



## Indigenous Languages and Arts Program 2019-20 Guidelines

**IMPORTANT:** Before submitting an application you **MUST** read the following documents:

- Indigenous Languages and Arts Program (the Program) guidelines
- frequently asked questions (FAQ)
- online SmartyGrants application form
- draft Commonwealth Grant Agreement

Reading the documents listed above will help you determine whether your project proposal is eligible; whether it aligns with the outcomes and objectives of the Program; and help you to formulate your project proposal should you decide to submit an application.

Opening date: **19/11/2018**

Closing date and time: **11.59pm AEST on 11/02/2019**

Commonwealth policy entity: **Department of Communications and the Arts**

Enquiries: If you have any questions, please contact 1800 006 992 or [ila@arts.gov.au](mailto:ila@arts.gov.au). Questions should be sent no later than 04/02/2019

Date guidelines released: **19/11/2018**

Type of grant opportunity: **Open competitive; Restricted competitive**

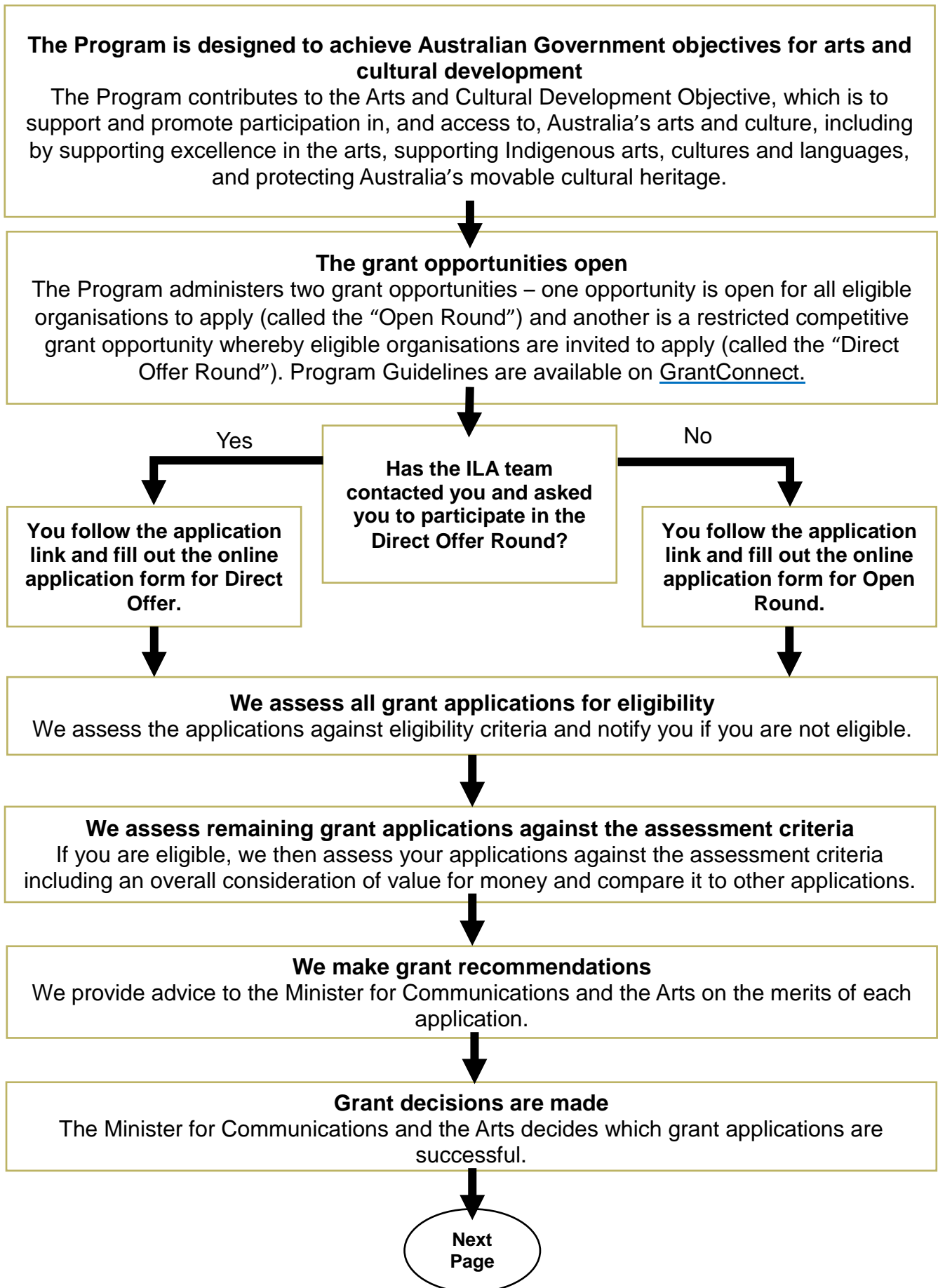
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# 1. Program Flowchart



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graph TD; A([Previous Page]) --> B[We notify you of the outcome]; B --> C[We enter into a grant funding agreement]; C --> D[Delivery of grant]; D --> E[Evaluation];
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## **We notify you of the outcome**

We advise you if your application was successful or not. We may not notify unsuccessful applications until successful applicants are publicly announced.

## **We enter into a grant funding agreement**

We will enter into a grant funding agreement (similar to a contract). The type of grant agreement is based on the nature of the grant and proportional to the risks involved.

## **Delivery of grant**

You undertake the grant activity as set out in your grant funding agreement and regularly report to us. We manage the grant by working with you, monitoring your progress and making milestone payments.

## **Evaluation**

We evaluate the specific grant activity and the ILA grant opportunity as a whole. We base this on information we collect from you and various sources.

## 2. Policy Context

The Program is part of a suite of programs under the Australian Government's (the government) commitment to Arts and Cultural Development. The Arts and Cultural Development objective is to support and promote participation in, and access to, Australia's arts and culture, including by supporting excellence in the arts, supporting Indigenous arts, cultures and languages, and protecting Australia's movable cultural heritage.<sup>1</sup>

**IMPORTANT:** The Program's specific purpose is to fund projects that support Indigenous cultural expression through languages and arts activities. If your project targets other forms of Indigenous culture and/or capability, you should investigate the Indigenous Advancement Strategy program's Community Led Grants administered by the Department of Prime Minister and Cabinet.

For more information regarding funding provided through the Indigenous Advancement Strategy visit – [www.pmc.gov.au/indigenous-affairs/grants-and-funding/funding-under-ias](http://www.pmc.gov.au/indigenous-affairs/grants-and-funding/funding-under-ias)

## 3. About the Program

The Program is an ongoing grant program that commenced in 2015-16 and is administered by the Department of Communications and the Arts (the department). These guidelines set out:

- the purpose of the grant opportunities
- the eligibility and assessment criteria
- how activities are monitored and evaluated
- responsibilities and expectations in relation to the grant opportunities.

The Program will be undertaken according to the Commonwealth Grants Rules and Guidelines (CGRGs) – visit [www.finance.gov.au/sites/default/files/commonwealth-grants-rules-and-guidelines.pdf](http://www.finance.gov.au/sites/default/files/commonwealth-grants-rules-and-guidelines.pdf).

### 3.1 Program outcome

The overarching outcome of the Program is to support a professional, viable and ethical Indigenous languages and arts network that features strong participation and provides for economic opportunities for Aboriginal and Torres Strait Islander people.

Grant funding allocated through the Program supports three key outcomes:

- Aboriginal and Torres Strait Islander peoples are empowered to preserve and teach their culture through languages and arts
- a strong sense of cultural identity and wellbeing in Aboriginal and Torres Strait Islander peoples, which contributes to sustainable and strong communities
- celebration and increased recognition of Aboriginal and Torres Strait Islander languages and arts in the wider Australian community

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<sup>1</sup> Schedule 1 AB of the Financial Framework (Supplementary Powers) Regulations 1997

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## 3.2 Program objectives

The department will ensure that the Program outcome is met by funding a diverse range of Indigenous language and arts projects that contribute towards at least one of the following Program objectives:

- 1) Preserve, revive and maintain Indigenous languages by:
  - a) facilitating activities that capture and preserve Indigenous languages
  - b) promoting participation in Indigenous language teaching and learning, including support for language projects with a specific focus on supporting the career development of Aboriginal and Torres Strait Islander people to teach, preserve and revive Indigenous languages (see highlighted note below)
  - c) developing Indigenous language resources, including utilising digital technology in an innovative and culturally sensitive manner
  - d) delivering Indigenous-led language projects, or projects that are co-designed between Indigenous and non-Indigenous organisations.
- 2) Develop, produce, present, exhibit or perform a diverse range of traditional and contemporary Indigenous arts.
- 3) Support new and innovative forms of Indigenous expression through art.
- 4) Support the transmission and development of Indigenous cultural heritage and knowledge through languages and arts projects.

**IMPORTANT:** The government committed additional grant funding over four years from 2016-17 for eligible projects that specifically target the achievement of Program objective 1 above. This initiative is called “the commitment to protect, preserve and celebrate Indigenous languages” (the Commitment).

The Commitment to date has supported a diverse range of language projects under Program objective 1. The majority of funded projects have focused on digital initiatives that use technology in an innovative and culturally sensitive manner.

**Note: For the 2019-20 grant opportunity, the government encourages Indigenous language projects with a specific focus on supporting the career development of Aboriginal and Torres Strait Islander people to teach, preserve and revive Indigenous languages. More information about this support is provided under Section 5 – Grant Amount.**

For more information regarding the Commitment – visit [www.arts.gov.au/what-we-do/indigenous-arts-and-languages/indigenous-languages-and-arts-program](http://www.arts.gov.au/what-we-do/indigenous-arts-and-languages/indigenous-languages-and-arts-program)

## 3.3 Indigenous Grants Policy (IGP) trial

The department is one of three Commonwealth agencies participating in a trial of an Indigenous Grants Policy (IGP), announced on 12 February 2018 by the Prime Minister. The IGP trial aims to increase the delivery of programs and activities by Indigenous organisations and the involvement of Indigenous Australians in services intended to improve their lives. The IGP trial commenced on 1 July 2018 and funding recipients will be required to capture some Aboriginal and Torres Strait Islander employment data and estimations of total value of goods and services provided by Indigenous businesses.

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The data will be used to inform the development of an ongoing whole-of-government policy that is flexible, sustainable and centred on improving outcomes for Indigenous Australians.

For further information regarding the IGP trial – visit [www.pmc.gov.au/indigenous-affairs/economic-development/overview-indigenous-grants-policy](http://www.pmc.gov.au/indigenous-affairs/economic-development/overview-indigenous-grants-policy)

## 4. About the grant opportunities

Funding under the Program is distributed annually through the following grant opportunities:

- **Open** – an annual and ongoing competitive grant opportunity open to all eligible organisations wishing to submit applications for languages and arts projects – see Section 5.1
- **Direct Offer** – a restricted competitive grant opportunity by invitation only for eligible organisations – see Section 5.2

## 5. Grant amount

The total government funding for this Program comprises of:

- approximately \$20 million annually and ongoing for Indigenous languages and arts projects
- \$10 million over four years from 2016-17 to 2019-20 for projects aligning with the measure to Protect, Preserve and Celebrate Indigenous Languages

**IMPORTANT:** As a result of pre-existing multi-year Commonwealth Grant Agreements in place with a number of Indigenous language centres and Indigenous arts organisations, the amount of remaining funding available for each grant opportunity may vary.

Please note that all funding decisions regarding the Program will be made by the Minister for Communications and the Arts (the Minister) or the Minister's authorised delegate.

The Minister or the Minister's authorised delegate may approve less funding than requested by an applicant, or approve a project in part. If this occurs, the department will work with the relevant organisation to revise the project objectives and budget.

If successful, you can only expend grant funds on eligible grant activities as defined in Section 7 and the grant details in your grant agreement.

### 5.1 Open grant opportunity

**IMPORTANT:** With the demand for grant funding consistently and significantly more than what is available, it is very important that applications must be accompanied by a **realistic and robust** budget submission that demonstrates value-for-money.

**IMPORTANT: The Program strongly encourages applications for smaller community projects that may require a more modest amount of funding to undertake the activity.**

Applications for grant funding must comply with one of the following parameters:

#### **Open**

- A project period for up to 12 months and up to a maximum limit of \$100,000 per project.
- A project period for up to 24 months and up to a maximum limit of \$200,000 per project.



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- On occasion, funding may be available to meet an identified urgent or specialised need. In these instances, the application will be assessed against the assessment criteria on a value-for-money basis and within the available Program budget.

To apply for funding under the Open grant opportunity you will need to fill out and submit a SmartyGrants online application form that can be found using the following link: [Indigenous Languages and Arts – Open Round application form](#).

## 5.2 Direct Offer grant opportunity

Participation in the direct offer process is by **invitation** only and is only available to organisations that meet the eligibility criteria in Section 6.1 and Section 6.2; which includes:

- having previously received funding from the Program
- demonstrated capability in delivering successful projects of a higher strategic value
- demonstrated financial management and administrative stability over an extended period

If your organisation receives an invitation to apply for direct offer funding, you will need to fill out and submit a SmartyGrants online application form. A link to the application form will be included in your invitation.

Funding may be available on either a single-year or multi-year basis for up to a maximum of five years with a funding up to a maximum limit of \$400,000 per annum. The amount of funding provided will reflect the scope of the Indigenous languages and/or arts activities to be undertaken.

## 6. Grant eligibility criteria

### 6.1 Who is eligible to apply for a grant?

To be eligible you must:

- be one of the following entity types:
  - an Aboriginal and/or Torres Strait Islander Corporation registered under the [Corporations \(Aboriginal and /or Torres Strait Islander\) Act 2006](#)
  - a company incorporated in Australia
  - a company incorporated by guarantee
  - an incorporated trustee on behalf of a trust
  - an incorporated association
  - a partnership
  - a registered charity or not-for-profit organisation
  - an Australian state or territory government body
  - an Australian local government body
- have an Australian Business Number (ABN)
- be registered for the purposes of GST if required by the Australian Tax Office
- have an account with an Australian financial institution

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- have no outstanding reports, acquittals or serious breaches relating to any government funding – a serious breach is one that has resulted in, or warrants, termination of a grant agreement
- not be bankrupt or subject to insolvency proceedings (as relevant to the entity type)

Where applicable, we will review your funding history, including your performance delivering projects and achieving outcomes, and your financial and performance reporting history.

Organisations can apply as a consortium provided they nominate a lead organisation that also meets the eligibility criteria above – See Section 8.5.

Entities that do not meet the eligibility requirements above are able to apply through an eligible auspicing body – see Section 8.5.

**IMPORTANT:** Working with Vulnerable People and Children – *Royal Commission into Institutional Responses to Child Sexual Abuse.*

The Royal Commission highlighted the need for organisations to adopt child safe practices. The government is working together with its grant recipients to do all it can to ensure the safety of children that staff may come in contact with in the context of their work and activities.

If you are successful in receiving funding from the Program, you will be required to sign a funding agreement confirming that your organisation and any of your staff engaging with children, complies with state and/or territory legislation relating to working with children.

### 6.2 Additional eligibility requirements for Direct Offer applicants

In addition to the above requirements, to be eligible to apply for Program funding through the Direct Offer process you must also:

- have previously received funding from the Program
- have a demonstrated capacity to deliver quality Indigenous language or arts projects
- have a demonstrated history of good governance, good financial management over an extended period, effective business planning and high-quality performance against funding objectives

Your eligibility will be determined by the department. We will review your funding history with us, including your performance against funded objectives, and your financial and performance reporting history.

### 6.3 Who is not eligible to apply for a grant?

You are not eligible to apply if you are:

- a Commonwealth or state or territory government (including portfolio agencies)
- an early childhood, primary or secondary school
- an individual
- an unincorporated association without an auspicing body
- an organisation based outside of Australia

These eligibility criteria are subject to change, based on government policy. Funding recipients will be advised of any changes to the Program.

## 7. Eligible grant activities

Your eligibility for Program funding will be determined by the department. In the event that we determine part of your application comprises one or more ineligible activities, we may assess your application based only on the eligible components. In this instance, you may be offered partial funding for your project.

### 7.1 What can the grant money be used for?

The grant monies can only be used to fund activities for Indigenous languages and/or arts projects that align with the Program objectives, including activities such as:

- the engagement of consultants, specialists, experts or contractors (for example linguists, artist fees, art workers, curators, Indigenous language experts, Indigenous cultural experts)
- project administration (a **maximum of 30 per cent** of total grant monies) for items such as project management, report-writing, book-keeping, audits and financial management
- consultation on, as well as development, maintenance and storage of, language and/or arts resources and materials, including website(s), apps and hard-copy materials
- facilitation of access to language and/or arts resources and materials
- facilitation of language and/or arts workshops and/or community meetings
- domestic travel to meet with community and key stakeholders for the project

We do not fund ongoing operational costs for organisations that apply under Open grant opportunities. See Section 7.2 for information on activities we do not fund. To see examples of eligible projects refer to Appendix A.

### 7.2 What the grant money cannot be used for?

You cannot use the grant for the following activities:

- the ongoing employment of staff
- operational funding or ongoing administration costs of an organisation
- the conservation, exhibition or interpretation of museum artefacts
- projects, or components of projects that are also funded by other programs administered by the government
- cultural camps that do not deliver a language and/or arts outcome
- the staging and production of festivals
- infrastructure projects and projects including the purchase of non-arts assets
- activities with a primarily commercial focus or intent
- activities with a political or lobbying focus or intent
- international travel or activities that happen outside Australia
- interpreting and translating services

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- purchase of land or buildings
- costs incurred in the preparation of a grant application or related documentation
- construction/capital works
- activities for which other Commonwealth or state or territory or local government bodies have primary responsibility

Additionally, Program funding cannot be used for activities that:

- Have a focus on Kriol language work. The Program provides funding to revive and maintain Australia's traditional Aboriginal and Torres Strait Islander languages. Kriol, Yumplatok and Pidgin are not classified as a traditional language, and not eligible for funding through the program. If you are unsure if your language is eligible for funding, please contact us at [ila@arts.gov.au](mailto:ila@arts.gov.au).
- Are intended for, and form the basis of, National Aborigines and Islanders Day Observance Committee (NAIDOC) celebrations.
- Are the core business of early education, primary and secondary schools. For example, teacher salaries and the development of teaching and learning resources that are for exclusive use in schools. If you are developing teaching and learning resources as part of your project you must demonstrate that they will be used outside the school setting, and have evidence to support this.
- Have received funding from another government source for the same purpose. If you are currently receiving funding from another government source, or through a previous round of the Program, your application will need to clearly distinguish how this project is different to your existing grant agreement.
- Include re-granting of funds to other groups or organisations without prior agreement from the department.
- Fall within the scope of the Indigenous Advancement Strategy, Culture and Capability program – visit [www.dpmc.gov.au](http://www.dpmc.gov.au).
- Fall within the scope of the Indigenous Visual Arts Industry Support program – visit [www.arts.gov.au/ivais](http://www.arts.gov.au/ivais).

## 8. The grant application process

**IMPORTANT:** All applicants are strongly encouraged to read the *Frequently Asked Questions* (FAQs) that accompany these guidelines. The FAQs can be found on GrantConnect website at: [www.grants.gov.au](http://www.grants.gov.au) and the department's website at: [www.arts.gov.au/ila](http://www.arts.gov.au/ila).

### 8.1 Overview of application process

You are responsible for ensuring that your application is complete and accurate. Giving false or misleading information will exclude your application from further consideration.

You must address all of the eligibility and assessment criteria to be considered for a grant. Please complete each section of the application form and make sure you provide the information we have requested.

## 8.2 Application process timing

You should submit your application(s) to the department by the closing date below. The department will only accept a late application where there are exceptional and unanticipated circumstances. The decision to accept late applications will be at the discretion of the Director, Indigenous Languages and Arts section in the department.

**Table 1: Expected timing for this grant opportunity**

Activity	Timeframe
Application period	Open: 9am AEST, 19/11/2018 Close: 11.59pm AEST, 11/02/2019
Assessment of applications	4 – 6 weeks
Approval of outcomes of selection process	2 – 4 weeks
Negotiations and award of grant agreements	4 – 6 weeks
Notification to unsuccessful applicants	1 week
Activity commences	07/2019
End date	N/A

## 8.3 Completing the grant application

You must submit your grant application using the SmartyGrants online application form, which is available at the following link: [Indigenous Languages and Arts – Open Round application form](#).

This is an online application form that you can submit electronically and is compatible with screen readers. If you have any technical difficulties, please contact [ila@arts.gov.au](mailto:ila@arts.gov.au) or phone 1800 006 992.

Hard copy application forms may be provided in exceptional circumstances. Please contact [ila@arts.gov.au](mailto:ila@arts.gov.au) if you require a hard copy form, noting that all applications, including supporting documentation, must be received by the closing date.

You must make sure that your application is complete and accurate and submitted in accordance with these guidelines and the application form.

You cannot change your application after the closing date and time.

The department will acknowledge receipt of your application via an email notification once received. If you do not receive a notification or if you find a mistake in your application after it has been submitted, you should contact [ila@arts.gov.au](mailto:ila@arts.gov.au) or phone 1800 006 992 straight away.

The department may ask you for more information, as long as it does not change the substance of your application. The department does not have to accept any additional information, nor requests from applicants to correct applications after the closing time.

## 8.4 Attachments to the application

To support your application, we strongly recommend including the following supporting documentation with your application:

- Arts Access Australia project accessibility template
- community support letters
- evidence of financial support
- evidence of audience demand (e.g. venue confirmations)
- invitation to perform/exhibit

Your supporting documentation should be uploaded through the SmartyGrants online application form. There will be instructions in the application form to help you. You should only attach documents that are directly relevant to the project and strengthen your application.

Please keep a copy of any attachments to your application.

## 8.5 Applications through auspice bodies or from consortia

### **Auspice Body**

If you are an ineligible organisation, then you must arrange for a legal entity that meets the eligibility criteria in section 6.1 to auspice your application. By doing so, this means that all of the activities you do for the project must be done with the support and approval of the auspice body.

You and your auspice body should be aware that the auspice body will need to enter into a legally binding funding agreement with the Commonwealth of Australia. The auspice body will be ultimately responsible for meeting the obligations set out in the agreement as well as managing, reporting on and acquitting the funding.

### **Consortia**

Some organisations may apply as a consortium to deliver grant activities. A consortium is two or more eligible organisations who are working together to combine their capabilities when developing and delivering a grant activity.

If you are submitting a grant application on behalf of a consortium, a member organisation or a newly created organisation must be appointed as the 'lead organisation'. Only the lead organisation will enter into a grant agreement with the Commonwealth and will be responsible for the grant. The lead organisation must complete the application form and identify all other members of the proposed consortium in the application.

### **Supporting letters**

For both auspice body arrangements and consortia, the application must include a letter of support from each organisation involved in the grant.

Each letter of support should include:

- an overview of how the auspice body and applicant or the consortium will work together to complete the grant activity
- an outline of the relevant experience and/or expertise of each organisation involved in the grant

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- the roles/responsibilities of members and the resources they will contribute (if any)
- details of a nominated management level contact officer
- details of the auspice body or lead consortium organisation

### 8.6 Questions during the application process

If you have any questions during the application period, please contact [ila@arts.gov.au](mailto:ila@arts.gov.au). The department will aim to respond to emailed questions within three working days.

Answers to general questions will be addressed in these guidelines, any other questions may be posted on [GrantConnect](#) and [the Arts](#) website and will be updated on a as needs basis throughout the grant opportunity.

## 9. The grant application assessment process

### 9.1 Who will assess applications?

Following an eligibility check, the first phase of assessing each application against the assessment criteria is undertaken independently by two department staff members who allocate a score out of 100. Your application will be considered on its merits, based on:

- how well it meets the criteria
- how it compares to other applications
- whether it provides value for money

Assessing officers may seek information about you or your application and may also consider information about you or your application that is available through the normal course of business.

If the selection process identifies unintentional errors in your application, you may be contacted to correct or explain the information.

All eligible projects will be ranked in order of their overall score and where there is a significant deviation in scores, a third independent department staff member will review both assessments to determine the final score. Details of the assessment for each project are then provided to a Recommendation Review Committee (the Committee) consisting of Executive level Program staff for ratification. The Committee will be chaired by the Assistant Secretary, Access and Participation Branch.

The Committee will consider the applications and make recommendations to the Minister giving consideration to the following issues:

- whether the applicant is an Indigenous organisation or non-Indigenous organisation (see highlighted note below)
- a spread of arts and language projects being delivered across the program
- a geographic spread of projects across the states and territories and between city and regional areas

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**IMPORTANT:** As part of the government's policy to support activities that provide social and economic opportunities for Aboriginal and Torres Strait Islander peoples, where a number of applications are found suitable for funding and/or have equal ranking, preference may be given first to Indigenous organisations, then to those organisations that can demonstrate their commitment to the principles of Indigenous inclusion through the employment of Indigenous Australians and/or engagement of Indigenous businesses in supply chains in the delivery of the grant activity.

## 9.2 Who will approve grants?

The Committee will make recommendations to the Minister. The Minister will make the final decision to approve a grant.

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

- the approval of the grant
- the grant funding amount to be awarded
- the terms and conditions of the grant

The Minister will not approve funding if they reasonably consider the program funding available across financial years will not accommodate the funding offer, and/or the application does not represent value for money. There is no appeal mechanism for decisions to approve or not approve a grant.

## 10. The assessment criteria

The assessment criteria applies to both direct offer and open round applications.

You will need to address all of the following assessment criteria in your application. We will judge your application based on the weighting given to each criterion. The amount of detail and supporting evidence you provide in your application should be relative to the project size, complexity and grant amount requested. The application form includes word limits.

**IMPORTANT:** The assessment process is a competitive one. Providing quality information in your application that is clear and concise within the available word limits is essential.

The assessment criteria are outlined in the table below along with their weighting.

Criteria	Weighting
Ability of the project to meet the objectives of the Program	30%
Evidence of community engagement and support	25%
Benefit to Aboriginal and/or Torres Strait Islander community	25%
Capability and capacity of the organisation to undertake all aspects of managing delivery of the project	20%



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## **Criterion 1: Ability of the project to meet the objectives of the Program (Weighting: 30%)**

In providing a response to this criterion you should demonstrate how the project will achieve one or more of the Program's objectives. If your project does not demonstrate an ability to meet this criterion, your application will be considered ineligible and will not continue to be assessed.

If your project is a languages project, you must first determine whether an Indigenous language centre currently targets the language you are seeking funding to revive and/or maintain. Visit the department's website at [www.arts.gov.au/documents/indigenous-languages-and-arts-program-language-centres](http://www.arts.gov.au/documents/indigenous-languages-and-arts-program-language-centres) to see the language centres funded by the Program. If the language is targeted by an Indigenous Language Centre, you must have consulted with that language centre prior to submitting your application. Your application must demonstrate a clear need for additional funding for that language, and collaboration with the language centre in terms of use of resources.

## **Criterion 2: Evidence of community engagement and support (Weighting: 25%)**

Projects should support, and be supported by community, foster a strong sense of identity and, where possible, build on existing community projects and sound organisational infrastructure.

In providing a response to this criterion you should:

- describe how Aboriginal and Torres Strait Islander peoples have been, and will be involved in the design, planning and delivery of the project
- demonstrate ability to engage and maintain positive relationships with Indigenous communities in the delivery of the project
- provide relevant, signed letters of support from individuals and/or organisations that will be involved in or benefit from the project
- non-Indigenous organisations will need to demonstrate local cultural competence. In addition to community support, non-Indigenous organisations may wish to disclose:
  - numbers and roles of local Indigenous staff within your organisation
  - numbers of Indigenous organisations to be used as suppliers or sub-contractors for key parts of the project (if applicable)

## **Criterion 3: Benefit to Aboriginal and/or Torres Strait Islander community (Weighting: 25%)**

In providing a response to this criterion you should:

- identify a need in your target group or community
- clearly articulate the benefits of your project for the target group or community
- if applicable, highlight any mentoring, training or skills development that will be provided through the project

## **Criterion 4: Capability and capacity of the organisation to undertake all aspects of managing delivery of the project (Weighting: 20%)**

In providing a response to this criterion you should:

- address the risks associated with your project and provide relevant mitigation strategies
- provide a realistic and cost effective project budget (see highlighted paragraph below)
- outline the governance arrangements in place within your organisation that will enable you to successfully manage funding
- demonstrate proven service and project delivery skills, and ability to achieve outcomes,

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- demonstrate skills, experience and expertise of the key personnel involved in the project, including project officers, facilitators, artists and language workers, as applicable
- address how you will evaluate the project and document the results
- nominate any cash or in-kind contribution your organisation or other project partners could make – **Note:** contributions are optional and not compulsory

### 10.1 Accessibility for people with a Disability

In addition to the four criteria above, we encourage applicants to consider the accessibility of their activities for people with disability. The application form will also ask if your project is disability-led, and/or if the project team includes people with disability as artists or other personnel. In a disability-led project, people with disability lead the creative development process. Other personnel includes people like project managers, administrative staff or arts/language workers.

There are many definitions of disability. It can be a limitation or impairment that has lasted, or is likely to last, for at least six months and restricts everyday activities. Disability includes things like:

- impairments (such as low vision or deafness)
- chronic illness or health conditions
- mental health conditions
- conditions like autism, down syndrome or dyslexia

To learn more about disability and the arts, you can read the [National Arts and Disability Strategy](#) or contact [Arts Access Australia](#).

**IMPORTANT:** You need to carefully consider the amount of funding you are requesting and the associated timeframe needed to deliver your project. These need to be realistic and demonstrate how the project will achieve the greatest outcomes in the most cost effective way possible. Note that we will not consider applications for funding beyond the funding limits stated in Section 5.

## 11. Notification of application outcomes

You will be advised of the outcomes of your application in writing, following a decision by the Minister. If you are successful, you will also be advised about any specific conditions attached to the grant.

### 11.1 Feedback on an unsuccessful application

If you are unsuccessful, your notification will provide details of how you can request feedback on your application. You are requested to seek feedback in writing within one month of being advised of the outcome. The department will give written feedback within one month of a request.

If you are unsuccessful, you may submit a new application for the same project (or a similar project) in any future grant opportunity rounds. You should include new or more information that could strengthen your application in areas that may have prevented your previous application from being successful.

## 12. Successful grant applications

### 12.1 The Commonwealth Grant Agreement

If you are successful, you must enter into a legally binding Commonwealth Grant Agreement with the Commonwealth represented by the department. The department will use the **Commonwealth (Low-Risk) Grant Agreement** [www.finance.gov.au/resource-management/grants/grant-agreement-template](http://www.finance.gov.au/resource-management/grants/grant-agreement-template). Standard terms and conditions for the grant agreement will apply and cannot be changed. A schedule will be used 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.

You will be required to:

- meet key deliverables
- collect and supply data, including data aligned to the IGP trial
- submit reports, activity plans, budgets and/or financial acquittals
- undertake risk management
- undertake mandatory requirements for *Working with Children* checks and *Working with Vulnerable People* checks
- facilitate site visits by the Commonwealth, if requested

The department will aim to negotiate grant agreements with successful applicants by 1 July 2019. If there are unreasonable delays in finalising a grant agreement, the grant offer may be withdrawn.

All funding will be subject to the terms and conditions set out in the grant agreement, including conditions relating to the deposit of funds, auditing and unspent Program funds. Breach of an organisation's grant agreement may result in a requirement to repay grant funding to the government.

All grant funding provided by the department must be appropriately expended in accordance with the approved budget prior to the end of the funding period identified in the grant agreement.

You should not make financial commitments or commence your activity until a grant agreement has been executed by the Commonwealth.

**IMPORTANT:** Funds will not be paid unless the grant agreement has been signed by both parties. Activities must not begin before the grant agreement is signed by both parties. Funding is not available for activities that have already occurred.

### 12.2 How the grant will be paid

All funding recipients are **strongly encouraged** to establish a dedicated bank account, specifically for the purpose of depositing and withdrawing Program funds.

The grant agreement will state the maximum grant amount to be paid. We will not exceed the maximum grant amount under any circumstances. If you incur extra eligible expenditure, you must pay it yourself.

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Payments will be made against the agreed schedule, set out in the grant agreement, following its execution.

For projects up to 12 months in duration, we will make a single payment on execution of the grant agreement.

For multi-year projects, payments will usually be made in no more than three instalments annually.

Payments against the schedule are subject to the department's acceptance of performance and financial reports set out in the grant agreement, and the demonstrated need for approved funds to continue the activity. Payments will not be processed where the recipient has a breach under the terms of the grant agreement, overdue report or outstanding acquittal relating to current or previous Program funding.

### 12.3 Grant agreement variations

We recognise that unexpected events may affect the progress of a project. In these circumstances, you can request a project variation, including:

- changing project milestones
- extending the timeframe for completing the project

The program does not generally allow for an increase to the agreed amount of grant funds. No increase to the agreed amount of funds can be made without prior approval from the Minister or the Minister's authorised delegate.

If you want to propose changes to the grant agreement, you must put them in writing before the grant agreement end date. Contact [ila@arts.gov.au](mailto:ila@arts.gov.au) for further information. We will not consider changes after the grant agreement end date.

You should not assume that a variation request will be successful. We will consider your request based on factors such as:

- how it affects the project outcome
- consistency with the program policy objective and any relevant policies of the department
- changes to the timing of grant payments
- availability of program funds

## 13. Announcement of grants

If successful, your grant will be listed on the GrantConnect website no later than 21 calendar days after the grant agreement takes effect<sup>2</sup> as required by Section 5.3 of the Commonwealth Grant Rules and Guidelines.

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<sup>2</sup> See Section 18 - Glossary

# 14. Delivery of grant activities

## 14.1 Your responsibilities

You must submit reports in line with the timeframes and milestones in the grant agreement. We will expect you to report on:

- progress against agreed key deliverables
- achievement against performance indicators
- eligible expenditure of grant funds

You will also be responsible for:

- meeting the terms and conditions of the grant agreement and managing the activity efficiently and effectively
- complying with record keeping, reporting and acquittal requirements as set out in the grant agreement

## 14.2 Department of Communications and the Arts' responsibilities

The department will:

- meet the terms and conditions set out in the grant agreement
- provide timely administration of the grant
- evaluate the grantee's performance

We will monitor the progress of your project by assessing reports you submit and may conduct site visits to confirm details of your reports if necessary. Occasionally we may need to re-examine claims, seek further information or request an independent audit of claims and payments.

## 14.3 Grant payments and the GST

Payments will be made as set out in the grant agreement. Payments will include GST where applicable.

Before any payments are made, you must provide a tax invoice for the amount of the payment.

If you receive a grant, you should consider speaking to a tax advisor about the effect of receiving a grant before you enter into a grant agreement. You can also visit the Australian Taxation Office website at [www.ato.gov.au](http://www.ato.gov.au) for more information.

## 14.4 Evaluation of Program performance

The department may evaluate the effectiveness of the Program to measure how well the outcomes and objectives of the Program are being achieved. Funding recipients may be required to participate in this evaluation. An evaluation would seek to identify and document the impact of activities on an organisation or within the community and may draw upon information provided in regular funding recipient reports, including:

- The number of Aboriginal and Torres Strait Islander:

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- languages being revived or maintained (if applicable)
- people employed
- products and services procured (estimation) to deliver a project
- demonstrated participation in funded activities and/or events
- demonstrated provision of professional development and training opportunities for people involved in delivering funded activities and/or events
- demonstrated financial viability and administrative stability

### 14.5 Acknowledgement

The Program logo should be used appropriately on materials generated under the grant agreement. Whenever the logo is used the publication must also acknowledge the Commonwealth as follows: 'Indigenous Languages and Arts Program – an Australian Government initiative'.

Guidance on the use of the Program logo and government acknowledgement is incorporated into the grant agreement.

## 15. Probity

The government will make sure that the program process is fair, according to the published guidelines, incorporates appropriate safeguards against fraud, unlawful activities and other inappropriate conduct, and is consistent with the Commonwealth Grant Rules and Guidelines.

**Note:** These guidelines may be changed from time-to-time by the department. When this happens the revised guidelines will be published on GrantConnect at [www.grants.gov.au](http://www.grants.gov.au).

### 15.1 Complaints process

Any complaints about the grants process must be lodged in writing. If you have a complaint, please follow the steps outlined in the department's Client Service Charter at [www.communications.gov.au/who-we-are/department/client-service-charter](http://www.communications.gov.au/who-we-are/department/client-service-charter). All complaints about a grant process must be lodged in writing.

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 on:

Phone (Toll free): 1300 362 072  
Email: [ombudsman@ombudsman.gov.au](mailto:ombudsman@ombudsman.gov.au)  
Website: [www.ombudsman.gov.au](http://www.ombudsman.gov.au)

### 15.2 Conflict of interest

Any conflicts of interest could affect the performance of the grant. There may be a conflict of interest, or perceived conflict of interest, if departmental staff, any member of a committee or advisor, and/or you or any of your personnel:

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- has a professional, commercial or personal relationship with a party who is able to influence the application selection process, such as a government officer
- 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 funding under the Program

As part of your application, you will be asked to declare any perceived or existing conflicts of interest.

If you later identify that there is an actual, apparent, perceived or potential conflict of interest or that one might arise in relation to a grant application, you must inform the department in writing immediately. Committee members and other officials including the decision maker must also declare any conflicts of interest.

The Director of the Indigenous Languages and Arts team will be made aware of any conflicts of interest and will handle them as set out in government policies and procedures. Conflicts of interest for government staff will be handled as set out in the Australian Public Service Code of Conduct (Section 13(7)) of the *Public Service Act 1999*.

### 15.3 Privacy: confidentiality and protection of personal information

We treat your personal information according to the 13 Australian Privacy Principles and the *Privacy Act 1988*. This includes letting you know:

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

You are required, as part of your application, to declare your ability to comply with the Privacy Act 1988, including the Australian Privacy Principles and impose the same privacy obligations on any subcontractors you engage to assist with the activity. You must ask for the government's consent in writing before disclosing confidential information.

Your personal information can only be disclosed to someone else if you are given reasonable notice of the disclosure; where disclosure is authorised or required by law or is reasonably necessary for the enforcement of the criminal law; if it will prevent or lessen a serious and imminent threat to a person's life or health; or if you have consented to the disclosure.

The government may also use and disclose information about grant applicants and grant recipients under the Program in any other government business or function. This includes giving information to the Australian Taxation Office for compliance purposes.

We may reveal confidential information to:

- the committee and other Commonwealth employees and contractors to help us manage the Program effectively
- employees and contractors of the 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

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- 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
- a House or a Committee of the Australian Parliament

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

- Public Service Act 1999
- Public Service Regulations 1999
- Public Governance, Performance and Accountability Act
- Privacy Act 1988
- Crimes Act 1914
- Criminal Code Act 1995

We will treat the information you give us as sensitive and therefore confidential if it meets all of the four conditions below, or is an Aboriginal and Torres Strait Islander Secret/Sacred and Private material listed at item 5:

1. you clearly identify the information as confidential and explain why we should treat it as confidential
2. the information is commercially sensitive
3. revealing the information would cause unreasonable harm to you or someone else
4. you provide the information with an understanding that it will stay confidential
5. Aboriginal and Torres Strait Islander Secret/Sacred and Private materials

The grant agreement will include any specific requirements about special categories of information collected, created or held under the grant agreement. This includes Secret/Sacred and Private material. The Government recognises that Secret/Sacred and Private materials are significant to Aboriginal and Torres Strait Islander people and as such these materials are the legal property of the people and or community from which it came.

### 15.4 Freedom of information

All documents in the possession of the government, including those about the Program, are subject to the [Freedom of Information Act 1982](#) (FOI Act).

The purpose of the FOI Act is to give members of the public rights of access to information held by the government and its entities. Under the FOI Act, members of the public can seek access to documents held by the 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



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Department of Communications and the Arts

GPO Box 2154

CANBERRA ACT 2601

By email: Freedom of Information Coordinator

Department of Communications and the Arts

[foi@communications.gov.au](mailto:foi@communications.gov.au)

## 16. Glossary

<p>Aboriginal or Torres Strait Islander person</p>	<p>A person who:</p> <ul style="list-style-type: none"> <li>• is of Aboriginal and/or Torres Strait Islander descent</li> <li>• identifies as an Aboriginal and/or Torres Strait Islander person</li> <li>• is accepted as an Aboriginal or Torres Strait Islander person by the community in which the person lives.</li> </ul>
<p>Aboriginal and Torres Strait Islander Secret/Sacred and private materials</p>	<p>Secret/Sacred and Private materials are items of special religious and spiritual significance to Aboriginal and Torres Strait Islander peoples. They have an associated tradition of restricted access and have never been accessible to all members of a community. Such items are usually associated with men’s and women’s private ceremonies which are not open to outsiders or to certain people within their society of origin. Secret/Sacred and Private materials are the legal property of the people and or community from which it came.</p>
<p>assessment criteria</p>	<p>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 granting activity, to determine applicant rankings (as defined in the CGRGs).</p>
<p>Commonwealth entity</p>	<p>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 Public Governance and Performance Accountability Act.</p>
<p>Country</p>	<p>A single word expression to denote Indigenous peoples’ “spiritual inter-being with the land, the sea, the sky, and all life and geologic forms therein” (as defined by Dr Shayne T. Williams in <i>The Importance of Teaching and Learning Aboriginal Languages and Cultures</i>).</p>
<p>date of effect</p>	<p>The date in which a grant agreement is executed by the authorised signatory of the grant recipient and the Commonwealth, or a specified starting date.</p>
<p>decision maker</p>	<p>The person who makes a decision to award a grant, in this case the Minister for Communications and the Arts or the Minister’s delegate.</p>
<p>eligibility criteria</p>	<p>The principles, standards or rules that a grant applicant must meet to qualify for consideration of a grant.</p>

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grant	<p>A grant is an arrangement for the provision of financial assistance by the Commonwealth or on behalf of the Commonwealth:</p> <ul style="list-style-type: none"> <li>a) under which relevant money or other Consolidated Revenue Funding money, is to be paid to a recipient other than the Commonwealth; and</li> <li>b) which is intended to assist the recipient achieve its goals; and</li> <li>c) which is intended to help address one or more of the government's policy objectives under which, the recipient may be required to act in accordance with specified terms or conditions.</li> </ul>
grant activity	The project /tasks /services that the Grantee is required to undertake with the grant money. It is described in the Grant Agreement.
grant agreement	The contract template used by government entities to set out the mutual obligations relating to the provision of the grant.
grant opportunity	A notice published on GrantConnect advertising the availability of Commonwealth grants.
grantee	An organisation that has been awarded a grant.
Indigenous organisation	An organisation that is more than 51 per cent Indigenous owned or controlled. For example, where more than 51 per cent of an organisation's Board of Directors are Aboriginal or Torres Strait Islander peoples.
Indigenous supplier	An organisation that is more than 50 per cent Indigenous owned or controlled and supplies goods and/or services. For example, where an Indigenous organisation provides goods for sale in an art fair it would be considered an Indigenous supplier.
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.

## Appendix A: Examples of Eligible Projects

Some examples of eligible projects include, but are not limited to:

- multi-media arts or languages projects that engage young Aboriginal and Torres Strait Islander peoples
- traditional Indigenous arts and craft production
- the development of new Indigenous dance or theatre pieces
- film or other screen based works
- contemporary or traditional music production or performance
- traditional storytelling, writing, poetry and/or contemporary narrative pieces
- multi-art projects involving installations, projections, recorded interviews or other art forms
- photography and arts projects that promote the use of Indigenous languages, including dance, literature, music or theatre
- the documentation, collection, digitisation, preservation and storage of Indigenous language material and language resources
- the development of Indigenous language teaching and learning resources for broad use in/by the community (note: the development of resources for exclusive use in schools is not eligible)
- projects designed to promote an increase in, or maintain the number of, Aboriginal and Torres Strait Islander people speaking their language
- the use of Indigenous languages in a range of fields and media
- the teaching of languages (other than in a school setting) that directly facilitate the teaching and learning of Indigenous arts and languages
- language activities that utilise technology in an innovative and culturally sensitive manner