



Australian Government
Department of Education and Training

Business
Industry Skills Fund



Customer Information Guide

INDUSTRY SKILLS FUND

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1 PURPOSE OF THIS GUIDE

This Guide explains what assistance is available through the *Industry Skills Fund (fund)*, who can apply, how to apply, and your obligations as an *Applicant*.

You should read this guide and any related documents before completing an application form.

2 WHAT IS THE INDUSTRY SKILLS FUND?

The *fund* is a program that provides Australian businesses with access to *Training* so that they are better placed to succeed in a rapidly changing economy.

NOTE: *Additional support for businesses in Northern Australia commenced on 1 September 2015.*

Businesses that apply for a grant under the *fund* must financially contribute to the proposed *Project*. The *fund* primarily targets micro, small and medium businesses, which plan to upskill and reskill their workforces to **better position for Growth Opportunities**. Large businesses are also eligible for the *fund*, but they will be required to make a higher contribution to the costs of *Training*.

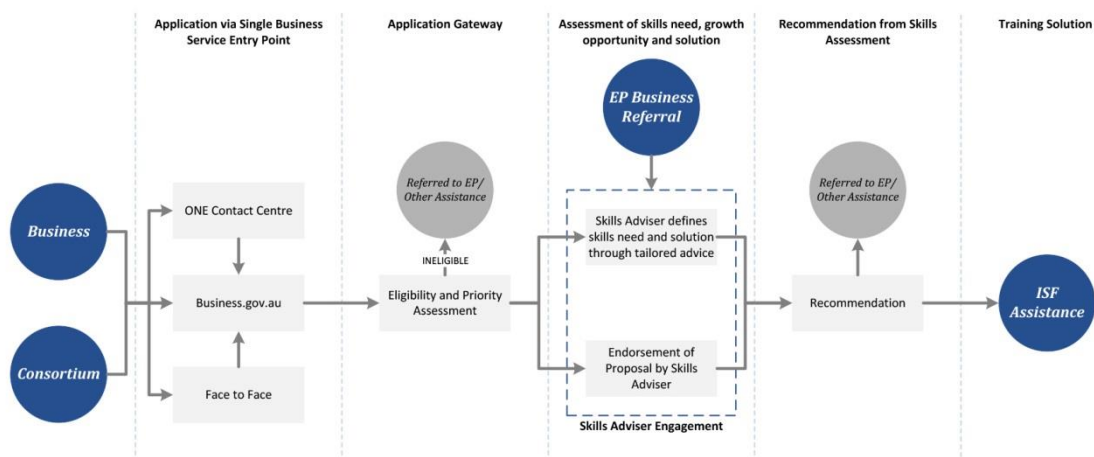
Help is available in the following categories:

- **Skills Advice** – A service to help business identify skills needs and to maximise *Training* outcomes.
- **Training Grant** - Funding for businesses looking to improve the skills of their workforce for an identified *Growth Opportunity*.

NOTE: *Businesses may access one or both of these assistance categories depending on business need, eligibility and merit.*

PROGRAM OVERVIEW

Industry Skills Fund Program Map



3 WHO WILL BE ASSISTED?

3.1 BUSINESSES GOING FOR GROWTH

The *fund* targets micro, small and medium businesses, who are preparing to take up *Growth Opportunities* outside of their normal day to day business operations. Investing in the skills capabilities of these businesses will help them become more productive and competitive.

3.1.1 GROWTH AND THE INDUSTRY SKILLS FUND

A key requirement for a business to receive assistance through the *fund* is that the identified *Training* will form a critical component of the business' strategy to position itself for a *Growth Opportunity*. In order for something to be considered as a *Growth Opportunity*, it must be new, innovative, outside of the business' day to day operations and expected to increase the productivity and competitiveness of the business.

Examples of potential *Growth Opportunities* could include:

- diversifying into new or emerging markets; or
- adopting new or emerging technologies; or
- entering export markets; or
- responding to significant domestic market opportunities; or
- repositioning because of market driven structural adjustment.

3.1.2 PRIORITY INDUSTRIES

Priority Industries include:

- food and agribusiness;
- mining equipment, technology and services;
- medical technologies and pharmaceuticals;
- oil, gas and energy resources;
- advanced manufacturing; and
- enabling technology and service industries that support one or more of the priority areas listed above.

Further detail and an explanation of the [Priority Industries](#) is available on [Industry Skills Fund](#) page of business.gov.au.

These *Priority Industries* are in fields where Australia enjoys a competitive advantage, is likely to have an opportunity to exploit favourable global market conditions, or has a significant impact on the Australian economy.

Applicants that fall within the *Priority Industries* will be given priority in the assessment process.

Applicants that don't fall within the *Priority Industries* are still eligible to apply, however they will need to clearly show in their application that they have significant growth potential, and are preparing to reposition to take advantage of economic opportunities.

3.2 BUSINESSES LOCATED IN NORTHERN AUSTRALIA

The *fund* provides increased support for eligible businesses that are located in or entering into *Northern Australia*. For the purposes of the *fund*, a business will be considered as located in or entering into *Northern Australia* if:

- its *primary place of business* falls within *Northern Australia*; or
- it can demonstrate that it has a *Growth Opportunity* that expands its operations into *Northern Australia*.

An interactive map of the *Northern Australia* region can be found by navigating to <http://www.nationalmap.gov.au/northernaustralia/>

4 HOW DOES THE FUND WORK AND WHAT WILL THE FUND PAY FOR?

The *fund* recognises that businesses may need some tailored advice before they invest in *Training*, but also understands that some businesses may have already identified the *Training* they need to achieve their intended growth outcomes.

NOTE: *Businesses may access one or both of the assistance categories below depending on eligibility, merit and business need. There is also no maximum funding amount eligible organisations can apply for.*

4.1 SKILLS ADVICE

Skills Advice is a service within the *fund* targeted at micro, small and medium businesses who need help identifying their skills needs. Independent, experienced skills advisers will work with your business to understand your *Growth Opportunity* and identify the skills needed to increase your competitiveness. This advice will be tailored to your business and may include activities such as analysis of *Training* needs, skills audits and workforce development planning.

Following *Skills Advice* you will receive recommendations for skills activities to help you improve your business' growth potential.

Recommendations for improvement will be given in the following categories:

- **Business growth *Training*** – *Training* activities required for you to increase competitiveness for identified *Growth Opportunities*.
- **Business growth *Training* support services** – other activities you can complete to increase the impact of business growth *Training* outcomes.

Skills advisers may recommend *Training* activities to improve normal day-to-day business operations. These *Training* activities won't be eligible for an *Industry Skills Fund Training Grant (Training Grant)*.

If you receive, and are interested in implementing recommendations in the 'Business growth *Training*' and/or 'Business growth *Training* support services' categories and would like some financial help, you can apply for a *Training Grant*.

4.2 TRAINING GRANT

The *Training Grant* helps you with the cost of *Training*, including:

- nationally recognised *Training*, including full qualifications and skill sets;
- *Training* that is accredited through state and territory systems, including Language, Literacy and Numeracy *Training*;
- *Training* that is identifiable, transferrable by a learner and builds the capability of a learner;

- high quality, innovative or tailored *Training* that may not yet be part of a *Training* package or accredited course. This can include different combinations of *Training* modules to form new skill sets and *Training* tailored to meet specific business needs; and
- *Training* required to navigate export barriers and/or access foreign markets.

The *Training Grant* only covers costs directly attributed to the delivery of the *Training*.

4.3 WHAT WON'T THE FUND PAY FOR?

The types of *Training* that are **not eligible** include:

- *Training* that allows a business to comply with legislative and other regulatory requirements relating to their normal day-to-day business operations.
- *Training* considered part of what a well-managed business should provide to its workforce, through normal day to day operations;
- *Training* that is available to businesses through the state and territory Vocational Education and *Training* systems that are subsidised for employees;
- *Training* that is delivered by the *Applicant, Lead Member, or Individual Member* of a consortium; or *Training* delivered by a related party of the *Applicant, Lead Member* or member of a consortium will not be deemed *eligible expenditure*. Related parties include, but is not limited to: companies/organisations with common shareholdings or directorship; and/or individuals, employees or immediate family related to the *Applicant*;
- *Training* that is delivered under an *auspicing/third party provider* arrangement (that is, an arrangement where the training is organised through the Registered Training Organisation but the actual training is delivered by a third party training provider) where both the *Registered Training Organisation* and *Training Provider* are not listed in the *funding agreement* and/or where invoicing and evidence of payment for the training is not from the *Registered Training Organisation*; and
- consultancy and related activities that do not build capability of a learner to the satisfaction of the *Program Delegate*.

4.4 CONTRIBUTION

4.4.1 GENERAL CONTRIBUTION RATES

The amount you will have to contribute will depend on how many *Full Time Equivalent (FTE)* employees you have. You'll be required to pay the following percentage of the total *Project* cost:

Business Type	Business Size	Business Contribution Rate
Micro Business	(0 – 4 <i>FTE</i> employees)	25%
Small Business	(5 – 19 <i>FTE</i> employees)	34%
Medium Business	(20 – 199 <i>FTE</i> employees)	50%
Large Business	(200+ <i>FTE</i> employees)	75%

NOTE: *Contributions must be in cash. In-kind contributions will not be accepted.*

4.4.2 BUSINESSES LOCATED IN NORTHERN AUSTRALIA

The amount you will have to contribute will depend on how many *Full Time Equivalent (FTE)* employees you have. You'll be required to pay the following percentage of the total *Project* cost:

Business Type	Business Size	Business Contribution Rate
Micro Business	(0 – 4 <i>FTE</i> employees)	25%

Small Business	(5 – 19 FTE employees)	25%
Medium Business	(20 – 199 FTE employees)	25%
Large Business	(200+ FTE employees)	50%

NOTE: Contributions must be in cash. In-kind contributions will not be accepted.

5 WHO CAN APPLY?

You can apply as an individual business or through a consortium. If your business is not eligible individually, it may still be eligible as a consortium member.

Registered Training Organisations and other *Training* deliverers are not eligible to apply for funding to deliver *Training* to their own workforce and are not eligible to apply on behalf of another entity. They are also not eligible to receive *Skills Advice*.

Individual businesses and consortia leads are eligible to apply to undertake *Projects* concurrently where the *Department* is satisfied there is reasonable justification and capacity to do so.

See section 8 for details relating to multiple applications.

5.1 BUSINESSES ENTERING INDIVIDUALLY

You can apply for assistance if you are a solvent Australian enterprise that:

- Is non tax-exempt or is a trust that is non tax-exempt;
- has an Australian Business Number (ABN);
- is registered for *Goods and Services Tax (GST)*;
- has operated in Australia and filed Business Activity Statements showing ongoing trading in at least three consecutive years; and
- is not named by the Workplace Gender Equality Agency as an organisation that has not complied with the Workplace Gender Equality Act 2012 (Cth). Companies on the current list of non-compliant organisations (available at <https://www.wgea.gov.au/about-legislation/complying-act>) are not eligible to apply.

5.2 CONSORTIA AND LEAD MEMBERS

5.2.1 CONSORTIA REQUIREMENTS

Consortia can only apply for funding if there are at least three beneficiaries of the *fund*, for example:

- a *Lead Member* and three *Individual Members*
- or a *Lead Member* and two *Individual Members*, where the *Lead Member* is also a beneficiary of the *fund*.

5.2.2 LEAD MEMBERS OF CONSORTIA

Any business in the consortium *Project*, or any separate solvent Australian entity can be the consortium lead. This involves managing funding on behalf of consortium members. For a *Lead Member* to benefit from the *Fund*, they must meet the criteria under section 5.1.

Examples of the types of organisations that may lead consortia are:

- peak bodies
- industry associations
- not-for-profit organisations

- large businesses
- Industry Skills Councils
- regional bodies
- community organisations.

Where consortia applications are granted funding, the *Lead Member* of the consortium will be responsible for signing the *Funding Agreement* with the Commonwealth and therefore responsible for financial, administrative, legal and reporting obligations along with the achievement of *Project* outcomes.

Consortia should have clear and well defined governance structures that attribute roles and responsibilities to *Individual Members*. Consortium members are expected to collaborate throughout the *Project* period, from first considering the actions to be taken, to the implementation of *Training* solutions. It is expected that *Lead Members* will bind the *Individual Members* in contractual arrangements to ensure *Project* outcomes are achieved.

Governance structures should set out a formal dispute resolution mechanism as well as processes to deal with complaints. Disputes and complaints between *Lead Members* and *Individual Members* should be dealt with internally by the consortium. The *Department* will not be party to any contractual arrangements between *Lead Members* and individual consortium members.

The *Lead Member* is responsible for both receiving member *contribution* amounts and disbursing funding to organisations delivering *Project* activities; i.e. organisations delivering *Training* and/or *Training* support services agreed in the *Funding Agreement*.

The *contribution* amount each *Individual Member* of a consortium is required to provide to the *Lead Member* will be based on how many *FTE* employees the *Individual Member* has. See Section 4.4 for *contribution* rates.

NOTE: *The Industry Skills Fund does not provide management fees to consortia Lead Members to administer Projects. This does not prevent Individual Members from providing a Lead Member with a management fee; however, such fees will be excluded from the contribution element and will not be considered as any part of the cost of Training.*

5.2.3 BENEFICIARIES OF CONSORTIA (INDIVIDUAL MEMBERS)

All *Individual Members* of a consortium that will benefit from the *Training Project* must be solvent Australian enterprises that satisfy the eligibility criteria under section 5.1.

Where a *Lead Member* of a consortium meets the eligibility criteria under section 5.1 they are deemed eligible to be a beneficiary of the *fund*.

6 ELIGIBLE LEARNERS

Training Grants will only be provided for employees, including new and/or existing employed workers, that:

- have not previously completed the *Training* course that they are *Training* for under the *Project*;
- have permanent residency, that is, as an Australian citizen or as a permanent resident of Australia; or a New Zealand passport holder who has worked in Australia for at least six months;
- are of legal working age in the state or territory of employment;
- satisfy any *Training* program prerequisites, where applicable; and

- satisfy any licensing prerequisites, where applicable.

7 WHAT SUPPORT IS AVAILABLE?

The *fund* provides tailored advice and support at all stages from enquiry through to application and funding. If funding isn't available, information will be published on the *Industry Skills Fund* page of the business.gov.au website to advise that the *fund* is closed to new applications.

7.1 SINGLE BUSINESS SERVICE

The first step in seeking assistance through the *fund* is to:

1. call the Single Business Service on 13 28 46 or
2. visit business.gov.au/industryskillsfund and complete a simple online enquiry form.

Your initial phone call or enquiry form will consist of a series of questions that will determine:

- your eligibility;
- whether you have identified a *Growth Opportunity*, and if so, what the opportunity is;
- whether your business is in a *Priority Industry* or eligible as part of the *Northern Australia* initiative;
- whether a related skills need has been identified, and if so, what the need is; and,
- whether a *Training* solution has been found, and if so, what the solution is.

NOTE: *You are not required to have identified a skills need or a Training solution before you contact the Single Business Service. If this is the case, you may be directed to the Skills Advice service.*

7.2 SKILLS ADVICE OR TRAINING GRANT?

7.2.1 INDIVIDUAL BUSINESSES UNSURE OF WHAT THEY NEED – SKILLS ADVICE

If you are a micro, small or medium individual business that is eligible for the *fund* and could benefit from support to determine the *Training* solution that will help your business grow, you may be referred to *Skills Advice*. This service will provide tailored advice and *Training* recommendations to increase the likelihood of your business meeting its growth objective.

7.2.2 INDIVIDUAL BUSINESSES THAT HAVE IDENTIFIED WHAT THEY NEED – TRAINING GRANT

If you are a micro, small or medium individual business that is eligible for the *fund* and are already aware of a *Growth Opportunity*, a related skills need and a *Training* solution to meet that need, you may submit an application that addresses the *Merit Criteria* for the *fund*. See section 9 for further detail on the types of information you will need to provide.

The proposal will be assessed by the *Department* with assistance from a Skills Adviser as required.

7.2.3 CONSORTIA

Consortia will be expected to have undertaken economic analysis and workforce development before approaching the *fund* for assistance. If this has not occurred, the *Lead Member* of the consortium will be expected to undertake this work before an application can be progressed.

A *Lead Member* may submit a funding proposal that addresses the *Merit Criteria* for the *fund*. See section 9.3 for further detail on the types of information you will need to provide.

The proposal will be assessed by the *Department*, who may seek assistance from Skills Advisers. If it is decided that a consortium requires additional support to determine *Training* solutions related to the *Growth Opportunity*, the *Department* may refer them to a Skills Adviser.

7.3 ENTREPRENEURS' PROGRAMME PRE-QUALIFICATION

The Entrepreneurs' Programme (EP) is a Department of Industry Innovation and Science program delivered through AusIndustry. The program offers an alternative access point to the *fund* for those businesses that are identified as positioning for a *Growth Opportunity* and have uncovered a skills need through engagement with the EP Business Growth Services (more information can be found on the Entrepreneurs' Programme page of business.gov.au.)

Access to the *fund* through the EP Business Growth Services will be at the recommendation of the EP Adviser. Businesses accessing the fund through EP will need to complete an online enquiry form to initiate an application and can use their EP assessment to satisfy the requirements of *Merit Criteria A – Growth Opportunity*. All other *Merit Criteria* must be answered.

8 IS IT POSSIBLE TO APPLY MORE THAN ONCE?

It is possible for both individual businesses and *Lead Members* of consortia to apply for the *fund* more than once. If an application is received whilst still undertaking a *Project* however, the following requirements must be met.

8.1 INDIVIDUAL BUSINESSES

If an individual business is currently undertaking a *Project* through the fund and would like to undertake a second *Project* concurrently, it must be able to demonstrate at a minimum (in addition to ordinary requirements):

- that it has the capacity and capability to successfully manage multiple *Projects* at the same time;
- that its workforce is capable of sustaining and completing the *Training* related to multiple *Projects* simultaneously;
- that it can financially support concurrent *Project* expenditure;
- that it is not a large sized business; and,
- if *Industry Skills Fund Skills Advice* has previously been provided, either all recommendations received have been implemented, or justification has been received as to why they were not implemented, to the satisfaction of the *Department*.

8.2 CONSORTIA

If a *Lead Member* of a consortium is currently managing a *Project* through the fund and would like to undertake a second *Project* concurrently, it must be able to demonstrate at a minimum (in addition to ordinary requirements):

- that it has the capacity and capability to successfully manage multiple *Projects* at the same time;
- that if it has an *individual member(s)* that is currently undertaking a *Project*, it is capable of sustaining and completing the *Training* related to multiple *Projects* simultaneously;
- that it can financially support concurrent *Project* expenditure; and,

- if *Skills Advice* has previously been provided to an *Individual Member* of the consortium, either all recommendations received have been implemented, or justification has been received as to why they were not implemented, to the satisfaction of the *Department*.

9 HOW IS MY APPLICATION ASSESSED?

9.1 MERIT CRITERIA

All applications and funding proposals **must** address, and will be assessed against, the *Industry Skills Fund Merit Criteria*. The strongest applications will be granted funding and *Applicants* will need to clearly communicate and demonstrate how their applications meet the following criteria:

- a. how they are positioning to take up a *Growth Opportunity*. A *Growth Opportunity* could occur when the business:
 - I. diversifies into new or emerging markets and/or
 - II. adopts new or emerging technologies and/or
 - III. enters export markets and/or
 - IV. responds to significant domestic market opportunities and/or
 - V. repositions because of market driven structural adjustment/ or
- b. how the productivity gains created from the proposed *Project* will deliver benefits to the Australian economy;
- c. how the proposed *Project* will address critical skills gaps or shortages, and allow the business to be more competitive for the identified *Growth Opportunity*;
- d. the *value for money* offered by the proposed *Project*;
- e. the capability and capacity of the *Applicant* and the *Training* provider to carry out the proposed *Project*.

Further details on the [Merit Assessment Guide](#) are available on the [Industry Skills Fund](#) page of business.gov.au.

9.2 IF YOU HAVE RECEIVED SKILLS ADVICE

Where a business has received *Industry Skills Fund Skills Advice*, performance against the *Merit Criteria* will have been assessed as part of the recommendation process. As such, the business is only required to submit a streamlined application for assessment against *Merit Criteria* 9.1 (d) and (e) only.

Where an *Applicant* clearly is from an identified **Priority Industry**, claims to *Merit Criteria* (a) and (b) will be strengthened. The identification of *Applicants* as being in a **Priority Industry** will be at the discretion of the *Department*.

A business that has received *Industry Skills Fund Skills Advice* may choose to apply for funding for *Training* that has not been recommended in their *Skills Advice Report*. In this instance, a separate application must be submitted for assessment that addresses all five *Merit Criteria*. The application must include information on why the proposed *Training* has merit despite not being recommended in the *Skills Advice Report*.

9.3 WHAT INFORMATION DO I NEED TO PROVIDE?

While all funding proposals and applications must address the *Merit Criteria*, extra information may be needed to assess *Project* risk and compliance procedures. A sample enquiry form and application form can be found on the [Industry Skills Fund](#) page of business.gov.au.

NOTE: All applications must include two written Training Provider quotes for each course applied for addressing Training needs, providing clear identification of Training outcomes including qualifications/skill sets/units of competency.

9.4 ASSESSMENT PROCESS

We will first assess your application against the eligibility criteria. If your application is eligible, we will assess it against the *Merit Criteria*. Your application will be assessed against each Merit Criterion, and a recommendation about whether the *Project* should be funded will be made to the *Program Delegate*. Further detail for *Applicants* on how your proposal will be assessed is available through the [Merit Assessment Guide](#) is available on the [Industry Skills Fund](#) page of [business.gov.au](#).

The *Program Delegate* will ultimately decide which applications are eligible and worthy of funding (the Delegate is an employee of the *Department* who has been authorised by the *Minister* to make these decisions).

The *Program Delegate* may seek further information and recommendations from departmental staff and/or Skills Advisers on the eligibility and/or merit claims of your *Project* proposal.

While all applications will be assessed against the same *Merit Criteria*, we will score your application relative to the *Project* size, complexity and funding amount requested. A risk assessment for each application will be made on this basis.

Your application may not be accepted and you may not be awarded funding if you have not adequately addressed the eligibility or *Merit Criteria*, or if you have failed to provide all required supporting documentation, such as *Training* quotes. In some cases, individual businesses may be asked to provide more information; however, it is important to ensure you submit a full and complete application. A sample application can be found on the [Industry Skills Fund](#) page of [business.gov.au](#).

10 APPLICATION DECISIONS

You will receive a decision within 21 working days of submitting a complete application; if however the *Program Delegate* seeks further advice or information from departmental staff, Skills Advisers or yourself, the assessment timeframe will be extended by an extra 10 days.

10.1 SUCCESSFUL APPLICATIONS

If your application is successful, you must enter into a *Funding Agreement* within 21 days of it being issued.

A *Funding Agreement* is a legal agreement between your business/*Lead Member* and the Commonwealth Government. It sets out the responsibilities of both parties. A sample is available on the [Industry Skills Fund](#) page of [business.gov.au](#).

You must not start any *Project* activities (including paying for or attending courses) until you have a funding agreement in place. Commencing any *Project* prior to the execution of a valid funding agreement will void your agreement under the *fund*.

10.2 FUNDING AGREEMENT TYPES

Depending on the duration of the proposed *Project* and the risk rating assigned, you may be asked to enter into a certain type of *Funding Agreement*. This will range from an agreement with a single

payment on *Project* completion, to multiple payments on the achievement of milestones and reimbursement of the *contribution* based on actual costs to date.

A *Funding Agreement* will be negotiated with successful *Applicants*. All *Funding Agreements* will pay in arrears and will require *Project* reporting conditions to be met.

Below are three examples of *Funding Agreements* available and further detail relating to *Funding Agreements* can be found in the [Industry Skills Fund Guide to Managing Your Grant](#), available on the [Industry Skills Fund](#) page of [business.gov.au](#).

1. **Reimbursement** – single payment on completion of *Training* and payment of fees. This type of agreement is suitable for *Projects* of short duration (e.g. three months or less), or where the business or consortium is willing to carry the cost of *Training* and would prefer minimal reporting requirements.
2. **Split payment** – first payment to reimburse fees paid in the first month of the *Project* and second and final payment on completion of *Training* and payment of fees. This type of agreement is suitable for *Projects* of short to medium duration (e.g. six months or less), or where the business or consortium requires a part payment at the start of a *Project*, is willing to carry part of the cost of *Training* and would prefer reduced reporting.

NOTE: *At least 30 per cent of the government contribution amount will be held with the final payment to encourage Training Project completion.*

3. **Multiple payments** – payments in arrears of *eligible expenditure* at the completion of a negotiated period (e.g. at the completion of every six month period). This type of agreement is suitable for *Projects* of longer duration (e.g. greater than six months), and *Projects* of high value and/or risk.

NOTE: *At least 10 per cent of the government co-contribution amount will be held with the final payment to encourage Training Project completion.*

10.3 CHANGES TO FUNDING AGREEMENTS

If you want to propose changes to a *Funding Agreement*, you must put your request in writing **before** the agreement end date. The *Department* will consider changes to timeframes, activities, learner numbers and the funding amount.

The *Department* will **not** consider changes after the agreement end date. Further detail relating to changes to *Funding Agreements* can be found in the [Industry Skills Fund Guide to Managing Your Grant](#), available on the [Industry Skills Fund](#) page of [business.gov.au](#).

NOTE: *Where a Project is three months or less in duration, proposed changes to the Funding Agreement will not be looked upon favourably and will only be accepted for consideration at the discretion of the Department.*

10.4 TAX OBLIGATIONS

Funding may attract the *Goods and Services Tax (GST)*. Grant payments are increased to compensate for any *GST* that you may have to pay.

Funding is treated as assessable income for tax purposes, unless you are given a special exemption. We recommend you seek independent professional advice on your tax obligations.

10.5 PUBLIC ANNOUNCEMENT

The *Minister* may publicly announce successful *Applicants* including the:

- name of the *Applicant*
- title of the *Project*
- location and
- grant amount.

Details of successful *Applicants* will also be published online.

10.6 UNSUCCESSFUL APPLICATIONS

Where an application is unsuccessful, *Applicants* will be notified in writing by the *Department*. There is no appeal process for unsuccessful *Applicants*. At the *Department's* discretion, unsuccessful *Applicants* may be offered *Skills Advice*.

Feedback on unsuccessful applications will be available on request.

11 REPORTING

The funding *Recipient* (in the case of a *Consortium Project*, this will be the *Lead Member*) is required to submit reports on activity as specified in the *Funding Agreement*.

In general, reports will include:

- *Training* and/or support service commencements and completions;
- an overview of *Project* activity and achievement of outcomes, key performance indicators and deliverables, lessons learnt and actions taken to increase workforce capability, and the operation and sustainability of consortia (if applicable); and
- an evaluation of the *Project*.

The type of agreement you have entered into with the Commonwealth will determine when you are required to submit reports and the specific information required. These will generally coincide with scheduled payments.

All reporting requirements will be set out in your *Funding Agreement* and detailed information can be found in the [Industry Skills Fund Guide to Managing Your Grant](#), available on the [Industry Skills Fund](#) page of business.gov.au.

12 OTHER THINGS YOU SHOULD KNOW

12.1 CONFLICTS OF INTEREST

For staff, technical experts and others who help to manage, assess and evaluate the program, a conflict of interest can exist if there is a conflict between:

- their program duties, roles and responsibilities; and
- their private interests (where these interests could inappropriately influence the way they manage the program).

Private interests include an individual's own personal, professional or business interests or the interests of individuals or groups with whom they are closely associated. This includes relatives, friends or other affiliations.

A conflict of interest can be:

- real (or actual);
- apparent (or perceived); or
- potential.

A real (or actual) conflict of interest exists when a person's private interests or their program duties, roles and responsibilities **could** improperly influence how they manage, assess and evaluate the program.

An apparent (or perceived) conflict of interest exists where it **appears or is perceived** by a third party that someone's private interests or their program duties, roles and responsibilities could improperly influence how they manage, assess and evaluate the program, even if a real or actual conflict has not, or cannot, be established.

A potential conflict of interest exists when someone has a private interest and an actual conflict of interest could arise if they make any decisions related to the program.

In order to submit an application for funding, you will be required to make a declaration on the application form that you are unaware of any real or apparent conflict of interest in relation to the proposed *Industry Skills Fund Project*.

If you are unsure whether there may be a conflict of interest, or if you would like further information on this subject, please call 13 28 46.

12.1.1 HOW WE MANAGE CONFLICTS OF INTEREST

We manage conflicts of interest according to the APS Code of Conduct (section 13 (7) of the *Public Service Act 1999*).

All officials must declare any conflicts of interest. All declarations must be submitted to, and will be held by a delegated authority. Each declaration will be assessed to determine whether a conflict of interest exists and whether it is significant. In the event that a conflict of interest is identified, that individual will be advised what they must do to manage the conflict. For example, if a conflict of interest is a cause for concern, that official will not take part in the assessment of applications under the program.

If the *Minister* cannot make a decision under the program without a conflict of interest arising, the Parliamentary Secretary will become the final decision maker.

12.2 HOW WE USE YOUR CONFIDENTIAL INFORMATION

We'll use the information you give us according to Australian laws, including:

- *the Public Service Act 1999 (Cth)*
- *the Public Service Regulations 1999 (Cth)*
- *the Privacy Act 1988 (Cth)*
- *the Crimes Act 1914 (Cth)*
- *the Criminal Code Act 1995 (Cth)*.

We'll treat the information you give us confidentially if it meets all of the four conditions below:

- You clearly identify the information as confidential and explain why it should be treated as confidential.
- The information is commercially sensitive.
- Revealing the information would cause unreasonable harm to you or someone else.
- You provide the information with an understanding that it will stay confidential.

12.2.1 WHEN WE MAY REVEAL CONFIDENTIAL INFORMATION

We may reveal confidential information:

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

We may also reveal confidential information if:

- we are required or allowed by law to reveal it
- you agree to the information being revealed **before** we reveal it, **or**
- the confidential information has been made public by someone other than us.

12.3 HOW WE USE YOUR PERSONAL INFORMATION

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

- what personal information we are collecting
- why we are collecting your personal information
- who we will give your personal information to.

We will collect personal information from you, and we may give the information to our employees and contractors and other Commonwealth employees and contractors, so we can:

- manage the program
- research, assess, monitor and analyse our programmes and activities.

We, or our *Minister*, may:

- announce to the public the names of successful *Applicants*
- publish personal information on the *Department's* websites.

12.4 FREEDOM OF INFORMATION

The *Freedom of Information Act 1982* (the FOI Act) applies to all documents we create, receive or store about the program. If the document is relevant, we will release it (though we may need to consult with you and/or other parties first) **unless** it meets one of the exemptions set out in the FOI Act.

12.5 FEEDBACK

We encourage you to give us feedback on our services and our programs. Your feedback will help us to improve the services we offer to business.

The [Customer Service Charter](#) is available at business.gov.au and the Single Business Service uses customer satisfaction surveys to improve its business operations and service.

If you have a complaint, call the contact centre on 13 28 46 or contact us at business.gov.au. Your complaint will be referred to the appropriate manager.

You can also contact the [Commonwealth Ombudsman](#)¹ with your complaint (call 1300 362 072). There is no fee for making a complaint, and the Ombudsman may conduct an independent investigation.

¹ <http://www.ombudsman.gov.au/>

DEFINITIONS OF KEY TERMS

The following definitions apply for the purpose of interpreting this guide. It is not intended to be a substitution for the defined terms in any *Funding Agreement*.

Term	Definition
Applicant	An entity that makes an application for funding under the <i>Industry Skills Fund</i> .
Auspecting/third party provider	Accredited <i>Training</i> that is delivered by a person or entity other than the Registered Training Organising that will be issuing the <i>Training</i> certification.
Contribution	The <i>Recipient's</i> financial contribution to the total cost of the <i>Project</i> as set out in the <i>Funding Agreement</i> .
Consortium Project	A <i>Project</i> undertaken by a group (Lead Member and at least two Individual Members) where a <i>Lead Member</i> is the responsible party in regards to payments and <i>Project</i> outcomes.
Customer Information Guide	This guide which is formulated by the <i>Program Delegate</i> under the relevant clauses of the <i>Program Guidelines</i> , and in accordance with the Commonwealth Grant and Rules Guidelines issued by the <i>Minister</i> for Finance under section 105C of the Public Governance and Accountability Act 2013 (Cth).
Department	The Department of Education and Training administered by the <i>Minister</i> .
Eligible Applicant	An <i>Applicant</i> that satisfies the eligibility requirements.
Eligible Expenditure	Expenditure in relation to a <i>Project</i> that is deemed eligible for funding support by the <i>Program Delegate</i> , in accordance with this guide and the <i>Funding Agreement</i> .
Full Time Equivalent (FTE)	The ratio of the total number of paid hours during a period (part time , full time, casual contracted) by the number of working hours in that period. One FTE is equivalent to one employee working full-time.
Funding Agreement	An agreement entered into by a <i>Recipient</i> and the Commonwealth for the provision, by the Commonwealth, of funds.
Goods and Services Tax (GST)	Has the same meaning as in the A New Tax System (Goods and Services Tax) Act 1999 (Cth).
Growth Opportunity	A growth opportunity must be new, innovative and outside of the businesses day to day operations in order to increase the productivity and competitiveness of the business.
Guide to Managing Your Grant	A document designed to assist businesses and <i>Consortia Leads</i> that have been approved for an <i>Industry Skills Fund Training Grant</i> to understand the terms and conditions of an <i>Industry Skills Fund Funding Agreement</i> , reporting responsibilities and obligations, grant payments, compliance visits and applying to vary an agreed <i>Project</i> .
Individual Member	A member of a consortium that will benefit from the <i>Training Project</i> .
Industry Skills Fund (fund)	The program to which this guide refers.
Lead Member	The party responsible with regards to payments and <i>Project</i> outcomes for a <i>Consortium Project</i> .
Merit Criteria	The criteria against which the <i>Department</i> will assess the merit of the application for the <i>Industry Skills Fund</i> .
Minister	The Minister responsible for Vocational Education and Skills in the Education and Training portfolio.
Northern Australia	Northern Australia is defined as all of the Northern Territory and areas of Western Australia and Queensland above the Tropic of Capricorn. An interactive map of the Northern Australia region can be found by navigating to http://www.nationalmap.gov.au/northernaustralia/
Primary Place of Business	The main location where the business is conducted and/or primary business activities are undertaken. It must be a physical address and cannot be a post office box address.

Term	Definition
Program Delegate	An employee of the <i>Department</i> who has been empowered by the <i>Minister</i> , or is otherwise duly authorised, to carry out the relevant functions in respect of the <i>Industry Skills Fund</i> .
Program Guidelines	The guidelines that are given by the <i>Minister</i> to the <i>Department</i> to provide a framework for the operation and administration of the <i>Industry Skills Fund</i> .
Priority Industry	An industry that the <i>Program Delegate</i> has identified as being of immediate priority in regard to the productivity and competitiveness of the Australian economy.
Project	The set of activities that is the subject matter of the <i>Applicant's</i> application for funding.
Recipient	An entity that is awarded funding under the <i>Industry Skills Fund</i> .
Skills Advice	Skills Advice is a service within the <i>Industry Skills Fund</i> targeted at micro, small and medium businesses who need help identifying their skills needs.
Skills Advice Report	An individualised report that is provided to businesses who have received <i>Skills Advice</i> .
Training	Both accredited and non-accredited training, including skill sets, skills analysis and gap training as well as full qualifications that will assist businesses to diversify and improve their productivity and competitiveness in a global market.
Training Grant	The funding made available by the Commonwealth to successful <i>Applicants</i> under the <i>Industry Skills Fund</i> .
Training Provider	The organisation that is responsible for delivering the <i>Training</i> as outlined in the <i>Funding Agreement</i> .
Value for Money	Value for money is achieved by using public resources properly, making decisions in an accountable and transparent manner along with considering the risks when approving expenditure.