Department of Education

Service Agreement Requirements

2024 - 2028

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| To receive this document in another format, email Service Agreement Communications <sacomms@dffh.vic.gov.au>Authorised and published by the Victorian Government, 1 Treasury Place, Melbourne.© State of Victoria, Australia, Department of Education, updated and reissued July 2024. In this document, ‘Aboriginal’ refers to both Aboriginal and Torres Strait Islander people. ‘Indigenous’ or ‘Koori/Koorie’ is retained when it is part of the title of a report, program or quotation.ISBN/ISSN 978-1-76130-600-6 (online/PDF/Word) or (print) Available at [Funded Agency Channel, Service Agreement Requirements](https://fac.dffh.vic.gov.au/service-agreement-requirements) <https://fac.dffh.vic.gov.au/service-agreement-requirements> |

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# Introduction

“Together we give every Victorian the best learning and development experience, making our state a smarter, fairer and more prosperous place.”

The Department of Education (the department) is responsible for delivering and regulating statewide learning and development services to approximately one-third of all Victorians every year, across the early childhood education, school education and training and skills sectors.

The department supports Victorians to reach their potential, regardless of their background, postcode or circumstance, and to develop the knowledge, skills and attributes they need to participate and thrive in a complex economy and society.

The goals we set, the changes we implement, the systems we support and the services we offer are all focused on improving outcomes and opportunities for Victorians. We are committed to supporting Victorians to build, happy, healthy and rewarding lives.

The ‘Service Agreement’ is the name of the contract used by the department to fund the organisations that deliver these crucial services directly to children, young people and their families. It establishes the standard terms and conditions that apply to all funded organisations and provides organisation-specific information regarding funding and payments in its schedules.

The Service Agreement Requirements document supports the Service Agreement by outlining the responsibilities, policies and obligations that *all* funded organisations must comply with. It also provides key information necessary for understanding an organisation’s funding.

To meet the terms of the Service Agreement, funded organisations must ensure they comply with:

* the Service Agreement
* the standard policies and obligations in the *Service Agreement Requirements*
	+ the specific policies and obligations in each relevant Activity description.

Throughout this funding process, the department has a duty of care to the Victorians who access its services, many of whom are particularly vulnerable. The department also has obligations to the Victorian community to properly account for the use of public money. For these reasons, it is critical that our Service Agreement Requirements are robust, effective and contribute to the delivery of positive outcomes for children, young people and their families.

## The department’s approach

Organisations entering a Service Agreement with the department can expect that the Service Agreement will:

* be outcomes focused
* be compliant with all relevant legislation and policy
* have clearly understood contractual obligations
* be administered efficiently
* reflect the department’s values of Responsiveness, Integrity, Impartiality, Respect, Accountability and Human Rights.

## Funded organisation responsibilities

The department and funded organisations share responsibility for ensuring children, young people and their families receive the services funded via Service Agreements in a way that is effective, accountable and gives every Victorian the best learning and development experience.

In pursuing these outcomes, funded organisations are expected to:

**Act in the public interest**

Services will be focused on key learning and development outcomes and operate in a way that demonstrates the highest ethical standards and reflects transparency and honesty.

**Be accountable and have effective governance**

Organisations will be accountable against the policies and guidelines under the Service Agreement and comply with relevant state and national laws that in any way affect or are applicable to the delivery of their funded services. It is important that organisations have strong governance processes in place to support service delivery and ensure ongoing organisational viability.

**Cooperate with the department and other providers to build an effective service system**

Service providers are at the coalface of service delivery, with effective operation of the service system relying on each provider to apply their unique insight and expertise. Organisations are expected to be active players in the local community of services industry. This includes sharing information with each other, operating cooperatively and participating in sector capability building and reform initiatives.

**Deliver services that contribute to effective service delivery outcomes**

* Services are accessible to all Victorians; and
* Service engagement is targeted to and effective in improving outcomes;

The Service Agreement requires funded organisations to deliver services which produce the best possible outcomes for Victorians.

# Requirements

This section describes the department’s requirements that *all* funded organisations must comply with.

## Organisational legal status

To enter into a new Service Agreement, an organisation must be a legal entity established under either an Act of Parliament or other relevant legislative framework (incorporated).

Organisations are required to maintain their legal status and advise the department within five business days should their status change.

An organisation's legal status may be governed by one of the following Acts of Parliament:

* + *Associations Incorporation Reform Act 2012* (Vic): This Act replaced the *Associations Incorporation Act 1981* (Vic) from 26 November 2012. The Act enables not-for-profit organisations to incorporate with minimal cost. In Victoria, Consumer Affairs Victoria administers this Act. Similar legislation applies in other states. Further information about incorporation can be found at Consumer Affairs Victoria <www.consumer.vic.gov.au> or from Justice Connect <www.justiceconnect.org.au>.
	+ *Co-operatives Act 1996* (Vic): A co-operative is a democratic organisation, owned and controlled by its members for a common benefit. Co-operatives are administered under the Co-operatives National Law, applied in Victoria by the Co-operatives National Law Application Act 2013. This is managed by Consumer Affairs Victoria, see <https://www.consumer.vic.gov.au/licensing-and-registration/co-operatives>.
	+ *Corporations Act 2001* (Cth): This national Act enables public or private companies to incorporate. They are normally created for profit. A charity or other not for profit organisation can also incorporate under this Act as a company limited by guarantee. A company limited by guarantee has no share capital, as no profit sharing is contemplated. The Act imposes certain filing and other obligations on these companies, including the lodgement of annual directors' reports and annual audited financial reports to the Australian Securities and Investments Commission.
	+ *Health Services Act 1988* (Vic): This Act relates to organisations that provide health services within Victoria. Examples of organisations in this category are public hospitals, private or denominational hospitals, and community health centres.
* Individual Acts of Parliament: Organisations can be created by individual Acts of Parliament. These organisations are governed by their own legislation and in some cases are subject to other legislation such as the *Public Administration Act 2004* (Vic) and the *Financial Management Act 1994* (Vic).
* *Local Government Act 1989* (Vic): This includes city councils, rural city councils or shire councils.
	+ *Trustee Act 1958* (Vic): This Act governs the use and creation of trusts. A trust is a legal structure in which one or more legal persons (the trustee) may, for example, hold the legal title to property, shares or money on behalf of another person or persons.
	+ If the organisation, or any organisation that will receive funding under a new Service Agreement, is not incorporated at the time of commencement of the new Service Agreement, the department may still enter into a new Service Agreement with the organisation and where applicable any organisation that will receive funding under the new Service Agreement, provided the organisation warrants that it:
1. was not able to finalise incorporation before entering into the new Service Agreement but is actively working towards incorporation,
2. will continue to actively work towards incorporation, and
3. will be duly incorporated within twelve months of the commencement of the new Service Agreement.

In some circumstances, the department may also fund an individual (known legally as a 'natural person'). An individual must be a person at least 18 years of age, must have the mental capacity to understand the Service Agreement, must not be under any court order and must not be bankrupt.

Copies of documentation demonstrating an organisation’s legal registration can be required by the department. Typically, this would be in the form of an incorporation certificate or company registration certificate. For natural person arrangements, the department requires a copy of driver’s licence or passport details, and confirmation of the service address. An ABN is required for payment and GST purposes.

## Details for the electronic transfer of payments

Payments to the organisation will only be made to a registered financial institution. When entering a new Service Agreement, organisations are required to fill in the form *Details for the electronic transfer of payments* and attach a cancelled deposit slip for the account or have the financial institution validate (stamp) the completed attachment.

## eBusiness Access Agreement

Organisations must be registered with the Victorian Government eBusiness system to be able to authorise staff to register and access their organisation’s funding and payment details, data collection requirements and service standards and guidelines through the Service Agreement Module (SAM) in My Agency, the secure area within the Funded Agency Channel.

Where organisations are not registered with eBusiness, the details in the *eBusiness Access Agreement* for Organisations need to be filled out and the agreement signed. The *eBusiness Access Agreement* has provision to nominate an Organisational Authority. Once eBusiness approves the application for access, it will provide the organisation’s nominated person with an individual username and password along with guidelines and instructions on how to register themselves as a user on eBusiness.

## User audit and management

The department provides funded organisations with access to applications and systems to support effective service delivery. These applications often contain sensitive client and financial information, meaning it is imperative that user access is strictly controlled. The department has processes in place for managing users, including revoking access when an employee ceases employment with a funded organisation.

Organisations must comply with the department’s user management processes and policies for each system or application they are granted access to and must have adequate internal controls to audit their employee user credentials. Failure to do so may result in whole-of-organisation system or application access being terminated.

## Conflict of Interest

When entering into a new Service Agreement, an organisation is required to confirm that it has no actual or potential conflict of interest and that no actual or potential conflict of interest is likely to arise during the term of the Service Agreement.

## Signing of Service agreements

Organisations with an existing Service Agreement with the department that will be rolled over into a new Service Agreement are not required to physically sign their new Service Agreement.

Organisations are also not required to sign subsequent variations to the Service Agreement where there is a change to funding, deliverables or other matters contained in the Service Agreement. Organisations will be notified by the department of variations to enable organisations time to consider the change to the Service Agreement as per the terms and conditions of the Service Agreement.

Where an organisation prefers to hold/sign a paper copy of their Service Agreement or variation, authorised staff can download a Portable Document Format (PDF) version of the contract via the Service agreement Module in [My Agency](https://fac.dffh.vic.gov.au/my-agency) <<https://fac.dffh.vic.gov.au/my-agency>>.

## Management of Service Agreements

In the standard Service Agreement business cycle, variations to Service Agreements will be processed on a monthly basis, where required, to ensure that organisations receive funding for new or revised services in a timely manner.

Table: Key dates affecting Service Agreements

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| **Late June** | **Annual Service Agreement transition**Current year funding cannot be changed after the first week of June. A new future year of funding can be viewed on [My Agency](https://fac.dffh.vic.gov.au/my-agency) <<https://fac.dffh.vic.gov.au/my-agency>>, where applicable. At the end of each four year business cycle, Agreements with approved future year funding are rolled over for the next four-year Agreement cycle. |
| **1 July** | **Service Agreement Requirements and Activity descriptions updated (where required)** |
|  |  |
| **First Tuesday of each month** | **Monthly payments**Regular monthly payment is made. |
| **18th of each month** | **Monthly variations published**Organisations can view proposed variations on the [My Agency](https://fac.dffh.vic.gov.au/my-agency) <<https://fac.dffh.vic.gov.au/my-agency>>. Email advice is sent to the department and organisation signatories to undertake final check of changes.If the 18th of the month falls on a weekend, variations will be published on the next business day. The organisation should contact their service plan leads it there is something they do not understand or agree to in the proposed variation. |
| **23rd of each month** | **Monthly variation becomes effective** Variation becomes effective upon department approval. Where funding increases are backdated, any applicable funding arrears payments are processed. |
| **As required based on reporting cycle** | **Annual Service Agreement Compliance Certification (SACC)**The due date for the SACC is three months after the end of an organisation’s reporting period, or seven days after an organisation’s Annual General Meeting (AGM). Organisations can update their AGM date via the Service Agreement Module on [My Agency](https://fac.dffh.vic.gov.au/my-agency) <<https://fac.dffh.vic.gov.au/my-agency>> and the due date for their SACC will be automatically updated. |

## Variation of Service Agreement

A variation is required to effect a change to funding, deliverables or other requirements contained in the Service Agreement.

Variations must either be agreed in writing by both the organisation and the department or be evidenced by the organisation continuing to provide services after a proposed variation has been provided to the organisation and the department.

The annual calendar of events provides further detail on standard variation dates. Variations are processed on a monthly basis, to ensure timely funding of services. However, variations are not normally processed in June or July during end-of-financial-year rollover procedures.

For the variation process:

* The department and organisation staff usually discuss and/or negotiate proposed changes, which may include changes to the service mix, additional or new services, or to incorporate new funding.
* Once details of the changes are agreed, department staff reflect these changes in the Service Agreement Management System (SAMS2).
* The amended version of the Service Agreement is published and an email is sent to authorised signatories (organisation and department) notifying them of the variation.
	+ The organisation signatory has five calendar days from the publication date to review the changes. The amended version of the Service Agreement will move to contract status and will take effect after the five days. The organisation should contact their service plan leads if there is something they do not understand or agree to in the proposed variation.

The variation becomes an addendum to the original Service Agreement and forms the revised basis on which the Service Agreement will be conducted.

Organisations can view a history of all the variations made to their agreement on the Service Agreement on the Service Agreement Module of [My Agency](https://fac.dffh.vic.gov.au/my-agency) <<https://fac.dffh.vic.gov.au/my-agency>>.

## Acknowledgement and publicity guidelines for Victorian Government funding support

Organisations must acknowledge funding support provided by the Victorian Government via a service agreement.

Information about an organisations obligations is available at: [Acknowledgement and publicity guidelines for Victorian Government funding support](https://fac.dffh.vic.gov.au/acknowledgement-and-publicity-guidelines-victorian-government-funding-support) <https://fac.dffh.vic.gov.au/acknowledgement-and-publicity-guidelines-victorian-government-funding-support>.

## Reporting

The organisation will provide the department with information and reports on the services delivered as outlined in clause 8 of the Service Agreement.

This section provides information on reporting and accountability submitted through the department’s systems, including financial reporting to the department.

## Data collection

To ensure accountability, organisations are required to regularly report on their funded services through data collections and other reporting. This allows the organisation and department to periodically review progress and to adjust the Service Agreement if necessary.

Details of data collection requirements are located in Schedule 2 of the Service Agreement, which can be found at the Service Agreement Module on [My Agency](https://fac.dhhs.vic.gov.au/my-agency) <<https://fac.dffh.vic.gov.au/my-agency>>

## Financial Accountability Requirements

Organisations are required to report their financial position to the department and complete the financial accountability requirements in the Service Agreement Compliance Certification (SACC) on an annual basis. This confirms the organisation’s compliance with the requirements in clauses 6 (Record Keeping), 7 (Assets) and 8 (Reporting) of the Service Agreement.

Organisations need to attach relevant financial data via the Service Agreement Module of My Agency.

Where an organisation receives funding from more than one department, only one Financial Accountability Requirement (FAR) is required.

FAR reporting assists the department to ensure that there is a financially sustainable service system. Finance staff from the department analyse the financial position of each funded organisation and monitor financial position trends over time.

**Standard financial reporting templates**

Annual financial statements/annual report are the preferred documentation to be supplied in support of the FAR or SACC.

If the organisation is not legally required to produce annual financial statements, the organisation may download and complete either the CIS (where total income is less than $250,000) or FIS and Auditor’s Statement templates from the Funded Agency Channel. Organisations should ensure that the applicable reporting period is inserted (for example 1 Jul 2024 to 30 Jun 2025) as well as details of the organisation.

Financial statement/annual reports are not required from Local Government, Government schools, Universities, TAFE and Non-Incorporated Consortia. These organisations need only provide the Annual Certification as part of the SACC.

If you are unsure about your FAR reporting requirements please contact your Service Agreement contact or payment contact.

**Financial reporting standards**

Organisations are required to comply with the Australian Accounting Standards which includes Australian Equivalents to International Financial Reporting Standards (A-IFRS).

Information about the Australian Accounting Standards is available at [Australian Accounting Standards Board](http://www.aasb.gov.au) <<http://www.aasb.gov.au>>.

## Service Agreement Compliance Certification (SACC)

Most organisations funded through a Service Agreement will be required to submit an annual Service Agreement Compliance Certification (SACC).

The SACC contains questions relating to:

* + Financial Management: that the organisation has used funding as outlined in their Service Agreement, is financially viable, has prepared its financial reports and any audit reports and maintains an asset register.
	+ Risk Management: that risks are managed in accordance with the Australian / New Zealand Risk Management Standard, and that the organisation has reviewed its risk management processes in the last year.
	+ Staff safety screening: that referee checks, police checks, and if relevant Working with Children Checks, have been completed.
	+ Privacy and Data Protection: that the organisation’s practices and systems do not contravene the *Privacy and Data Protection Act 2014* (Vic) and the *Health Records Act 2001* (Vic) and the *Privacy Act 1988* (Cth), to protect personal and health information.
	+ Workcover and Occupational Health and Safety (OHS): that the health and welfare of the staff employed are protected by the organisation’s policies and practices in accordance with Workcover and OHS requirements

Further information is available on the [Funded Agency Channel – Guidelines for the Service Agreement Compliance Certification form](https://fac.dhhs.vic.gov.au/guidelines-service-agreement-compliance-certification-form-0) <<https://fac.dffh.vic.gov.au/guidelines-service-agreement-compliance-certification-form-0>>.

For assistance in completing the SACC, email the OFAS Helpdesk <OFAS.helpdesk@dffh.vic.gov.au>

## Insurance and risk management

Funded organisations that enter into a Service Agreement are required to have appropriate insurance to cover their operational and business risks, including the following minimum insured amounts:

* + Public Liability $10,000,000
	+ Professional Indemnity $5,000,000.

The insurance cover must be maintained for the period of the Service Agreement.

Since 1 July 2019 the Victorian Government has also required all non-government organisations, that are funded by the Victorian Government to deliver services to children, to be both incorporated and insured against child abuse. These new requirements are part of the Victorian Government’s response to the recommendations arising from the 2013 Betrayal of Trust report and the [Royal Commission into Institutional Responses to Child Sexual Abuse](https://www.childabuseroyalcommission.gov.au) <<https://www.childabuseroyalcommission.gov.au>>.

Funded organisations providing services to children must provide evidence that their existing insurance cover includes additional elements that meet these requirements. This means that organisations funded to provide services to children must hold insurance that:

* + Indemnifies for liability for child abuse.
	+ Indemnifies the organisation for third party personal injury, including shock and mental injury, and does not contain any exclusion or limitations of coverage for child abuse (public liability).
	+ Includes liability for abuse perpetrated by persons associated with the organisation including an office holder, employee, volunteer, agent, contractor, or another child (professional indemnity).
	+ Is held on a ‘claims made’ or ‘occurrence’ basis (occurrence basis preferred).
	+ Specifies a minimum insured amount of $5 million per claim, or in the case of coverage provided based on a monetary aggregated claims amount, $10 million per annum.

If a current insurance provider does not offer the appropriate cover, then cover will need to be sought from other insurance providers.

Some organisations may be eligible for insurance cover through the Victorian Managed Insurance Authority (VMIA).

The criteria for an organisation to be eligible for insurance cover under the VMIA Community Service Organisation (CSO) program are:

* + Current and ongoing funding through a service agreement with the department for the community-based delivery of services
	+ Head office in Victoria
	+ Registered not-for-profit which is either an incorporated association (Inc) or company limited by guarantee (Ltd).
	+ The organisation does not have access to other state based or national group insurance arrangements, such as insurance coverage available through specialist insurers for educational institutions, local government organisations, diocesan entities, religious denominational bodies, or other peak bodies.

Further information is available at [VMIA Community Service Organisation program](https://www.vmia.vic.gov.au/insurance/policies-and-cover#CSO) <<https://www.vmia.vic.gov.au/insurance/policies-and-cover#CSO>>.

Where the Department has reasonable concerns about an organisation's financial position, the Department can require more frequent FAR reporting under clause 8.2 of the Service Agreement. The Department will discuss any concerns it has with the organisation and advise in writing of any additional reporting requirements.

## Funded Organisation Performance Monitoring Framework

**Introduction**

The Funded Organisation Performance Monitoring Framework (the Framework) provides a critical part of the department’s quality assurance approach.

The Framework provides department staff with greater clarity and direction in monitoring activities. Staff across the department use a common set of tools to assess an organisation’s performance, ensuring all funded organisations across the state will be engaged in a consistent manner and assessed on defined key risk areas.

**Components of the Framework**

The Framework consists of three components involving the use of specific monitoring tools and processes to assess organisations’ performance against the SAR. The components are:

* **Service Agreement Monitoring** undertaken on an ongoing basis through the collection of information and regular engagement between departmental staff and organisations. Monitoring is focused on assessing key risk areas related to governance, financial management and service delivery. It involves evidence gathering and the tracking and documenting of an organisation’s outcomes and achievements. This monitoring is core to determining an organisation’s capacity to deliver service user safety and wellbeing and service quality and innovation.
* **Risk assessment** of identified performance issues undertaken by departmental staff using risk assessment guidelines to assess the severity of any identified performance issues. This process supports the department and funded organisations to consistently determine the level of risk and develop effective actions for remediation.
* **Responses to performance issues** Where a performance issue has been identified through Service Agreement monitoring, departmental staff and organisations are to work through how the issue can be managed and remediated. Remedial actions are to be put in place to support organisations in addressing the requirements of the SAR.

**Service Review**

Where there are more significant issues a Service Review will be undertaken. A Service Review provides an opportunity for the department and the organisation to jointly raise issues and determine an action plan. A third party may be engaged in these reviews.

In rare cases there may be serious allegations or evidence that a funded organisation has significantly breached the Service Agreement. A Service Review will be undertaken by the department to determine if remedial actions can be put in place or if the department needs to take other actions to ensure the safety and wellbeing of service users and provision of quality services.

**Key tools**

Various tools are used by the department to support consistent and ongoing monitoring of funded organisations. They are used throughout the year to ensure evidence gathering and discussions address the requirements of the service agreement and have a focus on compliance, risk mitigation and improvement:

## Human Rights and Safety Obligations

**Victorian Charter of Human Rights and Responsibilities**

Organisations are required to operate in accordance with the Victorian Charter of Human Rights and Responsibilities Act 2009 (Vic). The Charter ensures that when the Government makes laws and delivers services, it does so with civil and political rights in mind.

Further information is available at [Victorian Equal Opportunity & Human Rights Commission](https://www.humanrights.vic.gov.au): <https://www.humanrights.vic.gov.au>

**Child Safe Standards**

Organisations that provide services or facilities for children, are required to operate in accordance with and comply with Child Safe Standards. To ensure that the safety of children is promoted, child abuse is prevented and allegations of child abuse are properly responded to.

The department plays an important role in overseeing and promoting compliance with the Child Safe Standards, and has adopted a risk-based regulatory approach to assessing compliance.

Further information is available at [Child Safe Standards](https://www.dffh.vic.gov.au/publications/child-safe-standards): <https://www.dffh.vic.gov.au/publications/child-safe-standards>

**National Redress Scheme for Institutional Child Sexual Abuse**

In March 2020, the Victorian Government determined that any institution that has been named in a redress application, and which is assessed as eligible to join the Scheme by the Scheme Operator, must join the Scheme as a condition of receiving Victorian Government funding.

To enter into a service agreement or during the life of the service agreement, an organisation needs to have signed up to the Scheme if they have been named.

Further information is available at [Department of Justice and Community Safety – National Redress Scheme](https://www.justice.vic.gov.au/safer-communities/protecting-children-and-families/national-redress-scheme) <<https://www.justice.vic.gov.au/safer-communities/protecting-children-and-families/national-redress-scheme>>.

**Reportable Conduct Scheme**

Organisations are required to operate in accordance with the Reportable conduct scheme and to notify the Commission for Children and Young People (CCYP) of all allegations of reportable conduct by employees and volunteers.

Further information is available at [Commission for Children and Young People](https://ccyp.vic.gov.au/reportable-conduct-scheme/): [https://ccyp.vic.gov.au/reportable-conduct-scheme](https://ccyp.vic.gov.au/reportable-conduct-scheme/)

**Family Violence Multi-Agency Risk Assessment and Management Framework, Family Violence Information Sharing Scheme and Child Information Sharing Scheme**

Prescribed organisations are required to operate in accordance with the Family Violence Multi-Agency Risk Assessment and Management (MARAM) framework as established in law under Part 11 of the *Family Violence Protection Act 2008*. The MARAM framework has been designed to increase the safety and wellbeing of Victorians by supporting relevant organisations to identify, assess and manage family violence risk effectively.

In conjunction with the MARAM framework, prescribed entities are also required to operate in accordance with the Family Violence Information Sharing Scheme (FVISS) which is established under Part 5A of the *Family Violence Protection Act 2008* and enables information to be shared to assess or manage family violence risk, and the Child Information Sharing Scheme (CISS), which is established under Part 6A of the *Child Wellbeing and Safety Act 2005* and enables information to be shared to promote the wellbeing or safety of a child or a group of children.

Schedules detailing prescribed information sharing entities and MARAM framework organisations are available at [Family Violence Protection (Information Sharing and Risk Management) Regulations 2018](https://www.legislation.vic.gov.au/in-force/statutory-rules/family-violence-protection-information-sharing-and-risk-management/003) <https://www.legislation.vic.gov.au/in-force/statutory-rules/family-violence-protection-information-sharing-and-risk-management/003> and the [Child Wellbeing and Safety (Information Sharing) Regulations 2018](https://www.legislation.vic.gov.au/in-force/statutory-rules/child-wellbeing-and-safety-information-sharing-regulations-2018/002) <https://www.legislation.vic.gov.au/in-force/statutory-rules/child-wellbeing-and-safety-information-sharing-regulations-2018/002>.

Further information is available at [Victorian Government Information Sharing and MARAM framework](https://www.vic.gov.au/information-sharing-schemes-and-the-maram-framework) <https://www.vic.gov.au/information-sharing-schemes-and-the-maram-framework>.

# Policies

This section describes the departmental policies that *all* funded organisations must comply with.

## Aboriginal People and Communities

**Marrung**

Marrung is a strategy to ensure that all Koorie Victorians achieve their learning aspirations. Through Marrung, Victoria will be a state where:

* the rich and thriving culture, knowledge and experience of our First Nations peoples are celebrated by all Victorians
* our universal service systems are inclusive, responsive and respectful of Koorie people at every stage of their learning and development journey
* every Koorie person achieves their potential, succeeds in life, and feels strong in their cultural identity.

For further information:

<https://www.vic.gov.au/marrung>

## Operational policies

**Occupational Health and Safety**

Organisations are required to operate in accordance with the *Occupational Health and Safety Act and Regulations 2004*, and to have policies and procedures in place to support these legislative requirements.

For further information: <https://www.worksafe.vic.gov.au/occupational-health-and-safety-act-and-regulations>

**Emergency management including fire risk management**

The department is committed to providing a safe and secure environment for all staff, families, students and children. Funded organisations are required to have policies and procedures in place and an up-to-date Emergency Management Plan (EMP). The department has developed a range of resources to assist education and care services in developing their EMP and, where relevant, their bushfire preparedness. These can be accessed on [Emergency Management](http://www.education.vic.gov.au/childhood/providers/support/Pages/emergency.aspx) <<http://www.education.vic.gov.au/childhood/providers/support/Pages/emergency.aspx>>.

While the EMP template is not mandatory, organisations should review this template to ensure you have adequately addressed all potential risks in your plan.

Organisations are required to operate in accordance with the vulnerable people in emergencies policy that integrates emergency preparedness planning with the delivery of funded services.

**Incident reporting**

Organisations are required to report and manage incidents or alleged incidents that involve or impact upon children during service delivery. For many organisations these obligations are legislative requirements outlined in:

* *Education and Care Services National Law Act 2010* (Cth)
* *Education and Care Services National Regulations 2011* (Cth)
* *Victorian Children’s Services Act 1996* (Vic)
* *Victorian Children’s Services Regulations 2020* (Vic)

Funded organisations are required to call the Early Childhood Performance and Planning Adviser (ECPAPA) in the [Regional Offices](http://www.education.vic.gov.au/about/contact/Pages/regions.aspx) <<http://www.education.vic.gov.au/about/contact/Pages/regions.aspx>>, if any of the following apply:

* the occurrence of an incident is not within the scope of the department’s Quality Assessment and Regulatory Division’s (QARD) framework
* the incident occurred in a service or program that is outside QARD’s scope
* the incident occurred in the provision of other early childhood services and programs.

Funded organisations and the relevant ECPAPA will discuss the appropriate reporting process and response, on a case by case basis.

For more information, refer to the [Notifying the early childhood Regulatory Authority about incidents, complaints and other circumstances](https://www.vic.gov.au/notify-regulatory-authority-about-incidents-complaints) <https://www.vic.gov.au/notify-regulatory-authority-about-incidents-complaints>.

**Safety Screening**

Organisations are required to undertake employment safety screening to ensure safe service delivery for clients who receive support and services.

Further information is available at [Safety screening policy for funded organisations](https://providers.dffh.vic.gov.au/safety-screening-policy): <https://providers.dffh.vic.gov.au/safety-screening-policy>

**Language Services**

The Victorian Interpreting and Translating Service (VITS) provides interpreting and translating services to the department. The department fully funds this service for all Victorian government schools, early childhood services or other support services delivered or funded by the department.

The use of VITS is mandatory for all Victorian government schools, early childhood services or other support services delivered or funded by the department. Contact VITS by telephone (03 9280 1923) to obtain a PIN and password to access the service.

The most efficient and cost effective method for booking an interpreter through VITS is via their online booking system. Bookings for on-site interpreters can be made on the [VITS booking system](http://client.vits.com.au/) <<http://client.vits.com.au>>.

Further information for using these services is available at [Guidelines for using interpreting and translating services](https://www.vic.gov.au/guidelines-using-interpreting-services) <<https://www.vic.gov.au/guidelines-using-interpreting-services>>.

**Compliments and complaints management**

Funded organisations must record and respond to feedback, including compliments and complaints regarding the services funded by the department.

Further information regarding what is required in a funded organisation’s complaints management approach is available at [Complaints management policy for funded organisations](https://providers.dffh.vic.gov.au/complaints-management-policy-funded-organisations): <https://providers.dffh.vic.gov.au/complaints-management-policy-funded-organisations>.

**Fraud, corruption and other losses**

Organisations must have in place their own reporting, investigation and fraud risk management strategies.

Further information is available in the [Fraud, corruption and other losses control policy](https://content.sdp.education.vic.gov.au/media/fraud-corruption-and-other-losses-control-policy-1917): <https://content.sdp.education.vic.gov.au/media/fraud-corruption-and-other-losses-control-policy-1917>

**Conducting research in early childhood settings and schools**

Department funded organisations are often approached to participate in research (including evaluations), or to assist with recruitment of families and children to a research project. Organisations should only agree to take part in/assist with recruitment for research that has been reviewed and approved by the department.

Information about procedures and an application form can be found on the [Conducting Research page](https://www.vic.gov.au/conduct-research-department-education) <https://www.vic.gov.au/conduct-research-department-education> on the department’s website.

## Recommended Information

The following information may be useful to assist funded organisations in general:

**Not-for-profit Law - Legal help for community organisations**

<https://nfplaw.org.au/>

**Record Management Fact Sheets**

<https://fac.dffh.vic.gov.au/policies-and-procedures>

**Asset Management resources**

Further information is available in the ‘Assets and financial’ tab at [Funded Agency Channel Service Agreement website](https://fac.dffh.vic.gov.au/service-agreement)

<https://fac.dffh.vic.gov.au/service-agreement>

**Client Safety and Privacy Protections**

* **Offence for failure to disclose child sexual abuse**
	+ The offence for failure to disclose child sexual abuse to the police came into effect on 27 October 2014.
	+ Further information about the offence and how to report is available at [Criminal offences to improve responses to child sexual abuse](https://providers.dffh.vic.gov.au/criminal-offences-improve-responses-child-sex-abuse): <https://providers.dffh.vic.gov.au/criminal-offences-improve-responses-child-sex-abuse>.
* **Offence for failure to protect children from the risk of sexual abuse**
	+ The new offence for 'failure to protect' a child from a risk of sexual abuse commenced on 1 July 2015.
	+ A fact sheet about the offence is available at [Criminal offences to improve responses to child sexual abuse](https://providers.dffh.vic.gov.au/criminal-offences-improve-responses-child-sex-abuse): <https://providers.dffh.vic.gov.au/criminal-offences-improve-responses-child-sex-abuse>. Alternatively, you can email childsafestandards@ccyp.vic.gov.au

**Reporting breaches of data privacy**

Funded agencies have access to a client’s personal, health and sensitive information, which is often provided on the basis of trust.

It is critical that funded agencies protect the privacy of this information. When a privacy breach, possible breach or near miss has occurred, Funded Agencies must capture this information and report this privacy breach to the department.

Refer to service agreement clause 17.3(k), under the *Privacy and Data Protection Act 2014* or the *Health Records Act 2001*.

Further information is available at Privacy Policy

<https://www.dffh.vic.gov.au/publications/privacy-policy>