducted where these contribute to positive outcomes for people experiencing family violence or support the delivery of legal services delivery to individuals experiencing family violence or related legal issues.

### **Reporting requirements**

State Family Violence Funding is pooled with other Commonwealth or State Baseline funding for the purposes of Budget and Funds Reporting. However, as State Family Violence Funding must be used to provide family violence-related legal services, funding must be maintained as a separate cost centre by the Organisation or be able to be acquitted distinctly from other funding streams if required.

Activities attributable to this funding must be recorded as required by the *Client and service delivery data collection requirements* section of the *CLSP Funding Guidance*, under the Funding Category 'Family Violence' in CLASS or similarly in an alternative database with VLA approval.

In addition to the minimum data requirements laid out in the *Client and service delivery data collection requirements*, the following data must be collected:

**Type of Assistance** – It is to be used for court-based activities only and have the following variables:

- Advice Only
- Adjournment/Mention
- Negotiations/Draft terms of Settlement
- Hearing/Representation
- Not recorded

**Outcomes** – It is to be used for court-based activities only and have the following variables:

- Bail
- Consent Orders
- Dismissed
- Final Order
- Interim Order
- Revocation
- Undertaking
- Variation
- Withdrawn
- Not Specified

The CLSP Plan must include reference to the activities planned using this funding, to be reported on in Progress Reports. Additional data reports summarising "Outcomes" and "Types of Assistance" data above may be requested.

## c. Specialist Family Violence Court funding

Where Specialist Family Violence Court (SFVC) funding is provided, this funding must be to provide services under the SFVC Legal Practice Model. This Model supersedes some services provided prior to SFVC funding being allocated. The SFVC funding received under this grant can only be used for the purposes of a range of family violence related legal services at the including:

- At-court SFVC duty lawyer services, including online service delivery in accordance with Magistrates' Court Practice Directions and COVID-19 requirements
- Advice and information services related to family violence matters
- Ongoing casework for family violence matters (where applicable)
- Family violence community legal education and community development (where applicable)

These are outlined in the Activities section below, alongside the Activity Outcomes and Measures applicable to this funding.

The funding may also be used for the following purposes:

- Recruitment, induction, training and set-up costs of employees hired to service the SFVC
- Involvement and participation in advisory and working groups set-up to support the implementation of the SFVC Legal Practice Model
- To implement and follow any processes and policies developed through the implementation of the 30 initiatives identified under the SFVC Legal Practice Model
- Any data-collection, reporting and evaluation purposes as identified as part of the terms of funding or through those developed under the SFVC Legal Practice Model.

### **Court Location**

The court location is the SFVC outlined in the funding advice letter provided by VLA, referred to in this document as "local SFVC".

### **Activity Outcomes and Measures**

That clients are receiving safe and easy to access legal services that are integrated within the family violence service system through:

- Duty lawyer legal services
- Legal information and advice prior to, between and after court hearings
- Ongoing client representation and case work at contested hearings
- Warm referrals to legal and non-legal services
- Policies and processes developed through the implementation of the SFVC Legal Practice Model
- Ongoing evaluation and monitoring of activities provided pursuant to the SFVC Legal Practice Model

## Activities

- Provide quality duty lawyer legal services for family violence applicants, affected family members in police-initiated family violence intervention order matters and respondents on all the local SFVC sitting days through information, advice and/or in-court advocacy
- Provide quality duty lawyer legal services for family violence matters on all local SFVC sitting days as outlined in the SFVCs Operating Model and SFVC Listings Policy through information, advice and/or in-court advocacy
- Provide quality legal information and/or advice prior to the court day to applicants, affected family members and respondents with family violence matters at the local SFVC
- Provide quality legal information and/or advice between and after court to people with family violence matters at the local SFVC in accordance with the SFVC Legal Practice Model
- Provide on-going client representation and case work for people with family violence matters at the local SFVC in accordance with the SFVC Legal Practice Model
- Input and involvement in the implementation of the SFVC Legal Practice Model
- Collaborate with practice partners to support the equitable delivery of legal service delivery where possible at the local SFVC and the implementation of the SFVC Legal Practice Model
- Participate in training and professional development to support the delivery of the above activities.

## Targets

Any targets relevant to this funding are those outlined in the relevant funding advice letter or as otherwise varied in writing by agreement with VLA and the funded organisation.

### Reporting requirements you will need to collect:

You will be required to record all service delivery data under the SFVC Funding Category in CLASS, or similarly in an alternative database with VLA approval, as outlined in the *Client and service delivery data collection requirements* section of the *CLSP Funding Guidance*. In addition, you must collect data about:

- Whether the client is an applicant and/or affected member, or respondent
- Appearance type (FVIO mentions, directions hearing etc)

The CLSP Plan must include reference to the activities planned with this funding, and activities covered by this grant are to be reported on in Progress Reports as well as through the Budget and Funds reporting. Additional information on fund requirements can be found in the funding advice letter relevant to this funding.

### Definitions related to SFVC Funding

Definitions remain consistent with the Federation of Community Legal Centres Data Entry Guide unless otherwise specified below. Where there is a conflict between the two definitions, the definition outlined below overrides that in the Data Entry Guide.

- Legal Information: consistent with the definition of “Information” in the Data Entry Guide.
- Duty Lawyer Legal Information: Provision of general application information to a Service User about the law, legal systems and processes or legal and other support services to assist in the

resolution of legal and related problems when provided by a duty lawyer to a Service User at a court or tribunal.

- Duty Lawyer Legal Advice: Provision of fact-specific legal advice to a service user in response to a request for assistance to resolve specific legal problems when provided by a duty lawyer to a service user at a court or tribunal.
- Duty Lawyer In-Court Advocacy: Provision of legal representation to a service user by a duty lawyer before a court or tribunal.
- Family Violence Matter: Family violence matters from multiple jurisdictions, including, but not limited to; family violence intervention orders, summary offences proceedings, family law proceedings, Victims of Crime Assistance Tribunal applications
- Legal Practice Model: 30 initiatives that will support legal assistance delivery at Specialist Family Violence Courts in Victoria.
- Practice Partners: Legal and non-legal organisations responsible for service delivery provided to Service Users at the Specialist Family Violence Courts
- Pre-court: The time prior to a service user's initial hearing date at a Specialist Family Violence Court
- Post-court: The time between and after a service user's hearings at a Specialist Family Violence Court, including following the finalisation of their family violence or related legal matter
- Policies and Processes: Any applicable documents and guidelines created through the implementation of the Legal Practice Model that may apply to your organisation
- SFVC Listings Policy: The policy that establishes general principles that should guide the listing of family violence matters within the Specialist Family Violence Court site
- SFVC Operating Model: The document that details the operating model for the Specialist Family Violence Court which informs the rollout to each of the Specialist Family Violence Court sites.
- Warm Referral: consistent with the definition of "Referral (Facilitated)" in the Data Entry Guide.

## d. Child protection funding

Organisations which receive child protection funding must use this funding primarily for the provision of duty lawyer and casework services to clients involved in child protection legal proceedings. The funding may also be directed to associated advice and information services, referrals and community legal education, community engagement and law reform work.

### Clients

As indicated in VLA's [Child Protection grants guidelines](#) where funding is used for direct client service delivery these clients will be from one or more of the following priority client groups:

- people living on a low income
- people in custody, detention or involuntary psychiatric settings
- children
- children, young people and women experiencing, or at risk of, family violence
- indigenous Australians
- people who experience language or cultural barriers
- people who are experiencing homelessness
- people with a disability (physical, intellectual, or cognitive) or who experience mental illness.

### Court locations

Where services are to be provided at court, the relevant court(s) are agreed in writing with VLA.

### Service types and levels

#### Duty lawyer services

Duty lawyer services are to be provided to parties responding to child protection applications at the Children's Court, Family Division at agreed court locations, or remotely if required. The duty lawyer service involves providing assistance to parties responding to child protection applications, who require information, advice and/or legal representation.

Duty lawyer services include advice regarding matters before the court on the same day, negotiation and appearances in court, which may include mentions and running submissions-based contests to determine issues of placement.

Duty lawyer services are to be provided in accordance with VLA's [Child Protection Duty Lawyer Guidelines](#) and [Practice Standards](#).

The Organisation is expected to conduct a conflict check prior to accepting a duty lawyer referral from VLA.

Referrals from VLA to the Organisation for child protection legal assistance will be made in line with the process set out in the [Child Protection Duty Lawyer Services Manual](#). First Nations clients will be given as a first choice the option of referral to an Aboriginal Legal Service, where one is available.

### Advice services

Advice services are discrete legal advice provided away from court – for example at the Organisation, at an outreach or other location, or by telephone.

Legal advice must only be provided by legal practitioners qualified under the *Legal Profession Act 2004*.

Legal advice includes, but is not limited to, providing an opinion on individual legal rights and obligations regarding investigation by Department of Families, Fairness and Housing (DFFH), the use of voluntary agreements, case planning, rights to appeal, and on cross-jurisdictional issues such as family law matters and family violence intervention orders.

### Representation Services (Casework)

Representation services involve acting on the record as a client's solicitor and may include court and conciliation conference appearances, preparation for court events, negotiation with other parties, additional tasks and follow up as required, and assistance with associated issues such as family violence, family law, and VOCAT matters where appropriate. Casework does not include duty lawyer services or legal advice as described in the sections above.

The organisation may undertake casework other than under a grant of legal assistance, however, it is expected that the majority of casework will be undertaken in accordance with VLA's [Child Protection grants guidelines](#), even where a grant is not applied for, and services targets set recognise this.

Conduct of any casework matter must be supervised by a practitioner who is a member of the section 29A child protection panel.

### Community Legal Education (CLE), Law Reform and Working with Others

The Organisation is expected to undertake CLE activities with a focus on child protection and related issues. A specific focus of the CLE should be to increase and improve clients' knowledge of and engagement with the child protection jurisdiction.

The Organisation should also work collaboratively with other service providers and agencies to provide effective and high-quality legal services and participate in opportunities for law reform and child protection system improvement. The Organisation is expected to provide referrals for clients to local services that can provide assistance to clients on legal and non-legal issues.

### **Service Targets**

Child Protection service delivery targets agreed between the Organisation and VLA are outlined in the relevant funding advice letter or otherwise in writing by agreement with VLA.

### **Data collection and reporting requirements**

All data must be collected in CLASS unless otherwise agreed with VLA. All client service data must be collected in line with *Client and service delivery data collection requirements* section of the *CLSP Funding Guidance* under the funding category "Child Protection."

Reports against service delivery, including achievement against targets must be recorded and reported as part of CLSP Progress Reports.

### **Auditing**

Child protection files must be made available upon request from VLA Grants and Quality Assurance.



## e. Bushfire support funding

The Commonwealth Government has committed funds to support the delivery of efficient and effective legal assistance services to support relief and recovery from the 2019-20 bushfire disasters which the Department of Justice and Community Safety (DJCS) has allocated.

This funding must be used to support the delivery of efficient and effective legal assistance services to support relief and recovery from the 2019-20 bushfire disasters. Legal services are to be delivered to individuals, small businesses and primary producers affected by the bushfire disasters. It must be made clear on your Centre's website that services are available to primary producers and small businesses.

### Further support for bushfire recovery

In 2021, the State Government committed further funds to allow funded Organisations to maintain their support for bushfire recovery, under the Bushfire Recovery Victoria (BRV) Grant (now Emergency Recovery Victoria). The funding must be used to deliver/support front line services and respond to current and future disasters.

### Clients

Priority clients for this funding are individuals, small businesses, and primary producers affected by the bushfire disasters.

Where an Organisation does not provide direct services to small businesses or primary producers, they must be able to provide general information about the options available to these clients and have developed appropriate referral pathways to suitable services.

### Data collection and reporting requirements

As a condition of receiving this funding, activities conducted, for clients (individuals, businesses, or primary producers) as a result of the bushfires need to be reported to VLA. These clients should be identifiable using the data collection process outlined by the Federation of CLCs to its members or an appropriate alternative data collection approach adopted by your Centre.

Activities conducted using funds from this grant from 1 July 2020 must be recorded in line with the Data Standards Manual and according to the minimum data entry requirements outlined in the *CLSP Funding Guidance* and must be attributed to the new 'Bushfire Support' funding category in CLASS (or alternative system if already agreed with VLA). Reports on services and activities conducted with this funding must be reported.

This funding must also be included in CLSP Budget and Funds Reports for any years in which funding is received and/or spent. Further information on activities, deliverables, and reporting requirements can be found in relevant funding advice letter.





## Attachment 1: Standard assessment rubric model

This model rubric is based on the CLSP Funding Principles and is designed to ensure the principles are used when making funding decisions under the CLSP. Each grant will have specific requirements which mean the Assessment Rubric may be varied from this standard. Where variations have occurred, this will be clear in the Grant Application Pack.

*[Weighting may be adjusted if necessary – total must add up to 100%, all except the additional criteria must be above 5%]*

Weighting	Score	0	1	2	3
20%	Evidence-based decision making	Lacked evidence that proposal will meet a legal need or legal need not identified with evidence.	Reasonable evidence that proposal will meet a legal need.	Presented thorough evidence of legal need and proposal links to meeting the need	Clear and thorough evidence that proposal will yield results in meeting the legal need identified e.g. previous use of service model etc. Clear evidence of legal need presented.
20%	Effective management and good governance	Has not demonstrated that the team/organisation has the capacity to manage the grant. No mitigation plan for risks.	Described basic capabilities to manage grant. Minimal mitigation strategies for risks identified or risks not sufficiently identified.	Described competence to manage grant, with appropriate resourcing proposed. Risks are identified and mitigation strategies planned.	Team has high competence and evidence of previous successful grant management. Comprehensive risk identification and management demonstrated.
20%	Coordinated and integrated legal assistance	Organisation has not demonstrated successful partnerships. Lacked evidence that proposal has considered existing services or relevant organisations.	Organisation demonstrates partnerships with a range of organisations. Proposal has considered services and organisations in proposed service area but does not clearly show coordination or consultation to ensure complementary service provision.	The organisation has effective partnerships that can/will be leveraged towards activity success. The organisation has ensured it has coordinated the proposal with any other related services/organisations operating in the proposed service area.	The organisation has effective partnerships with a range of legal assistance and allied services and sectors. These partnerships can/will be leveraged towards activity success. The organisation has ensured it has coordinated the proposal with reference to any other related services/organisations operating in the proposed service area. Demonstrates coordination or consultation to ensure complementary service provision.

20%	Efficient service provision	Budget presented does not adequately reflect the activity proposed. Priority groups not considered. Value for money is not clear. No consideration of how activity will continue/wind down once funding ends.	Realistic budget presented. Priority groups are considered but not targeted in a clear way. Value for money is not clear. No clear consideration of how activity will continue/wind down once funding ends.	Realistic budget presented. Budget demonstrates value for money, e.g. by showing that collaboration with other organisations or leveraging other resources (e.g. funding, infrastructure, skills) or building off existing models for successful activity delivery. Priority groups are considered and targeted. Some consideration of how activity will continue/wind down once funding ends.	As previous. Proposal includes vision for future once grant funding ceases such as plan to look to other funding sources to support activity or transition to alternative model of delivery if model cannot be funded to same level. Priority groups are considered and targeted.
20%	Effective service provision including an outcomes focus	Outcomes are not clearly identified. Not clear what measures will be used and/or what data will be collected. No monitoring and evaluation plan.	Outputs are identified. Outcomes are identified. No clear link between outputs and outcomes. Indicators/measures are not feasible to measure.	Outputs, activities and outcomes are clearly linked together and match purpose of grant. Measures and indicators for each are identified. Provision of culturally safe services is evidenced e.g. via NAS	Outputs, activities and outcomes are clearly linked together and match purpose of grant. Measures and indicators for each are identified and there is a clear plan for how data is/will be collected for these and the organisation will adapt/respond depending on success measures. Provision of culturally safe services is evidenced e.g. via NAS
0%	[Add additional criteria if needed]	...	...	...	...
Comments:					

## **Attachment 2: Budget and Funds Report Template**

See excel spreadsheet, *Attachment 2 – Budget and Funds Report Template (1 July 2023)*.

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## Attachment 3: CLSP Financial Reporting Guide

### Purpose

This Guide will assist you to complete the following reports as outlined in the CLSP Reporting Schedule.

- **Annual Budget** - a line item budget of expected income and expenditure in the relevant financial year for each of the organisation's funding streams received as part of the CLSP.
- **Funds Report 1 (for 6 Month Report)** – a detailed income and expenditure report for the organisation for the first 6 months of the financial year using CLSP funds.
- **Funds Report 2 (for 12 Month Report)** – a detailed income and expenditure report for the organisation for a complete financial year using CLSP funds.

These reports together are called the 'CLSP Financial Reports.'

Additional Financial Data Items and Definitions are specified at the end of this document.

### Template format

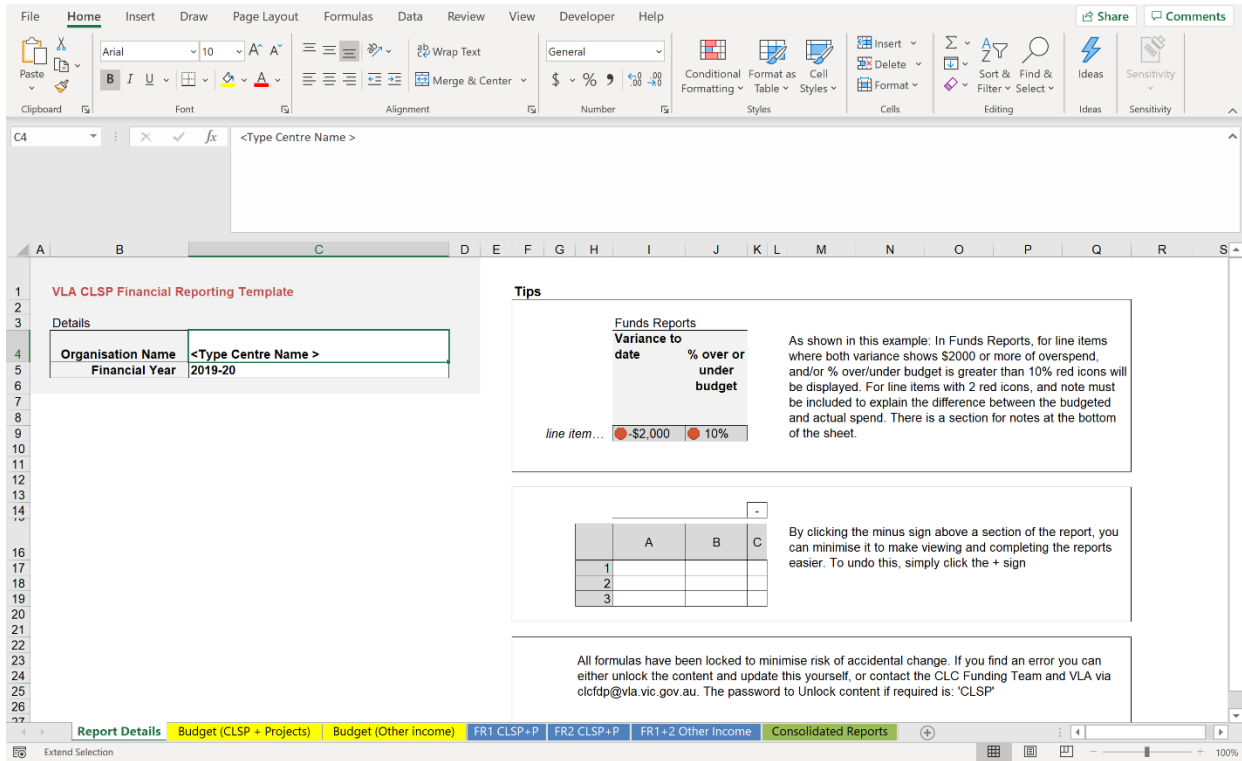
The CLSP Financial Reports can be completed in a single excel template, with separate tabs for different reporting reports. Organisations will need to report all funding your centre receives under the CLSP – this is detailed in Schedule 1 of the Service Agreement or subsequent Funding Advice Letters.

As shown in Schedule 1, funding is split into 2 Funding Types: Base Funding and Specific-purpose Funding. Base Funding includes Generalist and Family Violence Funding Streams from both Commonwealth and State Funding Categories. Specific-purpose funding includes all other funding streams. For the purposes of Financial Reporting, all streams of Base Funding can be reported as a consolidated funding pool. All Funding Streams within the Specific-purpose funding types must be reported separately. The Base Funding report column is pre-labelled. For each of the Specific-purpose funding streams, there are reporting columns which can be labelled as needed.

You should only fill in information in the white cells in the template. Green or grey cells indicate cells where formulae exist, and data is automatically calculated.

A consolidated summary of total Budget, Funds Report 1, and Funds Report 2 can be found in the **Consolidated Reports tab** – this tab is highlighted green in the workbook, as indicated in the image below.

There is a **Workforce Summary** tab which must be completed as part of the Annual Budget and updated when completing the Funds Report 1.



## Completing the Annual Budget (due 31 July)

Before starting to complete the Budget, navigate to the 'Report Details' tab and read through this first as it has important information about using the template. Please enter the centre name where indicated (cell C4) and the financial year for this report (cell C5). This information will pre-fill in other sections of the report.

There are two tabs which are used to complete the Annual Budget, these are highlighted in yellow as seen in the image above.

In the **Budget (CLSP + Projects)** tab, enter in the income and expenditure against each line item. There is a separate column for each funding stream that the centre receives under CLSP (as from Schedule 1 of the Service Agreement or subsequent Funding Advice Letters), and these must be completed separately. Funding sub-streams do not need separate financial reports.

At the right of this sheet the total income and expenditure for the full CLSP program will be calculated. For definitions of each line item, please see the Financial Data Items and Definitions at the end of this document.

In the **Budget (Other income)** tab, enter funding sources which the centre expects to receive outside of the CLSP. 'Other income' reporting can be done aggregated to the following categories:

- Other Commonwealth Government Funding
- Other State Government Funding
- Other

A description of the funds, such as the projects being supported or specific grants received can be included, but this is optional.

If using Other income to balance the CLSP budget, please enter the total amount moved into the CLSP Budget as Sundry Income. For Specific Purpose funds, where the cost of delivering the activities funded is expected to exceed the amount of CLSP funding or in-kind support is to be provided, this needs to be shown in the Budget. Other than the transfer of Generalist funding across to other funding stream budgets, or the limited transfer of existing FTE to manage operational delivery fluctuations, any projected transfers of funds to other funding streams must be approved by VLA in writing.

## Completing Funds Report 1 (due 31 January)

Funds Report 1 can be completed in **tab FR1 CLSP+P**. Funds Reports have tabs coloured blue. For each funding stream the centre received, there is a separate Funds Report found in this sheet. As with the Budget, the total for the CLSP Program can be found to the right of the sheet.

Enter the actual amount spent for each funding stream in Quarter 1 and 2 by line item in the *Actual* column. The **Pro-Rata Budget** shows half of the Annual Budget entered by the centre (or equivalent pro-rata amount). The *Variance to date* column shows the difference between the actual spend and pro-rata budget. The *% over or under budget* column shows this variance as a percentage of the pro-rata budget.

For line items where there is \$2000 or more of overspend, and % over/under budget is greater than 10%, red icons will be displayed. For line items with two red icons a note must be included to explain the difference between the budgeted and actual spend.

For other income reporting, complete this in **FR1+2 Other Income**. This is to be completed in the same way as the Other income – Budget, but completed with Actual received amounts. The template will mirror the amounts listed in the Budget to reduce reporting burden, but these need to be updated as necessary.

## Completing Funds Report 2 (due 31 July)

Funds Report 2 is completed in the same way as Funds Report 1, except as a report for the complete Financial Year, in tab **FR2 CLSP+P**. When completing Funds Report 2, you will also need to check if there is an Excess Surplus flagged in the **Consolidated Reports** tab (cell P62). If a centre has an excess surplus indicated, brief notes which explain reasons that an Excess Surplus has accrued and proposed use for the Excess Surplus must be included.

## Common issues for clarification

### Assets

Assets as listed in CLSP Expenses refers to minor equipment or assets purchased with CLSP Funds. It is any asset expenditure that has not been capitalised according to the individual organisation's Asset and Capital Expenditure policy. In general, this is usually assets costing \$2000 or less.

## Capital Expenditure

Capital Expenditure refers to any assets, equipment or other expenses that have been capitalised according to the individual organisation's Asset and Capital Expenditure policy. In general, this is usually for expenditure of greater than \$2000. For Capital Expenditure on assets valued above \$10,000 or 10% of total Funds (whichever is the lesser), this needs to be approved by VLA prior to being spent. To request approval of any future Capital Expenditure spending send an email detailing purpose of spending, and total cost to [clcfdp@vla.vic.gov.au](mailto:clcfdp@vla.vic.gov.au) in a timely manner.

## Depreciation

Depreciation on Assets purchased with CLSP-funds is reported through this template – this is consistent with reporting previously completed through CLSIS. This allows reconciliation with approved Capital Expenditure and Accumulated Depreciation values which are also only for Assets purchased with CLSP-funds. This is consistent with organisational requirements under the Service Agreement and CLSP Standard Conditions of Funding.

## Opening Balance

The Opening Balance or 'Surplus/Deficit from previous year' needs to match the audited *12 Month CLSP funds report* which your organisation provided to VLA.

## Other Expenses

The purpose of any 'Other Expenses' expenditure needs to be explained as described in **Attachment A – Financial Data Items and Definitions**. This can be reported in the notes section at the bottom of Funds Report 1 or 2.

## Other Income

As detailed in the CLSP Service Agreement, any Other Income should be reported to VLA. Where the Organisation receives Other Income, costs need to be apportioned appropriately across all funding sources.

## Reporting Variances

Centres should explain variances between budget and spending where these are +/- 10% (and if greater than a 'material amount' which is set at \$2000) in their Funds Reports 2 for 12 months. The reports will automatically highlight which variances need to be reported to VLA according to this rule.

## Service Generated Income

According to the CLSP Service Agreement, Service Generated Income needs to be reported to VLA. The definition of Service Generated Income can be found in **the Financial Data Items and Definitions**.



## Financial Data Items and Definitions

Item	Definitions
<b>Surplus/Deficit from previous year</b>	<p><b>Annual Budget</b> - the amount for the surplus or deficit from the previous year's 12 Months Funds Report for each Funding Pool is to be entered in the respective Funding Pool Budget as a positive or negative figure respectively.</p> <p><b>Funds Report</b> - Represents the opening balance of all prior year surplus/ deficits that have cumulatively rolled forward. As an opening balance this figure will not change during the year and will match the final position on the CLSP report from the previous year. In the Funds Report this will be automatically generated from the figure reported in the Annual Budget.</p> <p><b>Note: This amount must match the figure in the closing balance of the approved 12 Months CLSP Funds Report from the previous year.</b></p>
<b>Commonwealth</b>	All funding grants and government contributions provided by the Commonwealth for CLSP activities. Refer Schedule 1 of Service Agreement
<b>State</b>	All funding grants and government contributions provided by the State for CLSP activities are recorded here. Refer Schedule 1 of Service Agreement
<b>Service Generated Income</b>	Any income generated by the Organisation's investment of funding provided under this Agreement or by the provision of Services funded under this Agreement, including but not limited to bank interest, proceeds from the sale of Assets, client contributions, fees for Community Legal Education activities, costs recovered and retained.
<b>CLSP Income</b>	All funding received through Schedule 1 of your centre's Service Agreement with VLA, and any additional income provided through the Service Agreement through deeds of variation. Also includes all Service Generated Income to be used in the provision of CLSP services.
<b>Total CLSP Income</b>	Total CLSP Income will be automatically generated by adding the following: Commonwealth <i>plus</i> State <i>plus</i> Service Generated Income.
<b>CLSP General Purpose Income</b>	<p>This total is automatically generated in the Budget and Funds Report.</p> <p>This represents the total funds expected to be available under the CLSP for service provision for the financial year by adding the Net Surplus/Deficit from Previous Year and the Total CLSP Income</p>
<b>Salaries</b>	Salaries and wages (S&W) (for permanent, casual, part timers) agency temp staff, S&W fringe benefit tax (on benefits), S&W Salary sacrifice (includes salary sacrifice superannuation, S&W Termination Payments, S&W Other (example given is provision for childcare).
<b>Superannuation</b>	<p>S&amp;W Superannuation</p> <p><b>Note:</b> salary sacrifice superannuation is included in Salaries</p>
<b>On Costs</b>	S&W annual leave (including leave loading if applicable), S&W sick leave expense (including personal leave such as parental leave), S&W long service leave, S&W workers compensation
<b>Total Salaries Expenses</b>	Salaries, Superannuation plus On Costs - calculated automatically in Budget & Funds Report.
<b>Rent (amortised)</b>	Rent (on all premises), or where the Centre is paying a mortgage, this field will represent the mortgage interest component. Service providers should inform their

Item	Definitions
	<p>State Program Manager if they are paying mortgage and not renting. This amount should be amortised in accordance with AASB 16.</p> <p><b>Note 1:</b> Approval is required from VLA to use CLSP funds to purchase premises.</p>
<b>Repairs and Maintenance</b>	Repairs and maintenance of assets (including building structural maintenance and gardening). Routine maintenance and repairs that restore assets to original condition are included but any improvements must be capitalised and depreciated – not recorded as repairs and maintenance.
<b>Other Premises Costs</b>	Cleaning and pest control, rates and taxes, security expenses, tenancy and property supplies and services (including relocation costs) and utilities.
<b>Staff Training</b>	Training and development (staff) (includes conference and training workshop fees but not travel)
<b>Staff Recruitment</b>	S&W Recruitment expense (including staff advertising)
<b>Communications</b>	Telephone, mobile and fax charges and internet
<b>Office Overheads</b>	Computer expenses, consulting fees (for administrative purposes) employment support and supervision costs (other than salaries), health and safety, meeting fees (including venue hire and catering), postage, freight and couriers (including DX costs), printing & stationary (for administration purposes including photocopying and annual reports, but not other promotional printing), sundry expenses
<b>Insurance</b>	<p>All Insurance accounts including CLCA levy, unfair dismissal insurance, etc.</p> <p><b>Note:</b> Workers compensation is included in on-costs</p>
<b>Finance, Audit, and Accounting Fees</b>	Accounting fees (includes bookkeeping fees), audit fees, bank fees, credit card fees, interest paid.
<b>Library, Resources and Subscriptions</b>	Expenses for publications and information resources, (including subscriptions, resources, kits, videos, cassettes), fees and permits (including practicing certificates), membership fees paid (including affiliations and levies).
<b>Travel</b>	All motor vehicle expenses (except for motor vehicle depreciation and leasing), travel and accommodation (includes for training purposes but not client, volunteer or board travel which is covered in programming and planning)
<b>Programming and Planning</b>	<p>Advertising and promotion (associated with marketing, advertising and promotion of events and services including printing of materials), board/governance expenses (management committee costs including training and travel), business planning, reporting and evaluation costs, client support services and client support consumables (including costs associated with programs, CLE, community development, client transport assistance), consultancy fees (associated with programs or service delivery), fundraising expenses, volunteer costs (including training and travel costs)</p> <p><b>Note:</b> insurance costs to cover board and volunteers are included in insurance expenses.</p>
<b>Client Disbursements</b>	<p>Client disbursements – records fees or other payments made on behalf of clients.</p> <p><b>Note:</b> Any fees reimbursed by clients should be recorded as Service Generated Income as client costs recovered.</p>
<b>Leases</b>	Any leases, other than Rent. This amount should be amortised in accordance with AASB 16.

Item	Definitions
<b>Assets (Minor Equipment)</b>	Assets (minor equipment) purchased with CLSP Funds. It is any asset expenditure that has not been capitalised according to the individual organisation's Asset and Capital Expenditure policy. In general, this is usually assets costing \$2000 or less. <b>Note:</b> if assets are leased, leasing costs should be included in - Leases.
<b>Depreciation on Capex</b>	Current year decline in value of capitalised assets (capex) purchased using CLSP funds (apportionment of cost over time – current period apportionment only).
<b>Auspecting or Management Fee</b>	From 20-21, Auspecting or Management fees will be reported as a separate line item and not included in 'Other' expenses and will include costs associated with the auspecting/management arrangement that are not included in other line items. A fee of over 10% of Annual Funds can be approved but will need to be supported with additional documentation.
<b>Other</b>	Any other expenses incurred by the Centre, yet not defined in this Financial Data items and Definitions including auspecting or management fees (only in 19-20 FY), legal fees, and write off costs (not including asset write-offs) <b>Note: Any amounts recorded at this item are to be explained in notes when submitting the Financial Reports.</b>
<b>Total Operating Expenses</b>	Total CLSP Expenses excluding Total Salary and Related Costs, calculated automatically in the Budget and Funds Report.
<b>Total CLSP Expenses</b>	Total Salary and Related Expenses plus Total Operating Costs calculated automatically in the Budget and Funds Report.
<b>Capital Expenditure (Capex)</b>	Capital expenditure on assets that have been capitalised according to the individual organisation's Asset and Capital Expenditure policy. In general, this is usually for expenditure of greater than \$2000. For Capital Expenditure on assets valued above \$10,000 or 10% of total Funds (whichever is the lesser), this needs to be approved by VLA prior to being spent. To request approval of any future Capital Expenditure spending send an email detailing purpose of spending, and total cost to clcfdp@vla.vic.gov.au in a timely manner.
<b>Opening Accumulated Depreciation</b>	Opening accumulated decline in value of asset to date. (apportionment of cost over time – expired apportionment to date).
<b>Adjusted Surplus/Deficit</b>	Surplus / Deficit following deduction of Capital expenditure less accumulated depreciation.
<b>Surplus/Deficit for Next Year</b>	This is the Retained Earnings or Carried forward Surplus or Deficit.  This is the total of Adjusted Surplus/Deficit for this year and the Surplus/Deficit from previous year
<b>Total adjusted Income - Total CLSP Expenses</b>	The General Purpose Income (CLSP Income adjusted for previous years surplus/deficit minus Total CLSP Expenses.
<b>Other Income</b>	Income from any Other Bodies not covered by the CLSP Service Agreement including fundraising, gifts, donations and membership fees is reported in the Annual Budget and Fund Reports. It excludes Service Generated Income. For auspiced organisations, Other Income will only include where this income is used for the delivery of the community legal centre program.
<b>Max. Allowable Surplus</b>	The maximum amount of Allowable Surplus that an organisation can retain each year, calculated at 15% of per annum total for each Funding Stream.

Item	Definitions
<p><b>Projected Excess Surplus/Excess Surplus</b></p>	<p>The amount of Surplus above the max. allowable surplus amount, if any, for an CLSP Funding Stream.</p> <p>In the Annual Budget, this shows the Excess Surplus projected according to the Income and Expenditure entered in the Budget. In the Consolidated Report, this shows the actual Excess Surplus as calculated using CLSP Income and Funds Report 2.</p>

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## **Attachment 4: CLSP Plan and Progress Report template and guide**

See Word document, *Attachment 4 – CLSP Plan Template (1 July 2023)*

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## Attachment 5: Auditor certification template

### AUDITOR'S CERTIFICATION

**Name of Organisation:** «CENTRE»

**Financial Year Period:** ..... / ..... / ..... to ..... / ..... / .....

I hereby certify that:

- a. I am not a principal, member, shareholder, officer, employee or accountant of the Organisation or of a related body corporate as defined in section 9 of the Corporations Act 2001
- b. In my opinion, the attached financial statements which comprise a Statement of Financial Position, a Statement of Comprehensive Income (previously known as a Statement of Financial Performance) and Notes to the Financial Statements of the above-mentioned Organisation ('the Organisation'), and, if general purpose reports are provided, a Statement of Cash Flows, for the stated Financial Year Period are:
  - i. based on proper accounts and present a true and fair view of the Organisation's financial position and financial performance in accordance with applicable Accounting Standards and other mandatory professional reporting requirements in Australia, and
  - ii. in accordance with the terms and conditions of the Agreement **[Insert Names of Parties and Date of Agreement]**, a copy of which has been made available to me, in relation to the provision of community legal services.
- c. The final, full year, Funds Report, containing details of the Organisations transactions for the financial year, including audit adjustments, and the Organisation's grant position at the beginning and end of the financial year is provided in respect of funds provided in accordance with the Terms and Conditions of the Agreement referred to in b.ii. above for all Funding Categories.

This is a qualified/unqualified audit report **[Deleted whichever is not applicable]**. **If the report is a qualified report, the qualified audit report must be attached.**

Unless written under separate cover, I hereby further certify that, in my opinion, there is no conflict of interest between myself and the Organisation or its Management Committee.

### AUDITOR DETAILS

**Full Name:** \_\_\_\_\_

**Name of Company (if applicable):** \_\_\_\_\_

**ACN or ABN Number:** \_\_\_\_\_

**Registered Auditor:** *If Yes:*

**Yes**    **No**      **Registration No.:** .....

**Signature:** \_\_\_\_\_

**Date:** ..... / ..... / .....

## Attachment 6: Excess Surplus Proposal template

<b>Centre:</b>	
<b>Financial Year</b>	
<b>Funding Stream</b>	
<b>Allowable Surplus Amount*</b>	
<b>Excess Surplus Amount*</b>	

*\*This will be shown in the Funds Report 2 for Baseline Funding*

<b>Proposed Use of Allowable Surplus</b>	
<b>Proposed Use of Excess Surplus (including any exceptional circumstances to be covered and timeframe for spend)</b>	
<b>Exceptional circumstances (how excess funds became available)</b>	
<b>Costing details</b>	
<b>Implications if proposal is not approved</b>	
<b>Other comments</b>	