

Key management and delivery roles and their responsibilities

For child and family, community building, domestic and family violence, and homelessness programs

FUNDED CONTRACT MANAGEMENT | Reference | 4 December 2019

Funded contract management depends on individuals and organisations from across the service sector.

This document focuses on the key roles and functions these individuals and organisations undertake in managing funded contracts and programs, and delivering funded services for the Department of Communities and Justice.

It describes the responsibilities of each role, and how the roles work together to achieve better outcomes for clients.

The key management and delivery roles are:

- [Partnerships directorate](#)
- [Contract manager](#)
- [Lead contract manager](#)
- [Line manager](#)
- [Program manager](#)
- [Service provider](#)
- [Peak organisation](#)
- [Regulator](#).

Notes

1. The roles and responsibilities in this document relate to managing funded contracts and programs, only.

These responsibilities do not include the full set of duties undertaken by the individuals occupying these roles. For example, contract management is one function for which district Commissioning and Planning Officers are responsible.

2. The responsibilities for managing funded contracts are fully explained in the Funded Contract Management Framework's procedures, guides and fact sheets.



For an overview of the communication relationships between the roles described in this document, refer to 'Key relationships for managing funded contracts' in the [Funded contract management overview](#).


Partnerships directorate

The Partnerships directorate undertakes a wide range of contract management-related activities that:

- assist us to have strong relationships with its service partners
- support contract management practice
- put in place mechanisms to manage contract performance, minimise risk to service delivery and ensure service providers are accountable

so that clients receive services at the agreed level of quality and the contracted outcomes are achieved.

Partnerships provides services that support our contract managers and program areas, as well as service providers, peak organisations and the sector in general. In addition, the directorate is responsible for managing statewide contracts and contracts for particular programs.

 Responsibilities of the Partnerships directorate	
Direction	<ul style="list-style-type: none"> • Oversee the funded contract management system. • Direct the procurement and performance management functions of the commissioning cycle. • Develop contract management and related policy. • Design and implement contract management procedures and systems. • Oversee and implement prudential controls and risk management. • Design, implement and oversee the annual accountability process.
Contract management	<ul style="list-style-type: none"> • Issue contracts on behalf of program areas, and support districts to issue contracts. • Be custodian of signed contract documents. • Negotiate and manage: <ul style="list-style-type: none"> – statewide contracts – contracts for particular programs.
Payments	<ul style="list-style-type: none"> • Make funding payments to service providers. • Oversee payments and contracts for particular programs.
Investigation	<ul style="list-style-type: none"> • Investigate allegations of misconduct. • Handle complex contracting complaints about service providers.



Responsibilities of the Partnerships directorate

Communication and consultation	<ul style="list-style-type: none">• Provide guidance to program areas for the procurement and performance management functions of the commissioning cycle.• Contribute to the strategy, design and stewardship functions of the commissioning cycle.• Liaise with program areas, peak organisations and regulators.• Liaise with regulators in relation to compliance matters.• Work with program managers and contract managers to consider the registration or accreditation status of funded service providers when monitoring performance and assessing risk.• Play a strategic role in capacity building with Aboriginal organisations.• Design and implement communication with service partners.• Consult with service providers, individually and through advisory forums, to ensure contract management procedures and systems are fit-for-purpose.
Support	<ul style="list-style-type: none">• Provide resources that assist service providers and our staff to better understand and fulfil their obligations agreed in the contract.• Provide support and advice regarding performance reporting and data.• Support contract management maturity.• Support district and central office colleagues with briefings, training and advice.• Support contract management via the contracting portal.

Contract manager

Our contract managers have a principal role in managing our relationship with service providers. They manage the contract by:

- engaging closely with the service
- supporting the service provider
- monitoring service delivery and performance

to ensure services are provided as agreed in the contract.

The role requires working closely with lead contract managers and line managers.



Responsibilities of our contract managers

Relationship management	<ul style="list-style-type: none">• Manage contracts and the relationship with service providers.• Oversee service providers' adherence to their contracts with us.• Initiate, develop and maintain a positive, strengths-based working relationship with service providers.• Regularly engage with service providers and work with them to achieve the contracted outcomes.• Assist and support service providers to maximise positive outcomes for clients, including Aboriginal, and culturally and linguistically diverse clients.
Risk management	<ul style="list-style-type: none">• Be alert to risks to the stable and uninterrupted delivery of services.• Monitor and manage contract-level risks.• Report corporate-level risks to the lead contract manager.• Report system-level risks to the Partnerships directorate.• Report program-specific system-level risks to the program manager.
Contract changes and variations	<ul style="list-style-type: none">• Negotiate contract variations and changes in service volume, in consultation with the program area.• Review applications for consent to subcontract.• Review notices of change of control or change of asset ownership.
Performance monitoring and review	<ul style="list-style-type: none">• Monitor and review performance to ensure service providers are delivering services as agreed in the contract.• Acknowledge good performance and innovation in service delivery.• Review performance reports and/or data submitted by service providers.
Issue and complaint management	<ul style="list-style-type: none">• Investigate and respond to contracting issues.• Handle contracting complaints received about service providers.• Develop and implement contract-level improvement plans to identify the actions the service provider will take to resolve issues, when required and in consultation with the service provider.



Responsibilities of our contract managers

Payments	<ul style="list-style-type: none">• Review quarterly funding payments to service providers.• Manage one-off payments.• Adjust payments, when necessary.• Release withheld payments, when applicable.• Recover unspent funds, when necessary.• Review applications for consent to retain unspent funds, for eligible programs.
Annual accountability	<ul style="list-style-type: none">• Check and accept contract-level submissions from service providers.• Conduct performance and risk assessments at the contract level.• Take action in response to any issues.
Communication and consultation	<ul style="list-style-type: none">• Liaise with:<ul style="list-style-type: none">– lead contract managers– other contract managers in own district, other districts and central office– program managers– other internal branches; for example, Housing, Women NSW.• Keep your line manager informed.• Ensure your director is aware of matters that may affect the District.• Keep internal stakeholders informed of relevant matters.• Coordinate with other stakeholders and local service partners; for example, local councils, NSW Police and NSW Health.• Provide input and local knowledge to support stewardship and market intelligence for the commissioning cycle; for example, identifying gaps in capacity and/or service.
Compliance	<ul style="list-style-type: none">• Comply with all relevant laws, Acts and regulations.• Adhere to all relevant NSW Government policies and procedures.• Adhere to our contracts with service providers.• Adhere to all district-level contract management procedures.• Adhere to the Funded Contract Management Framework.• Implement directions from central office and program managers.

Lead contract manager

Our lead contract managers have an important role as the key representative of the corporate relationship with a service provider.

When a service provider holds multiple contracts with us, or one contract over multiple districts, the lead unit (district or central office unit) assigns the lead contract manager. Both the lead unit and lead contract manager have corporate-level responsibilities for the service provider. However, lead contract managers do not necessarily participate in the formal approval process for all submissions relating to a service provider.

Lead contract managers are responsible for establishing a good working relationship with a service provider's management team, and for being aware of the overall funding arrangements and performance of each of their services across applicable districts and central office units.

The role requires working closely with contract managers and line managers.

 Responsibilities of our lead contract managers	
General	<ul style="list-style-type: none">• Perform all duties listed as responsibilities of our contract managers.• Coordinate funded contract management processes at the corporate level.
Relationship management	<ul style="list-style-type: none">• Implement, manage and monitor the corporate relationship with a service provider.
Risk management	<ul style="list-style-type: none">• Monitor and manage corporate-level risks.
Contract changes and variations	<ul style="list-style-type: none">• Liaise with applicable contract managers to stay informed of contract changes and variations affecting a service provider.
Performance monitoring and review	<ul style="list-style-type: none">• Liaise with applicable contract managers to stay informed of the performance of the service provider across applicable districts and central office units.• Keep abreast of information about a service provider's corporate-level performance collected by other contract managers, districts, program areas and central office units.
Issue and complaint management	<ul style="list-style-type: none">• Manage and report issues and critical incidents at the corporate level.• Develop and implement corporate-level improvement plans to identify the actions the service provider will take to resolve issues, when required and in consultation with the service provider.• Investigate potential contract breaches, allegations of wrongdoing, and complaints at the corporate level.
Payments	<ul style="list-style-type: none">• Know the total funding arrangements of a service provider across applicable districts and central office units.• Liaise with applicable contract managers to stay informed of planned changes to funding for a service provider.



Responsibilities of our lead contract managers

Annual accountability


- Liaise with applicable contract managers to understand the status of all a service provider's contract-level accountability, including:
 - unspent funds
 - any contract-level issues identified
 - risk rating
 - any formal improvement plans required.
- Check and accept corporate-level submissions from service providers.
- Conduct performance and risk assessments at the corporate level.
- Take action in response to any issues.

Communication and consultation

- Work collaboratively and develop effective communication arrangements with all contract managers across own and other districts to influence contract management practice and ensure a consistent approach to dealing with a service provider.
- Ensure your director is aware of matters that may affect the district.
- Work collaboratively with Partnerships directorate and program areas.


Line manager

Our line managers are supervisors of contract managers. Line managers may be a grade 9/10, a manager or a director. They provide support and assistance to contract managers in relation to their day-to-day work. Line managers are the first point of escalation if there are any issues with the contract.

 Responsibilities of our line managers	
Direction	<ul style="list-style-type: none">• Provide guidance to contract managers and lead contract managers in relation to their day-to-day work and the requirements of the Funded Contract Management Framework procedures and other resources.• Ensure contract managers are adequately trained, supported and resourced to fulfil their contract management activities.
Issue and complaint management	<ul style="list-style-type: none">• Provide first point of contact for contract manager in dealing with complaints and any issues that arise with a service provider or between a service provider and us.
Payments	<ul style="list-style-type: none">• Certify payments to service providers.
Annual accountability	<ul style="list-style-type: none">• Review and accept annual performance and risk assessments completed by contract managers, when authorised.
Communication and consultation	<ul style="list-style-type: none">• If a grade 9/10, keep manager and director informed of all pertinent matters.• If a manager, keep director informed of all pertinent matters.

Program manager

Our program managers are responsible for the design and implementation of a program and the development of the program guidelines. Program managers also collate and analyse program performance data, using it to report on the success of the program and its outcomes, and to inform any changes required.

 Responsibilities of our program managers	
Direction	<ul style="list-style-type: none"> Oversee the projects and activities for a funded program, centrally and within districts. Establish business processes for managing the program, including requirements and guidelines for administering the program and operating the services.
Commissioning	<ul style="list-style-type: none"> Determine market capacity and capabilities. Develop and manage programs, setting program outcomes, service quality requirements and key performance indicators for the program and service delivery levels. Manage procurement of service providers, and provide guidance to our other business units involved in their procurement. Implement improvements to enhance program performance and market capacity, and monitor the improvements to ensure they work.
Program management	<ul style="list-style-type: none"> Control and monitor the business processes. Accept and analyse service data for compliance with program requirements. Audit and enforce established delegations. Monitor and report on program performance and program budgets. Monitor and manage program-level risks and issues.
Communication and consultation	<ul style="list-style-type: none"> Consult with contract managers, district commissioning and planning and operations staff, and service providers in the design of programs and services and its proposed implementation. Consult with contract managers, district commissioning and planning and operations staff, and service providers about any reforms or evaluations of the program.
Support	<ul style="list-style-type: none"> Support contract managers, district commissioning and planning and operations staff, and service providers with implementation and maintenance of program requirements. Support districts, and lead remedial activities when required.


Service provider

Service providers fulfil the crucial role of ensuring the effective delivery of services to vulnerable clients. They contribute their local and specialist knowledge, as well as front-line expertise and client experience, throughout the commissioning cycle. This enables us to design the right programs, where clients are at the centre of what we do.

As well as service delivery, service providers at the local level (for smaller organisations) or centrally (larger organisations) ensure effective governance and financial management arrangements are in place so that the organisation can function effectively and remain viable.

Service providers report their activities to us. These reports form the basis of performance monitoring of the service provider and program monitoring of the program being delivered.

Funded contracts require service providers to adhere to their constitution and all applicable laws, as well as regulators' recognition requirements, professional ethics, principles and standards. Any breach of these requirements can amount to a breach of the contract with us. However, only a regulator, and not one of our contract managers, is able to determine that a breach of the regulator's requirements (not contract requirements) has occurred within their jurisdiction.

 Responsibilities of service providers	
Service delivery	<ul style="list-style-type: none"> • Achieve better outcomes for individuals, families and communities by working in partnership with us to deliver services as agreed in the contract. • Work with clients and their representatives to ensure their needs are met. • Focus on the quality of services delivered: <ul style="list-style-type: none"> – coordinating services to be responsive to clients' changing needs – having an outcomes focus – placing client interests at the forefront.
Governance and financial management	<ul style="list-style-type: none"> • Build and maintain resilient and robust systems of operating. This includes establishing, implementing and maintaining organisation and operations policies and procedures for: <ul style="list-style-type: none"> – managing risk and issues to ensure stable, uninterrupted service delivery – maintaining effective governance of the organisation – ensuring sound financial management.
Compliance	<ul style="list-style-type: none"> • Fulfil contractual obligations, deliver services in accordance with program requirements and use funds as agreed in the contract. • Fulfil accountability requirements and submit annual accountability reports.
Risk management	<ul style="list-style-type: none"> • Deal with risk, issues and complaints quickly and transparently to ensure public confidence in the funded services being delivered.



Responsibilities of service providers

Relationship management

- Attend meetings and regularly engage with us to:
 - discuss and review performance and achievements
 - assess progress towards contracted outcomes
 - receive support from their assigned contract manager and other department staff.
- Be responsive to requests from our contract managers and other staff.

Performance reporting

- Gather data and exchange information with us to:
 - assist us in assessing performance and progress towards contract outcomes
 - enable reporting on successes and achievements
 - provide both parties with the information needed to drive service and performance improvements.
- Submit performance measurement reports and/or data, in the agreed format, at the agreed frequency.

Communication and consultation


- Participate in, and contribute to the service system by:
 - being active members of the local human services community, including network and inter-agency meetings
 - sharing information with other local service providers and the sector at large (through their peak organisation) as well as with us
 - participating in activities that contribute to growth of the sector's capabilities.
- Identify emerging needs to enable us to facilitate a responsive service system.

Peak organisation

Peak organisations have a multifaceted role. They are advocates for service providers, and have a direct interface with us on behalf of their providers. They are also funded by us to provide input into the planning and implementation of programs and services.

Many peak organisations work to build the capacity of the sector, providing guidance, training and support to member organisations.

Some peak organisations also provide direct service delivery; that is, they are service providers.

 Responsibilities of peak organisations	
Advocacy	<ul style="list-style-type: none">• Represent and advocate on behalf of member organisations and the sector.
Service delivery	<ul style="list-style-type: none">• Work in a commissioning environment.
Support	<ul style="list-style-type: none">• Advise and collaborate in planning and implementation of government service delivery reforms and strategic initiatives.• Assist in building the sector's capacity to measure and report on outcomes.

Regulator

Regulators support the operations of funded services and administer recognition of service providers: this may include accreditation, certification, registration and licensing, depending on the program.


They provide a further layer of assurance regarding the operations of service providers, relevant to the regulator’s jurisdiction, as a complement to contract-level monitoring.

Funded contract management, and its associated performance monitoring and reporting, does not seek to duplicate the role of regulators in assessing and monitoring performance against legislative-based requirements and standards.

The two roles are complementary.

The Partnerships directorate and program and contract managers rely on information about the registration or accreditation status of funded service providers when monitoring performance and assessing risk.

We liaise with regulators to share high-level information in relation to service providers’ performance, subject to relevant privacy and confidentiality requirements. Note that we are obliged to formally report certain matters to regulators; notably, when the matter is systemic or far-reaching, related to criminal activity, or involves fraud or corruption.

 Responsibilities of regulators	
Recognition	<ul style="list-style-type: none"> • Provide official recognition of compliance with the regulator’s requirements, through accreditation, certification, registration or licensing.
Enforcement	<ul style="list-style-type: none"> • Enforce laws; take appropriate action if breaches of requirements have been identified, including seeking penalties and/or criminal charges. • Make decisions about compliance with recognition requirements and legislation within jurisdiction. • Monitor and assess service providers’ ongoing compliance with the regulator’s requirements. • Assess matters to determine if within jurisdiction and whether investigation is warranted. • Assess matters referred by us to determine whether further investigation is warranted. • Investigate matters within jurisdiction to determine if a serious breach of requirements has occurred.
Communication and consultation	<ul style="list-style-type: none"> • Provide reliable and timely information about matters within jurisdiction.