

# Community Legal Centres Program

## Program Manual

Version 1

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# 1. Introduction

The Community Legal Centres Program (CLCP) funds community legal sector organisations to provide services to everyday people, with a focus on people who are vulnerable or experiencing disadvantage.

The CLCP is administered by Legal Aid NSW. Funding is provided by, and administered on behalf of, the Australian Government, NSW Government, and the Public Purpose Fund.

This manual forms part of the CLCP Service Agreement between Legal Aid NSW and each CLCP Provider. Capitalised terms in this manual have the same meaning as defined in the Agreement, unless otherwise specified.

All CLCP Providers and their Personnel, including their board of directors or management committee members, must be aware of, and comply with, this manual.

This manual is based on previous CLCP Guidelines and incorporates requirements for CLCP Providers under the *National Access to Justice Partnership 2025-2030*.

## Service Agreement

The CLCP Service Agreement is the contract between the Provider and Legal Aid NSW. It is in the form of the NSW Government's standard Human Services Agreement template. The Service Agreement is made up of two documents:

- Standard Terms, and
- Schedule

The Schedule may include attachments, which are enforceable under the agreement. For example, this Program Manual attached to the Schedule has requirements and policies that must be complied with.

It is important to read both parts of the CLCP Service Agreement together, along with any attachments or documents it refers to.

Any reference to the Service Agreement in this manual includes both documents.

## 2. Abbreviations and useful links

ALAP	Aboriginal Legal Access Program
CCAS	Children's Court Assistance Scheme
CLC	Community Legal Centre
CLCP	Community Legal Centres Program
EAP	Employee Assistance Program
NAJP	National Access to Justice Partnership 2025-30
PPF	Public Purpose Fund

Document	Location
National Access to Justice Partnership 2025-30	Available on the <a href="#">National Access to Justice Partnership webpage</a> on the Commonwealth Attorney-General's Department website
National Legal Assistance Data Standards Manual	Available on the <a href="#">Legal System Publications webpage</a> on the Commonwealth Attorney-General's Department website
National Strategic Framework for Legal Assistance	Available on the <a href="#">National Strategic Framework webpage</a> on the Commonwealth Attorney-General's Department website
CLCP webpage	See the <a href="#">Community Legal Centres page</a> on the Legal Aid NSW website

## 3. The CLCP

### 3.1 About the CLCP

The CLCP provides funding from the Australian Government, NSW Government and the Public Purpose Fund for the community legal sector in NSW.

Services delivered by the community legal sector form a vital part of the *National Strategic Framework for Legal Assistance*, the policy framework for all government legal assistance funding. The Framework sets out an overarching objective and principles to guide legal assistance policy development, service delivery and sector planning.

In NSW, Legal Aid NSW is delegated administration of the CLCP on behalf of government. Funding is provided through Service Agreements with individual CLCP Providers.

#### 3.1.1 Funded organisations

Community Legal Centres (CLCs) are community based, independent, not-for-profit organisations. They provide a range of Legal Assistance Services and support to everyday people, with a focus on people who are experiencing financial hardship and other types of disadvantage.

CLCs provide a distinctive form of service that complements services provided by Legal Aid Commissions, Aboriginal and Torres Strait Islander Legal Services and Family Violence and Prevention Legal Services to address the legal needs of vulnerable and disadvantaged members of the community.

The CLCP provides funding for:

- generalist CLCs that provide assistance on a broad range of legal matters within a geographic area
- specialist CLCs that provide legal advice and assistance across NSW in specific areas of law, such as tenancy, immigration or social security, or for specific groups of people, such as people with a disability, older people or refugees.
- specialist Women's Legal Services that provide legal advice and assistance to women across NSW, including Aboriginal and Torres Strait Islander women
- a Court Support Scheme that provides information and referral services to people attending certain Local Courts in NSW
- state peak body Community Legal Centres NSW to provide services to its members, information, accreditation services, and advocacy

For the purposes of this manual, CLCP Providers include all organisations funded under the CLCP unless otherwise stated.

More information about CLCP Providers and services is at Section 7 of this manual.

### 3.2 CLCP Objectives

CLCP Providers are required to deliver services which meet the CLCP objectives.

The objective of the CLCP is to provide free Legal Assistance Services to people in NSW, with a focus on:

- accessible, effective and high-quality services for people experiencing disadvantage,
- legal need, community demand and changing demographics,
- place-based, holistic, and client-focused service delivery models,
- access to justice for vulnerable people and communities, and
- delivering the objectives and outcomes of the NAJP.

The CLCP aims to assist people who are financially disadvantaged, experiencing some form of systemic or socioeconomic barrier to accessing legal services, and/or whose interests should be pursued as a matter of public interest.

Under the CLCP, Providers deliver a range of services including information, legal advice and representation, and community legal education. All services are to be delivered efficiently and effectively, in a manner that is responsive to the client's needs, capabilities, and culture.

The objectives of the CLCP operate within a broader *National Strategic Framework for Legal Assistance Services* and the NAJP to support a holistic approach to the management and administration of legal assistance services. The CLCP is intended to operate in a manner that will ensure that the objectives and outcomes of the Framework and NAJP are met.

- The *National Strategic Framework for Legal Assistance Services* provides the overarching objective and principles for all government funded legal assistance services, delivered by Legal Aid Commissions, Aboriginal and Torres Strait Islander Legal Services, Community Legal Centres, Women's Legal Services and Family Violence Prevention and Legal Services.
- The NAJP outlines a framework to guide the legal assistance sector, including legal assistance providers which may not be funded under the NAJP.
- The objective of the NAJP is 'to contribute to integrated, efficient, effective, and appropriate legal assistance services which are focused on improving outcomes and keeping the justice system accessible for people experiencing vulnerability and disadvantage, within available resources'.
- Copies of the [National Strategic Framework for Legal Assistance](#) and the [National Access to Justice Partnership 2025-30](#) are available online on the Commonwealth Attorney-General Department's website.

### 3.3 Service Planning

CLCP Providers are expected to analyse legal needs within the catchment or service area, to better understand client demographics and legal need, and ensure that CLCP Funds and resources are used efficiently and effectively. Legal needs analysis should be used as part of an evidence-based strategic planning process to inform service delivery. Providers may refer to a range of resources to assist including material available through the Australian Bureau of Statistics and the Law and Justice Foundation of NSW. Providers should also consider the range of other services available to clients in order to work collaboratively with other service providers and avoid duplication.

Providers demonstrate their understanding of the legal need in their catchment and identify their focus areas in the Operational Plan, to assist the fulfillment of their requirements under the CLCP Service Agreement. Under the *National Access to Justice Partnership 2025-30*, service planning will

also be undertaken as part of broader jurisdictional planning between other legal assistance partners and the government.

### 3.4 CLCP Outcomes, Outputs and Benchmarks

The CLCP will facilitate achievement of the following outcomes:

- Services are targeted to people who are experiencing Financial Disadvantage and Priority Clients with the greatest legal need,
- Providers collaborate with other legal assistance providers, government, the private legal profession and other services to provide joined-up services to address people's legal problems,
- Services are appropriate, proportionate and tailored to people's legal needs and level of capability,
- Providers help people to identify their legal problems and facilitate the resolution of these problems in a timely manner before they escalate, and
- Providers help empower people to understand and assert their legal rights and responsibilities and to address, or prevent, legal problems.

These outcomes underpin the specific outputs of the CLCP that comprise:

- delivery of efficient, effective and high-quality legal services by CLCs, which include legal advice, legal tasks and representation services, information and referral services, and community legal education and law reform activities, as defined in the *National Legal Assistance Data Standards Manual*, and
- participation in collaborative service planning and other activities to ensure service delivery meets the identified needs of Priority Clients.

Progress towards the objectives and outcomes are informed by reporting against performance indicators and benchmarks set out in the CLCP Service Agreement and/or the NAJP. For example, CLCs must ensure at least 85 per cent or more of representation services closed each financial year are to people who are experiencing Financial Disadvantage.

Providers are required to provide a range of reports and data to demonstrate achievement of the objectives and benchmarks. The CLCP Service Agreement sets out the reporting requirements.



## 4. CLCP Funding

### 4.1 Funding Arrangements

#### 4.1.1 Commonwealth Funding

The primary mechanism for Commonwealth funding for the legal assistance sector is the national partnership agreement between the Australian Government and the States and Territories. The NAJP commences on 1 July 2025, providing Commonwealth funding to legal assistance service providers across Australia for the five years up to June 2030. This includes quarantined funding streams for CLCs and Women's Legal Services.

The NAJP funding for CLCs and Women's Legal Services is administered through the CLCP. To be eligible for this funding, a provider must meet the definition of 'Community Legal Centres' or 'Women's Legal Services' in the NAJP.

NAJP funding must be prioritised for the delivery of Frontline Legal Assistance Services and focused on people who are experiencing Financial Disadvantage and/or fall within one or more of the national Priority Client Groups.

From time to time, the Commonwealth may also provide other funding for community legal assistance providers separate to the NAJP agreement. For example, one-off Commonwealth funding may be provided for legal assistance in response to natural disasters or to address specific legal issues.

#### 4.1.2 NSW Government Funding

The NSW Government provides funding to the CLCP for its contribution to community legal services, including to increase access to legal assistance for people who are vulnerable and disadvantaged, and to support service coverage across the state.

NSW Government funding is dependent upon the appropriation amount approved by parliament in each budgetary cycle, subject to Ministerial and Cabinet approval and passage through parliament as part of the State Budget process.

#### 4.1.3 Public Purpose Fund Funding

The Public Purpose Fund (PPF) is a statutory fund established under the *Legal Profession Uniform Law Application Act 2014*. The Trustees of the PPF are independent of government and meet at least annually to make determinations about discretionary grants, including for community legal services. Discretionary grants are provided from the interest that is earned on solicitor's trust fund accounts and statutory deposits and can fluctuate depending on market forces outside the control of the Trustees. The Trustees of the PPF may, with the concurrence of the NSW Attorney General, determine an amount to be paid from the Fund for the purposes of the CLCP managed by Legal Aid NSW. Once approved, the funds for the CLCP are provided to Legal Aid NSW to administer.

Funding from the PPF contributes to the core work of the CLCP and is provided through the CLCP Service Agreement.

#### 4.1.4 Recovery of unspent CLCP Funding

CLCP Providers may not spend all of the Funds in a Financial Year for a range of reasons. In such cases, the funding body is entitled to recover its proportion of the unspent Funds in accordance with the Service Agreement. During the Term of the Service Agreement, CLCP Providers may carry forward up to five (5) per cent of the Funds at the end of the Financial Year for expenditure on the Services and program operating expenses in the following Financial Year. CLCP Providers with unspent Funds more than this amount may submit a request through the CLC Program Unit to carry forward a greater amount of funding.

#### 4.1.5 Payments and Reporting

CLCP Funds are generally paid quarterly. Under the Service Agreement, Providers must ensure they have submitted the required reports by their due date as a condition of payment. In exceptional circumstances, reports may be submitted at a later, extended due date which has been agreed in writing with the CLCP Unit. To ensure payments are not delayed, the extended due date to submit the required report must be at least 15 business days before the next payment date.

### 4.2 Allocation of CLCP Funding

#### 4.2.1 The Cameron Review of CLC Services

In 2017, the NSW Government asked Mr Alan Cameron AO to review the way the NSW Government supports CLCs in NSW in order to improve access to justice. The Cameron Review addressed the ad hoc funding models and uncertainty the community legal sector had previously experienced, including annual funding allocations.

The Cameron Review Report was published in 2018. The review recommended measures to support CLCs to engage in forward planning for service delivery which would, in turn, support the delivery of better outcomes for the community. The NSW Government supported most of the recommendations.

The Cameron Review recommendations supported by the NSW Government included:

- the NSW Government maintaining its existing funding commitment to CLCs,
- investing an additional \$2.2 million on top of existing funding to address critical gap areas and expand the reach of the sector
- from 2019/20, introducing a new application process to allocate State Government funding to CLCs, and
- adopting a minimum three-year funding cycle.

Information about the Cameron Review is available on the [review webpage](#) of the Department of Communities and Justice website.

#### 4.2.2 The Independent Review of the National Legal Assistance Partnership 2020-25

In 2023, the Commonwealth appointed Dr Warren Mundy to undertake an independent review of the *National Legal Assistance Partnership 2020-25* (NLAP). The NLAP is the agreement between the Australian Government and the States and Territories that provided Commonwealth funding to the legal assistance sector from 1 July 2020 to 30 June 2025. The review was to help inform policy decisions and the successor NAJP agreement.

Information about the Independent Review of the NLAP is available on the [review webpage](#) of the Commonwealth Attorney-General's Department website.

#### 4.2.3 Application Processes

The application-based funding model helps to ensure that government funding is aligned with changing demographics, community demand and quality of service delivery, and is invested based on evidence of greatest need.

The NSW Government Procurement Policy Framework applies to the procurement of goods and services in NSW, including the services provided through the CLCP. The framework sets out the legislative and policy requirements for procurement processes to ensure taxpayer money is spent fairly and efficiently.

In an application process, funding applications are assessed and ranked by an independent evaluation panel appointed by the NSW Attorney General. The panel assesses the applications against the eligibility and assessment criteria, which includes targeting services to people with the greatest legal need and ensuring services provide value for money. The panel makes recommendations for the consideration and approval of the NSW Attorney General. Applicants are informed of the outcome in writing and successful applicants enter into CLCP Service Agreements.

In 2018 and 2022, there were application-based processes for CLCP funding streams. The then Attorney General allocated CLCP funding to 30 June 2025 based on the recommendations of the assessment panels.

#### 4.2.4 Funding allocation model 2025-30

In 2024 and 2025, the NSW Attorney General confirmed the funding allocation model for the next funding cycle. Baseline Commonwealth and State funds for the CLCP were maintained, with indexation, for the five years 1 July 2025 to 30 June 2030. Service Agreements with existing CLCP Providers were renewed and updated to include requirements for the legal assistance sector in the NAJP and clauses in the updated Human Services Agreement Schedule template.

The Attorney General also announced a limited tender process to allocate the additional funding for CLCs available through the NAJP. The sector was asked to provide feedback on funding options and sector priorities.

### 4.3 Decision-making and Administration

The NSW Attorney General has portfolio responsibility for the CLCP. The Attorney General is responsible for decisions relating to CLCP funding, including the allocations to individual organisations.

Legal Aid NSW is delegated responsibility for the administration of the CLCP and is accountable to the Attorney General and to State Parliament for the operation and expenditure of the program.

Under the NAJP, the States and Territories may delegate certain functions of their role and responsibilities in relation to Commonwealth funding, in consultation with the legal assistance sector in that jurisdiction. In NSW, all aspects of the administration of NAJP funding for CLCs and Women's Legal Services has been delegated to Legal Aid NSW, except for decisions to allocate funding to those providers. Those decisions remain the role and responsibility of the NSW Government through the Attorney General.

There are measures in the NAJP about the delegation of administration responsibilities. These include the fair and equal participation of the legal assistance sector in jurisdictional planning and other activities, maintaining appropriate communication channels between the different parts of the sector, and taking reasonable steps to prevent any perceived or actual conflicts of interest.

Funds from the NSW Government, the Commonwealth and the PPF are provided to Legal Aid NSW for the CLCP. Legal Aid NSW then administers this funding to the CLCP Providers through the Service Agreement.

The CLCP Unit within Legal Aid NSW undertakes the state program manager role on behalf of the Chief Executive Officer of Legal Aid NSW. The CLCP Unit sits within the Legal Services Division and is responsible for the day-to-day administration of the program.

## 4.4 Roles and Responsibilities

Under the NAJP and other funding agreements, the Commonwealth is responsible for:

- Policy and strategic guidance, including facilitating information and forums at the national level
- Provision of funding, including providing financial contribution to the States
- Sector planning and development, including sharing resources at the national level, leading national collaborative service planning, and providing guidance and support
- Performance monitoring, including monitoring and assessing performance, facilitating improvements to the collection of nationally consistent data, developing a new data repository for CLCs and Women's Legal Services, and taking direct action in certain exceptional circumstances to prevent disruptions to service delivery

The NSW Government is responsible for:

- Allocation of funding with all funding allocation decisions in relation to the CLCP are the responsibility of the NSW Attorney General
- Provision of state funding, including providing financial contribution to the CLCP
- Policy and strategic guidance, including developing and implementing statewide policies for the legal assistance sector
- Sector planning and development, including leading jurisdictional collaborative service planning, and where applicable, reviewing, updating or implementing a jurisdictional Legal Assistance Strategy and Action Plan
- Performance monitoring, including reporting on the delivery of outcomes and outputs to the Commonwealth and NSW agencies

Legal Aid NSW as the state program manager is responsible for:

- Developing policies and procedures in line with Commonwealth and NSW government requirements and providing direction for the CLCP
- Developing and implementing Service Agreements with CLCP Providers to administer the NSW, Commonwealth and PPF allocations and achieve program objectives

- Distributing the funding provided by the NSW Government, Commonwealth and PPF to CLCP Providers subject to the relevant parliamentary appropriation and Ministerial approval and in accordance with the NAJP and CLCP Service Agreements
- Establishing procedures for compliance with the NAJP and CLCP Service Agreement accountability requirements
- Providing information and advice to CLCP Providers to assist them in meeting their obligations under the NAJP and CLCP Service Agreements
- Monitoring performance of CLCP Providers against the agreed performance indicators, benchmarks, and other NAJP and CLCP obligations and reporting to government about CLCP Provider performance
- Managing the day-to-day operations of the CLCP including monitoring compliance of CLCP Providers with the terms and conditions of the Service Agreement, including quality assurance measures, accountability and reporting requirements, and delivery of services
- Conducting evaluations, reviews and audits
- Conducting service visits and meeting with CLCP Providers
- Dealing with complaints received about CLCP Providers or Services
- Providing information and advice to government about the operation of the CLCP

CLCP Providers are responsible for:

- Assisting clients and communities to access responsive, tailored, and effective Legal Assistance Services in relation to their legal issues
- Prioritising Legal Assistance Services to clients that are experiencing Financial Disadvantage and fall within at least one of the national Priority Client Groups, and providing the appropriate service to address the clients' needs
- Working collaboratively with other legal and non-legal service providers within their catchment
- Undertaking evidence-based legal needs analysis and planning services accordingly
- Complying with the terms and conditions of the CLCP Service Agreement, including the use of Funds, accountability and reporting requirements, satisfactory performance against indicators and benchmarks, and governance and quality assurance measures
- Collecting and providing data about client demographics and service provision to the CLCP Unit and others as required, such as the national peak body

Clients of CLCP Providers have the right to expect:

- All information provided to a CLCP Provider will be kept confidential
- They will be treated with courtesy
- They will receive a high standard of service delivery
- The CLCP Provider will consider their individual needs and capabilities
- The services they receive will be culturally safe and respectful
- They will be provided with appropriate referral information in circumstances where a CLCP Provider is unable to assist them with their legal or non-legal problem

In return, CLCP Providers have a right to expect that clients will:

- Arrive on time for appointments
- Notify the centre if unable to keep an appointment
- Provide all relevant information to assist the CLCP Provider in assessing the legal problem
- Treat all personnel with consideration and courtesy, including employees and volunteers

## 4.5 Relationships with Stakeholders

CLCP Providers are expected to work collaboratively with other legal assistance providers, non-legal support services and referral organisations.

The Commonwealth and NSW Governments liaise regularly with the national and state peak bodies for the community legal sector in relation to funding arrangements, policy development, data collection, and the NAJP and other funding agreements.

Legal Aid NSW aims to work cooperatively with the sector to ensure the CLCP meets its objectives. From time to time, Legal Aid NSW may establish consultative committees and working groups with CLCP stakeholders to seek their input on particular topics.

## 5. Accountability

### 5.1 Reporting Requirements

Administration of the CLCP must be compliant with the *Government Sector Finance Act 2018*.

CLCP Providers are required to demonstrate appropriate expenditure of public funds. Funds provided for specific purposes must be expended on those activities and must further the objectives of the CLCP.

To ensure accountability of the CLCP, each CLCP Provider must comply with the reporting requirements in the Service Agreement so that their expenditure, activities and performance may be regularly monitored and reviewed.

### 5.2 Data Collection

CLCP Providers must collect and report data about client demographics and Services. *The National Legal Assistance Data Standards Manual* is the best practice guidance for legal assistance service providers to facilitate the collection of consistent and comparable data. Under the NAJP and CLCP Service Agreement, Providers must ensure they collect and report data in accordance with that data standards manual.

All data provided to the CLCP Unit in relation to individual clients must be de-identified to ensure client privacy is protected.

Data and related information is reported to the Commonwealth, NSW Government and PPF.

Data and information is used to:

- understand and describe the CLCP services,
- understand and describe who is accessing services under the CLCP,
- evaluate the performance of the CLCP in meeting its outcomes and objectives,
- evaluate the performance of individual CLCP Providers in meeting any indicators, service targets and benchmarks,
- justify support for ongoing CLCP funding,
- plan for future service provision, and
- support development of new policy initiatives.

### 5.3 Accreditation and Standards

Previous CLCP Service Agreements included a set of service standards that were agreed between the Commonwealth and CLCP stakeholders, to establish a nationally consistent foundational level of quality for service provision. These standards also formed the basis of the National Accreditation Scheme for the community legal sector managed by the national and state peak bodies.

The current CLCP Service Agreement includes:

- a set of program standards that relate to the quality of services, accessibility, management, and operations and are based on the previous service standards, and
- governance standards based on the requirements for legal assistance providers in the NAJP.

All CLCP Providers must demonstrate they are accredited under an acceptable accreditation scheme. Providers that are CLCs or Women's Legal Services are required to maintain accreditation under the National Accreditation Scheme managed by the national and state peak bodies. Other CLCP Providers that are not legal services must demonstrate they are accredited under an agreed alternative accreditation scheme. Providers are not excluded from obtaining accreditations or certifications from other quality assurance schemes, if they wish to do so.

CLCP Providers must ensure all Personnel maintain appropriate and current professional registration in their field of expertise. Where a Provider is a CLC or Women's Legal Service, they and their Personnel are required to comply with the regulations governing legal practitioners in their State or Territory.

Providers must ensure they maintain relevant organisational insurances. The Service Agreement sets out the requirements in relation to compliance with all applicable laws, standards, policies, and governing rules.



## 6. Provider Management

### 6.1 Boards and Management Committees

CLCP Providers must be an appropriate legal entity whose governance structure complies with Commonwealth or state legislation, such as a company limited by guarantee or an incorporated association. A Provider must be operating pursuant to its constitution to be eligible to receive, or continue to receive, CLCP funding.

Each Provider has a governing body such as a board of directors (board) or management committee. The primary role of a governing body in relation to the CLCP is to sign the Service Agreement (and any related forms and declarations) and ensure that the organisation complies with and meets its obligations under that agreement.

The board or management committee does not play an active role in day-to-day administration of the organisation unless required to by exceptional circumstances. Its focus is on the provision of strategic direction and corporate governance. It is responsible for the development of broad policy and direction which is subsequently implemented by the organisation's employees.

Boards or management committees should have members with expertise and experience in these areas of responsibility:

- legal
- financial
- personnel
- planning and policy
- reporting, risk and accountability

The board or management committee should also have appropriate representation or input from the local community and the client groups the centre assists. CLCP Providers must minimise and manage any actual or perceived conflict of interest between their board or committee members (or their affiliations) and the activities of the organisation. Providers must have a policy and procedures in place to deal with actual or possible conflicts should they arise.

### 6.2 Governance

From 1 July 2025, the CLCP has governance standards that are intended to improve governance and outcomes delivered under the Service Agreement, to support sector sustainability and service delivery. These standards are based on the requirements of the NAJP and include reference to the ACNC Governance Standards published by the Australian Charities and Not-for-profit Commission. The CLCP governance standards are intended to provide accountability and ensure Providers are working towards implementing best practice governance principles.

Information about the ACNC Governance Standards is available on the [standards webpage](#) of the Australian Charities and Not-for-profits Commission website.

#### 6.2.1 Mandatory Training

To help demonstrate understanding and compliance with the CLCP governance standards, the Service Agreement includes a milestone that all board or management committee members must complete relevant governance and management training at least once during the Term of the Service Agreement.

This requirement applies to all board or management committee members, new or existing, and must be evidenced as part of the annual accountability report, or as otherwise required.

## 6.3 Employees

CLCP Providers are solely responsible for all Personnel employed, supported or engaged from the CLCP Funds or who carry out work in relation to the Service Agreement. The Service Agreement sets out the terms and conditions in relation to Personnel, including ensuring they are appropriately qualified and trained, the organisation is complying with the Service Agreement and applicable laws, standards and policies, and that there is adequate insurance for the organisation and its Personnel.

Providers must take all reasonable steps to ensure no conflict of interest exists, or is likely to arise, in relation to the Service Agreement. They must also take all reasonable steps to ensure all personnel do not engage in any activity or obtain any interest that gives rise to a conflict of interest. The Service Agreement sets out the requirements for dealing with actual or possible conflicts of interest.

## 6.4 Volunteers

CLCP Providers are encouraged to utilise volunteers to enhance service delivery. Where volunteers carry out work in relation to the CLCP, Providers must ensure these activities are conducted in accordance with the Service Agreement and this manual.

## 6.5 Health, Safety and Wellbeing

Working with vulnerable clients and in areas of law such as domestic and family violence exposes Personnel to the risk of burnout and/or vicarious trauma. Burnout is the result of prolonged stress in the workplace, affecting energy and motivation. Burnout can be associated with being overwhelmed by workload, a sense of not being recognised or rewarded, poor work-life balance, or lack of support. Vicarious trauma is the negative impact that results from empathetic engagement with clients and their stories, combined with a commitment or responsibility to help them. Vicarious trauma can accumulate over time and impact a person's worldview, view of themselves and their relationships.

Ensuring the wellbeing of Personnel is not only important to the health and wellbeing of individual workers, but also for the overall effectiveness of the organisation and the welfare of CLCP clients. Providers are strongly encouraged to foster an organisational culture that recognises the risk of vicarious trauma, values self-care and promotes cohesive staff relationships and teamwork.

Providers should have clear and consistent policies and procedures to facilitate a supportive organisational culture. Peer support should be accessible and built into the organisational structure. Personnel should be provided with training to identify and deal with stress and vicarious trauma. Providers should have systems in place to address critical incidents.

### 6.5.1 Employee Assistance Program

The CLCP funds Community Legal Centres NSW to contract an external Employee Assistance Program (EAP). The EAP is a confidential counselling and support service available to CLCP Provider employees and employees of member organisations of Community Legal Centres NSW.

The EAP service is offered to assist employees with work-related and personal issues that impact their wellbeing, work performance, or productivity. It also aims to assist CLCP Providers to support and improve staff wellbeing, reduce absenteeism, create a healthier work environment, and help mitigate work, health and safety risks.

The CLCP budget covers the cost of the EAP. The external provider is chosen by Community Legal Centres NSW and they hold the contract for the service.

More information about the EAP and how to access the service is available from Community Legal Centres NSW.

## 6.6 Training, Professional Development and Supervision

CLCP Providers must ensure personnel are appropriately trained and supported to deliver effective services. Providers are expected to ensure all personnel receive ongoing professional development and relevant training, to build capability and capacity to effectively respond to service demand. All professional development and training must be culturally appropriate, and the Provider must ensure that frontline staff have training in trauma-informed care.

Relevant training may include:

- cultural safety in relation to working with Aboriginal and Torres Strait Islander clients
- legal knowledge, skills and legislative changes
- trauma-informed practice
- working with vulnerable clients
- working with victim-survivors of domestic, family and sexual violence
- working with diverse communities including LGBTQIA+ people, people with disability, and people from culturally and linguistically diverse backgrounds
- communicating with clients with language or other barriers, such as working with interpreters, or the use of specific services such as the Translating and Interpreting Service (TIS National), Auslan interpreters, or the National Relay Service

It is essential that CLCP Provider's Personnel have adequate and professional supervision, debriefing and mentoring opportunities.

Providers are strongly encouraged to arrange regular, formal internal supervision for their employees. Supervisors should be well-informed about the signs and symptoms of vicarious trauma and be able to raise the issue in supervision if necessary.

Providers are also strongly encouraged to offer external supervision to their employees. External supervision should take place with an experienced professional not employed by the Provider, who can provide staff with debriefing and supervision at routine intervals. The external supervisor should have experience in supervising legal practitioners and/or community sector employees.

## 6.7 Redundancy

Pursuant to the *Fair Work Act 2009* (Cth), CLCP Provider employees may be entitled to redundancy pay.

Providers should set aside funding for potential redundancies in accordance with the Australian accounting standards, that is only when the organisation is demonstrably committed to terminating employment or providing termination benefits as part of an offer to encourage voluntary redundancy. For example, when a Provider is undertaking a restructure and making a position redundant.

The application of the accounting rules in the CLCP means that Providers cannot put CLCP Funds aside in every financial year for redundancies, unless the organisation expects to make a position redundant in that year. In the final year of a CLCP Service Agreement period, a Provider may reasonably set aside funding to cover potential redundancies. If a CLCP Service Agreement is terminated early for any reason, the CLCP Unit will liaise with the Provider to arrange for any necessary redundancy payments to be made using the balance of unspent CLCP Funds. The CLCP will not separately provide funding for redundancy payments.

## 6.8 Prioritising Resources

CLCP Providers have a responsibility to ensure that resources are allocated to provide the most benefit to the greatest number of people. The CLCP must operate effectively within the available resources. While there is no simple rule how to allocate limited resources, decisions should be based on an assessment of individual factors. These factors include the:

- extent to which the person is facing some form of socioeconomic or systemic barrier to accessing legal services
- extent to which the person meets any eligibility criteria set by the Provider
- vulnerability of the person should no assistance or no further assistance be provided
- potential for reaching a resolution at the earliest opportunity which achieve a just and satisfactory outcome for the client
- extent to which the service required by the person falls within the scope of services offered by the CLCP Provider
- availability of more appropriate assistance through other legal assistance providers
- the CLCP Provider's potential ability to assist the person to achieve a desired outcome
- the impact the provision of services to a particular person will have on the ability of the CLCP Provider to assist other clients and potential clients

## 6.9 Eligibility Criteria

CLCP Providers determine eligibility criteria to access or obtain the services. The eligibility criteria:

- must comply with the objectives set out in the CLCP Service Agreement and NAJP, and
- must not breach Commonwealth, State or Territory anti-discrimination legislation.

Providers are required to meet specific benchmarks, such as ensuring a certain percentage of closed representation services are provided to people who are experiencing Financial Disadvantage.

CLCP Providers must also ensure Funds and resources are focused on providing Frontline Legal Assistance Services to people who are experiencing Financial Disadvantage and people who fall within one or more of the Priority Client Groups.

The CLCP Service Agreement contains the definition of Financial Disadvantage and the list of Priority Client Groups for program purposes. Information about these client groups is also available in the NAJP.

## 7. CLCP Providers

The CLCP distributes funding to several types of Providers. The specific services to be delivered by each Provider are set out in their Service Agreement and Operational Plan. CLCP Providers include:

### 7.1 Generalist Community Legal Centres

Generalist CLCs are funded to provide Legal Assistance Services across a broad range of legal matters, within a defined service delivery area or 'catchment'. Service plans and delivery must also reflect the needs of the local community.

The services must include legal information, advice, and representation. Services are provided to clients in various ways, including face to face, by telephone or by audio-visual link. Services can be provided by solicitors at the centre's office premises, a court, or through Outreach Services. Outreach Services are face-to-face legal advice and assistance by a legal practitioner(s) at specific locations other than the CLC Provider's main office. Generalist CLCs deliver community legal education sessions and publish resources. They may also conduct or contribute to law reform activities.

Generalist CLCs are community-based and must have office premises within the service delivery area. Outreach locations should be determined based on identified financial and social disadvantage in communities and identified legal need in consultation with community organisations and legal assistance providers.

Some generalist CLCs also provide specialist legal services, outside their local catchment area, that are targeted towards Priority Client Groups or areas of law where they have demonstrated expertise and experience.

One generalist CLC operates a Domestic Violence Unit which includes lawyers, caseworkers and other staff who provide free legal advice, assistance, advocacy, representation services, education and support to help women experiencing domestic and family violence.

### 7.2 Specialist Community Legal Centres

Specialist CLCs are funded to provide Legal Assistance Services focused on a particular client group or area of law, across NSW. Service plans and delivery must also consider and reflect legal need across the state.

Specialist CLCs are predominately located in metropolitan Sydney and operate statewide. They assist eligible clients who reside in NSW with legal information, advice and representation, which may include strategic litigation. Services to clients can be delivered in-person or remotely, such as through a telephone advice line. Specialist CLCs deliver community legal education and publish a range of resources to assist people with legal problems. They also participate in law reform about systemic issues and to advocate for change.

Outreach Services are where face-to-face legal advice is delivered by a legal practitioner(s) at specific locations other than the Provider's main premises. Similar to generalist CLCs, outreach locations should be determined based on identified disadvantage and legal need in consultation with community organisations and legal assistance providers.

## 7.3 Women's Legal Services

Women's Legal Services are Specialist CLCs that provide services to women.

## 7.4 Peak body Community Legal Centres NSW

The state peak is funded to provide a range of services including:

- capacity-building training, sector development activities and other services to its members and organisations funded through the CLCP,
- delivering the National Accreditation Scheme in NSW,
- coordinating and leading the Aboriginal Legal Access Program and First Nations-focused strategies and initiatives,
- conducting and coordinating law reform and advocacy activities, with and on behalf of its members and their clients,
- enhancing and supporting the data capability of the CLC sector,
- facilitating an external Employee Assistance Program for CLC employees, and
- participating in peak body activities related to the NAJP, including collaborative service planning and leading delivery of the client survey.

The peak is also responsible for facilitating information sharing between CLCP Providers (and their other members) and the government to inform decision-making and policy development. This includes participating in forums and other activities to represent the sector and further the objectives of the NAJP and CLCP.

## 7.5 Court Support Scheme

The Court Support Scheme is funded to recruit, train and coordinate a roster of volunteers to provide information and referral services to people attending local courts.

## 7.6 Programs within the CLCP

Several generalist CLCs provide non-legal support services or work with vulnerable groups in community settings. This work aims to further the objectives of the CLCP.

### 7.6.1 Aboriginal Legal Access Program

The Aboriginal Legal Access Program (ALAP) employs Aboriginal and Torres Strait Islander people within five generalist CLCs and state peak body Community Legal Centres NSW. These roles were established to increase the number of Aboriginal and Torres Strait Islander people receiving legal services and improve access to legal services by:

- developing and maintaining links with local Aboriginal communities and groups,
- increasing the awareness of Aboriginal people and communities of their legal rights and the legal services available to them
- improving and enhancing the capacity of CLCs to provide effective and culturally appropriate services

These CLCs must use a portion of their baseline funding for the employment of an Aboriginal or Torres Strait Islander person to undertake ALAP activities. Community Legal Centres NSW is funded to coordinate the ALAP and support ALAP employees and the CLCs to provide services.

### 7.6.2 Children's Court Assistance Scheme

The Children's Court Assistance Schemes (CCAS) are funded to employ trained youth workers to provide services to young people and their support persons at court on AVO list days. This includes:

- providing information about court processes
- facilitating the young person to get legal advice and assistance
- referring the young person to social and welfare services such as housing, health or counselling services

There are four CCAS operating at seven Children's Courts in NSW. CLCs that operate a CCAS must use a portion of their baseline funding for the employment of a trained youth worker/s to attend the Children's Court on the relevant list days. The CLCP Unit provides some coordination and support services including regular advisory group meetings for CCAS staff, CLCs and stakeholders.

## 8. Notified Policies

The following table lists the policies that form part of the Agreement pursuant to clauses 1.1 and 5.2(b) of the Standard Terms.

Providers must ensure all personnel involved in providing the Services or employed in positions funded under the Service Agreement are made aware of, and comply with, the policies.

Policy	Description	Location
CLCP Interpreter Policy	A policy that aims to ensure clients receiving legal assistance services funded through the CLCP have access to professional interpreter services, when needed.	The policy is available on the <a href="#">Community Legal Centres page</a> on the Legal Aid NSW website

### Related policies

The CLCP Unit has a Managing Unreasonable Conduct Policy, which is intended to provide guidance to CLCP Unit staff to identify and deal with behaviours that are unreasonable and may arise in the course of the CLCP Unit's work. The policy is based on the Legal Aid NSW Unreasonable Client Conduct Policy and other best practice guidance, such as the *Managing unreasonable conduct by a complainant* manual by the NSW Ombudsman. The policy reflects the CLCP Unit's work with external organisations and stakeholders.

The Managing Unreasonable Conduct Policy is published on the [Community Legal Centres page](#) on the Legal Aid NSW website.





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