



Australian Government

Department of Social Services

Families and Communities Program

**Forced Adoption Support Services
Operational Guidelines**

November 2018

Preface

On 21 March 2013, the Australian Government formally apologised to people affected by forced adoption practices that forced the separation of mothers from their babies, and which created a lifelong legacy of pain and suffering. The Government response to the Senate Inquiry into former forced adoption policies and practices was also announced.

As part of the national apology, the Government invested \$11.5 million over four years to 30 June 2017 to assist those affected by forced adoption practices.

The initial Forced Adoption appropriation included funding for the following activities:

- \$5 million for the Department of Social Services (DSS) to improve access to specialist support services, peer and professional counselling and records tracing for those affected by forced adoptions
- \$5 million for the Department of Health for improved access to psychological services and the development of guidelines and training materials for mental health professionals to assist in the diagnosis, treatment and care of those affected by forced adoption practices and
- \$1.5 million for the National Archives of Australia (NAA) to develop the Forced Adoption History Project, including a website and exhibition to record the experiences of those affected by forced adoptions and to increase awareness and understanding of these experiences in the community.

Additional funding of \$5.7 million was allocated through the 2016-17 Mid-Year Economic and Fiscal Outlook to continue the Forced Adoption Support Services from 2017-18 to 2020-21.

These Operational Guidelines for the Forced Adoption Support Services, funded by DSS, have been developed for service providers to work in a nationally-consistent, coordinated and cooperative way. They outline the key elements of service delivery, and seek to clarify policy and process questions that may arise during the implementation and delivery of the Forced Adoption Support Services.

The Operational Guidelines are a living document. As additional issues arise and policy clarifications are developed, updates will be made to these Guidelines and they will be circulated via email to all DSS Forced Adoption Support Services service providers and uploaded to the DSS website.

The Operational Guidelines should be read in conjunction with the:

- [Families and Communities Program, Families and Children Activity Guidelines Overview](#)
- Grant Agreement
- [Families and Children Activity Administrative Approval Requirements](#)
- [Families and Children Activity Access Strategy Guidelines](#) and
- [DSS Data Exchange Protocols](#)

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1 Forced Adoption Support Services

1.1 Overview

Forced Adoption Support Services are part of the DSS's Families and Communities Program.

Forced Adoption Support Services are a component under the Adult Specialist Support Sub-Activity that sits under the Families and Children Activity.

1.2 Objectives

The Australian Government funds seven organisations to provide coordinated specialist support services across Australia for people affected by past forced adoption policies and practices. The Forced Adoption Support Services complement and enhance existing services funded by the state and territory governments and aim to improve access to peer support, counselling and records and family tracing.

The Forced Adoption Support Services are required to provide specialist support to people affected by forced adoptions through:

- a national helpline answered locally during weekdays from 9am to 5pm – 1800 21 03 13;
- referrals and information based on individual needs;
- face-to-face support, casework, emotional support, records tracing, assisting with family searching and intermediary services;
- facilitation to therapeutic counselling¹ where possible; and
- administering small grants to build sector capacity and enhance group healing activities to support people affected by forced adoption, where appropriate/possible.

Forced Adoption Support Services may also provide group support and healing activities, including peer support groups, where appropriate/possible.

1.3 Principles

1.3.1 Networking/Collaboration

Service providers must network and collaborate in accordance with Section 2.7 of the Families and Communities Program – Families and Children Guidelines Overview.

Forced Adoption Support Service providers must work collaboratively with each other and with relevant government and non-government agencies that provide services to the target group. To ensure effective integration with appropriate services, Forced Adoption Support Service providers must build and maintain effective relationships with a broad network of relevant services where appropriate/possible, which may include:

- Peer support groups
- Counselling practitioners
- Mental health practitioners
- Advocacy groups
- Records tracing support.

1.3.2 Client Diversity

Forced Adoption Support Services must provide flexible, culturally sensitive and accessible service delivery models and practices that ensure accessibility to any people who face a real or perceived barrier to receiving assistance, and have in place strategies to achieve this unless otherwise exempted by legislation. Forced Adoption Support Services must be able to provide evidence of these strategies on request.

¹ 'Therapeutic counselling' refers to formal counselling provided by a professional, (e.g. psychologist/social worker/counsellor) typically informed by a therapeutic framework.

Forced Adoption Support Services must provide services equally, without bias or prejudgement about clients. Services must be accessible to all target groups, including Indigenous people and culturally and linguistically diverse communities.

1.3.3 Design Principles

Forced Adoption Support Services will give a strategic focus to the delivery of specialist services for people affected by forced adoptions and will enhance access to existing support within each jurisdiction.

The following principles apply to all Forced Adoption Support Services:

- Services support and empower people affected by forced adoptions
- A system for feedback loops is provided including:
 - Consultation in groups and other accessible formats including for people living regionally and involved in support networks and activities:
 - Consumer reference groups where people affected by forced adoption are included in governance and planning mechanisms
 - Surveys and continuous feedback and
 - Options to inform and improve the service system.
- The way services are offered should include that:
 - Clients drive the type and direction of support
 - Service delivery is flexible and tailored to the individual needs of each person
 - Services are clear about what they do and how and
 - Clients are the expert of their own life.
- Services are respectful of the different histories and needs of people affected by forced adoptions and:
 - Promote self-determination, upholding client views that 'nothing about us, without us'
 - Give options so that people can make informed choices such as to access support that is independent from past adoption providers
 - Advocate for clients access to information that past adoption organisations hold about them; and
 - Make referrals and advocate to mainstream services to create a common approach and understanding in delivering support.
- The services employ specialist skilled staff to deliver services based on:
 - Developing trust and relationships and
 - Take time to notice relevant information about clients, are curious, ask questions, are invitational to clients and do not tell clients what to do.
- Where service providers are either past or current providers of adoption services, they must:
 - Make a strong and public commitment which acknowledges their past practices; and
 - Have appropriate policies and practices in place to ensure that any client who may or may not be comfortable with accessing the service is referred to another service, preferably through a warm referral.
- All services must develop an Adoption Provider Association Management Strategy to be mutually agreed, which contains information on how services will manage and maintain independence from those organisations that have in the past, or currently, arranged adoptions. The Strategy must contain, but is not limited to:
 - how organisational, Board Member and staff links/associations with past and current adoption providers will be managed
 - brokerage of alternative options for clients who are not comfortable with accessing your service
 - conflict of interest management strategy; and
 - disclosure/ declaration policy.

1.4 Promotion of Services

Service providers must help raise awareness of their service availability, including through networks.

Service providers must make the details of their service publically available on their websites. Forced Adoption Support Service contact details, including the 1800 number, will be included on the Forced Adoption Support Services webpage on the DSS website.

The *Forced Adoption Support Services Branding and Style Guide* describes how funded organisations need to apply the Forced Adoption Support Services logo on all Forced Adoption Support Services communications. While this is a practical guide, please note that it is best practice to consult with DSS on developing any Forced Adoption Support Services communication materials — including those that do not involve co-branding. Consulting on the use of the Forced Adoption Support Services brand is important as the program is provided by contracted support services on behalf of the Australian Government. The Forced Adoption Support Services logo was developed to be applied to a range of communication materials including activities funded under Small Grants which must also include an acknowledgement of DSS funding. For further information please see Attachment A, Section 4.5 Funding Acknowledgment.

Given the significance of the Forced Adoption Support Services national helpline 1800 number - that being the date of the National Apology - services are to ensure that all publications and media releases reflect the 1800 21 03 13 format.

1.5 Safety

The safety of all adults who visit or work for the service is paramount. Service providers should adopt the following:

- Services should give their staff clear safety policies and procedures in writing and provide staff with adequate support, training and resources to comply with those policies and procedures and
- Report critical incidents to the Commonwealth.

2 Service Delivery

2.1 Model of Service Delivery

A Forced Adoption Support Service will be delivered in each state and territory. A National Coordination role will be provided by DSS. The service delivery model to assist people who have been affected by forced adoptions has two tiers.

Tier One – A National Coordination role provided by DSS that will:

- Coordinate the Forced Adoption Support Services providers in each state and territory
- Deliver the national 1800 telephone number, which is answered locally by each individual Forced Adoption Support Service.
- Develop and maintain the DSS website to provide a single entry point for web-based information and resources and with links to existing services
- Organise national meetings/training as required; and
- Coordinate the development, implementation and maintenance of national practice principles and guidelines for Forced Adoption Support Services.

Tier Two – A Forced Adoption Support Service in each state and territory that will:

- Deliver telephone information, referral and support (casework, emotional support, records access, and assistance with family searching and intermediary services) via a national 1800 number for calls originating in their jurisdiction.

- Operate between the hours of 9.00am – 5.00pm (local time) Monday to Friday.
- Provide services to people affected by forced adoptions. The level of assistance may depend on the issues presented by the client, and could range from case management through to warm referrals to other relevant providers.
- Deliver information, referral and support services (casework, emotional support, records access, and assistance with family searching and intermediary services) face-to-face, where appropriate/possible.
- Deliver peer support and other group healing activities where appropriate/possible and where Forced Adoption Support Services have capacity. The provision of peer support and group healing activities is not a mandatory part of the service offer, and these groups may be supported through Small Grants (see below and **Attachment A**).
- Improve access to counselling, however, the delivery of therapeutic counselling services is not a mandatory part of the service offer. Counselling may be offered/ part of the individual provider's service offer, where services have the expertise and capacity:
 - Where a client may benefit from formal therapeutic counselling services the Forced Adoption Support Services can help to facilitate access to these services.
 - In some cases, and where sufficient funding is available, Forced Adoption Support Services may be able to deliver therapeutic counselling services in-house. However, these services may incur some fees for clients. Each Forced Adoption Support Service will have their own methods of determining those respective fee schedules, e.g. this could include a sliding scale based on a person's ability to pay.
 - Where a therapeutic counselling service is not able to be provided directly by the Forced Adoption Support Service, appropriate warm referrals should be made to suitable services, however, the Forced Adoption Support Services will have no control over fees charged by external providers.
- Develop or participate in Local Networks of service providers, where appropriate/possible, within their community area. These Local Networks are to bring together a broad range of service providers that include mainstream, post-adoption specific, professionals and peer support and advocacy services, as appropriate, to enhance quality, coordination, flexibility and diversity of post-adoption support services.
- Administer Small Grants, through subcontracting arrangements, to peer support, advocacy groups and other therapeutic organisations, to build sector capacity and enhance group healing activities to support people affected by past forced adoptions. Small Grants will be administered in collaboration with Local Networks of service providers wherever possible. The Small Grant allocation will total between 5% - 10% of annual funding provided to the Forced Adoption Support Service provider. The exceptions are that Relationship Australia TAS is exempt from this requirement, and small grants are optional for Relationship Australia NT.
- Collaborate with Forced Adoption Support Services in all states and territories to help provide 'no wrong door' assistance for clients, particularly for clients whose records may be located in a different state or territory to the one in which they reside.
- Commemorate the anniversary of the National Apology for Forced Adoptions on 21 March each year, in an appropriate manner for the local community. For example, an event or memorial activity inviting people affected by past forced adoption to promote healing and community awareness.
- Attend national meetings/training (including roundtables) as required by DSS, however, Forced Adoption Support Services will not be expected to fund travel costs unless exceeding more than the number of attendees allocated, or type of reimbursement offered based on DSS' travel policy.

2.2 Peer Support

Forced Adoption Support Services are encouraged to work with peer support and advocacy groups who may be part of the planning and decision making regarding the allocation of Small Grants where appropriate/possible.

Small Grant recipients cannot use Small Grant funding for the employment of staff and/or provision of counselling services. More information about the allocation of Small Grants is available in **Attachment A**.

2.3 Research and Guidelines

The Australian Institute of Families Studies has developed a number of resources that may assist the Forced Adoption Support Services to support people affected by forced adoptions:

- The *Forced Adoption National Practice Principles: Guidelines and principles for specialist services* (2016) resource aims to reflect how Forced Adoption Support Service organisations funded by DSS, as well as other service providers working in this space, can provide services consistent with nationally agreed guidelines.
- The *Forced Adoption Support Services: Establishing and building networks* (2015) resource provides best practice guidance to developing and maintaining networks that are positive, sustainable and work to meet the needs of clients. It provides an outline for managing professional networks, however it does not prescribe how service providers should establish or participate in local networks.
- The *Good Practice Principles in providing services to those affected by forced adoption and family separation* (2015) resource paper is for service providers working with people affected by past forced adoption policies and practices. The paper is based on research aimed to improve a knowledge base about the extent and effects of past practices as well as to strengthen the evidence available to address the current service and support needs of people affected.

These three resources are accessible through the DSS website at <https://www.dss.gov.au/our-responsibilities/families-and-children/programs-services/forced-adoption-practices>.

3 Working with Clients

3.1 Eligible Clients/Target Group

The target group for Forced Adoption Support Services is anyone who is affected by Australia's past forced adoption policies and practices. Affected people include mothers, fathers, adopted people, siblings, adoptive parents and extended family members. The priority for service delivery should be the people who were directly affected, and efforts are to be made to ensure services are accessible for mothers, fathers and adoptees. Services to extended family members can also be achieved through effective warm referrals to other relevant providers.

3.2 No Wrong Door Approach

Identifying the most appropriate service to respond to a client's needs is the role of the Forced Adoption Support Services' staff.

Generally, it is expected a client will receive support from the Forced Adoption Support Service in the jurisdiction in which they reside. However, clients should be able to receive a prompt response no matter which service they first approach for assistance, where they currently reside or where the adoption took place.

If the client requires assistance, for example, with records access where records are held in another jurisdiction, the Forced Adoption Support Service should seek assistance from the Forced Adoption Support Service and/or other post-adoption providers in the other jurisdictions as appropriate.

3.3 Trauma Informed approach to service delivery

Clients should be assessed and supported based on need. Trauma Informed principles should be applied. DSS expects that all client facing staff, including those answering the national 1800 telephone entry point service (office and reception), will be professional, appropriately trained and supervised. All client facing staff are strongly encouraged to complete the Australian Psychological Society (APS) online training - [Working with people affected by forced adoption: training for mental health professionals](#), as the training cost can be included under the funding.

These websites provide information and resources on evidence-based best practice in trauma informed service delivery:

- [Trauma-based approaches for responding to complex trauma](#) (Blue Knot Foundation)
- [The \(US\) National Centre for Trauma Informed Care](#)

3.4 Consent (verbal/ written) and verification

Consent is necessary to:

- Deal with third parties who are acting on behalf of a client; and
- To initiate direct contact with a client who has been referred to the service by a third party.

There are occasions when verbal client consent is sufficient and other times when written client consent is required.

Occasions when verbal consent is sufficient for a Forced Adoption Support Service to respond to a client includes:

- When a duty of care response is required (someone's wellbeing is at risk of harm) and
- When the Forced Adoption Support Service is undertaking a short-term piece of work for a client that is urgent (especially where distance is an issue) and/or where there are barriers to receiving signed consent. When appropriate, the Forced Adoption Support Service staff will read out the consent form to the client and ask that they provide consent verbally. The time, date, purpose and duration of consent are clearly case noted on the client's case file.

Forced Adoption Support Services must document efforts to obtain signed consent.

3.5 Confidentiality

In order to maintain the trust of people affected by forced adoptions, Forced Adoption Support Services must carefully respect their clients' information ensuring that identifying information about clients is only shared if consent is provided.

3.6 Support for records searching

Searching for and releasing records will, in many situations, require the assistance of other support services. Forced Adoption Support Services are encouraged to seek advice and support from their colleagues in other services who are in closer proximity to where the records may exist or where the client lives as they prepare to search for interstate records and when providing a supported records release.

3.7 Supported release of records

A client's right to exercise self-determination in receiving their records must be considered, and support and information provided so the client can make an informed decision. Clients are to be offered a supported release of their records if appropriate.

It is important that clients are not denied their right to receive information about them, and this must be balanced with ensuring the client's wellbeing is safeguarded (considering duty of care responsibilities). A supported release of records might be assisting the client to plan their supports (having a partner, friend or family member with them) when they receive the records and how they will approach reading the records. Services could involve agreeing with the client that they open records only when they next visit their therapist or it might involve a series of face-to-face meetings with the client to gradually read through the records according to the client's needs and wishes. The level of support will vary among the Forced Adoption Support Services depending on client need.

3.8 Support for family searching and reconnecting

Forced Adoption Support Services may provide support to assist with family searching and intermediary services, as well as genetic DNA testing. This support can be provided at all stages of the search and reconnection process. The Forced Adoption Support Services are not required to directly fund genetic DNA testing. However, this can be part of the individual provider's service offer, where they have the capacity. Forced Adoption Support Services' funding cannot be used to directly fund family reunions.

Services must advise clients that genetic tests and family searching may have a range of risks, benefits, limitations and consequences that need to be carefully considered, including that clients may receive results that they are not prepared for, and family members "found" may not consent to being contacted. This information must be sensitively communicated and supported. Services must observe strict privacy rules called Australian Privacy Principles which are contained in the *Privacy Act 1988* (Cth) when accessing client data or providing assistance. However, clients should be aware privacy cannot be guaranteed once genetic test results are made publicly available and this may be of particular concern if accessing the services of overseas laboratories not accredited to the equivalent of Australian standards. DSS recommends that only reputable genetic DNA testing companies that respect and value the privacy of testers are accessed.

3.9 Counselling

Forced Adoption Support Services are required to improve access to counselling as per their grant agreements. The Forced Adoption Support Services are not required to undertake therapeutic counselling, but will provide warm referrals to relevant counselling services. However, therapeutic counselling can be part of the individual provider's service offer, where they have the expertise and capacity. More information about counselling is available under Section 2.1 Model of Service Delivery.

As the provision of counselling is not mandatory for the Forced Adoption Support Services, the 'counselling' service type in the DSS Data Exchange is considered to include emotional support through to formal therapeutic counselling (where possible/relevant).

4 Reporting

4.1 DSS Data Exchange

Service providers must meet their data collection and reporting obligations and work in accordance with the requirements described in Sections 2.9 and 2.10 of the Families and Communities Program, Families and Children Guidelines Overview.

Further information on the DSS Data Exchange, including training resources and policy guidance, is available on the DSS Data Exchange web portal at <https://dex.dss.gov.au/>.

4.2 Hot Issues, Incidents and Media

Demand for, and increased public, media or political interest/scrutiny will periodically spike due to hot issues, including:

- media interest concerning issues that may retraumatise the target group such as adoption or institutional abuse;
- annual events such as the anniversary of the National Apology;
- launches of new initiatives; and
- parliamentary proceedings, including senate estimates hearings and question time.

Identifying these hot issues and sharing the information with DSS will enable more proactive service delivery responses.

Service providers must also alert DSS of any critical incidents, particularly where they affect services to clients or a client's wellbeing.

5 Complaints

Service providers must have an 'internal complaints procedure' in place and it must be prominently displayed. Clients must be made aware of the avenues available to them to make a complaint by more than one method – e.g. in person, in writing, over the phone, via email etc. Complaints are to be treated professionally and responded to in a timely manner.

Service providers must notify the relevant DSS Funding Arrangement Manager about significant policy concerns, and sensitive or serious complaints that may not be easily resolved. This includes actions taken by the organisation to resolve the client's issues and concerns

Section 6 of the Families and Communities Program, [Families and Children Guidelines Overview](#) further outlines the process for dealing with complaints and escalation, including to DSS.

The Commonwealth Ombudsman can also investigate complaints about the actions and decisions of Australian Government agencies to see if they are wrong, unjust, unlawful, discriminatory or just plain unfair.

6 Grant Administration

The DSS Funding Arrangement Managers are the first point of call for contact with the Department. They will provide assistance with queries relating to planning, data and reporting, or any new issues that arise under these Operational Guidelines.

7 Glossary

Adult Specialist Support – provides specialist services and support to improve outcomes and enhance wellbeing for people adversely affected by past institutional and child-welfare practices and policies under the Families and Children Activity.

Client – An individual who receives a service as part of the funded Activity / Sub-Activity that is expected to lead to a measureable individual outcome.

DSS – The Australian Government Department of Social Services

DSS Data Exchange – The Data Exchange is a free web based portal which has been progressively implemented across all in-scope DSS programs from 1 July 2014 to allow the capture and reporting of data and client outcomes.

Families and Children Activity – is delivered under the Families and Communities Program and aims to support families, strengthen relationships, improve the wellbeing of children and young people and increase participation of people in community life to enhance family and community functioning.

Families and Communities Program – provides a range of services, focused on strengthening relationships, and building parenting and financial management skills, providing support for better community connections, as well as services to help newly arrived migrants in their transition to life in Australia.

Forced Adoption – It is unknown how many people are affected by Australia’s past forced adoption policies and practices. In the past, adoption of children of unwed mothers was common. Babies were separated from them without contact, and adopted to often childless married couples. While separation by adoption continues, approximately 150,000 adoptions occurred during the peak period of 1951 –1971. Unwed pregnant women had little or no choice about what would happen to their babies.

Many of these adoptions were arranged without willing or informed consent, were unethical, dishonest and in many cases illegal and are therefore considered ‘forced’.

Forced Adoption Support Services – Commonwealth funded services delivered by non-government organisations to support people affected by forced adoption policies and practices.

Local Network – Networks of service providers delivering services to people affected by forced adoptions. This may include post-adoption providers, mainstream health practitioners, counsellors, psychologists, peer support and advocacy groups.

Peer Support Groups – Groups which have formed amongst people with a shared experience.

Small Grants – Each funded Forced Adoption Support Service may be required to allocate a portion (between 5-10%) of their annual DSS funding to build sector capacity and enhance group healing activities to support people affected by forced adoption. The individual Forced Adoption Support Service Grant Agreement will indicate whether funding Small Grants is a requirement, or will be provided where appropriate / possible. See **Attachment A** for more information about Small Grants.

Supportive / warm referral – a ‘live’ three-way conversation in the presence of the client (whether face to face or by telephone) in which the referring organisation introduces the client, explains what has already been done to assist the client and why the client is being referred.

8 Version Control

Version	Changes	Date
1.0	Approved Operational Guidelines	2 June 2014
2.0	Approved Operational Guidelines	30 November 2018

Guidelines for Forced Adoption Support Services Small Grants

1. Purpose of Small Grants

The Small Grants component of the Forced Adoption Support Services is aimed at building sector capacity and enhancing group healing for people affected by past forced adoption.

The Small Grant allocation will total between 5% - 10% of funding provided to most of the Forced Adoption Support Service Providers (Service Provider). Relationships Australia TAS is exempt from providing Small Grants, and Relationships Australia NT may administer Small Grants where appropriate/ possible.

2. Roles and responsibilities

The Service Provider will administer the Small Grants, in collaboration with their Local Network wherever possible. Selection of Small Grant recipients will be made by each Service Provider or an independent committee established by the Service Provider, based on the priorities identified during consultations with the Local Network (where possible/practicable).

The Service Provider will be responsible for:

- Consulting with their Local Network where possible during the planning and development of guidelines for deciding how Small Grants will be allocated.
- Ensuring that the Small Grants process aligns with their Adoption Provider Association Management Strategy.
- Selection of Small Grants recipients and activities, or appointing an external selection committee to do so.
- Taking all reasonable measures to ensure that Small Grant activities are allocated in a professional and appropriate manner.
- Ensuring that the Small Grant recipients are an eligible cohort under Forced Adoption Support Services, and the Small Grant activity is in accordance with these Guidelines.
- Including a Department of Social Services (DSS) funding acknowledgement for published materials prepared for the general public including videos, online or electronic media and commemoration plaques, in accordance with the *Forced Adoption Support Services Branding and Style Guide*. Any acknowledgement of funding linked to Small Grants projects is to be approved by DSS on a case by case basis. More information about the requirement to acknowledge funding is available under Section 4.5 Funding Acknowledgement.

Local Networks can, where practicable, assist with the development of guidelines for the Service Provider to make small grant decisions. These guidelines should outline:

- Gaps and priorities for their community.
- The number of grants and the minimum and maximum amount of funding to be allocated per activity, for example, a few larger grants or many small grants in multiple rounds.
- Whether past adoption agencies, past adoption support service providers and state-funded organisations can be eligible to apply for a grant.

3. Eligible and ineligible Small Grants activities

As agreed in consultation with the Service Providers, Small Grants funding may be used for a range of activities including, but not restricted to:

- Capacity building opportunities focused on healing such as local or national training that is appropriate and relevant to assisting people affected by forced adoption, such as mental health first aid training. Funding can also be used to train volunteer peer support facilitators and provide professional supervision to volunteers, noting applications must demonstrate how groups will be set-up and run appropriately, and promote the healing process.
- Facilitation costs for retreats, including materials, activities, accommodation, and meals for facilitator and/or participants.
- Forced adoption related group facilitation costs, including cost to engage facilitator.
- Forced adoption related group therapy costs, including cost to engage therapist.
- Healing workshops and group activities to support healing and peer support.
- Production of memorials, statues, plaques and exhibitions, editing and publication of books, (where there is no profit made by the author, publisher or organisation) cataloguing and digitising of records, development of online material and videos including temporary hire of professionals, to record experiences, support healing and promote awareness of forced adoption. Funds cannot be used to cover costs of equipment purchase such as cameras, computers, software. Funds cannot be used to cover ongoing costs, such as hosting exhibitions and websites, but can be used in their development.
- Venue and group meeting costs for support and information activities. Venue hire fees may be included for an initial set up period of six to 12 months, for a maximum of six meetings, and not on an ongoing basis. Other ongoing costs, such as rent, are ineligible.
- National/state apology commemoration events, including venue and equipment hire, catering, guest speaker costs, and promotion.
- Travel costs at the discretion of the Service Provider.
- To enhance capacity - organisation start-up costs limited to incorporation fees, social media and website development, but not including ongoing costs, such as website hosting.
- Other group activities as agreed between DSS and the Service Providers to build sector capacity and enhance group healing to support people affected by forced adoptions

Small Grants funding cannot be used for:

- Activities normally delivered as part of the Forced Adoption Support Services as general funding can be used.
- The covering of retrospective costs or costs incurred in the preparation of a grant application.
- Activities that will benefit a sole individual.
- Brokerage for individual counselling and other services.
- Employment of ongoing staff and associated staff costs
- Equipment and assets including IT/computer hardware, business software and systems, telephones, vehicles, office equipment such as printers, furniture, office supplies, and stationery.
- Ongoing or recurrent organisation and administration costs such as advertising, rent, electricity, telephone, insurance, security system, accounting and auditing, legal and membership fees, printing (excepting administration costs for the Small Grant activity) as groups must be viable or self-sustaining.
- Overseas travel.

- Any activities not specifically targeted at people affected by Australia's past forced adoption practices for example people affected by contemporary or open adoption, surrogacy or intercountry adoption.
- Financial and Legal work or advice.
- Advocacy or any activities which could be considered as part of a political campaign, lobbying or promoting views contrary to existing Australian Government policy or Australian law².
- Any activity where there is a reasonable likelihood of causing offense, particularly to those affected by forced adoption.
- Activities that will result in a profit

4. Principles and processes

The Forced Adoption Support Services may find the Implementing Better Practice Grants Administration Better Practice Guide published by the Australian National Audit Office (ANAO) useful when developing processes for Small Grants administration. The ANAO has relocated the Guide to the National Library of Australia's [Australian Government Web Archive](#).

4.1. Allocating Grants

Cross-jurisdictional applications may be funded if Forced Adoption Support Services in relevant states/territories are consulted. Service Providers must maintain separate funding allocations, but can contribute funds to applications from outside their state/territory if the activity will cross into the jurisdiction and the relevant state/territory Forced Adoption Support Service is consulted.

Service Providers must prioritise high quality rural/remote Small Grants applications in the first instance.

If preferred, Service Providers may collaborate and hold a combined annual Small Grants round, or manage one annual collective Small Grants round only. This may include conducting a national panel, with a joint application and decision-making process, funding the highest quality proposals. Service Providers would maintain separate funding allocations but for the purposes of applicants, there would be one application round and grant pool to access.

If there are any unexpended funds from the combined or national annual Small Grants round, Service Providers may direct those unallocated funds to directly support those quality project ideas that could not be administered by an eligible group due to capacity.

These projects will be at the discretion of the Service Providers and undertaken on the proviso there is capacity to administer them, and agreement that the project is requested by, and of benefit to the forced adoption community. However, projects that are specified as ineligible Small Grants activities under these guidelines must not be undertaken.

² This relates to the use of the Small Grants funding and is not intended to restrict or prevent a not-for-profit entity (including staff) from commenting on, advocating support for or opposing a change to any matter established by law, policy or practice of the Commonwealth as provided for under the *Not-for-profit Sector Freedom to Advocate Act 2013* (Cth).

When selecting Small Grants recipients, Service Providers should implement robust processes to ensure:

- Compliance with the aims of the Forced Adoption Support Services as outlined in the Operational Guidelines and Grant Agreement (e.g. that the recipient is capable and financially viable to achieve the outcome sought)
 - Does the Small Grants activity contribute to achieving the Service Provider's objective under the Grant Agreement?
- Compliance with the Grant Agreement
- Fairness and impartiality
- Consistency and transparency of process
 - E.g. What precedent, or perception of a precedent, will be set by a decision to spend the funds in this way and how will this be managed?
- Appropriate value for money
- Effective, efficient, economical and ethical management of public resources
 - E.g. Will the Service Provider be able to justify the spending of the funds in these circumstances?
- Confidentiality and Conflict of interest is properly managed
 - This can be done through your organisation's existing conflict of interest processes.
 - You may choose to ask Local Network members to sign confidentiality agreements and/or to declare potential conflicts of interest.
- Risk is properly managed including risk of fraud.
 - The nature of the Small Grant recipient's legal entity should be considered in terms of risk.

In developing terms and conditions for small grants, the Local Network should contribute ideas based on local needs regarding Small Grants activity funding amounts (where possible/practicable).

4.2 Contracting

Service Providers must operate within the [Commonwealth Grants Rules and Guidelines](#) (CGRGs), which apply to third parties who undertake grants administration on behalf of the Commonwealth. According to mandatory requirement 4.8 of the CGRGs:

Where a third party administers grants on behalf of the Commonwealth, the relevant accountable authority must ensure the arrangement is in writing and promotes the proper use and management of other CRF³ money. In addition, the accountable authority must ensure the arrangement requires the third party to apply the CGRGs.

³ Other Consolidated Revenue Fund (CRF) money is defined in section 105(2) of the Public Governance, Performance and Accountability (PGPA) Act.

It is money that forms part of the CRF, other than relevant money or any other money of a kind prescribed by the rules.

An amount of money that is in the physical possession of, or in the bank account of, a person other than the Commonwealth, who is acting on behalf of the Commonwealth in relation to that money, will be other CRF money.

Forced Adoption Support Service Providers should ensure that prudent protections are put into the 'contract' they sign with Small Grants recipients.

Where Service Providers have contractual responsibilities to DSS that depend upon the action of another body, Service Providers should ensure that they pass on, through contractual obligation, whatever is needed from those bodies to ensure that their obligations to DSS can be fulfilled.

4.3 Managing the Small Grants

As stated in their Grant Agreement, Service Providers are required to:

- cause written records to be kept that properly record and explain the receipt, custody or expenditure of the grant and allow those records to be conveniently and properly audited; and
- remit any interest earned on the grant activity in full to the Commonwealth on a quarterly basis in accordance with instructions that will be advised to you in writing by us.

Service Providers should take all reasonable actions to ensure no fraud occurs. Robust selection and contractual processes will help to manage the risk of misuse of funds or unforeseen circumstances impacting Small Grants activities.

Service Providers are required to manage problems occurring with a Small Grants activity in their capacity as grant administrator. All critical incidents need to be reported to the relevant Funding Arrangement Manager in DSS as outlined in Section 5 of the Operational Guidelines.

Service Providers are required to manage complaints regarding Small Grants activities through their organisational complaints management processes and keep the relevant Funding Arrangement Manager in DSS informed.

If a complainant is not satisfied with the outcome of the Service Provider's complaints process they can submit a formal complaint to DSS through the Complaints Management Process. More information on this process can be found on the DSS website at <https://www.dss.gov.au/contact/feedback-compliments-complaints-and-enquiries>.

4.4 Reporting

The Service Provider must report on the type, timing and frequency of Small Grants funding to the Department as required in their Grant Agreement.

The Service Provider will make available to the Commonwealth the details of all of its Small Grants recipients in a format agreed with the DSS Funding Arrangement Manager.

4.5 Funding Acknowledgement

All communications materials funded by Small Grants produced for the general public are required to acknowledge DSS funding. This is usually by a textual acknowledgement:

The project was funded by (or supported by) the Australian Government
Department of Social Services

In addition, the Forced Adoption Support Services logo can be used, but must be placed separately from the text.

All products and materials which include the Forced Adoption Support Services logo or which acknowledge DSS, must be cleared by DSS Corporate Communication team. Please provide design mock-ups for style guide approval.

Products include printed publications, digital resources, fact sheets, videos, signage and plaques.

It is standard practice, across the Australian Government, to ask to see proposed 'products' funded by the Government. Such products would always need to be considered on a case-by-case basis, by DSS and approval will be provided for funding acknowledgement. The Department will not approve the artwork/design of the materials itself, but will need to see it to perceive how the Department is being represented, and to ensure the appropriate acknowledgement text is being used.

The Service Provider should forward all proposed publications including the design of plaques/memorials to their Funding Arrangement Manager who will seek the appropriate approvals. This is expected to be a quick turn-around process. For further information please see the *Forced Adoption Support Services Branding and Style Guide* which may be updated from time to time.

5 Resources

The Service Provider may refer to:

- [Commonwealth Grants Rules and Guidelines](#) (CGRGs), in particular:
 - 6.2. The seven key principles for grants administration that apply to all forms of granting activity⁴ and all processes and phases of grants administration are:
 - robust planning and design;
 - collaboration and partnership;
 - proportionality;
 - an outcomes orientation;
 - achieving value with relevant money;
 - governance and accountability; and
 - probity and transparency.
- ANAO [Implementing Better Practice Grants Administration](#) Better Practice Guide, in particular:
 - Chapter 6: Implementing the selection process (pages 55-65)
 - Chapter 8: Administering approved grants (pages 79-94)
 - Section 8.2: Managing risk (pages 81-82)
 - Section 8.5: Funding strategies (pages 84-88)
 - Section 8.6: Monitoring progress (pages 88-91)

The Guide can be searched for on the National Library of Australia's [Australian Government Web Archive](#)

⁴ Examples include grant programs as well as one-off or ad hoc grants, grants awarded through competitive, non-competitive and/or targeted selection processes.

Frequently Asked Questions

- 1. Q: Can any organisation that provides services to people affected by forced adoption apply for a small grant, including current providers of past adoption support services (e.g. state funded organisations)?**

A: This is a decision for the Service Provider in consultation with their Local Network, where practicable. Small Grants should be provided to peer support, advocacy groups and other therapeutic organisations that support people affected by past forced adoption. The availability of these groups varies across jurisdictions. Groups can be supported by larger organisations under auspicing arrangements (see Q:9) including those that receive other government funding. However, funding should always be targeted at people affected by past *forced* adoption and the Small Grants activity should be specific to forced adoption. Small Grants funding is intended to complement, not replace, state and territory government funding, as adoption has been and remains a responsibility of state and territory governments. Groups and organisations should not access Small Grants funding to deliver services, projects or activities they already receive government funding to provide.

- 2. Q: If a grant applicant is already receiving funding from another source such as other Commonwealth or state government grant programs, should the cost of the proposed activity be shared between the Small Grants program and the organisation's other funding source?**

A: This is a decision for the funded provider in consultation with their Local Network, where practicable, however, the organisation should not receive a Small Grant to deliver a service they are funded to provide under a state or territory government program. Small grants funding is not intended to replace or duplicate state or territory services. Organisations could, however, use the Small Grants funding to build on and enhance, an existing project or activity.

- 3. Q: Can the organisations that provide Forced Adoption Support Services apply for Small Grant funding?**

A: No. This eliminates actual or perceived conflict of interest when assessing applications for Small Grants funding. Forced Adoption Support Services cannot form a contractual obligation with themselves. However, per section 4.1 'Allocating Grants', if there are any unexpended funds from the combined or national annual Small Grants round, Service Providers may direct those unallocated funds to directly support those quality project ideas that could not be administered by an eligible group due to capacity.

- 4. Q: How should conflicts of interest and complaints be managed?**

A: These issues should be managed through the Service Provider's existing processes.

- 5. Q: How should the grants program be publicised?**

A: This is a decision for the Service Provider in consultation with their Local Network, where practicable.

6. Q: In the event that applications for funding exceed the amount of available funding, how should priorities be set and expectations managed?

A: This is a decision for the Service Provider in consultation with their Local Network, where practicable. In the first instance, Service Providers must prioritise high quality Small Grants applications for projects in rural/remote locations.

7. Q: Conflicts could arise by requiring the Local Network to assist with making decisions about the allocation of Small Grants. Should an external selection committee be engaged to make the final decision on funding allocation?

A: To avoid conflicts of interest and other conflicts between stakeholders, the final decision on funding allocation should be made by the Service Provider or an external selection committee appointed by the Service Provider. Local Networks are not expected to be included in decision making if this is not appropriate or practicable.

8. Q: Will Local Network members be paid for their time?

A: No payment will be given for participation in a Local Network. Service Providers have not been funded to reimburse Local Network members for their time and funding cannot be used for this purpose.

9. Q: Can groups who are not incorporated and/or carry professional indemnity/public liability apply for funding?

A: This is a decision for the Service Provider. As a third party undertaking grants administration on behalf of the Commonwealth, Service Providers are required to operate within the CGRGs and this includes properly managing risk. Service Providers should consider the nature of the Small Grant recipient's legal entity status, viability and capacity to administer the grant and undertake the project. Service Providers may require unincorporated or community groups that are not legal entities, and do not have an appropriate person to enter into an agreement, to be sponsored or auspiced by an Australian, not-for-profit partner organisation that has legal entity status.

10. Q: How should unspent funds be managed?

A: Small Grants recipients must keep written records to account for how the funding has been spent, including evidence of expenditure. This information is to be provided to the Service Provider, and any unexpended funds should be returned at the completion of the project.