

Hardship Partner Participant Pack

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1.0 Hardship Partner's Pack

Welcome to the Hardship Partner Program delivered by the State Penalties Enforcement Registry (SPER).

We expect customers to discharge their debt promptly, however, sometimes it can prove difficult. We understand our customers can experience hardship. If customers are unable to pay, the most disadvantaged in our community may be able to resolve their debt via a work and development order (WDO) with the support of an approved hardship partner.

The purpose of this pack is to assist SPER's hardship partners with information about the WDO program and the role of sponsors and advocates.

The hardship partners pack has three parts:

- This participant guide designed for prospective hardship partners
- A welcome pack, which will be issued upon acceptance as a hardship partner
- Video training to help you navigate SPER's Hardship Portal.

Details about training will be delivered to you with your welcome pack. It comes with links to an e-learning module to get you started.

Approved hardship partners must comply with SPER's Hardship Partner Program requirements. But we're making it easy. Take a few minutes to read this information pack for everything there is to know about advocacy and WDOs.

2.0 About SPER

Under the *State Penalties Enforcement Act 1999*, SPER is responsible for collecting and enforcing unpaid infringement notices and court fines and penalties. We do this on behalf of authorities that issue fines.

SPER is taking a leadership role across the Queensland Government to achieve three outcomes for Queensland:

- provide a more holistic approach to penalty debt management
- achieve seamless management of penalty debt
- change community behaviours.

3.0 How can your clients deal with their SPER debt?

Your clients can deal with their SPER debt by:

- paying in full
- paying by instalments (entering a payment plan)
- applying for a deferral (if in temporary hardship)
- applying for a WDO (long-term, serious hardship)
- applying for an extended payment plan with reduced instalments.

SPER can take a number of enforcement actions in the event that a customer does not meet their obligations. There are serious consequences if the customer does not pay their SPER debt on time.

If an unpaid debt is registered with SPER, we will issue an enforcement order. If the debt is for an infringement notice, we add a registration fee to the amount owing. If a customer fails to pay the total amount they owe by the due date, we can take the following actions:

- suspend a driver licence
- collect money from the customer's bank account or wages
- register an interest over property or a vehicle
- immobilise vehicles by attaching a wheel clamp
- seize property.

In some of these circumstances we will issue a warrant prior to acting, but that is not necessary for all types of enforcement action.

4.0 What is a Hardship Partner?

A hardship partner works with SPER to support the most vulnerable in our community to resolve their SPER debt.

A hardship partner may be a [sponsor](#) or an [advocate](#) (or both). Approved sponsors support eligible SPER customers to resolve debt with [WDOs](#). Advocates can help by recommending realistic [payment plans](#) or temporary [deferral](#) of payment.

Whether you become a sponsor or an advocate, we're committed to helping you to help your clients cope with challenging circumstances.

5.0 What is a WDO?

A [WDO](#) is a way for people in hardship to resolve their SPER debt by doing unpaid work or relevant courses, counselling or treatment.

The hours a client spends undertaking WDO activities or treatment translate into a dollar value (specified in the order). The dollar value discharged depends on the type of activity.

Participation in a WDO requires the support of an [approved sponsor](#).

This pack sets out the requirements for WDOs and approved sponsors in part 3B of the *State Penalties Enforcement Act 1999* and the *State Penalties Enforcement Regulation 2014*.

6.0 Who can seek support from a sponsor for a WDO?

SPER customers may be eligible for a WDO if they can't pay their debt due to financial hardship, mental illness, domestic and family violence, homelessness, intellectual or cognitive disability, or substance-use disorder.

Customers should be 18 years or older, or if 17 years of age, be subject to a traffic infringement that has applied demerit points to their driver licence.

7.0 Hardship partner - sponsor

An approved sponsor is a health practitioner or organisation that provides WDOs approved by the Registrar, SPER. The person or organisation is approved by the Registrar to become an approved sponsor if they satisfy the following requirements:

- [Appropriately qualified, trained or experienced staff](#) to provide the proposed activities.
- A [complaint management](#) and resolution system.
- An [incident management](#) system.
- [Workplace health and safety](#) policies and procedures.
- A funding agreement with a State or Commonwealth department for the proposed activities OR appropriate governance and a quality and risk management system for the proposed activities.

If the organisation is a general practice:

- Persons providing the proposed activities are health practitioners.
- General practice is accredited against the Royal Australian College of General Practitioner Standards.
- Details of any outstanding complaints or notifications against any of its health practitioners who will be providing services are attached.

If the organisation is a for-profit organisation:

- A copy of the organisation's objective, governance and funding arrangements.

7.1 How to become a sponsor

Becoming a sponsor is easy. Just complete the application form. You'll need a few pieces of information before you start. Take a few minutes to gather the following items:

- Details of the experience and [qualifications](#) of you or your staff to undertake the role of sponsor.
- A list of the activities you plan to provide.
- Your ABN or (AHPRA) Practitioner Registration Number.
- A copy of your insurances, including public liability, professional indemnity, and volunteer protection.

SPER may confirm information that you provide as part of the application process with other government agencies, such as the Australian Charities and Not-for-Profits Commission or AHPRA.

You will need to comply with the [responsibilities](#) associated with being a sponsor and requirements to uphold the [integrity of the program](#).

If SPER asks for additional information to support your application to become an approved sponsor please provide the additional information within 28 days. If we do not receive a response within 28 days, we will assume you have elected to withdraw your application and will issue you with a notice confirming that the application has been dismissed.

If you have questions about becoming a sponsor you can find us at qld.gov.au/SPER or contact us on 1300 250 755 or at SPERPartners@treasury.qld.gov.au

7.2 Your responsibilities - sponsor

When you become an approved sponsor, you are responsible for:

- assessing your client's [eligibility](#) to undertake a WDO
- ensuring the chosen WDO activity is suitable and appropriate
- obtaining and keeping proof of your client's identity and [eligibility](#)
- [submitting applications and monthly activity reports](#) via SPER's Hardship Portal
- developing an activity plan on behalf of your client, supervising the completion of activities and maintaining records of client attendance
- notifying SPER of changes to your client's circumstances that are likely to result in a [variation](#), [withdrawal](#) or [revocation](#) of a WDO
- reporting any [conflicts of interest](#)
- reporting instances of serious injury or death of an individual who is undertaking a WDO (together with notifying other relevant bodies, in line with your established incident management and workplace health and safety practices)
- maintaining insurance, workplace health and safety and financial accountability policies
- notifying SPER of significant or adverse [media](#) events
- providing information for program [audit](#) activities upon request
- dealing with complaints in accordance with your complaints management system

We encourage sponsors to consider the client's age, needs, family obligations, and overall capacity in preparation for choosing WDO activities.

Conditions apply to all approved sponsors which are set out at [Conditions of Approval](#). SPER may also elect to impose other conditions on sponsorship. If so, SPER will notify you of those conditions.

8.0 Hardship partner - advocate

Advocates can take an active role in supporting SPER customers to resolve their debt.

You may be a financial counsellor accredited by the Financial Counsellors Association of Queensland (FCAQ) or part of a community organisation or government agency assisting people in hardship.

As an advocate SPER considers you sufficiently qualified to make an assessment of and recommendation about your client's ability to pay their SPER debt. In response, we will take your recommendation about:

- a temporary [deferral](#) for a specified period (usually up to three months)

Advocates who are financial counsellors can also recommend [payment plans](#), including the instalment amount and duration of the plan.

8.1 How to become an advocate

Becoming an advocate is easy. Just complete the application form. You'll need a few pieces of information before you start. Take a few minutes to gather the following items:

- A list of the services you plan to offer.
- Your ABN.
- A copy of your FCAQ (or affiliate) membership (if you plan to recommend payment plans).
- A copy of your insurances, including public liability and professional indemnity.

You will need to comply with the [responsibilities](#) associated with being an advocate.

If you are applying to become an advocate to recommend payment plans, SPER will confirm your registration with the Financial Counsellors Association of Queensland (FCAQ) (or affiliate) as part of the approval process.

If SPER asks for additional information to support your application to become an advocate and does not receive a response within 28 days, we will assume you have elected to withdraw your application and will issue you with a notice confirming that the application has been dismissed.

If you have questions about becoming an advocate you can find us at qld.gov.au/SPER or contact us on 1300 250 755 or at SPERPartners@treasury.qld.gov.au

8.2 Your responsibilities - advocate

When you become an advocate, you are responsible for:

- assessing your client's financial capacity and ability to resolve their SPER debt
- obtaining documents that support your assessment of your client's eligibility for a deferral or payment plan
- maintaining the confidentiality and privacy of your client's information
- securing your client's consent to access personal, confidential information held by SPER
- notifying SPER of changes to a customer's circumstances that are likely to result in a variation of their payment plan
- identifying and addressing any [conflicts of interest](#) (real or perceived) and not accepting any gifts or payments from SPER customers
- maintaining insurances and [financial accountability](#) policies
- maintaining a [complaints management](#) system
- notifying SPER of significant or adverse [media](#) events
- providing information for program [audit](#) activities upon request.

8.2.1 Approved advocates must maintain:

- public liability insurance – ALL (\$10M) as per standard funding agreement requirements
- professional indemnity insurance – if providing medical, mental health and substance-use disorder treatment, and financial and other counselling services.

9.0 What does SPER mean by 'appropriately qualified'?

SPER requires hardship partners to be appropriately qualified, holding relevant training or experience to provide the proposed activities and services.

Following are a few examples of what we mean when we say 'appropriately qualified'. Note: this is an indicative list only.

Activity type	Example
Unpaid work	Staff member with experience supervising volunteers Cert IV in Volunteer Coordination (management) Cert IV in Coordination of Volunteer programs
Financial counselling	Diploma of Financial Counselling
Medical or mental health treatment	A psychologist within the meaning of the Health Practitioner Regulation National Law A registered health practitioner endorsed by the Nursing and Midwifery Board of Australia as a nurse practitioner under the Health Practitioner Regulation National Law Registration with Australian Health Practitioner Regulation Agency (AHPRA) Master of Psychiatry Fellowship of the Royal Australian and New Zealand College of Psychiatrists
Substance use disorder	Case manager with qualification, training or experience Cert IV in Community Services
Other counselling	Bachelor degree in social work Bachelor of Psychology or Psychological Science (degree accredited and recognised by the Australian Psychology Accreditation Council). Master of Psychiatry Fellowship of the Royal Australian and New Zealand College of Psychiatrists
Educational, vocational and life-skills courses/Mentoring programs	Cert IV in Training and Assessment Cert IV in Workplace and business coaching Cert IV in Leadership and Mentoring Qualifications identified for other counselling
Culturally appropriate programs in remote communities	Bachelor degree in social work Recognised Elder of the Community

10.0 WDO program integrity

SPER requires hardship partners to uphold the integrity of the WDO program. The following items are considered necessary to remain as a sponsor.

10.1 Funding agreement requirements

If, as an approved sponsor, you are subject to a funding agreement with a government department, you must remain compliant with the agreement.

10.2 Court matters

SPER requires hardship partners, including financial counsellors and health practitioners, to notify us of any significant or outstanding court matters. Notification will assist us to engage with you to ensure the integrity of the WDO program is maintained. If a matter arises that has implications for Queensland Government, SPER, or SPER customers, we will consider whether the matter requires SPER to take action.

Hardship partners should contact SPER at SPERPartners@treasury.qld.gov.au.

10.3 Media

SPER requires hardship partners to notify us of any significant adverse media event(s) relating to your role as an approved sponsor or the performance of WDOs.

Adverse media is defined as unfavourable information discoverable across a variety of media sources, including social media.

Hardship partners experiencing an adverse media event should contact SPER at SPERPartners@treasury.qld.gov.au.

10.4 Insurances

Approved sponsors must maintain:

- public liability insurance – ALL (\$10M) as per standard funding agreement requirements
- professional indemnity insurance – if providing medical, mental health and substance-use disorder treatment, and financial and other counselling services
- volunteer protection insurance – if providing unpaid work activities.

10.5 Complaints

Refer to [Complaints handling](#).

10.6 Conflicts of interest

Hardship partners must avoid real or perceived conflicts of interest. When a real or perceived conflict of interest arises, please notify SPER immediately by contacting SPERPartners@treasury.qld.gov.au.

Any activity performed that results in a benefit to the sponsor should be avoided to maintain the integrity of the program, be it by a person for an approved sponsor, under a WDO, an associate of the sponsor (including a relative) or a person who supervises the customer.

Sponsors should (for example):

- identify actual, perceived or potential conflicts
- consider the consequences of actual, perceived or potential conflicts
- agree on a strategy for managing the conflict
- engage with SPER
- record details of the actual, perceived or potential conflicts, including any amendments to the management strategy and outcomes.

Your notification should include planned steps to resolve or manage the conflict of interest.

SPER may contact you with advice.

10.7 Financial accountability

Approved sponsors are required to have, maintain and act in accordance with financial accountability policies. This means having policies in place that support a coherent process for financial management. For example, sponsors should:

- comply with financial accountability governance arrangements relevant to funding
- use tools that support transparent finance administration
- have internal controls to monitor and assess finances and financial arrangements
- maintain a reporting system.

10.8 Workplace health and safety

Customers undertaking WDOs are subject to the workplace health and safety policies and provisions of the approved sponsor.

Approved sponsors must operate under workplace health and safety policies and procedures that meet the requirements of the *Work Health and Safety Act 2011*. SPER may request details during an [audit](#).

Together with other notification responsibilities as required by (for example) workplace health and safety practices, SPER requires sponsors to immediately report instances of serious injury or death of an individual who is undertaking a WDO.

10.9 Incident management

Approved sponsors are required to have and maintain incident management policy and practice.

SPER requires sponsors have established processes for identifying, investigating, and reporting incidents, including near misses, and notify SPER of dangerous incidents.

Approved sponsors are required to identify, address and correct any hazards as they emerge.

If a significant event occurs involving a SPER customer, please contact SPER on 1300 250 755.

10.10 Information provision

As a hardship partner, you must provide true and correct information to SPER and the approved sponsor will declare all information provided is true and correct.

An approved sponsor acknowledges that providing false or misleading information to the Registrar, SPER is an offence under the Act and may result in suspension or cancellation of your approval.

Note: SPER will not be liable to the hardship partner or any third parties for any loss or damage suffered because of the inaccuracy or incompleteness of information provided by a hardship partner or for any action taken by SPER in reliance on that information.

11.0 Debts not included

You may hear SPER refer to an 'eligible amount' when discussing the customer's debt. The WDO eligible amount is the maximum amount of a customer's debt to which a WDO can be applied.

Some debts can't be included in a WDO namely an amount a court has ordered the customer to pay to a specified person or entity, such as compensation and restitution.

Suspended debts are also excluded as are debts where an enforcement order has not been issued.

Your client will need to pay the non-eligible amount in full or apply for a payment plan. They can pay online at qld.gov.au/sper or call us on 1300 365 635. Once SPER approves a payment plan, we will automatically deduct payments from a bank account, debit or credit card, or (eligible) Centrelink benefit.

11.1 Compensation/Restitution

Courts may make a monetary order as part of sentencing. This may take the form of restitution or compensation to a third party.

In the event compensation or restitution is payable, SPER will collect the monies on behalf of the creditor (referred to as a 'third party creditor') and disperse the monies as they are collected. Compensation and restitution debt is not eligible for a WDO.

Hardship partners can check whether a customer has compensation/restitution payable by logging on to SPER's Hardship Portal and searching for the customer's case.

You will see an indicator on the customer's case. Your client can pay this portion of their debt online at qld.gov.au/sper or by calling SPER on 1300 365 635.

See also [Compensation/Restitution](#).

For information about support for victims of crime, go to qld.gov.au/law/crime-and-police/victim-assist-queensland

12.0 WDO Eligibility

WDOs are orders made by SPER for those customers who can't pay their SPER debt due to hardship.

To be eligible for a WDO, a SPER customer must be [unable to pay](#) and experiencing one (or more) of the following hardship conditions:

- domestic or family violence
- financial hardship
- cognitive or intellectual disability
- homelessness
- mental illness
- substance use disorder

AND

- be supported by a hardship partner – an approved sponsor who has assessed their eligibility.

SPER considers the customer to be experiencing hardship if the requirements in the table below are met:

Hardship condition	Description
Substance use disorder	Has a diagnosed substance use disorder assessed as moderate to severe under the DMS-5 as declared by an appropriately qualified professional such as a drug or alcohol case worker, counsellor or health professional. Documentation confirming the nature, severity and duration of the disorder should be dated no earlier than six months before the date the WDO application is made.
Mental illness	Has a diagnosed mental illness as declared by a treating doctor, psychiatrist, mental health clinician or health practitioner. Documentation confirming the nature, severity and duration of the illness should be dated no earlier than six months before the date of the WDO.

<p>Homelessness</p>	<p>If the customer is in one of the following living arrangements:</p> <ul style="list-style-type: none"> • in an improvised dwelling, tent or sleeping out (rough) • in supported accommodation (includes shelters) for the homeless, or in transitional housing • staying temporarily with other households (including with friends and family) • staying in boarding houses • in other temporary lodging • in severely overcrowded conditions (according to the Canadian National Occupancy Standard). <p>SPER requires documentation by a lawyer, specialist service provider or case worker attesting to the customer's living circumstances, the period they have been homeless, and their inability to pay their SPER debt. Documentation should be dated no earlier than six months before the date the WDO application is made.</p>
<p>Cognitive or intellectual disability</p>	<p>Having a condition attributable to an intellectual or cognitive impairment, or a combination of impairments as assessed by an appropriately qualified professional (e.g. dementia, acquired brain injury, Down Syndrome).</p> <p>A declaration by the sponsor that the cognitive or intellectual disability impacts on the ability of a customer to pay their SPER debt</p> <p>AND</p> <p>a declaration signed by an appropriate professional attesting to the cognitive or intellectual disability</p> <p>OR</p> <p>documentation demonstrating that the customer is in receipt of a benefit or service that is Government funded and for which the customer qualifies because of their cognitive or intellectual disability.</p>
<p>Domestic or family violence</p>	<p>The customer is subject to domestic or family violence with an intimate personal, family or care relationship.</p> <p>The sponsor declares that the domestic or family violence impacts on the ability of a customer to pay their SPER debt and provides one of the following:</p> <ul style="list-style-type: none"> • a domestic and family violence protection order • a temporary protection order • a voluntary intervention order • a police protection notice • a record of court proceedings • a police report • a letter of record of session from an approved support service • a letter from a legal practitioner who has been consulted in relation to legal issues arising from domestic or family violence • a letter from a women's refuge or other specialist support service <p>OR</p> <ul style="list-style-type: none"> • a statutory declaration from the individual outlining the circumstances of domestic and family violence and how this has impacted on their ability to pay their eligible SPER debt.

<p>Financial hardship</p>	<p>The customer has a low income, i.e., is in receipt of one of the following Centrelink benefits:</p> <ul style="list-style-type: none"> • JobSeeker payment (replaced Newstart allowance from 20/03/2020) • Sickness allowance • Youth allowance • Age pension • Parenting payment • AUSTUDY • ABSTUDY • Disability support pension • Carer payment <p>OR</p> <p>is on a full-service pension from the Department of Veteran Affairs</p> <p>OR</p> <p>is a member of a household with a very low income (see section 15.0)</p> <p>OR</p> <p>is a permanent resident in remote and discrete Aboriginal and Torres Strait Island communities</p> <p>OR</p> <p>is in custody</p> <p>OR</p> <p>experiencing financial hardship due to extenuating circumstances such as medical expenses due to serious medical illness</p> <p>AND</p> <p>does not have assets that can be used to satisfy their debt</p> <p>SPER requires the sponsor to retain a copy of Centerlink documentation that is not more than 4 weeks old at the time of WDO application, confirming that the customer is in receipt of Centrelink benefits</p> <p>AND</p> <p>a signed declaration by the customer that they have no suitable asset, other than excluded assets, that could be used to satisfy their debt.</p>
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Note:

- SPER may consider other information when making a determination to approve/refuse a WDO.
- Documentation should be held on file by the hardship partner for the purposes of [audit](#).

12.1 Activities and participation criteria

The following table provides information about the requirements for participation in WDO activities.

Activity	Description	Criteria for participation
Substance-use disorder treatment	<p>Substance-use disorder treatment plan must be delivered.</p> <p>Treatment programs can include:</p> <ul style="list-style-type: none"> • short or long term residential treatment • outpatient treatment • individualised or group counselling. 	<ul style="list-style-type: none"> • A signed declaration by an appropriately qualified professional, e.g. a health professional working in the field of substance use disorder, a drug or alcohol case worker or service provider with expertise in working with people with substance-use disorders. • Declaration attests to the nature, severity, effects and duration of the illness, and its impact on the ability of the customer to pay their SPER debt.
Medical and mental health treatment	<p>Medical or mental health treatment plan must be delivered.</p> <p>Treatment programs can include:</p> <ul style="list-style-type: none"> • short or long term residential treatment • outpatient treatment • individualised or group counselling. 	<ul style="list-style-type: none"> • Customer must be under a documented treatment plan provided by a health practitioner (definition applies). • Treatment plan details patient condition, interventions, treatment provided, expected treatment duration and expected outcomes. • Customer is participating in a program formulated and delivered by a sponsor with expertise in treatment.
Financial and other counselling	<p>Support provided by a qualified professional, e.g. an authorised financial counsellor, psychologist or health practitioner.</p>	<ul style="list-style-type: none"> • Customer is supported by a qualified professional who is working with them to improve their mental health, emotional or behavioural issues. • Customer is supported by a qualified professional who is working with them to resolve financial difficulties and minimise future debt.
Educational, vocational and life-skills courses	<p>Includes course at registered educational institutions or educational service providers.</p>	<ul style="list-style-type: none"> • Customer participation should be voluntary and not linked to another participation requirement (e.g. to be eligible for Centrelink). • Traineeships and apprenticeships excluded.
Mentoring programs (for customers under the age of 25)	<p>Focusing on self-improvement and well-being</p> <p>Programs may include:</p> <ul style="list-style-type: none"> • leadership • identity and culture • crime prevention 	<ul style="list-style-type: none"> • Customer participation in mentoring program.

	<ul style="list-style-type: none"> preparing for education, training and employment. 	
Culturally appropriate programs for Aboriginal and Torres Strait Islanders living in a remote area	<p>Participation in suitable local programs and initiatives</p> <p>Programs may include:</p> <ul style="list-style-type: none"> counselling and health programs community programs focused on fostering well-being mentoring by elders. 	<ul style="list-style-type: none"> Offered in (defined) remote areas. Initiatives should be offered locally.
Unpaid work	Voluntary work that is not part of any other requirement for work, e.g. court-ordered community service.	<ul style="list-style-type: none"> Customer must hold a blue card if unpaid work will involve children. Customer must hold a yellow card if unpaid work for a non-government service provider or an NDIS non-government service provider. Customer holds any licences required to perform the unpaid work. Customer covered by workplace health and safety provisions and volunteer insurance.

Documentation should be held on file by the hardship partner for the purposes of [audit](#).

13.0 Court-ordered community service and WDOs

Many hardship partners offer volunteer work that qualifies as [unpaid work](#). For example, cooking and food service, and driving and delivery services. Unpaid work should be voluntary and not form part of any other requirement to do unpaid work, e.g. court-ordered community service or Work for the Dole.

Court-ordered community service cannot be supplemented for a WDO, nor undertaken at the same time as a WDO for unpaid work.

14.0 Activities and payment rates

A dollar value is applied to activities or treatment programs supervised by an approved sponsor. Rates start at \$30 per hour. When undertaking a WDO, a client can reduce their debt by up to \$1000 per month.

Activity	Rate
Medical, mental health and substance-use disorder treatment	\$1000 per month for full compliance (proportionate value for partial compliance)
Financial and other counselling	\$50 per hour
Educational, vocational and life-skills courses	\$50 per hour

Mentoring programs (for customers under the age of 25)	\$1000 per month for full compliance (proportionate value for partial compliance)
Culturally appropriate programs in rural and remote communities	\$50 per hour
Unpaid work	\$30 per hour

It's important you accurately log the hours and activities completed by your client so that the correct deduction can be made against the total amount they owe.

15.0 Financial hardship - low income households

A person will be considered to be in financial hardship if they are a member of a household that has a weekly/annual household income below the following thresholds (before tax):

Household type	\$ per annum	\$ per week
Single	\$ 32,479	\$ 625
Single + 1 child	\$ 38,975	\$ 750
Single + 2 children	\$ 43,306	\$ 833
Single + 3 children	\$ 47,636	\$ 916
Single + 4 children	\$ 51,967	\$ 999
Couple	\$ 41,140	\$ 791
Couple + 1 child	\$ 47,636	\$ 916
Couple + 2 children	\$ 51,967	\$ 999
Couple + 3 children	\$ 56,297	\$ 1,083
Couple + 4 children	\$ 60,628	\$ 1,166
Each additional child	\$ 4,331	\$ 83
Each additional adult	\$ 8,661	\$ 167

[This table is derived using the ABS Median Household Income for Brisbane, (2011 Census data), applying an internationally recognised poverty factor of 60%, and applying an equivalence model to reflect variable household profiles based on the NSW SDRO design].

16.0 Financial hardship - is my client able to pay?

Under the SPER charter, the provision of WDO is for the needy in the community and are not an alternative to payment for those who can afford to pay.

In addition to the income requirements set out in section 12.0, assets are also considered when determining whether a customer is unable to pay their debt because of [financial hardship](#). That is, a customer must not have a suitable asset or readily accessible funds that could be used to satisfy their debt. If the customer has assets that can be sold (where doing so does not cause further financial hardship), you should direct the customer to contact SPER and we can review their options to resolve their debt.

Suitable assets include any asset wholly or jointly owned, excluding:

- the person's principal place of residence
- motor vehicles used as a primary form of transport, where the debtor's equity in the vehicle is no greater than \$7,900
- tools of the trade used to earn a living.

Readily accessible funds would be funds up to \$2,000 (e.g. in a savings account or redraw facility).

The customer is deemed able to pay if:

- they have unreasonably acquired assets ahead of finalising their SPER debt
- they have disposed funds or assets without considering their SPER debt
- they have structured their affairs to place themselves in hardship (e.g. placing all assets in trusts or related entities over which they have control).

SPER may rely on documentary evidence when deciding to approve or refuse a WDO, in addition to the information held by the sponsor.

SPER's Hardship Portal will produce a [declaration](#) for the customer to sign. If applying for a WDO on the basis of financial hardship, the declaration includes the following statement:

- *I declare that I do not possess suitable assets that could be used to pay my SPER debt.*

Note: The possession of suitable assets applies to a WDO on the basis of financial hardship.

For more information about whether a customer is eligible for a WDO see '[Eligibility](#)'.

17.0 Remote and discrete communities

Residence in a remote and discrete Aboriginal and Torres Strait Islander community may be considered when assessing for [financial hardship](#) eligibility.

Remote communities are those discrete Aboriginal and Torres Strait Islander communities of:

- The town of Coen
- Aurukun, Cherbourg, Doomadgee, Hope Vale, Kowanyama, Lockhart River, Mapoon, Mornington Island, Mossman Gorge, Napranum, Northern Peninsula Area, Palm Island, Pormpuraaw, Torres, Torres Strait Island, Woorabinda, Wujal Wujal or Yarrabah.

17.1 Remote for the purposes of culturally appropriate programs

For the purposes of establishing whether a customer can participate in a [culturally appropriate program](#), the Queensland Government provides a [Queensland Remoteness Area Boundaries map](#)

An area is considered remote by searching the Australian Governments Department of Health website: <https://www.health.gov.au/resources/apps-and-tools/health-workforce-locator/health-workforce-locator>

18.0 My client lives interstate, can they have a WDO?

A SPER customer living interstate can use a WDO to resolve their debt if they meet the eligibility criteria and the hardship partner can supply activities in their area.

19.0 My client is subject to escalated enforcement action

If you find that the customer is under escalated enforcement, we require the customer to contact SPER directly to discuss their options.

Hardship partners can check whether a customer is subject to escalated enforcement action by logging on to the SPER's Hardship Portal and searching for the customer's case.

You will see an indicator on the customer's case.

In the meantime, you can help by:

- advising SPER customers of their options and 'how to'
- being clear about the consequences of not acting. (Non-action results in extra fees and [enforcement action](#))
- if an application for a WDO is refused, encouraging your clients to contact SPER immediately to make alternative arrangements to resolve their debt
- reminding your clients to resolve [non-eligible debts](#).

Enforcement action will not be taken against a customer while they are undertaking a WDO if the order is for the total amount owed.

If a WDO does not cover the total amount the customer owes, they should enter into a payment plan for the remaining amount to avoid enforcement action and additional fees.

20.0 Confidentiality and privacy

Information provided to or collected by SPER is governed by the Act and the *Information Privacy Act 2009* (Qld).

All SPER information is confidential and contains personal information. Hardship partners must maintain confidentiality and privacy in accordance with the Information Privacy Principles set out in the *Information Privacy Act 2009* (Qld). Unauthorised disclosure of information constitutes an offence.

SPER asks that hardship partners take time to ensure information about their clients is correct and up-to-date.

Personal information is collected and used by SPER as permitted and required by law including for the administration and enforcement of the Act. Any information SPER collects will not be disclosed other than as permitted or required by law.

You will be required to obtain the [customer's consent](#) prior to accessing their personal information for the purpose of assessing eligibility and undertaking the WDO.

Confidentiality and a customer's right to privacy are also requirements for [record keeping](#).

21.0 Record keeping

As an approved hardship partner, you are required to maintain records. It's important you maintain:

- proof of your ability to carry out the functions of a sponsor or advocate, such as [training qualifications](#), professional qualifications, insurances and local procedures for complaints handling, dealing with conflicts of interest, and incident management.

You should also maintain customer records, including:

- proof of identity for the individual on whose behalf you have applied for the WDO (unless the individual is a permanent resident of a remote and discrete Aboriginal or Torres Strait Islander community)
- your assessment of the client's [eligibility](#) to participate
- work performed or activities undertaken
- records of any [participation criteria](#) such as a blue card or yellow card.

Records should be held securely, for example, in a lockable cabinet or on a computer with suitable protections. Hardship partners and their representatives should treat customer records as confidential. Records include any written or printed material or object including sound recording, coded storage device, magnetic tape or disk, photograph, plan, model or painting or other pictorial or graphic work which has been kept or stored electronically or otherwise.

You are required to keep documentation for a period of seven years after the completion, withdrawal or revocation of a WDO.

SPER may undertake an audit of the records kept to ensure hardship partners are compliant with the requirements of the program.

Withdrawal from the program does not remove the obligation to maintain relevant records or participate in an audit.

21.1 Customer consent

As a hardship partner you are responsible for securing your client's consent to access personal, confidential information held by SPER.

Consent is required before applying for the WDO or when acting as an advocate, including as a financial counsellor or when accessing information about the client to assist them in resolving their debt.

Consent forms can be downloaded from the SPER website or included in a hardship partner's existing forms (with wording below).

Keep a copy of the signed form together with other records about your client's SPER debt. SPER may request a copy of the signed form.

I authorise [INSERT HARDSHIP PARTNER NAME] to access details of my SPER debt and collect personal information to assist with assessing my financial and/or hardship circumstances.

I understand <<HARDSHIP PARTNER>> may use this information to recommend a deferral or payment plan, or determine my eligibility for a WDO and administer the order.

This information may be used by SPER for the purpose of administering the State Penalties Enforcement Act 1999.

Name:

Signature:

SPER Party ID/customer number:

Date:

21.2 Declaration (produced by portal)

The following declaration will be produced by SPER's Hardship Portal when an approved applies for a WDO on behalf of the customer.

By applying for this WDO, you authorise <<HARDSHIP_PARTNER>> to access and hold information relevant to this order and to share that information with the State Penalties Enforcement Registry (SPER).

I agree to <<HARDSHIP PARTNER>> applying to SPER, on my behalf, for a work and development order (WDO).

I declare that I am unable to pay my SPER debt.

(If applying for a WDO on the basis of financial hardship) I declare that I do not possess suitable assets that could be used to pay my SPER debt.

I understand that my eligibility for a WDO is assessed based on the information I provide and I declare that the information is, to the best of my knowledge, true and correct.

I consent to the information that I provide to <<HARDSHIP PARTNER>> relating to my WDO being disclosed to SPER for the purpose of administering or enforcing the State Penalties Enforcement Act 1999.

22.0 Payments and deferrals

22.1 Setting up a payment plan

Penalty debt should be resolved as soon as possible. A payment plan is an agreed arrangement between SPER and the customer to pay their debt by instalment, either weekly, fortnightly, or monthly, over a defined period. This is a significant concession to the obligation to pay penalty debt on time and should only be provided to customers who do not have capacity to pay in full.

A financial counsellor should undertake a financial assessment prior to recommending a payment plan. This information should be maintained with your client's records for [audit](#) purposes.

You can set up a payment plan by logging on to SPER's Hardship Portal and searching for the customer's record.

22.2 Deferring a debt

From time to time SPER customers enter into a period of temporary hardship, for example, they lose their job, are going through a divorce, are experiencing domestic or family violence, or have fallen ill.

In these circumstances, an approved advocate can apply to SPER for a deferral of their payment for a period of up to three months. The aim is to provide the customer with short-term relief from their obligations.

If a customer's case is deferred, SPER will not take enforcement action or undertake collection activities (excepting any warrant to impose a charge that may already be in place over an individual's property).

To recommend a deferral simply log on to the portal. You will need your hardship partner log in code. Search for the customer and select deferral. The system will run some checks and if eligible, you will see a confirmation message.

You can defer payment and enforcement action on a case for up to 3 months. For any period longer than 3 months, please contact SPER on 1300 365 635.

Only two deferrals of up to 3 months are available to customers within a 12 month period

In the event SPER denies the deferral, the customer can request a review of SPER's decision. SPER may request a copy of supporting material before reviewing the original decision and informing the customer of the outcome.

23.0 WDO overview

23.1 Where can a client get information about WDOs?

SPER will direct customers who believe they are eligible for a WDO to qld.gov.au/sperhardship to find a hardship partner in their area.

In the event the client isn't sure, or no hardship partners are currently located in a suitable locale, the website will invite customers to contact 1300 365 635 to discuss their options.

23.2 Creating a WDO

Log on to SPER's Hardship Portal to apply for a WDO on behalf of your client.

The customer will receive correspondence confirming the WDO, which includes details of their obligations. We will advise the customer they need to:

- perform the required activities and follow the directions of the hardship partner
- comply with the workplace health and safety conditions of the hardship partner
- notify the hardship partner of any changes in their circumstances. These could include address, employment or financial situation.
- comply with the conditions of the order or we may revoke the order, at which time they will be required to pay the total amount they owe.

23.3 When a client has completed their WDO

A WDO may be marked as completed when your client has completed the agreed number of hours or has fulfilled the activity or program, e.g. finished a training course.

Log on to SPER's Hardship Portal to log the hours and activities and finalise the WDO.

It's important you log the hours completed by your client so that SPER can deduct the correct amount from the total amount they owe.

When you mark a customer's WDO complete via SPER's Hardship Portal, SPER will issue the customer with a letter confirming completion and advising them of any outstanding amount owed.

Talk to your client about any debt still remaining. The customer can pay any outstanding balance online at qld.gov.au/sper or by calling SPER on 1300 365 635 or alternatively, you can consider another WDO for any eligible amount outstanding.

23.4 Making a variation to a WDO

SPER may elect to make a variation to a WDO if, for example, the value of the WDO exceeds the eligible amount or any of the debt is paid.

An approved sponsor can request to make a variation if they wish to make a change to the number of activity hours required to complete a WDO. For example, if a customer has incurred a new eligible debt, an approved sponsor can seek approval for additional hours to include the new debt in the activity. Alternatively, if the customer advises you they have made a payment, a variation may be required because the value of the hours exceeds the debt amount.

SPER will approve or refuse a variation requested. If we make a variation or refuse one, we will inform the customer.

23.5 Withdrawing a WDO

A hardship partner can apply to SPER to withdraw a WDO under section 32P of the *State Penalties Enforcement Act 1999*.

Withdrawal can occur when (for example):

- the customer is unable to complete the program due to e.g. injury or illness or the customer moves away
- the sponsor can no longer deliver the program.

A SPER customer can request the Registrar consider withdrawing a WDO because they believe an approved sponsor will be unable to continue as the approved sponsor.

When logging the withdrawal in SPER's Hardship Portal, you will be asked to provide the reason for withdrawal.

If the Registrar agrees to withdrawing the WDO, we will issue the customer with correspondence informing them of the decision.

23.6 Revoking a WDO

SPER may revoke a WDO under section 32Q of the *State Penalties Enforcement Act 1999* if:

- the customer has failed to comply with the order without reasonable excuse, (e.g. the customer does not attend unpaid work or sessions on two successive occasions)
- the customer is no longer eligible for a WDO
- the customer has provided false or misleading information
- the sponsor is unable to continue as an approved sponsor or has been found to be in breach of their obligations.

SPER will also revoke the WDO if the order is greater than the enforcement order.

If SPER intends to revoke a WDO, we will issue the customer with a notice that includes a reason for our decision. The customer will be given 28 days to lodge an objection to the decision, after which, the Registrar will issue a final decision. The customer remains in compliance, that is, they are not open to enforcement action, during the 28 day period.

If SPER decides to revoke a WDO the customer can request a review by the Queensland Civil and Administrative Tribunal (QCAT).

23.7 My client worked too many hours of unpaid work

It's important you log hours of unpaid work each month to avoid unnecessary hours being performed for unpaid work.

If you find a customer has worked too many hours, they are entitled to compensation for those hours. The Registrar is responsible for determining the amount of compensation payable. Amounts are paid by the Administering Authority that issued the fine.

If your client has worked too many hours, email SPER at SPERPartners@treasury.qld.gov.au.

Compensation is not available for anything other than unpaid work.

24.0 Reporting

Sponsors must report monthly about the activities undertaken by SPER customers, including the number of hours completed by the customer.

It's important you log the hours completed by your client each month so that SPER can deduct the appropriate amount from the total amount they owe, keeping the customer's case current. You still need to report if the customer has not completed any hours within the month but remains under a WDO. These are referred to as 'nil hours'.

Failure to report may result in SPER revoking WDOs.

Refer to SPER's Hardship Portal User Guide for more information on the process for reporting.

25.0 Audit

Hardship partners (sponsors and advocates) are required to keep documentation for a period of seven years after the completion, withdrawal or revocation of the WDO.

SPER may audit (or appoint an independent auditor) the records kept to ensure hardship partners are compliant with the requirements of the program. Generally, an audit allows SPER to:

- check the appropriate records have been kept
- understand identified risks and issues arising from the program and participation in it
- identify policies and procedures that may require clarification.

SPER will ensure reasonable notice is given prior to conducting an audit. Notification of audit will include details of the scope of the audit.

Hardship partners are expected to participate in audit activities by providing access to all documents relating to participation as a hardship partner and on behalf of SPER customers, as well as responding to recommendations and outcomes resulting from the audit.

If SPER identifies risks, we may extend the scope of the audit, however, we will endeavour to ensure audit requirements are clear and the process efficient. Expected timeframes will be included in the notification of audit.

A SPER officer or representative may make contact with you for the purposes of clarification and may visit you at your premises.

SPER will notify a hardship partner subject to audit of the outcome, together with a timeframe for compliance with any recommendations.

Withdrawal from the program does not remove the obligation to maintain relevant records or participate in an audit.

26.0 Feedback

SPER welcomes your feedback. If you have feedback about the Hardship Partner Program, please contact us at SPERPartners@treasury.qld.gov.au or on 1300 225 755.

27.0 Complaints handling

Sometimes things don't quite go to plan and an individual or organisation feels they need to make a complaint. A complaints management process is a requirement for hardship partners. Where appropriate complaints management practices should be compliant with the Australian standard, ASISO10002-2006.

Complaints by hardship partners:

If you have a complaint about the program, please contact us on 1300 250 755 or send us an email at SPERPartners@treasury.qld.gov.au

Customer complaints:

If a customer complains, we will work with you to action the complaint as quickly and effectively as possible. In the event the customer contacts you, you should attempt to determine whether their complaint is about SPER and their SPER debt(s), the program (including WDOs), or services you provide.

Complaint type	Action
<p>The customer complains about:</p> <ul style="list-style-type: none"> • SPER • an interaction with a SPER officer • their SPER debt • action taken by SPER. 	<p>Suggest the customer contact SPER on 1300 365 635 where we will seek to assist the customer and resolve their complaint.</p> <p>If a customer is not satisfied with our decision, they can have the decision reviewed.</p>
<p>The customer complains about SPER's decision to refuse to approve or vary or revoke a WDO.</p>	<p>If the customer wishes to have SPER's decision to approve, vary or revoke reviewed, they can be directed to the QCAT website (www.qcat/qld.gov.au) for further information.</p>
<p>The customer complains about:</p> <ul style="list-style-type: none"> • a WDO • a workplace health and safety incident. 	<p>These should be dealt with through the hardship partner's complaints handling process with notification sent to SPERPartners@treasury.qld.gov.au</p> <p>Your email should clearly articulate the customer's concern and your approach to resolve it.</p> <p>Please also let us know if the customer has threatened to convey their concerns to media outlets.</p>
<p>The customer complains about:</p> <ul style="list-style-type: none"> • an interaction with a sponsor or advocate • other services provided by a sponsor. 	<p>These should be dealt with by through the hardship partner's complaints handling process.</p>

We aim to give customers clear guidance about their complaint and what they can expect from us.

If a customer complains, it's worthwhile reminding them you may share information with SPER to resolve their complaint or help us do so. Direct them to the signed [consent form](#) and [declaration](#) as needed.

27.1 Queensland Civil and Administrative Tribunal (QCAT)

If SPER decides to refuse, refuse to vary or withdraw, or revoke a WDO the customer can request a review by the Queensland Civil and Administrative Tribunal (QCAT).

Similarly, if SPER decides to refuse an application to be a [sponsor](#), place additional conditions on an approval or impose remedial action, these decisions may be reviewed.

QCAT is an independent, accessible tribunal designed to resolve disputes, including those about administrative decisions.

Customers and sponsors (including perspective sponsors) who wish to have SPER's decisions reviewed can be directed or go to the QCAT website (www.qcat/qld.gov.au) for further information.

28.0 Human rights

Like SPER, hardship partners are obliged to comply with the *Human Rights Act 2019*. The *Human Rights Act 2019* respects, protects and promotes the dignity and worth of all humans, including the most vulnerable in our community. The Act is expected to commence 1 January 2020.

SPER considers human rights when (for example):

- we make a decision or take an action
- when we consider a complaint
- we engage with customers
- we undertake reporting.

Hardship partners should also consider the *Human Rights Act 2019* when:

- assessing eligibility for a work and development program
- considering a customer's capacity to pay
- collecting, using and sharing information about a SPER customer
- responding to a complaint that involves a SPER customer.

You can find out more about the *Human Rights Act 2019* by visiting qhrc.qld.gov.au.

29.0 Leaving the Hardship Partner Program

If you or your organisation decide you no longer wish to be a hardship partner we ask you to notify SPER in writing and include a proposed date from which your withdrawal from the program will take effect.

If no date is supplied, SPER will assume withdrawal from the date at which the notice is received.

The arrangements for withdrawal should be sufficient to accommodate existing arrangements with customers, e.g. WDOs.

Withdrawal from the Hardship Partner Program does not remove the obligation to maintain relevant records or participate in an audit.

You can send notification to SPERPartners@treasury.qld.gov.au

30.0 Suspension or cancellation of hardship partner status

If, as an approved sponsor, you do not comply with the requirements of the *State Penalties Enforcement Act 1999* or relevant Regulations, fails to comply with conditions of approval, become insolvent, provides false or misleading information, has ceased to provide activities, undermines the integrity of the program or fails to address a conflict of interest, SPER may suspend or cancel your status as an approved sponsor.

We may do this by issuing a 'show cause' notice and ask you to respond within 28 days.

In some cases, it may be necessary for SPER to immediately suspend approval to ensure the integrity of the WDO program is not jeopardised, or to remove an unacceptable risk.

After considering your response, SPER will notify you of the decision, which can include a requirement to undertake remedial action and provide a timeframe to address our concerns, or suspend or cancel your approval. If you do not take the required remedial action, SPER may cancel your approval after the period ends.

If SPER decides to cancel your approval as an approved sponsor, you can request a review by the [Queensland Civil and Administrative Tribunal](#) (QCAT).

If your approval as sponsor is suspended or cancelled, suspension or cancellation will extend to your role as advocate.

31.0 Conditions of approval

SPER may approve organisations to provide support services to SPER customers under our Hardship Partner Program. The support services may include being an approved sponsor of WDOs, applying for a temporary deferral of payment or setting up a payment plan

Under the *State Penalties Enforcement Regulation 2014* (Regulation), organisations and health practitioners may apply to the registrar of SPER for approval as an *approved sponsor* for one or more types of WDOs.

An approved sponsor is subject to conditions of approval set out in section 19AL of the Regulation.

All hardship partners are subject to the conditions of approval summarised here.

Definitions and interpretations

'SPER' means the State Penalties Enforcement Registry.

'The Act' means the *State Penalties Enforcement Act 1999*.

'The Regulation' means the *State Penalties Enforcement Regulation 2014*

'Registrar' means the SPER registrar.

'Work and Development Order (WDO)' means an order requiring a person to undertake approved activities to satisfy all or part of the work and development order eligible amount of the person's SPER debt.

'Approved sponsor' for a WDO, means a person or entity approved under the Act by the registrar for one or more types of WDO.

'Customer' means a person who has a debt registered with SPER.

'Hardship Partner' means an organisation or health practitioner approved by the registrar to partner with SPER to provide one or more of the approved Hardship Partner Program services in relation to a SPER customer. An approved hardship partner can recommend deferral of payment obligations; and/or provide a WDO; and/or assess financial capacity to pay a SPER debt and recommend payment terms.

'Hardship Partner Program' means the scheme delivered by the State Penalties Enforcement Agency (SPER) which enables approved hardship partners to deliver services to SPER customers who are experiencing significant hardship. Eligible customers will be able to reduce or resolve their debt through voluntary participation in services such as unpaid work, courses, treatment, programs and other activities.

'Hardship Partner Participant Pack', means information issued to approved Hardship Partners by the registrar that explains the obligations of Hardship Partners under the Hardship Partner Program.

'Positive Notices' means a notice declaring the application is approved in accordance with the *Working with Children (Risk Management and Screening) Act 2000*, section 220(a) and the *Disabilities Services Act 2006*.

'Record keeping' means a document including any written or printed material or object including sound recording, coded storage device, magnetic tape or disk, photograph, plan, model or painting or other pictorial or graphic work which has been kept or stored electronically or otherwise by the Hardship Partner in connection with the customer or the provision of services under the Hardship Partner Program.

'Reportable incident' means an incident involving death or serious injury of an individual while undertaking an activity or a program for a WDO.

Provision of information

The Hardship Partner will declare that all information provided is true and correct. The Hardship Partner acknowledges that the provision of false or misleading information to SPER is an offence under The Act.

SPER will not be liable to the Hardship Partner or any third parties for any loss or damage suffered because of the inaccuracy or incompleteness of information provided by a Hardship Partner or for any action taken by SPER in reliance on that information.

Suitability

If the Hardship Partner is subject to a funding agreement with a government department, the Hardship Partner must remain compliant with the agreement.

The Hardship Partner must inform SPER if the Hardship Partner is subject to any administrative, civil or criminal proceeding. If the Hardship Partner is a health practitioner, SPER must be informed of any complaints or notifications against the health practitioner.

Staff qualifications and training

Hardship Partners must ensure that staff providing services under the Hardship Partner Program have appropriate qualifications, training or relevant experience for the services provided and must be able to produce evidence of qualifications and/or training to SPER if requested.

Insurances

Hardship Partners must maintain adequate public liability insurance.

If the Hardship Partner is an approved sponsor, the following insurances, relevant to the type of WDO, must be maintained:

- Professional indemnity insurance – (if providing medical, mental health and substance-use disorder treatment, and financial and other counselling services).
- Volunteer Protection Insurance – (if providing unpaid work activities).

Reporting requirements

The Hardship Partner must comply with the reporting requirements set out in the Hardship Partner Participant Pack.

Record keeping

Hardship Partners must keep the following records for a period of seven (7) years after provision of Hardship Partner services:

- Proof of identity of a customer (except for permanent residents living in specific Aboriginal and Torres Strait Islander communities).
- If the Hardship Partner is an approved sponsor, an assessment of the customer's eligibility for a WDO and a record of Positive Notices.

If the Hardship Partner is approved to assess a customer's financial capacity to pay a SPER debt and make a recommendation on payment terms, a copy of the customer's financial assessment must be kept for three (3) years.

Risk management

A Hardship Partner must maintain appropriate risk management arrangements for the services it is approved to provide, including workplace health and safety policies and financial management and accountability policies.

Complaints management

A Hardship Partner must have a complaints management and resolution system in place.

Privacy and confidentiality

Information provided to or collected by SPER and its Hardship Partners from or about SPER customers is confidential and contains personal information. Hardship Partners must maintain the confidentiality and privacy of customer information.

Hardship Partners, excluding health practitioners, must comply with the Information Privacy Principles set out in the *Information Privacy Act 2009* (Qld).

If the Hardship Partner is a health practitioner, the Hardship Partner must comply with the National Privacy Principles stated in the *Information Privacy Act 2009*.

Personal information is collected and used by SPER as permitted and required by law including for the administration and enforcement of The Act. Any information SPER collects will not be disclosed other than as permitted or required by law.

Incident reporting

If the Hardship Partner is an approved sponsor it must report all reportable incidents to the registrar.

Quality assurance (audit)

To ensure quality assurance of the Hardship Program the approved sponsor must provide all documents relevant to the WDOs if required at the request of the Registrar or another person nominated by the Registrar.

Security

The approved sponsor is to make every reasonable effort to ensure that information is stored safely and securely at all times.

Conflicts of interest

If, during the term of the Hardship Program, a conflict of interest arises, or appears likely to arise, the Hardship Partner is to notify SPER immediately and is to take such steps to resolve or otherwise deal with the conflict to SPER's satisfaction.

Approval is not transferable

The approval of a Hardship Partner is not transferable.

Human Rights Act

Hardship Partners are obliged to comply with the Human Rights Act 2019. The Act respects, protects and promotes the dignity and worth of all humans, including the most vulnerable in our community. The Act commences 1 January 2020.

Suspension or cancellation of approval

The Registrar may suspend or cancel the approval of an organisation or health practitioner as a Hardship Partner where the Hardship Partner:

- no longer complies with the conditions, has contravened the act or has ceased to provide services relevant to the approval; or
- is an insolvent under administration; or
- has provided false or misleading information; or
- the conduct of the hardship partner is likely to undermine the public's confidence in the integrity of the hardship program; or
- a conflict of interest exists.

Show cause

The registrar, SPER or another person nominated by the Registrar, will issue a show cause notice to the Hardship Partner before cancelling or declining their Hardship Partner status, which will contain the following:

- The proposed action to suspend or cancel.
- The grounds for the proposed action.
- An outline of the facts and circumstances forming the basis for the grounds.
- An invitation to the approved sponsor to make a written representation to the Registrar within 28 days after being given the notice to show why the proposed action should not be taken.