

Checklist 2: How do we meet our reporting obligations?

Information for organisations delivering human services in New South Wales

This fact sheet covers:

- ▶ What are your reporting obligations to the NSW government agency?
- ▶ When must you report to the NSW government agency?

This checklist is part of the **Guide to the Human Services Agreement (Guide)**. The Guide provides information on organisations' key legal obligations under the Human Services Agreement. The Guide includes a suite of resources to help organisations meet their obligations.



Caution

The information contained in this document is intended as a guide only and is not legal advice. Interpreting contract terms is complex. If your organisation has a legal problem you should talk to a lawyer before making a decision about what to do. Refer to [our webpage on legal advice](#) to see if your organisation may be eligible for free legal advice.

This checklist has been prepared on the basis of the Agreement for Funding of Services – Standard Terms dated 16 October 2019 (**Standard Terms**) and Agreement for Funding of Services – Schedule dated 31 March 2017 (**Schedule**), published on the [BuyNSW website](#) (together referred to as the **Human Services Agreement** or **Agreement**).

If the terms on which your Human Services Agreement is based have been amended, please review the information in this document carefully to make sure they are consistent where necessary.



Note: organisations funded by the Department of Communities and Justice

The Department of Communities and Justice (**DCJ**) has added supplementary conditions to the standard form Schedule. [The most recent DCJ Schedule, dated 16 October 2019 is available on the DCJ website.](#)

This factsheet has not been amended to take into account the DCJ Schedule. If your organisation uses the DCJ Schedule, refer to Not-for-profit Law's [fact sheet on the DCJ's supplementary conditions](#) to understand how the DCJ conditions apply to your organisation's obligations under the Agreement.



Tip

Read this checklist with the Human Services Agreement and the Guide at hand for reference. Clauses that we refer to in this document will be the clauses in the Standard Terms (unless we state otherwise).

Before your organisation enters into the Human Services Agreement, you should think about how your organisation will meet its reporting obligations.

Under the Human Services Agreement, an organisation must meet a number of reporting obligations by particular dates specified in the Agreement. Your organisation may have reporting requirements in each of the documents that make up the Human Services Agreement. For example, the Schedule may have a specific reporting timeline and particular performance reports related to the funded activity.



Note

Check the entire Agreement for reporting obligations and timelines.

It's a good idea to include these reporting obligations in your organisation's policy and procedure documents.

What are your reporting obligations and when must your organisation report to a NSW government agency?

Reporting obligation	Description	Timing	Reviewed <input checked="" type="checkbox"/>
Budget	<p>The organisation must provide:</p> <ul style="list-style-type: none"> an initial budget. and an updated budget <p>for the expenditure of funds if specified in the Schedule (clause 9.2 and the Schedule)</p>	<ul style="list-style-type: none"> When entering into the Agreement on or before any dates specified in the Schedule, or when the NSW government agency requests this at any time (clause 19.4(a) and 19.4(c)) 	<input type="checkbox"/>



Reporting obligation	Description	Timing	Reviewed <input checked="" type="checkbox"/>
Interest	The organisation is required to report the amount of interest earned on funds held (clause 9.4(c))	At the request of the NSW government agency at any time (clause 19.4(a) and 19.4(c))	<input type="checkbox"/>
Performance measurement	The organisation must report on their performance against the performance measures from time-to-time (clause 5.3 and the Schedule)	<ul style="list-style-type: none"> On any date specified in the Schedule, or when the NSW government agency requests this at any time (clause 19.4(a) and 19.4(c)) 	<input type="checkbox"/>
Reports and information	<p>The organisation must provide the NSW government agency with all reports and information at the times and in the format specified by the NSW government agency (clause 19.4(a)).</p> <p>The reports and information must be provided in accordance with any applicable NSW government policies and guidelines (if specified by the relevant NSW government agency) and any Accounting Standards (clause 19.4(b))</p>	<ul style="list-style-type: none"> On any date specified in the Schedule, or when the NSW government agency requests this at any time (clause 19.4(a) and 19.4(c)) 	<input type="checkbox"/>
Services, expenditure of the Funds and obligations under the Agreement	In addition to any reporting and information requirements specified in the Agreement, the organisation agrees to provide any information, records or reports in relation to the Services, the expenditure of the Funds or the organisation's obligations under the Agreement, when requested to do so (clause 19.4(c))	When the NSW government agency requests this at any time (clause 19.4(c))	<input type="checkbox"/>
Publication to third parties	<p>The organisation must get written consent from the NSW government agency before publishing reports or providing them to third parties (clause 19.4(e)).</p> <p>This is because all intellectual property in reports provided by the organisation transfers to the relevant NSW government agency (unless otherwise stated in the Schedule)</p>	Before providing reports to third parties or publishing	<input type="checkbox"/>
Rejected documents	<p>The organisation must address any comments from the NSW government agency on any document that is prepared and required to be submitted by the organisation under the Agreement and resubmit the document.</p> <p>This is because the NSW government agency may, within 10 Business Days of the organisation submitting the document, reject and request amendments to any</p>	At the request of the NSW government agency, if that request occurs within 10 Business Days of the organisation submitting the document	<input type="checkbox"/>



Reporting obligation	Description	Timing	Reviewed <input checked="" type="checkbox"/>
	document required to be submitted (clause 19.1)		

Resources

Not-for-profit Law resources

Not-for-profit Law has developed a Guide to the Human Services Agreement which includes a fact sheet, a template sub-contract agreement, and a range of checklists which should be read together. See Not-for-profit Law's page on [Government Funding Agreements](#):

- ▶ [Fact sheet - Human Services Agreement: Department of Communities and Justice Supplementary Conditions](#)
- ▶ [Fact sheet – Human Services Agreement: Important clauses](#)
- ▶ [Checklist 1 – How do we meet our notification obligations?](#)
- ▶ [Checklist 2 – How do we meet our reporting obligations?](#)
- ▶ [Checklist 3 – How do we practically comply with the Human Services Agreement?](#)
- ▶ [Checklist 4 – How do we meet our privacy obligations?](#)
- ▶ [Checklist 5 – How do we meet our intellectual property obligations?](#)
- ▶ [Checklist 6 – What are our obligations when engaging Personnel?](#)
- ▶ [Checklist 7 – What records and registers do we need to keep?](#)
- ▶ [Checklist 8 – Things to consider before entering into a sub-contract agreement](#)
- ▶ [Template Sub-contract Agreement](#)

Other related resources

- ▶ [BuyNSW website](#)



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