

# Work and Development Order Guidelines

## 2024



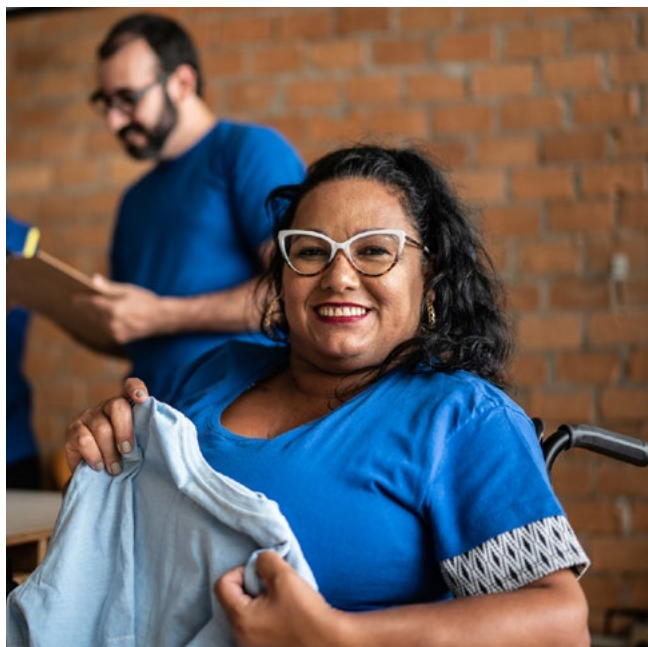
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# Part 1 – Overview



## 1.1 The Work and Development Order (WDO) scheme

The Work and Development Order (**WDO**) scheme was introduced into the *Fines Act 1996* (**Fines Act**) alongside a number of other reform measures to improve the difficulties that fines present to the most disadvantaged people in the community.<sup>1</sup>

The WDO scheme is established under Subdivision 1, Division 8 of Part 4 of the Fines Act. It enables eligible people who are experiencing hardship to reduce their fines through participation in unpaid work, courses, treatment, programs, and other activities. People who are eligible for the WDO scheme include those who are experiencing:

- Mental illness,
- Intellectual disability or cognitive impairment,
- Serious addiction to drugs, alcohol or volatile substances,
- Homelessness, or
- Acute economic hardship.

To participate in the WDO scheme, an eligible person must be supported by a person or organisation approved to supervise WDOs under

<sup>1</sup> See *Fines Further Amendment Act 2008*.

section 99A of the Fines Act (known as a WDO sponsor). A sponsor may be an organisation, social worker or health practitioner.

The WDO scheme is delivered by the Department of Communities and Justice (**DCJ**), Revenue NSW and Legal Aid NSW, with input from the Aboriginal Legal Service NSW/ACT. Representatives from each partner agency form the WDO Governance Group, which is responsible for developing and administering the WDO Guidelines and ensuring the WDO scheme is meeting its objectives.

## 1.2 The role of WDOs in the broader NSW fines system

In NSW, penalty notices and court fines are issued, enforced, and collected under the Fines Act.

Revenue NSW collects unpaid fines on behalf of the Commissioner of Fines Administration. Failure to pay can have serious consequences, including:

- Suspension of a person's driver licence or cancellation of a person's vehicle registration
- Taking of money from a person's bank account or wages.

Debt recovery action will generally cease once a person begins managing their fines. Applying for a WDO is one way to manage unpaid fine debt. Other options include:

- Entering into, and complying with, a payment plan
- Applying for a write-off or partial write-off of fines (in certain circumstances).

One or more of these options may be undertaken at the same time or at different times during the life cycle of a fine. For example, a payment plan may be set up at the same time as making a WDO application, or a payment plan might be entered after a WDO is completed to pay a residual amount.

More information about the NSW fines system can be found in the Resource Kit.

## 1.3 The WDO Guidelines

The WDO Guidelines 2024 (**WDO Guidelines**) are issued by the Attorney General, in consultation with the Treasurer and Minister for Finance, in accordance with section 99I of the Fines Act. They replace the Work and Development Order Guidelines 2017.

The WDO Guidelines set out the high-level rules and principles which govern the WDO scheme. All persons exercising functions or responsibilities under the WDO scheme must comply with the Guidelines, including DCJ, Revenue NSW, sponsors and WDO applicants. In the event of any inconsistency between the WDO Guidelines and the Fines Act, the Fines Act prevails.

The WDO Guidelines are supported by a Resource Kit developed by DCJ, Revenue NSW and Legal Aid NSW. The Resource Kit provides detailed operational and administrative guidance to help sponsors apply the WDO Guidelines in practice. Together, these two documents are known as the WDO Guidelines and Resource Kit.

The Resource Kit does not form part of the Guidelines for the purposes of section 99I of the Fines Act. However, the procedures set out in the Resource Kit form part of the WDO scheme framework for compliance purposes.

## 1.4 Definitions

Unless otherwise specified, the terms used in the WDO Guidelines have the same meaning as in the Fines Act:

**Fine** includes a court fine, a penalty notice or other charge or fee described in section 4 of the Fines Act. It includes an order for restitution as defined in Part 5 the *Victims Rights and Support Act 2013* and Part 7A of the Fines Act.

**Fine debt** includes debt arising from court fines, penalty notices or Orders for Restitution, including enforcement costs as defined in section 44 of the Fines Act.

**Health practitioner** refers to a registered (including provisionally registered) psychologist, registered medical practitioner or a nurse as defined in the *Health Practitioner Regulation National Law (NSW) No 86a of 2009*.

**Income** includes, but is not limited to, wages, pensions or benefits, allowances, interest on investments, or financial support from an associate (e.g. support provided by a parent or family member overseas).

**Order for restitution** refers to an order issued by the Commissioner of Victims Rights under Part 5 of the *Victims Rights and Support Act 2013* (**VRS Act**).

**Revenue NSW** refers to the Commissioner of Fines Administration under the Fines Act or their delegate.

**Self-Service Portal (SSP)** refers to the online portal managed by Revenue NSW where sponsors submit new WDO applications and enter monthly reports on open WDO applications. All WDOs are managed through the SSP.

**Social Worker** means:

- *General social worker* – An undergraduate or graduate degree-level, qualified professional eligible for membership with the Australian Association of Social Workers (AASW) eligible to apply as a sponsor to provide all activities except mental health treatment;
- *Accredited mental health social worker* – An undergraduate or graduate degree-level, qualified professional registered with the AASW as an Accredited Mental Health Social Worker (AMHSW) eligible to apply as a sponsor to provide all WDO activities including mental health treatment.

**Sponsor** refers to an approved organisation, social worker or health practitioner authorised to support WDO applicants to clear fines through participation in WDO activities. The term also includes those staff members or case managers who have been delegated access to the SSP by the approved sponsor.

**Substantial assets** include but are not limited to investment properties or luxury vehicles or vessels (as defined by the Australian Tax Office), savings, and liquid assets. An applicant or participant's principal place of residence will generally not be considered a substantial asset.

**Third-party provider** is an individual, health practitioner or organisation who provides an activity for a WDO participant, and from whom a sponsor must collect information such as hours of attendance.

**WDO** is a work and development order which enables an eligible person to undertake suitable WDO activities to clear fines.

**WDO activities** are activities that may be included on a WDO, including activities provided directly by a sponsor or activities provided via referral to a third-party provider.

**WDO applicant** is a person applying to do a WDO.

**WDO application** refers to an individual application on behalf of a person with eligible fines submitted by a sponsor in the SSP.

**WDO participant** refers to an eligible person with eligible fines who is undertaking a WDO.

**WDO records** refers to any information relating to a specific applicant or participant and their WDO. This includes but is not limited to completed consent forms, information provided by the WDO applicant to support their eligibility for the WDO program, evidence from third party providers of their suitability to provide approved activities, information relating to the activities undertaken and the hours completed each month.

# Part 2 – Information for sponsors



## 2.1 Why be a sponsor?

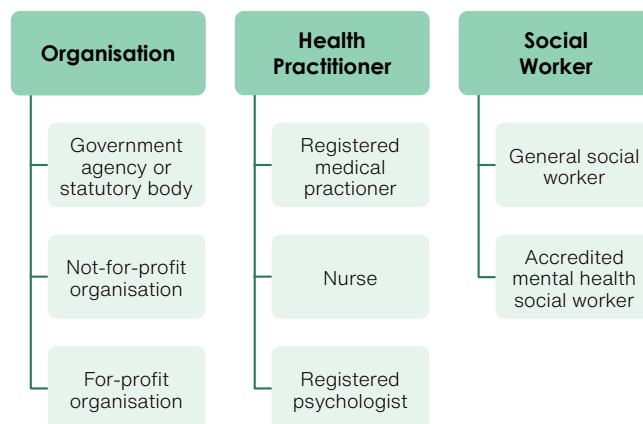
If a person is unable to pay, unpaid fines can become a burden. Unpaid fines can result in increasing debt, loss of driver licence or vehicle registration, wages or savings being taken by Revenue NSW or property being seized by the NSW Sheriff's Office. Fines debt can have a significant impact on a person's mental health and wellbeing. It can also lead to loss of employment, further offending and social exclusion.

Becoming a WDO sponsor can help to break the cycle of disadvantage. It is a practical way to help people clear fines while facilitating broader engagement with the programs and activities a service may offer. Sponsors may participate in the WDO scheme as a tool to encourage engagement in programs and services or to reach more people in a community.

## 2.2 Who can be a sponsor?

Sponsors may be government organisations, non-government organisations (for-profit or not-for-profit), individual health practitioners or social workers approved to supervise WDOs. A sponsor may be located in New South Wales or any other Australian state or territory.

Diagram 1: Types of sponsors



## 2.3 How to become a sponsor

In order to become a sponsor, an individual or organisation must complete an online application on the Revenue NSW website. As part of the application process, the organisation or individual must nominate the types of clients they assist and select the WDO activities they will provide or support.

A sponsor may apply to provide WDO activities directly (direct activity) or to manage and supervise activities which are provided by a third-party provider (referral activity). In both cases, a sponsor is responsible for applying for, managing and reporting on participation on behalf of a WDO participant.

Each type of sponsor has different approval requirements and may have specific limitations on the type of activities that can be provided for WDO purposes. During the application process sponsors will be asked to provide the following information:

- Sponsor type
- Details of the person lodging the application
- Individual or organisation details – including name of the approving manager, ABN, name and location of the service or program
- Type of client groups the service supports e.g. people experiencing homelessness or people with a drug or alcohol addiction

- Select the WDO activities to be provided either direct or on referral
- Minimum training, qualifications or experience of staff supporting WDO activities
- Details of any insurance or professional requirements
- Any Working with Children Check details and restrictions
- Details regarding any conflicts of interest.

More information on how to become a sponsor, including details of approval requirements, can be found in the Resource Kit.

## 2.4 Sponsors to be notified of application outcome

A sponsor will be notified about the outcome of their application.

If an application to become a sponsor is approved, Revenue NSW will provide the sponsor with a WDO Sponsor Summary report, which includes:

- A unique sponsor identification number
- A summary of the type of WDO activities the sponsor is approved to support
- Information about how to access and administer the Self-Service Portal

If an application to become a sponsor is declined, the applicant will be notified and will be provided with reasons for this decision.

## 2.5 Sponsor responsibilities

A WDO is an agreement to clear fines made between Revenue NSW and a sponsor, on behalf of a WDO applicant.

Sponsors are not obliged to support a particular client's application for a WDO. Where an application is supported the sponsor is responsible for assessing eligibility, keeping adequate records and overseeing compliance with activities. Regular training is available to sponsors to assist in understanding these obligations.

A sponsor is responsible for the proper administration of the WDO scheme including:

- Appropriately assessing eligibility and suitability of an activity for a WDO applicant
- Keeping adequate proof of eligibility and records of WDO activity and participation in accordance with record-keeping requirements
- Entering and reporting on WDOs through the Self-Service Portal in a timely way
- Keeping proper records of WDO applicant eligibility, activities and participation in a secure location for five (5) years
- Ensuring sponsor details are up to date and accurate.

Sponsors agree to participate in, and respond to, requests from Revenue NSW or DCJ, or auditors acting on their behalf, as part of ongoing quality assurance, investigation or audit processes. The purpose of these review processes is to maintain the integrity of the WDO scheme and provide education and support to sponsors.

A sponsor who is found to have seriously or repeatedly failed to follow their obligations and responsibilities may be revoked or suspended (see Part 4: Investigations, audits and reviews).

A more detailed overview of sponsor obligations is provided in the Resource Kit.

## 2.6 Ongoing requirements of approval

Once approved, a sponsor must continue to meet the eligibility criteria set out at section 2.2. Any material change in circumstances, or new information that may impact a sponsor's ability to effectively administer WDOs, must be reported to Revenue NSW immediately. This includes:

- Being subject to any conditions, undertakings or reprimands from a professional governing body, a funding body, or legal or regulatory agency, which may affect a sponsor's integrity or ability to properly supervise and support WDOs
- A change in ABN or a fundamental change in the sponsor's purpose.

## 2.7 Conflicts of interest

Sponsors are required to assess and make decisions about a person's eligibility to undertake a WDO in a fair and impartial way. A sponsor's administration of the WDO scheme should not be influenced, or appear to be influenced, by a conflict of interest. If a conflict of interest cannot be avoided, it must be declared and appropriately managed.

More information about identifying conflicts of interest can be found in the Resource Kit.

## 2.8 Fees, gifts and benefits

A sponsor must not receive any payment, gift or personal benefit from a person applying for, or subject to a WDO, except for a payment that is normally associated with the provision of a service or activity (for example, course fees or consultation fees).

## 2.9 Varying sponsor approval

A sponsor may apply to vary the WDO activities and service locations they are approved to support. Sponsors must continue to meet the conditions of approval outlined in their original application and:

- Health practitioners and social workers must have the same registration number
- Organisations must have the same ABN.

If these details have changed a sponsor must lodge a new application.

A sponsor may withdraw from the WDO scheme at any time. If a sponsor withdraws from the scheme, they are still obliged to comply with sponsor obligations and retain WDO records for five (5) years from the date of the last closed WDO.



# Part 3 – Managing a WDO



## 3.1 Sponsor obligations regarding privacy and consent

### Privacy obligations

There are legal obligations which NSW public sector agencies, health organisations, allied health service providers, and non-government organisations must abide by when they collect, store, use or disclose personal, sensitive and/or health information. These include compliance with one or more of the following:

- Information protection principles in the *Privacy and Personal Information Protection Act 1998* (NSW)
- Health privacy principles in the *Health Records and Information Privacy Act 2002* (NSW)
- Australian Privacy Principles in the *Privacy Act 1988* (Cth).

Sponsors should discuss with WDO applicants their rights regarding the collection, use, and disclosure of their personal information in processing the WDO application and administering the WDO as set out in this section.

### Privacy Collection Notice, FAQ and consent form

Prior to collecting any information or submitting a WDO application, sponsors must provide a WDO applicant with a copy of the Privacy Collection Notice and FAQ. Sponsors must also obtain the applicant's informed and written consent using the consent form.

The signing of the consent form by the WDO applicant and sponsor is an acknowledgement of, and agreement to, the content of the consent form and Privacy Collection Notice. Once the consent form is signed, a WDO sponsor may collect, use, retain and disclose information in accordance with that consent form and the Privacy Collection Notice.

Consent will start from the date the consent form is signed by both the sponsor and the WDO applicant and will remain in force for the duration of the WDO or until consent is withdrawn.

When submitting a WDO on the Self-Service Portal, a sponsor must advise Revenue NSW that signed consent has been obtained. Revenue NSW will not approve a WDO if consent has not been obtained. A WDO applicant can withdraw their consent at any time. Should they do so, the sponsor must advise Revenue NSW promptly. Withdrawing consent has the same effect as closing a WDO.

### Information collection, use and disclosure

A WDO applicant's personal, sensitive and/or health information may be collected, retained, used and disclosed as follows with the consent of the WDO applicant.

The sponsor may use the personal, sensitive and/or health information collected about the WDO applicant to:

- Assess the WDO applicant's eligibility for a WDO
- Identify and manage conflicts of interest relating to the WDO

- Prepare and submit a WDO application on behalf of the WDO applicant
- If the WDO is approved, prepare and submit monthly activity reports to Revenue NSW via the WDO Self-Service Portal, and maintain records of participation in WDO activities
- Assist members of the WDO Governance Group and/or auditors appointed or approved by the WDO Governance Group to undertake audits, internal investigations, or reviews of/in relation to the WDO scheme, if required
- Undertake any other related administrative functions.

The sponsor may disclose information collected to the following persons or organisations:

- Third party sponsors – i.e. third parties engaged by the sponsor to assist with the provision of WDO activities, or persons to whom the sponsor's functions are delegated under section 99H of the Fines Act
- Any or all members of the WDO Governance Group – i.e. Revenue NSW, the Department of Communities and Justice, Legal Aid NSW and the Aboriginal Legal Service NSW/ACT
- Auditors as appointed or approved by the WDO Governance Group
- Enforcement agencies – i.e. organisations that can issue fines such as councils, NSW Police or Transport for NSW (insofar as the information disclosed to that agency relates to a fine issued by that agency and/or completion of a related WDO)
- Any other agency as permitted or required by law, including NSW Police.

The sponsor may disclose this information in the following circumstances:

- For the purposes of assessing eligibility for, submitting and managing a WDO application on the SSP, recording attendance at WDO activities and providing WDO activity reports;
- To allow the WDO Governance Group or auditors appointed or approved by the WDO Governance Group to undertake audits, internal investigations and/or reviews of/in relation to the WDO program; and
- For any other related administrative functions.

The WDO Governance Group and/or auditors engaged by the WDO Governance Group may also collect, use and disclose the personal, sensitive and/or health information of WDO applicants for the purposes of managing, operating, reporting and complying with the WDO scheme. This includes information relating to applicant eligibility, compliance with WDO activities, fines and financial information in order to conduct investigations and audits on compliance.

#### Retention of records

WDO records must be retained by a sponsor for at least five (5) years following completion or revocation of the WDO.

In applying for and managing a WDO, sponsors may access from Revenue NSW details of the relevant WDO applicant's overdue fines, including the amount owing, type and nature of fines issued. This may include fines which become overdue after a WDO has commenced.

Any collection, use or disclosure of a WDO applicant's personal, sensitive and/or health information that is not provided for in the WDO applicant's privacy consent form, including any use or disclosure of WDO records that falls outside its scope, requires further written consent from the WDO applicant.

Sponsors and third-party providers must also provide copies of documentation relating to a WDO, in response to reasonable requests by the WDO applicant, a person authorised to act on their behalf, or their lawyer.

A Privacy Collection Notice, FAQ and Client Consent form is available in the Resource Kit.

## 3.2 Which fines may be cleared on a WDO?

### NSW issued fines, court fines and overdue fines

All NSW fines issued to an individual are eligible for a WDO, regardless of whether they are overdue or not. Fines and court fines that are not yet overdue may be voluntarily enforced early for the purpose of being included on a WDO.

### Order for restitution debts

An unpaid order for restitution debt is deemed to be an overdue fine and may be managed on a WDO. As these debts may be large, and of a slightly different nature to other fines, sponsors must advise Revenue NSW whether they agree to include these debts on a WDO.

### Fines that are not eligible

A person cannot clear fines issued by other Australian states or territories through the NSW WDO scheme. However, many other states and territories have fine mitigation, or WDO-like, schemes.

Fines issued to corporations cannot be cleared through a WDO.

## 3.3 Who is eligible for a WDO?

Anyone with NSW fines debt may be eligible for a WDO, including people who live in NSW and people who live in another Australian state or territory.<sup>2</sup> Both children and adults may be eligible for a WDO.

It is the responsibility of a sponsor to assess a WDO applicant's eligibility and keep records of that assessment. Revenue NSW is to rely on the sponsor's assessment of eligibility at the time of application. If Revenue NSW has reason to believe that the assessment should not be relied upon or has changed, Revenue NSW will notify the sponsor and contact the WDO applicant directly to confirm eligibility.

<sup>2</sup> A person on a permanent or temporary visa may be eligible for a WDO. However, participation in certain WDO activities may breach visa conditions. Relevant legal advice should be sought.

A person is eligible for a WDO if they satisfy each of the following categories:

### A. Ground of Eligibility

A WDO applicant must be experiencing at least one of the following 'grounds of eligibility':

- A mental illness
- An intellectual disability or cognitive impairment
- A serious addiction to drugs, alcohol, or volatile substances
- Homelessness
- Acute economic hardship.

The Resource Kit provides further detail in relation to grounds of eligibility, including expanded definitions, applying under exceptional circumstances and information about supporting evidence.

### B. Experiencing Hardship

A WDO applicant must declare that they are experiencing hardship. An applicant may be experiencing hardship if they:

- Have low income or limited access to income or assets, and/or
- Cannot afford or must go without basic items or services, and/or
- Lack capacity, opportunities or choices to improve their situation, and/or
- Are experiencing difficulty in participating in economic, social or cultural activities.

The Resource Kit provides further guidance on how to determine whether a person is experiencing hardship, including information and tools to assist sponsors to retain appropriate records. Revenue NSW may also undertake searches to confirm whether a person is in hardship, which may impact a person's eligibility for a WDO.

### C. Does not possess substantial assets

A WDO applicant must declare that they do not possess or have access to substantial assets. Substantial assets include but are not limited to investment properties or luxury vehicles or vessels (as defined by the Australian Tax Office), savings, and liquid assets. An applicant's principal place of residence will generally not be considered a substantial asset.

Revenue NSW holds information about Land Tax assessments and may undertake data-matching or public searches with Land Registry Services or other agencies to identify possible sources of income or substantial assets that may impact a person's eligibility for a WDO.

### 3.4 Which activities may be included on a WDO?

A WDO is an order made by agreement between Revenue NSW and a sponsor on behalf of a WDO applicant that enables an eligible person to do any one or more of the following activities to satisfy all or part of their fine:

- Undertake unpaid work for, or on behalf of, an approved organisation
- Undergo medical or mental health treatment in accordance with a health practitioner's treatment plan
- Undertake an educational, vocational or life skills course
- Undergo financial or other counselling, including case management
- Undergo drug or alcohol treatment
- Undertake a mentoring program.

If a person is eligible for a WDO solely on the ground that they have a serious addiction to drugs, alcohol or volatile substances, they must undertake drug or alcohol treatment and/or counselling as part of their WDO.

Applications for WDOs should be made having regard to the age, needs, family obligations, capacity and overall situation of the applicant and the potential benefit of the proposed activities for the applicant. It is the responsibility of the sponsor (not Revenue NSW) to ensure that the activities proposed to be undertaken on a WDO are suitable and appropriate for the WDO applicant.

#### Permissible activities

The fact that an activity of a kind listed above is *also* required for some other reason (for example, an activity ordered by a court) does not preclude it from being included on a WDO. More detail about activities that may be included on a WDO is in the Resource Kit.

### 3.5 Maximum value of WDO activities

The maximum amount of fines that may be satisfied through a WDO is \$1,000 per month.

Depending on the type of activity, WDOs may be entered for hourly attendance at an activity or monthly compliance with programs.

#### Hourly rates

- Unpaid work
- Educational, vocational or life skills courses
- Financial or other counselling or case management

These activities are cleared per hour of participation up to a maximum of \$1,000 per month.

#### Compliance with programs

- Medical or mental health treatment in accordance with a health practitioner's treatment plan
- Drug or alcohol treatment
- Mentoring programs.

These programs are counted on a compliance rate. Participants undertaking such activities may clear up to \$1,000 per month for full compliance with the program during that period. If a person partially complies with the program a proportion of the \$1,000 may be cleared from their fines.

More information about WDO reporting and clearance rates is in the Resource Kit.

### 3.6 Effect of a WDO

In most cases, no enforcement action will be taken against a person, in respect of a fine to which a WDO relates, while a WDO is active. When a WDO is in place, any driver licence or vehicle sanctions or other enforcement action imposed on that person due to fine default will generally be lifted.

The stay of enforcement action will only apply to existing fines included on the WDO at the time it is made. Recovery action on new fines referred

to Revenue NSW after the WDO is made will not be automatically stopped. In this case, it is the responsibility of the applicant to advise their sponsor and Revenue NSW of any new fines to be added to a WDO to prevent further recovery action.

### 3.7 The WDO application and reporting process

The WDO process is a three-stage process. The three stages are:

- **Stage 1** – lodge application and commence WDO activities (activities cannot be backdated)
- **Stage 2** – supervise and report monthly on participation in WDO activities
- **Stage 3** – finalise and close the WDO.

At any time while a WDO is open, a sponsor can add, remove and/or modify the WDO activities, or add any new fines through the SSP.

A summary of the WDO application and reporting process is below. Further guidance, including a step-by-step guide, is in the Resource Kit.

#### Stage 1: Apply for the WDO

When applying for a WDO a sponsor should:

- Identify if the applicant has NSW fines.
- Provide privacy information and record client consent.
- Assess if the applicant is eligible for the WDO scheme and keep proof of eligibility.
- Decide on the activity that the applicant will participate in.
- Enter the WDO onto the Self-Service Portal (SSP) including details about the WDO applicant, grounds of eligibility and proposed WDO activities.

#### Stage 2: Supervise and report on participation in WDO activities

After the WDO has been entered onto the portal a sponsor should:

- Supervise activities and keep records of participation in activities being provided directly or on referral to a third party. Activities may be included from the date of the application.
- Enter a monthly report on WDO compliance on the Self-Service Portal.

#### Stage 3: Finalise the WDO

A sponsor should finalise a WDO when:

- All fines included on the WDO have been cleared. The WDO will close automatically and the sponsor should print out a Certificate of Achievement for the participant.
- Unpaid fines remain but the WDO participant has stopped engaging in the activity or the WDO activity has ended. In this case, the sponsor should add a closing activity report on the Self-Service Portal and refer the participant back to Revenue NSW to manage the remaining fines balance. A sponsor may support a person to find a new sponsor, apply for a payment plan, or write off any remaining fines balance.

### 3.8 Variation or revocation of WDO applications

Revenue NSW may vary or revoke a WDO in the following circumstances:

- If requested to do so by a WDO applicant or sponsor
- If satisfied that the WDO applicant has failed to comply with the WDO, and on request, has failed to provide a reasonable excuse
- If Revenue NSW has reason to believe that information provided in the WDO application is false or misleading
- If Revenue NSW has reason to believe that information provided by a sponsor in the WDO application, or client activity report, is false or misleading
- Revenue NSW has reason to believe that the WDO applicant did not meet the WDO eligibility criteria at the time of applying for a WDO or no longer meets the eligibility criteria.

In all cases Revenue NSW must grant the WDO applicant or sponsor procedural fairness before varying or revoking a WDO. If in dispute with this decision, the WDO applicant or sponsor may request a review of the decision in accordance with section 4.3.

# Part 4 – Investigations, audits and appeals



## 4.1 Quality assurance, investigations and audits

Sponsors must administer the WDO scheme in accordance with the Fines Act, WDO Guidelines and the Resource Kit. Regular training is available and sponsors will receive updated resources via email.

Sponsors must agree to co-operate with any quality assurance, investigation or audit process that may be conducted by Revenue NSW, DCJ or external consultants appointed for this purpose. Sponsors must agree to provide, with reasonable notice and within specified timeframes:

- Evidence of records demonstrating compliance with any of the sponsor obligations
- Copies of WDO records as requested
- Any other requirements described in the Fines Act, WDO Guidelines or Resource Kit.

### Quality Assurance process

To ensure the integrity of the WDO scheme is maintained, Revenue NSW undertakes a regular quality assurance process to monitor sponsor

compliance with their obligations. This process may flag anomalies that warrant further investigation. For example, a case manager entering a WDO for a colleague without declaring a conflict of interest, or a case manager entering multiple WDOs for one person nominating the same activity, may be flagged for further investigation.

### Investigations

If a sponsor is suspected of breaching their obligations under the WDO Guidelines, they may be investigated in accordance with the procedures set out in section 4.2. Suspected breaches may be identified through the quality assurance process, or in response to external feedback or a complaint (e.g. from a WDO applicant or an industry funding or governance body). The investigation may relate to any aspect of a sponsor's administration of the WDO scheme.

### Audits

Audits of the WDO scheme may be undertaken from time to time. With reasonable notice, DCJ, Revenue NSW or an independent auditor appointed on behalf of the WDO Governance Group may request sponsors to provide records as part of an audit process.

A WDO may be subject to audit for up to five (5) years after it has been closed. A sponsor's withdrawal from the scheme does not remove the requirement to participate in the audit process. The audit process will follow the process set out in section 4.2.

## 4.2 Sponsor investigations

If DCJ or Revenue NSW receive a complaint, an allegation of misconduct or non-compliance about a sponsor, an investigation will be undertaken in accordance with the rules of procedural fairness.

### Grounds for investigation

The investigation will consider whether the sponsor has failed to comply with:

- Their sponsor obligations as set out in the WDO Guidelines and Resource Kit
- Their conditions of approval
- Any other law related to ethical misconduct
- Recommendations arising from an investigation or audit.

### Investigation process

During the investigation:

- The sponsor will be notified of the allegations or complaints and given an opportunity to respond and provide documents or further explanation
- Other relevant NSW government agencies or industry compliance bodies may be consulted as appropriate
- Any WDO applications that are open or pending may be closed or declined
- Access to the Self-Service Portal may be temporarily suspended pending the final outcome of the investigation.

### Investigation Outcome

Once the investigation is complete, a report will be prepared making recommendations regarding the outcome of the investigation. Recommendations may include that:

- The suspected breach has not been substantiated and no further action is required
- The suspected breach has been adequately addressed and no further action is recommended
- The suspected breach has been adequately addressed, and the sponsor should be permitted to continue as a sponsor on the condition that they:
  - Attend compliance training with Legal Aid NSW
  - Improve administrative WDO procedures and accept support e.g. from Legal Aid NSW
  - Undertake a probation period.
- The suspected breach has not been adequately addressed and the sponsor should be suspended to afford them an opportunity to address the allegations

- The suspected breach has not been adequately addressed, and is so serious, that the sponsor should be revoked.

Any sponsor or individual who makes a false or misleading statement in a WDO application or report may be liable to criminal prosecution under the *Crimes Act 1900* or other action determined by the WDO Governance Group. This may include revocation of sponsor status, revocation of an individual WDO, or recommencement of enforcement action for an individual fine.

Any sponsor, person or individual who provides information (whether orally or in writing) or a document that the person knows to be false or misleading in a material particular may be liable to be fined up to \$11,000.<sup>3</sup> After the investigation process is complete, the sponsor will be notified of the outcome of the investigation and provided with reasons for the decision.

There is no right of appeal against this decision. However, if a sponsor is aggrieved by an investigation outcome decision they may request that the decision be re-considered by the WDO Governance Group.

More information about sponsor rights and responsibilities are in the Resource Kit.

## 4.3 Seeking review of decisions about WDOs

A WDO applicant or sponsor may seek a review of any decision made by Revenue NSW to make, fail to make, vary or revoke a WDO. The appeal may be lodged by a WDO applicant or a sponsor. A review may be requested in relation to:

- The making of, the failure to make or the varying or revocation of, a WDO
- The making of, or the failure to make, a payment plan
- The writing off or the failure to write off, the whole or part of, an unpaid fine.

<sup>3</sup> *Fines Act*, section 129.

Applications for review may be made to the Hardship Review Board, who may determine how the review is conducted.<sup>4</sup>

Application forms can be found on the Revenue NSW website.

## 4.4 General feedback and complaints

To provide feedback or make a complaint relating to the WDO scheme, sponsors and clients can access an online feedback form on the Revenue NSW website.

Prior to submitting a complaint, the individual is encouraged to contact the person, organisation, health practitioner, social worker or agency involved to try and resolve the issue. If the issue is not resolved, a formal complaint can be made using the online form. All complaints about the WDO scheme will be considered in a confidential and timely manner.

Complaints will be reviewed by Revenue NSW, DCJ and Legal Aid NSW to identify systemic issues and inform improvements to the WDO scheme.

## 4.5 Approval by Attorney General and commencement

I hereby approve the Work and Development Order Guidelines 2024 to commence on the day of publication on the NSW legislation website.

**The Hon Michael Daley MP**  
**Attorney General**

Date:

10 Darcy Street  
Parramatta NSW  
T: (02) 8346 1418  
E: [wdo@dcj.nsw.gov.au](mailto:wdo@dcj.nsw.gov.au)  
W: [www.revenue.nsw.gov.au](http://www.revenue.nsw.gov.au)

<sup>4</sup> *Fines Act*, section 101B.



# Resource Kit

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Factsheet 1.2  
Why be a WDO Sponsor?

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Form 5: WDO Activity Timesheet



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# Factsheet 1.1

## Overview of NSW Fines System



There are thousands of different ways people can be fined in NSW. Some common fines include parking for longer than allowed, failing to vote or not having the correct ticket on public transport.

## 1. Types of Fines

In NSW, penalty notices and court fines are issued, enforced and collected under the *Fines Act 1996* (Fines Act). The payment, enforcement and management of unpaid fines are subject to time limits and rules as summarised below. There are three categories of fines which are eligible for a Work and Development Order (WDO), they include fine notices, court fines and orders for restitution.

### 1.1 Fine Notices

Fine notices are issued by a range of government agencies such as NSW Police, local councils and Transport for NSW (TfNSW). In most cases, after a fine notice is issued, Revenue NSW is engaged to administer the fine. Fine notices have a due date of 21 days after a notice is issued directly to a person or attached to a vehicle, or 28 days if they are posted. If a fine notice remains outstanding after its due date, a fine reminder is issued, allowing a further 28 days to pay.

There are several penalty notice management options available under the Fines Act:

- Pay in full
- Set up a payment plan
- Request the fine notice be added to an existing payment plan
- Seek a review of the decision to issue the fine notice. (If a review is successful the fine will be withdrawn or replaced with a caution).
- Elect to have the matter be heard in court (a person could be at risk of conviction and more severe penalties so should seek legal advice before they court elect)
- Nominate the responsible driver, if the penalty notice was issued to the person as the registered owner of the vehicle, who was not the person responsible for the vehicle at the time of the offending.
- Apply for a WDO
- Apply for a 50% reduction of the fine (if eligible, in limited circumstances, and for certain types of fines).

## 1.2 Court fines

Court fines are imposed when a person is found guilty of an offence at court. They are the most common penalty imposed in NSW courts. Court fine options under the Fines Act include:

- Pay in full, or set up a payment plan with the court
- Transfer the fine to Revenue NSW to add to a payment plan or apply for a WDO (early enforcement)

Once court fines become overdue they are sent to Revenue NSW for recovery and management.

## 1.3 Order for Restitution Debts

The *Victims Rights and Support Act 2013* provides that an unpaid order for restitution (OR), also known as a Victim's Restitution Order, is classed as an overdue court fine. Once an OR is referred to Revenue NSW, it is subject to the same management options and recovery action as other fines.

# 2. Recovery Action

Under the Fines Act, unpaid fines are enforced by the Commissioner of Fines Administration (Revenue NSW). An overdue fine notice is issued after a fine or court fine becomes overdue and remains unpaid. Enforcement costs of \$65 (\$25 for under 18s) are added to the fine and the person has 28 days to resolve or manage the overdue fine. Revenue NSW can commence recovery action including:

- ask Transport for NSW to suspend your driver licence or cancel your car registration
- take money from your bank account or wages
- refer your debt to a private debt collector
- register an interest on any land or property you own, and
- order the sheriff to take your goods or property and sell them.

Each action taken may add more to the fine debt.

# 3. Managing fines

Recovery action will generally cease once a person begins managing their fines, including by entering a WDO. Other management options include:

- Entering into, and complying with, a payment plan;
- Applying for a write off or partial write off of fines (if the client's circumstances permit and a WDO is not suitable); or
- A combination of the above options.

One or more of these options may be undertaken at the same time and/or at different times during the life cycle of a fine.

**Contact the WDO hotline 1300 478 879 or Legal Aid NSW WDO service [wdo@legalaid.nsw.gov.au](mailto:wdo@legalaid.nsw.gov.au) for more advice and assistance on options to manage fines.**

# Factsheet 1.2

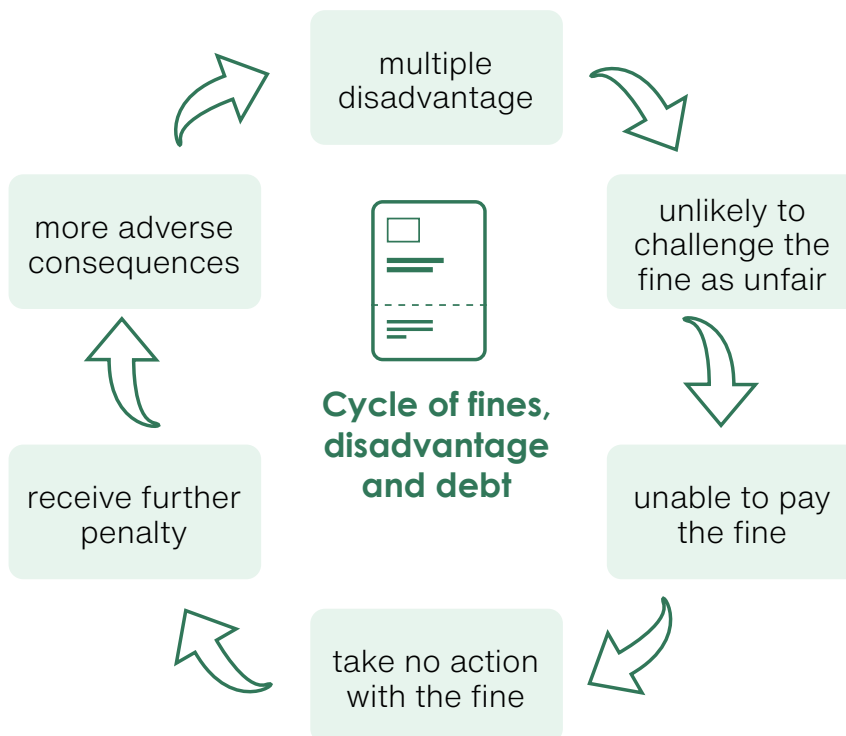
## Why be a WDO Sponsor?



### The impact of fines

Unpaid fines can result in increasing debt, loss of driver licence or car registration, wages or savings being taken by Revenue NSW or property being seized by the NSW Sheriff's office. Fines debt can have a significant impact on a person's mental health and well-being. It can also lead to loss of employment, offending and social exclusion. Fines can be managed by:

- Entering into a payment plan with Revenue NSW;
- Seeking an extension of time from RNSW to develop a management plan
- Applying for a write off or partial write off (in certain circumstances) to RNSW
- **Participating in a Work and Development Order (WDO) activity with a WDO sponsor**



## WDO activities

An organisation or individual can apply to be approved, as a sponsor, to support people to clear fines debt through participation in activities that the sponsor provides themselves (direct) or through another organisation (by referral). Each activity has a set value and fines can be cleared by up to \$1000 per month.

WDO Activity	Rate	Total	Direct	Refer
<b>Voluntary unpaid work</b>	\$30 per hour	You may enter multiple WDO activities up to a total of \$1000 per month.		
<b>Financial, other counselling or case management</b>	\$50 per hour			
<b>Educational/vocational or life skills course</b>	\$50 per hour			
<b>Medical or mental health treatment</b>	\$1000 per month for full compliance			
<b>Drug or alcohol treatment</b>				
<b>Mentoring Program – all ages</b>				

More information about WDO activities can be found in the Resource Kit.

## WDO sponsors

An organisation or person can apply to be approved as WDO sponsor to support people to clear fines on a WDO through participation in a range of activities. Types of WDO sponsors include:

- Government organisations e.g. corrective services, health services, youth case management services, drug and alcohol or mental health services
- not-for-profit charitable organisations such as a neighbourhood centres, an op-shops, an Aboriginal community controlled organisations, drug and alcohol rehabilitation services
- for-profit (sole trader or partnership) – whose objectives align with those of the WDO scheme – such as a vocational education provider or a sole trader counselling service
- individual health practitioners e.g. a registered doctor, nurse or psychologist
- social workers who are eligible to be a member of AASW or an accredited mental health social worker.

More information about requirements for each sponsor type can be found in the Resource Kit.

## Key reasons to become a WDO sponsor

Research by the Law and Justice Foundation shows that the more disadvantaged a person is, the more likely they are to experience adverse consequences from fines, including stress and ill health.

There are many reasons that an organisation or individual practitioner may decide to become a WDO sponsor, including:

- Increased engagement in positive programs, continuity of service and wraparound supports
- Providing alternate avenues for clients to access your service
- Providing an opportunity to work more deeply with a client and build trust while working in parallel on other issues your service is aiming to address
- Increasing your understanding of the impact of fines on the people you work with and opening practical conversations to assist them with these debts

## How to become a sponsor

- Apply to become a sponsor on the [Revenue NSW website](#)
- Before you apply make sure you know your ABN, have the approval of your senior management and a copy of your insurance.
- Complete the online application and provide information about your clients, the services and programs you offer, the WDO activities you choose to support (directly and on referral), your staff qualifications and a copy of your insurance policy.
- Once you are approved you may access training through Legal Aid NSW.

### Why we became a WDO sponsor

#### **Newtown Neighbourhood Centre**

The WDO Scheme is such a game changer for our clients. I'd encourage any agency to sign up as the benefits are enormous. Our WDO sponsorship has credited over \$250,000 towards fines for our service users since we signed up. Often people come to our service buried in debt with no way of getting out of it and are totally demoralised. It's often for minor things like not having a train ticket (because they can't afford one) and having this compounded with fees for non-payment. Our service users have entered into activities such as psychology, financial and drug counselling, case management and volunteering as ways of paying down debt with the bonus that these activities create positive change in their lives. It's a brilliant scheme.

#### **Ulladulla and Districts Resource Centre**

We originally sought out to become a sponsor because of the clients we were seeing. People were in crisis, in financial difficulty, and this was a way to help them clear one of their debts.

#### **Macleay Vocational College, Kempsey**

We work with kids who, due to anger issues and past trauma, can't talk to police who pull them up when they aren't wearing a helmet. We teach them skills to communicate, with the police, with authorities and to remain calm and respectful. It's a safe place. The WDO takes away some of the worry about how they are going to deal with these fines. These young kids are trying as hard as they can to be better. And the WDO opportunity is showing them that they are in a better place than they were last week, last month or a year ago.

#### **Break the Cycle, St Luke's Anglican Church, Liverpool**

The WDO program provides a wonderful opportunity to attract new clients and offers a practical way to empower sustainable life choices.

#### **HIV and Related Programs (HARP) team, NSW North Coast Local Health District**

Many of our participants have experienced stigma and discrimination in health care settings which have created barriers for them when they need help and support. Becoming a WDO sponsor has provided our service with a resourceful way to reach out and engage vulnerable community members in a safe and non-judgemental space to discuss health care and treatment.

#### **Anglicare, Nowra**

Work and Development Orders to me are a win-win situation. People can pay off fines by attending some of our activities and hopefully they will address some of the issues that might be getting in the way of, you know, living a productive life.

## Support for sponsors

WDO sponsors are actively supported by Legal Aid NSW, Revenue NSW and DCJ as follows:

### Legal Aid NSW WDO Service – [wdo@legalaid.nsw.gov.au](mailto:wdo@legalaid.nsw.gov.au)

- is a state-wide service comprising of six teams of solicitors and community engagement officers across NSW who provide targeted, ongoing and individualised training and support about fines and the WDO scheme.
- run regular monthly training to new WDO sponsors with opportunities for questions and personalised support.
- provide WDO education resources on their website including webinars on specific WDO related topics and step-by-step guides for sponsors.
- provide sponsors with free access to WDO publications which can be ordered via the Legal Aid NSW website and used to promote the WDO scheme in a sponsor's office or with their clients.
- are able to attend community events to support clients with fines, or provide legal education about fines and the WDO scheme.
- are able to organise online or face to face WDO regional sponsor forums in your area
- can discuss how your service could best utilise the WDO scheme to suit your needs
- can discuss with your service how to support clients with complex needs or high fines debt, who may benefit from additional advocacy with Revenue NSW.

### Revenue NSW – [wdo@revenue.nsw.gov.au](mailto:wdo@revenue.nsw.gov.au)

- manages the online portal and processes all WDO applications
- manages the WDO Hotline on 1300 478 879 (available 5 days a week from 9–5) or
- has a team of regionally based Aboriginal Outreach officers able to discuss how your community can manage fines debts and be involved with the WDO scheme.

### Department of Communities and Justice (DCJ) – [wdo@dcj.nsw.gov.au](mailto:wdo@dcj.nsw.gov.au)

- updates the WDO Guidelines and supporting resources.
- run the Operations Advisory Group to provide a feedback mechanism to improve the WDO scheme
- currently manage WDO audits and investigations

For more information, please call the WDO hotline 1300 478 879 or email [WDO@legalaid.nsw.gov.au](mailto:WDO@legalaid.nsw.gov.au).

## Factsheet 2.1

### Become a Sponsor: Government organisations



### Who can be a WDO sponsor?

WDO sponsors may be government organisations, non-government organisations (for profit or not-for-profit), individual health practitioners or social workers. This guide provides information about the approval process for government organisations.

### How do I become a WDO sponsor – Government organisation?

Complete an online application on the [Revenue NSW website](#). Follow the steps in the table below. You do NOT need to upload any additional information.

#### Tip

**You cannot save a partially completed application so make sure you have all relevant information to hand.** Once you start, you must complete all mandatory fields and submit your application.

### Who can apply as a government organisation?

A service with Commonwealth, state or local government employees, which may be a state-wide or regional government department, service or program. Examples include:

- a state-wide department eg TAFENSW
- a regional or specific service within a government agency such as:
  - Department of Communities and Justice (DCJ) – Child and Family Service
  - Illawarra and Shoalhaven Local Health District (LHD) – Drug and Alcohol Service
  - Western Sydney LHD – Sexual Assault Service
  - Correctional Centres – Corrective Services NSW

#### Tip

Make sure you select the right service type. Some services may receive government funding but are non-government entities. If you work for a government department, check the scope of your application with your Executive.



**SPONSOR application process – Government**

Action	Details
<b>Step 1 – Sponsor type</b>	Select government
<b>Step 2 – Applicant details</b>	Enter the details of the person completing the application.
<b>Step 3 – Organisation details</b>	Enter organisation name, department, ABN, management representative details eg NSW Health – South West Sydney LHD – Drug and Alcohol Service. For help see <a href="#">ABN Lookup</a>
<b>Step 4 – Service or location details</b>	You may have one or more service profiles. Each profile will have a unique sponsor number and for WDO purposes will be administered separately. In deciding how many services to choose consider your management structure.
<b>Service Profile 1</b>	
<b>Name of service and location details</b>	The main address of each profile (service or program or department)
<b>WDO contact person</b>	This person will be the primary administrator- responsible for adding on new portal NB this person can be changed once you are approved.
<b>Working with children check (WWCC) details</b>	Provide one staff member’s WWCC details. Other individual WWCC details can be entered later.
<b>Client eligibility grounds</b>	These are indicative of the types of client group you work with.
<b>WDO activities</b>	Select the WDO activities that your service will support (See <a href="#">Factsheet 3.3 – WDO Activities</a> )
<b>Add Orders for Restitution</b> <i>(also known as VRO)</i>	A VRO is issued by Victims Services to recover money paid to a victim of crime. If unpaid the VRO is treated as a fine and eligible for a WDO.
<b>Experience or qualifications of staff</b>	Provide examples of the experience or qualifications of your staff.
<b>Describe the services you provide</b>	For example – we are a drug and alcohol service offering individual and group counselling
<b>Indicate the regions your application will cover</b>	For example – we are based in Albury and provide services across the Murrumbidgee and Riverina
<b>Any specific conditions, limitations or client groups</b>	For example – Our service is only for woman and children experiencing or at risk of domestic violence
<b>Do you consent to be contacted about client placements?</b>	Legal Aid NSW and Revenue NSW may refer people to relevant sponsor services and programs
<b>Do you agree to be listed on the Sponsor Finder page?</b>	Revenue NSW has a service to help people locate sponsors by activity and location, visit <a href="#">Sponsor Finder</a> .
<b>Does your service identify as working with Indigenous people?</b>	Do you provide a culturally safe service? Yes or No.
<i>NB: If multiple locations selected earlier in the application, an option to add additional locations will come up after this step.</i>	
<b>Step 5 – Certification</b>	Agree to comply with the directives and audits outlined in the <a href="#">WDO Guidelines</a>

## What will happen after I submit my application?

The approval process takes up to 4 weeks. Your application will be processed by staff at Revenue NSW who may contact you for further information. Once processed the application will be submitted for approval to the Department of Communities and Justice. You will then receive a welcome email and log in details with information about next steps.

Submit sponsor  
application

Receive approval  
from DCJ

Login to WDO portal,  
set password and  
add new users

Add WDO  
application

## Can I get help?

For questions about the application process, call the Revenue NSW WDO Hotline 1300 478 879 or email Legal Aid NSW WDO service [wdo@legalaid.nsw.gov.au](mailto:wdo@legalaid.nsw.gov.au).

## Direct and referral activities

There are two ways that your organisation may provide WDO activities:

- **Direct** – you or your employees deliver the activities as well as entering the WDO
- **Referral** – the WDO applicant participates in an activity through another service provider. You enter administer and supervise the WDO.

Direct activities	Referral activities
<p>WDO activities are provided by your organisation. These activities are covered under your organisation's insurance and work health and safety provisions.</p> <p>You must have suitably qualified staff to provide those activities.</p>	<p>WDO Activities provided by a third party to a WDO applicant, which you are responsible to report on to Revenue NSW. You should be satisfied that the third party provider has current public liability insurance; is registered or has suitably qualified staff; has work health and safety policies and relevant Working with Children Check clearance for staff supervising children under 18.</p>

Activity and Insurance requirements	
Activity	Qualification/Experience requirements
<b>Voluntary unpaid work</b>	
Includes gardening, cooking, cleaning, property maintenance, assisting the elderly, administration	Person with experience in managing staff and volunteers
<b>Educational/vocational or life skills courses</b>	
<ul style="list-style-type: none"> <li>• Educational courses undertaken at university, TAFE, other RTO</li> <li>• Vocational courses such as floristry, community welfare, counselling</li> <li>• Life skills courses such as parenting programs, anger management, men's behaviour change programs, independent living skills, cooking classes</li> </ul>	Person with tertiary qualifications or experience in education, casework, social work, counselling or other relevant fields

Activity and Insurance requirements	
Activity	Qualification/Experience requirements
<b>Financial or other counselling &amp; case management</b>	
May include individual, family or group counselling. May include financial counselling and budgeting guidance around debt issues. Case management includes assessing, planning and advocating around a person's needs.	Person with experience in providing therapy, counselling or psychology, financial literacy or financial counselling. Qualifications in community welfare, social studies, social work or as a caseworker.
<b>Medical/mental health treatment</b>	
Must be undertaken in accordance with a treatment plan (for example, an ATSI Health Check plan, mental health care plan, disability case management plan) prescribed by a health practitioner – doctor, nurse, psychiatrist or psychologist.	Doctors, psychologists, psychiatrists, nurses, accredited mental health social workers, disability case workers.
<b>Drug and Alcohol Treatment</b>	
May include detoxification, medication compliance, pharmacotherapy, individual counselling, behavioural therapy, group therapy, 12-step programs (AA & NA) MERIT and SMART Recovery	Nurses, doctors, psychologists, AOD caseworkers, social workers
<b>Mentoring – all ages</b>	
Mentoring is a semi-formal, structured relationship between a more experienced and less experienced person open to all people. Mentoring may contribute to general well-being, reduce isolation and develop connection with society, develop living skills, improve employment prospects or promote connection with culture and healing. Examples include programs for people transitioning from prison, refugee support or Aboriginal culture and healing.	Youth work or social work qualifications, financial counsellor or or any person with sufficient skills and experience to act as a mentor

**Tip**

As a government organisation you will be presumed to have adequate insurance. You do not need to provide further insurance details as part of the sponsor application process.

## Contacts

**Revenue**

For sponsor applications, approvals and variations, client applications and Self-Service Portal inquiries

P: 1300 478 879

E: [wdo@revenue.nsw.gov.au](mailto:wdo@revenue.nsw.gov.au)

For sponsor training and advice, client placement and legal help with fines

E: [wdo@legalaid.nsw.gov.au](mailto:wdo@legalaid.nsw.gov.au)

W: [www.legalaid.nsw.gov.au/wdo](http://www.legalaid.nsw.gov.au/wdo)

Order WDO publications: [www.legalaid.nsw.gov.au/publications](http://www.legalaid.nsw.gov.au/publications)



## Factsheet 2.2

### Become a Sponsor: Non-government organisations – Not-for-profit



### Who can be a WDO Sponsor?

WDO Sponsors may be government organisations, non-government organisations (for profit or not-for-profit), individual health practitioners or social workers. This guide provides information about the approval process for non-government organisations – not-for-profits (NGO not-for-profits).

### How do I become a WDO sponsor – NGO not-for profit?

Complete an online application on the [Revenue NSW website](#). Follow the steps in the table below. You will need to upload copies of your insurance certificates during the application process.

You cannot save a partially completed application, so make sure you have all relevant information to hand. Once you start you must complete all mandatory fields and submit your application.

### Who can apply as an NGO not-for profit sponsor?

An organisation operating under an NGO not-for-profit structure including a charity registered with the Australian Charities and Not-for-profits Commission (ACNC) or a community organisation registered with NSW Fair Trading under the Associations Incorporations Act. These organisations are deemed to have undergone a due diligence process so do not need to undergo additional referee checks during the application process.

Small charitable organisations may become WDO sponsors provided they have appropriate insurance and work, health and safety standards. A reference may be required from a suitable person with whom the organisation has a professional relationship to substantiate the organisation's ability to satisfactorily comply with sponsor obligations.

Examples of NGO not-for-profits include:

- Large Australia-wide charitable organisations
- Community legal centres
- Community neighbourhood centres
- Local Aboriginal land councils, medical services or community-controlled organisations
- Services funded to support specific groups of people, e.g. youth, domestic violence, sexual assault, family support or immigration or refugee services

SPONSOR application process – NGO not-for-profit	
Action	Detail Required
<b>Step 1 – Select sponsor type</b>	Select non-government
<b>Step 2 – Applicant details</b>	Enter the details of the person completing the application
<b>Step 3 – Organisation Details</b>	Enter organisation name, ABN, management representative details. Select 'No' for not-for-profit. For help see <a href="#">ABN Lookup</a>
<b>Step 4 – Service or location details</b>	You may have one or more service profiles. Each profile will have a unique sponsor number and be an effectively separate service. Consider the administrative arrangements that will work best for your service. Email <a href="mailto:wdo@legalaid.nsw.gov.au">wdo@legalaid.nsw.gov.au</a> for advice
<b>Service Profile 1</b>	<b>Detail Required</b>
<b>Name of service and location</b>	The main address of this profile (eg service or program or department)
<b>WDO Contact person</b>	This will be the primary administrator – responsible for adding on new portal users. NB this person can be changed once you are approved
<b>Working with Children Check (WWCC) details</b>	Provide one staff member's WWCC details. Other individual WWCC can be entered later
<b>Client eligibility grounds</b>	These are indicative of the types of client groups you work with.
<b>WDO activities</b>	Select the WDO activities your service will support (direct or refer)
<b>Add Orders for Restitution</b> <i>(also known as VRO)</i>	A VRO is issued by Victims Services to recover money paid to a victim of crime. If unpaid the VRO is treated as a fine and eligible for a WDO
<b>Experience or qualifications of staff</b>	Provide examples of the experience or qualifications of your staff
<b>Describe the services you provide</b>	For example – We are a community charity providing free support services to all people across our region
<b>Indicate the region you cover</b>	For example – Our head office is based in Nowra but we provide services across the south and far south coast to the Victorian border
<b>Service Profile 1</b>	<b>Detail Required</b>
<b>Any specific conditions, limitations or client groups</b>	For example – Our service is only for women and children experiencing or at risk of domestic violence.
<b>Do you consent to be contacted about client placements?</b>	Legal Aid NSW and Revenue NSW may refer people to relevant sponsor services and programs
<b>Do you agree to be listed on the Sponsor Finder page?</b>	Revenue NSW has a service to help people locate sponsors by activity and location, visit <a href="#">Sponsor Finder</a> .
<b>Does your service identify as working with Indigenous people?</b>	Do you provide a culturally safe service? Yes or No.
<i>NB: If multiple locations selected earlier in the application, an option to add additional locations will come up after this step.</i>	
<b>Step 5 – Referee Details</b>	If you are not registered with ACNC or Fair Trading NSW, you will need to provide the name of a referee

**SPONSOR application process – NGO not-for-profit****Step 6 – Documentation**

You will need to upload your public liability insurance certificate. Also professional indemnity and/ or volunteer accident insurance as relevant. (See Table 1 below for more information)

**Step 7 – Certification**

Agree to comply with your obligations in the WDO Guidelines.

## What will happen after I submit my application?

The approval process takes approximately 4 weeks. Your application will be processed by staff at Revenue NSW who may contact you for further information.

Once processed the application will be submitted for approval to the Department of Communities and Justice. You will then receive a welcome email and log in details with information about next steps.

Submit sponsor  
application

Receive approval  
from DCJ

Login to WDO portal,  
set password and  
add new users

Add WDO  
application

## Can I get help?

For questions about the application process call the Revenue NSW WDO Hotline 1300 478 879 or email Legal Aid NSW WDO service [wdo@legalaid.nsw.gov.au](mailto:wdo@legalaid.nsw.gov.au).

## Direct and referral activities

There are two ways that your organisation may provide WDO activities:

- **Direct** – you or your employees deliver the activities as well as entering the WDO
- **Referral** – the WDO applicant participates in an activity through another service provider. You enter administer and supervise the WDO.

Direct activities	Referral activities
<p>WDO activities are provided by your organisation. These activities are covered under your organisation's insurance and work health and safety provisions.</p> <p>You must have suitably qualified staff to provide those activities.</p>	<p>WDO Activities provided by a third party to a WDO applicant, which you are responsible to report on to Revenue NSW. You should be satisfied that the third party provider has current public liability insurance; is registered or has suitably qualified staff; has work health and safety policies and relevant Working with Children Check clearance for staff supervising children under 18.</p>

Activity and Insurance requirements	
Activity	Qualification, Experience and Insurance Requirements
<b>Voluntary unpaid work</b>	
Includes gardening, cooking, cleaning, property maintenance, assisting the elderly, administration.	Person with experience in managing staff and volunteers. <ul style="list-style-type: none"> <li>• AASW registration or Public Liability Insurance</li> <li>• Volunteers Accident Insurance</li> </ul>
<b>Educational/vocational or life skills courses</b>	
Includes university or TAFE courses, vocational courses such as community welfare or floristry or life skill courses such as parenting programs, men's behaviour change programs or cooking classes.	Person with tertiary qualifications or experience in education, casework, social work, counselling or other fields. <ul style="list-style-type: none"> <li>• AASW registration or Public Liability Insurance</li> </ul>
<b>Financial or other counselling &amp; case management</b>	
May include individual, family or group counselling. May include financial counselling and budgeting guidance around debt issues. Case management includes assessing, planning and advocating around a person's needs.	Person with experience in providing therapy, counselling or psychology, financial literacy or financial counselling. Qualifications in community welfare, social studies, social work or as a caseworker. <ul style="list-style-type: none"> <li>• AHPRA/AASW registration or Public Liability Insurance and</li> <li>• Professional Indemnity Insurance</li> </ul>
<b>Medical or mental health treatment</b>	
Must be undertaken in accordance with a treatment plan (for example, an ATSI Health Check plan, mental health care plan, disability case management plan) prescribed by a health practitioner – doctor, nurse, psychiatrist or psychologist.	Doctors, psychologists, psychiatrists, nurses, accredited mental health social workers, disability case workers. <ul style="list-style-type: none"> <li>• AHPRA/AASW (AMHSW) registration or Public Liability and</li> <li>• Professional Indemnity Insurance</li> </ul>
<b>Drug or alcohol treatment</b>	
May include detoxification, medication compliance, pharmacotherapy, individual counselling, behavioural therapy, group therapy, 12-step programs (AA & NA) MERIT and SMART Recovery.	Nurses, doctors, psychologists, AOD caseworkers, social workers. <ul style="list-style-type: none"> <li>• AHPRA/AASW registration or</li> <li>• Public Liability and Professional Indemnity Insurance</li> </ul>
<b>Mentoring</b>	
Is a semi-formal, structured relationship between a more experienced and less experienced person open to all people. Mentoring may contribute to general well-being, reduce isolation and develop connection with society, develop living skills, improve employment prospects or promote connection with culture. Examples include programs for people transitioning from prison, refugee support or Aboriginal culture and healing.	Person with youth work or social work qualifications, financial counsellor or any person with sufficient skills and experience to act as a mentor. <ul style="list-style-type: none"> <li>• Public Liability Insurance</li> <li>• Professional Indemnity Insurance</li> </ul>

## Factsheet 2.3

### Become a Sponsor: Non-government organisation – **For-profit**



### Who can be a WDO Sponsor?

WDO sponsors may be government organisations, non-government organisations (for profit or not-for-profit), individual health practitioners or social workers. This guide provides information about the approval process for non-government organisations for-profits (for-profit organisations).

### How do I become a WDO sponsor – for-profit organisation?

Complete an online application on the [Revenue NSW website](#). Follow the steps in the table below. You will need to upload copies of your insurance certificates during the application process.

You cannot save a partially completed application, so make sure you have all relevant information to hand. Once you start you must complete all mandatory fields and submit your application

### Who can apply as a for-profit organisation?

You may apply if your organisation operates under a for-profit structure such as a sole trader, company or partnership. For-profit organisations include allied health professionals, psychotherapists, registered training operators (RTO) and companies providing charitable services under a for-profit structure.

### What are the limitations on for-profit organisation applications?

- You must establish that the objectives, governance and funding arrangements of your organisation are consistent with the aims of the WDO Guidelines.
- Your sponsor approval will only last for 12 months. Before your approval lapses you must confirm with Revenue NSW that your organisation's objectives, governance and funding arrangements remain consistent with the WDO Guidelines.
- If there are any changes to your organisation's objectives, governance or funding, you should notify Revenue NSW and provide evidence of the new arrangements.



SPONSOR application process – For-profit	
Action	Detail Required
<b>Step 1 – Sponsor type</b>	Select non-government.
<b>Step 2 – Applicant details</b>	Enter the details of the person completing the application.
<b>Step 3 – Organisation Details</b>	Enter organisation name, ABN, management representative details. Select 'Yes' for-profit. For help see <a href="#">ABN Lookup</a>
<b>Purpose, objectives and governance arrangements</b>	Describe your organisation's purpose, objectives and management structure. Sponsors must not receive any payment or personal benefit from a person applying for a WDO unless they are fees or charges that would be paid by the person if the WDO was not in place eg fees for medical treatment or an education course.
<b>Step 4 – Service or Location Details</b>	You may have one or more service profiles. Each profile will have a unique sponsor number and be an effectively separate service. Consider the administrative arrangements that will work best for your service. Email <a href="mailto:wdo@legalaid.nsw.gov.au">wdo@legalaid.nsw.gov.au</a> for advice. For example: <ul style="list-style-type: none"> <li>• Region-wide: Fusion Training Solutions (one profile serving multiple locations)</li> <li>• Multiple: Max Solutions, Hunter &amp; Wollongong (two profiles)</li> </ul>
<b>Service Profile 1</b>	<b>Detail Required</b>
<b>Name of service and location details</b>	The main address of each profile (service or program).
<b>WDO Contact person</b>	This will be the primary administrator – responsible for adding on new portal users. NB this person can be changed once you are approved
<b>Working with children check (WWCC) details</b>	Provide one staff member's WWCC details. Other individual WWCC can be entered later.
<b>Client eligibility grounds</b>	These are indicative of the types of client groups you work with.
<b>WDO activities</b>	Select the WDO activities your service will support (direct or refer).
<b>Add Orders for Restitution</b> <i>(also known as VRO)</i>	A VRO is issued by Victims Services to recover money paid to a victim of crime. If unpaid the VRO is treated as a fine and eligible for a WDO
<b>Service Profile 1</b>	<b>Detail Required</b>
<b>Experience or qualifications of staff</b>	Provide examples of the experience or qualifications of your staff.
<b>Describe the services you provide</b>	For example – we provide education, mentoring and counselling for people leaving custody.
<b>Indicate the region you cover</b>	For example – we are based in Newcastle and provide services to Central Coast and Hunter regions.
<b>Any specific conditions, limitations or client groups</b>	For example – we only work with men leaving custody.
<b>Do you consent to be contacted about suitable client placements?</b>	Legal Aid NSW and Revenue NSW may refer people to relevant sponsor services and programs

**SPONSOR application process – For-profit****Do you agree to be listed on the Sponsor Finder page?**

Revenue NSW has a service to help people locate sponsors by activity and location, visit [Sponsor Finder](#).

**Does your service identify as working with Indigenous people?**

Do you provide a culturally safe service? Yes or No

*NB: If multiple locations selected earlier in the application, an option to add additional locations will come up after this step.*

**Step 5 – Referee Details**

Provide the name, organisation, email and phone number of a referee from your funding body OR an organisation you work closely with eg government department or community organisation.

**Step 6 – Documentation**

You will need to upload your public liability insurance certificate. Also professional indemnity and/ or volunteer accident insurance as relevant. (See Table 1 below for more information)

**Step 7 – Certification**

Agree to comply with your obligations in the **WDO Guidelines**.

## What will happen after I submit my application?

The approval process takes approximately 4 weeks. Your application will be processed by staff at Revenue NSW who may contact you for further information. Once processed the application will be submitted for approval to the Department of Communities and Justice. You will then receive a welcome email and log in details with information about next steps.

Submit sponsor application

Receive approval from DCJ

Login to WDO portal, set password and add new users

Add WDO application

## Direct and referral activities

There are two ways that your organisation may provide WDO activities:

- **Direct** – you or your employees deliver the activities as well as entering the WDO
- **Referral** – the WDO applicant participates in an activity through another service provider. You enter administer and supervise the WDO.

**Direct activities**

WDO activities are provided by your organisation. These activities are covered under your organisation's insurance and work health and safety provisions.

You must have suitably qualified staff to provide those activities.

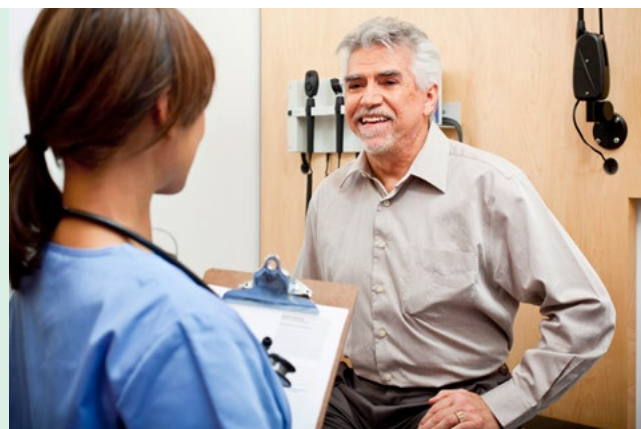
**Referral activities**

WDO Activities provided by a third party to a WDO applicant, which you are responsible to report on to Revenue NSW. You should be satisfied that the third party provider has current public liability insurance; is registered or has suitably qualified staff; has work health and safety policies and relevant Working with Children Check clearance for staff supervising children under 18.

Activity and Insurance requirements	
Activity	Qualification, Experience and Insurance Requirements
<b>Voluntary unpaid work</b>	
Includes gardening, cooking, cleaning, property maintenance, assisting the elderly, administration.	Person with experience in managing staff and volunteers. <ul style="list-style-type: none"> <li>• AASW registration or Public Liability Insurance</li> <li>• Volunteers Accident Insurance</li> </ul>
<b>Educational/vocational or life skills courses</b>	
Includes university or TAFE courses, vocational courses such as community welfare or floristry or life skill courses such as parenting programs, men's behaviour change programs or cooking classes.	Person with tertiary qualifications or experience in education, casework, social work, counselling or other fields. <ul style="list-style-type: none"> <li>• AASW registration or Public Liability Insurance</li> </ul>
<b>Financial or other counselling &amp; case management</b>	
May include individual, family or group counselling. May include financial counselling and budgeting guidance around debt issues. Case management includes assessing, planning and advocating around a person's needs.	Person with experience in providing therapy, counselling or psychology, financial literacy or financial counselling. Qualifications in community welfare, social studies, social work or as a caseworker. <ul style="list-style-type: none"> <li>• AHPRA/AASW registration or Public Liability Insurance and</li> <li>• Professional Indemnity Insurance</li> </ul>
<b>Medical or mental health treatment</b>	
Must be undertaken in accordance with a treatment plan (for example, an ATSI Health Check plan, mental health care plan, disability case management plan) prescribed by a health practitioner – doctor, nurse, psychiatrist or psychologist.	Doctors, psychologists, psychiatrists, nurses, accredited mental health social workers, disability case workers. <ul style="list-style-type: none"> <li>• AHPRA/AASW (AMHSW) registration or Public Liability and</li> <li>• Professional Indemnity Insurance</li> </ul>
<b>Drug or alcohol treatment</b>	
May include detoxification, medication compliance, pharmacotherapy, individual counselling, behavioural therapy, group therapy, 12-step programs (AA & NA) MERIT and SMART Recovery.	Nurses, doctors, psychologists, AOD caseworkers, social workers. <ul style="list-style-type: none"> <li>• AHPRA/AASW registration or</li> <li>• Public Liability and Professional Indemnity Insurance</li> </ul>
<b>Mentoring</b>	
Is a semi-formal, structured relationship between a more experienced and less experienced person open to all people. Mentoring may contribute to general well-being, reduce isolation and develop connection with society, develop living skills, improve employment prospects or promote connection with culture. Examples include programs for people transitioning from prison, refugee support or Aboriginal culture and healing.	Person with youth work or social work qualifications, financial counsellor or any person with sufficient skills and experience to act as a mentor. <ul style="list-style-type: none"> <li>• Public Liability Insurance</li> <li>• Professional Indemnity Insurance</li> </ul>

## Factsheet 2.4

### Become a Sponsor: Health practitioners



## Who can be a WDO Sponsor?

WDO sponsors may be government organisations, non-government organisations (for profit or not-for-profit), individual health practitioners or social workers. This guide provides information about the approval process for health practitioners.

## How do I become a WDO sponsor – health practitioner?

Complete an online application on the [Revenue NSW website](#). Follow the steps in the table below. You will need to upload copies of your insurance certificates during the application process.

You cannot save a partially completed application, so make sure you have all relevant information to hand. Once you start you must complete all mandatory fields and submit your application.

## Who can apply as a health practitioner?

You may apply as a health practitioner ONLY if you are a:

- Registered medical practitioner (GP, specialist doctor or physician)
- Registered (including provisionally registered) psychologist
- Nurse

An individual health practitioner may apply if registered and employed in:

- private practice or
- a government organisation or
- other organisation

If the organisation is already approved as a WDO sponsor the individual health practitioner does not need to be separately approved to support WDOs for patients of that organisation.

**SPONSOR application process – Health practitioners**

Action	Detail Required
<b>Step 1 – Select sponsor type</b>	Select health practitioner.
<b>Step 2 – Applicant details</b>	Enter your name, AHPRA registration number and expiry date, phone, email and address details. Select practitioner type – registered medical practitioner, registered psychologist or nurse.
<b>Working with children check (WWCC) details</b>	If you work with children under 18 provide your WWCC number and expiry date.
<b>Step 3 – Practice details</b>	
<b>Choose type of practice</b>	Private, government or other organisation
<b>Name of practice or organisation</b>	Provide name and email address
<b>WDO Activities</b> Medical/ mental health treatment Drug or alcohol treatment	Health practitioners are limited to supporting treatment programs only. Choose the treatment programs that your service will support.
<b>Add Orders for Restitution</b> <i>(also known as VRO)</i>	VRO debts are (often) large debts issued by Victims Services to recover money paid out to victims of crime and may be managed under a WDO.
<b>Confirm qualifications of staff delivering services</b>	Confirm that all activities delivered on behalf of your organisation are delivered by suitably trained, experienced or qualified staff.
<b>Step 4 – Connecting with clients</b>	
<b>Describe the services you provide</b>	For example – we provide drug and alcohol and/or mental health treatment to all eligible members of the community. We bulk bill for patients on a health care card.
<b>Indicate the regions your service cover</b>	For example – the practice is based in Sydney but we provide outreach services across NSW
<b>Any specific conditions or limitations or client groups</b>	For example – we specialise in childhood trauma but also provide general mental health treatment, or we only work with woman and children survivors of domestic violence and sexual assault.
<b>Do you consent to be contacted about suitable client placements?</b>	Legal Aid NSW and Revenue NSW may refer people to relevant sponsor services and programs
<b>Do you agree to be listed on the Sponsor Finder page?</b>	Revenue NSW has a service to help people locate sponsors by activity and location, visit <a href="#">Sponsor Finder</a> .
<b>Does your service identify as working with Indigenous people</b>	Do you provide a culturally safe service? Yes or No
<b>Step 5 – Certification</b>	Agree to comply with your obligations in the WDO Guidelines

## What will happen after I submit my application?

The approval process takes approximately 4 weeks. Your application will be processed by staff at Revenue NSW who may contact you for further information.

Once processed the application will be submitted for approval to the Department of Communities and Justice. You will then receive a welcome email and log in details with information about next steps.



## Can I get help?

For questions about the application process call the Revenue NSW WDO Hotline 1300 478 879 or email Legal Aid NSW WDO service [wdo@legalaid.nsw.gov.au](mailto:wdo@legalaid.nsw.gov.au).

## Direct and referral activities

There are two ways that your organisation may provide WDO activities:

1. **Direct** – you provide the treatment (covered by your AHPRA registration)
2. **Referral** – you refer the client to another service provider for treatment. You manage the WDO in consultation with that service provider who should have appropriate AHPRA registration or be an Accredited Mental Health Social Worker (AMHSW)

Direct activities	Referral activities
<p>WDO activities are provided by your organisation. These activities are covered under your organisation's insurance and work health and safety provisions.</p> <p>You must have suitably qualified staff to provide those activities.</p>	<p>WDO Activities provided by a third party to a WDO applicant, which you are responsible to report on to Revenue NSW. You should be satisfied that the third party provider has current public liability insurance; is registered or has suitably qualified staff; has work health and safety policies and relevant Working with Children Check clearance for staff supervising children under 18.</p>

**Activity table**

Activity	Registration Requirements
<b>Drug or alcohol treatment</b>	
May include detoxification, medication compliance, pharmacotherapy, individual counselling, behavioural therapy, group therapy, 12-step programs (AA & NA) MERIT and SMART Recovery	Nurses, doctors, registered psychologist, AOD caseworkers. <ul style="list-style-type: none"> <li>Registered with AHPRA/AASW or with Public Liability and Professional Indemnity insurance</li> </ul>
<b>Medical or mental health treatment</b>	
Must be undertaken in accordance with a treatment plan (for example, an ATSI Health Check plan, mental health care plan, disability case management plan) prescribed by a health practitioner – doctor, nurse, psychiatrist or psychologist.	Doctors, registered psychologists, psychiatrists, nurses, accredited mental health social workers, disability case workers. <ul style="list-style-type: none"> <li>Registered with AHPRA or</li> <li>Registered with AASW as an Accredited Mental Health Social Worker (AMHSW) or</li> <li>With public liability and professional indemnity insurance</li> </ul>

## Contacts

**Revenue**

For sponsor applications, approvals and variations, client applications and Self-Service Portal inquiries

P: 1300 478 879

E: [wdo@revenue.nsw.gov.au](mailto:wdo@revenue.nsw.gov.au)

For sponsor training and advice, client placement and legal help with fines

E: [wdo@legalaid.nsw.gov.au](mailto:wdo@legalaid.nsw.gov.au)

W: [www.legalaid.nsw.gov.au/wdo](http://www.legalaid.nsw.gov.au/wdo)

Order WDO publications: [www.legalaid.nsw.gov.au/publications](http://www.legalaid.nsw.gov.au/publications)

# Factsheet 2.5

## Become a Sponsor: Social workers



### Who can be a WDO Sponsor?

WDO sponsors may be government organisations, non-government organisations (for profit or not-for-profit), individual health practitioners or social workers. This guide provides information about the approval process for social workers.

### How do I become a WDO sponsor – social worker?

Complete an online application on the [Revenue NSW website](#). Follow the steps in the table below. You will need to upload copies of your insurance certificates during the application process.

You cannot save a partially completed application, so make sure you have all relevant information to hand. Once you start you must complete all mandatory fields and submit your application.

### Who can apply as a social worker?

A person working as a social worker has two ways to be approved as a WDO sponsor.

1. A social worker, eligible for membership of the Australian Association of Social Workers (AASW) may be approved to support all WDO activities (except for direct mental health treatment) (**General Social Worker**) or:
2. A social worker registered with the AASW as an Accredited Mental Health Social Worker (**AMHSW**) may be approved to support all activities including mental health treatment.

#### SPONSOR application process – social worker

Action	Detail Required
<b>Step 1 – Sponsor type</b>	Select social worker.
<b>Step 2 – Applicant details</b>	<ul style="list-style-type: none"> <li>• Enter your name</li> <li>• Select whether you are applying as an Accredited Mental Health Social worker OR a general social worker.</li> <li>• Select whether you are registered with the Australian Association of Social Workers (AASW), and if so, enter your AASW registration number and expiry date</li> <li>• Enter your phone and email details</li> <li>• Select whether you will be working with children under the age of 18, and if so, enter your Working with Children check number and expiry date</li> <li>• Enter your street and mailing address details</li> </ul>



**SPONSOR application process – social worker**

<b>Step 3 – Practice Details</b>	Select the type of practice you work at and enter the name of the practice/ organisation and practice email address.
<b>Client eligibility grounds</b>	There are six eligibility grounds listed. These are indicative only of the types of clients your service has experience working with.
<b>WDO activities</b>	Select the WDO activities that your service will support.
<b>Add Orders for Restitution</b> <i>(also known as VRO)</i>	VROs are often large debts issued by Victims Services to recover money paid out to victims of crimes. They may be managed under a WDO.
<b>Step 4 – Connecting with WDO clients</b>	
<b>Describe the services you provide</b>	For example: We provide mentoring programs for young people or people leaving custody. We provide individualised mental health treatment for people under a mental health treatment plan.
<b>Indicate the regions your application will cover</b>	Choose the appropriate regions your service supports from the provided list. If you selection Regional NSW, an extended list will appear.
<b>Any specific comments about the regions you service</b>	For example: We are based in Liverpool and provide services across the south west Sydney region.
<b>Any specific conditions, limitations or client groups</b>	For example: We provide mentoring for Aboriginal and Torres Strait Islander young people in foster care.
<b>Do you consent to be contacted about suitable client placements?</b>	Legal Aid NSW and Revenue NSW work to match people with fines with relevant agencies and programs.
<b>Would you like to be listed on the Revenue NSW website's Find a Sponsor register?</b>	This helps people find out about your service from a central location. Any conditions, service limitations and client groups will be listed here.
<b>Does your service identify as working with Indigenous people?</b>	Do you provide a culturally safe service? Yes or No.
<b>Step 5 – Documentation</b>	<ul style="list-style-type: none"> <li>• If you are registered with AASW you do not need to supply professional indemnity or public liability insurance as it's covered in your membership</li> <li>• If you are not registered with AASW you will need to supply copies of professional indemnity or public liability insurance documents</li> <li>• Regardless of AASW status, if you wish to apply to be approved to support unpaid work as a direct activity, you will also need to upload a copy of your volunteer insurance</li> <li>• If you are <b>not</b> registered with AASW provide evidence of your tertiary qualifications in social work.</li> </ul>
<b>Step 6 – Certification</b>	Agree to comply with the directives and audits outlined in the <a href="#">WDO Guidelines</a> .

## What will happen after I submit my application?

The approval process takes approximately 4 weeks. Your application will be processed by staff at Revenue NSW who may contact you for further information. Once processed the application will be submitted for approval to the Department of Communities and Justice. You will then receive a welcome email and log in details with information about next steps.

Submit sponsor  
application

Receive approval  
from DCJ

Login to WDO portal,  
set password and  
add new users

Add WDO  
application

## Can I get help?

For questions about the application process call the Revenue NSW WDO Hotline 1300 478 879 or email Legal Aid NSW WDO service [wdo@legalaid.nsw.gov.au](mailto:wdo@legalaid.nsw.gov.au).

## Direct and referral activities

There are two ways that your organisation may provide WDO activities:

- **Direct** – you or your employees deliver the activities as well as entering the WDO
- **Referral** – the WDO applicant participates in an activity through another service provider. You enter administer and supervise the WDO.

Direct activities	Referral activities
<p>WDO activities are provided by your organisation. These activities are covered under your organisation's insurance and work health and safety provisions.</p> <p>You must have suitably qualified staff to provide those activities.</p>	<p>WDO Activities provided by a third party to a WDO applicant, which you are responsible to report on to Revenue NSW. You should be satisfied that the third party provider has current public liability insurance; is registered or has suitably qualified staff; has work health and safety policies and relevant Working with Children Check clearance for staff supervising children under 18.</p>

Activity and Insurance requirements	
Activity	Qualification/Experience/Insurance Requirements
<b>Voluntary unpaid work</b>	
Includes gardening, cooking, cleaning, property maintenance, assisting the elderly, administration.	Person with experience in managing staff and volunteers. <ul style="list-style-type: none"> <li>• AHPRA registration/AASW membership or Public Liability Insurance</li> <li>• Volunteers Accident Insurance</li> </ul>
<b>Educational/vocational or life skills courses</b>	
Includes university or TAFE courses, vocational courses such as community welfare or floristry or life skill courses such as parenting programs, men's behaviour change programs or cooking classes.	Person with tertiary qualifications or experience in education, casework, social work, counselling or other fields. <ul style="list-style-type: none"> <li>• AHPRA registration/AASW membership or Public Liability Insurance</li> </ul>

Activity and Insurance requirements	
Activity	Qualification/Experience/Insurance Requirements
<b>Financial or other counselling &amp; case management</b>	
May include individual, family or group counselling. May include financial counselling and budgeting guidance around debt issues. Case management includes assessing, planning and advocating around a person's needs.	<p>Person with experience in providing therapy, counselling or psychology, financial literacy or financial counselling. Qualifications in community welfare, social studies, social work or as a caseworker.</p> <ul style="list-style-type: none"> <li>● AHPRA registration/AASW membership or</li> <li>● Public Liability and Professional Indemnity Insurance</li> </ul>
<b>Medical or mental health treatment</b>	
Must be undertaken in accordance with a treatment plan (for example, an ATSI Health Check plan, mental health care plan, disability case management plan) prescribed by a health practitioner – doctor, nurse, psychiatrist or psychologist.	<p>Doctors, psychologists, psychiatrists, nurses, accredited mental health social workers, disability case workers</p> <ul style="list-style-type: none"> <li>● AHPRA registration/AASW (AMHSW) membership or</li> <li>● Public Liability Insurance and Professional Indemnity Insurance</li> </ul>
<b>Drug or alcohol treatment</b>	
May include detoxification, medication compliance, pharmacotherapy, individual counselling, behavioural therapy, group therapy, 12-step programs (AA & NA) MERIT and SMART Recovery.	<p>Nurses, doctors, psychologists, AOD caseworkers, social workers.</p> <ul style="list-style-type: none"> <li>● AHPRA registration/AASW membership or</li> <li>● Public Liability Insurance and Professional Indemnity Insurance</li> </ul>
<b>Mentoring</b>	
Is a semi-formal, structured relationship between a more experienced and less experienced person open to all people. Mentoring may contribute to general well-being, reduce isolation and develop connection with society, develop living skills, improve employment prospects or promote connection with culture. Examples include programs for people transitioning from prison, refugee support or Aboriginal culture and healing.	<p>Person with youth work or social work qualifications, financial counsellor or any person with sufficient skills and experience to act as a mentor.</p> <ul style="list-style-type: none"> <li>● AHPRA/AASW registration or</li> <li>● Public Liability Insurance and Professional Indemnity Insurance</li> </ul>

## Contacts

### Revenue

For sponsor applications, approvals and variations, client applications and Self-Service Portal inquiries

P: 1300 478 879

E: [wdo@revenue.nsw.gov.au](mailto:wdo@revenue.nsw.gov.au)

For sponsor training and advice, client placement and legal help with fines

E: [wdo@legalaid.nsw.gov.au](mailto:wdo@legalaid.nsw.gov.au)

W: [www.legalaid.nsw.gov.au/wdo](http://www.legalaid.nsw.gov.au/wdo)

Order WDO publications: [www.legalaid.nsw.gov.au/publications](http://www.legalaid.nsw.gov.au/publications)

## Factsheet 2.6

### WDO Sponsor Summary: Organisation or Social Worker



Portal ID number:

Organisation name:

Primary administrator:

WDO Activity	Rate	Total	Direct	Refer
<b>Voluntary unpaid work</b>	\$30 per hour	You may enter multiple WDO activities up to a total of \$1000 per month.		
<b>Financial, other counselling or case management</b>	\$50 per hour			
<b>Educational/vocational or life skills course</b>	\$50 per hour			
<b>Medical or mental health treatment</b>	\$1000 per month for full compliance			
<b>Drug or alcohol treatment</b>				
<b>Mentoring Program – all ages</b>				

[Click here](#) to access the WDO Self-Service Portal.

## WDO Sponsor Administration

- You should have two administrators (primary and secondary).
- The primary administrator is added on the portal by Revenue NSW
- The primary administrator should add on a second administrator.
- Administrators can add standard users. All portal users can manage WDOs.

## WDO Management

Confirm client  
eligibility

Decide on an  
appropriate activity

1. Provide activity  
direct  
2. Provide activity  
on referral

Enter WDO  
on portal

### 1. WDO activities – direct

If you provide WDO activities direct, WDO activities are covered under your organisation's insurance and work health and safety provisions.

### 2. WDO activities – on referral

If you provide WDO activities on referral you should be satisfied that your WDO client should be covered by the 3rd party provider's workplace obligations. You should be satisfied that the organisation:

- has current public liability and other appropriate insurance for its activities;
- holds current registration such as AHPRA or Australian Association of Social Workers;
- has appropriately trained or experienced staff;
- has necessary work health safety policies;
- has Working With Children's Check clearance for staff supervising children under the age of 18.

The WDO manager is responsible for overseeing the administration of the WDO, maintaining proof of the client's eligibility, recording attendance at activities and entering a monthly report into the Self-Service Portal.

WDO Activity	Examples include:
<b>Voluntary unpaid work</b>	<ul style="list-style-type: none"> <li>• Gardening</li> <li>• Supporting people who are homeless</li> <li>• Kitchen hand</li> <li>• Corrective Services NSW voluntary unpaid work program</li> <li>• Retail work</li> <li>• Charity bin pick up and sorting</li> <li>• General duties including warehouse</li> <li>• Charity work</li> <li>• Administrative duties</li> <li>• Men's and Women's shed</li> <li>• Assisting the elderly</li> </ul>
<b>Financial, other counselling or case management</b>	<ul style="list-style-type: none"> <li>• Budgeting</li> <li>• Case management</li> <li>• Financial education</li> <li>• Counselling</li> <li>• Corrective Services NSW financial and other counselling program</li> </ul>
<b>Educational/vocational or life skills course</b>	<ul style="list-style-type: none"> <li>• Accredited course including University</li> <li>• Living Skills (Anger management, Parenting program and independent living skills)</li> <li>• Driver education course</li> <li>• Holistic program</li> <li>• Men's and Women's Shed</li> <li>• Tenancy program Corrective Services NSW Education Program</li> <li>• TAFE</li> </ul>

<b>Medical or mental health treatment</b>	<ul style="list-style-type: none"> <li>• Medication and dosing</li> <li>• Residential treatment</li> <li>• Counselling</li> <li>• Community Treatment Order</li> <li>• Psychiatric appointments</li> <li>• Section 14 order under <i>MHCIFP Act 2020</i></li> <li>• Disability case management</li> <li>• Corrective Services NSW medical/mental</li> <li>• Medical review</li> <li>• Health treatment program</li> </ul>
<b>Drug or alcohol treatment</b>	<ul style="list-style-type: none"> <li>• Residential</li> <li>• Narcotics Anonymous/Alcoholics Anonymous</li> <li>• SMART Recovery</li> <li>• Counselling</li> <li>• Corrective Services NSW Drug or Alcohol Treatment Program</li> <li>• Day program</li> <li>• Medical review and dosing</li> <li>• MERIT program</li> </ul>
<b>Mentoring Program – all ages</b>	<ul style="list-style-type: none"> <li>• Case management youth</li> <li>• Corrective Services NSW</li> <li>• Mentoring program</li> <li>• Mentoring Program</li> <li>• CHART program</li> </ul>

**All activities may be counted toward a WDO**

The fact that an activity is required for some other reason (for example, by order of a court) does not preclude it from being counted towards a WDO.

## Contacts

**Revenue**

For sponsor applications, approvals and variations, client applications and Self-Service Portal inquiries

P: 1300 478 879

E: [wdo@revenue.nsw.gov.au](mailto:wdo@revenue.nsw.gov.au)

For sponsor training and advice, client placement and legal help with fines

E: [wdo@legalaid.nsw.gov.au](mailto:wdo@legalaid.nsw.gov.au)

W: [www.legalaid.nsw.gov.au/wdo](http://www.legalaid.nsw.gov.au/wdo)

Order WDO publications: [www.legalaid.nsw.gov.au/publications](http://www.legalaid.nsw.gov.au/publications)

# Factsheet 2.7

## WDO Sponsor Summary: Health Practitioner



Portal ID number:

Contact details:

Primary administrator:

WDO Activity	Rate	Total	Direct	Refer
Medical or mental health treatment	\$1000 per month for full compliance	You may enter multiple WDO activities up to a total of \$1000 per month.		
Drug or alcohol treatment				

[Click here](#) to access the WDO Self-Service Portal.

## WDO Sponsor Administration

- The primary administrator is added on the portal by Revenue NSW
- The primary administrator should add on a second administrator or standard user
- Each user should have individual portal access
- All portal users can manage WDOs.

## WDO Management

Confirm client  
eligibility

Decide on an  
appropriate activity

1. Provide activity  
direct  
2. Provide activity  
on referral

Enter WDO  
on portal

### 1. WDO activities – direct

If you provide WDO activities direct, WDO activities are covered under your organisation's insurance and work health and safety provisions.

### 2. WDO activities – on referral

If you provide WDO activities on referral you should be satisfied that your WDO client should be covered by the 3rd party provider's workplace obligations. You should be satisfied that the organisation:

- has current public liability and other appropriate insurance for its activities;
- holds current registration such as AHPRA or Australian Association of Social Workers;
- has appropriately trained or experienced staff;
- has necessary work health safety policies;
- has Working With Children's Check clearance for staff supervising children under the age of 18.

The WDO manager is responsible for overseeing the administration of the WDO, maintaining proof of the client's eligibility, recording attendance at activities and entering a monthly report into the Self-Service Portal.

WDO Activity	Examples include:
<b>Medical or mental health treatment</b>	<ul style="list-style-type: none"> <li>• Medication and dosing</li> <li>• Residential treatment</li> <li>• Counselling</li> <li>• Community Treatment Order</li> <li>• Psychiatric appointments</li> <li>• Section 14 order under <i>MHCIFP Act 2020</i></li> <li>• Disability case management</li> <li>• Corrective Services NSW medical/mental</li> <li>• Medical review</li> <li>• Health treatment program</li> </ul> <p><b>Example:</b> Treatment under a written treatment plan from a health practitioner eg mental health care plan, chronic care plan, community treatment order, involuntary MH treatment and rehabilitation. Includes treatment in a facility or community under the <i>Mental Health Act</i> or treatment under section 32 of <i>Mental Health and Cognitive Impairment Forensic Provisions Act</i>.</p>



**Drug or alcohol  
treatment**

- Residential treatment
- Narcotics Anonymous/Alcoholics Anonymous
- SMART Recovery
- Counselling
- Corrective Services NSW Drug or Alcohol Treatment Program
- Day program
- Medical review and dosing
- MERIT program

**Example:** Treatment that assists people to ‘overcome dependencies on, or misuse of, alcohol and/or other drugs.’ Includes detox, rehab, medication or pharmacotherapy, counselling, behavioural therapy, group therapy, 12 step, Smart Recovery. Includes voluntary court diversion programs eg MERIT and CREDIT.

**All activities may be counted toward a WDO**

The fact that an activity is required for some other reason (for example, by order of a court) does not preclude it from being counted towards a WDO.

## Contacts

**Revenue**

For sponsor applications, approvals and variations, client applications and Self-Service Portal inquiries

P: 1300 478 879

E: [wdo@revenue.nsw.gov.au](mailto:wdo@revenue.nsw.gov.au)

For sponsor training and advice, client placement and legal help with fines

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W: [www.legalaid.nsw.gov.au/wdo](http://www.legalaid.nsw.gov.au/wdo)

Order WDO publications: [www.legalaid.nsw.gov.au/publications](http://www.legalaid.nsw.gov.au/publications)

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

	Obligation
<b>2.3</b>	<p><b>Ensure that the WDO activity is:</b></p> <ul style="list-style-type: none"> <li>• suitable and appropriate to the applicant’s capabilities and personal circumstances and</li> <li>• is being provided by a suitably qualified service provider</li> </ul>
<b>2.4</b>	<p><b>Manage WDO on the Self-Service Portal:</b></p> <ul style="list-style-type: none"> <li>• Apply for the WDO – activities cannot be backdated.</li> <li>• Supervise and report monthly – report EVERY month</li> <li>• Finalise the WDO</li> </ul>
<b>2.5</b>	<p><b>Keep appropriate records</b> – 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.</p>
<b>2.6</b>	<p><b>Avoid, declare and manage conflicts of interest</b> – 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.</p>
<b>2.7</b>	<p><b>Sponsors must not receive payment, fees or personal benefit</b> – 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.</p>

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

	Obligation
<b>3.3</b>	<b>Retain records of the person responsible for supervising the WDO.</b> 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)
<b>3.4</b>	<b>Retain records of ongoing requirements of sponsor approval as described in Part 1.</b> Any change in sponsor approval requirements must be notified to Revenue NSW.
<b>3.5</b>	<b>Advise Revenue NSW if you become aware of circumstances that may affect a WDO applicant's eligibility.</b>

**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 <b>two administrators</b> and unlimited <b>standard users</b> . All portal users must have a unique email address.
<b>4.2</b>	<b>Administrator responsibility</b>
	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.
<b>4.3</b>	<b>Standard Users</b>
	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](mailto:WDO@legalaid.nsw.gov.au).**

# Factsheet 2.9

## Conflicts of Interest



WDO sponsors are required to administer and make decisions about eligibility for WDOs in a fair and impartial way. The administration of the WDO scheme should not be influenced by self-interest, private affiliations or the likelihood that WDO sponsors (or those close to them) will be unfairly advantaged or disadvantaged in any way (financially or otherwise).

A conflict of interest exists when you are in a position to be influenced, or appear to be influenced, by your private interests. A conflict of interest can involve avoiding personal disadvantage as well as gaining personal advantage. Your private interests may include social and professional activities with individuals and groups including family and friends as well as financial interests. Conflicts of interests are not necessarily wrong in themselves. The important thing is to manage them properly by declaring any situation or arrangement that may lead to actual, potential or perceived conflicts. While such conflicts should be avoided, if this is not possible, they must be identified, disclosed and managed effectively. Non-disclosure risks undermining the integrity of the WDO scheme.

### 1. How to identify if a conflict of interest exists?

Most people want to do the right thing and sometimes it can be difficult to know if a conflict of interest really exists. There are four questions you can ask yourself to determine if a conflict of interest exists:

	Question	Details
1	Do I have a personal interest in this?	Will I or my family, friends, close associates, community members, colleagues or acquaintances benefit personally from this?
2	Do I have a duty as a WDO sponsor?	Do I have an obligation to ensure that the rules of the WDO scheme are properly followed? This includes ensuring that I understand and properly apply the WDO rules – verifying that the WDO applicant is eligible and engaged in appropriate and suitable WDO activities, and retaining records of eligibility and compliance.

	Question	Details
3	Is there a connection between my personal interest and my duty as a WDO sponsor?	Is it possible that my personal interest may affect my duty to properly administer the rules of the WDO scheme.
4	Might a reasonable person perceive that my decision making may be influenced by my personal interest?	If someone who didn't know me looked at this situation, is it possible they would think my decision making and obligations to comply with the rules of the WDO scheme may be influenced by my personal interest?

## 2. How do I manage a conflict of interest?

If you cannot avoid it, you should declare a conflict of interest, give details of the situation and advise how it will be managed. Your manager or primary administrator should be aware of the conflict. Declaring a conflict will let Revenue NSW know that you are being careful to ensure that your obligations are not conflicted. Follow these steps:

- **Declare** – tick yes on the conflict of interest box on the Self-Service Portal and describe the situation.
- **Manage** – put in place an arrangement to manage the conflict. For example, make sure your manager or portal administrator knows about the details of the conflict, ask another portal user to set up the WDO and do the reporting, have procedures in place to manage such situations within your service.
- **Monitor** – Ensure your primary administrator is aware of the situation, keep all necessary records including fines details, proof of client eligibility and compliance with activities, respond to any investigations or audit requests from Revenue NSW or DCJ.

## 3. What happens if I fail to declare a conflict of interest?

A conflict of interest does not prevent you from supporting a person on a WDO. But it must be declared. If you conceal, understate or fail to declare a conflict of interest, consequences may include:

- A compliance investigation or audit
- Revocation of the WDO and reinstatement of the fines
- Suspension or revocation of your WDO sponsor status

## 4. Examples

Situation	Conflict of Interest?	How to manage
<b>Your cousin gets a speeding ticket and asks to do a WDO (volunteer work) at the neighbourhood centre you work at. He is a student and you have work available.</b>	Yes – someone close to you is benefitting from a WDO	<p>Talk to your manager. Even if another person from your service enters the WDO, they should also declare a conflict – see example 2.</p> <p><b>Declare:</b> Tick yes on the portal and explain how you will manage it.</p> <p><b>Manage:</b> Keep proof of eligibility and activity compliance such as an Activity Timesheet.</p> <p><b>Monitor:</b> Tell the manager or a co-worker about the WDO and check the WDO Guidelines to understand your obligations.</p>
<b>A family friend of a co-worker asks to do a WDO</b>	Yes – someone close to your service is benefitting from a WDO	<p>Talk to your manager.</p> <p><b>Declare:</b> Tick yes on the portal and explain how you will manage it.</p> <p><b>Manage:</b> Ensure the WDO applicant is eligible and you have a suitable activity available. Keep records of eligibility and compliance such as an Activity Timesheet.</p> <p><b>Monitor:</b> If in doubt talk to the WDO Hotline or Legal Aid WDO service.</p>
<b>The volunteer co-director of your not-for profit charity get a parking fine and wants to enter a WDO for his volunteer hours</b>	Yes – someone close to your organisation is benefitting from a WDO.	<p><b>Declare:</b> Tick yes on the portal to conflict if interest, describe the conflict and how you will manage it.</p> <p><b>Manage:</b> In this case the co-director is a volunteer eligible for a WDO as he receives an Aged pension. Keep a record of the Centrelink income statement and an Activity timesheet verifying the hours he has worked.</p> <p><b>Monitor:</b> Keep records and provide information if audited</p>



Situation	Conflict of Interest?	How to manage
<b>You are a psychologist and a fellow psychologist (also a WDO sponsor) in your practice asks you to enter a WDO for mental health treatment</b>	Yes – an employed colleague is seeking to benefit from a WDO. The WDO scheme is intended for people experiencing hardship.	<p><b>Avoid:</b> Is the person eligible? Can they do a WDO elsewhere? Can they pay the fine?</p> <p><b>Declare:</b> If you are satisfied that your colleague is in hardship declare the conflict and advise how you will manage it</p> <p><b>Manage:</b> Keep records</p> <p><b>Monitor:</b> Keep records and provide a response to any queries from Revenue NSW</p>
<b>A patient you have been providing mental health therapy to, gets a fine and asks you to get approved as a sponsor, so they can clear fines on a WDO.</b>	No – this is a professional relationship	This is a professional relationship and you are helping this person to clear their fines in a professional context. Although you may receive a Medicare rebate or payment for your professional fees this is not a conflict of interest and such payments are allowed under section 2.7 of the Guidelines.

To ask questions about conflict of interest call 1300 478 879 or email [wdo@legalaid.nsw.gov.au](mailto:wdo@legalaid.nsw.gov.au)

# Factsheet 3.1

## WDO Activities



### 1. General Overview

As part of a WDO, a person may undertake one or more of the following activities:

- Unpaid work
- Medical or mental health treatment
- Educational, vocational or life skill course
- Financial or other counselling
- Drug or alcohol treatment
- Mentoring program

A sponsor can provide activities directly or by referral to a third-party provider. It is the responsibility of the WDO sponsor (not Revenue NSW) to ensure that the activities proposed to be undertaken in a WDO are suitable and appropriate for the applicant. It is the responsibility of the WDO sponsor to report on the client's activity compliance every month

An approved WDO activity may be conducted within NSW and/or interstate and may be used to clear NSW fines for a person residing in another State or territory. If a person is eligible solely on the grounds that they have a drug or alcohol addiction they must undertake drug or alcohol treatment as part of their WDO.

WDO Activity	Rate
<b>Unpaid work</b>	\$30 per hour
<b>Educational/vocational or life skills course</b>	\$50 per hour
<b>Financial, other counselling or case management</b>	\$50 per hour
<b>Medical or mental health treatment</b>	\$1000 per month for full compliance
<b>Drug or alcohol treatment</b>	\$1000 per month for full compliance
<b>Mentoring Program (all ages)</b>	\$1000 per month for full compliance

**Total:** You may enter multiple WDO activities up to a total of \$1000 per month.

## 2. Direct and referral activities

Direct activities	Referral activities
WDO activities provided by your organisation. These activities are covered under your organisation's insurance and work health and safety provisions.	WDO Activities provided by a third party to a WDO applicant, which you are responsible to report on to Revenue NSW. You should be satisfied that the third party provider has current public liability insurance; is registered or has suitably qualified staff; has work health and safety policies and relevant Working with Children Check clearance for staff supervising children under 18.

## 3. List of WDO Activities

Unpaid work (\$30 per hour)	Definition
<ul style="list-style-type: none"> <li>● Gardening</li> <li>● Planting trees</li> <li>● Charity bin pick-up &amp; sorting</li> <li>● Men's/Women's shed</li> <li>● Assisting the elderly</li> <li>● Supporting homeless people</li> <li>● Youth Command/PCYC voluntary unpaid work</li> <li>● Kitchenhand</li> <li>● Charity work</li> <li>● General duties including warehouse</li> <li>● Office administration</li> <li>● Retail/General Assistant</li> <li>● Cooking</li> <li>● Property or park maintenance</li> <li>● Animal and wildlife shelter activities</li> <li>● Building outdoor facilities</li> <li>● Bush care programs</li> <li>● Volunteering at Reconciliation Day or NAIDOC activities</li> </ul>	<ul style="list-style-type: none"> <li>● Must be undertaken with or on behalf of an approved organisation</li> <li>● Must have a community benefit</li> <li>● Unpaid work must not provide a personal benefit to someone involve in supporting or supervising the WDO applicant</li> <li>● No remuneration or cash-in kind can be provided to the participant</li> <li>● The participant must be covered by the sponsor or the referral organisation's insurance and workplace health and safety provisions</li> </ul>

Educational, vocational and life skills courses (\$50 per hour)	Definition
<ul style="list-style-type: none"> <li>● TAFE NSW courses</li> <li>● Accredited Courses including University</li> <li>● Holistic Programs</li> <li>● Men's/Women's Shed</li> <li>● Living Skills (eg. parenting programs, anger management, men's behaviour change programs, independent living skills, problem-solving, conflict resolution, cooking, driving programs)</li> <li>● Aboriginal cultural programs</li> <li>● Tenancy Survival Program</li> <li>● Driver education course</li> <li>● Rise Up program</li> <li>● Corrective Services NSW Education Program</li> <li>● Cultural activities eg traditional painting</li> </ul>	<ul style="list-style-type: none"> <li>● <i>Educational courses</i> include courses undertaken at university, TAFE or other educational institutions.</li> <li>● <i>Vocational courses</i> encompass a wide range of courses that are designed to assist people enter or participate in the workforce. They include courses undertaken at TAFE and university. They also include courses undertaken in community or private colleges, or through a job service provider, for example, a course on computer skills.</li> <li>● <i>Life skills courses</i> foster the personal, social, and practical skills that help people function in society, on an independent basis.</li> </ul>
Financial, other counselling, case management (\$50 per hour)	Definition
<ul style="list-style-type: none"> <li>● Budgeting guidance</li> <li>● Financial Education</li> <li>● Case Management eg a person's attendance at case management meetings with a case worker eg with a youth homeless case worker</li> <li>● Counselling – a professional activity, in which the counsellor or therapist helps the WDO participant explore and resolve issues of an interpersonal or personal nature. which may include <ul style="list-style-type: none"> <li>– Family counselling to improve family communication and relationships, solve a problem or adjust to change</li> <li>– Group counselling such as domestic violence groups, men's behaviour change programs</li> </ul> </li> <li>● Corrective Services NSW Financial or other counselling</li> <li>● Youth Command Supported Referral</li> <li>● Aboriginal cultural or community activities</li> </ul>	<ul style="list-style-type: none"> <li>● Financial counselling includes discussing ways to improve a person's financial situation through financial analysis, developing budgets and money plans, advising on payment options, assisting in applying for hardship variation of debts and negotiate with creditors. A financial counsellor also seeks to prevent future debt issues through budgeting strategies, increased access to income and adjustment to lifestyle.</li> <li>● Treatment directed at improving a WDO participant's mental health or resolving emotional or behavioural issues.</li> <li>● Case management is defined as collaborative process of assessment, planning, facilitation and advocacy for options and services to meet an individual's holistic needs through communication and available resources to promote quality cost effective outcomes.</li> </ul>

Medical or mental health treatment (\$1000 per month for full compliance)	Definition
<p><b>Medical</b></p> <ul style="list-style-type: none"> <li>● Medication/Dosing</li> <li>● Aboriginal and Torres Strait Islander Annual Health Check Plan</li> <li>● Youth Command Supported Referral</li> <li>● Aboriginal Healing activity</li> </ul> <p><b>Mental Health</b></p> <ul style="list-style-type: none"> <li>● Counselling</li> <li>● Psychiatric appointments</li> <li>● Disability case management</li> <li>● Medical review</li> <li>● Residential</li> <li>● Community treatment order</li> <li>● Corrective Services NSW Medical/ Mental Health Treatment</li> <li>● Section 14 Mental Health Order</li> </ul>	<ul style="list-style-type: none"> <li>● Medical or mental health treatment must be undertaken in accordance with a health practitioner’s treatment plan, (that is, treatment that is prescribed or recommended by a health practitioner – a doctor, nurse or psychologist).</li> <li>● Once a health practitioner’s treatment plan is approved mental health treatment may be <b>provided</b> by an Accredited Mental Health Social Worker (AAMHSW) or a health practitioner</li> <li>● A medical treatment plan may include a plan tailored to the individual’s complex health care needs. For example, an Aboriginal and Torres Strait Islander annual health check plan or an Aboriginal Healing program approved by a health practitioner.</li> </ul>
Drug or alcohol treatment (\$1000 per month for full compliance)	Definition
<ul style="list-style-type: none"> <li>● Residential</li> <li>● Narcotics/Alcoholics Anonymous</li> <li>● SMART Recovery</li> <li>● Counselling</li> <li>● Corrective Services NSW Drug or Alcohol Day Program</li> <li>● Medical review and dosing</li> <li>● MERIT program</li> <li>● Youth Command Supported Referral</li> <li>● Activities undertaken on the order of a court including Drug Court.</li> </ul>	<ul style="list-style-type: none"> <li>● Drug or alcohol treatment aims to assist people to overcome dependencies on, or misuse of, alcohol and/or other drugs.</li> <li>● Various interventions may be used, including detoxification, medication or pharmacotherapy, counselling, behavioural therapy, group therapy, and 12-step programs. Such treatment may, but need not, occur in a residential facility.</li> </ul>

Mentoring programs (\$1000 per month for full compliance)	Definition
<ul style="list-style-type: none"> <li>• Case management – youth</li> <li>• CHART Program</li> <li>• Corrective Services NSW mentoring program</li> <li>• Adult mentoring program</li> <li>• Youth Command Mentoring</li> <li>• Aboriginal Community activities</li> <li>• Aboriginal cultural or healing programs</li> <li>• Post-release mentoring or support</li> <li>• Financial budgeting and mentoring programs</li> </ul>	<ul style="list-style-type: none"> <li>• Mentoring is a semi-formal, structured relationship between a more experienced and less experienced person open to all people. Mentoring may contribute to general well-being, reduce isolation and develop connection with society, develop living skills, improve employment prospects or promote connection with culture and healing. Examples include programs for people transitioning from prison, refugee support or Aboriginal culture and healing</li> <li>• A mentoring relationship focuses on the needs of the mentee and is structured in a way that encourages progress towards the achievement of milestones and goals.</li> <li>• Mentoring is used to assist individuals at specific stages of development or transition and lasts for a sustained but defined period of time.</li> </ul>

## 4. Permissible WDO Activities

The fact that an activity of a kind listed above is also required for some other reason (for example an activity is ordered by a court) does not preclude it from being counted towards a WDO.

For clarity, the following activities **may be** legitimately included in a WDO:

- Activities undertaken while in gaol, juvenile detention or on community supervision
- Activities undertaken as part of a Youth Conference Outcome Plan
- Participation in activities under 'reasonable directions' as part of a Parole Order, Community Correction Order, Conditional Release Order or intensive Correction Order pursuant to clauses 187, 188 and 214A of the Crimes (Administration of Sentences) Regulation 2014 ('CAS Regulation')
- Participation in voluntary court-diversion programs, such as the MERIT (Magistrates Early Referral into Treatment) program
- Treatment undertaken in a mental health facility or in the community under the *Mental Health Act 2007*
- Treatment or activities undertaken in accordance with the *Mental Health and Cognitive Impairment (Forensic Provisions) Act 2020*, where the Magistrate has dismissed the charge and no finding of guilt has been made
- Treatment or activities undertaken as part of a Drug Court order under sections 7A or 7B of the *Drug Court Act 1998*
- Educational activities undertaken by a person receiving Centrelink benefits
- Educational activities undertaken by children during normal school hours for children of compulsory school age
- Study-based activities undertaken for the purposes of a traineeship or an apprenticeship (including educational activities that are required by the traineeship or apprenticeship, such as attendance at TAFE or other registered training provider).

This is a non-exhaustive list. Any activity that fits within the definition set out in Part 3 (above) is a permissible activity.

### Tip

If a person is only eligible under the ground of Serious Addiction, they must complete D&A treatment as part of their WDO activity. A person who fits under other eligibility grounds can do any WDO activity.

If you have any questions, please call the WDO hotline 1300 478 879 or email [WDO@legalaid.nsw.gov.au](mailto:WDO@legalaid.nsw.gov.au).

# Factsheet 3.2

## WDO Step-by-Step Guide



### Stage 1: Apply for the WDO



#### Step 1

##### Identify if your client has fines issued in NSW

- Court Fines
- Fines or overdue fines
- Order for Restitution debts



#### Step 2

Provide privacy information and record client consent  
(See *Factsheet 3.1 – Privacy and Consent*)



#### Step 3

##### Assess if the applicant is eligible for the WDO scheme and in hardship

Keep a record of proof of eligibility assessment (See *Factsheet 3.2 – WDO Eligibility*)



#### Step 4

##### Decide on an activity or treatment plan with your client

It must be an activity that your organisation is approved to support either directly or by referral.  
(See *Factsheet 3.3 – WDO Activities*)



#### Step 5

##### Enter the WDO into the Self-Service Portal

- Use the client intake form to prepare all necessary information. (See *Factsheet 3.6*)
- Go to the Revenue NSW website and log on to the Self-Service Portal.
- Go to 'Create new application'
- Enter the details about the WDO applicant, grounds of eligibility and proposed WDO activities

#### Tip

- No backdating. WDO hours can only be included from the date an application is submitted.
- The WDO applicant may keep in place or add a new payment plan along with the WDO.
- Discuss with the WDO applicant whether you will allow new fines which become overdue while the WDO is open, to be automatically added to the WDO. This is the sponsor's decision to be made in consultation with the WDO applicant.

## Stage 2: Supervise and report monthly WDO Compliance



### Step 6

#### Provide and/or supervise activities undertaken by the client.

Keep a record of your client's participation in activities on your file.

(See Factsheet 3.7 – Activity Timesheet)



### Step 7

Enter a monthly compliance report on the Self-Service Portal.

- On the Revenue NSW SSP, go to “Retrieve WDO” and select “CAR” (Client Activity Report).
- The client activity report opens on the 15th day of every month.
- You need to complete a CAR every month
- If the WDO participant did not complete any activity in the month – enter a ‘NIL Activity Report’
- Complete overdue reports first.

## Stage 3: Finalise the WDO



### Step 8

#### When the WDO is completed close the WDO.

- A WDO should be finalised:
  - when all fines included on the WDO have been cleared. In this case the WDO will close automatically once the final report is submitted.
  - when unpaid fines are remaining but the WDO participant has stopped engaging or the activity has ended. In this case finalise the WDO by entering a ‘Close Activity Report’
- You may refer the WDO applicant back to Revenue NSW for assistance to manage their remaining fines balance, find a new sponsor or apply for a write off.
- Print out a certificate of achievement for the WDO participant.

### Tip

The WDO Self-Service Portal and the [Portal User Guide](#) are available on the Revenue NSW website: [www.revenue.nsw.gov.au/fines-and-fees/advocates/wdo-portal](http://www.revenue.nsw.gov.au/fines-and-fees/advocates/wdo-portal)

If you have any questions, please call the WDO hotline 1300 478 879 or email [WDO@legalaid.nsw.gov.au](mailto:WDO@legalaid.nsw.gov.au)



# Factsheet 3.3

## WDO rates and reporting



### 1. WDO rates and reporting

This factsheet provides guidance on how to report WDO activities in the Self-Service Portal (SSP). The clearance rates for some activities are based on the number of hours completed, while others are based on the person's level of compliance with a plan or program entered as a monthly WDO compliance agreement.

**Table 1: WDO Activities and rates**

WDO Activity	Rate	Total
<b>Voluntary unpaid work</b>	\$30 per hour	You may enter multiple WDO activities up to a total of \$1000 per month.
<b>Financial, other counselling or case management</b>	\$50 per hour	
<b>Educational/vocational or life skills course</b>	\$50 per hour	
<b>Medical or mental health treatment</b>	\$1000 per month for full compliance	
<b>Drug or alcohol treatment</b>		
<b>Mentoring Program – all ages</b>		

A recent audit of the WDO scheme showed that sponsors are generally confident entering and reporting on WDO participation in hourly activities. However, the audit revealed that some sponsors are uncertain about how to properly enter and report on monthly WDO compliance agreements.

This factsheet provides detailed guidance on how to enter and report on monthly WDO compliance agreements in the SSP. It also provides tips about reporting on hourly activities as well as providing worked examples and FAQs.

#### 1.1 Monthly WDO compliance agreements

If a person participates in a WDO based on a monthly compliance agreement, they agree to complete a certain number of units of activity per month to clear the full \$1000 in the month as part of their WDO. If the WDO participant completes less than the proposed units of activity, they will only clear a proportion of \$1,000 in that month.

WDO sponsors, or relevant third-party service providers, are in the best position to develop a plan or program that suits the WDO participant's needs. A person's plan or program may include a medical or mental health treatment plan, a drug or alcohol treatment plan or a mentoring program. The number of agreed activities the person engages with form the WDO compliance agreement.

It is up to a sponsor, in consultation with a WDO applicant, to decide what and how many activities are included in the monthly compliance agreement. This decision may depend on the stage of treatment, the applicant's circumstances, their therapeutic needs, and the availability of activities.

When applying for a WDO, the sponsor should include the anticipated number of hours to be completed each month. Not all activities on a treatment plan or mentoring program can be easily measured in terms of 'hours', so it is recommended that 'hours' be interpreted as 'units' of activities. It is important that the accurate number of 'units' of activity be entered into the SSP as part of the compliance agreement. When entering the agreement on the SSP the following 'units' of activity may each be recorded as one 'hour' under the compliance agreement:

- one attendance at a face-to-face psychology appointment
- one piece of self-directed work e.g. a take home reflective exercise or homework
- one day of medication compliance (e.g. daily attendance for methadone)
- one weekly, fortnightly or monthly attendance to receive a regular anti-psychotic injection
- one attendance at a group or individual therapy session

As a suggested guide, it is recommended that at least 4 'hours' of activity should be included in the compliance agreement for every month.

Any decision that a sponsor makes about what is to be included in the compliance agreement should be agreed in consultation with the WDO applicant, recorded in writing and entered into the SSP. Table 2 below shows how compliance activities should be entered and reported.

**Table 2: Entering and reporting monthly WDO compliance agreements**

Entering a WDO compliance agreement	Reporting on a WDO compliance agreement
<p>Enter the number of hours of compliance activity that you anticipate the participant will complete in the month to be in full compliance with their plan.</p> <p>That is, enter the number of hours they need to complete as part of their treatment plan or mentoring program.</p>	<p>A person will clear \$1000 a month for full compliance or a proportion for less.</p> <p><b>The final amount cleared will be calculated as a proportion of the number of hours agreed in the WDO monthly compliance agreement and entered on the SSP.</b></p>
<b>Worked examples</b>	
<p>To clear the maximum of \$1000, Susan agrees with her WDO sponsor to complete eight (8) hours of AOD treatment a month. This is comprised of four (4) individual counselling sessions and attendance at four (4) NARCON sessions.</p>	<p>From the 16th July to the 15th August, Susan only attends four (4) out of the eight (8) sessions. Susan will only clear a maximum of \$500 from her fines in that month.</p>
<p>To clear the maximum of \$1000, Umi agrees with her WDO sponsor to participate in six (6) hours of activities as part of a mentoring program. This is comprised of four (4) group mentoring sessions and two (2) music therapy workshops.</p>	<p>During the reporting period, Umi is sick and only attends three (3) of the agreed sessions. Umi will only clear a maximum of \$500 from her fines in that month.</p>
<p>To clear the maximum of \$1000, Ralph agrees with his psychologist sponsor to attend one (1) monthly appointment. The sponsor thinks Ralph would benefit from keeping a journal and doing a take home quiz so also sets two (2) homework tasks for completion in the month.</p>	<p>At the end of the reporting period Ralph attended his appointment and completed both homework tasks, so the sponsor enters compliance with the three (3) activities and Ralph is able to clear the maximum of \$1000 from his fines.</p>

**Tip**

When applying for a monthly WDO compliance agreement, enter the minimum number of hours needed for full compliance. This is the number of hours that will need to be completed each month to clear the maximum of \$1000. If less units are completed during the month, only a proportion of the \$1000 will be cleared.

## 1.2 Hourly WDO activities

If a person participates in a WDO using the hourly rate, regardless of the number of hours entered in the WDO application, the WDO participant will be able to clear the actual amount of hours they completed.

**Table 2: Entering and reporting hourly rates**

Entering a WDO hourly rates	Reporting on WDO hourly rates
Enter the number of <b>hours</b> you anticipate the person will undertake in the month. You can enter multiple activity types.	Enter the <b>actual</b> number of hours undertaken.  <b>The final amount cleared will be calculated at a per hour rate of ACTUAL hours completed, to a maximum of \$1000.</b>
Worked examples	
Tony agrees to do 3 days (21 hours) of unpaid work per month. The sponsor enters this on the SSP.	When it comes time to report, the sponsor sees that Tony has worked an extra day so has completed twenty eight (28) hours of unpaid work. The sponsor reports the actual 28 hours worked and \$840 is cleared from Tony's fines in that month.
Leila agrees to work seven (7) hours in the community garden as well as doing (16) hours of a life-skills course. The sponsor enters two activities into the SSP.	When it comes time to report, the sponsor finds that Leila only completed four (4) hours unpaid work in the garden and only fourteen (14) hours in the life skills course. The sponsor enters in the actual hours worked and Leila clears \$820 from her fines.
John is completing eight (8) hours of literacy and numeracy courses whilst in custody. The sponsor enters 8 hours into the SSP.	When it comes time to report the sponsor finds out that John also completed an additional two (2) hours as part of a criminogenic education program to address his offending behaviour.  Because the sponsor had entered the WDO for educational activities, she can enter the total hours (10 hours) of participation for both programs and John can clear \$500 from his fines.

**Tip**

When applying for a WDO using the hourly rates, the amount of hours you enter into the application will not directly affect the amount of fines cleared when you report on the WDO activity. However, make sure you enter all the activity types that the person will participate in. If you need to add an activity do so before the reporting period closes (15th of each month) to ensure you can report on it.

## 2. Reporting – Frequently Asked Questions

### 1. The WDO applicant did less hours than I entered on the application. How is this calculated?

The way the hours are calculated will depend on whether the WDO was entered as monthly WDO compliance agreement or based on hourly rates:

- **Compliance agreement** – Glen agrees with his sponsor to attend four (4) hours of weekly group counselling. He only attends for one (1) session so on reporting his fines are reduced by \$250.
- **Hourly rate** – Geoff agrees with his sponsor to do twenty one (21) hours unpaid work and eight (8) hours at a computer course. After the 15th of the month the sponsor reports that Geoff attended for only seven (7) hours of unpaid work and eight (8) hours of the course. The actual hours are reported (to a maximum of \$1000) and Geoff can clear \$610 from his fines debt.

### 2: I am a drug and alcohol counsellor and my client sees me for one (1) hour every week. How much can be cleared from their fines every month?

A: If you agree with your client that the monthly WDO compliance agreement consists only of weekly counselling sessions that may vary in duration, you will enter four (4) 'hours' for the month on the SSP. When you report on attendance, and the client has attended every session, you will enter 4 'hours' and the fine will be reduced by \$1000. If the client misses a week and you report that she attended for 3 'hours', \$750 will be cleared.

### 3: I am a clinical psychologist and I only see my client once a month. Is one 'hour' of attendance in a month enough for a WDO?

You are able to enter a WDO for one 'hour' a month. We understand that often people attend a monthly psychologist appointment. If you decide in discussion with your client that more engagement is suitable in all the circumstances, you may include homework or other activities as a compulsory part of the WDO compliance activity. The actual hours that you require a WDO participant to complete is at your discretion. It should be a decision that you make depending on the client's circumstances and your capacity to provide activities.

### 4: I have been seeing the client weekly for a while and we have agreed to reduce her attendance to once a month. Do I need to amend the WDO?

A: There are two ways to approach this scenario:

- Option 1:** The client's WDO monthly compliance agreement is 4 'hours' in the month. If you want to keep this agreement, after changing to monthly appointments, you might introduce homework or non-face to face elements into the compliance regime. For example, the client attends therapy one (1) time a month and in the other three (3) weeks is also expected to complete three (3) homework activities e.g a self-assessment questionnaire, a reflective task and a memory journal, which count towards full compliance with the WDO. If all of these activities are completed \$1000 may be cleared from the fines debt.
- Option 2:** After the end of the reporting period (15th of the month) you may vary the WDO and reduce the required attendance rate down to one (1) unit in the month. The participant then will only have to attend that one (1) unit (the therapy session) to clear the full \$1000 from their fines.

### 5: We provide methadone treatment and the client attends for a few minutes every day to get their methadone. How do we record this for compliance purposes?

A. As in the scenario above we recommend that one unit of activity equals one day of attendance for medication. So in this scenario you could enter 30 or 31 units in the month. If the client fails to attend any days to collect their medication they will receive a proportional reduction in their fines.

**If you have any questions, please call the WDO hotline 1300 478 879 or email [WDO@legalaid.nsw.gov.au](mailto:WDO@legalaid.nsw.gov.au).**

# Form 1: Privacy Collection Notice

A copy of this notice should be provided to a WDO applicant before commencing a WDO.

## Collection of Information for the WDO scheme

### 1.1 Why are we collecting your personal information?

We, as your sponsor or potential sponsor will collect your personal and health information for the purposes of managing, operating, reporting and complying with the Work and Development Order (**WDO**) scheme. This includes using and disclosing your information to assist with the preparation and submission of your application for a WDO, assessing your eligibility for a WDO, and managing and overseeing your WDO and compliance with WDO activities.

### 1.2 What personal information do we collect?

We will collect the following information from you:

- First and last name
- Sex/gender
- Date of birth
- Residential address details and/or the address of your health practitioner (if applicable)
- Contact details – including your phone number/s and/or email address/es
- Proof of identity documentation – this may include a copy of your driver licence, birth certificate and/or other photographic identification documentation
- If you receive a Centrelink benefit, your Centrelink Reference Number and income details
- Income details including, if necessary bank statements, pay slips and proof of household income
- If the proposed WDO activities include child related activities, evidence that a Working with Children Check clearance has been obtained from the Children’s Guardian
- Any other personal, sensitive and/or health information you provide to prove your eligibility for a WDO, as outlined in Part 3 of the [WDO Guidelines](#).
- Any other personal, sensitive and/or health information the WDO Governance group, auditors or external parties request from us to the extent that it relates to an investigation or audit conducted.

We may use information obtained from Revenue NSW regarding your overdue fines, including those unrelated to your WDO, when applying for, managing and reporting on your WDO.

**The WDO Governance Group, auditors and others may also collect information from WDO sponsors for the purposes of managing, operating, reporting and complying with the WDO scheme as set out in part 1.3 below.**

### 1.3 How will we use and disclose this information?

We will use the personal, sensitive and/or health information we collect about you to:

- Assess your eligibility for a WDO
- Identify and manage any conflicts of interest relating to the WDO
- Prepare and submit a WDO application on your behalf
- Manage your WDO application via the WDO Self-Service Portal
- If your WDO is approved –
  - prepare and submit monthly activity reports to Revenue NSW via the WDO Self-Service Portal, and
  - maintain records of WDO activities and attendance
- Assist members of the WDO Governance Group and/or auditors appointed or approved by the WDO Governance Group operate and manage the WDO scheme, undertake audits and investigations into compliance with the WDO Guidelines, or reviews of the WDO scheme, and
- Undertake any other related administrative functions.

We may disclose all necessary information to:

- Third party sponsors – i.e. third parties we engage to assist with the provision of WDO activities, or persons to whom our WDO functions are delegated under section 99H of the *Fines Act 1996* (NSW)
- Members of the WDO Governance Group in accordance with their respective privacy policies – [Revenue NSW Privacy Policy](#), [DCJ Privacy Policy](#), and [Legal Aid NSW Privacy Policy](#)
- Auditors or investigators as appointed or approved by the WDO Governance Group and/or
- Any other agency as permitted or required by law, including NSW Police.

This disclosure would usually be in the following circumstances:

- For the purpose of assessing eligibility, submitting and managing your WDO application, including using the WDO Self-Service Portal, providing activity reports, and recording activities and attendance
- To allow the WDO Governance Group or auditors appointed or approved by the WDO Governance Group to operate and manage the WDO scheme, including undertaking audits, internal investigations, review of individual WDO applicants and/or sponsor compliance with the WDO Guidelines
- To the extent that it is permitted or required by law or for a law enforcement or investigative purpose and
- For any other related administrative functions.

## 1.4 Are you required by law to provide the sponsor and others with this information?

Providing the WDO sponsor and others with the requested information is not required by law.

However, if you choose not to provide us with this information, we may not be able to submit a WDO application on your behalf, manage your WDO and sponsor your WDO activities. If we are unable to undertake these functions, you may not be able to apply for or continue your WDO with our organisation.

## 1.5 Further information

You have a legal right to access and update your personal information. For more information about how you can access or amend your personal information, please contact your WDO caseworker or administrator.

For more information, please ask us for a copy of our organisation's Privacy Policy.

# Form 2: Privacy FAQ & Consent Form

**Important:** This form must be completed by an approved Work and Development Order (**WDO**) sponsor and WDO applicant before commencing a WDO. The approved sponsor must retain the completed consent form for a period of five (5) years and must provide a copy to the WDO applicant. The approved sponsor must provide a copy of the completed form, on request, to any member of the WDO Governance Group or an auditor appointed on behalf of the WDO Governance Group.

## Frequently Asked Questions

### 1. Who is a WDO Sponsor?

A WDO sponsor is a health practitioner, social worker, organisation or person approved to administer the WDO scheme under the [Fines Act 1996 \(NSW\)](#).

### 2. What does a WDO Sponsor do?

A WDO sponsor assesses your eligibility for a WDO, applies for a WDO on your behalf and monitors your participation in WDO activities and reports on your compliance. A WDO sponsor may provide WDO activities directly or supervise your participation in activities on referral to a third-party provider.

### 3. What is this form?

This form is a record of your consent to participate in the WDO scheme and engage a sponsor to apply for a WDO on your behalf and manage your WDO.

By providing this consent, you give your sponsor and others permission to collect, use, store and disclose your personal, sensitive and, if relevant, health information as set out in the consent form and in accordance with the WDO Privacy Collection Notice and the WDO Guidelines.

To allow your WDO sponsor to make your WDO application, you agree to provide accurate and up to date information about yourself and your eligibility for the WDO scheme. This can include identity information and documents from a medical provider, social worker, relevant government or non-government agency, and evidence of assets, debts and income.

### 4. Why is consent required?

You need to provide written, informed consent authorising a sponsor to apply for a WDO on your behalf and support your WDO and for the WDO governance group and auditors to collect your information for the purposes of managing, operating, reporting and complying with the WDO scheme. As noted in part 1.2 of the Privacy Collection Notice, sponsors and potential sponsors are provided with access to the WDO portal established by Revenue NSW. This means that if you consent to participate in the WDO scheme and engage a sponsor to apply for and manage a WDO on your behalf, your sponsor may be able to access details of any of your overdue fines via the portal, including those unrelated to your WDO.

Before you provide this consent, you must review the consent form and the Privacy Collection Notice to understand how your sponsor will collect, use, store and disclose your personal, sensitive and/or health information.

If you consent to your sponsor supporting your application for a WDO, under sections 99BA and 99I of the [Fines Act 1996 \(NSW\)](#), your sponsor is required to keep records in accordance with the WDO Guidelines issued by the Attorney General. These records will likely contain your personal, sensitive and/or health information.

## 5. What happens if I do not consent or I withdraw my consent?

If you do not provide your consent to participate in a WDO and authorise a WDO sponsor to act on your behalf and support/ manage your WDO, you may not be able to participate in the WDO scheme.

If you provide consent then later withdraw this consent, your WDO may be closed and you may then be required to pay the remainder of the relevant fine.

## 6. What happens to this form?

Your sponsor keeps the completed and signed consent form on your file. A copy of the signed form is given to you, together with the Privacy Collection Notice and these FAQs.

Your sponsor may use and disclose this signed consent form and any other information you provide to them in accordance with the Privacy Collection Notice.

## 7. What type of information may be collected by my sponsor?

Your sponsor may collect personal, sensitive and/or health information, including but not limited to:

- Your name, sex/gender, date of birth, address and contact details;
- Proof of identity documentation – this may include a copy of your driver licence, birth certificate and/or other photographic identification documentation;
- Centrelink Reference Number, and Centrelink benefit details (as a mandatory requirement of proof of receiving a Centrelink benefit);
- Income details including, if requested, bank statements, pay slips and proof of household income
- Working with Children Check information, if applicable; and
- Any other personal, sensitive and/or health information you provide to prove your eligibility for a WDO, or your compliance with a WDO as outlined in Part 3 of the WDO Guidelines.

## 8. What is personal, sensitive and health information?

Generally, personal, sensitive and health information consists of the following:

- **personal information** is any information that may reasonably identify you such as your name, date of birth and address;
- **sensitive information** can include details about your race or ethnic origin, sexual preferences or practices, religious beliefs or affiliations, income details and evidence of hardship;
- **health information** can include personal information about your physical or mental health or disability, other personal information collected to provide a health service, or healthcare identifiers.

## 9. How, and by whom, is my information collected, used and disclosed?

If you provide your consent to participate in the WDO scheme and engage a WDO sponsor, your personal, sensitive and/or health information will be collected, used and disclosed in accordance with the consent form and Privacy Collection Notice.

The Privacy Collection Notice also outlines who your personal, sensitive and/or health information may be disclosed to. Please carefully review and consider the consent form and Privacy Collection Notice prior to signing the consent form.



## 10. Who manages the WDO Scheme?

Under the *Fines Act 1996*, the Commissioner of Fines Administration, through Revenue NSW, is responsible for the management of fines in NSW. Revenue NSW is the government department responsible for managing fines and operating the WDO scheme.

The WDO Governance Group, made up of representatives of Revenue NSW, the Department of Communities and Justice, Legal Aid NSW and Aboriginal Legal Service NSW/ACT have responsibility for the operation, management and administration of the WDO scheme.

## 11. What are my rights?

You can withdraw your consent for your sponsor to act on your behalf. If you have not finished your WDO and would like to continue it, you will need to find a new WDO sponsor. You have a legal right to access and update the personal information you have provided to your WDO sponsor. Please see the Privacy Collection Notice for more detail about your rights in relation to your personal information.

You can ask to see information that Revenue NSW has collected about you under the [Government Information \(Public Access\) Act 2009](#) by calling 02 9219 3700 or emailing [GIPA@customerservice.nsw.gov.au](mailto:GIPA@customerservice.nsw.gov.au).

## 12. Further information

The Legal Aid WDO team can provide advice about fines and your rights. Email: [wdo@legalaid.nsw.gov.au](mailto:wdo@legalaid.nsw.gov.au).

# Consent Form

## Consent to participate in a WDO

### Part A: Sponsor (approved under section 99A(1) of the *Fines Act 1996* (NSW))

I confirm that I have explained to the WDO applicant the type of personal, sensitive or health information that may be collected, used or disclosed, the reasons for any such collection, use or disclosure, and the applicant's rights in relation to their information.

I consent to the collection, use and disclosure of my information about my compliance with the WDO scheme by the Department of Communities and Justice (DCJ), Revenue NSW, Legal Aid NSW (WDO Governance Group) for the purposes of the WDO Governance Group managing, operating, administering the WDO scheme and undertaking investigations or audits to ensure compliance with the WDO Guidelines.

I confirm that I have provided the WDO applicant with the Privacy Collection Notice.

I confirm I have provided the applicant with the WDO Guidelines.

I confirm that I have the WDO applicant's informed consent to apply for, and manage a WDO, on their behalf.

I confirm that I must keep copies of all WDO records in a secure location for five (5) years.

Name of approved WDO sponsor:

Name of person completing this form on behalf of an approved WDO sponsor:

Position:

Email:

Preferred contact number:

Signature:

.....

Date

/ /

**Part B: Applicant consenting to participate in the WDO scheme and engage a sponsor**

I consent to participating in the WDO scheme

I consent to my sponsor making a WDO application on my behalf, and managing and overseeing my WDO

I confirm that the eligibility information and documentation, and other personal, sensitive and/or health information (information) I have provided to my sponsor is true and accurate, to the best of my knowledge

I confirm that I have read and understood the Privacy Collection Notice and the relevant part of the WDO Guidelines

I consent to the collection, use and disclosure in accordance with the Privacy Collection Notice and the WDO Guidelines for the purposes of the sponsor and others managing, operating, reporting and complying with the WDO scheme. This includes the collection of my information by the WDO Governance Group and/or auditors appointed or approved by the WDO Governance group from my sponsor and the use and disclosure of that information by the WDO Governance Group or the auditor to operate and manage the WDO scheme, undertake audits, internal investigations, reviews and reporting of/in relation to the WDO scheme, if required

I consent to a sponsor or potential sponsor, accessing from the Revenue NSW Self-Service Portal, details of all of my overdue fines (including those unrelated to my WDO and those incurred after my WDO has commenced. This fine information may include the amount owing, and the type and nature of fines issued for the purposes of clarifying and managing the scope of the WDO

I understand that my consent will last for the duration of my WDO, from the date this form is signed by both me and my sponsor

I understand that if I revoke this consent, my WDO may be closed and I may be required to then repay, or otherwise manage the remainder of the relevant fine or find a new WDO sponsor and enter into a new WDO.

Given Name(s):

Client Identification/MIN number Preferred contact number:

Surname or Family Name:

Contact/Email/Location:

Signature: .....

Date / /



# Form 3: Client Eligibility Checklist

## Overview

People with NSW fines (children or adults) in NSW or any other Australian state or territory may be eligible for a WDO.

It is the responsibility of a WDO sponsor to assess a WDO applicant's eligibility and keep a record of that assessment. Use this form to assist with recording your assessment. Revenue NSW is to rely on this assessment unless they have evidence to refute the assessment. In this case Revenue NSW will contact the WDO applicant directly. A person is eligible for a WDO if they satisfy ALL of the following criteria:

**A. Satisfies at least one of the grounds of eligibility** as set out in the Grounds of Eligibility table;

- Acute economic hardship
- Homelessness
- Mental illness
- Intellectual disability or cognitive impairment
- Serious addiction to alcohol or volatile substances.

**B. Is experiencing hardship** – A person may be experiencing hardship if they:

- have low income or limited access to income including difficulty paying bills and repayments on loans and debts when they are due and/or
- cannot afford or must go without basic items or services and/or
- lack capacity, opportunities or choices to improve their situation and/or
- are experiencing difficulty in participating in economic, social or cultural activities.

**C. Does not possess substantial assets** – see applicant declaration below.

## Eligibility assessment checklist

Area	Notes
<b>A. Ground of eligibility?</b>	
<b>B. What type of hardship is the applicant experiencing?</b>	
<b>C. A declaration from the WDO applicant that they do not possess, or have access to, substantial assets.</b>	<p>I declare that I do not possess, or have access to, any substantial assets. This means that aside from the home I live in I do not own, co-own or have access to additional investment properties, any luxury or prestige motor vehicles or boats (as defined by the Australian Taxation Office), investments or savings or other liquid assets. I understand that Revenue NSW holds information about Land Tax assessments and may undertake data-matching or public searches with Land Registry Services or other agencies to identify possible sources of income or substantial assets that may impact my eligibility for a WDO.</p>
	<p>I understand that if potential evidence of substantial assets is identified, I may need to provide further information to Revenue NSW and, if I am not eligible, my WDO may be revoked and the fine reinstated.</p> <p>Signed: ..... WDO Applicant:</p> <p>Date:        /        /                      Sponsor Signature: .....</p>

## Grounds of eligibility table

Acute Economic Hardship	Proof Required
<ul style="list-style-type: none"> <li>● Centrelink Income</li> <li>● JobSeeker Payment</li> <li>● Youth Allowance</li> <li>● Parenting Payment</li> <li>● Disability Support Pension</li> <li>● Carer Payment</li> <li>● Age Pension</li> <li>● AUSTUDY, ABSTUDY</li> <li>● Department of Veteran's Affairs benefit</li> <li>● Status Resolution Support Service</li> </ul>	<p>Copy of Centrelink confirmation of income form dated within 4 weeks of the application.</p>

### Tip

This category does not include supplementary payments e.g. family tax benefit.

**Household income (not on Centrelink)**

Household income	\$ per month	\$ per week threshold
Single	\$3,375	\$779
S + 1 child	\$4,050	\$935
S + 2 children	\$4,500	\$1,039
S + 3 children	\$4,950	\$1,142
S + 4 children	\$5,400	\$1,246
Couple	\$4,275	\$987
C + 1 child	\$4,950	\$1,142
C + 2 children	\$5,400	\$1,246
C + 3 children	\$5,850	\$1,350
C + 4 children	\$6,300	\$1,454
Add child	\$450	\$104
Add adult	\$900	\$208

- **household income** includes partner's income
- **domestic violence:** If no access to money due to domestic violence do not count this income

**Proof Required**

Evidence of applicant's income including:

- 3 months of pay slips and/or
- 3 months of bank statements.
- **income** includes wages, pensions or benefits, allowances, interest on investments, or financial support from an associate
- **dependents:** proof from Medicare card, birth certificates, Centrelink or DCJ records deduct
- **child support:** paid from weekly income (keep evidence of payments)
- **domestic violence:** evidence of financial abuse or DV e.g. from police statement, AVO, counsellor, DCJ report, psychologist, caseworker

**NDIS:** NDIS payments are not part of household income.

<p><b>Under 18 years of age</b> Under 18-year-olds will satisfy this ground if the WDO sponsor is satisfied that they meet the general principle set out above.</p>	<p><b>Proof Required:</b> Evidence confirming date of birth e.g. birth certificate, identification card, learner driver's licence or MIN Card.</p>
<p><b>Between 18 and 25 years of age – aftercare:</b> A person under the age of 25 is eligible if they have been under the care of Youth Justice or in out of home care with the Communities and Justice or an accredited Agency. This includes young people currently in care (up to age 18), those who have exited care (aged 18 to 25) or have ever been in Out of Home Care.</p>	<p><b>Proof Required:</b> Evidence confirming that the applicant is under the age of 25. Record of date of birth e.g. birth certificate, licence or identification card or MIN Card. Evidence from a relevant agency confirming the applicant's relevant status.</p>

**Exceptional Circumstances:** If a person does not fit into any of the above categories but is in hardship, you may complete the Exceptional Circumstances form on the Self-Service Portal.

**Proof Required:** Provide details of the hardship the person is experiencing and fill out the form on the last page of the self- service portal. Provide details of the hardship and attach documentary evidence.

### Homelessness

Applicant is living:

- without stable accommodation – sleeping in parks, in car, on the street or improvised home;
- living in temporary accommodation – couch surfing, youth hostel, women’s refuge, caravan park or living in a temporary space in the home of family and friends;
- living in a boarding house on a medium to long term basis

### Proof Required

**Letter** (dated within 3 months) from support worker, case worker, homeless service provider, lawyer, which explains:

- applicant’s current living situation;
- type of homelessness; and
- how long the person has been homeless

### Mental Illness

The person has a mental health condition that seriously impairs their mental functioning such as:

- severe depression
- anxiety
- delusions
- hallucinations
- schizophrenia
- psychosis
- bipolar disorder OR

A person has a personality, addictive disorder or other condition as defined in the Diagnostic and Statistical Manual of Mental Disorders, 5th edition. This may include:

- gambling disorders
- schizotypal or antisocial personality disorders
- alcohol or substance use disorder

### Proof Required

**Letter**, case notes, medical certificates, or document evidencing financial distress explaining the length, nature, severity and effects of the mental health condition:

- by treating doctor, psychiatrist, psychologist, mental health nurse, professional from relevant government or non-government agency

Evidence must be dated within one (1) year of the WDO. Examples include:

- case notes
- medical certificates
- Mental Health Treatment Plan

### Intellectual Disability or Cognitive Impairment

A permanent disability which results in a significantly reduced capacity in one or more major life activities – communication, mobility, learning, decision-making, self-care due to:

- Intellectual disability or impairment or
- Cognitive impairment – impaired brain functioning due to developmental or neurological disorder; dementia; brain injury; Alzheimer’s disease.

### Proof Required

**Job Capacity Assessment report:** if on DSP

**NDIS assessment or plan:** if on NDIS

**Other:** Letter or other documentation clearly describing the person’s disability or impairment, from:

- disability support services, school, Department of Education, NSW Trustee and Guardian, employment services provider or relevant government or non-government agency.

Serious addiction to alcohol or volatile substances	Proof Required
<p>Substance use leading to clinically significant impairment or distress as shown by two or more of the following criteria in a 12-month period:</p> <ol style="list-style-type: none"> <li>1. Tolerance – a need for increased amounts of substance to achieve intoxication or a diminished effect with continued use of the same amount of substance</li> <li>2. Withdrawal – either:               <ol style="list-style-type: none"> <li>i) the characteristic withdrawal for that substance or</li> <li>ii) the same (or closely related) substance is taken to relieve or avoid withdrawal symptoms</li> </ol> </li> <li>3. Substances taken in larger amounts or over a longer period than intended</li> <li>4. Persistent desire, unsuccessful efforts to cut down or control use</li> <li>5. A lot of time spent in trying to obtain substance or using it, or recovering from its effect</li> <li>6. Social, occupational, recreational activities are given up or reduced because of substance use</li> </ol> <p>Substance use continues despite knowledge of the physical or psychological problem it causes (e.g. cocaine use despite awareness of cocaine-induced depression or continued drinking despite an ulcer).</p>	<p><b>Letter</b> or other documentation (dated within 6 months) that explains the length, nature, severity and effects of the addiction</p> <ul style="list-style-type: none"> <li>• <b>by</b> drug and alcohol service provider, drug and alcohol nurse, treating doctor, residential rehabilitation service provider, psychiatrist, psychologist, social worker, case worker or drug counsellor</li> </ul>

### Tip

If a person is only eligible under the ground of serious addiction, they must complete AOD treatment as part of the WDO. A person eligible under other eligibility grounds may do any WDO activity.

# Form 4: Client Intake Form

## Information to create a new application on the Revenue NSW Self-Service Portal

This form may be used to record information about a WDO applicant before entering the WDO application onto the Self-Service Portal (SSP). Enter information into the boxes for ease of reference. You may, but are not required to, keep a copy of this form for your records.

*\*Fields that are mandatory on the SSP are marked with an asterix.*

## Part 1: Validation

Only overdue fines will be automatically included on the WDO. If your client has fines that are not yet overdue you may add them but please call 1300 478 879 to discuss. Recent court fines will need to be added by the relevant court registry.

To assist Revenue NSW to match your client in the overdue fine system, please provide a **Document Reference Number** (eg overdue fine or court case number found on any fine notice issued to the WDO applicant). An Australian postcode and licence number can also assist.

**Reference Number:**

**Australian postcode:**

**Licence Number:**

## Part 2: Sponsor Details

Select the case manager who will manage the WDO application. If you are creating a WDO to be supported by another case manager you can choose that case manager from the drop-down box.

## Part 3: Client Details

\*Client Name: \_\_\_\_\_ D.O.B\*     /     /

\*Address: \_\_\_\_\_

\*Gender:            Male            Female            Non-specific

Phone number: \_\_\_\_\_ Email: \_\_\_\_\_

\*Receiving Centrelink Benefits            Yes            No

\*Centrelink Reference Number: \_\_\_\_\_ Type of benefit: \_\_\_\_\_

\* Aboriginal or Torres Strait Islander            Yes            No

\* Culturally and Linguistically Diverse            Yes            No



## Part 4: WDO Grounds

- \* Select the relevant ground of eligibility
- \* Confirm that you have obtained proof of eligibility and that the applicant is in hardship and does not possess substantial assets

## Part 5: Proposed WDO Activity

- \*Select the activity type:
- \*Enter the activity details:
- \*Enter the estimated number of hours/ commitments/ activities to be completed in the month:
- \*Enter the start date (activities cannot be backdated):
- \*Will the activity be provided directly or by referral to another service?

If the WDO participant will undertake more than one activity, select 'Add new activity' to enter separately. Please complete the following WDO Activity Summary to assist you to enter the correct information.

### WDO activity schedule

*WDO activity type	Is the activity being provided direct through the WDO sponsor organisation?	Is the activity being provided by referral to an external organisation?	Hours per month
	Direct      Referral	Yes      No Details	
	Direct      Referral	Yes      No Details	
	Direct      Referral	Yes      No Details	

## Part 6: Existing Debt

The following questions will help to make sure your client's fines are under management to avoid further enforcement action by Revenue NSW.

### Tip

**RECENT Penalty Notices?** Any recent penalty notices may not show up in the portal until they become overdue. If the WDO applicant thinks they owe a fine that doesn't appear in the system the WDO Hotline staff can assist to add the new fine to the portal.

Phone the WDO hotline on 1300 135 627 for help.

### Tip

**RECENT Court Fines?** Recent court fines won't show up in the portal until they are sent to Revenue NSW from the Court. This may be several months after the Court date. If the WDO applicant has recently been issued a court fine, they should contact the registry of the issuing Local Court and request the fine to be 'early enforced'.

Contact [wdo@legalaid.nsw.gov.au](mailto:wdo@legalaid.nsw.gov.au) for help.

### 6.1 \*Authorise Revenue NSW to add new enforcement order to WDO: **Yes No**

New fines won't automatically show up in the Self-Service Portal until they become overdue.

"YES" – means that any new enforcement orders issued while the WDO is active will be automatically added to the WDO. Adding enforcement orders to a WDO is not an admission of liability and the person may still be eligible to apply for the fine to be annulled.

"NO" – means that any new enforcement orders will not be included in the WDO and may, therefore, result in further enforcement action such as adding costs, applying licence sanctions, garnisheeing the client's bank account or wages and/or issuing a property seizure order.

### Tip

The decision about whether to allow new fines to be added should be discussed with the WDO applicant and is ultimately a decision made by the sponsor, about how the fines will be managed during the life of the WDO.

### 6.2 \*Does the client have an existing payment plan? **Yes No**

A payment plan ('PP') may be added, cancelled or altered. Note however, that if the WDO applicant has a large fines debt, Revenue NSW may require the WDO applicant to continue or enter into a payment plan. If you think this is unfair or the participant is unable to commit to the plan, you should contact the WDO Hotline on 1300 478 879 or get legal advice.

The information in the client details form should be entered into the [Self-Service Portal](#). Once completed, you will receive a notification about the WDO status on the Self-Service Portal.

### 6.3 Choose the overdue fines for inclusion on the WDO.

A list of all the applicant's outstanding fines, including the amount and the type of offence will be listed. You may select 'PUT ALL ELIGIBLE EO's ON A WDO' or choose which of the applicant's fines are being managed on the WDO and which are on the Payment Plan.

If your client would like to enter into a direct debit arrangement, or to make a payment from their Centrelink income they will need to contact the WDO Hotline on 1300 478 879 to set that up. A summary will notify you of the total amount of fines being managed on the WDO. The client will be responsible for payment of any fines that are not included on the WDO or payment plan.

## Part 7: Submission

### 7.1 \*Is there a conflict of interest?

Yes No

A conflict of interest (COI) involves a conflict between a WDO sponsor's obligation to carry out their duties under the WDO Guidelines, and their private interests. It may arise if you enter a WDO for a colleague or a family member. Having a conflict of interest may impact your ability to comply with the rules around eligibility, proof of activity and compliance.

You should be aware of potential conflicts of interest and if you think you might have a conflict of interest please tick yes, and advise how you will manage it. While conflicts should be avoided, if this is not possible, they must be declared, managed and monitored. (See [the Resource Kit](#) for more information).

### 7.2 \* Privacy Notice and Client Consent

You must discuss your privacy and collection obligations and record your client's consent to collect, keep and disclose their personal information. (See [the Resource Kit](#) for more information).

### 7.3 \*Caseworker acknowledgement of Terms and conditions

Please sign and retain a copy of this form to verify that you understand your obligations as a sponsor in the WDO scheme. As an approved provider for the WDO scheme, I agree to comply with the WDO guidelines issued by the NSW Department of Communities and Justice under Section 99I of the *Fines Act 1996*. I have recorded my client's consent and discussed my privacy obligations.

I understand the information I provide to be processed through the WDO Self-Service Portal is required by Revenue NSW for the purposes of assessing eligibility and compliance with a WDO. The information may be provided to third parties in accordance with the Privacy FAQ and consent form signed on

/ /

I understand that applications are subject to quality assurance review, investigation and audit and that I may be required to provide copies of documentation relating to WDOs upon request.

I acknowledge the terms and conditions of the WDO scheme:

Yes No

Signed: .....  
Representative of WDO Sponsor

Name:



# Form 5: WDO Activity Timesheet

This is an optional form that may assist you to record a WDO participant's participation in WDO activities. You may amend this form to suit the requirements of your organisation or practice.

**WDO participant's name**

**Participant's phone number**

**Activity type**

FORM TO BE RETURNED by the 15th of each month to the WDO sponsor.

**Date form returned**                            /        /

**Sponsor/Organisation's name**

**Supervisor's name**

**Supervisor's role**

Day	Date	Start	Stop	Break	Hours worked
Monday					
Tuesday					
Wednesday					
Thursday					
Friday					
Saturday					
Sunday					
<b>Sub-total</b>					

Day	Date	Start	Stop	Break	Hours worked
Monday					
Tuesday					
Wednesday					
Thursday					
Friday					
Saturday					
Sunday					
<b>Sub-total</b>					

Day	Date	Start	Stop	Break	Hours worked
Monday					
Tuesday					
Wednesday					
Thursday					
Friday					
Saturday					
Sunday					
<b>Sub-total</b>					

Day	Date	Start	Stop	Break	Hours worked
Monday					
Tuesday					
Wednesday					
Thursday					
Friday					
Saturday					
Sunday					
<b>Sub-total</b>					

<b>Total</b>					
--------------	--	--	--	--	--

\*Note: The maximum amount that can be cleared on a WDO is \$1,000.00 per month.

### Participant's declaration

I certify that the information in this timesheet, including the record of my actual hours of attendance on the WDO activity, are true and correct. I understand that giving false or misleading information is an offence.

Signed: ..... Date / /  
Participant's signature

Participant's name:

Signed: ..... Date / /  
WDO portal user's signature

WDO portal user's signature

**If you have any questions please call the WDO hotline 1300 478 879 or email [WDO@legalaid.nsw.gov.au](mailto:WDO@legalaid.nsw.gov.au)**

