



Australian Government

**Department of Infrastructure, Transport,
Regional Development and Communications**
Office for the Arts

Restart Investment to Sustain and Expand (RISE) Fund

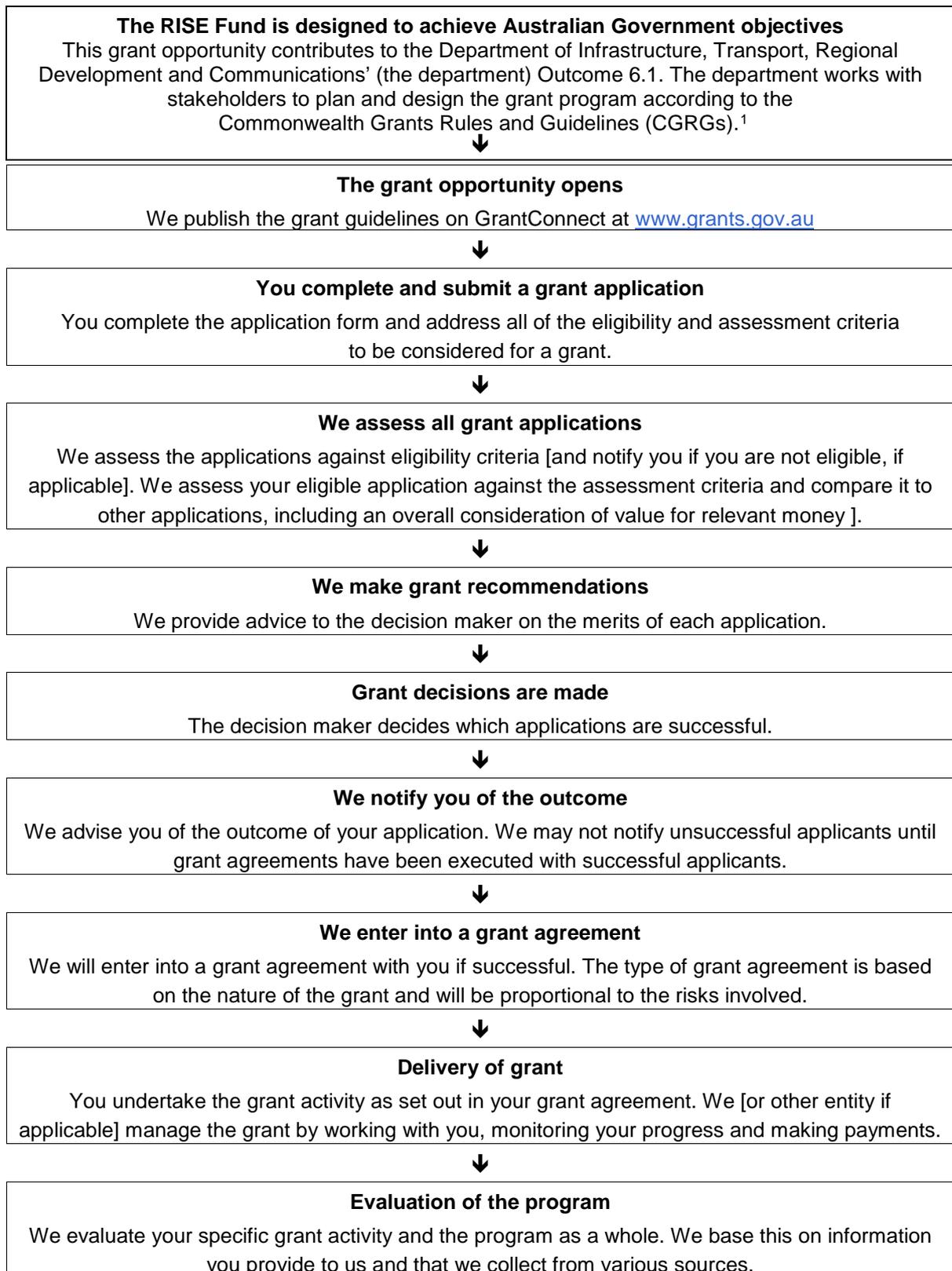
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| Opening date: | 9.00am AEST (Canberra time) 31 August 2020 |
| Closing date and time: | 11.30pm AEST (Canberra time) on 31 May 2021 at the latest, subject to allocation of funds |
| Commonwealth policy entity: | Department of Infrastructure, Transport, Regional Development and Communications |
| Enquiries: | If you have any questions, please contact the RISE Fund team at: RISE@arts.gov.au |
| Date guidelines released: | 11 August 2020 |
| Type of grant opportunity: | Open competitive |

Contents

| | |
|---|-----------|
| Contents | 2 |
| 1. Restart Investment to Sustain and Expand (RISE) Fund | 4 |
| 2. About the grant program | 5 |
| 3. Grant amount and grant period | 6 |
| 3.1 Grant amount | 7 |
| 3.2 Grant period | 7 |
| 4. Eligibility criteria | 7 |
| 4.1 Who is eligible to apply for a grant?..... | 7 |
| 4.2 Who is not eligible to apply for a grant?..... | 8 |
| 5. What the grant money can be used for | 8 |
| 5.1 Eligible grant activities | 8 |
| 5.2 Eligible locations | 9 |
| 5.3 Eligible expenditure..... | 9 |
| 5.4 What the grant money cannot be used for..... | 9 |
| 6. The assessment criteria | 10 |
| Criterion 1..... | 10 |
| The degree to which the grant will contribute to achieving the objectives and outcomes of the program | 10 |
| Criterion 2..... | 10 |
| The demonstrated expertise and capacity of the organisation to undertake the grant activity, including in a COVID-safe manner | 10 |
| Criterion 3..... | 11 |
| The demonstrated financial viability of the grant activity | 11 |
| 7. How to apply | 11 |
| 7.1 Attachments to the application..... | 12 |
| 7.2 Joint (consortia) applications | 12 |
| 7.3 Timing of grant opportunity processes..... | 13 |
| 7.4 Questions during the application process..... | 13 |
| 8. The grant selection process | 13 |
| 8.1 Assessment of grant applications | 13 |
| 8.2 Who will assess applications? | 14 |
| 8.3 Who will approve grants? | 14 |
| 9. Notification of application outcomes | 14 |
| 9.1 Feedback on your application | 14 |
| 10. Successful grant applications | 15 |
| 10.1 The grant agreement | 15 |
| 10.2 How we pay the grant | 15 |
| 10.3 Grants Payments and GST..... | 16 |
| 10.4 National Principles for Child Safe Organisations | 16 |

| | |
|---|-----------|
| 11. Announcement of grants | 16 |
| 12. How we monitor your grant activity | 16 |
| 12.1 Keeping us informed | 16 |
| 12.2 Reporting | 17 |
| Progress reports [if applicable] | 17 |
| Ad-hoc reports | 17 |
| Final report | 17 |
| 12.3 Financial acquittal report..... | 18 |
| 12.4 Grant agreement variations | 18 |
| 12.5 Evaluation | 18 |
| 12.6 Acknowledgement..... | 18 |
| Restart Investment to Sustain and Expand (RISE) Fund—an Australian Government initiative | 18 |
| 13. Probity..... | 18 |
| 13.1 Enquiries and feedback | 19 |
| 13.2 Conflicts of interest | 19 |
| 13.3 Privacy | 19 |
| 13.4 Confidential Information | 20 |
| 13.5 Freedom of information..... | 21 |
| 14. Glossary..... | 22 |

1. Restart Investment to Sustain and Expand (RISE) Fund



¹ www.finance.gov.au/government/commonwealth-grants/commonwealth-grants-rules-guidelines

1.1 Introduction

These guidelines contain information for grants under the Restart Investment to Sustain and Expand RISE Fund program (the program).

Australia's creative and cultural industries provide significant employment and economic benefits as well as supporting cultural expression, community coherence, social wellbeing and reflecting unique Australian experiences and stories. On the most recent figures (in 2016-17), Australian cultural and creative activity contributed \$112 billion to our economy and cultural and creative industries employed over 645,000 Australians.

COVID-19 is having unprecedented effects on communities in Australia and around the world, including on creative and cultural activity. Many arts and entertainment businesses stopped activities due to COVID-19 restrictions, and revenue has been significantly, if not completely, reduced. Nevertheless, many costs are continuing and organisations have refunded many tickets for cancelled events. Furthermore, many arts and entertainment businesses have had to use their cash reserves during the pandemic to remain solvent, leaving little left to fund new activities and events when they are able to re-open.

To support the arts and entertainment sector to reactivate, this program targets funding towards sector organisations who are seeking to restart, re-imagine or create new activities. The program is intended to assist by providing finance to assist presentation of new or re-shaped cultural and creative activities and events. This will support employment of artists and workers in the arts and entertainment sector, as well as in connected industries such as hospitality, accommodation, transport and freight. This will all contribute to rebuilding Australia's economy, as well as enhancing community wellbeing and access to cultural experiences across Australia, including in outer metropolitan, regional and remote areas².

This document sets out:

- the purpose of the grant program/grant opportunity
- the eligibility and assessment criteria
- how grant applications are considered and selected
- how grantees are notified and receive grant payments
- how grantees will be monitored and evaluated
- responsibilities and expectations in relation to the opportunity.

This grant opportunity and process will be administered by the department through the online grants management system, SmartyGrants: <https://arts.smartygrants.com.au>.

Applicants are encouraged to read these guidelines in their entirety before filling out an application.

2. About the grant program

The program is part of the Australian Government's Arts and Cultural Development Program that supports participation in, and access to, Australia's arts and culture through developing and supporting cultural expression. The program was announced as part of the *Creative Economy Support Package* and will open on 1 September 2020 and close to applications on 31 March 2021 at the latest, subject to allocation of funds.

² 'Outer metropolitan, regional and remote areas' will be generated by the mapping tool in the application form.

The program is delivered as an open competitive grant opportunity. It will support the delivery and presentation of activities across all art forms to audiences across Australia. Projects that target audiences in outer metropolitan, regional and remote areas will also be taken into account, as well as projects that involve tours and use local regional production, services and support acts.

The objectives of the program are to:

- assist companies in the arts and entertainment sector to present new or re-imagined activities which have been disrupted by the COVID-19 restrictions
- deliver new activities, opportunities and structural adjustments that have been developed in response to the COVID-19 restrictions, including innovative ways to deliver content and productions
- provide increased employment opportunities in the arts and entertainment sector and allied industries
- generate increased economic activity in the arts and entertainment sector and allied industries
- help build the longer-term financial sustainability of cultural and creative companies, including increased revenue-earning capacity
- provide creative and cultural experiences to audiences across Australia.

The intended outcomes of the program are:

- cultural and creative activities and events that would have been substantially less likely to proceed without investment support are presented, consistent with public health requirements and which may include digital delivery
- cultural and creative businesses are in a stronger position to remain financially viable
- the cultural and creative industries are supported to reactivate, providing increased employment opportunities for artists and workers in this industry as well as COVID-safe experiences for audiences
- there is increased access to cultural and creative experiences in outer metropolitan, regional and remote communities.

We administer the program according to the Commonwealth Grants Rules and Guidelines (CGRGs).³

3. Grant amount and grant period

The Australian Government will provide a total of \$75 million in 2020-21 for the program. Funding decisions will consider a balance across art forms and types of activity, geographic and community diversity, and generation of jobs. The application form asks you a range of questions to identify this information.

The program will open on 1 September 2020 and close to applications on 31 March 2021 at the latest, subject to allocation of funds. While there are no rounds and applications will be accepted at any time between the opening and closing dates for the program, the Minister for Communications, Cyber Safety and the Arts will be provided with funding assessment recommendations every two to three months. The first batch of applications is expected to be assessed in October for applications received by 30 September 2020. Additional assessment recommendations may be made outside of these timeframes. There is no allocated funding amount for each assessment period. Any updates to this indicative timing will be published at www.arts.gov.au.

³ www.finance.gov.au/government/commonwealth-grants/commonwealth-grants-rules-guidelines

Applicants may submit more than one application, however the same applicant cannot receive funding for more than one application in the same assessment period.

3.1 Grant amount

Grants will range from \$75,000 up to \$2 million, depending on the scope of the grant activity and its complexity. Other smaller or larger grant amounts may be considered on a case-by-case basis, particularly for activities that target audiences in outer metropolitan, regional and remote areas.

You are required to make a financial contribution towards the grant activities or have other sources of funding, although the impact of COVID-19 will be taken into consideration. There is no minimum or maximum amount of co-contribution, but the level of contribution is expected to be relative to the nature and scale of the activity, and higher co-contributions, including from states and territories, will be advantageous to your application.

You can apply for both a program grant and a Show Starter Loan.⁴ A combination of a program grant and Show Starter Loan cannot make up more than 50 per cent of the total budget of an activity or \$5 million, whichever is lesser. If you intend to apply for, or have received, a Show Starter Loan, you will need to consider the Loan's eligibility criteria and conditions in the context of your program grant application.

The program grant must not cover costs already being funded by, or intended to be funded by, any other Commonwealth, state, territory or local government source. You must include all other sources of finance for the activity in your indicative budget.

3.2 Grant period

The maximum grant period for your activity is two years, starting from the date a grant agreement is executed.

If successful, you must complete your activity by the date specified in your grant agreement. We will be as flexible as possible regarding uncertainties associated with COVID-19.

4. Eligibility criteria

We cannot consider your application if you do not satisfy all the eligibility criteria.

4.1 Who is eligible to apply for a grant?

To be eligible your primary purpose must be the arts and entertainment⁵ and you must:

- have an Australian Business Number (ABN)
- be registered for the purposes of GST (if applicable)
- have an account with an Australian financial institution
- comply with all regulatory, industry and legal requirements in relation to copyright, licensing and employment
- be located in any part of Australia
- provide a co-contribution to the activity

⁴ www.arts.gov.au/departmental-news/show-starter-loans

⁵ See glossary for an explanation of 'arts and entertainment'.

and be one of the following entity types:

- incorporated organisations
- a local government owned entity
- a partnership
- a joint (consortia) application with a lead organisation⁶
- a not-for-profit organisation
- an Aboriginal and/or Torres Strait Islander Corporation registered under the Corporations (Aboriginal and Torres Strait Islander) Act 2006⁷
- a Sole Trader with employees

4.2 Who is not eligible to apply for a grant?

You are not eligible to apply if you are:

- a Commonwealth, state or territory government agency or body (including government business enterprises⁸)
- an individual (unless you are a Sole Trader with employees)
- an unincorporated association
- an overseas resident/organisation
- an organisation that is at risk of insolvency
- an organisation not included in section 4.1.

5. What the grant money can be used for

5.1 Eligible grant activities

Funding is available to support cultural and creative events or activities that, in the absence of this funding, would be substantially less likely to proceed (due to constrained availability of funding to the applicant as a consequence of COVID-19).

The program will fund high quality projects irrespective of scale in all art forms, including cross-art form projects, with the exception of film and television productions and interactive games. Film and television productions have access to alternative funding under the \$50 million Temporary Interruption Fund, \$400 million Location Incentive extension and can also seek funding from Screen Australia, the Government's primary agency for Australian screen activity. Eligible projects need to align clearly with the program objectives and assessment criteria.

Activities must demonstrate that there is a funding need, contribute to job creation, support Australian artists or performers (or their work), provide experiences to audiences, be of a nature that is likely to be popular with Australian audiences, and financial viability.

⁶ The Australian Government recognises that some organisations may seek to form consortia in order to apply for a grant under the Program. Consortia are eligible to apply and the relevant conditions applicable to consortia are at 7.2 'Joint Applications'

⁷ www.legislation.gov.au/Series/C2006A00124

⁸ See glossary for an explanation of government business enterprises

The following kinds of activities and events are eligible for funding:

- cultural and creative events or activities, including innovative ways to deliver performances, exhibitions, tours and online delivery
- cultural and creative programming and promotion
- festivals
- purchasing or leasing essential equipment for events, such as sound or lighting equipment
- development of COVID-safe infrastructure and protocols⁹
- community outreach activities such as workshops
- capacity-building activities that link to the objectives and outcomes of the program, supporting support an organisation to build long-term financial sustainability.

Proposals should demonstrate that activities will provide benefits to Australian audiences, and the Australian cultural and creative industries, particularly in an environment where COVID-19 may limit the ability for audiences to go to live productions for an unknown period of time.

5.2 Eligible locations

Your grant activity must take place in Australia.

5.3 Eligible expenditure

You can only spend the grant on eligible expenditure you have incurred on activities agreed with the department in your grant agreement. Expenditure on grant activities must occur between the start date and end date of your grant agreement.

5.4 What the grant money cannot be used for

You cannot use the grant for the following activities:

- competitions, awards or Eisteddfods
- film and television production
- interactive games
- built or natural heritage projects
- performances by covers, tribute bands and DJs (except for producer DJs)
- purchase of land
- insurance costs
- major capital expenditure (including major construction/capital works)
- costs associated with a project that have already been incurred
- business start-up costs
- costs incurred in the preparation of a grant application or related documentation
- debt repayments
- activities within projects that are also funded by other programs administered by the department, the Australia Council or Creative Partnerships Australia
- subsidy of general ongoing administration of an organisation such as electricity, phone and rent
- overseas travel.

⁹ See glossary for explanation of COVID-safe infrastructure and protocols

6. The assessment criteria

We will assess your application against the program eligibility and assessment criteria, on a value for money basis, and within the available program budget (see sections 8.1 and 8.2). Templates for budgets, work plans and risk assessments will be provided in the application form.

The amount of detail and supporting evidence you provide in your application should be relative to the size, complexity and grant amount requested.

The following criteria are equally weighted.

Criterion 1

The degree to which the grant will contribute to achieving the objectives and outcomes of the program

This includes providing a demonstrated plan to develop and present cultural and creative events or activities. This may include how your activity will:

- stage an arts or entertainment event in compliance with any health restrictions in place as a result of the COVID-19 pandemic
- provide increased employment opportunities in the arts and entertainment and allied industries, for people in creative and non-creative roles
- generate increased economic activity in the arts and entertainment sector and allied industries
- reactivate the cultural and creative industries
- build community spirit, wellbeing and cohesion
- provide access to creative and cultural experiences that are inclusive and safe spaces for performers and audiences, including youth, Aboriginal and Torres Strait Islander peoples, women, gender diverse artists and artists with disability
- provide access to creative and cultural experiences in outer metropolitan, regional and remote communities
- contribute to the long-term financial viability of the organisation

Criterion 2

The demonstrated expertise and capacity of the organisation to undertake the grant activity, including in a COVID-safe manner

You should demonstrate this through identifying:

- a work plan, including a breakdown of activities within a project and delivery timeframes
- prior experience in managing funds (for example your business) and/or acquitting government funding
- appropriate business or governance structures in place
- experience of artists and personnel undertaking the activity
- appropriate COVID-safe protocols in place
- appropriate risk management and flexibility built into a project to address possible additional changes to COVID-19 restrictions

Criterion 3

The demonstrated financial viability of the grant activity

This includes providing a budget that shows how the grant funding will be expended, and outlines any other income that will be used to support delivery of the activity.

You must demonstrate financial viability through the following:

- provide a balanced and realistic budget showing requested grant amount and projected expenses, including any other sources of government funding, details of what part of the activity will be funded by a Show Starter Loan (if applicable), and remuneration details for artists, performers and other workers in accordance with appropriate industrial awards and agreements (see <https://www.fairwork.gov.au/awards-and-agreements/awards/list-of-awards>).
- provide evidence of co-contributions to the activity, which may include:
 - cash or in kind support, and could be your own contribution (for example, ticket sales), and/or support from any partners in your project
 - co-investment from other sources, including Commonwealth, state, territory or local government
- provide evidence of a track record of sound financial management in the form of financial statements and a forecast budget for the activity or project, including artist and art worker fees, that has been approved by the applicant's Chief Financial Officer or Board
- provide evidence of funding need, e.g. a statement or data about financial status
- value for money, as outlined in section 8.1

7. How to apply

Before applying, you must read and understand these guidelines.

Any alterations and addenda¹⁰ will be published on GrantConnect and by registering on this website, you will be automatically notified of any changes. GrantConnect is the authoritative source for grants information.

To apply you must:

- complete the online program application form on SmartyGrants at <https://arts.smartygrants.com.au>
- provide all the information requested
- address all eligibility criteria and assessment criteria
- include all necessary attachments
- submit your application during the period of the program.

You are responsible for ensuring that your application is complete and accurate. Giving false or misleading information is a serious offence under the Criminal Code 1995¹¹ and we will investigate any false or misleading information and may exclude your application from further consideration.

¹⁰ Alterations and addenda include but are not limited to: corrections to currently published documents, changes to close times for applications, Questions and Answers (Q&A) documents and Frequently Asked Questions (FAQ) documents

¹¹ www.legislation.gov.au/Series/C2004A04868

The Australian Government will only accept a late application where an applicant has contacted the department to request late submission, and we have agreed in writing to this. Agreement can be made on the basis that the organisation is experiencing internet connectivity issues, extreme weather events, or other temporary extenuating administrative or governance issues.

If you find an error in your application after submitting it, you should contact us immediately at RISE@arts.gov.au. We do not have to accept any additional information, nor requests from you to correct your application after the closing time.

If we find an error or information that is missing, we may ask for clarification or additional information from you that will not change the nature of your application. However, we can refuse to accept any additional information from you that would change your submission after the application closing time.

Applicants may submit more than one application. You should keep a copy of your application and any supporting documents. Receipt of your application will be acknowledged via a SmartyGrants confirmation email along with an application reference number.

If you need further guidance around the application process or if you are unable to submit an application online, contact us at RISE@arts.gov.au.

7.1 Attachments to the application

We require the following documents with your application:

- evidence of support from the community (if relevant)
- support letters e.g. from industry, venues or government representatives

You must attach supporting documentation to the application form in line with the instructions provided within the form. Templates will be provided where applicable. You should only attach requested documents and the total for all attachments should not exceed 10 pages. We will not consider information in attachments that we do not request.

Links to storage sites such as Dropbox, Google Drive or OneDrive cannot be accepted.

7.2 Joint (consortia) applications

We recognise that some organisations may want to join together as a group to deliver a grant activity or project. In these circumstances, you must appoint a 'lead organisation'. Only the lead organisation can submit the application form and enter into a grant agreement with the Commonwealth. The application must identify all other members of the proposed group and include a letter of support from each of the partners.

Each letter of support should include:

- details of the partner organisation
- an overview of how the partner organisation will work with the lead organisation and any other partner organisations in the group to successfully complete the grant activity or project
- an outline of the relevant experience and/or expertise the partner organisation will bring to the group
- the roles/responsibilities of the partner organisation and the resources they will contribute (if any)
- details of a nominated management level contact officer

If successful, you must be able to demonstrate that you have a formal arrangement in place with all parties prior to execution of the agreement (for example through a contract or agreement).

7.3 Timing of grant opportunity processes

You must submit an application between the published opening and closing dates. The opening and closing dates will be advertised on GrantConnect at www.grants.gov.au and the department's website at www.arts.gov.au.

Please note that late applications will only be accepted where there are exceptional and unanticipated circumstances and where the department has agreed in writing prior to the closing date (see section 7).

While there are no rounds and applications will be accepted at any time between the opening and closing dates for the program, the Minister for Communications, Cyber Safety and the Arts will be provided with funding assessment recommendations every two to three months. The first batch of applications is expected to be assessed in October for applications received by 30 September 2020. Additional assessment recommendations may be made outside of these timeframes. There is no allocated funding amount for each assessment period.

Table 1: Expected timing for this grant opportunity

| Activity | Timeframe |
|--|---|
| Assessment of applications | 4-6 weeks from lodgement of application |
| Approval of outcomes of selection process | 2-4 weeks from assessment of applications |
| Negotiations and award of grant agreements | 2 weeks from approval of outcomes |
| Notification to unsuccessful applicants | 2 weeks from approval of outcomes |

7.4 Questions during the application process

If you have any questions during the application period, contact the program team at RISE@arts.gov.au.

8. The grant selection process

8.1 Assessment of grant applications

We review your application against the eligibility criteria. Only eligible applications will move to the next stage. We consider eligible applications through an open competitive grant process.

We assess applications against the assessment criteria (see Section 6) and against other applications. This includes taking into consideration a balance across art forms and types of activity, geographic and community diversity, and generation of jobs. We will also assess 'value for relevant money' to determine the best applications and the best combination of applications to recommend for funding that will deliver the intended outcomes of the program.¹²

We consider each application on its merits, based on:

- how well it meets the criteria
- how it compares to other applications
- the relative value of the grant sought
- the extent to which the evidence in the application demonstrates that it will contribute to meeting the objectives and outcomes of the program.

¹² See glossary for an explanation of 'value for money'.

8.2 Who will assess applications?

Experienced assessors will assess each application on its merit and compare it to other eligible applications. Assessors will be officials from the Department of Infrastructure, Transport, Regional Development and Communications.

Assessors may seek additional information about you or your application. They may do this from within the Commonwealth, even you do not nominate the sources as referees. Assessors may also consider information about you or your application that is available through the normal course of business.

The department may seek input and advice from:

- a Creative Economy Taskforce, composed of external experts appointed by the Minister for Communications, Cyber Safety and the Arts, and
- the Australia Council, the Government's principal arts funding body.

This may include sharing your application with these bodies.

We may also seek advice from relevant state and territory government agencies.

Anyone involved in the assessment process will be required to perform their duties in accordance with the CGRGs and declare any conflict of interest (as per section 13.2).

The department will provide the Minister for Communications, Cyber Safety and the Arts with recommendations on applications to approve for a grant.

8.3 Who will approve grants?

The Minister for Communications, Cyber Safety and the Arts decides which grants to approve, taking into account the recommendations of the department and advice from the Creative Economy Taskforce and the Australia Council, and the availability of grant funds for the purposes of the grant program.

The Minister's decision is final in all matters, including:

- the approval of the grant
- the grant funding amount to be awarded.

There is no appeal mechanism for decisions to approve or not approve a grant (see section 13.1 for enquiries or complaints processes).

9. Notification of application outcomes

We will advise you of the outcome of your application in writing. If you are successful, we will advise you of any specific conditions attached to the grant.

9.1 Feedback on your application

If you are unsuccessful, you may ask for feedback within four weeks of being advised of the outcome, by contacting RISE@arts.gov.au.

10. Successful grant applications

10.1 The grant agreement

You must enter into a legally binding grant agreement with the Commonwealth. We use the Simple Grant Agreement for this program (see description below).

Each agreement has general terms and conditions that cannot be changed. We will use a schedule to outline the specific grant requirements. Any additional conditions attached to the grant will be identified in the grant offer or during the grant agreement negotiations.

We aim to negotiate agreements with you within 30 days of the grant approval. If there are unreasonable delays by you in finalising a grant agreement, the grant offer may be withdrawn and the grant may be awarded to a different applicant.

We must execute a grant agreement with you before we can make any payments. You must not make financial commitments until the Commonwealth has executed a grant agreement.

The Commonwealth may recover grant funds if there is a breach of the grant agreement.

Simple Grant Agreement

There will be 30 days from the date of a written offer to execute this grant agreement with the Commonwealth ('execute' means both you and the Commonwealth have signed the agreement). During this time, we will work with you to finalise details. The offer may lapse if both parties do not sign the grant agreement within this time. Under certain circumstances, we may extend this period.

We base the approval of your grant and grant agreement on the information you provide in your application. You may request changes to the grant agreement. However, we will review any required changes to these details to ensure they do not affect the grant as approved by the Minister for Communications, Cyber Safety and the Arts.

10.2 How we pay the grant

The grant agreement will state the:

- maximum grant amount to be paid
- eligible expenditure covered by the grant
- any financial contributions you have committed to make
- any in-kind contributions you will make
- any financial contribution provided by a third party.

We will not exceed the maximum grant amount under any circumstances. If you incur extra costs, you must meet them yourself.

We will make payments according to an agreed schedule set out in the grant agreement. Payment either partial or in full will be made on execution of the agreement, with subsequent payments subject to satisfactory progress on the grant activity or project. Unless otherwise agreed by us, we must receive and accept documents including but not limited to periodic reports, before subsequent milestone payments will be made. Payments will not be made where the grantee has a breach or overdue acquittal relating to previous grant funding.

You will be required to report how you spent the grant funds at the completion of the grant activity or project.

10.3 Grants Payments and GST

Payments will be made as set out in the grant agreement. If you are registered for the Goods and Services Tax (GST),¹³ where applicable, we will add GST to your grant payment.

Grants are assessable income for taxation purposes, unless exempted by taxation law. We recommend you seek independent professional advice on your taxation obligations or seek assistance from the Australian Taxation Office at www.ato.gov.au. We cannot provide advice on your particular taxation circumstances.

10.4 National Principles for Child Safe Organisations

The Royal Commission into Institutional Responses to Child Sexual Abuse highlighted the need for organisations to adopt child safe practices including appropriate screening of staff, mandatory reporting and adoption of the National Principles for Child Safe Organisations. The Australian Government committed to a new Commonwealth-wide framework to protect children and young people it is responsible for—the Commonwealth Child Safe Framework (CCSF).

The Australian Government is considering appropriate ways to apply the requirements of the CCSF to grant recipients. A child safety clause is likely to be included in a grant agreement where the Commonwealth considers the grant is for:

- services directly to children; or
- activities that involve contact with children that is a usual part of, and more than incidental to, the grant activity.

A child safety clause may also be included in the grant agreement if the Commonwealth considers the grant activity involves children more broadly.

The successful applicant will be required to comply with all child safety obligations included in the grant agreement published with this grant opportunity or notified to the successful applicant prior to execution of the grant agreement. Irrespective of the child safety obligations in the grant agreement, you must always comply with your state and territory legislative requirements for working with children and mandatory reporting.

11. Announcement of grants

If successful, your grant will be listed on the GrantConnect website 21 calendar days after the date of effect as required by Section 5.3 of the CGRGs.

Your grant may also be announced by the Government, the Minister for Communications, Cyber Safety and the Arts and/or by your local Member of Parliament.

12. How we monitor your grant activity

12.1 Keeping us informed

You should let us know if anything is likely to affect your grant activity, project or organisation.

We need to know of any key changes to your organisation or its business activities, particularly if they affect your ability to complete your grant, carry on business and pay debts due.

¹³ www.ato.gov.au/Business/GST/Registering-for-GST

You must also inform us of any changes to your:

- name
- addresses, including email
- nominated contact details
- bank account details.

If you become aware of a breach of terms and conditions under the grant agreement, you must contact us immediately. You must also advise us in advance of an inability to meet timeframes for your grant activity, project or reporting, as agreed in your grant agreement.

You must notify us of events relating to your grant and provide an opportunity for the Minister for Communications, Cyber Safety and the Arts or their representative to attend.

12.2 Reporting

You must submit reports in line with the grant agreement. We will provide templates for these reports. We will expect you to report on:

- progress against agreed milestones and outcomes
- contributions of participants directly related to the grant activity
- expenditure of the grant.

The amount of detail you provide in your reports should be relative to the size, complexity and grant amount. The grant agreement will specify when progress (if applicable) and final reports are required.

Progress reports [If applicable]

Progress reports must:

- include evidence of your progress towards completion of agreed activities and outcomes
- show the total eligible expenditure incurred to date
- include evidence of expenditure
- be submitted by the report due date (you can submit reports ahead of time if you have completed relevant activities).

You must discuss any reporting delays with us as soon as you become aware of them.

Ad-hoc reports

We may ask you for ad-hoc reports on your grant. This may be to provide an update on progress, or any significant delays or difficulties in completing the grant activity or project.

Final report

When you complete the grant activity or project, you must submit a final report.

Final reports must:

- be submitted in the agreed format in the grant agreement
- identify if and how outcomes have been achieved
- include the agreed evidence as specified in the grant agreement
- identify the total eligible expenditure incurred
- be submitted within the agreed timeframe in the grant agreement.

12.3 Financial acquittal report

Depending on the value of the grant, and/or the risk level and complexity of your activity, we may ask you to provide:

- a declaration that the grant money was spent in accordance with the grant agreement, and if applicable, a report on any underspends of the grant money
- a financial acquittal report that verifies that you spent the grant in accordance with the grant agreement. For grants over \$1 million, this should be in the form of an independently audited financial acquittal report.

12.4 Grant agreement variations

We recognise that unexpected events may affect your progress. In these circumstances, you can request a variation to your grant agreement. You can request a variation by contacting the program team at RISE@arts.gov.au before the grant agreement end date.

You should not assume that a variation request will be successful. We will consider your request based on provisions in the grant agreement and the likely impact on achieving outcomes.

The department will confirm decisions on grant variations in writing.

12.5 Evaluation

We will evaluate the grant program to measure how well the outcomes and objectives have been achieved. We may use information from your application and reports for this purpose.

We may contact you up to one year after you finish your grant for more information to assist with this evaluation.

12.6 Acknowledgement

An Australian Government RISE logo, as specified in the grant agreement, should be used on materials related to grants under the program. Whenever the logo is used, the publication must also include the following acknowledgement:

Restart Investment to Sustain and Expand (RISE) Fund—an Australian Government initiative

The program must also be acknowledged at any publicly launched events or statements associated with the grant activity.

13. Probity

The Australian Government will make sure that the grant opportunity process is fair, according to the published guidelines, incorporates appropriate safeguards against fraud, unlawful activities and other inappropriate conduct and is consistent with the CGRGs.

The department may change these guidelines from time-to-time. When this happens, the revised guidelines will be published on GrantConnect at www.grants.gov.au.

13.1 Enquiries and feedback

Any complaints, feedback or questions you have about grant decisions for this program should be sent to RISE@arts.gov.au.

If you do not agree with the way the department has handled your complaint, you may complain to the Commonwealth Ombudsman. The Ombudsman will not usually look into a complaint unless the matter has first been raised directly with the department.

The Commonwealth Ombudsman can be contacted at:

Phone (Toll free): 1300 362 072

Email: ombudsman@ombudsman.gov.au

Website: www.ombudsman.gov.au

13.2 Conflicts of interest

Any conflicts of interest could affect the performance of the grant opportunity or program.

There may be a conflict of interest, or perceived conflict of interest, if department staff, any member of a committee or advisor and/or you or any of your personnel:

- has a professional, commercial or personal relationship with a party who is able to influence the application selection process
- has a relationship with or interest in, an organisation, which is likely to interfere with or restrict the applicants from carrying out the proposed activities fairly and independently
- has a relationship with, or interest in, an organisation from which they will receive personal gain because the organisation receives a grant under the grant program.

You will be asked to declare, as part of your application, any perceived or existing conflicts of interests or that, to the best of your knowledge, there is no conflict of interest.

If you later identify an actual, apparent, or perceived conflict of interest, you must inform the department in writing immediately.

Conflicts of interest for Australian Government staff will be handled as set out in the Australian Public Service Code of Conduct (Section 13(7))¹⁴ of the *Public Service Act 1999*.¹⁵ Committee members and other officials including the decision maker must also declare any conflicts of interest.

13.3 Privacy

We treat your personal information according to the *Privacy Act 1988*¹⁶ and the Australian Privacy Principles.¹⁷ This includes letting you know:

- what personal information we collect
- why we collect your personal information
- who we give your personal information to.

Your personal information can only be disclosed to someone else for the primary purpose for which it was collected, unless an exemption applies.

¹⁴ www8.austlii.edu.au/cgi-bin/viewdoc/au/legis/cth/consol_act/psa1999152/s13.html

¹⁵ www.legislation.gov.au/Series/C2004A00538

¹⁶ www.legislation.gov.au/Series/C2004A03712

¹⁷ www.oaic.gov.au/privacy/australian-privacy-principles

The Australian Government may also use and disclose information about grant applicants and grant recipients under this grant opportunity in any other Australian Government business or function. This includes disclosing grant information on GrantConnect as required for reporting purposes and giving information to the Australian Taxation Office for compliance purposes.

We may share the information you give us with other Commonwealth entities for purposes including government administration, research or service delivery, according to Australian laws.

As part of your application, you declare your ability to comply with the *Privacy Act 1988* and the Australian Privacy Principles and impose the same privacy obligations on officers, employees, agents and subcontractors that you engage to assist with the activity, in respect of personal information you collect, use, store, or disclose in connection with the activity. Accordingly, you must not do anything, which if done by the department, would breach an Australian Privacy Principle as defined in the Act.

13.4 Confidential Information

Other than information available in the public domain, you agree not to disclose to any person, other than us, any confidential information relating to the grant application and/or agreement, without our prior written approval. The obligation will not be breached where you are required by law, Parliament or a stock exchange to disclose the relevant information or where the relevant information is publicly available (other than through breach of a confidentiality or non-disclosure obligation).

We may at any time, require you to arrange for you; or your employees, agents or subcontractors to give a written undertaking relating to nondisclosure of our confidential information in a form we consider acceptable.

We will keep any information in connection with the grant agreement confidential to the extent that it meets all of the three conditions below:

- you clearly identify the information as confidential and explain why we should treat it as confidential
- the information is commercially sensitive
- revealing the information would cause unreasonable harm to you or someone else.

We will not be in breach of any confidentiality agreement if the information is disclosed to:

- Commonwealth employees and contractors to help us manage the program effectively
- employees and contractors of our department so we can research, assess, monitor and analyse our programs and activities
- employees and contractors of other Commonwealth agencies for any purposes, including government administration, research or service delivery
- other Commonwealth, state, territory or local government agencies in program reports and consultations
- the Auditor-General, Ombudsman or Privacy Commissioner
- the responsible Minister or Parliamentary Secretary, and
- a House or a Committee of the Australian Parliament.

The grant agreement may also include any specific requirements about special categories of information collected, created or held under the grant agreement.

13.5 Freedom of information

All documents in the possession of the Australian Government, including those about this grant opportunity, are subject to the *Freedom of Information Act 1982*¹⁸ (FOI Act).

The purpose of the FOI Act is to give members of the public rights of access to information held by the Australian Government and its entities. Under the FOI Act, members of the public can seek access to documents held by the Australian Government. This right of access is limited only by the exceptions and exemptions necessary to protect essential public interests and private and business affairs of persons in respect of whom the information relates.

All Freedom of Information requests must be referred to the Freedom of Information Coordinator in writing.

By mail: Freedom of Information Coordinator
 Department of Infrastructure, Transport, Regional Development and
 Communications
 GPO Box 594
 CANBERRA ACT 2601

By email: foi@infrastructure.gov.au

¹⁸ www.legislation.gov.au/Series/C2004A02562

14. Glossary

| Term | Definition |
|---|---|
| accountable authority | See subsection 12(2) of the <i>Public Governance, Performance and Accountability Act 2013</i> . ¹⁹ |
| administering entity | When an entity that is not responsible for the policy, is responsible for the administration of part or all of the grant administration processes. |
| arts and entertainment | <p>Arts and entertainment entities are organisations whose major source of revenue or hours worked are in activities that involve at least one of the following:</p> <ul style="list-style-type: none"> • the employment of cultural or creative workers* • the operation of venues or facilities often used to exhibit or showcase creative and cultural talent • the organisation of arts and entertainment activities. <p>*Creatives and support workers (for the purpose of the Show Starter Loan) are those who are engaged in either creative roles (such as artists, creative production roles) or in roles that support the arts and entertainment activity (such as technical or administrative roles).</p> |
| assessment criteria | Are the specified principles or standards, against which applications will be judged. These criteria are also used to assess the merits of proposals and, in the case of a competitive grant opportunity, to determine application rankings. |
| commencement date | The expected start date for the grant activity. |
| Commonwealth entity | A Department of State, or a Parliamentary Department, or a listed entity or a body corporate established by a law of the Commonwealth. See subsections 10(1) and (2) of the PGPA Act. |
| <i>Commonwealth Grants Rules and Guidelines (CGRGs)</i> ²⁰ | Establish the overarching Commonwealth grants policy framework and articulate the expectations for all non-corporate Commonwealth entities in relation to grants administration. Under this overarching framework, non-corporate Commonwealth entities undertake grants administration based on the mandatory requirements and key principles of grants administration. |
| completion date | The expected date that the grant activity must be completed and the grant spent by. |

¹⁹ www.legislation.gov.au/Series/C2013A00123

²⁰ www.finance.gov.au/government/commonwealth-grants/commonwealth-grants-rules-guidelines

| Term | Definition |
|---|---|
| COVID-safe infrastructure and protocols | Measures to minimise the risk of exposure to COVID-19, consistent with industry best practice and guidance provided by the National Cabinet, Safe Work Australia, National COVID-19 Commission Advisory Body and Australian Health Protection Principal Committee. Such measures should be reflected in an organisation's COVID-safe business plan. |
| date of effect | Can be the date on which a grant agreement is signed or a specified starting date. Where there is no grant agreement, entities must publish information on individual grants as soon as practicable. |
| decision maker | The person who makes a decision to award a grant. |
| department | Department of Infrastructure, Transport, Regional Development and Communications. |
| eligibility criteria | Refer to the mandatory criteria which must be met to qualify for a grant. Assessment criteria may apply in addition to eligibility criteria. |
| Government business enterprises | A government business enterprise is a Commonwealth entity or Commonwealth company as defined in section 8 of the PGPA Act and prescribed in section 5 of the PGPA Rule. |
| grant | For the purposes of the CGRGs, a 'grant' is an arrangement for the provision of financial assistance by the Commonwealth or on behalf of the Commonwealth: <ul style="list-style-type: none"> • under which relevant money²¹ or other Consolidated Revenue Fund (CRF) money²² is to be paid to a grantee other than the Commonwealth • which is intended to help address one or more of the Australian Government's policy outcomes while assisting the grantee achieve its objectives. |
| grant activity/activities | Refers to the project/tasks/services that the grantee is required to undertake. |
| grant agreement | Sets out the relationship between the parties to the agreement, and specifies the details of the grant. |
| GrantConnect ²³ | GrantConnect is the Australian Government's whole-of-government grants information system, which centralises the publication and reporting of Commonwealth grants in accordance with the CGRGs. |

²¹ Relevant money is defined in the PGPA Act. See section 8, Dictionary.

²² Other CRF money is defined in the PGPA Act. See section 105, Rules in relation to other CRF money.

²³ www.grants.gov.au

| Term | Definition |
|--------------------|--|
| grant opportunity | Refers to the specific grant round or process where a Commonwealth grant is made available to potential grantees. Grant opportunities may be open or targeted, and will reflect the relevant grant selection process. |
| grant program | A 'program' carries its natural meaning and is intended to cover a potentially wide range of related activities aimed at achieving government policy outcomes. A grant program is a group of one or more grant opportunities under a single Portfolio Budget Statement Program. |
| grantee | The individual/organisation which has been selected to receive a grant. |
| PBS Program | Described within the entity's Portfolio Budget Statement, PBS programs each link to a single outcome and provide transparency for funding decisions. These high-level PBS programs often comprise a number of lower level, more publicly recognised programs, some of which will be Grant Programs. A PBS Program may have more than one Grant Program associated with it, and each of these may have one or more grant opportunities. |
| selection criteria | Comprise eligibility criteria and assessment criteria. |
| selection process | The method used to select potential grantees. This process may involve comparative assessment of applications or the assessment of applications against the eligibility criteria and/or the assessment criteria. |
| value for money | <p>Value for money is a judgement based on the grant proposal representing an efficient, effective, economical and ethical use of public resources and determined from a variety of considerations.</p> <p>When administering a grant opportunity, an official should consider the relevant financial and non-financial costs and benefits of each proposal including, but not limited to:</p> <ul style="list-style-type: none"> • the quality of the project proposal and activities • fitness for purpose of the proposal in contributing to government objectives • that the absence of a grant is likely to prevent the grantee and government's outcomes being achieved • the potential grantee's relevant experience and performance history. |