

Factsheet 2.8

Sponsor Obligations



As a WDO sponsor you are required to comply with these obligations. A deliberate or repeated failure to comply with any of these obligations may result in your service being revoked from the WDO scheme.

Part 1 – Ongoing requirements of approval

Once approved, a WDO sponsor must continue to meet the eligibility criteria described in the WDO Guidelines. An Annual Sponsor Declaration must be completed on the WDO Self-Service Portal confirming that no material change has occurred which may impact a sponsor's ability to effectively administer WDOs. Further support and forms can be accessed in the Resource Kit.

	Annual sponsor declaration – no material change in circumstances
1.1	The organisation or practitioner is not subject to conditions, undertakings or reprimands from a professional governing body, a funding body, legal or regulatory agency, which may affect a sponsor's integrity or ability to properly supervise and support WDOs.
1.2	There is no change in ABN or fundamental change in the sponsor's mandate or purpose.
1.3	All WDO activities delivered on behalf of the organisation (whether by internal or third-party providers) are supervised by staff who are suitably trained, experienced or qualified to do so in accordance with the WDO Guidelines.
1.4	All relevant Working With Children Check details are up to date.

Part 2 – Managing WDO applications

	Obligation
2.1	Obtain client consent to collect and share private information – You must obtain your client's consent to collect and share personal or health information for WDO administrative purposes.
2.2	Assess WDO applicant's eligibility for a WDO – As a sponsor you take responsibility to: <ul style="list-style-type: none">● Assess eligibility in accordance with the WDO Eligibility criteria.● Be satisfied that the WDO applicant is experiencing hardship and has no substantial assets.● Notify Revenue NSW of any change in a WDO applicant's circumstances

	Obligation
2.3	Ensure that the WDO activity is: <ul style="list-style-type: none"> • suitable and appropriate to the applicant's capabilities and personal circumstances and • is being provided by a suitably qualified service provider
2.4	Manage WDO on the Self-Service Portal: <ul style="list-style-type: none"> • Apply for the WDO – activities cannot be backdated. • Supervise and report monthly – report EVERY month • Finalise the WDO
2.5	Keep appropriate records – A sponsor must keep adequate records of proof of eligibility, proof of activity and compliance with the activity (whether done directly or on a third party basis) in line with record keeping requirements set out below.
2.6	Avoid, declare and manage conflicts of interest – A conflict of interest arises if there is a personal, community or organisational benefit to you, your family, friends, other employees or your organisation by entering a WDO.
2.7	Sponsors must not receive payment, fees or personal benefit – This includes entering a WDO for yourself or a family member, or accepting gifts, fees or favours specifically in return for entering a WDO. Receiving this type of benefit may give rise to suspension, revocation, professional sanctions or criminal investigation.

Part 3 – Record keeping requirements

As a sponsor you are required to keep records as set out in the table below. You must provide copies of these records if requested as part of an investigation outlined in Part 5 of this Factsheet.

	Obligation
3.1	Retain a copy of the signed Privacy FAQ & Consent Form
3.2	Retain proof of eligibility and attendance at WDO activities You must keep proof of eligibility and compliance with activities including: <ul style="list-style-type: none"> • Proof of client identity (driver's licence, birth certificate, identification card or MIN number) • Record of assessment of eligibility <ul style="list-style-type: none"> – Your assessment must include the following queries: <ul style="list-style-type: none"> – Whether the client is experiencing hardship – Whether the client owns substantial assets – File notes of relevant discussions are sufficient records of your assessment • Records showing compliance with WDO activities such as: <ul style="list-style-type: none"> – proof of activity – eg overview or flyer of the activity, treatment referral plan – proof of attendance – eg copies of timesheets showing dates, times and length of attendance, email or text messages showing time of engagement with a third-party sponsor • Records demonstrating that a Working with Children Check (WWCC) has been undertaken for: <ul style="list-style-type: none"> – the WDO applicant, if the proposed activities involve child-related activities, or – person(s) responsible for the supervision of proposed activities under the WDO, if the WDO applicant is under 18 years of age
	<ul style="list-style-type: none"> • Records demonstrating that you have checked with the third-party service provider that they have appropriate qualifications and insurance to conduct the WDO activity

	Obligation
3.3	Retain records of the person responsible for supervising the WDO. As a sponsor you must keep records of the name, contact details and endorsement of the person responsible for supervising the WDO (including third party referrals)
3.4	Retain records of ongoing requirements of sponsor approval as described in Part 1. Any change in sponsor approval requirements must be notified to Revenue NSW.
3.5	Advise Revenue NSW if you become aware of circumstances that may affect a WDO applicant's eligibility.

Requirements:

- Keep records for five (5) years (from the date of the last closed WDO)
- Treat records as private and confidential
- Keep records in a password locked computer or a lockable filing cabinet
- Do not share your password with other people

Part 4 – Responsibilities on the Self-Service Portal

4.1	Responsibility
	Each sponsor will have access to the Self-Service Portal with a unique portal ID. Each portal ID may have two administrators and unlimited standard users . All portal users must have a unique email address.
4.2	Administrator responsibility
	Each administrator has oversight of all WDOs and may edit the details of other users on the portal. At least one administrator should oversee the administration of the WDO scheme including disabling inactive portal users, transferring WDOs to other case managers, managing conflicts of interest and supervising portal activity. The administrator also must complete the annual sponsor declaration outlined in Part 1 on behalf of their organisation.
4.3	Standard Users
	There may be an unlimited number of standard users on each portal ID. Each standard user may enter WDOs or transfer WDOs to another user. Standard users may not access or edit WDOs managed by other users or administrators.

Access to the Self-Service Portal

- Access to the Self-Service Portal requires a password which must be updated every 3 months.
- The password is for individual access. Passwords should not be shared amongst staff. Staff wishing to enter WDOs should be registered as an individual user on the Self-Service Portal with a unique email address.
- Each portal user is required to undertake a multifactor authentication process.
- Access to the Self-Service Portal under your individual or organisation unique identifier is for staff or volunteers of your organisation, during the period of their employment. Staff may not access the portal ID for purposes not connected with your organisation's work.

Part 5 – Participation in quality assurance, compliance investigations or audits

WDO sponsors have a responsibility to provide services in accordance with the WDO Guidelines and the Resource Kit. At any time, a sponsor may be investigated or audited to ensure compliance with these obligations, in accordance with section 4 of the WDO Guidelines. An investigation may arise as part of:

- an internal quality assurance process
- an investigation triggered by an apparent non-compliance issue (such as not declaring a conflict of interest) or external complaint
- an audit undertaken as part of the ongoing maintenance and governance of the WDO scheme.

If you withdraw as a sponsor you must still comply with quality assurance, investigation or audit requests for the period of time that you were involved as a sponsor.

With reasonable notice, WDO sponsors are required to comply with requests to provide records as described in this Factsheet. As part of this request sponsors must:

- provide reasonable access to WDO records as described in Part 3
- provide Self-Service Portal information and details about administrators and standard users who access the Self-Service Portal
- answer questions about their compliance with their obligations under the WDO Guidelines or the Sponsor Resource Kit.
- Comply with any investigation outcomes as notified in writing

Training and Support

Legal Aid NSW holds regular sponsor training and can assist with providing targeted compliance training, improving administrative processes or providing templates to support your staff to understand their roles and responsibilities. Access the training link [here](#).

If you have any questions, please call the WDO hotline 1300 478 879 or email WDO@legalaid.nsw.gov.au.