GRANTS ADMINISTRATION

STANDARD OPERATING PROCEDURE

JUSTICE AND COMMUNITY SAFETY DIRECTORATE

DOCUMENT INFORMATION

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OVERVIEW

The Grants Administration Standard Operating Procedure (SOP) is intended to assist staff in meeting their governance and accountability requirements when awarding and managing government grants on behalf of the JACS Directorate.

This SOP should be read in conjunction with section 3.2 of the Director-General Instructions and the Administration of Government Grants in the ACT: Framework and best practice policy.

The procedures outlined in the SOP recognise that grant administration processes, such as application, assessment and reporting requirements, should be commensurate with the scale, complexity, value and risks of the grant. Considerations of proportionality made by officials in the planning, design and execution of grant opportunities should be adequately justified and documented for future reference, with an emphasis on maintaining the integrity of grants processes.

UNCONTROLLED IF PRINTED

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1. DEFINED TERMS

Terms	
Grant	A grant is an arrangement for the provision of financial assistance by the Territory for a specific purpose that enables the recipient to achieve goals and objectives that are consistent with Territory policy.
Grant Administration	The processes that an entity undertakes to achieve government policy outcomes through grants. It includes: • planning and design • selection and decision making • the making of a grant • the management of grant agreements • the ongoing relationship with grantees • reporting; and • review and evaluation.
Grantee	The individual or organisation selected to receive a grant.

2. PURPOSE

2.1 The Justice and Community Safety (JACS) Directorate provides a wide range of grants to financially support individuals, groups and organisations to help achieve government policy objectives.

2.2 This Standard Operating Procedure (SOP) is intended to assist staff in meeting their governance and accountability requirements when awarding and managing government grants on behalf of the JACS Directorate.

2.3 This SOP should be read in conjunction with section 3.2 of the Director-General Instructions and the Administration of Government Grants in the ACT: Framework and best practice policy (the Government Grants Framework). Grants administered by JACS business units on behalf of the Commonwealth may also be subject to separate governance frameworks instituted by the relevant Commonwealth authority.

3. SCOPE

3.1 This SOP applies to all JACS permanent and temporary staff and officers employed under the *Public Sector Management Act 1994* that are responsible for the administration of government grants under the *Financial Management Act 1996*.

3.2 The procedures outlined in this SOP apply to both contestable and non-contestable grants.

3.3 The procurement of goods and services, sponsorship arrangements and compensation payments are not considered government grants.

4. BACKGROUND

4.1 Grants can be an effective way to achieve government policy objectives when used appropriately.

4.2 Grant administration encompasses all processes involved in the grants lifecycle including: the design of grant opportunities and activities; the assessment and selection of grantees; the establishment of grants; ongoing management of grantees and grant activities; and the evaluation of grant opportunities and activities. The objective of grant administration is to promote the proper use and management of public resources through collaboration with the non-government sector to achieve government policy outcomes.

4.3 The following procedures are intended to complement the Government Grants Framework by providing additional guidance on specific governance elements of the grants administration process. Additional advice may also need to be sought from specialist areas on a case-by-case basis (i.e. legal, financial).

5. ROLES AND RESPONSIBILITIES

Role	Responsibilities
Decision maker	• Ensure grant programs are aligned with the operational and strategic objectives of the Directorate and ACT Government. • Approve the design of the grant program, including selection approach. • Ensure they have the appropriate financial delegation to approve the commitment of public monies under the grant. • Declare any conflicts of interest as they arise. • Manage conflict of interests of staff participating in the selection and management of a grant as they arise. • Ensure grants are administered and documented in accordance with relevant frameworks and this SOP.
Staff involved in grant selection and administration processes	• Plan and design grant programs that demonstrate value for money and support operational and strategic objectives. • Ensure all conflicts of interests are declared, including the absence of conflicts where required. • Ensure risks are documented and monitored throughout the grant lifecycle.

Role	Responsibilities
	• Ensure appropriate records are kept regarding all elements of grant selection and administration.
Governance, Coordination and Reporting	• Requesting input from business units on awarded grants each financial year for inclusion in the JACS Annual Report.

6. PROCEDURE

6.1 PROPORTIONALITY

6.1.1 Grant administration processes, such as application, assessment and reporting requirements, should be commensurate with the scale, complexity, value and risks of the grant.

6.1.2 Any considerations of proportionality made by officials in the planning, design and execution of grant opportunities should be adequately justified and documented for future reference (i.e. as evidence for subsequent audits).

6.2 PLANNING

6.2.1 Before commencing any grant process, business units **must** document the need for the grant and the operational and strategic objectives that are to be achieved. This should include identifying alternative approaches to achieving the intended objectives and a cost benefit analysis of the effectiveness of each approach. In doing so, consideration should also be given to how the proposal intersects with other funding sources and programs to avoid duplication of effort.

6.2.2 Operational and strategic objectives should have regard to agreed government objectives, including the ACT Wellbeing Framework and commitments made under the ACT Aboriginal and Torres Strait Islander Agreement 2019-2028.

6.2.3 Decisions around whether a grant program will be subject to a competitive or more targeted selection process **must** also be documented and agreed by the decision-maker before proceeding. This should include an explanation on how value for money is to be achieved following the proposed approach.

6.2.4 Grant program guidelines should be developed for all contestable grant programs. Depending on the type of selection process to be followed, the guidelines may include information on: the aim or purpose of the grant; available funding; eligibility requirements; exclusions; assessment of applications; acceptance of a grant and other relevant information for an applicant.

6.2.5 Whilst not necessarily captured in grant program guidelines, similar information should also be documented for non-contestable grants so there is transparency

on the purpose of the grant, the objectives, funding source and criteria used to identify proposed recipients.

6.2.6 Proposed performance measures should also be documented during early planning. To be genuinely useful, performance measures should be relevant, reliable, comparable over time or with other grant schemes and economical to produce in relation to the benefits.

6.3 RISK MANAGEMENT

6.3.1 Risk assessment and management involves the systematic identification, analysis, treatment and allocation of risks arising from both the grant activity and the grantee. A variety of risks may arise throughout each stage of administering a grant and it is important these are considered and documented to a level commensurate with the potential impact on the achievement of objectives. If it is determined that a risk assessment is not required given the size, complexity or funding arrangement for the grant, this should be documented and justified in writing.

6.3.2 Risk management activities should be undertaken and documented in accordance with the JACS Risk Management Policy and Framework, Plan and SOP.

6.3.3 The format in which risks are documented may vary according to the size and scope of the grant activity. It may be appropriate for instance, to document the risks associated with smaller grants as part of the original proposal document. Alternatively, larger or higher risk grants may require a standalone risk register that is monitored and updated throughout the lifecycle of the grant.

6.3.4 Risks associated with grant administration can generally be categorised into three broad categories:

- program risks relating to the planning, design and implementation of the grant by the Directorate, such as:
    - the scale of the grant
    - the complexity of the grant
    - previous experience administering similar grants
    - the Directorate's capacity to administer the grant
- risk relating to the grant recipient, such as:
    - the grantee's industry or sector
    - the grantee's experience and capacity to deliver the grant activities
    - the history of the grantee
- governance risks, such as:

- the relationship between the parties to the grant agreement
- the grantee's accountability procedures.

6.4 CONFLICT OF INTEREST

6.4.1 Conflicts of interest **must** be declared, documented and managed consistently across all stages of grant administration to ensure transparency, accountability and compliance.

6.4.2 In the interests of full transparency and accountability, JACS has adopted a positive-disclosure approach to conflicts of interest when undertaking financial decision-making processes. This means everyone involved in the design and assessment of a grant (including those recommending the decision and the decision maker), should declare whether they have a conflict of interest, including confirming when they do not have one. For non-contestable grants progressed by way of a business case, staff members responsible for developing the business case should complete the conflict of interest declaration where a specific supplier is being recommended.

6.4.3 If it is determined that a positive-disclosure approach to conflict of interest is not required due to the size or specific circumstances of the grant, this should be documented and justified in writing.

6.4.4 Conflict of interest declarations **must** be made in writing and kept on the official file. For low risk/simple grant processes, this may be completed by way of a simple email confirming whether the staff member has a conflict of interest. Alternatively, conflicts may be declared using the JACS Grants Management CoI Undertaking Template.

6.4.5 If a conflict is declared, the staff member **must** consult with the decision-maker on the appropriate management action to be taken (i.e. removal from the process, segregation of duties etc).

6.4.6 Throughout the remainder of the grant lifecycle, all staff with decision making responsibilities with respect to the grant (i.e. approving financial expenditure) should continue to monitor for conflicts of interest and report any actual, potential or perceived conflicts in accordance with the JACS Conflict of Interest Policy.

6.4.7 It is noted that in some instances, a Minister may be responsible for deciding to award a grant. Members of the Legislative Assembly are required to manage potential conflicts of interest in accordance with the Ministerial Code of Conduct. Staff responsible for presenting recommendations to a Minister on the awarding of a grant should complete the conflict of interest declaration process outlined in this SOP.

6.5 AWARDING A GRANT

6.5.1 Unless a targeted approach has previously been agreed, grant applications should be assessed by an evaluation panel using a merit based selection process. The selection process to be followed should be outlined at the commencement of the grant process and included in the program guidelines for full transparency.

6.5.2 Regardless of which approach is used, recommendations on the awarding of grants should be put forward to the decision maker outlining the merits of the proposed grant and considerations applied. The decision to approve or decline the grant **must** also be documented, including the reasons for departing from the recommendations where applicable.

6.5.3 The form of the funding agreement entered into with the successful grantee should protect the Territory's interest in ensuring that public money is used for the intended purpose, defining deliverables, payment schedules and any progress reporting and acquittal requirements. The agreement might take the form of a Deed of Grant, Letter of Offer or Memorandum of Understanding depending on the complexity and nature of the grant.

6.6 PUBLISHING GRANT INFORMATION

6.6.1 If a decision is made to invite public applications for a grant program, it should be published on the appropriate ACT Government website and details linked to the Funding and support page of the ACT Government website to promote awareness.

6.6.2 The online publication should include, at a minimum:

- the name of the grant program
- who can apply
- the purpose of the grant
- how much funding is available
- details of how to apply and the closing date for applications
- a copy of the grant program guidelines and any application forms
- contact details to request further information.

6.6.3 Contact the JACS Communications & Engagement branch for assistance with meeting the publication requirements.

6.6.4 It is also a requirement of the *Freedom of Information Act 2016* for agencies to proactively publish information about all government grants made or administered by the agency under Open Access. JACS complies with this requirement through the fulfillment of its obligations under the Annual Report

Directions, which require agencies to include details of any grants awarded during the financial year in its Annual Report.

6.6.5 Each July, Governance, Coordination and Reporting will request information on awarded grants and sponsorships from all business units for inclusion in the Annual Report. Business units **must** ensure this information is readily available at this time to meet reporting requirements.

6.6.6 There may be circumstances where it would not be appropriate to publicly report on an awarded grant, generally because it is contrary to the *Information Privacy Act 2014*, or other statutory requirements, or the specific terms of the Deed of Grant. In these circumstances, the responsible area **must**:

- endeavour to publish as much information as legally possible
- document the reasons for not reporting fully, and
- take all possible steps to ensure that future Deeds of Grant do not contain provisions that prevent the disclosure of information, including seeking legal advice as appropriate.

6.7 MONITORING A GRANT

6.7.1 Monitoring the expenditure and progress of active grants is an integral part of good governance and risk management.

6.7.2 Progress reports against agreed performance measures or milestones may be requested where warranted to help track progress, outcomes and benefits. The volume, detail and frequency of reporting requirements should be proportional to the risks involved, outcomes being sought and capacity of the grantee to fulfil the requirements (i.e. less stringent requirements may be set for small businesses or not for profit organisations compared to a larger corporations).

6.7.3 Action should be taken to address poor performance as early as possible consistent with the mechanisms identified in the grant agreement.

6.7.4 Reliable, timely and adequate evidence should be requested to demonstrate that the grant has been expended in accordance with the agreed terms and conditions of the grant. The approach taken to acquit grants should be proportionate to the size and risk of the grant and take into account the cost of compliance. For small grants for instance, a financial assessment that includes a grantee's declaration on how grant funds have been spent may be sufficient. Where acquittal is not possible, the decision to attempt to recover or write-off outstanding funds should be documented.

6.8 EVALUATION

6.8.1 Strategies to evaluate the performance of an awarded grant should be developed during the design phase of the grant lifecycle. Evaluation includes establishing appropriate performance measures on which to evaluate individual grants and

the entire grant program. Performance measures should be proportionate to the risk profile of the grant opportunity, grantees and the grant activities being funded.

6.8.2 The evaluation should provide a balanced assessment which:

- focuses on the extent to which the government's policy outcomes have been achieved.
- details the context of the grant opportunity
- defines the validity and reliability of the evaluation data and methodology(ies) used
- discusses any challenges in conducting the evaluation
- links the analysis to the findings/conclusions and recommendations
- identifies whether the outcomes were in line with the expectations of the government, grantees and the entity.

6.8.3 Evaluations may be supported by data collected from the grantee, other government entities, or qualitative sources (i.e. case studies).

6.9 RECORDKEEPING

6.9.1 Good recordkeeping is essential to demonstrating accountability in grants administration. Accountability involves grantees, staff and decision makers being able to demonstrate and justify the use of public resources. This necessarily involves all parties keeping appropriate and accessible records.

6.9.2 Records held by the Directorate **must** be managed in accordance with the *Territory Records Act 2002* and JACS Records Management Program. This includes ensuring full and accurate records are kept in an approved recordkeeping system (i.e. Content Manager).

7. ENQUIRIES

Enquiries about this SOP can be directed to:

JACS Governance, Coordination and Reporting
JACSGCR@act.gov.au

DETAILS

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AMENDMENT HISTORY

Version	Issue Date	Amendment Details	Author	Approved by
1.0	31 July 2026	New document.	GCR	TBA