



Catholic Social Services  
**Australia**

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# Disclosure regimes for charities and not-for-profit organisations

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Submission to the Senate Standing Committee on  
Economics

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## Terms of Reference

The Senate has established an inquiry into the disclosure regimes for charities and not-for-profit organisations. The inquiry's terms of reference are to examine:

- the relevance and appropriateness of current disclosure regimes for charities and all other not-for-profit organisations;
- models of regulation and legal forms that would improve governance and management of charities and not-for-profit organisations and cater for emerging social enterprises; and
- other measures that can be taken by government and the not-for-profit sector to assist the sector to improve governance, standards, accountability and transparency in its use of public and government funds.

## Introduction

This submission addresses the above terms of reference by examining the current reporting and compliance regimes that are faced by Catholic agencies working to provide social services to the community. It notes that the requirements are onerous, inconsistent, and inefficient. This submission also presents some principles that ought to underpin any reform.

## Principles to underpin reform

Catholic Social Services Australia welcomes the opportunity presented by this Senate Inquiry to consider the disclosure regimes and models of regulation affecting the charitable and not-for-profit sector. Following extensive consultation across our member network we present the following principles to underpin reform.

- Proposed reform ought to be based on best evidence. Where information is currently lacking it ought to be gathered prior to any substantial reforms. There is a danger that policy made in the absence of good information may have unintended and undesirable consequences for organisations delivering essential services to many Australians.
- Proposed reforms ought to be well targeted. The charities and not-for-profit sector is diverse and heterogeneous, reforms ought to target specific areas of concern rather than be broadly based and serving only for the "lowest common denominator".
- Further, reforms ought to be targeted to ensure that agencies who invest and re-invest in the common good continue to receive support by comparison to agencies that return surpluses in funding as profit to shareholders.
- Proposed reforms ought to be canvassed thoroughly with the sectors, organisations and those affected well ahead of implementation.

- Implementation of proposed reforms must be resourced adequately. In particular, the cost of regulatory reform ought not to be borne by charitable and not-for-profit organisations as this would have the direct effect of shifting resources away from services to administration.
- Government should aim to create a framework in which the local identity of community organisations is preserved as is their capacity to respond innovatively and effectively to community needs.
- Reform ought to leave no charities or not-for-profit organisation worse off.
- Government reforms ought to target the source of inefficiency. Most of the inefficiencies and duplications in compliance arrangements result from inconsistent requirements and frameworks placed on charities and the not-for-profit sector by various governments and government departments as part of service delivery contracts and funding agreements.
- The Senate Committee's 2001 recommendations ought to be reviewed in the light of recent developments with careful consideration given to those recommendations that relate to greater harmonisation in the requirements of governments at state and commonwealth level.

## The Role of Catholic Church agencies in the provision of social services

Catholic Social Services Australia's 64 member organisations deliver a vast array of social services and programs. Some of these services are commissioned by governments, some fill gaps in services that ought to be provided by governments, and some express the fundamental mission of the Church. These services include (though not exhaustively);

- Aged Care
- Children's Services
- Drug, alcohol and/or other addiction Services
- Disability Services
- Employment Services
- Employee Assistance Programs
- Family Services
- Housing and Homelessness Services
- Indigenous Services
- Mental Health Programs
- Migrant and Refugee Services
- Pregnancy Counselling and Support

- Pastoral Ministries
- Policy and Research
- Youth Services

These services and programs are delivered by a vast range of organisations. Our largest member organisation has an annual turnover of over \$100 million; our smallest organisations have little or no annual turnover as direct community services are provided by volunteers. Organisational and governance arrangements for these organisations comprise legal entities in every state and federal jurisdiction, including (though not exhaustively);

- Incorporated entities
- Companies Limited by Guarantee
- Public Juridic Persons
- Voluntary Associations
- Religious Orders
- Episcopal Trusts
- Diocesan Trusts

These bodies draw funding from a vast range of sources, including;

- Government contracts for service delivery at Commonwealth, state and local level
- Church resources (provided both directly as cash grants and indirectly as “in kind contributions” – peppercorn rents, use of capital infrastructure, use of administrative and support systems and personnel, etc.)
- public fundraising, both within the Church community and amongst the broader population
- corporate bodies and philanthropic institutions
- international organisations

In order to comply with various reporting and disclosure regimes, Catholic agencies report on their use of government and public funds to a selection of the following;

- Commonwealth government (including under corporations law), state governments and local government funders via a range of reporting requirements that is even more diverse than the range of Departments that fund services (as even the same Departments sometimes require different reporting for different activities)
- Commonwealth, state and local government authorities in order to comply with various regulations and guidelines (These include occupational health and safety, freedom of information, mandatory reporting, etc. A fuller,

though not exhaustive, 10 page list of the compliance requirements for one member organisation is provided at Appendix 1)

- A diverse range of funding bodies, philanthropic institutions and corporate sponsors according to the particular requirements of each
- Various Church governance bodies, trustees and owners, in relation to both compliance with civil law and conformity to Church law and ethos.

It is important to note here that historically, in areas such as health, education and social services, Church activities have either led or contributed to the development of government responses. Motivated by their own mission, Church agencies have developed responses to community need, particularly amongst the poor, that have eventually given rise to substantial government programs such as public education and public hospitals.

As governments consider various reporting and compliance regimes, it is important that the innovation and leadership provided by the not-for-profit sector is enhanced rather than constrained.

#### Survey for this Inquiry

Catholic Social Services Australia conducted a simple survey of 19 of our 64 members in August 2008, for the purposes of providing evidence to this inquiry. The vast range of services delivered by these agencies is identified above.

The 19 agencies surveyed deliver a total of \$325 million in services annually (an average of approximately \$17,100,000 per agency) with just over 70 per cent derived from funding agreements with state and commonwealth governments. The agencies employed more than 4050 staff and a further 1250 volunteers.

The extraordinary finding of this survey was that **these 19 agencies are bound by some 620 separate contracts and funding agreements** with governments at state and federal level. For the 19 agencies surveyed, this represents an average of 32 different funding agreements for each agency

One of those agencies (MacKillop Family Services in Melbourne) has managed to document the long list of compliance and regulation that they must manage in order to deliver services (the list of some 400 Acts of Parliament, Regulations and Guidelines is provided at Appendix 1). More than any other piece of evidence, this list demonstrates the burden of compliance and regulation faced by social service organisations in Australia today.

It is difficult to convey in a submission such as this the sense in which organisations frequently feel they are the subjects of these contracts rather than partners. It can be difficult enough for members to manage the compliance and reporting required by a single government agency, so to be in contracts and agreements with an average of more than 30 separate government agencies presents an increasingly frustrating challenge for many agencies. Where individual government agencies feel free to impose varied reporting requirements at will, this challenge is even greater. While the need for accountability in managing public funded programs is acknowledged, a more streamlined system would reduce administrative demands and allow more funding to be directed to program outcomes.

The following email was recently received by operators of the new Family Relationships Centres. It illustrates both the challenge when organisations find themselves trapped between the compliance requirements imposed by different government departments (in this case FaHCSIA and AGD) and the freedom government departments feel to impose changes, even onerous requirements on non government organisations without regard for the additional workload imposed on those organisations.

Email to service providers

*Subject: Manual statistics for Family Relationship Centres  
[SEC=UNCLASSIFIED]  
Importance: High*

*Good Afternoon,*

*I am writing to advise you that the Attorney-General's Department (AGD) has a continuing requirement for manual statistics to be collected by all FRCs until it can be demonstrated that the amount and quality of data being input into [FAHCSIA's] FRSP Online will support reports required by the Attorney-General. For the first four (4) months of the 2008/09 financial year, that is for July, August, September and October the data capture and reporting requirements are:*

- 1. organisations complete manual statistics using the attached spreadsheet on a weekly basis and email it to frsponline@fahcsia.gov.au by 3.00 PM EST the following Monday at the latest.*
- 2. enter head count data (FRSP Online Form 9 – FRC Survey) into FRSP Online. The FRC Survey data must be entered for each FRC location for the preceding calendar month, on a weekly basis as per the attached calendar. An example of the survey screen in FRSP Online is also attached;*
- 3. and enter/transfer general FRSP Online data within the 28 day timeframe specified in the Long Form Funding Agreement.*

*At the end of the four (4) month period, the FRSP Online Support Centre will provide a report using data from FRSP Online for AGD to review. If the report is accepted by AGD, then only head count data will need to be collected on an ongoing basis. Otherwise, all manual statistics will need to be collected for a further three months to be followed by another review.*

*We are aware that the collection of these statistics is an additional workload for administrative staff.*

*I will be writing to you again once the review has been undertaken to advise of the outcome.*

*If you have any queries, please do not hesitate to contact the FRSP Online Support Centre on 1300 137 305 or via e-mail on: frsponline@fahcsia.gov.au*

*<<name of officer>>*

In the face of such intense requirements to provide information and reporting to so many government departments, it is not surprising that many not-for-profit organisations are puzzled by the suggestion from government that they lack transparency. In this context it appears that many problems arise from the fact that governments are unable to aggregate and analyse the vast amount of information they collect from not-for-profit organisations because they are unable to agree on formats for the information and unable to communicate it with each other even where format is agreed.

## Compliance – meeting minimum standards and extending services to meet client needs

In order to prepare this submission, Catholic Social Services Australia asked member agencies to discuss compliance issues. Members were clear in their view that meeting the compliance and reporting requirements of governments often entails onerous demands that do little to ensure appropriate services were delivered to those in need. Examples from a number of agencies are illustrative of the clear focus these organisations have on maximising the services they provide. To the extent that compliance arrangements are unnecessarily onerous, are inconsistent and duplicate effort, services to clients are reduced.

*We meet the needs of clients, because we adapt to the changing landscape while remaining committed to our mission. We are committed to ensuring that our organisation remains true to our mission, responding to local needs of the marginalised and devalued people and serving as an effective steward of our resources. Centacare is particularly committed to children in Out of Home Care (Foster care) who are unable to live with their parents, due to reasons out of their control. In this program, we are able to provide further funding than the government provides to ensure these children are cared for in a dignified manner. We use resources to continually improve services and develop new and creative ways to meet the needs of the people we serve and their families. We reinvest all resources into our work. Resources are used not to benefit shareholders, but to increase staffing, improve facilities, enhance services and, most importantly, ensure client outcomes and staff satisfaction. We are committed to innovation and continuous quality improvement. We tailor our services to meet individual needs not to meet profit goals. It is this difference that ensures that our organisation provides quality programs and services people can trust.*

Frequently members report taking additional steps to extend services that would be inadequate if they only met the standards required by funding bodies. There was a clear feeling amongst members that meeting only the minimum standards of compliance required by funders would (in most cases) not be adequate to provide clients with services that were both dignified and effective in meeting the identified need.

*All funds are used to meet service costs, and any surpluses are reinvested in service development. The work is driven by a sense of individual and communal values rather than by profit motive. People are committed to this kind of work and stay longer in the organisation, which improves stability of relationships and personal networks, and hence improves outcomes for the socially isolated.*

*We do not give up on difficult cases because they might reduce profit (e.g. in having to pay for double staffing for more difficult clients)*

Member organisations indicate that the reporting requirements of governments are frequently inadequate to capture important information beyond the raw service data. Client centred practice and service development, delivery of quality holistic services (as opposed to services determined by various funding silos), and the extension of services beyond the minimum requirements of government programs are important factors that are frequently ignored in standard reporting. However, in many instances the success of the program is contingent upon the unreported activity.

*The services are generally free of charge. Any fees charged on a small number of services are much lower than a for profit provider and are scaled to reflect people's ability to pay. Our focus, in delivering services, is the client and what is in their best interests. Unlike a for profit organisations shareholders are not our primary concern. Although we have to ensure the viability of our services our primary aim is the service itself not the creation of profit or stakeholder financial return. Our commitment to quality service is not so that we can ultimately return a profit but because we believe that those we work with deserve it. People who both work with us and who receive our services are cognisant of this difference and remark on how people focused we are. Whatever capital or financial resources our organisation has are intended for the ongoing development of a community service not the profit of individuals.*

## How government programs are supplemented

The survey reported above indicated that members were receiving approximately 30% of their funding from non government sources. What is more difficult to calculate is the extent to which this funding is used to supplement and improve on government funded programs. The extent that this funding is used to supplement or improve the quality of government programs provides an important context for any consideration of the reporting requirements that ought to be imposed on these organisations.

Members reported that government programs are supplemented in a number of ways:

- Through the support of funded programs
- Through the provision of non funded services
- By directly supplementing government funding in some areas
- By providing other services that build community, thereby reducing the demand for some government services and enhancing the effectiveness of others.

The following comments from members (collected as part of the survey mentioned above) illustrate the kinds of contributions that Catholic agencies are

making to services and programs that are broader than the requirements of government funding at both state and commonwealth level.

#### Funded programs

Frequently, the challenge of coordinating services that governments fund in isolation, is met by agencies from their own resources.

*Centacare adds extra funds to DoCS funded programs in OOHC (Foster Care), where the amount of funding is not at an appropriate level. This program deals with very devalued and marginalised children and is an example of how Centacare, as a not for profit, is mission, not profit driven. These children have experienced true poverty and Centacare is committed to helping them. Also, any donations/surplus funds/untied income goes back into service delivery. Some examples of this are outlined below through the following four services. 1. FAMILY & SIBLING SUPPORT Centacare is utilising its fundraising income to facilitate a new service titled Family & Sibling Support, to help strengthen families of children with a disability. 2. DISABILITY ADVOCATE. This role funded jointly by the Diocese of Wollongong and Centacare aims to enhance the quality & spiritual life of people with disabilities and their families. The primary goals of the position are to: assist people to achieve spiritual fulfilment, reach an optimum level of independence & self-sufficiency and enhance the feeling of inclusion & involvement in the Church. 3. AGED CARE ADVOCATE Also an initiative of the Bishop and managed by Centacare to work with parishes to provide information and support to people who are Ageing, their families and carers. The goals are similar to those of the Disability Advocate. 4. FAMILY ADVOCATE Many families have a multiplicity of complex and high support needs. These needs can be persistent and have often derived from inter-generational experiences of abuse, neglect, family violence and social disadvantage. Centacare is using its untied income to work intensively with families in parishes and Catholic schools, in the Shoalhaven with children in care or at risk of entering an Out of Home Care (OOHC) program. The service is provided to selected families identified as experiencing complex psycho-social issues including mental health issues, drug and alcohol dependence, domestic violence, intergenerational child abuse/trauma, poverty and social isolation. Each family is provided with intensive and specialist interventions tailored to their needs through a case management approach.*

#### Provision of non-funded services

Catholic and other non government agencies are often providing services that fill the gaps left by government programs that have not provided adequate services. In some cases this means agencies must fund services themselves.

*We provide the only crisis accommodation to homeless men in the area and receive very little government funding. The balance of the funds required are provided by the Church. The service we provide is well regarded in the general community and people are referred to us by the general public, other religious and charitable organisations, the hospital and other health organisations, the Police and Corrective Services as they have nowhere else to direct the homeless.*

In addition to the provision of additional services, both the coordination of services, or advocacy on behalf of clients who may not otherwise be able to secure services on their own, is another aspect of service provision that is often self-funded and not given adequate weight in current reporting regimes.

*the agency has implemented an internal duty officer system that is not funded. The rationale for this is not to turn individuals away where the agency doesn't have a program that specifically can assist them. This system also doesn't refer out without finding out first if the agency we hope to refer to can assist. We work on the principle that we aren't helping people by sending them to another dead end.*

### Supplementing government funding

Agencies frequently provide services to a client group that extends well beyond the group identified by government funding streams. Our agencies gave some examples of this;

*best example is not turning anyone away for relationship and family counselling due to not being able to financially contribute*

The linking together of programs from various sources has a positive effect for clients, because complex problems are solved and further problems are prevented, but it is seldom adequately captured by the reporting regimes of government departments that have an intense interest in the specific area of activity that their particular portfolio is mandated to deliver.

*Using our Employment/Job Network services to develop a specialist employment service for ex-prisoners. Developing family counselling services around child care centres. Using Church owned property to provide accommodation support for a peppercorn rent. Providing a broad service base to FRC clients well beyond those contracted.*

It is a constant concern of members that particular government agencies discourage, and sometimes directly prohibit, the expenditure of government funding on activities that are essential for the operation of the organisation, but not directly linked to the particular service being funded. This forces agencies to further supplement the delivery of government funded programs.

*Very few if any of our programs are 100% funded by government. We subsidise establishment, capital and recurrent costs, we fundraise, we draw upon investments, we localise service sites to increase take up & engagement (undermining economies of scale) and to keep costs down we have no pay incentives for staff - not a good investment scenario!!!*

### Building community

The members quoted here have already illustrated the difficulty capturing the tangible contributions of their organisations in existing reporting and compliance regimes. It is harder still to capture the intangible contribution that these agencies make to building civil society.

*For 70 years Boys' Town has made its grounds available for community use. This currently enables up to 5000 local children*

*per week access to playing fields. The fields operate virtually as public property as far as the community is concerned.*

Increasing administrative burdens, including reporting and compliance regimes, have the potential to reduce these kinds of contributions.

## Current Disclosure and Reporting Requirements

The full extent of the reporting and compliance framework to which community service organisations are subject has not been documented. As indicated above, one of Catholic Social Services Australia's members has made an attempt to list the various laws, regulations and guidelines to which they are subject. This is listed at Appendix 1. Even this list does not completely list the reports that are required of various funding bodies. It is important to note that this agency should be considered typical of its kind, rather than exceptional in any way.

Some agencies, particularly those already subject to public reporting requirements, report adequate compliance and reporting, and see little if any benefit in further measures;

*As an incorporated body, Bridgeworks is required to report to ASIC annually. Additional regulation may not result in any benefit if additional reporting requirements are imposed.*

While many agencies already feel that compliance and reporting is an onerous burden that reduces their capacity to provide services;

*A balance needs to be struck in ensuring agencies are accountable but do not have to devote too many resources to compliance and accountability regimes. The funds and resources allocated to tendering and compliance has diverted resources away from direct service and the balance needs to be restored so that direct service receives greater priority.*

For example, in Commonwealth funded employment services, some studies and many estimates have consistently suggested that in the order of 50 per cent of the effort in the program is spent on compliance and reporting.

## Recommendations of the Report of the Inquiry into the Definition of Charities and Related Organisations June 2001

The 2001 Senate Inquiry into the Definition of Charities and Related Organisations made 27 recommendations directly relevant to the charities sector. While many of the observations and recommendations made in 2001 will still be relevant, there has also been substantial change in the intervening years.

In particular, careful consideration ought to be given to those recommendations that relate to greater harmonisation in the requirements of governments at state and commonwealth level. It is seven years since this inquiry suggested reforms, and it would be difficult to point to any reforms that have improved the situation for not-for-profit organisations since then. If anything, the ongoing trend to fund organisations through service contracts rather than grants has

meant even more detailed reporting for organisations in an even more diverse and inconsistent range of formats.

In this context, Catholic Social Services Australia suggests that the Senate Committee's 2001 recommendations be reviewed in the light of recent developments, and that this review should be used to inform the development of a comprehensive approach to government intervention into this important part of society.

## Options for Strengthened Disclosure

In July 1998, the Australian Catholic Bishops Conference released a position paper titled "Moral Reference Points for Tax Reform." The paper outlined three principles to guide consideration of tax reform, which are relevant to the review of reporting regimes of not-for-profit entities. In order to establish good regulation, regulators must be clear about the objectives that they are trying to achieve:

**The Common Good:** "It is the proper function of public authorities to arbitrate, in the name of the common good, between various particular interests; but it should make accessible to each what is needed to lead a truly human life: food, clothing, health, work, education, and culture, suitable information, the right to establish a family and so on."

**Distributive Justice:** "Catholic tradition holds that the goods and the burdens of a community are to be distributed on the basis that not all persons can contribute in the same way". Whilst the value of individual merit is recognised, society's burdens should be distributed equitably with regard to an individual's capacity to contribute. Authorities have a responsibility to ensure the tax system, together with other economic mechanisms available to the Governments, are managed in a way that promotes the common good. This is not a matter of welfare or charity, but of justice.

**Preferential option for the poor:** The greater the needs of people, the greater the responsibility of authorities and those with a capacity to meet those needs. "Consideration of justice and equity can at times demand those in power to pay more attention to the weaker members of society, since these are at a disadvantage when it comes to defending their own rights and asserting their legitimate interests."

The 1998 Australian Catholic Bishops Conference position paper went on to say;

*"The efficiency, effectiveness and justice of our taxation system are crucial to ensuring that Australia remains both a competitive and compassionate society... Many suggest, for the benefit and prosperity of the whole community, a simplification of the myriad of regulations governing the Australian tax system. The Bishops support the comprehensive evaluation and just reform of the taxation system."*

On the issue of the potential to tax the not-for-profit sector, the position paper said

*“Taxing public benevolent and charitable services would change fundamentally the character of the community and the charitable sector. These services would be treated no differently from other consumer goods or services when in effect they contribute to the common good of society. They warrant special treatment. They are essential to the development of both human capital and social cohesion. Tax reform should promote the increased provision of such services to all the community, especially those in disadvantage.”*

The approach from the Bishops suggests support for reform that is based on these principles.

Comments from Catholic organisations providing social services in the community also seem to reflect a willingness to support reforms that achieves a more efficient regime for reporting and compliance.

*It would be beneficial if Government departments had a common reporting and acquittal format*

Considering some of the specific reforms suggested by the 2001 inquiry, Catholic Social Services Australia member organisations were clear that the focus of any national body that might be established ought to be on harmonisation of existing reporting requirements, rather than imposing further requirements on not-for-profit agencies.

*Changes to accounting standards so they are more specific to NFP's and consistent across Incorp Assoc & Co. Ltd by Guarantee etc is important. It enables real benchmarking and proper comparison of apples with apples. A national body with powers to harmonise state differences would lead to efficiencies down the track.*

And further;

*More guidelines in best practice would be helpful. Disclosure is not a problem - This agency would be pleased to show how much it spends on administration [a substantial amount] to demonstrate the waste government has committed due to increasing red tape and regulation. This agency supports streamlined regulations but not ridiculous and unnecessary red tape.*

Members believe that if more transparency were achieved across the whole system, they would have greater opportunity to demonstrate the effectiveness of the systems that they already have in place;

*Would show strong accountability and governance models. Would demonstrate clear compliance regimes. Would demonstrate financial efficient of operations. Would show where government requirements cause operational inefficiencies.*

As one member observed, these issues have particular relevance for rural and remote agencies;

*It is a shame if organisations who are accountable and providing good services are disadvantaged because there are some organisations and individuals who may not have always worked*

*within a moral framework. If there is going to be an increase in accountability that requires more paperwork, then this will mean more staff needed. For small non profit organisations this could become impossible, and particularly disadvantage rural areas where it's the small ones who provide services to and within local communities. 'For profit' organisations wouldn't work in rural and remote areas because it's too costly and no return of profit. This would mean a further depletion of already scarce services and resources to rural and remote Australia*

This comment highlights, yet again, both the opportunity and the risk in the kind of reforms that are proposed. If sensible reforms can be achieved, the work of service delivery organisations can be enhanced and administration reduced. If reforms result in greater complexity, more administrative and reporting requirements or greater duplication in existing regimes, the real effect is not just an impost on organisations, but a real reduction in services to those most in need. Further, increased administrative requirements also drive staff, who ultimately just want to assist clients, out of some services.

## MacKillop Family Services

### COMPLIANCE REPORTING

#### 1. Service Delivery

	<b>Compliance Requirements</b>
<b>Substitute Care</b>	<p>Children, Youth and Young Families Act 2006</p> <p><u><a href="#">Adolescent Community Placement – Principles and Program Framework, September 1991</a></u></p> <p><u><a href="#">Permanent Care Order Guidelines 1993</a></u></p> <p><u><a href="#">Adolescent Support Program Document, 1993</a></u></p> <p><u><a href="#">Capital Development Guideline 7.7 Fire Risk Management in Community-Based Houses, Sep 2001</a></u></p> <p><u><a href="#">Departmental Instructions relating to Community Services, September 1991 (D1/91/7)</a></u></p> <p><u><a href="#">Children In Residential Care 1998 Program Guidelines</a></u></p> <p><u><a href="#">High Risk Adolescent Quality Improvement Initiative - Service Specifications, December 1997</a></u></p> <p><u><a href="#">Mental Health Act 1986</a></u></p> <p><u><a href="#">Aboriginal Child Placement Principle November 2000</a></u></p> <p><u><a href="#">Adolescent Support Program Document, April 2001</a></u></p> <p><u><a href="#">Minimum Standards and Outcome Objectives for Residential Care Services in Victoria, 2002</a></u></p> <p><u><a href="#">Protecting Children Volumes 1</a></u> May 1994</p> <p><u><a href="#">Protecting Children Volume 2</a></u></p> <p>Protecting Children Volume 3 - <u><a href="#">Part 1</a></u></p> <p>Protecting Children Volume 3 - <u><a href="#">Part 2</a></u></p> <p><u><a href="#">Protection and Placement Output: Definitions for Performance Measures 2002</a></u></p> <p><u><a href="#">Voluntary Placements Handbook July 1993</a></u></p> <p><u><a href="#">Baseline Standards for Out of Home Care, December 1995</a></u></p> <p>Working With Children Regulations 2006</p>

	<p><b>Compliance Requirements</b></p> <p><a href="#">Minimum Standards and Outcome Objectives for Residential Care Services in Victoria, 2002</a></p> <p>Counting Rules for Child Protection &amp; Placement Output Group Performance Measures</p> <p><a href="#">DHS Management Response to Inhalant Use, February 2003</a></p> <p><a href="#">Flexipack Guidelines, November 1995</a></p> <p><a href="#">Funding Arrangements for Placement &amp; Support Service Providers, Community Care Division 2001</a></p> <p>The Home-Based Care Handbook November 2003</p> <p><a href="#">Practice Standards in Foster Care 1984</a></p> <p><a href="#">Procedural Guidelines Shared Family Care, Placement and Support Grant Funding</a></p> <p><a href="#">Protection and Placement Output: Definitions for Performance Measures 2002</a></p> <p><a href="#">Residential Care Services - Substance Abuse Guidelines, February 2003</a></p> <p>Wrongs Act 1958</p> <p>Wrongs and Other Acts (Law of Negligence) Act December 2003</p>
<b>Funding agreements and instructions</b>	<p>Community Services Act 1970</p> <p><a href="#">Departmental Instructions relating to Community Services, September 1991</a></p> <p><a href="#">Funding Arrangements for Placement &amp; Support Service Providers, Community Care Division 2001</a></p> <p>Service agreement information kit for agencies 2003-06</p> <p>Community Care Policy and Funding Plan 2003-2006</p>
<b>Adoption</b>	<p><a href="#">Immigration (Guardianship of Children) Act 1946</a></p> <p><a href="#">Adoption Act 1984</a></p> <p><a href="#">Adoption Standards 1986</a></p> <p><a href="#">National Principles in Adoption 1997</a></p> <p><a href="#">Adoption Regulations 1998</a></p> <p><a href="#">Adoption and Permanent Care Procedures Manual 2000</a></p> <p>Adoption (Amendment) Regulations 2002</p>
<b>Disability Services</b>	<p>Disability Act 2006</p> <p>Victorian Intellectually Disabled Persons' Services Act 1986</p>

	<b>Compliance Requirements</b>
	Disability Services Standards
<b>Family Support Services</b>	<p>Service agreement information kit for agencies 2003-06</p> <p>Community Care Policy and Funding Plan 2003-2006</p> <p><a href="#">Family Services Program: Service Standards and Quality Improvement Program, August 1996</a></p> <p><a href="#">Guidelines for Completion of Strengthening Parent Support Program Data 2001/2002</a></p> <p><a href="#">Protocol Between Protective Services and Families First, 1993</a></p>
<b>Education Services</b>	<p>Education Act 1958</p> <p>Education Regulations 2000</p> <p>Transport Accident Act 1986</p> <p><a href="#">School Focussed Youth Services Program Guidelines 2003</a></p> <p>Psychologists Registration Regulations 2001</p> <p>Registered Schools Board Regulations 1996</p>

## 2. Human Resources

	<b>Compliance Requirements</b>
<b>HR reporting</b>	Workplace Relations Act 1996
<b>Industrial Relations</b>	
<b>EEO</b>	<p>Equal Opportunity Act 1995 for prevention of harassment and discrimination</p> <p>Racial and Religious Tolerance Act (2001)</p> <p>Racial Discrimination Act (1975)</p> <p>Sex Discrimination Act (1984)</p> <p>Disability Discrimination Act (1992)</p>
<b>Disputes and grievances</b>	Compliance with Dispute and Grievance Settling procedures set out in Workplace Agreement
<b>OHS</b>	<p>Occupational Health and Safety Act 1985</p> <p><u>Victorian Codes of Practice:</u></p> <p>Noise (1992)</p> <p>Provision of OHS Information in Languages other than English (1992)</p> <p>Plant (1995)</p> <p>First Aid in the Workplace (1995)</p> <p>Plant (Amendment No.1) (1998)</p>

	<b>Compliance Requirements</b>
	Workplaces (1998) Manual Handling (2000) Hazardous Substances (2000) Dangerous Goods Storage & Handling (2000) Prevention of Falls (2004)  <u>Regulations:</u> OHS (Noise) 1995 OHS (Plant) 1995 Equipment (Public Safety)(General) (1995) OHS (Confined Spaces) 1996 OHS (Incident Notification) 1997 OHS (Issue Resolution) 1999 OHS (Manual Handling) 1999 Dangerous Goods (Storage & Handling) (1999) OHS (Hazardous Substances) 1999 OHS (Lead) 2000 OHS (Asbestos) 2003 OHS (Prevention of Falls) 2003
<b>Workers compensation</b>	Accident Compensation Act 1985
<b>Information privacy</b>	Information Privacy Act 2000 (Victoria);  Health Records Act 2001 (Victoria); and  Privacy Amendment (Private Sector) Act 2000 (National).
<b>Whistleblowers protection</b>	Encouragement and facilitation of disclosures, protection of whistleblowers and establishment of a system for investigations under the Whistleblowers Protection Act 2001

### 3. Finance and Taxation

	<b>Compliance requirements</b>
<b>Annual Reporting – Financial Statements</b>	Corporations Act 2001  Accounting Standards and the Corporations Regulations 2001  Other mandatory professional reporting requirements  Lodge Financial Statements with ASIC within 4 months of end of financial year
<b>Financial and operating delegations</b>	Delegations policy
<b>Tax compliance</b>	GST Tax Laws  FBT Laws (relating to PBI organisations)

#### 4. Other Governance Issues

	<b>Compliance requirements</b>
<b>Freedom of Information</b>	Compliance with Freedom of Information Act 1982
<b>Insurance</b>	DHS Non-government insurance guidelines
<b>Information technology</b>	Compliance with software licence requirements
<b>Fire Safety</b>	<p>Building Regulations 1994 – Section 11 (form 15)</p> <p><a href="#">Capital Development Guideline 7.7 Fire Risk Management in Community-Based Houses, Sep 2001</a></p> <p><a href="#">Fire Risk Management Standard 2002 Departmental Instructions relating to Community Services, September 1991 (D1/91/7)</a></p> <p><a href="#">Fire Risk Management Standard 2002</a></p> <p><a href="#">Lead Tenant/Home Based Care Services Fire Safety Standard, March 2000</a></p> <p><a href="#">DHS Fire Risk Management Standard, March 2000</a></p>
<b>Building regulations</b>	<p>Compliance with Building Act 1993</p> <p>Building Regulations 1994 – Section 11 (form 15)</p>

#### **Victorian Acts & Regulations**

Fundraising Appeals Regulations 1999  
 Gambling Regulation Regulations 2005  
 Liquor Control Reform Act 1998  
 Building Regulations - 2006  
 Business Names Regulations 2003  
 Consumer Credit (Victoria) (Administration) Regulations 2006

#### *HUMAN RESOURCES*

Accident Compensation Regulations 1990  
 Accident Compensation Regulations 2001  
 Emergency Management Regulations 2003  
 Working With Children Regulations 2006  
 Drugs Poisons and Controlled Substances (Volatile Substances) Regulations 2004

#### *PLACEMENT & SUPPORT*

DHS Management Response to Inhalant Use, February 2003  
 DHS Practice Bulletin 2004/02  
 DHS Practice Instruction "Sharing information in out-of home care" - Home based care handbook  
 High Risk Adolescent Quality Improvement Initiative - Service Specifications, December 1997  
 Interagency Protocol between Victoria Police and nominated agencies 2004  
 Office of Housing, 1999, 'Housing Standards Policy Manual'  
 Procedural Guidelines Shared Family Care, Placement and Support Grant Funding  
 Protection and Placement Output: Definitions for Performance Measures 2002

QAS for OofHC  
Residential Care Services - Substance Abuse Guidelines, February 2002  
The Home-Based Care Handbook November 2003  
Voluntary Placements Handbook July 1993

**Disability**

DHS Disability Service Standards  
DHS Disability Services Policy and Funding Plan 2003-2006  
Family Options Procedures Manual  
Flexible Packages Case Management Manual  
Funding  
Great Break and Holiday Respite Regional Guidelines  
Looking After Children (LAC) Framework / Assessment of Action and records  
Looking After Children (LAC) Framework / Care and Placement Plan  
Looking After Children (LAC) Framework / Essential Information Record  
Looking After Children (LAC) Framework / Review of Care and Placement Plan  
Making a Difference Procedures Manual  
Quarterly Data Collection  
RAPT Procedures Manual  
Special Support Unit Orientation Manual

**DHS Disability Policy**

Client Expenditure (CERS)  
Fire Policy  
Health Care  
Locked Doors and Windows  
Menstrual Management  
Moving Interstate  
Policy and Funding Plan  
Privacy  
Respite  
Restraint & Seclusion policy  
Victorian Standards for Disability Services

**DHS Disability Guidelines**

ABI Assisted Community Living  
Access to Disability Services Programs  
Accommodation Staff Handbook  
Accommodation Standards and Design Guidelines  
Aids and Equipment guidelines  
Chronic Illness Case management  
Community Visitors Handbook  
Duty of Care  
Dyshpagia Interim Guidelines  
Early Choices  
Emergency Crisis Accommodation  
Entry, Exit & relocation  
Family Choice Program  
Fire Safety Evacuation  
Flexible Support Packages  
Forensic Service Policy  
HIV positive guidelines  
Home First guidelines  
Human Relations & Sexuality  
Inclusive Consultation for people with disability  
Individual Program Planning  
Insurance Guidelines  
Metro Access Guidelines  
Motor Vehicles  
Neuropsychological Assessments  
Pricing Principles  
Protection against Infection

QDC Consent list  
QDC Guidelines  
Tube Feeding

***DHS Disability Practice Instructions***

Behaviour Intervention Support  
Family Options Policies and Procedures  
Food Safety  
Home First Business Rules  
Incident Reporting  
Responding to Allegations of Abuse  
Restraint & Seclusion Joint Practice Instruction

***DHS Disability Protocols***

Acquired Brain Injury and Mental Illness  
Disability Services Cultural & Linguistic Strategy  
Family Intervention Support Services  
Corrections, Justice & Disability Services  
Disability & Juvenile Justice  
Protective Services & Intellectual Disability  
Intellectual Disability & Psychiatric Services  
Police

***Department of Education & Training directives***

Census Data  
Assessment and reporting  
Curriculum & Standards  
Human Resources  
Initiatives & Programs  
ICT in Schools  
Professional Development  
Key Learning Areas  
Student Welfare  
Bullying  
Transport  
Wellbeing  
Traffic Safety Education  
Admin procedure and Forms  
Emergency & Security Management  
Evaluation & Audit  
Facilities  
Tax  
Regional Programs  
Safety in Schools  
Standards & Accountability

***Associations***

Adult, Community & Further Education  
Merit Protection Boards  
Victorian Curriculum & Assessment Authority  
Victorian Institute of Teaching  
Victorian Learning & Employment Skills Commission  
Victorian Qualifications Authority

***Catholic Education Commission***

Superannuation: Employees in Catholic Education  
Participation of Women in Catholic Education VIC  
Education about AIDS and Care of AIDS sufferers  
Accreditation to teach in a Catholic School  
Accreditation to teach Religious Education in a Catholic School  
Hepatitis B Policy  
Confidentiality  
Affirmative Action  
Pastoral Care

Curriculum, Assessment and Reporting  
Curriculum Dev P-12  
Curriculum Assessment P-12  
Reporting student outcomes  
Commercial Sponsorship Arrangements  
LOTE  
Email and Internet use by staff  
Criminal Records Check  
Pathways and Transition in Post Compulsory Years  
Privacy  
Excursions

***Catholic Education Office***

Educating for Peace  
Employment of Staff  
Personal Files for Catholic Employees  
Enrolment Policy  
Christian Education for Personal Development  
HIV / AIDS Education  
Access to Records  
Research Access  
Enrolment of students under minimum age  
Drug Issues in Catholic Schools  
School Fees in primary schools  
Sexual Harassment Policy  
Enrolment of Year 7 students  
Professional Development of Staff  
Mandatory reporting of Abuse  
Procedures for the management of allegations against lay staff  
Privacy Policy in Catholic Schools  
Leadership: Role of RE Co-ordinator

***Registered Schools Board***

Annual Return  
Requirements for registration  
Conditions for registration  
Special Category registration  
Procedure for registration of new schools  
Refusal to grant registration to a school  
Procedures for continuing registration of Existing Schools  
Review of registered schools  
Closure of a school or section of a school  
Cancellation of registration  
Registration - Resources

***Family & Community Services Service Agreement***

***DHS - Service Agreement***

***Community Care Funding Plan***

***Service Standards***

Family Services Program - Service Standards and Quality Framework - August 1996  
HACC Standards  
Disability Standards

***Parent Support***

Guidelines for program data - 2001/2002

***Protocols***

Protocol Between Protective Services & Families First

***Research & Advocacy***

NHRMC - Guidelines approved under Section 95A of the Privacy Act 1988 -  
December 2001

**Privacy**

Case Recording: Policy Advice and Practice Guidelines for Protective Workers  
(February 1997)  
Child Protection & Care Practice Instruction 2003/01 Physical security of client files  
Child Protection & Care Practice Instruction 2003/03 Placement referral process  
Department of Human Services Interim Privacy Policy Guideline: Use and disclosure  
for primary and related purposes  
Department of Human Services Privacy Policy  
Department of Human Services Privacy Policy Making Privacy Work  
MFS - An Introduction to Privacy - Complying with Legislation  
Sharing information in out of home care 2003/10 - Child protection and care practice  
instruction

**Fire Safety**

Fire Risk Management Standard 2002  
Departmental Instructions relating to Community Services, September 1991 (D1/91/7)  
Lead Tenant/Home Based Care Services Fire Safety Standard, March 2000  
DHS Fire Risk Management Standard, March 2000

AS 3806-2006: Compliance Standards  
AS/NZS 4360 - 2004: Risk Management  
AS/NZS 4360 - 2004: Risk Management Guidelines

Manual Handling (code of Practice No. 25, 2000)  
Plant (Code of Practice No. 19, 1995)  
Plant (Amendment no.1 to Code of Practice No. 19, 1995) (1998)  
Hazardous Substances (Code of Practice No. 24, 2000)  
Workplaces (Code of Practice No. 3, 1988)  
Dangerous Goods Storage & Handling (Code of Practice no. 27, 2000)  
Provision of Occupational Health and Safety Information in Languages Other than  
English (Code of Practice No.16, 1992)