

Hardship Partner Application

State Penalties Enforcement Regulation 2014 section 19AG(2)

This purpose of this form is to enable organisations and health practitioners to apply to become an approved sponsor of work and development orders under the *State Penalties Enforcement Act 1999* and/or provide advocacy services to SPER customers under the SPER Hardship Program

Before completing this form, please read the [SPER Hardship Program Participant Pack](#) to find out more about the program and services and to ensure you are eligible to apply.

1. Applicant / organisation details

Applicant /
organisation name

ABN or AHPRA
number

Address

Suburb

State

Postcode

2. Applicant type

Applicant category

Non-government

Government

Health practitioner

Sub-category

Not-for-profit

State

Medical practitioner

For-profit

Commonwealth

Psychologist

Local

Nurse practitioner

3. Contact person

Name

Position

Phone number

Email address

4. Hardship services that you/your organisation is applying to provide

Please tick one or more service types

Apply for work and development orders (please ensure to complete Question 6 & 7)

Recommend hardship payment plans (accredited financial counsellors only)

FCAQ number

Recommend temporary hardship deferrals (for up to three months)

5. Locations where you/your organisation will provide these services

All of Queensland or

Select Local Government Area(s) below:

- | | | |
|---|--|---|
| <input type="checkbox"/> Aurukun Shire | <input type="checkbox"/> Fraser Coast Region | <input type="checkbox"/> North Burnett Region |
| <input type="checkbox"/> Balonne Shire | <input type="checkbox"/> Gladstone Region | <input type="checkbox"/> Northern Peninsula Area Region |
| <input type="checkbox"/> Banana Shire | <input type="checkbox"/> Gold Coast City Council | <input type="checkbox"/> Palm Island Aboriginal Shire |
| <input type="checkbox"/> Barcaldine Region | <input type="checkbox"/> Goondiwindi Region | <input type="checkbox"/> Paroo Shire |
| <input type="checkbox"/> Barcoo Shire | <input type="checkbox"/> Gympie Region | <input type="checkbox"/> Pormpuraaw Aboriginal Shire |
| <input type="checkbox"/> Blackall-Tambo Region | <input type="checkbox"/> Hinchinbrook Shire | <input type="checkbox"/> Quilpie Shire |
| <input type="checkbox"/> Boulia Shire | <input type="checkbox"/> Hope Vale Aboriginal Shire | <input type="checkbox"/> Redland City Council |
| <input type="checkbox"/> Brisbane Region | <input type="checkbox"/> Ipswich City Council | <input type="checkbox"/> Richmond Shire |
| <input type="checkbox"/> Bulloo Shire | <input type="checkbox"/> Isaac Region | <input type="checkbox"/> Rockhampton Region |
| <input type="checkbox"/> Bundaberg Region | <input type="checkbox"/> Kowanyama Aboriginal Shire | <input type="checkbox"/> Scenic Rim Region |
| <input type="checkbox"/> Burdekin Shire | <input type="checkbox"/> Livingstone Shire | <input type="checkbox"/> Somerset Region |
| <input type="checkbox"/> Burke Shire | <input type="checkbox"/> Lockhart River Aboriginal Shire | <input type="checkbox"/> South Burnett Region |
| <input type="checkbox"/> Cairns Region | <input type="checkbox"/> Lockyer Valley Region | <input type="checkbox"/> Southern Downs Region |
| <input type="checkbox"/> Carpentaria Shire | <input type="checkbox"/> Logan City Council | <input type="checkbox"/> Sunshine Coast Region |
| <input type="checkbox"/> Cassowary Coast Region | <input type="checkbox"/> Longreach Region | <input type="checkbox"/> Tablelands Region |
| <input type="checkbox"/> Central Highlands Region | <input type="checkbox"/> Mackay Region | <input type="checkbox"/> Toowoomba Region |
| <input type="checkbox"/> Charters Towers Region | <input type="checkbox"/> Mapoon Aboriginal Shire | <input type="checkbox"/> Torres Shire |
| <input type="checkbox"/> Cherbourg Aboriginal Shire | <input type="checkbox"/> Maranoa Region | <input type="checkbox"/> Torres Strait Island Region |
| <input type="checkbox"/> Cloncurry Shire | <input type="checkbox"/> Mareeba Shire | <input type="checkbox"/> Townsville City Council |
| <input type="checkbox"/> Cook Shire | <input type="checkbox"/> McKinlay Shire | <input type="checkbox"/> Western Downs Region |
| <input type="checkbox"/> Croydon Shire | <input type="checkbox"/> Moreton Bay Region | <input type="checkbox"/> Whitsunday Region |
| <input type="checkbox"/> Diamantina Shire | <input type="checkbox"/> Mornington Shire | <input type="checkbox"/> Winton Shire |
| <input type="checkbox"/> Doomadgee Aboriginal Shire | <input type="checkbox"/> Mount Isa City Council | <input type="checkbox"/> Woorabinda Aboriginal Shire |
| <input type="checkbox"/> Douglas Shire | <input type="checkbox"/> Murweh Shire | <input type="checkbox"/> Wujal Wujal Aboriginal Shire |
| <input type="checkbox"/> Etheridge Shire | <input type="checkbox"/> Napranum Aboriginal Shire | <input type="checkbox"/> Yarrabah Aboriginal Shire |
| <input type="checkbox"/> Flinders Shire | <input type="checkbox"/> Noosa Shire | |

Other states where hardship services relating to SPER debts will be provided (select all that apply)

- | | | | |
|--|--|---|------------------------------|
| <input type="checkbox"/> New South Wales | <input type="checkbox"/> Victoria | <input type="checkbox"/> Northern Territory | <input type="checkbox"/> ACT |
| <input type="checkbox"/> Western Australia | <input type="checkbox"/> South Australia | <input type="checkbox"/> Tasmania | |

In addition, which customer cohort will you/your organisation focus on and in which specific towns or suburbs will these services be available?

If there are any conditions or service limitations that customers should be aware of (e.g. services that are only offered in particular locations), please describe them here or attach details.

6. Work and development orders

The following questions are relevant to applicants seeking to become an approved sponsor of work and development orders. If you are not applying to provide work and development orders, please go to Question 8.

Select the work and development orders activity type(s) to be offered:

- Unpaid work
- Educational, vocational or life-skills courses
- Financial or other counselling (including drug and alcohol counselling)
- Drug and alcohol treatment
- Medical or mental health treatment
- Mentoring programs (for under 25s)
- Culturally appropriate programs in remote communities

7. Which client eligibility grounds will this service or location support?

Tick all that apply:

- | | |
|---|---|
| <input type="checkbox"/> Domestic and family violence | <input type="checkbox"/> Mental illness |
| <input type="checkbox"/> Substance use disorder | <input type="checkbox"/> Financial hardship |
| <input type="checkbox"/> Homelessness | <input type="checkbox"/> Intellectual or cognitive disability |

8. Requirements for organisations

I confirm that the organisation has:

- appropriately qualified, trained or experienced staff for the proposed activities.

Please list qualifications/ experience for staff here or attach details:

- a complaints management and resolution system
- an incident management system
- workplace health and safety policies and procedures
- a funding agreement with a State or Commonwealth department for the proposed activities OR appropriate governance and a quality and risk management system for the proposed activities
- attached details of any administrative, civil or criminal proceeding to which the organisation has been, or is currently a party to.

If the organisation is a general practice, please confirm that the:

- persons providing the proposed activities are health practitioners
- general practice is accredited against the Royal Australian College of General Practitioner Standards
- details of any outstanding complaints or notifications against any of its health practitioners who will be providing services are attached.

If the organisation is a for-profit organisation, please confirm that:

- a copy of the organisation's objective, governance and funding arrangements is attached.

9. Requirements for individual health practitioners

- I confirm that details of any outstanding complaints or notifications against me, as an individual health practitioner, are attached.

10. Insurances

SPER requires proof that the applicant has relevant and current insurance policies.

Note: Government entities do not need to provide proof of insurance. If you are a Government entity, please proceed to Question 11.

Please confirm that you have attached copies of certificates of currency for relevant insurances below:

- Public liability
- Professional indemnity (if providing medical, mental health and drug or alcohol treatment, or financial or other counselling services)
- Volunteer protection (if providing unpaid work activities under a work and development order)

11. Publication

Do you want to be listed as a Hardship Partner on the SPER website and publications?

Yes No

12. Authorised representative declaration

Name

Position

Phone number

Email address

- I declare that the information contained in this application is true and correct.
- I understand that SPER Hardship Partners are subject to audits to ensure that they comply with the requirements of the *State Penalties Enforcement Act 1999* and the *State Penalties Enforcement Regulation 2014*.
- I acknowledge that approved sponsors must comply with the conditions of approval set out in the *State Penalties Enforcement Regulation 2014*
- I acknowledge that all hardship Partners must comply with the conditions of approval set out in this document

Signature

Date

Email completed application and supporting documents to SPERPartners@treasury.qld.gov.au

Privacy statement - SPER is collecting the information on this application to process your request to become a hardship Partner. The information contained within the application will be used only for this purpose under the *State Penalties Enforcement Act 1999*.

STATE PENALTIES ENFORCEMENT REGISTRY (SPER)

HARDSHIP PARTNER CONDITIONS OF APPROVAL

SPER may approve organisations to provide support services to SPER customers under its Hardship Partner Program. The support services may include being an approved sponsor of work and development orders, applying for a temporary deferral of payment or setting up a payment plan.

Under the *State Penalties Enforcement Regulation 2014* (Regulation), organisations and health practitioners may apply to the registrar of SPER for approval as an *approved sponsor* for one or more types of work and development orders.

An approved sponsor is subject to conditions of approval set out in section 19AL of the Regulation. **All hardship Partners are subject to the conditions of approval summarised here.**

Definitions and interpretations

'SPER' means the State Penalties Enforcement Registry.

'The Act' means the *State Penalties Enforcement Act 1999*.

'The Regulation' means the *State Penalties Enforcement Regulation 2014*

'Registrar' means the SPER registrar.

'Work and development order' means an order requiring a person to undertake approved activities to satisfy all or part of the work and development order eligible amount of the person's SPER debt.

'Approved sponsor' for a work and development order, means a person or entity approved under the Act by the registrar for one or more types of work and development order.

'Customer' means a person who has a debt registered with SPER.

'Hardship Partner' means an organisation or health practitioner approved by the registrar to partner with SPER to provide one or more of the

approved Hardship Partner Program services in relation to a SPER customer. An approved Hardship Partner can recommend deferral of payment obligations; and/or provide a work and development order; and/or assess financial capacity to pay a SPER debt and recommend payment terms.

'Hardship Partner Program' means the scheme delivered by the State Penalties Enforcement Agency (SPER) which enables approved Hardship Partners to deliver services to SPER customers who are experiencing significant hardship. Eligible customers will be able to reduce or resolve their debt through voluntary participation in services such as unpaid work, courses, treatment, programs and other activities.

'Hardship Partner Participant Pack', means information issued to approved Hardship Partners by the registrar that explains the obligations of Hardship Partners under the Hardship Partner Program.

'Positive notices' means a notice declaring the application is approved in accordance with the *Working with Children (Risk Management and Screening) Act 2000*, section 220(a) and the *Disabilities Services Act 2006*.

'Record keeping' means a document including any written or printed material or object including sound recording, coded storage device, magnetic tape or disk, photograph, plan, model or painting or other pictorial or graphic work which has been kept or stored electronically or otherwise by the Hardship Partner in connection with the customer or the provision of services under the Hardship Partner Program.

'Reportable incident' means an incident involving death or serious injury of an individual while undertaking an activity or a program for a work and development order.

Provision of information

The Hardship Partner will declare that all information provided is true and correct. The Hardship Partner acknowledges that the provision of false or misleading information to SPER is an offence under The Act.

SPER will not be liable to the Hardship Partner or any third parties for any loss or damage suffered because of the inaccuracy or incompleteness of information provided by a Hardship Partner or for any action taken by SPER in reliance on that information.

Suitability

If the Hardship Partner is subject to a funding agreement with a government department, the Hardship Partner must remain compliant with the agreement.

The Hardship Partner must inform SPER if the Hardship Partner is subject to any administrative, civil or criminal proceeding. If the Hardship Partner is a health practitioner, SPER must be informed of any complaints or notifications against the health practitioner.

Staff qualifications and training

Hardship Partners must ensure that staff providing services under the Hardship Partner Program have appropriate qualifications, training or relevant experience for the services provided and must be able to produce evidence of qualifications and/or training to SPER if requested.

Insurances

Hardship Partners must maintain adequate public liability insurance.

If the Hardship Partner is an approved sponsor, the following insurances, relevant to the type of work and development order, must be maintained:

- Professional indemnity insurance – if providing medical, mental health and substance-use disorder treatment, and financial and other counselling services.
- Volunteer Protection Insurance – if providing unpaid work activities.

Reporting Requirements

The Hardship Partner must comply with the reporting requirements set out in the Hardship Partner Participant Pack.

Record keeping

Hardship Partners must keep the following records for a period of seven (7) years after provision of Hardship Partner services:

- Proof of identity of a customer (except for permanent residents living in specific Aboriginal and Torres Strait Islander communities).
- If the Hardship Partner is an approved sponsor, an assessment of the customer's eligibility for a work and Development Order and a record of Positive Notices.

If the Hardship Partner is approved to assess a customer's financial capacity to pay a SPER debt and make a recommendation on payment terms, a copy of the customer's financial assessment must be kept for three (3) years.

Risk management

A Hardship Partner must maintain appropriate risk management arrangements for the services it is approved to provide, including workplace health and safety policies and financial management and accountability policies.

Complaints management

A Hardship Partner must have a complaints management and resolution system in place. See the [SPER Hardship Program Participant Pack](#) for the requirements a complaints management and resolution system must meet.

Privacy and confidentiality

Information provided to or collected by SPER and its Hardship Partners from or about SPER customers is confidential and contains personal information. Hardship Partners must maintain the confidentiality and privacy of customer information.

Hardship Partners, excluding health practitioners, must comply with the Information Privacy Principles set out in the *Information Privacy Act 2009* (Qld).

If the Hardship Partner is a health practitioner, the Hardship Partner must comply with the National Privacy Principles stated in the *Information Privacy Act 2009*.

Personal information is collected and used by SPER as permitted and required by law including for the administration and enforcement of The Act. Any information SPER collects will not be disclosed other than as permitted or required by law.

Incident reporting

If the Hardship Partner is an approved sponsor it must report all reportable incidents to the Registrar.

Quality assurance (audit)

To ensure quality assurance of the Hardship Program the approved sponsor must provide all documents relevant to the work and development orders if required at the request of the Registrar or another person nominated by the Registrar.

Security

The approved sponsor is to make every reasonable effort to ensure that information is stored safely and securely at all times.

Conflicts of interest

If, during the term of the Hardship Program, a conflict of interest arises, or appears likely to arise, the Hardship Partner is to notify SPER immediately and is to take such steps to resolve or otherwise deal with the conflict to SPER's satisfaction.

Approval is not transferable

The approval of a Hardship Partner is not transferable.

Human Rights Act

Hardship Partners are obliged to comply with the *Human Rights Act 2019*. The Act respects, protects and promotes the dignity and worth of all humans, including the most vulnerable in our community. The Act commences 1 January 2020.

Suspension or cancellation of approval

The Registrar may suspend or cancel the approval of an organisation or health practitioner as a Hardship Partner where the Hardship Partner:

- no longer complies with the conditions, has contravened the Act or has ceased to provide services relevant to the approval; or
- is an insolvent under administration; or
- has provided false or misleading information; or
- the conduct of the Hardship Partner is likely to undermine the public's confidence in the integrity of the Hardship Program; or
- a conflict of interest exists.

Show cause

The Registrar or another person nominated by the registrar, will issue a show cause notice to the Hardship Partner before cancelling or declining their Hardship Partner status, which will contain the following:

- The proposed action to suspend or cancel.
- The grounds for the proposed action.
- An outline of the facts and circumstances forming the basis for the grounds.
- An invitation to the approved sponsor to make a written representation to the Registrar within 28 days after being given the notice to show why the proposed action should not be taken.