

# Program Guidelines

**[insert Grant Program name]**

Opening date:	[dd mm yyyy]
Closing date and time:	[00:00] on [dd mm yyyy]
Date guidelines released:	[dd mm yyyy]
Funding period:	[dd mm yyyy] to [dd mm yyyy] All approved projects must be completed by [dd mm yyyy]. [or] There is no set funding period for this grant program.
Policy Agency:	[Entity name]
Administering Agency:	[Entity name]
Enquiries:	If you have any questions, contact [team name, phone number, email, and other]. Questions should be sent no later than insert [dd mm yyyy].
Type of grant:	[Open competitive, Open non-competitive, Targeted competitive, etc]

**Template instructions:** Contents page to be updated once all amendments to the program guidelines have been completed. This field relies on the correct use of heading styles, which must be used consistently throughout the guidelines.

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**Template instructions:** This example template has been prepared for grant programs targeting Local Government as the only recipient of funding.

This template is intended to be used in conjunction with the *Financial Accountability Handbook and Grants to Local Government - Design, Administration and Evaluation Manual*.

This template is intended to provide local government with a consistent user experience, while allowing for some flexibility for State agencies to update sections in consideration of each grant program. To promote consistency across government do not amend/delete/replace Level 1 and 2 headings. Additional headings can be added, as needed.

When using this template, delete the shaded template instruction boxes.

Other text can be adapted to suit each grant program. Example text is not comprehensive, and additional text will need to be added to cover all the information sought by the template instructions and the *Grants to Local Government - Design, Administration and Evaluation Manual*.

The text in square brackets has been drafted with the intent to provide a consistent user experience, however can be amended to suit the specifics of the grant program.

## Program Guidelines

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### 1. Introduction

The [insert Administration Agency name] is responsible for administering the [insert Grant Program name] (**Grant Program**), which is a grant program available to [e.g. all Queensland Local Governments].

[Insert brief introductory description of the Grant Program e.g. size of funding commitment, any relevant government policy or plans leading to the development of the grant program].

This document sets out the guidelines for applicants for the Grant Program.

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### 2. The Grant Program

#### 2.1 Program aim

The aim of the Grant Program is to [insert].

#### 2.2 Program objectives

**Template instructions:** When formulating the program objectives, the agency should consider the criteria by which it wishes to assess applications - the objectives should link to the assessment criteria. Ultimately, both the objectives and assessment criteria should be consistent with (and flow from) the government objective/s sought to be achieved.

The objectives of the Grant Program are to [insert].

#### 2.3 Eligibility criteria

**Template instructions:** Given the type of grant programs covered by these arrangements (and that they are directed at local government), eligibility criteria should be straight forward.

To be eligible for Project Funding under the Grant Program, an applicant must:

- (a) [Insert]
- (b) [example- be a Local Government body constituted under the *Local Government Act 2009* or the *City of Brisbane Act 2010*. [Note: this would need to be altered if Weipa Town Authority are intended to be eligible]]

[If relevant] Regional collaboration is encouraged. If a group of councils wishes to apply for funding that will benefit multiple local government areas, then:

- (c) all councils must be identified in the application for funding; but
- (d) a single council must be nominated as the lead contact, who will be the contracting party and will be responsible for contract management and delivery.

## 2.4 Eligible projects

**Template instructions:** Eligible projects section to be adapted as required to suit specifics of grant program. Agencies are encouraged to include an Eligible projects checklist as an attachment to the guidelines, which can be referenced in the text.

To be eligible for Project Funding under the Grant Program, a Project must:

- (a) be consistent with the objectives of the Grant Program;
- (b) be designed so that it is aimed at achieving [one or more of] the following outcomes:
  - (i) [Insert];
- (c) be one of the following types of projects:
  - (i) [Insert];
- (d) be capable of being able to be completed [within [insert time period] of execution of a Project Funding Schedule for the Project]/[by the program end date of [date]];
- (e) be undertaken in [insert geographical area].

## 2.5 Eligible project costs

Project Funding may only be applied towards "Eligible project costs". Eligible Project costs:

- (a) include only:
  - (i) [Insert];
  - (ii) [if applicable- the following types of assets...]
- (b) do not include:
  - (i) [Insert];
  - (ii) [if applicable- must not be used to purchase assets]

Successful applicants must use Project Funding solely for Eligible project costs specified in the Project Funding Schedule for the Project.

Generally, provision of grant funding to local governments is not considered a taxable supply and so GST is not applicable.

## 2.6 Other requirements

**Template instructions:** This section should set out any other specific requirements that a local government funding recipient must satisfy. For example, there may be a limit as to how much Project Funding a local government may apply for or a minimum co-contribution requirement. There may also be Program or Project specific policies that will apply to the application of the Project Funding. These should be set out in this section.

## 2.7 Funding arrangements

Successful applicants will be required to execute a Project Funding Schedule under the applicant's Head Funding Agreement with the State. If a successful applicant has not entered a Head Funding Agreement with the State, it will be required to do so.

The State has no obligation to provide Project Funding to an applicant until a Head Funding Agreement and Project Funding Schedule have been executed by the applicant and the State. Successful applicants should not make financial commitments until all necessary documents have been finalised and executed.

Once executed, the Project Funding Schedule and certain parts of the Head Funding Agreement will constitute the "Project Funding Agreement" with a successful applicant for a Project.

The Project Funding Agreement will set out the arrangements for payment of Project Funding to a successful applicant in accordance with a Milestone Schedule set out in the Project Funding Agreement.

## 2.8 Application process

**Template instructions:** This section should set out the key timeframes in the application process, including opening and closing dates for applications, assessment, announcement of successful applicants and project commencement dates. Key activities/actions to be adjusted as relevant to each Program. If there is a likelihood that the dates may change, wording to the effect that "the dates set out in the following table are indicative only" should be included.

Key Dates	Key Activities/Actions
	Release of program guidelines
	Application open date
	Application close date
[insert date range]	Assessment of applications
	Expected announcement date
	Date projects can commencement
	Date projects must commence by [if applicable]
	Final acquittal of projects

## 2.9 How to apply

**Template instructions:** If applications are to be made through an online portal, insert details and instructions for signing in and using the portal. This section should also address the minimum requirements for the application and must refer directly to the relevant application form. Agencies are encouraged to include an Application requirements checklist as an attachment to the guidelines, which can be referenced in the text.

Funding under this grant program is awarded through a [competitive/non-competitive] application assessment process.

To apply you must:

- (a) [complete the online application form on [insert website name and link] or [complete the attached application form]
- (b) provide all the information requested
- (c) address all eligibility criteria and assessment criteria
- (d) include all necessary attachments
- (e) submit your application/s to [insert details] by closing date and time.

Your application must also include (in addition to the application form):

- (a) a project plan (template attached to the application form)
- (b) a risk management plan (template attached to the application form)
- (c) [insert any additional details, e.g. a business case, evidence of Council resolution]

## 2.10 Assessment criteria

**Template instructions:** This section should set out the specific assessment criteria applicable to the Grant Program, the weightings for each criterion, and any discretionary or qualitative factors. The assessment criteria should relate to the program aim and program objectives.

## 2.11 Assessment process

**Template instructions:** This section should set out, at a high level, the State's processes for assessment of applications and approval of Project Funding, including:

- the selection process
- who will assess applications (i.e. the State agency, whether an assessment committee or expert panel are involved)
- who will approve grants
- whether or not the State may contact applicants to seek further information or corrections of applications
- whether or not the State may also consider information generally available about an applicant or information received by the State in connection with previous Grant Programs.

Eligible applications will be assessed through a/an [open, restricted, or closed] grant process. [Include details of the selection process, e.g.]

[Competitive process] If eligible, we will then assess your application against the assessment criteria (see Section 2.10) and against other applications. We consider your application on its merits, based on:

- (a) how well it meets the selection criteria
- (b) how it ranks based on relative merit
- (c) whether it provides value with relevant money.

[or]

[Non-competitive process] We will then assess your application against the assessment criteria (see Section 6). We consider your application on its merits, based on:

- (d) how well it meets the criteria
- (e) whether it provides value with relevant money.

Nothing in this section 2.11 limits the State's discretions under section 6.1 of these Guidelines.

## 2.12 Payment Claim Requirements

**Template instructions:** Outline the payment schedule and the payment claim requirements. Attach the example template payment claim form for the program. There are a number of ways a grant can be paid, including: single upfront payment, single payment at completion, advance payments, progress payments and payments in arrears. This section should be modified to suit the grant program.

[For progress payments] We will make payments according to the following schedule:

Payment schedule	Milestone
First payment (xx% of Project Funding)	
Second payment (xx% of Project Funding)	
Final payment (xx% of Project Funding)	The Department will pay the Council upon receipt of a completed Final Acquittal Report.

Each claim for payment must be made on the prescribed payment claim form, an example template is attached to these program guidelines.

Certification must be made by the Council's Chief Executive Officer, or authorised delegated officer, that the relevant milestone has been satisfactorily completed.

## 2.13 Program monitoring, acquittal and evaluation

**Template instructions:** Agencies will need to attach templates to the program guidelines to identify the type of information required of applicants.

All Projects will be monitored by [insert Administration Agency name] to ensure that the Grant Program is achieving the program aim and objectives.

[Quarterly] progress reports are to be provided for endorsed projects. Progress reports are to be submitted [outline the way in which reports are to be submitted, e.g. via email, via the [Administration Agency]'s online portal, etc.]. An example progress report template is attached to these program guidelines to indicate the type of information that reports will need to include.

Successful applicants must comply with the reporting, records and audit obligations in the Project Funding Agreement.

Local Government recipients will be required to acquit funds. Acquittal involves verifying funds were expended in accordance with [e.g. program guidelines and Project Funding Agreement].

An example Project Completion Report template provides for this verification and is attached to these program guidelines.

The Project Completion Report and any supporting documents must be provided to the [Administration Agency] before the date specified in [section 2.8, 30 business days from xx, etc.]

All Projects will be evaluated by [insert relevant agency- Policy/Administration Agency name] to ensure that the Grant Program is achieving the program aim and objectives.

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## **3. Communications**

### **3.1 Communications with the media**

All media enquiries or public announcements relating to the Grant Program will be coordinated and handled by the [insert relevant agency name consistent with Inter-Agency Agreement] media team.

As far as practicable, all media and communications will be undertaken jointly with successful applicants.

Applicants must seek and obtain the State's approval before contacting the media to discuss any information regarding successful or unsuccessful applications for funding support under or in connection with the Grant Program

### **3.2 Confidentiality, privacy and use of information**

The State will maintain controls in relation to the management of confidential information provided by applicants. Applicants should specifically mark any information the applicant considers to be confidential.

During the application, assessment and approval process, an applicant must keep confidential its application/s and its dealings with the State about its application/s but may make disclosures if required by law or to its representatives or advisors who are under an obligation of confidentiality.

An applicant must also keep confidential any information designated by the State as confidential.

The State may disclose information, including confidential information, of or provided by an applicant:

- (a) to its representatives and advisors for any purpose
- (b) to any government agency or authority and its representatives and advisors, including for the purpose of assessing and verifying such information
- (c) to comply with or meet applicable standards of accountability of public money or established government policies, procedures or protocols or

(d) if required to be disclosed by law.

The State intends to publicly disclose the names of applicants, information about projects, the amount of funding granted to each successful applicant and details about the anticipated economic outcomes and benefits of successful projects.

Any personal information submitted as part of an application will not be used by the State or disclosed to any third party for a purpose other than in connection with the assessment of the application without an applicant's consent, unless required by law or in accordance with the Information Privacy Act 2009.

For audit purposes, the State is required to retain applications and other supplied supporting material. Successful applications will be retained for seven years and unsuccessful applications retained for two years.

The provisions of the Right to Information Act 2009 apply to documents in the possession of the State.

### 3.3 Complaints

The decision in relation to an application is final and may not be appealed. If however, an applicant has any concerns in relation to the application or assessment process, an applicant may raise their concerns in writing by contacting: [insert details of where applicants can make complaints].

All questions about decisions on applications for the Grant Program must be lodged in writing to: [insert details of where applicants can request feedback on application decisions].

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## 4. Enquiries and Contact details

Applicants may contact the Contact Officer in relation to general questions, requests for clarification and requests for further information.

The Contact Officer for the Program is:

[Insert general contact details for the Grant Program]

Questions and responses to questions asked by applicants after the Program opens will be added to the [insert relevant section of department's website]. The Department may at its discretion determine not to publish questions and responses where they are project or Application specific or do not have general application. Applicants should check the Questions and Answers section for updates prior to submitting their Application.

The department is not able to assist in the preparation of Applications.

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## 5. Acknowledgement of the funding

[Insert any requirements about acknowledgement of funding contributions, e.g.:

Funding recipients must acknowledge the contributions of the Queensland Government funding.

This may include, where applicable:

- placement of signage at project construction sites
- commemorative plaque for official openings

- acknowledgement in publicly made statements, on websites, or other appropriate documentation.

Further information on acknowledgement requirements, including the use of the Queensland Government logo, is available on the Department's website at: [insert relevant departmental link]

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## 6. Terms and conditions

### 6.1 Reservation of rights

- (a) Despite any provision of these Guidelines to the contrary, the State reserves the right to administer the Grant Program and conduct the process for the assessment and approval of applications to the Grant Program in such manner as it thinks fit, in its absolute discretion.
- (b) Without limiting paragraph (a), the State retains all rights and powers to make all decisions and actions in order to achieve the program objectives and the State reserves the right, in its absolute discretion and at any time, to:
  - (i) change the structure, procedures, nature, scope or timing of, or alter the terms of participation in the process or overall Grant Program (including submission and compliance of applications), where in such circumstances notice will be provided to applicants;
  - (ii) consider or accept, or refuse to consider or accept, any application which is lodged other than in accordance with these Guidelines or is lodged after the relevant date for lodgement, or which does not contain the information required by these Guidelines or is otherwise non-conforming in any respect;
  - (iii) vary or amend the eligibility or assessment criteria;
  - (iv) take into account any information from its own and other sources (including other Government agencies and other advisors);
  - (v) accept or reject any application, having regard to these Guidelines, the eligibility criteria, the assessment criteria or any other item, matter or thing which the State considers relevant, including the limitations on the funds available for the Grant Program;
  - (vi) give preference by allocating weighting to any one or more of the eligibility criteria or assessment criteria over other criteria;
  - (vii) conduct due diligence investigations in respect of any applicant and subject applications to due diligence, technical, financial and economic appraisals;
  - (viii) require an applicant to clarify or substantiate any claims, assumptions or commitment contained in an application or provide any additional information;
  - (ix) terminate the further participation of any applicant in the application process;
  - (x) terminate or reinstate the Grant Program or any process in the Grant Program;
  - (xi) not proceed with the Grant Program in the manner outlined in these Guidelines, or at all;

- (xii) amend the nature, scope or timing of the Grant Program;
  - (xiii) allow the withdrawal of an applicant;
  - (xiv) seek presentations from or interviews with any applicant and conduct negotiations with any one or more applicants after the applications have been lodged;
  - (xv) publish the names of applicants to the Grant Program; and
  - (xvi) take such other action as it considers in its absolute discretion appropriate in relation to the Grant Program processes.
- (c) Where, under these Guidelines, it is stated that the State may exercise a right or discretion or perform any act or omit to perform any act, then unless stated otherwise the State may do so at its sole and absolute discretion and will not be required to act, or be restrained from acting, in any way or for any reason nor to take into account the interests of any third party (including an applicant).

## **6.2 No relationship**

- (a) The State's obligations in connection with the application process are limited to those expressly stated in these Guidelines.
- (b) No contractual or legal relationship exists between the State and an applicant in connection with the Grant Program, these Guidelines or the application process or any stage of the Grant Program.
- (c) An applicant, or its representatives:
  - (i) has no authority or power, and must not purport to have the authority or power to bind the State, or make representations on behalf of the State;
  - (ii) must not hold itself out or engage in any conduct or make any representation which may suggest to any person that the applicant is for any purpose an employee, agent, partner or joint venturer with the State; and
  - (iii) must not represent to any person that the State is a party to the proposed project other than as a potential funder, subject to the application process detailed in these Guidelines.

## **6.3 No action**

- (a) To the extent permitted by law, no applicant will have any claim of any kind whatsoever against the State (whether in contract, tort (including negligence), equity, under statute or otherwise) arising from or in connection with:
  - (i) any costs, expenses, losses or liabilities suffered or incurred by the applicant in preparing and submitting its application (including any amendments, requests for further information by the State, attendance at meetings or involvement in discussions) or otherwise in connection with the Grant Program;
  - (ii) the State at any time exercising or failing to exercise, in its absolute discretion, any rights it has under or in connection with the Grant Program; or

- (iii) any of the matters or things relevant to its application or the Grant Program in respect of which the applicant must satisfy itself under these Guidelines.
- (b) Without limiting paragraph (a), if the State cancels or varies the Grant Program at any time or does not select any applicant following its assessment of the applications, or does (or fails to do) any other thing referred to under clause 6.1 of these Guidelines, no applicant will have any claim against the State arising from or in connection with any costs, expenses, losses or liabilities incurred by the applicant in preparing and submitting its application or otherwise in connection with or in relation to (whether directly or indirectly) the Grant Program.
- (c) For the avoidance of doubt, each applicant:
  - (i) participates in the Grant Program at its own risk; and
  - (ii) is wholly responsible for its costs of applying for, participating in, or otherwise in connection with, the Grant Program.

#### **6.4 Non-exhaustive**

- (a) These Guidelines do not contain all of the information that applicants may require in reaching decisions in relation to whether or not to submit an application. Applicants must form their own views as to what information is relevant to such decisions.
- (b) Applicants must make their own independent investigations of the information contained or referred to in these Guidelines. Applicants must obtain their own independent legal, financial, tax and other advice in relation to information in these Guidelines, or otherwise made available to them, during the application process.

#### **6.5 Disclaimer**

- (a) The State makes no warranty or representation express or implied, and does not assume any duty of care to the applicants that the information in these Guidelines, or supplied in connection with the Grant Program (**Information**) is accurate, adequate, current, suitable or complete, or that the Information has been independently verified.
- (b) The State accepts no responsibility whether arising from negligence or otherwise (except a liability that cannot lawfully be excluded) for any reliance placed upon the Information or interpretations placed on the Information by applicants.

#### **6.6 Intellectual property**

Any intellectual property rights that may exist in an application will remain the property of an applicant or the rightful owner of those intellectual property rights. Any part of an application considered to contain intellectual property rights should be clearly identified by an applicant.

The applicant grants to the State (and will ensure relevant third parties grant) a non-exclusive, royalty free and irrevocable licence to use and reproduce the intellectual property for the purpose of administering the Grant Program.

#### **6.7 Law**

These guidelines are governed by the laws applicable in Queensland.

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## Attachment 1: Glossary

[Note: depending on the complexity of the program guidelines, a glossary may not be required. Additional terms should be included as appropriate]

Eligible project costs	has the meaning given in section 2.5 of these Guidelines.
Grant Program	means the [INSERT], being the subject of these Guidelines.
Guidelines	means these guidelines for the Grant Program.
Head Funding Agreement	means the agreement entered into between the State and the applicant that sets out the terms and conditions under which the State will enter into project specific arrangements to provide funding for specific projects to local government applicants, if the applicant is successful in an application for funding under a grant program.
Milestone Schedule	means, for a Project, the schedule of dates for achievement of specified milestones, as set out in the relevant Project Funding Schedule.
Project	[INSERT]
Project Funding	means the funds to be provided by the State to an applicant who is successful in an application for funding under the Grant Program.
Project Funding Schedule	means the schedule prepared by the State and executed by the parties in accordance with the Head Agreement, for the provision of Project Funding.

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**Attachment 2: Eligibility checklist**

		Yes	No

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**Attachment 3: Application requirements checklist**

		Yes	No