

Traditional Owner Nation-building Package

# Nation-building Resource Pool Guidelines

February 2022



# Introduction

The Nation-building Resource Pool is part of the Traditional Owner Nation-building Package. The Package aims to enable Traditional Owners across Victoria to engage in nation-building activities and prepare for future treaty negotiations or other formal recognition pathways.

It recognises the diverse circumstances and aspirations of Traditional Owners in Victoria, and the need to provide equitable support to enable all Traditional Owners to build their nations and to negotiate treaty with the Victorian Government if they choose to do so.

The Package has been developed through a partnership between three nation-building service providers: the Federation of Victorian Traditional Owner Corporations (Federation), First Nations Legal & Research Services (First Nations) and Traditional Owner Relationships and Heritage, First Peoples – State Relations Group, Department of Premier and Cabinet (First Peoples – State Relations).

## Principles guiding the implementation of the Nation-building Resource Pool

### **Self-determination**

Activities funded through the Resource Pool will be identified by Traditional Owners and guided by the principle of self-determination.

### **Clear communication**

Clear and up to date information about the Resource Pool will be communicated in an accessible manner. Application and assessment processes will be clearly explained.

### **Flexibility**

Funding and support provided will be flexible and adaptable to the specific circumstances and needs of Traditional Owner groups.

### **Respecting Traditional Owner knowledge**

Traditional Owner knowledge will be respected and protected.

### **Healing**

Implementation of the Resource Pool will be strengths based and guided by healing informed practice.

# The Nation-building Resource Pool

The \$5.835 million Nation-building Resource Pool is available on an equitable basis to Victorian Traditional Owner groups with formal recognition (for example, a Registered Aboriginal Party or those with native title determinations or *Traditional Owner Settlement Act 2010* agreements) to resource nation-building and treaty readiness activities.

Following the 2021-22 Victorian State Budget, the operation of the Resource Pool was extended to June 2024 and available funding increased to \$530,000 for each eligible Traditional Owner group. The Resource Pool has also widened in scope to include resourcing for Aboriginal cultural heritage projects. Formally recognised Traditional Owner groups now have the option to apply to the Resource Pool for funds to deliver projects with a specific focus on Aboriginal cultural heritage.

## What does 'nation-building' mean in the context of the Package?

Traditional Owners themselves will ultimately define what nation-building means to them. However, for the purposes of delivering the Package, and to ensure that resources can flow to Traditional Owner groups or nations as soon as possible, the Partnership has adopted a working definition of nation-building.

***Nation-building enables the development of strong Traditional Owner groups, who work together to activate self-determination and build the futures they want.***

This includes enabling Traditional Owners to be in the strongest possible position to enter into treaty negotiations with the State of Victoria, should they choose to do so. This definition will be refined further as Traditional Owners continue to engage in nation-building activities and define what it means for themselves.

## What does 'Aboriginal cultural heritage' mean in the context of the Resource Pool?

Aboriginal cultural heritage means the knowledge and lore, practices and people, objects and places that are valued, culturally meaningful and connected to identity and Country. See further below under assessment criteria.



## Who is eligible to apply?

### **Traditional Owner groups with formal recognition are eligible for support.**

Applicants must be a Traditional Owner Corporation registered as one or more of the following:

- a Registered Aboriginal Party under the *Aboriginal Heritage Act 2006* (Vic)
- a Traditional Owner Group Entity under the *Traditional Owner Settlement Act 2010* (Vic)
- a Prescribed Body Corporate under the *Native Title Act 1993* (Cth).

## What is funding available for?

### **Nation-building outcomes**

#### **Core nation-building capabilities**

Resource Pool funding is available for activities that promote one or more of the following core nation-building capabilities, namely to:

- 1. Strengthen the group's ability to identify and adopt shared goals and objectives and work towards the group's collective interests.**
- 2. Strengthen the group's capacity, communications and accountability mechanisms to represent the group's interests and take on further responsibilities activating self-determination.**
- 3. Strengthen negotiation capacity and readiness to enable participation in the treaty process, (recognising the different stages that Traditional Owner groups are at in their respective journeys towards treaty).**
- 4. Identify, protect and conserve a Traditional Owner group's cultural heritage, broadly defined as the knowledge and lore, practices and people, objects and places that are valued, culturally meaningful and connected to identity and Country.**

## Nation-building elements

Projects funded by the Resource Pool will also demonstrate outcomes that align with one or more of the following six nation-building elements, essential to strong Traditional Owner groups:

- **Engaged communities and healing:** Groups come together, plan, make and effect decisions in a way that strengthens relationships and supports healing.
- **Identity:** Groups maintain a strong collective identity and connection to culture.
- **Knowledge:** Groups have a strong knowledge base which informs and empowers decision-making about Country, culture and community.
- **Governance:** Groups demonstrate culturally legitimate governance systems that guide decision making, enable activity and maintain accountability.
- **Activating rights:** Groups enable self-determination and exercise their inherent rights. These rights are upheld and respected.
- **Economic independence:** Groups determine strong economic futures, generating income through a variety of streams and assets.

These elements are underpinned by four core foundations: **Country, Culture, Sovereignty** and **Inherent Rights**.

# Funding

## Funding will be provided either:

- through a direct grant with the Traditional Owner Corporation
- by agreement with the successful applicant to fund activities delivered by one of the Partners
- to engage a consultant or other third party to deliver services for the benefit of the Traditional Owner Corporation.

## What can be funded

Funding may be used for costs associated with the project such as wages, consultants, travel and meeting costs and minor equipment purchases (for example, a laptop).

Applications for the Resource Pool will also be considered from multiple eligible Traditional Owner groups working together. Funding for joint projects will need to come from each Traditional Owner Corporation's maximum allocation.

## Funding for Aboriginal cultural heritage projects

Projects related to Aboriginal cultural heritage must be located within the Traditional Owner group's Registered Aboriginal Party recognition area.

## What won't be funded

Activities that negatively impact formal recognition rights or processes will not be funded.

Funds will not be allocated to duplicate resources or support available elsewhere. This includes:

- activities that can be funded through other parts of the Nation-building Package, for example, legal or research services to support formal recognition; or
- activities that can be funded by other state or federal government programs.

Funds cannot be used to meet usual business costs, such as rent or purchase of major capital items.

## Funding rounds and amounts

A maximum amount of \$530,000 is available to each formally recognised Traditional Owner group from the Resource Pool. Traditional Owner Corporations that have funding agreements in place for \$280,000 will now be eligible to apply for a further \$250,000. Corporations that have not yet received Resource Pool funding will be eligible to apply for the full \$530,000.

There are several remaining funding rounds for the Resource Pool:

**Round 5:** Closes 31 March 2022

**Round 6:** Closes 30 June 2022

**Final round 7:** Closes 30 September 2022

Further funding rounds may be opened, if required, however all Resource Pool funding must be committed by 30 June 2023.

Traditional Owner Corporations should speak with the Federation if they would like to have an application considered outside of the funding rounds.

The three partner organisations will manage access to the Resource Pool to ensure that funding is available to Victorian Traditional Owner groups with formal recognition on an equitable basis.

Activities proposed for funding should aim to be completed within 18–24 months, with all projects finalised by 30 June 2024.



# Application process

1. Contact the Federation to discuss a project proposal and potential support available to develop an application. The Federation can provide you with advice on the kinds of projects that may be funded. The application form and the standard terms and conditions for the Grant Agreement are available [here](#).
2. The application form is completed by the Traditional Owner Corporation and submitted to the Federation, before the relevant closing due date of the funding round (if applicable).
3. All eligibility and assessment criteria must be addressed and a project plan included with the application to proceed to the assessment process.
4. If required, further information may be sought to enable a successful application.
5. Every attempt will be made to support applicants to meet the criteria during the application process.

## Support available

Each formally recognised Traditional Owner Corporation has been offered funding under the Package to engage a Traditional Owner Engagement Officer to support the identification of nation-building priorities and projects which could be funded through the Resource Pool.

Upon request, the Federation can provide a planning workshop to assist in identifying priorities and developing a project plan for accessing Resource Pool funding.

First Peoples – State Relations can also assist with the development of applications for Aboriginal cultural heritage projects and provide technical support for Aboriginal cultural heritage projects funded through the Resource Pool, including mapping services and assistance with the registration of Aboriginal cultural heritage.

## Applications must include:

- Application form
- Agreement to enter into a Grant Agreement
- Consent to provide the information contained in the application to the Partnership for assessment purposes or identification of information that requires special management measures, in line with the **Information Management Protocol**.
- Proposed arrangements for managing funds, including by auspice if required.
- A project plan and enough detail for Partners to make a decision about funding.



# Assessment process

**A Steering Committee, with a representative from the Federation, First Nations and First Peoples – State Relations oversees the implementation of the Resource Pool and makes decisions about the allocation of funds from the Resource Pool. An Assessment Committee supports the Steering Committee to make funding decisions. Successful funding applications will meet the eligibility and assessment criteria and include a detailed project plan that links one or more of the core nation-building capabilities to the project outcomes.**

Applications will be assessed as follows:

1. Once received, all applications will be initially assessed by the Federation against the eligibility criteria and to ensure the application contains the required information.
  - The Federation will also undertake an initial financial risk assessment and probity check and provide this advice and a recommendation to the Assessment Committee.
  - The Federation will contact applicants who do not meet the eligibility criteria or where required information is missing from the application.
2. Applications that meet the eligibility criteria and the financial risk assessment and probity check will be assessed by the Assessment Committee against the assessment criteria. At this stage, the Assessment Committee may:
  - recommend variations to the requested grant amounts up to the maximum grant amount of \$530,000 (excluding GST); and/or
  - request additional information or clarification from the applicants.
3. The Assessment Committee will provide a recommendation to the Steering Committee.
4. The Steering Committee will make a decision in accordance with the assessment criteria.
5. Applicants will be advised of an outcome within 12 weeks after the application is submitted.
6. Applicants will enter a Grant Agreement or other arrangement (for example, an auspice arrangement or engagement of consultant or other third party) with the Federation before commencing the project or activity.



# Assessment criteria

Assessment criteria	Your Response	What we want to know
<b>Core nation-building capabilities</b> <b>Does the project or activity build one or more of the group's core nation-building capabilities?</b>	<p>The extent to which the proposed project or activity:</p> <ul style="list-style-type: none"> <li>• strengthens the group's ability to identify and adopt shared goals and objectives and work towards the group's collective interests</li> <li>• strengthens the group's capacity, communications and accountability mechanisms to represent the group's interests and take on further responsibilities activating self-determination</li> <li>• strengthens negotiation capacity and readiness to enable participation in the treaty process</li> <li>• identifies, protects and conserves a Traditional Owner group's cultural heritage, that is, the knowledge and lore, practices and people, objects and places that are valued, culturally meaningful and connected to identity and Country</li> </ul>	<ul style="list-style-type: none"> <li>• How your project or activity will achieve and address one or more of the core nation-building capabilities</li> <li>• What your project will achieve over what period and how this will be demonstrated</li> </ul>
<b>Nation-building elements</b> <b>Does the project or activity align with the nation-building elements?</b>	<p>The extent to which the proposed activity contributes to one or more nation-building elements identified by the Partnership or the applicant including:</p> <ul style="list-style-type: none"> <li>• Engaged Communities and Healing</li> <li>• Identity</li> <li>• Knowledge</li> <li>• Governance</li> <li>• Activating Rights</li> <li>• Economic Independence</li> </ul>	<ul style="list-style-type: none"> <li>• How your project or activity contributes to the nation-building elements</li> <li>• If your project contributes to more than one nation-building element, which activities contribute to which element (noting that activities may contribute to more than one element)</li> </ul>
<b>Planning and achievability</b> <b>Is the project plan viable and achievable?</b>	<p>You must describe:</p> <ul style="list-style-type: none"> <li>• Your project plan</li> <li>• What resources you require (including in relation to short, medium and long-term project outcomes)</li> <li>• What experience/capacity you have to deliver the project</li> </ul>	<ul style="list-style-type: none"> <li>• What you plan to do</li> <li>• Is the project plan achievable and realistic</li> <li>• What resources do you need to help you achieve the outcomes of your project</li> <li>• Do you have the experience/capacity to deliver the project</li> </ul>
<b>Type of support</b> <b>Can the level of support requested be provided through the Resource Pool?</b>	<p>You must describe what forms of support you are requesting:</p> <ul style="list-style-type: none"> <li>• a direct grant</li> <li>• activities to be delivered by one of the Partners</li> <li>• a service to be delivered by a consultant or other third party</li> </ul>	<ul style="list-style-type: none"> <li>• What level of support the Partnership will provide</li> <li>• Consideration of effective ways to manage the project</li> </ul>
<b>Value for money</b>	<p>You must describe:</p> <ul style="list-style-type: none"> <li>• The costs and any assumptions providing enough detail to enable an assessment of the application (this could include quotes, hourly rates, etc)</li> <li>• The timing of expenditure and any relevant risk factors</li> </ul>	<ul style="list-style-type: none"> <li>• Do the costs and assumptions provide adequate information to determine the value for money and cost effectiveness</li> </ul>
<b>Additional assessment criteria for Aboriginal cultural heritage projects</b>	<p>You must describe:</p> <ul style="list-style-type: none"> <li>• The area or location of the proposed project (if applicable)</li> <li>• If applicable, how the project will be undertaken in accordance with the requirements of the <i>Aboriginal Heritage Act 2006</i></li> </ul>	

## Feedback and further information

The Partnership recognises that it is important to provide on-going support to groups before and after applications are submitted. If an application does not initially meet the assessment criteria, feedback and support will be offered to applicants to further develop projects or activities to strengthen their application.

Requests for further information may be required when:

- the application is incomplete
- responses to the assessment criteria require more detail
- further detail is sought around timelines and planning
- further clarity is sought around budget or expenses
- further detail is sought on the value proposition - intent, purpose and impact of the proposed project or activity
- the applicant presented a clear rationale against some of the criteria but needs to develop the project or activity or provide more information in a particular area to present a compelling case.

## Conflicts of interest

To manage all actual, potential or perceived conflicts of interest all Federation staff carrying out eligibility assessment and quality assurance checks and all Assessment Committee and Steering Committee members will be required to complete a conflict of interest declaration. This requires relevant Federation staff and Committee members not to participate in discussion or decision-making where they have a financial or personal interest in the relevant decision. Where a conflict of interest is declared by a member of the Steering Committee, the decision-making will be undertaken by a nominated delegate of that organisation who does not have a conflict of interest.

# Confidentiality and information management

## Privacy and personal information

**The Partnership and the Federation are committed to protecting the privacy of personal information as well as any other sensitive information collected for the purposes of assessing applications or in administering activities funded under the Nation-building Resource Pool.**

Any personal information provided by the Applicant in an application will be collected by the Federation for the purpose of administration of the Nation-building Resource Pool, reporting and promotion. This information will be provided to the Partnership only for the purposes of assessing applications, program reporting and promotion. If confidential personal information about third parties is included in an application, Applicants are required to ensure that the third party is aware of the contents of this Privacy Statement. Any personal information collected, held, managed, used, disclosed or transferred will be held in accordance with the provisions of the *Privacy and Data Protection Act 2014* (Vic) and other applicable laws

## Information Management protocol

The Partnership has developed a protocol that sets out how Traditional Owner knowledge and information will be protected and managed by the partner organisations, in particular information that may relate to formal recognition processes or future treaty negotiations. The protocol sets out the rationale for and commitment to information management; how information will be managed; the roles and responsibilities of partner organisations; and partnership governance.

The Information Management protocol can be found [here](#).

Enquiries about access to information should be directed to the Federation Operations Manager, Ben Gordon:  
ben.gordon@fvto.com.au or 0413 640 291.

# Funding conditions

## Grant Agreement

Successful applicants must sign a Grant Agreement, or another arrangement, with the Federation that includes a standard set of terms and conditions and project specific obligations, to receive the approved grant.

The project cannot commence, and project expenditure cannot be incurred until after the Grant Agreement (or other agreement) is executed (signed by both the recipient and the Federation).

The Partnership is jointly responsible for the approval of applications, including with reference to the recipient, funding amount, purpose and any conditions. The standard terms and conditions may be amended to fit the project or activity outlined in the Grant Agreement.

## Duration

Funded projects are to commence and be completed within the period specified in the Grant Agreement.

## Payment conditions

Grant payments will only be made in accordance with the terms and conditions of the Grant Agreement and on both:

- invoice
- the satisfactory delivery of each milestone as set out in the Grant Agreement.

Project expenditure cannot be incurred until after the Grant Agreement has been executed (signed by both the recipient and the Federation). Grants will not be provided for activities, expenditure or purchases that occurred prior to the execution of the Grant Agreement.

## Publicity

Grant recipients may be asked to assist the Federation and the Partnership in promotion of the program.

This may include involvement in media releases, social media posts, case studies or promotional events and activities.

The Federation or the Partnership will request Grant recipients to fact check any text and seek approval to use any owned imagery associated with the project prior to the publication of any such promotional materials.

Recipients must not make any public announcement or issue any media release regarding the receipt of a grant without prior written approval from the Federation or Partnership.

The Partner organisations may publicly name Traditional Owner groups that are receiving or have received support through the Resource Pool, and the type of support they have received to ensure transparency about access to program resources. No additional information about the specific activities that will be undertaken, or the purpose of the funding will be disclosed without the consent of the Traditional Owner groups involved.

Individual Grant Agreements between the Federation and each funding recipient will contain clauses protecting information collected through funded activities.

## Monitoring and evaluation

Each Grant Agreement will require a monitoring and reporting framework to be completed as part of its final report. This will be based on the Monitoring and Evaluation Framework developed for the Package and will be tailored to the particulars of the grant, including the activities, funding and the outcomes expected to be achieved.

Project reports against the Monitoring and Evaluation Framework are confidential documents and identifying information will not be disclosed by the Federation without individual or group consent.

Aggregated reporting will be undertaken to the Partnership on such matters as:

- funding expended
- performance against the work planned
- achievement of, or contribution to outcomes.

This aggregated reporting will also be provided to Resource Pool Funding recipients. The findings of these will be de-identified, collated and presented publicly to ensure transparency and share lessons learnt with Traditional Owner groups.

## Review of Guidelines

The Partnership will review the operation of the Resource Pool and the Guidelines from time to time. Changes may be made to the Guidelines following any review.

# Further information

For enquiries or further information please email the Federation: [nationbuilding@fvto.com.au](mailto:nationbuilding@fvto.com.au)

Or contact Kurt Sutton, Senior Policy Advisor on 0409 788 501

## **Strong Yenbena by Yarli Creative.**

**Strong Yenbena (translates to Aboriginal people/person in Yorta Yorta language).**

Colonisation has tried to disconnect us from our kinship, our land and our culture. Though through our strength as a people we have risen up through adversity. Our connection to our lands and our people have kept us thriving.

The deepest connection that we have is to the land. The environmental surroundings. In Victoria, our rivers, creeks and streams stretch over tens of thousands of kilometres, holding nearly as many years of knowledge and culture. There are oceans, and lakes and various other waterways holding thousands of years of knowledge, providing healing and strength for our people. The artwork depicts Communities and Nations we have in Victoria. It shows us as bold and strong people, holding our strength.

There is a waterway running through the middle, tying us together as a strong collective, yet showing our individual aspects and uniqueness. This waterway provides strength and healing. It wraps itself around us and provides comfort in connection - it is our journey and our pathway. Listen and learn from the land and allow it to heal our times. Let this waterway show you strength in challenges like the rocks and pools which form and flow on, let it guide us and build us, and strengthen our connection to this beautiful land.