‘Clawback’, recouping and offsetting surplus funds

Under the Delivering Community Services in Partnership (DCSP) Policy, a government agency must not seek repayment of any surplus funds if the services have been delivered to the quality and quantity specified in the service agreement. This applies to any service agreement established after 1 July 2011.

Agencies may request surplus funds are repaid for a grant agreement if any part of the funds allocated are not used for the specific purpose outlined in the grant.

‘Clawback’ of funds is not an option if an agency is faced with a reduced budget for a service agreement. In this instance, it is recommended that the reduced budget is discussed with the service provider as soon as possible to negotiate a suitable solution such as a reduction in services in line with the revised budget.

Likewise, surplus funds may not be recouped through other means, such as offsetting the surplus against future payments. Nor may the agency set terms as to how the surplus funds should be used, for example supporting the provider’s obligations under the Equal Remuneration Order. Provided the services have been delivered to the specifications outlined in the service agreement, any surplus funds may be retained by the provider to be used as it sees fit.
Reporting on community services procurement for the Western Australian Industry Participation Strategy (WAIPS)

If your organisation was successful in being awarded a new service agreement between 1 October 2018 and 30 June 2019 you would have recently received a request from the Department of Jobs, Tourism, Science and Innovation (JTSI) for data on the number of jobs created from your new and ongoing service agreements with the Western Australian government. Further information about the reporting process is available in the Community Services Sector section of the Frequently Asked Questions page on the IndustryLink website.

This data will be used in annual reporting to the Minister for Jobs to highlight the important role played by the community services sector, the jobs created by the sector and its economic contributions to the community.

Stay tuned for more information about the results of the reporting in the next bulletin.

If you have any questions about the WAIPS, contact industrylink@jtsi.wa.gov.au.

For more information, please visit the Department of Finance website. For any general enquiries please phone (08) 6551 1515 or email FaCS.

Please feel free to distribute this Bulletin. If you would like to register for our mailing list, please subscribe here.

Funding and Contracting Services, Level 4 – Optima Centre, 16 Parkland Road, Osborne Park, WA 6017
Are you an Aboriginal-owned organisation?

If your organisation is at least 50% owned by an Aboriginal interest, we encourage you to register your organisation on the Aboriginal Business Directory Western Australia or Supply Nation’s Indigenous Business District.

The Aboriginal Procurement Policy is now in its second year – so government agencies will be required to award 2% of their contracts to Aboriginal Businesses. Your organisation could contribute to an agency’s targets if you are registered on the Aboriginal Business Directory Western Australia, or Supply Nation’s Indigenous Business Direct. Being registered will mean that government agencies can engage you directly using the exemption from the State Supply Commission Open and Effective Competition (OEC) policy, where value for money can be demonstrated. This policy also applies to registered not-for-profit Aboriginal Businesses and Australian Disability Enterprises in a community services setting.

Registering on one of these directories may increase your organisation’s visibility to agencies that are looking to work with an Aboriginal business.

For more information on the Aboriginal Procurement Policy or using the OEC policy to engage an Aboriginal Business in the community service environment, please contact the SPI team at spi@finance.wa.gov.au.

Supporting Communities Forum

The latest Supporting Communities Forum meeting was held on 9 September 2019. For an update from the meeting, follow this link to view the latest communique.
Our website has changed!

We have recently transitioned our website to the modern, accessible and mobile responsive whole-of-government website, WA.gov.au. In the future, this new state-wide website will become a one-stop-shop for all government information. The site is search-based and we invite you to check out the Finance page, test out the supplying community services page or use the search bar in the top right hand corner to find information. You are also encouraged to check out these useful hints and tips to navigate the site in the most effective way.

If you have bookmarked any Finance pages or publications from the previous site, we have put redirects in place so you can still access these pages. Make sure you update your favourites to the new links, as finance.wa.gov.au will be decommissioned in the near future.

Education and training opportunities

FaCS runs a range of workshops to assist government agencies and service providers to develop their skills and capabilities in community services procurement. Please take note of the target audience for each workshop to ensure the content is relevant to you.

**Procuring and Managing Community Services**

This workshop is focused on practical skills and knowledge to assist government agency officers in undertaking community services procurement and service agreement management. This workshop is designed for procurement professionals within government agencies.

**Perth - Wednesday 6 November 2019**

Cost: Free, but registration is essential  
Time: 9:00am - 12:00pm  
Location: Training Room 1, Optima Centre B | 16 Parkland Road, Osborne Park

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From the Stable Door
Update from FaCS Director, Kate Ingham

October has been a busy month for me and for the team, with a number of projects reaching the next stage – expect to hear more soon about approaches for co-design, initiatives to improve procurement practice, and the practical way to implement the outcomes measurement framework.

We say a very fond farewell (for now) to FaCS Assistant Director Steven Hill, who is taking an opportunity to get involved in the next stage of government procurement reform. Many of you will be personally familiar with Steve as he has been a key part of the FaCS team for seven years, and is always ready to tackle tough issues or share a laugh. Best of luck Steve with your new challenge!

FaCS is lucky to be gaining Andrew Davy in the Assistant Director role. You may know Andrew from his current role as Assistant Director, Procurement Capability & Development. He has a keen personal interest in the community services sector and is ready to get stuck into helping the team solve the big issues.

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From the Stable Door
Update from FaCS Director, Kate Ingham
(continued)

On a horse front, the season is starting to a come to a close but not without one more large scale event that is run on the foreshore in Victoria Park on November 30. To ensure I keep my mind healthy and energy levels high I like to maintain a work-life balance and also contribute back to the sport I invest so much of my time in. I will be taking care of operations as well as competing at this event, meaning I get to enjoy a week’s leave from work to go and run this massive event. Can’t wait. Pictured below is my favourite orange pony who ran a close 6th last year and picked up some amazing prizes. Here’s hoping for an even better result this year…..

On a personal note I would like to thank the sector and government agencies for working with us on some challenging, and at times, uncomfortable issues this year, we still have a way to go and I am personally looking forward to reshaping the role and function of my small and amazing team to ensure we can meet the needs of both the sector and government. You never know how strong a partnership is until it is tested and I am incredibly grateful that we continue to come to the table to discuss complex issues to find workable solutions.