



Commissioning Framework

*Commissioning for better Aboriginal
child and family outcomes*

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An Aboriginal Community-led child and family services commissioning system

In 2014–15 AbSec, Aboriginal agencies, FACS, other NSW Government agencies and bodies were engaged in a co-design process to explore and develop high-level concepts for the future state of the Aboriginal sector to address the alarming overrepresentation of Aboriginal children and young people in care. The *Plan on a Page* was developed as a result of the co-design process¹.

There is an emerging consensus that a “new” approach is needed to address the persistent overrepresentation of Aboriginal children and families within the statutory child protection system. This would be a community led commissioning for outcomes approach, aligned to the needs of Aboriginal children in their family and community context, built on the principles of self-determination and accountability, and importantly, enshrined within a framework owned by Aboriginal people and communities². This framework draws on the commissioning approaches from a variety of organisations including NSW Government³ and the Australian Government’s Primary Health Network (phn) initiative⁴ to build a practical framework to guide implementation in the NSW Aboriginal child and family sector.

In May 2019, AbSec entered into an agreement with NSW Department of Communities and Justice to develop a commissioning approach and service model for Guardianship Support services for Aboriginal children and young people.

An Australian Centre for Social Innovation report found that for successful commissioning, we must first look through a community services lens to understand the elements working together that create the best outcomes. These are:

- **Outcomes focus:** Focusing on agreed outcomes that are measurable and link the achievement of these outcomes to investment.
- **Strategic investment and value for money:** adopting strategic approaches to resource allocation decisions, application of performance incentives and risk sharing.
- **Evidence and data – what works and what’s needed:** The design and investment informed by data about needs and evidence about what works best to address needs.
- **People and place centred:** A greater focus on service users and developing person and place-centred models for service delivery.
- **Collaboration and integration:** A focus on better coordination and integration of service pathways towards outcomes.
- **Improvement and innovation:** structuring investment to better enhance quality improvement and innovation.⁵

1 [AbSec/FACS co-design: Plan on a Page for Aboriginal Children and Young People 2015 – 2021](#).

2 AbSec – NSW Child Family and Community Peak Aboriginal Corporation, *An Aboriginal Commissioning Approach to Aboriginal Child and Family Services in NSW: A Conceptual Design*, Sydney, May 2019.

3 NSW Commissioning and Contestability Policy: https://www.treasury.nsw.gov.au/sites/default/files/pdf/TPP16-05_NSW_Government_Commissioning_and_Contestability_Policy_-pdf.pdf, accessed 1 August 2019 and NSW Government Commissioning and Contestability Practice Guide, accessed 1 August 2019.

4 PHN Commissioning Resources, <https://www1.health.gov.au/internet/main/publishing.nsf/Content/PHNCommissioningResources>, accessed 1 August 2019.

5 <https://csialtd.com.au/news/article/blg-92/an-industry-led-approach>, accessed 30 July, 2019.

What is commissioning

Commissioning is fundamentally concerned with how resources are applied to address community needs and achieve outcomes in a service or program area. It is a strategic approach to designing, resourcing and delivering effective and efficient services, focusing on clearly defined outcomes and ensuring that services and implementation of services based on planning, procurement, monitoring, and evaluation. Commissioning describes a set of linked activities, including needs assessment, priority setting, procurement through contracts, monitoring of service delivery, and review and evaluation.⁶

There is no clear consensus around a definition of commissioning. The NSW Government defines commissioning as an approach to considering the outcomes that need to be achieved, and designing, implementing and managing a system to deliver these outcomes in the most effective way.⁷

The Productivity Commission defines commissioning as “a cycle that involves planning the service system, designing services, selecting, overseeing and engaging with providers, managing contracts and undertaking ongoing monitoring, evaluation and improvement.”⁸

AbSec will adopt the ACOSS Principles and Practice for better outcomes⁹ alongside some selected phn tools as it is consistent with whole of government frameworks and approaches, and is a distillation of the community sector’s perspective on the principles and preconditions of a commissioning process.



6 phn COMMISSIONING, Designing and Contracting Services Guidance, June 2016.

7 NSW Commissioning and Contestability Policy: https://www.treasury.nsw.gov.au/sites/default/files/pdf/TPP16-05_NSW_Government_Commissioning_and_Contestability_Policy_-pdf.pdf, accessed 1 August 2019 and NSW Government Commissioning and Contestability Practice Guide, accessed 1 August 2019.

8 Australian Government Productivity Commission <https://www.pc.gov.au/inquiries/completed/human-services/reforms/report/03-human-services-reforms-family.docx> Accessed 8 October 2019

9 ACOSS, *Commissioning and Getting Better Outcomes – Principles and Practice: An ACOSS Briefing Note, October 2018.*

About AbSec

The NSW Child, Family and Community Peak Aboriginal Corporation, known as AbSec, is a not-for-profit incorporated Aboriginal controlled organisation. We are the NSW Aboriginal child and family peak organisation, working to empower Aboriginal children, young people, families and communities impacted by the child protection system, as well as support a quality Aboriginal community controlled child and family sector to deliver needed supports in Aboriginal communities across the State.

AbSec advocates on behalf of Aboriginal children, families and communities, to ensure they have access to the services and supports they need to keep aboriginal children safe and provide them the best possible opportunities to fulfil their potential, through Aboriginal community controlled organisations.¹⁰

Our purpose

We work with Aboriginal communities and partners to strengthen and support Aboriginal children, families, communities and organisations.

Our vision

That all Aboriginal children and young people are looked after in safe, thriving Aboriginal families and communities, raised strong in spirit and identity, with every opportunity for lifelong wellbeing and connection to culture, and surrounded by holistic supports.

Our objectives

- Work towards achieving self-determination for all Aboriginal people and communities, and build a safe, secure and caring environment for their children and young people, surrounded by culture
- Support Aboriginal organisations to deliver quality, holistic supports for all Aboriginal children, young people, families and carers
- Provide and support opportunities for continual learning, growth, improvement and change, for organisations delivering Aboriginal child and family supports
- Represent the interests, and inform government and key stakeholders of, the issues facing Aboriginal children, young people, families, carers and communities
- Advance Aboriginal workforce development to ensure a strong and capable workforce that is ready and equipped to meet the support needs of Aboriginal children, young people, families and communities.¹¹

¹⁰ [AbSec Achieving a Holistic Aboriginal Child and Family Service System for NSW](#) accessed 8 October 2019.

¹¹ AbSec – NSW Child Family and Community Peak Aboriginal Corporation, [AbSec Strategic Plan: 2019–2022](#).

Strategic Directions to Commissioning

Plan on a Page

AbSec, Aboriginal agencies, Family and Community Services (FACS), other NSW Government agencies and bodies engaged in a co-design process in 2014–15 to explore and develop high level concepts for the future state of the Aboriginal sector to address the alarming overrepresentation of Aboriginal children and young people in care. The outcomes of the *Plan on a Page* include:

1. Aboriginal children and young people showing improved outcomes across domains, including education, health, justice, transition to employment/ education etc
2. Aboriginal children in the child protection and out-of-home care systems are connected to family, community, culture and country, and are safely supported in environments that are suited to their best interests
3. Tailored, child and family-centred, holistic supports that are delivered as needed, not just at crisis, as a package of supports across the continuum, rather than through a programmatic design creating inflexible practice
4. A robust (good governance, well-resourced, sustainable) network of Aboriginal community-controlled organisations delivering quality services in community
5. Aboriginal kids in out-of-home care are supported by Aboriginal community- controlled organisations.

FURTHER INFORMATION

Aboriginal and Torres Strait Island Child Placement Principle

The Aboriginal and Torres Strait Islander Child Placement Principle (ATSICPP) is about safeguarding the rights of Aboriginal children and young people, their families and communities within the statutory child protection system. It recognises that Aboriginal people must be intimately involved in all aspects of child and family welfare.

The key goal of the Principle is the same as our goal at AbSec: to keep Aboriginal families together, and to protect every Aboriginal child's right to their community and culture. These are central to an Aboriginal child's identity and have been shown to help them grow up strong and confident.

The Principle includes five core elements:

- Prevention
- Partnership
- Placement
- Participation
- Connection

These elements are endorsed by the NSW Government and reflected in the *Children and Young Persons (Care and Protection) Act*.

FURTHER INFORMATION

AbSec Strategic Plan

AbSec's Strategic Plan outlines the guiding principles and strategic directions which has guided the Commissioning work.

The direct links to the strategic plan include:

- A. Our Aboriginal children, families and communities are at the centre (Priority areas 1, 2 & 3)
- B. Our Aboriginal organisations are best placed to deliver in their communities (Priority areas 1, 2, 3 & 4)
- C. Our partners and other stakeholders value our Aboriginal children, families, communities and organisations (Priority area 1)
- D. Our organisation is able to effectively represent the interests of our Aboriginal children, families, communities and organisations (Priority area 3).

FURTHER INFORMATION

NSW Premier's Priorities

The [Premier's Priorities](#) represent the NSW Government's commitment to making a difference in enhancing the quality of life of the people of NSW. Each priority tackles a key policy area and sets specific targets.

Under the policy area of *Keeping Children Safe*, the Government has two key priorities – [Protecting our most vulnerable children](#) and [Increasing permanency for children in out-of-home care](#).

The Government's commitment is to keep families safely together by supporting them through services they need so that children and young people can stay safely at home or return home after an absence.

AbSec supports approaches to Aboriginal child safety that strengthen Aboriginal families and communities through culturally imbedded initiatives, building on the strengths of Elders and community, culture and protective relationships.

AbSec advocates the need to improve restoration supports and services for Aboriginal children, families and communities, and seeks better outcomes for Aboriginal children living in out-of-home care. AbSec promotes Aboriginal-led approaches to the care and protection of Aboriginal children in NSW.

Governance

Governance is the system by which entities are directed and controlled. It is concerned with structure and processes for decision making, accountability, control and behaviour at the top of an entity. Governance influences how an organisation's objectives are set and achieved, how risk is monitored and addressed and how performance is optimised.

Governance is a system and process, not a single activity and therefore successful implementation of a good governance strategy requires a systematic approach that incorporates strategic planning, risk management and performance management. Like culture, it is a core component of the unique characteristics of a successful organisation.

Purpose

- To preserve and strengthen stakeholder confidence – A supportive stakeholder base can generate benefits for AbSec through social and emotional support, intangible but very valuable attributes
- To provide the foundation for a high-performing organisation – the achievement of goals and sustainable success requires input and support from all levels of an organisation. The Board, through good governance practices, provides the framework for planning, implementation and monitoring of performance and without a foundation to build high performance upon, the achievement of this goal becomes problematic. Achievement of the best performance and results possible, within existing capacity and capability, is AbSec's on-going goal
- To ensure the organisation is well placed to respond to a changing external environment. Change generally does not happen "over-night", it is there for all to see if they have in place a system for looking. Governing bodies, as the ultimate leaders of an organisation, should take prime responsibility for this activity.

The AbSec governance structure for Commissioning will comprise:

- Steering Committee
- AbSec Board
- Projects Reference Group
- Commissioning Development Team

See Figure 1.

Steering Committee

The Steering Committee is the key body within the governance structure which is responsible for the strategic issues associated with commissioning - making policy, resourcing and key priorities in relation to commissioning. This cross-agency group will be responsible for working together to ensure that strategic hurdles between AbSec, Government agencies and the non-government organisations (NGOs) are identified and addressed.

This group will set key priorities from a collective perspective and other strategic directions. NSW Treasury's expertise and experience in commissioning and service design will provide a level of probity and accountability to the Commissioning work to be undertaken by AbSec. The experience of other groups, such as Department of Premier and Cabinet, will also be critical to achieving this new way of working to deliver better outcomes for Aboriginal children, families and communities.

AbSec Board

The AbSec Board has ultimate oversight in relation to the commissioning process. The Board provides delegation to the CEO as outlined in AbSec's delegations manual.

Projects Reference Group

The Projects Reference Group will be made up of members from AbSec, the Department of Community and Justice (DCJ), and NSW Treasury. The purpose of this group is for AbSec to provide project updates to DCJ in relation to progress around the Commissioning agreement.

Commissioning Development Team

The Commissioning Development Team will be led by the Project Managers within the Commissioning & Quality unit. The purpose of the team will be to support projects throughout the various stages of the Commissioning process at the operational level.

Terms of reference

Terms of reference have been developed for each group and will be reviewed periodically.

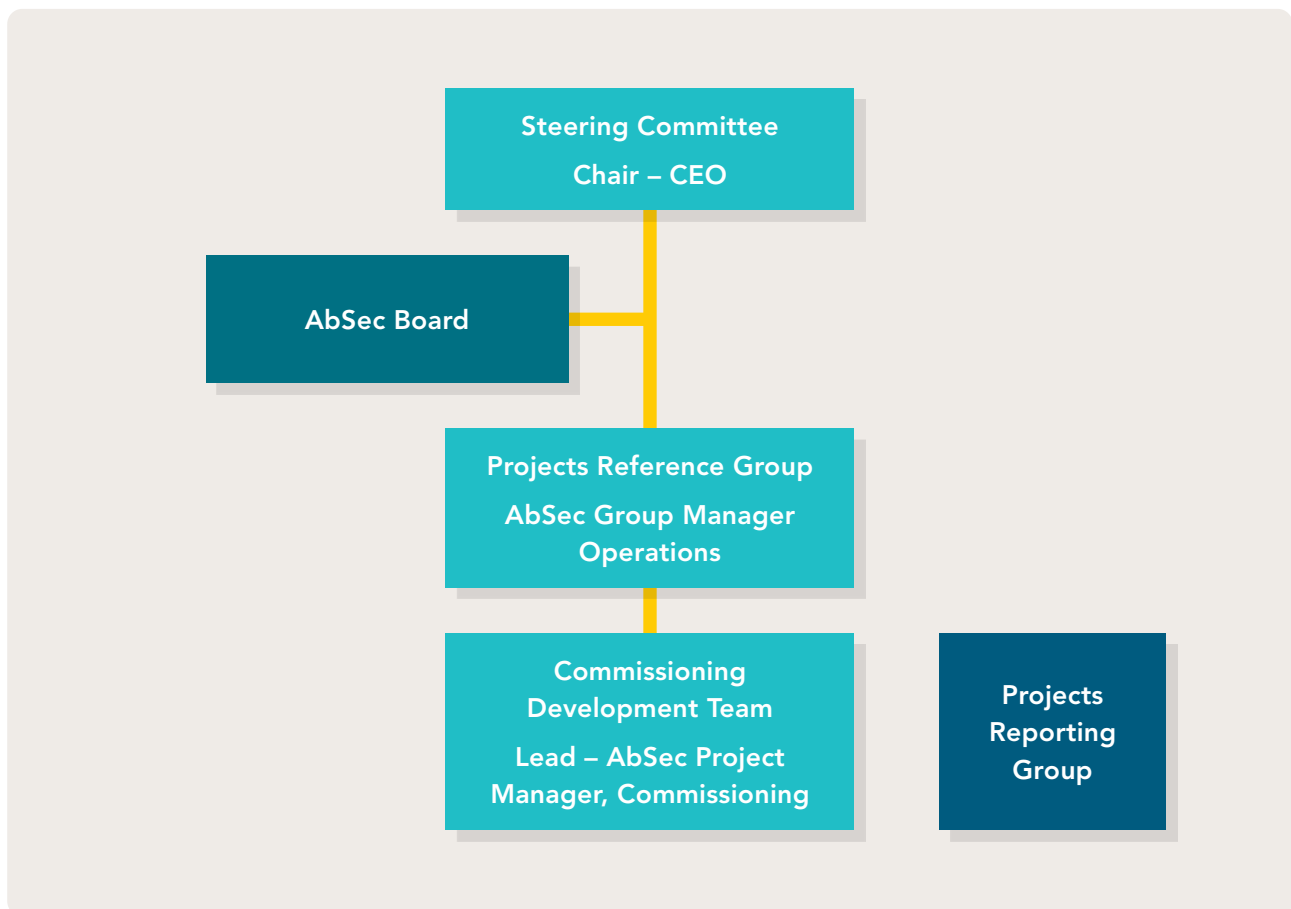


Figure 1: AbSec governance structure for Commissioning

The AbSec Commissioning Framework

Commissioning is fundamentally concerned with how resources are applied to address people’s needs and achieve outcomes in a service or program area. Identifying what community needs look like and finding a way to evaluate initiatives are critical to the success of a commissioning approach.¹²

The AbSec Commissioning Framework works in conjunction with AbSec’s policies and systems. The core focus and elements of AbSec’s Commissioning framework are:

1. **Aboriginal children and families**
2. **Cultural safety**
3. **Co-design**

The core is surrounded by a three phase model comprising a number of activities. Each phase and the core elements are supported by an AbSec implementation guide to ensure processes are open, fair and of a high standard:

4. **Design Planning:** This phase follows the human centred design approach and activities will include discover (research and data analysis), define (needs analysis and assessment), develop (scoping ideas), deliver service design (test, learn and build a solution), and resources & investment.
5. **Implementation:** service model, procurement & provider engagement, and contract management.
6. **Evaluation:** monitoring, learning and review.

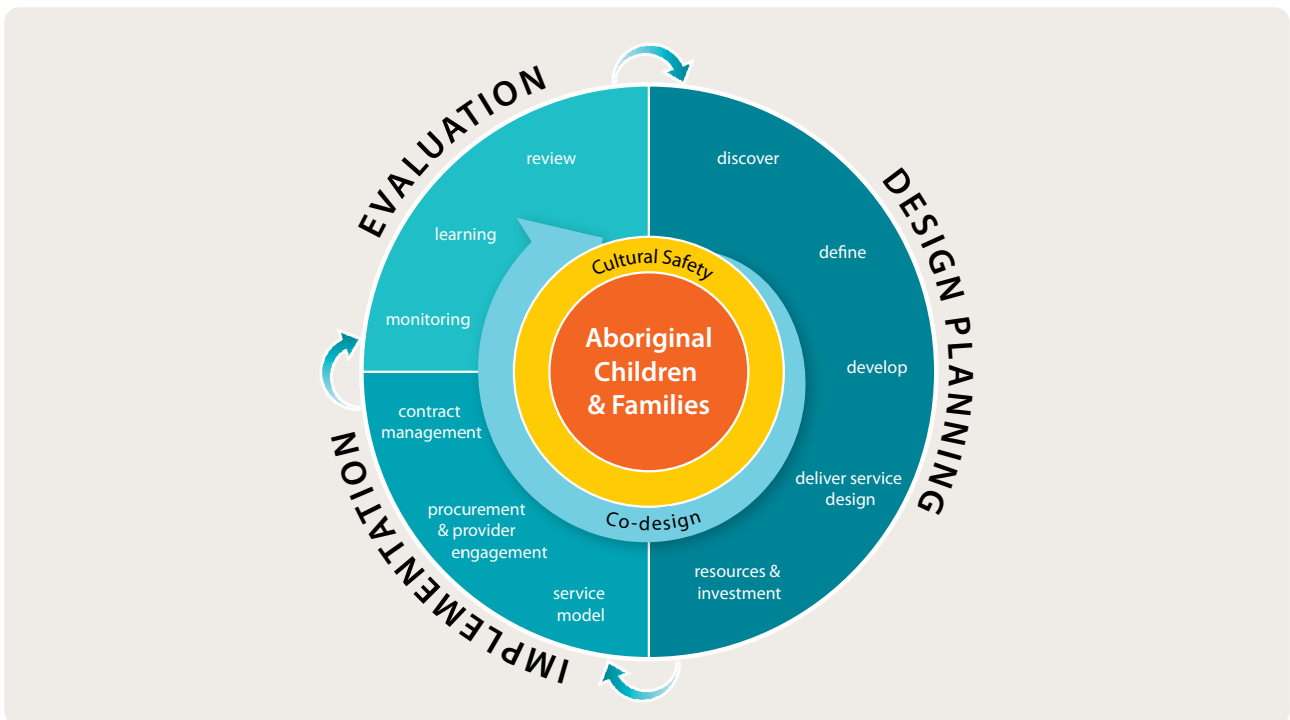


Figure 2: The AbSec Commissioning Framework

12 Australian Centre for Social Innovation and Community Services Industry Alliance, *Commissioning for Outcomes: An Industry-Led Approach*

Each of the three phases of the AbSec’s Commissioning for better Aboriginal child and family outcomes framework is supported by process guides.

Aboriginal Children & Families:

Aboriginal Children and Families are at the heart of the AbSec commissioning framework.

Aboriginal communities are best placed to develop and deliver services aimed at supporting Aboriginal children and families.

When Aboriginal people are the decision makers about which approaches to take, they consistently outperform external decision makers on matters as diverse as government reforms, natural resource management, economic development, health care and social service provision.

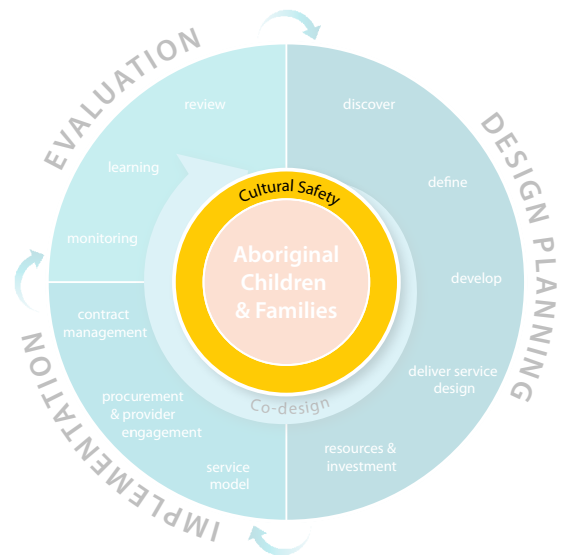
Aboriginal Children and Families are the core component affects the rest of the commissioning processes and as such is central to all phases of the framework.



Cultural safety:

Cultural safety is about providing appropriate supports and intervention in a way that is respectful of the person’s culture and beliefs and that is free from discrimination plus allowing for greater responsibility and autonomy. Culturally safe services are more like to engage Aboriginal children and families and are therefore more likely to be effective¹³.

The principles of cultural safety are embedded throughout all phases of the commissioning model.



13 [Achieving a Holistic Aboriginal Child and Family Service System for NSW](#)

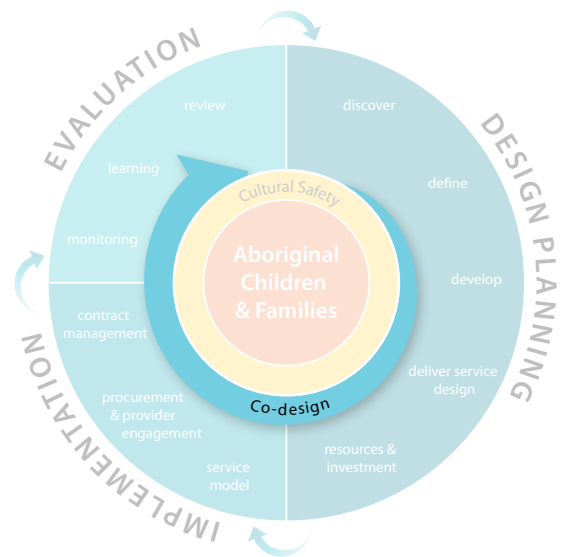
Co-design:

Co-design involves working together through the various phases of the Commissioning cycle to co-create the service design, solutions, service redevelopment and the evaluation. Co-design commences at the discover stage where Aboriginal children, families and communities, service providers and funders contribute to the planning and development of the solutions individually and/or collectively. This approach is designed to address as many needs as possible, and to apply feedback and learnings in real time for continuous improvement purposes.

Co-design builds on stakeholder engagement processes to encourage participation and sharing of responsibility and expertise to develop solutions, services, supports and resources that better meet people’s needs and achieve better outcomes.

As the co-design process is implemented, there will be opportunities raised to continuously improve processes and practice. A developmental evaluation approach is being used throughout the phases to provide real time feedback to improve processes and practice. Through co-design and a Human Centred Design (outcomes design planning) approach, improvements or changes are made at relevant times throughout the Commissioning cycle to support better outcomes.

A communication plan is also embedded within co-design and targets relevant stakeholders in line with each of the processes in each phase.

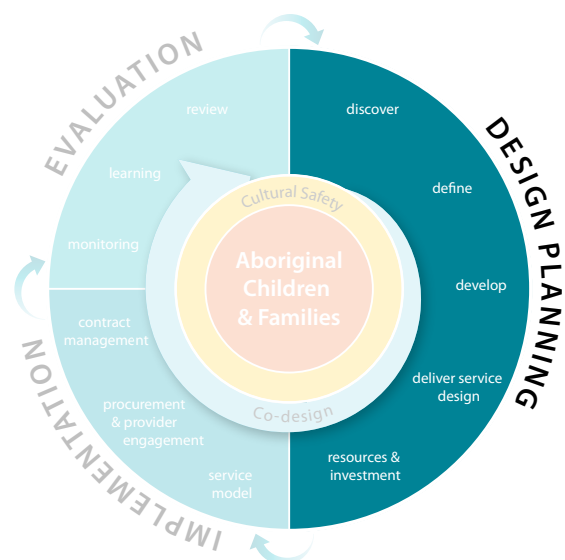


Design Planning:

The design planning phase of the *Commissioning for better Aboriginal child and family outcomes* follows a Human Centred Design (HCD) approach which creates solutions for problems and opportunities for services that focus on the needs, contexts, behaviours, and emotions of the people that the solutions will serve.

Design planning stages include the HCD processes of discover, define, develop, deliver services that are co-designed, and resources & investment.

The Design planning stages also incorporate developmental evaluation processes to facilitate real-time feedback to program staff and enable quick test iterations, tracking emerging issues and continuous development.



Developmental evaluation supports innovation and adaptation to the emergent and dynamic realities of new program and interventions.

Discover

The *discover* process looks at the collection of information including research, data analysis and issue identification. Traditional needs assessment will be undertaken during this process as part of the primary research undertaken. Co-design commences during this stage through the conduct of primary research and continues throughout the phases of the model.

Define

The *define* process involves sorting the information collected into themes, insights and areas of opportunity. This leads to 'how might we' address the needs and issues, an approach of HCD. Co-design is an important feature of this stage of the process.

Develop

The *develop* process includes growing and evaluating ideas to inform possible solutions.

Deliver service design

The *deliver service design* process involves prototyping and testing to arrive at solutions based on the co-design activities.

It is tested through analyses and repetition to ensure that the final design addresses the needs of participants, is feasible, and is accepted as a solution for implementation.

Resources and investment

Critical to planning, this process is about understanding the *resources* available and *investment* opportunities to meet demands and needs identified.

It is important to scope the available resources and investment opportunities prior to the implementation in order to effectively design the solution / intervention required to address the needs.

This process of the *Design Planning* phase requires effective and ongoing engagement with government in order to target and quarantine resources and investment towards the Aboriginal-led commissioning approach. This can and should be applied across all potential programs that require a response that addresses current issues experienced by Aboriginal children, families and communities.

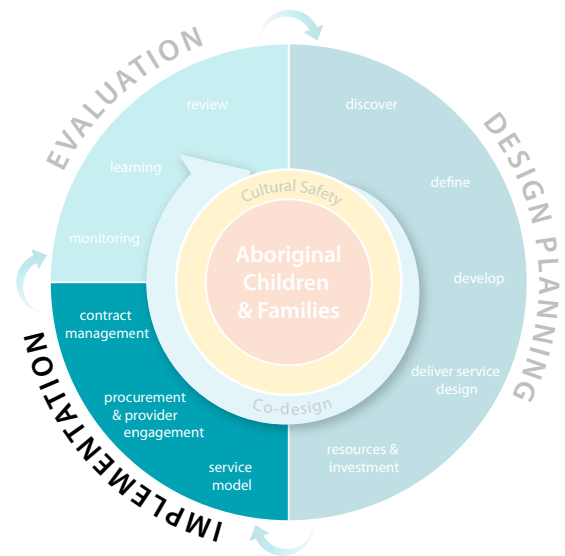
Implementation:

The implementation phase is the second phase of the commissioning model and sets out the principles underpinning the service model, procurement and provider engagement and contract management.

Service model

The service model is the combined, packaged program documentation and systems created as a result of the design planning phase. The service model may include, but is not limited to:

- Funding agreement
 - » Contract requirements, payment schedules, deliverables, program monitoring, evaluation
- Program guidelines
 - » background, objectives, governance, funding, purpose, eligibility, reporting requirements.
- Systems
 - » Procurement process
 - » Reporting
 - » Contract management
- Sector capacity building packages.



Procurement and Provider Engagement

Procurement involves the process of selecting vendors, establishing payment terms, strategic vetting, selection, negotiation of contracts and actual purchasing of goods. It is concerned with acquiring (procuring) all of the goods, services, and work that is vital to an organisation.

The four stages with the procurement process which include initiation, formation, execution and award:

- The initiation in general looks at understanding the need analysis and sector engagement. It is important to note a large portion of the initiation stage will have been completed through design planning phase.
- Formation includes developing the procurement plan and assessment and providing a panel briefing.
- The execution stage is undertaking the steps involved with seeking applicants and awarding tenders.
- The award stage refers to contracting the preferred provider(s).

AbSec will appoint an ongoing probity advisor who will ensure the openness and transparency of the procurement process.

In line with NSW Government (GIPAA) requirements, contracts issued through the commissioning process will be made available on the AbSec website for contracts above \$150,000.

Contract Management

The contract management approach and information in the respective contracts will depend on the nature of the service model including the services to be provided as well as the funding awarded.

As the contract will depend on the approach, so too will the information in the contract. Following is a list of information which may be included in a contract:

- Contracts will be monitored by formal and informal arrangements, in accordance with AbSec policies and process guide. A formal quarterly reporting structure will be built into the service contracts negotiated through the commissioning process.
- Practice support for commissioning will be made available by AbSec to service providers to support sector capacity building and improve the quality of services.

Evaluation:

Evaluation processes will be implemented using different approaches throughout the phases where applicable, including developmental (real-time feedback which will be applied throughout the cycle to ensure continuous improvement), formative (improvements during the course of the program) and summative evaluation (the impact at the conclusion of the program to understand the process of change - what works, what doesn't, and why). Both the commissioned project and the commission framework will be reviewed.

AbSec will systematically assess the impact of an activity and/or group of activities that has been commissioned. Doing this helps inform the commissioner, providers and wider stakeholders of the impact of the activity and its outcomes, while stimulating continuous improvement. In the Evaluation phase, results of evaluations are used to support future commissioning decision making.

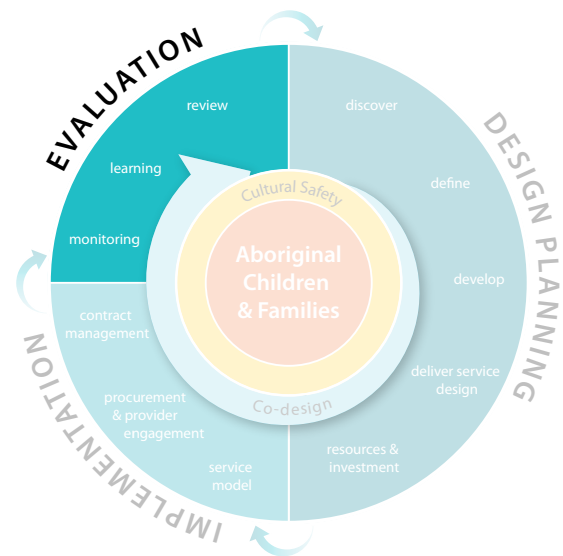
Evaluation processes will assess the inputs being made, the processes or activity being delivered, and the outputs and outcomes.

The commissioning process will also be evaluated to ensure that what is commissioned delivers the required services and outcomes for the community, and provides value for money.

Evaluation also allows us to learn lessons from the programs and services commissioned, and to use this knowledge to improve those services and programs for Aboriginal children, families and communities.

The review and assessment of the performance of services, and the achievement of outcomes, is a key part in understanding what works, identifying where approaches need to change, and capturing valuable feedback to support future commissioning decisions.

As part of the evaluation process, AbSec will provide the program level data to Government agencies as agreed.



Monitoring

AbSec will monitor and track service provider progress in the delivery of services and the achievement towards outcomes. Monitoring can track a range of factors that are relevant to service delivery and operation, including: what is being delivered; how services and/or activities and outcomes are being delivered; compliance with contractual obligations; and the nature and health of the relationship between the commissioner (AbSec) and service provider from both their perspectives.

Contracts will be monitored using a strengths based, relational approach to achieving outcomes for Aboriginal children, families and communities.

Learnings

Continuous improvements over time are viewed as desirable and can translate into improved quality, reduced costs, simplified work processes, and improved client satisfaction and other benefits.

This will assist AbSec to:

- provide a proactive learning culture for service providers and AbSec
- provide more competitive products and services
- provide better client service
- engage service providers to deliver at higher degrees of quality

Review

Through co-design, lessons learnt in the Monitoring and Learning processes will be used to inform the next iteration of the commissioning process.

Related AbSec Policies and Procedures

AbSec has a well-established policy suite which is consolidated in the AbSec Policy Manual and is to be read in conjunction to this document. This will ensure the commissioning process is run in a transparent, ethical manner and promotes good business practices. Some of the directly related policies include the following.

Table 1: List of AbSec Policies relevant to the Commissioning Model

POLICY	POLICY NUMBER	CATEGORY	DATE ENDORSED	POLICY POSITION
Board Charter	AP001	Corporate Governance	20 April 2017	Overview: Governs the operations of AbSec and its subsidiaries. The Charter supports the constitution which takes precedence. The Board is responsible for ensuring that AbSec has an appropriate corporate governance structure to ensure the creation and protection of member and constituent values. It explains AbSec's commitment to good governance. AbSec supports the principles of the ASX Corporate Governance Council's Principles of Good Corporate Governance and Best Practice Recommendations (ASX Principles).
Code of Conduct	AP018	Human Resources Management	15 January 2017	AbSec will conduct business with integrity, honesty and fairness that complies with all relevant laws, regulations, codes and sector standards. The aims of this Policy are to set out the standards of conduct and behaviour expected of our Board, members, employees, member agencies, volunteers and contracted parties.
Confidentiality and Privacy	AP019	Human Resources Management	20 June 2019	AbSec is committed to protecting the confidentiality and privacy of personal information which the organisation collects, stores and administers and that persons dealing with us understand our practices in relation to the management of personal information. We recognise the rights of participants and employees of AbSec to maintain their privacy and confidentiality and to have their information administered in ways which they would reasonably expect.

Continued overleaf

POLICY	POLICY NUMBER	CATEGORY	DATE ENDORSED	POLICY POSITION
Conflict of Interest	AP003	Corporate Governance	19 July 2018	Every decision made by the Board must be impartial and in the best interests of AbSec, its subsidiaries and member agencies. Every individual Board member has a duty to ensure that his or her decisions reflect this responsibility. This Policy is designed to help Board members, and employees of AbSec identify situations that present potential conflict of interest and to provide a procedure that, if observed, will allow a transaction to be treated as valid and binding even though a director or employee has or may have a conflict of interest with respect to the transaction.
Delegations Manual	AP005	Corporate Governance	27 July 2017	Guidelines: Delegations are a way to place controls, both financial and functional, to ensure the smooth running of the organisation. Delegations are provided by the Board to the CEO to empower the CEO to fulfil core priorities within the organisation. The CEO delegates to staff according to categories and the manual provides the financial and functional controls allocated to each category of delegation.
Fraud and Corruption Control	AP008	Corporate Governance	19 July 2018	The integrity of AbSec is critical to our role and reputation as an Aboriginal peak organisation. AbSec is committed to ensuring processes are in place to reduce the potential for and incidence of fraud and corruption. The Policy articulates AbSec's position and employee responsibilities in relation to the control of fraud and corruption.
Procurement	AP048	Financial & Stakeholder Management	20 June 2019	The purpose of this Policy is to set out the provisions that govern the approval of expenses and the procurement and purchasing processes. The Policy outlines AbSec's requirements for purchasing goods and services, engaging in third party contracts, requesting quotations and environmental considerations. The key objectives of procurement is to ensure compliance with budget, deliver value for money, and prompt delivery of goods and services from the most appropriate supplier.



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