

Operational Framework for Family Relationship Centres

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OPERATIONAL FRAMEWORK PART ONE

ROLE OF FAMILY RELATIONSHIP CENTRES

Family Relationship Centres were established as a result of the 2006 changes to Australia's family law system to provide tailored, professional support for families.

Family Relationship Centres are a critical entry point or gateway to the broader family law and family support service system. They assist:

- couples about to be married to get information and referral to pre-marriage education
- families wanting to improve their relationships to get information and referral to other services that can help strengthen relationships
- families having relationship difficulties to get information and referral to other services that can assist them to work through their issues
- separated parents to resolve disputes and reach agreement on parenting arrangements outside the court system where appropriate, through child-focused information, advice and family dispute resolution, access to some legal assistance, as well as referral to other services
- separated parents whose arrangements have broken down or whose court orders have been breached, to resolve the issue outside the court system where possible and appropriate, through information, advice, referral and family dispute resolution
- grandparents and other extended family members affected by a family separation through information, advice, referral or family dispute resolution services, and
- families to achieve effective resolution of more complex family separation issues through closer linkages with the courts, legal assistance providers and other services within the family law system.

ASSISTANCE PROVIDED BY FAMILY RELATIONSHIP CENTRES

Information for Families

Family Relationship Centres have information for people who are starting a relationship, wanting to strengthen an existing relationship or having relationship difficulties. Family Relationship Centres hold public information sessions or training seminars on a range of family relationship issues.

Helping Families Use Other Services

Family Relationship Centres make available information about other services or assist people by helping to identify their needs, helping them to access relevant information, and helping them identify and access a relevant service (whether at the Centre or by referral to another organisation).

With the consent of the client, the Family Relationship Centres are able to provide client information as part of the referral to the other service.

Help for Separating Families

Family Relationship Centres provide additional services for separating or separated parents and other family members affected by separation. The focus is on assisting parents, through a joint dispute resolution process, to reach agreement on their parenting arrangements, and for those arrangements to be in the best interests of their children.

Helping separating parents to reach parenting agreements in joint sessions is a primary function of the Family Relationship Centres. Where relevant, Centres should help parents to understand the impact on their children and financial costs of using the courts to resolve parenting matters. In cases involving violence or child abuse, family dispute resolution is not compulsory and may only proceed if the practitioner assesses it as appropriate and safe. Parents may wish or need to resolve their difficulties in court. Family Relationship Centres should work closely with the courts, legal service providers and other parts of the family law service system to assist families achieve effective resolution of these more complex family separation issues.

A number of steps should occur before clients can engage in a joint family dispute resolution process. These include:

- Intake and assessment¹
- Group sessions for separating parents
 - to focus on children's needs
 - to provide advice on developing parenting arrangements that reflect children's needs and
 - getting the best outcome through family dispute resolution.
- Individual interviews for separating or separated parents
 - to help them identify issues and options and understand the family dispute resolution process
 - to consider whether the relationship can be saved
 - consider next steps, including the need for a parenting plan
 - to refer them to other services to deal with problems impacting on their relationship or their ability to reach agreement, and
 - to give them advice on parenting after separation and
 - help them focus on the needs of their children.

Family Relationship Centres should help parents to understand the impact on their children and financial costs of using the courts to resolve parenting matters. Individual interviews, which might entail child inclusive practice, are available to children and other family members affected by parental separation.

The interview is part of the preparation and intake for a joint session with the other parent. Unless the case is unsuitable for a joint session, the Family Relationship Centre will invite the other parent to attend an individual interview and offer the same level of support and assessment and preparation for a joint session.

Referral options when a joint session is not appropriate

If the Family Relationship Centre considers that a joint session is not appropriate at that time, the Centre should consider what other services may help either instead of or prior to a joint session. (For example, a client may need to be referred to counselling to deal with their level of anger before proceeding to family dispute resolution).

Clients who need counselling or other ongoing individual support should be referred to an alternative service. Where other services are needed, Family Relationship Centres will help the client access them. Where an individual interview is held, the Centre should follow up to see if the referral was successful.

Family Relationship Centres should aim to avoid the need for families to have to re-commence a family dispute resolution process and form a new relationship with a different practitioner. In considering whether to proceed to a joint family dispute resolution session, the Centre should make an assessment as to whether family dispute resolution at the Family Relationship Centre is best or whether family dispute resolution at another service (for example one that offers longer or more specialised interventions) would deliver a better outcome for the family.

Joint sessions for separating parents

The aim of joint family dispute resolution is to assist parents to agree on arrangements for the care of their children post-separation. The primary focus of joint family dispute resolution sessions at Family Relationship Centres should be on the needs of the children. Where both children's issues and property are involved, the Centre may deal with both issues as part of a family dispute resolution process, subject to staff having appropriate skills in both property and children's matters.

In some cases, parents may not be in dispute but need assistance in setting out their arrangements in the form of a parenting plan. In other cases family dispute resolution processes will be needed to help resolve conflict and reach a workable agreement on arrangements for the children. Family Relationship

¹ The Family Law *Detection of Overall Risk Screen (DOORS)* (2012) is a common screening and assessment tool available from the Attorney-General's Department by emailing FLSIsection@ag.gov.au and requesting a copy.

Centres should conduct family dispute resolution in a way that best achieves sustainable parenting agreements in sessions with parents.

Family Relationship Centres should ensure separating parents receive support outside of the family dispute resolution sessions so they can focus on resolving parenting issues during sessions. If the parents' consent, family dispute resolution could include separate consultation with children, with information from that consultation fed back to the parents (child inclusive practice). As well as parents, other family members such as children or grandparents may be included in the joint sessions where appropriate and where both parties agree.

The joint sessions can be conducted face-to-face (with both parents in the same room), shuttle (with each parent in a separate room) or using technology such as telephone, video, and/or on line. Sessions may be held at the Family Relationship Centre or in another location. This might entail the Telephone and Online Dispute Resolution Service (TODRS), which is part of the Family Relationship Advice Line (FRAL).

Family Relationship Centres may conduct the joint sessions using their own staff, sessional practitioners or through an arrangement with another organisation. Once joint sessions have commenced, the Family Relationship Centre should endeavour to continue with that family (subject to available resources).

Separating parents should be encouraged to seek legal advice throughout the process and, where care arrangements may be changing, to seek advice from the Department of Human Services - about possible implications in relation to child support and family benefit entitlements.

Child support and Income support

Family Relationship Centres assist customers of the Department of Human Services to achieve workable and appropriate arrangements for the children, through information, advice and referral to services. The Centres also have a particular role in helping parents consider child support payment issues and encouraging them to reach agreement on child support payments. Centre staff are not expected to be experts in child support or income support – instead they are able to telephone DHS staff to discuss child support implications of arrangements clients are considering. Clients may also be able to talk to DHS staff directly in private using Centre telephones about child support and family payment implications. With the consent of both parents, a parenting plan developed at the Centre and/or other relevant information can be provided to the DHS so that the parents do not have to provide that information again to DHS.

CLIENT SERVICE DELIVERY PRINCIPLES

Involvement of Children

Family Relationship Centres focus on the needs of the children and how parents can make decisions that best meet their children's needs.

Client Diversity

Family Relationship Centres ensure that families, regardless of a real or perceived barrier to receiving assistance, are able to access their services.

Services to Indigenous Clients

Family Relationship Centres provide flexible, culturally sensitive and accessible service delivery models and practices to Indigenous clients in their area.

Legal Advice and Representation

Family Relationship Centres have partnership arrangements in place with local Community Legal Centres or Legal Aid Commissions, for the provision of legal assistance.

Separate to this, Centres also encourage clients to seek legal advice, particularly where it helps them to reach agreement. Centres should develop cooperative arrangements with legal service providers in order to ensure clients have access to relevant and timely legal advice to assist them in resolving their dispute.

Fees Policy

Family Relationship Centres provide the following services free of charge: information and referral, family relationship seminars and/or group sessions, and individual help.

Joint family dispute resolution sessions will be provided free of charge for one hour per couple. Centres will charge clients earning \$50,000 or more gross annual income \$30 per hour for the second and third hours of joint family dispute resolution. Centres provide the second and third hours of joint family dispute resolution, free of charge, to clients who earn less than \$50,000 gross annual income or receive Commonwealth health and social security benefits. Centres may also charge fees in accordance with the Centre's fees policy if further joint sessions are required.

Where interpreters are needed, up to four hours of joint family dispute resolution is provided free of charge in recognition of the fact that more time will be needed in such cases. Centres are able to charge clients earning \$50,000 or more gross annual income \$30 per hour for the fifth and sixth hours of joint sessions. Centres provide the fifth and sixth hours of joint sessions free of charge to clients who earn less than \$50,000 gross income per annum or receive Commonwealth health and social security benefits. Centres may also charge fees in accordance with the Centre's fees policy if further joint sessions are required.

Refusal of Service

Family Relationship Centres may refuse to provide services to a client where there are safety concerns, its services are clearly inappropriate to the client, or the client has already received appropriate services at the same or another Family Relationship Centre.

Safety

Family Relationship Centres have in place a Safety and Security Plan which addresses safety risks across all relevant aspects of service delivery.

Screening and Assessment

Family Relationship Centres adopt *The Family Law Detection of Overall Risk Screen (DOORS) (2012)*, which is available upon email request to FLSIsection@ag.gov.au.

Outreach to Regional and Rural Communities

Family Relationship Centres provide outreach services to regional population centres and larger towns within their area.

Additional Service Delivery for Indigenous Clients in Specified Locations

Indigenous outreach services are located with Family Relationship Centres in specified areas of high-need or with significant Indigenous communities to contribute to enhanced Indigenous service delivery across the whole network of Centres, and to ensure that Indigenous clients are serviced effectively.

Service Charter and Complaints

Family Relationship Centres prominently display a common service charter that sets out their commitment to the provision of high quality, timely, safe and ethical services, what clients can expect of the Centre and how to provide feedback on the service received – refer to the Service Charter Template.

STAFFING, TRAINING AND COMPETENCY

Family Relationship Centres recruit staff with a high level of existing skills relevant to the services provided (see Standards 5, 6, 7, 8 and 9 of the Families and Children Approval Requirements - Entry of Practitioners, Supervision of Practitioners, Training and Development, Staff Appraisal and Safety of Staff). 'Staff' includes full time, part time and casual workers engaged by the Centre, whether paid or unpaid (volunteer).

Accreditation and registration of family dispute resolution practitioners

An accreditation system for family dispute resolution practitioners has been developed under the *Family Law Act 1975*. This recognises the professionalism of the sector and ensures that suitably qualified and experienced individuals are able to provide family dispute resolution and issue family dispute resolution certificates.

All family dispute resolution practitioners (except those authorised by a court) need to meet the accreditation standards in accordance with the *Family Law (Family Dispute Resolution Practitioners) Regulations 2008* to be able to issue s 60I certificates under the Family Law Act. Details of accredited family dispute resolution practitioners are entered into the Attorney-General's Department's Family Dispute Resolution Register.

See the [family dispute resolution pages](#) at for more information.

FACILITIES

Premises

Family Relationship Centres are accessible to all potential clients. They should be conveniently located (close to public transport routes and parking facilities), visible to the community and provide some service delivery outside normal business hours. Disability access is provided.

The site and fit-out of premises create a welcoming atmosphere for diverse family members, including children, while also ensuring appropriate levels of security. The following features are likely to be important to prospective clients:

- a professional, discreet and dignified environment, but not overly formal
- a modern but not clinical setting, and
- homely decor with soft lighting and bright colours and comfortable furnishings.

Family Relationship Centres are child-friendly and have waiting areas and facilities (e.g. play area, television, toys) where adult family members can supervise children. Where possible, Centres should have options for child-care arrangements, such as access to nearby short-term child-care facilities.

The premises have suitable group and individual interview rooms and private waiting areas, particularly with regard to maintaining the privacy and confidentiality of clients. Interview rooms are appropriately sound-proofed. Group rooms are suitable for use by other organisations conducting information sessions or programs on the Centres' premises.

Security

Family Relationship Centres do not compromise the safety of staff or clients. Appropriate safety requirements include duress alarm systems, multiple exit and entry points, and separate waiting areas. The siting of a Family Relationship Centre also considers issues such as external lighting and car parking. The Safety and Security plan identifies risks and remedial measures, which should be monitored and reviewed periodically. The plan complies with the Standards 9, 12 and 13 of the Families and Children Approval Requirements –Safety of Staff, Client Confidentiality and Privacy and Client Safety; as well as safety guidelines for Family Relationship Centres.

Co-location

Co-location promotes an integrated approach to family issues and enable families to access a wide range of services with minimum inconvenience. In the event of co-location, Centres need to demonstrate impartiality with respect to their referral decisions so that clients are provided with choices about both the co-located service and other services in their area.

Information Technology and Telecommunications

Family Relationship Centres use available technology in ways that best meet the needs of diverse client groups to complement face-to-face communication or deliver services to clients who would otherwise not be able to access services. Centres may have appropriate self-help facilities including a private area for clients to use:

- a phone available in the Centre that provides a direct link to the Family Relationship Advice Line and the Department of Human Services
- a computer that provides access to Family Relationships Online and relevant websites, and
 - a colour printer to print fact sheets and other information.

Family Relationship Centres should consider, where appropriate, the use of telephone or video conferencing links where one or both parents are unable to travel to a Centre. Alternatively clients can be referred to the Telephone Dispute Resolution Service.

Family Relationship Centres also have appropriate record-keeping systems (see Standard 4 Management of Data of the Families and Children Approval Requirements).

Badging

Badging of Family Relationship Centres has been developed nationally and is adopted by the Centres as their primary identifying symbol. Trade Mark Protocol and Branding Guidelines for Family

Relationship Centres set out the requirements for the use of the Family Relationship Centre brandmark. Centres adhere to these branding requirements. The Family Relationship Centre brandmark cannot be used for purposes other than those related to the business of the Centres.

In addition to providing advice on the authorised use of the Family Relationship Centre brandmark, the Trademark Protocols and Branding Guidelines also provide detailed information on issues such as external signage and co-branding of services at Family Relationship Centres.

NATIONAL NETWORK

Family Relationship Centres adapt their services to best meet the needs of their local communities as well as operating as a member of a national network of Centres. The national network includes the Family Relationship Advice Line.

National referral arrangements with national agencies have been developed for the network (eg with agencies such as Department of Human Services). Centres will be required to comply with national referral arrangements.

Each Family Relationship Centre is expected to contribute to the development of best practice across the network and Centres may develop expertise and innovative practices in specific areas and become centres of excellence within the network.

Family Relationship Advice Line 1800 050 321

The Family Relationship Advice Line (Advice Line) is a national telephone service providing free information, advice and referral, legal advice and telephone dispute resolution services to assist people affected by family relationship or separation issues. The Advice Line provides a nationally accessible service for people who may not have access to a Centre or the internet. For further details on the Advice Line see Guidelines for working with the Family Relationship Advice Line.

Family Relationships Online

Family Relationships Online provides the public and service providers with a wide range of information resources about issues related to relationships and separation, including selected information from other websites, without needing to separately visit each of those websites.

Family Relationship Centres:

- use Family Relationships Online as a referral tool, and
- have their services and outlets registered and updated on the site so that those details are available to the public and to Advice Line staff. Information on how to update information is available by contacting FROHelp@dss.gov.au.

PRINCIPLES FOR ENGAGEMENT WITH COMMUNITY AND OTHER ORGANISATIONS

Family Relationship Centres should ensure that they have the linkages in place with local community groups and services to enable families to receive timely and effective assistance.

Referral of Clients

Referral to any other service should be on the basis of the most appropriate service for the client.

Collaborative Arrangements

Collaborative arrangements with other organisations may optimise services for clients.

Information Provided at the Centre by or about External Services

Family Relationship Centres ensure that information made available to clients and visitors about services in their local community will be relevant to clients' needs.

**OPERATIONAL FRAMEWORK
PART TWO
GUIDELINES**

GUIDELINES RELATING TO REFERRALS FROM THE DEPARTMENT OF HUMAN SERVICES

Department of Human Services (DHS) customers may consider that they, the children or the other parent have special circumstances that aren't reflected in their child support assessment and can apply to DHS for a Change of Assessment. Where the reason for applying for a Change of Assessment relates to an issue about parenting, DHS can refer the parents to the Family Relationship Advice Line, a Family Relationship Centre, family dispute resolution or counselling service to assist them in resolving the issues themselves and formulating their own agreement.

Contacting the Department of Human Services - Child Support

The phone number for contacting DHS regarding child support issues is 131 272 – this number is the same for both Centre staff and the general public.

If Centres wish to contact DHS regarding other matters (such as family payments or income support payments), then there are different numbers depending on the circumstances. A list of these numbers can be found on the [Human Services Contact Us Website page](#).

Involvement of Children

Family Relationship Centres are places where families can bring their children.

Family Relationship Centres focus on the needs of the children and how parents (and other family members) can make decisions that best meet their children's needs. Centres adopt child-focused practice and, where appropriate, ensure that child-inclusive approaches are used in appropriate circumstances. As contained in Standard 3 Planning of the Families and Children Approval Requirements, the Centres' organisational planning also takes into account the needs of children.

Family Relationship Centres make information resources available for children and, where appropriate, consider conducting information or group sessions for children.

In relation to the parenting advice and family dispute resolution services, the Centres may either:

- include children in these processes, if the family wishes and the Centre has capacity and skills, or
 - make arrangements with other services with experience in child-inclusive practice so that families can receive this type of assistance in appropriate cases.

Centres should ensure that training, professional development and supervision for family dispute resolution practitioners engaged by the Centre include child focused practice and that any child-inclusive approaches are conducted by appropriately trained practitioners.

Commonly used descriptions:

- child focused practice means directing parents' discussions to focus on their children's needs and interests.
- child inclusive practice means directly involving the child in processes that may impact on them. This may include a qualified practitioner spending time with the child to seek their views and providing feedback to their parents or caregivers.

Client Diversity

Family Relationship Centres work to ensure sensitivity and accessibility to any people who face a real or perceived barrier to receiving assistance (see Standard 10 Accessibility of Services of the Families and Children Approval Requirements), whether on the basis of:

- race, religious background, language or ethnic background
- gender
- disability
- age
- locality
- socio-economic disadvantage, or
- any other unjustifiable basis.

Family Relationship Centres provide services equally, without bias or prejudice about clients.

Family Relationship Centres service all of the families in their catchment areas, including Indigenous people and people from culturally and linguistically diverse communities.

In designing and delivering their services, Centres take account of the specific needs of these diverse groups and consider:

- how best to engage and communicate with ethno-specific groups in their area
- cooperative arrangements with local services
- means to overcome language and cultural barriers, particularly with regard to service delivery (Standard 10 Accessibility of Services of the Families and Children Approval Requirements) and client feedback (Standard 11 Client Feedback of the Families and Children Approval Requirements)
- how to make optimum use of interpreters
- within overall standards of service, adaptations to the service design model to accommodate specific cultural needs, for example, about the participation of extended family members
- a workforce diversity strategy (see section on Staffing, Training and Competency)
- a strategy to provide access for clients outside business hours, and
- how best to address client diversity when developing organisational plans (Standard 3 Planning of the Families and Children Approval Requirements).

Services to Indigenous Clients

All Centres provide flexible, culturally sensitive and accessible service delivery models and practices to Indigenous clients in their area, and have in place strategies to achieve this.

Strategies to enable effective delivery of Centre services to Indigenous clients might include:

- providing services at culturally appropriate sites that are welcoming for Indigenous families
- recruiting Indigenous staff in the Centre
- arranging outreach visits to communities in their catchment areas
- forming linkages with Indigenous communities and agencies servicing those communities
- networking with other providers of family services to Indigenous people; and
- providing Indigenous interpreter services where needed.

Telephone and Video Conferencing

Family Relationship Centres may provide telephone conferencing, video conferencing or other remote communication methods where family dispute resolution is appropriate but where physical or other barriers prevent face-to-face sessions. Centres should ensure that staff using these media have the required skills.

Telephone or video conferencing may involve one client sitting with a family dispute resolution practitioner in one Centre, and the other sitting with a family dispute resolution practitioner elsewhere. The Centre at which the client first presents should take responsibility for locating and liaising with a service at the other location and setting up the session(s). Where the other client is in the catchment area of another Family Relationship Centre, this should be the first option.

A different family dispute resolution service may be used if a Centre is not available or one or both clients want to use a different service at the other location.

Where there is no suitable service available at the other location, it may be satisfactory for one or both clients to be on the other end of the line at their home or community venue, without a family dispute resolution practitioner present. The Centre will need to talk to the clients beforehand about these arrangements, for example, to ensure that the conversation can be private and uninterrupted. The availability of support services should also be discussed.

A telephone dispute resolution service (including an online dispute resolution capability) is available through the Family Relationship Advice Line. A practitioner or manager of the FRC can refer clients to this service. For further information on the Telephone Dispute Resolution Service refer to the Guidelines for working with the Family Relationship Advice Line.

Legal Advice and Representation

Family dispute resolution practitioners in Family Relationship Centres have the discretion to allow legal representatives to be present during sessions in appropriate cases. Protocols have been developed to provide guidance regarding the provision of legal services in Family Relationship Centres. A copy of these protocols is available from the [Attorney-General's Department website](#).

Parents are free to obtain legal advice at any time and Centres should encourage clients to seek legal advice, particularly where it helps them to reach agreement (for example, legal information can help to manage parents' expectations about likely outcomes if they proceed to court).

Many Centres have established partnerships with legal assistance services that are able to offer clients relevant and timely legal advice to assist them in resolving their dispute. Centres are encouraged to develop these cooperative arrangements with legal service providers in their local area (private practitioners, legal aid commissions and/or community providers, community legal centres and women's legal services) in order to ensure clients have access to legal advice.

To encourage a non-adversarial approach, private lawyers attending family dispute resolution sessions in Family Relationship Centres should first make a commitment not to represent the party in court in relation to the issues in dispute, should the same issues subsequently be filed. This requirement does not apply to legal assistance services that are operating in partnership with the Family Relationship Centre.

Family Dispute Resolution Practitioners in the Centres can access legal advice and information from the Legal Advice Service on the Advice Line. However, the Advice Line is not intended as a line that

clients can ring when they just want legal advice. For this reason, if callers only require legal advice and do not wish to discuss relationship issues or parenting issues, they should not be referred to the Advice Line. Rather they should be referred to a legal advice provider such as Legal Aid, a community legal centre or the local law society.

Arrangements may also be made for legal service providers to provide training for Centre staff to recognise when legal advice is necessary.

For further information on when to seek legal advice through the Advice Line see Guidelines for Referrals to Legal Advice by staff in Family Relationship Centres

Fees Policy

Family Relationship Centres provide all services that fall within the following categories free of charge:

- information and referral
- public family relationship seminars and/or group sessions, and
- individual help.

Where clients need counselling or ongoing individual help they should be referred to another service (whether co-located with the Centre or elsewhere).

With regard to joint sessions:

- one hour per couple will be provided free of charge, or
- where interpreters are needed, up to four hours shall be provided free of charge in recognition of the fact that more time will be needed in such cases.

(Joint sessions do not include intake and follow-up, but do include the time spent in shuttle mediation, tele-conferencing or private sessions conducted during a family dispute resolution process.)

After the free hour joint session, Centres charge fees as follows:

- clients earning \$50,000 or more gross annual income \$30 per hour for the second and third hours of family dispute resolution. Centres will provide the second and third hours of joint family dispute resolution, free of charge, to clients earning less than \$50,000 gross annual income.
- fees are waived entirely for clients for whom Family Court fees would be reduced under the Family Law Regulations 1984 (see below), and
- procedures are in place to ensure that people without the capacity to pay are not treated differently from those who can pay fees.

Centres are able to charge fees after the first three hours of joint sessions in accordance with their Centre's fees policy. Any fees will take into account the family's ability to pay.

Where interpreters are needed, up to four hours of joint family dispute resolution shall be provided free of charge in recognition of the fact that more time will be needed in such cases. Centres are able to charge clients earning \$50,000 or more gross annual income \$30 per hour for the fifth and sixth hours of joint sessions. Centres provide the fifth and sixth hours of joint sessions free of charge to clients who earn less than \$50,000 gross income per annum or receive Commonwealth health and social security benefits. Centres may also charge fees in accordance with the Centre's fees policy if further joint sessions are required.

Family Relationship Centres publicly display their fees policy and discuss fees prior to arranging sessions where they apply so that clients have a choice about whether to commence the process at the Centre or use another service with a different fees arrangement.

Fee exemptions for clients correspond with the requirements for a reduction of Family Court fees as set out under the Family Law Regulations. Currently these are situations where:

- the client has been granted legal aid for the parenting issue being dealt with
- the client is the holder of:
 - a health care card
 - a health benefit card
 - a pensioner concession card
 - a Commonwealth seniors health card or

- the holder of any other card issued by the Department of Social Services or the Department of Veterans' Affairs that certifies entitlement to Commonwealth health concessions
- the client is an inmate of a prison or otherwise lawfully detained in a public institution
- the client is a child under the age of 18 years
- the client is in receipt of a youth allowance, or an Austudy payment or ABSTUDY benefits, or
- the Centre, having regard to the income, day to day living expenses, liabilities and assets of the person liable to pay the fee, waives payment of the fee because, in his or her opinion, it would cause financial hardship to the person.

Re-opened cases and fees policy

For the purposes of this section, a case is re-opened when clients:

- use the Centre at a later stage over a different issue
- use the Centre at a later stage because an agreement has broken down, or
- experience a breach of a court order made since their previous use of a Centre.

Centres may provide one free hour of joint family dispute resolution for re-opened cases, but the requirement to provide free family dispute resolution is limited.

Altogether, a client can only have one free hour three times (including two re-opened cases) in any two year period. This provision is designed to encourage clients to return to the Centre (rather than possibly going to court) in situations where new issues have arisen, agreements have broken down or orders have been breached, while also providing some limits on the extent to which Centres are obliged to provide free services to repeat clients.

Example:

1. Nick and Sandy first attended family dispute resolution at the Centre in July 2011. At that stage they had only a minor issue about schooling for their 9 year old son, Jack. Nick earns \$80,000 gross income per annum and Sandy earns \$40,000 gross income per annum. After two hours in joint sessions, they reach an agreement.
Fees: Nick receives one hour at no cost and is charged \$30 for the second hour joint session. Sandy receives the two hour joint session at no cost.
2. In May 2012, the case is re-opened when Nick and Sandy return to the Centre, prompted by Nick's decision to move interstate, which now requires them to re-negotiate their arrangements for Jack. They spend five hours in joint sessions, and come to a new agreement, which then become consent orders.
Fees: Nick receives the first hour at no cost. He is charged \$30 for each of the second and third hours (\$60 in total) and is charged according to the Centre's fees policy for the fourth and fifth hours. Sandy receives the first three hours at no cost and is charged according to the Centre's fees policy for the fourth and fifth hours.
3. In January 2013, the case is re-opened again when they contact the Centre as the agreement about holidays has broken down. Sandy is considering enforcing the consent orders. They reach an agreement after four hours.
Fees: Nick receives the first hour at no cost. He is charged \$30 for each of the second and third hours (\$60 in total) and is charged according to the Centre's fees policy for the fourth hour. Sandy receives the first three hours at no cost and is charged according to the Centre's fees policy for the fourth hour.
4. In April 2013, the new agreement has broken down and Nick and Sandy again want to use the service.
Fees: As this is the fourth occasion within two years, the Centre may charge fees according to their fees policy from commencement.

The Centre may also decline to provide further assistance if it believes that such assistance is unlikely to be successful in resolving the dispute.

FEES POLICY

We will provide all services that fall within the following categories free of charge:

- information and referral
- public family relationship seminars, and
- individual help.

We will also provide one hour of joint dispute resolution sessions free of charge (conditions apply), and may charge fees after this depending on your circumstances (see below).

Fees are charged per activity, per client. We will charge clients earning \$50,000 or more gross annual income \$30 per hour for the second and third hours of dispute resolution. If further joint sessions are required, we will charge clients in accordance with our Centre's fees policy. We will discuss fees with you prior to attending joint dispute resolution sessions.

You will not have to pay a fee for the second and third hours of dispute resolution if:

- you earn less than \$50,000 gross annual income
- you have been granted legal aid for the parenting issue being dealt with at the Centre
- you are the holder of:
 - a health care card
 - a health benefit card
 - a pensioner concession card
 - a Commonwealth seniors health card or
 - the holder of any other card issued by Centrelink or the Department of Veterans' Affairs that certifies entitlement to Commonwealth health concessions
- you are an inmate of a prison or otherwise lawfully detained in a public institution
- you are a child under the age of 18 years
- you are in receipt of a youth allowance, an austudy payment or ABSTUDY benefits, or
- we believe that payment would cause financial hardship to you.



Refusal of Service

Centres may refuse services to a client who:

- presents a risk to the safety of staff or other clients
- is clearly acting in bad faith
- in the opinion of the Centre, cannot be assisted by the Centre because its services are clearly inappropriate to the client, or
- has already received appropriate services at the same or another Family Relationship Centre.

The client presents a risk to the safety of staff or other clients

This can include situations of actual physical violence, where a threat is made to staff, highly aggressive behaviour which creates fears for the safety of staff, clients or visitors to the Centre, or clients with conditions that create risk to themselves or others, such as mental health or substance abuse.

The client is clearly acting in bad faith

Bad faith includes and refers to intentional, purposeful behaviour, such as:

- taking unfair advantage over the other party or using duress to get an agreement for the other party (e.g. threats of violence or suicide to gain a concession)
- acting fraudulently or misusing the service to mislead the other party (for example, setting up a joint session in order to create an opportunity to abduct a child)
- acting maliciously (for example, using the service to humiliate the other party).

To decline a service, an assessment of bad faith needs to be clear cut eg the client has made a disclosure. Where Centre staff may suspect bad faith, but cannot be sure, they should not decline the service but rather should attempt to manage this through normal risk management and clinical practices (e.g. referral to legal advice and use of separate sessions).

In the opinion of the Centre, the client cannot be assisted by the Centre because its services are clearly inappropriate to the client

This can include a range of situations where clients want to use the Centre but the Centre's services will not be of any assistance to the client. This can include clients whose issues fall outside the scope of the Centre service or whose needs are better met through other specialised services, for example, legal advice, mental health services or long term therapy. The Centre should attempt to refer to appropriate services, but, if the client refuses to accept the referral, the Centre may decline to provide further help to the client.

The client has already received appropriate services at the same or another Family Relationship Centre

This can include repeat users who are unlikely to gain further benefit from the Centre's service, for example, a client has been seen for individual, joint and follow up sessions, but continues to request more and more individual sessions. Centres should ensure they do not create an expectation that they can offer long term therapy and should ensure that staff do not encourage client dependency. Where long term help is needed, the Centres should refer to appropriate services.

Service limits apply across the network of Centres, not just the individual Centre. Therefore, Centres may decline services in situations where clients use different Family Relationship Centres to extend the free service limit. For example, where clients have used up the limit of free joint sessions at another Family Relationship Centre and are trying to 'start again' at another Centre.

As there will not be a common database across all Family Relationship Centres, Centres will need to ask where clients have been previously and will need to gain the client's consent to obtain information from the other Centre.

Suggested procedures

Centres need to develop their own guidelines for refusing services. In some clearly defined situations, the individual staff member may use their own professional judgement in declining a service and simply report their decision to their supervisor. In situations that are less clear cut, the staff members may need to discuss with their supervisor or manager.

The Centre should keep a record of situations where services have been declined, as such situations may give rise to complaints against the Centre.

Screening and Assessment

Family Relationship Centres provide a gateway for families in the community to a range of services they may need. Staff need to be skilled at identifying client needs. As a minimum, Family Relationship Centres have an approach based on the Framework for Screening, Assessment and Referrals which is available upon email request to FROHelp@dss.gov.au. The family law system also uses a common screening and assessment tool known as DOORS – Detection of Overall Risk Screen (2012)²

Screening and assessment should be seen as a continuous process that responds to clients' changing needs. Screening and assessment practices should always be underpinned by a focus on safety.

When providing information to clients, staff at the Centres assess obvious non-verbal cues, for example communication difficulties or distress, and determine if other assistance is required.

When conducting individual interviews, assessment is part of establishing a relationship, considering options, assisting client decision-making, and identifying client needs. Issues to consider include:

- the client's capacity to participate in the services provided by the Centre
- client safety, including risks of self-harm, suicide or violence, and
 - any risks of child abuse or neglect, including any legal or ethical reporting requirements.

Key issues need to be re-evaluated as contact is made with other family members and with other services. It is recognised that clients could initially be assessed as not having any safety concerns but this could change during the course of their contact with the Centre for various reasons. Any referrals to other services are guided by referral and information-sharing protocols and national standards developed for those processes.

Centres develop strategies for all stages and provide urgent referral to appropriate services when clients present with crisis and emergency issues, for example:

- violence and the threats of violence
- child abduction
- need for urgent accommodation or financial assistance, and
 - urgent mental health issues, including threats of self-harm.

Screening and assessment processes seek to identify specific client needs due to:

- disability
- any cultural or language barriers
- literacy issues
- transport issues, and/or
- child-care issues.

In developing and implementing processes for screening and assessment, Centres should consider consultative arrangements with local groups, including Indigenous and ethno-specific groups in their areas, to advise on the needs of diverse client groups.

Outreach to Regional and Rural Communities

Family Relationship Centres are required to provide outreach services to regional population centres and larger towns within their area, and, wherever possible, to other communities where the Centre has capacity and sufficient demand exists.

² The Family Law *Detection of Overall Risk Screen (DOORS)* (2012) is a common screening and assessment tool available from the Attorney-General's Department by emailing FLSIsection@ag.gov.au and requesting a copy.

Centres assess local needs and develop flexible service delivery strategies to best address those needs. Outreach strategies may include:

- regular face-to-face visits to selected population centres
- collaborative or sub-contracting arrangements with organisations located in other centres
- the provision of appropriate training and resources to enable organisations or individuals in rural areas to act as agents for the Centre, and
 - the use of alternative means of communication, such as telephone, video-conferencing and the Internet, to complement face-to-face services.

Where a Centre is purchasing a service from another organisation, or using another organisation to act as an agent for the Centre, this is done through a sub-contracting arrangement.

Service Delivery for Indigenous Clients in Specified Locations

To ensure that Indigenous clients are serviced effectively, Indigenous outreach services have been funded in specified locations identified as high-need areas or with significant Indigenous communities. The additional funding enables Centres to engage advisers for Indigenous service delivery.

The advisers assist Indigenous people in each region to access Family Relationship Centres and other services, and to develop the capacity of Family Relationship Centres to provide effective services to Indigenous families. Advisers may be engaged directly by the Centre or by arrangement with another organisation with experience and credibility in the delivery of services to Indigenous families. Advisers are expected to contribute to the development of effective services to Indigenous families across the whole network of Family Relationship Centres.

The functions of the advisers include:

- helping the Centres to develop innovative and effective approaches to delivering the Family Relationship Centre services to Indigenous families
- conducting community education to Indigenous communities about Family Relationship Centres and services
- liaising with Indigenous communities in their areas and with other agencies servicing those communities (including Indigenous Family Liaison Officers in the Family Court of Australia and Family Violence Prevention Legal Services)
- coordinating arrangements for service delivery (eg arranging visits by Centre staff to communities), and
- providing cultural advice and training to Family Relationship Centre staff.

GUIDELINES ON SAFETY POLICIES, PROCEDURES AND CRITICAL INCIDENTS

Safety and Security Plan

The safety of all adults and children who visit or work for a Centre is paramount. Centres should have in place a Safety and Security Plan which addresses safety risks across all relevant aspects of service delivery, taking into account the type of services delivered, the client population being targeted and factors relevant to the particular Centre. Primarily, a Safety and Security Plan needs to be used by Centres as a practical tool that provides people working in and accessing Centres with clear instructions and/or information that supports them to respond to a variety of issues that are likely to impact on the safety and security of staff and clients at the Centre or in the provision of outreach services.

The Safety and Security Plan addresses safety needs in the following areas:

- physical location
- building specifications
- security systems and protocols
- data collection and IT security
- record keeping and privacy requirements
- confidentiality provisions
- referral and information-sharing protocols
- statutory reporting requirements
- workplace health and safety
- recruitment and induction processes
- codes of conduct
- workplace competencies
- screening, assessment and referral processes
- clinical and operational practices, outreach services
- reporting of critical incidents
- staff supervision
- staff training needs
- risk of or actual self-harm, and
- risk or threats of harm to others.

Safety Guidelines

Centres should adopt the following guidelines.

1. Staff checks: Centres should ensure all staff seeking to work in the Centre:
 - a) complete a personal disclosure statement showing they have not been charged with or convicted of any criminal offences
 - b) undergo police checks which confirm that they are not prohibited under the law of Commonwealth, State or Territory from being employed or engaged in any capacity where they have contact with 'vulnerable persons' (i.e. a child or an individual aged 18 years and above who is or may be unable to take care of themselves or is unable to protect themselves against harm of exploitation by reason of age, illness, trauma or disability or any other reason).
 - c) are not engaged as an employee, if a police check states they have a criminal or court record, unless the Centre has conducted and documented a risk assessment on them.
 - d) comply with relevant professional codes of conduct.
2. Policies for staff: Centres should give their staff clear safety policies and procedures in writing and provide staff with adequate support, training and resources to comply with those policies and procedures, including the capacity to respond to a diverse range of safety needs and critical incidents.
3. Referrals: Referrals are not made to services that are likely to compromise client safety.
4. Information display: Centres should display and make available current and accurate information about safety issues.

5. Client behaviour: All clients (including adults and children) at Centres will be expected to behave appropriately. Any violent, abusive, intimidating or threatening behaviour should be managed in accordance with the Centre's Safety and Security Plan.

Policies and Procedures for staff on safety

1. Training
All staff should receive training in risk assessment appropriate to their role. This includes understanding the risks that may be attached to the type of services delivered, to the client population being targeted, or other relevant factors. Centre staff should also be trained in how to assist clients to develop a safety plan.
2. Family Law Act confidentiality and safety obligations
Family Relationship Centre staff and clients should be informed of confidentiality requirements and the exceptions, including those relating to safety in the *Family Law Act 1975*.
3. Reporting
Consistent with those exceptions, serious or imminent threats, or acts that occur in a Family Relationship Centre that constitute criminal offences, should be reported to the appropriate authorities. Family Relationship Centre staff should report suspected child abuse to the relevant statutory body in accordance with the confidentiality and reporting requirements under the *Family Law Act 1975* and mandatory reporting requirements in the relevant State or Territory.
4. Supervision and debriefing
Centre staff need to be provided with appropriate professional supervision relevant to their role and responsibilities. Staff dealing with high risk and complex cases, need to be supported by supervisors with relevant skills and experience. Where possible staff should be supported in their decision making when dealing with critical incidents or serious matters. Supervisors should be aware of the signs of vicarious trauma. All staff, clients and/or witnesses to a critical incident or serious matters should be offered the opportunity for debriefing and ongoing support if required.

Critical Incidents Protocol

Examples of what may be considered a critical incident include:

- Serious harm to the life or body of a person/s, or making threats to harm
- Acts of self-harm, or statements of an intention to commit suicide
- Producing a weapon, or indicating one is in their possession and stating their intention to use it to harm another person/s
- Restraining someone against their will or holding hostage
- Attempting or threatening to abduct someone, or actual abduction from the Centre
- Intimidating, aggressive and/or abusive behaviour
- Creating a disturbance with persistent loud shouting and offensive language
- Refusing to stop offensive behaviour and/or leave after a reasonable request
- Throwing furniture and/or other objects
- Health hazards
- Damaging property and/or breaking windows
- Breach of security or confidentiality resulting from stolen electronic or paper files
- Loitering inappropriately outside a Centre and/or stalking behaviours
- Stating an intention to create a fire or an explosion
- Immediate harm or threat to a child
- Reported breaches of protection orders
- Incidents that could escalate and pose a threat to safety such as:
 - Person exhibiting serious delusional or paranoid behaviours
 - Person exhibiting behaviour consistent with being seriously affected by alcohol or drugs, or
 - Person experiencing a health crisis such as heart attack or seizure.

This list does not identify all possible situations that may pose a threat to safety.

Internal processes for reporting and managing critical incidents

Family Relationship Centres have in place a safety and security plan that includes internal processes for reporting and managing critical incidents. These processes are easily accessible and understood by all staff. Centres need to develop internal policies and procedures for managing critical incidents. These internal processes should include strategies for ensuring:

- where possible staff are not required to make decisions alone or without support from supervisors or management (except in an emergency, or in a crisis situation)
- staff are provided with a series of steps to follow and given clear guidance about what procedures need to be implemented and who needs to be advised/notified
- debriefing and safety planning can be immediately provided following a critical incident
- clear guidance is provided on follow-up procedures and what needs to be recorded in writing, and
- any legal or statutory obligations are met.

Centres should develop and establish protective measures and practices that maximise the safety of all that attend or work for the service. These measures need to be:

- monitored and re-evaluated on an ongoing basis, and
- modified if necessary to address any unanticipated safety needs identified through this process, or as a result of a critical incident.

These measures should, as a minimum:

- meet the safety requirements of the Operational Framework for Family Relationship Centres in all aspects of the design of the service
- include internal policies and procedures for managing critical incidents noted above, and
- meet minimum safety practices.

Safety Risk Assessment

Centres should conduct a Safety Risk Assessment which demonstrates a thorough understanding of safety risks related to all relevant aspects of service delivery. This should consider:

- the type of services delivered
- the client population being targeted, and
- any other factors relevant to the service.

Centres should also develop a business continuity plan to prevent or limit disruption to services following a major incident.

Reporting to the Commonwealth on critical incidents

1. Centres are not required to report to the Commonwealth on all the critical incidents listed above.
2. An external critical incidents procedure will apply to Centres services when:
 - a. Serious circumstances endanger clients, staff or the service, or are likely to attract media attention including:
 - i. homicides or serious assaults involving clients or staff of the service (directly associated with service provision)
 - ii. serious criminal charges against any staff member
 - iii. child abduction from the service's premises
 - iv. credible allegations from a client about sexual harassment against a staff member
 - v. allegations about child abuse against a staff member.
 - b. Property damage rendering a service inoperable
 - c. An incident threatening the viability or day to day operations of the service (for example, a picket, a siege, hostage situation, bomb threat, health hazard or a circumstance making it unsafe for staff to attend work)
 - d. An incident that raises important public policy issues (for example, those requiring a legislative or program response)
 - e. Any other incident likely to attract negative publicity or undermine public confidence in the individual service or service system.
2. The external critical incident procedures will be in five phases:
 - a. IMMEDIATE: Emergency response by the organisation (or where relevant, the Department) to respond to the incident. For example, contact with police or emergency services, response

to immediate staff or client needs (such as medical attention, or practical and emotional support).

- b URGENT: Advice is given to DSS via the following approach.
 - i. The organisation should contact the DSS State or Territory Office (STO) immediately after any initial emergency procedures are implemented.
 - ii. The STO will then immediately advise both the National Office of DSS and AGD.
 - iii. The line area of each Department will advise their relevant media units and/or Minister, as appropriate.
 - iv. AGD in consultation with DSS will also decide whether the service can continue to operate or whether all or part of the operation should be suspended, pending the outcome of the review.
- c WITHIN 2-3 DAYS: Immediate post-incident response and support (for example, critical incident de-briefing of staff, recovery from injury, repair to damage, initiation of interim new security procedures, seeking of protection orders etc). This would normally be undertaken by staff supervisors of a Centre.
- d WITHIN THREE WEEKS: A formal review of the incident, involving DSS (National Office and the STO), AGD and the organisation. The review would identify learning from the incident and recommend future action.
- e REMEDIAL ACTION: depending of the outcome of the review, will be taken by the organisation and/or, where relevant, the Departments.

GUIDELINES FOR WORKING WITH THE FAMILY RELATIONSHIP ADVICE LINE

The Family Relationship Advice Line (FRAL) is a national telephone service providing free information, advice and referral to people affected by family relationship or separation issues. This includes parents, grandparents, children, young people, step-parents or friends. Its telephone number is **1800 050 321**.

The service operates from 8 am to 8 pm Mondays to Fridays and from 10 am to 4 pm on Saturdays (local time) except on national public holidays.

FRAL has three core components – information and advice provided by Family Relationship Advisers, legal information and advice provided by legal advisers and a telephone and online dispute resolution service.

With the exception of callers who become engaged through the Family Dispute Resolution component, the Advice Line is primarily a “one-off” service. While there will be occasions where a caller may ring back or there is a need to follow up with a caller, the Advice Line is not a case management service. Callers requiring ongoing assistance are referred out to appropriate services.

Family Relationship Advice Line Services

The Family Relationship Advice Line provides:

- information about services to help people maintain healthy relationships
- information about the family law system
- advice on family separation issues
- guidance on developing workable parenting arrangements after family separation
- advice about the impact of conflict on children
- referral to Family Relationship Centres and other dispute resolution services
- telephone and online dispute resolution where people are assessed as suitable and for whom face to face family dispute resolution service may not be suitable, and
- referral to other services for help with family relationship and separation issues.
- legal advice for managers or Practitioners in a Family Relationship Centre or a Family Dispute Resolution service on issues around Family Dispute Resolution. For example, when to suspend a family dispute resolution session so that parties can obtain independent legal advice.
- information about the legal obligations and requirements of Family Dispute Resolution Practitioners under the *Family Law Act 1975*.
- simple legal advice for individuals.

Referrals from the Advice Line to Centres

Advice Line staff may warm transfer a caller to a Family Relationship Centre or alternatively provide a Centre’s contact details.

Because FRAL staff use the Family Relationships Online as a point of reference, it is essential that Centres ensure that their details on Family Relationships Online are current and up to date particularly in relation to:

- opening hours
- contact telephone numbers
- physical addresses
- postal address (if different to physical address)
- e-mail address (if available)

- outreach details
- the length of any waiting periods for all locations including outlets and
- any Centre specific information (wheel chair access, interpreters).

These details can be updated using the Resource Manager. Please contact FROHelp@dss.gov.au for more details.

GUIDELINES FOR ENGAGEMENT WITH THE COMMUNITY AND OTHER ORGANISATIONS AND INDIVIDUALS

Community Engagement

Centres may use a range of avenues to provide information about relevant services and programs in the area as well as to encourage families to use the Centres. Examples include:

- local radio
- mail-outs
- stalls at community events
- school visits
- presentations to meetings of local organisations, and
- kits or video/DVD-based presentations provided to local organisations.

Each Centre identifies local groups and services that can play a role in supporting family relationships and providing assistance before, during and after separation. These groups and services may comprise both professional and voluntary groups, private practitioners, government agencies and funded and unfunded community organisations, for example:

- men's, women's, children's and grandparents' advocacy and support groups
- Migrant Resource Centres
- ethno-specific community groups and services
- Indigenous services
- religious and charity organisations
- pre-marriage education and relationship education organisations
- family relationship counselling services
- family dispute resolution services
- parenting skills programs
- family violence and child protection services
- Children's Contact Services
- Parenting Orders Program services
- emergency and crisis services, including police
- health services (including GPs, mental health and substance abuse services and support groups)
- schools and other educational bodies
- child-care centres
- financial counselling services
- local government (including Citizen's Advice Bureaus)
- Commonwealth Department of Human Services
- housing services
- legal services including community legal centres, women's legal services, legal aid commissions and private lawyers, and
- courts and statutory bodies.

Cooperative and Collaborative Service Delivery

Centres should develop cooperative arrangements with other agencies in order to optimise the provision of services to clients. These include:

- local arrangements for effective referrals, including follow-up arrangements and formal referral arrangements with key organisations
- arrangements for transfer of telephone calls (including three-way conversations to introduce the client to the other service)
- arrangements for obtaining specialised information or advice in the course of parenting advice or family dispute resolution sessions (eg a telephone link to legal information or to advice from DHS), and
- exchange of information relevant to client assessment (with client consent and subject to privacy and other legal constraints), to enable facilitated transfer of the client to another service.

It could also include other collaborative activities such as Centre staff accompanying other services in outreach visits to rural Centres.

To enable families with diverse needs to receive timely help at the one place, Family Relationship Centres enter into cooperative arrangements with prevention and early intervention services. (See also Standard 3.3 Planning of the Families and Communities Approval Requirement.)

Centres may arrange for other organisations and individuals to provide information, parenting advice and family dispute resolution services within the Centre, for example:

- the Centre could arrange for information sessions to be run by another agency which specialises in a particular area of work (such as family skills training, children's issues, legal or financial information)
- the Centre could train staff in other organisations to act as local agents who provide information about the Centre's services and assist in setting up appointments
- parenting advice could be provided by a specialist from another agency with skills in child development areas, or
- family dispute resolution could be provided by an external family dispute resolution practitioner (with the Centre underwriting the first hour).

Where collaborative arrangements involve the purchase of services from another organisation this is done through a sub-contracting arrangement which ensures that:

- the external service meets the Centre's standards for the specific aspect of service delivered
- where the external organisation already receives Commonwealth funding, there is appropriate attribution of costs, and
- a strategy is developed to avoid conflicts of interest.

Engagement with Other Organisations and Individuals

Family Relationship Centres should engage with local community groups and services to develop innovative and proactive strategies to enable families to receive timely and effective assistance. This includes referral of clients to other services they need and arrangements with other organisations to provide information sessions or programs on Centre premises. Some Centres may be run by a consortium with other organisations and/or sub-contract other organisations to provide part of the Centre's core services.

Any arrangements made with other organisations and individuals include processes to avoid conflicts of interest. The funding recipient remains responsible under the Funding Agreement for the operation of the Centre.

Appropriateness of an organisation for referral of clients

Centres will be making referrals to a wide range of services, tailoring each referral to the needs of each client in order to ensure the best outcome. Referral to any other service should be on the basis of the most appropriate service for the client, not any relationships the Centre has with a particular service.

In some cases, the services to which Centres refer clients will be funded by the Australian, State or Territory, or local government to provide the particular service. Where referrals are made to services that are not government-funded, the Centre needs to satisfy itself that the organisation to which it is referring clients is an appropriate service.

Factors the Centre should consider in deciding whether an organisation is appropriate for referrals include:

- Does the organisation have expertise and experience in providing the relevant service? If the referral is being made for family dispute resolution services, is the practitioner an accredited Family Dispute Resolution Practitioner?
- Do staff have experience in providing the relevant service?
- Do staff meet any relevant professional standards that apply to that type of service?
- If staff do not meet relevant standards now, what is the organisation doing to meet the standards? (In cases where new standards are introduced, organisations experienced in providing a particular service may need time to bring their staff into line with the new standards.)
- Has there been positive or negative feedback to the Centre as a result of previous referrals to the organisation?

- Does the organisation receive referrals from other government or non-government agencies? (If so, the Centre may wish to check with those organisations/agencies about whether they have any concerns about the organisation.)
- Does the organisation have professional indemnity insurance for the relevant service?
- Does the organisation have a complaints process that is made known to clients?
- If there are relevant government or industry standards that govern the particular type of service, does the organisation claim to meet them?
- Would referral to the organisation bring the Centre or the Australian Government into disrepute (eg has it engaged in illegal or unsafe activities or expressed extreme views)?

This list is not intended to be prescriptive. The Centre should use its own judgement in assessing suitability for referral. However, a Centre should be very cautious about referring clients to an organisation that does not come up positively against the majority of these factors.

Collaborative Arrangements for referrals

The same factors would be relevant when considering entering into other collaborative arrangements with other organisations (including sub-contracting arrangements and consortia). In addition, the lead organisation funded to run the Centre will be responsible for ensuring that the sub-contractors meet standards required of Centres under the Funding Agreement and relevant guidelines.

Where the lead organisation engages with another organisation or individual with a specific focus (eg cultural, ethnic, religious or gender-based), the lead organisation states how it will deliver services to other parts of the community. (In some cases a Centre may decide to enter into collaborative arrangements with an organisation specifically because of the latter's expertise and experience in working with a particular client group, such as Indigenous or culturally and linguistically diverse communities, disabled, children or gender specific services.)

Guidelines on Information Provided at the Centre by or about External Services

Centres will make information available to clients and visitors about a wide range of services in their local community that will be relevant to clients' needs.

In deciding whether to display or provide material about particular services, a Centre would again take into account the above factors (where practical). It should avoid displaying material advertising individual private professionals or firms (such as dispute resolution practitioners or lawyers) but should make available lists of private professionals or firms in the area, developed with the assistance of the relevant professional body or local law society.

Where more than one service of a particular type is available in an area, the Centre should ensure clients are given access to a choice of providers and either:

- invite all appropriate organisations that offer a specific service to provide material about their services, or
- where this is not feasible, provide links to listings of such services (eg listings of nationally recognised accreditation schemes or professional structures).

The Centre continually reviews the scope and quality of its information services and declines to provide information about services where it believes that the service is engaged in illegal or unsafe activities or that the provision of information about that service would bring the Centre or the Australian Government into disrepute.

REFERRAL GUIDELINES FOR FAMILY RELATIONSHIP CENTRES

Family Relationship Centres are a gateway to services that can assist families at all stages of their relationships. They help families with relationship issues by providing appropriate information and referral, and also help separating families to achieve workable parenting arrangements (outside the court system) through information, support, referral, advice and provision of dispute resolution services. In doing this they are required to deliver high-quality, timely, safe and ethical services. Effective referral practices are therefore critical to the operations of Centres.

The following guidelines are provided to assist Centres to develop the best possible referral practices.

The relationship with the client

Note: 'Client' in this context includes telephone callers.

Effective referral starts with the skills and attitudes of staff, including empathy and respect for the client, a non-judgemental attitude and sensitivity to cultural needs.

Staff should acknowledge and address the client's most pressing needs and concerns and explain the reasons why a particular referral has been made. Safety issues need to be identified and addressed and referrals should not compromise client safety.

Staff avoid a 'processing' attitude in which the referral is seen as merely directing people through an impersonal system. First impressions matter, especially the manner of Information Officers and other first point of contact staff.

Distressed clients

Referral takes account the level of distress experienced by the client. For example, it may be necessary to settle distressed clients before referring them on to other services.

Client choice

Where more than one service may assist clients, it is appropriate to provide them with information about the range of services available and to let them make up their own minds about which particular service or services they want to use. In doing so, staff may need to provide some guidance on any special conditions for using a service. For example, many services would not be available to low income or special needs clients. It is important to refer clients to the most appropriate service at the right time and avoid a 'merry-go-round' of referrals.

Barriers to other services

Staff in the Centres are aware of possible barriers that a client may experience in using another service and, where feasible and appropriate, work with the client to find ways to overcome these barriers.

Barriers may include:

- lack of information about services and what is available
- lack of client capacity or interest in taking up the referral
- waiting lists that are too long to meet the client's needs
- cost
- lack of child care
- cultural or language barriers
- difficulties in contacting clients (eg lack of phone services)
- family ties
- lack of anonymity issues in small communities
- lack of interpreters
- lack of services particularly in rural and regional areas
- lack of transport options particularly for disabled or aged clients.

Family Relationship Centres

Centres are required to engage with a wide range of community groups and services and to build collaborative relationships with these groups and services. Such relationships underpin effective referral practices. Centres need to network with their communities through such activities as conferences, workshops or regular meetings, information sessions and visits to other agencies. It may also be useful to have one worker to act as point of contact with each referral agency.

Common intake and screening processes developed in conjunction with other services can facilitate referrals.

It is also desirable for Centres to establish reference groups to guide them in their local referral practices. Centres should also involve Indigenous and culturally and linguistically diverse communities in the development of referral practices. Connections with specific communities (including elders in the community) will help Centres gain awareness of local community issues. It may be that action research reference groups established by Centres will also be an appropriate forum for discussing referral issues.

Centres need to be conscious about the needs and concerns of other services and attempt to deal with these concerns in their referral practices. For example, other services may be worried about not being able to cope with the volume or type of referrals being made by Centres, or may fear that the Centre will make inappropriate referrals.

It is useful for Centres to develop clear protocols between themselves and other service providers. These could take the form of memoranda of agreement or other forms of formal agreement, which in outline relationships and delineate the roles and responsibilities of collaborating agencies. Agreements should be reviewed periodically and modified as appropriate. When confidential information is shared between coordinating providers, such formal agreements are essential.

Accurate information

Staff in the Centres responsible for making referrals have an accurate knowledge of the services provided by other agencies which are available to meet client needs.

Family Relationships Online is the key resource for this purpose. Family Relationships Online has been developed as a service finder for the whole of the family relationships services sector. The information that can be registered on Family Relationships Online is comprehensive and that information can be updated at any time directly by service providers. Centres should ensure that information about their services is registered on Family Relationships Online and is regularly updated.

The following information can be registered on Family Relationships Online:

- name of the provider
- contact name and telephone and fax numbers, and e-mail address/s of the provider
- the title of each service provided
- the service type of each service provided (eg. Children's Contact Service)
- standardised search keywords for each service provided
- target audience for each service
- language/s a service is provided in
- name of outlet through which each service is provided
- physical and postal address of each outlet through which each service is provided
- coverage area(s) for each service or outlet
- opening hours of the outlets through which each service is provided
- directions, transport information, and accessibility to public transport
- how the service may benefit the client
- waiting times
- limitations and barriers (for example, whether conflict checks are undertaken in relation to legal referrals, see separate document on legal referral)
- eligibility criteria
- admission and referral policies and procedures
- costs/fees and acceptable methods of payment
- competence in providing services appropriate to the client's culture, language, sex, sexual orientation, age, and developmental level, including profiles on strengths and specialist areas.

Referral processes

The choice of referral process depends on the client's needs, what arrangements if any have been agreed with the service to which the client is to be referred and the capacity of both the referring organisation and the service to which the client is being referred at any particular point in time.

Referral processes can take many forms. The table below outlines examples of referral processes and the advantage and disadvantages of each. Referral processes can occur in a telephone environment, in face to face settings or in the form of written communication (including e-mail) or a combination of these channels. A referral process selected may combine aspect of each of these processes.

Centres and Parenting and Legal Advisers on the Advice Line are encouraged to use facilitated, warm and/or active referral processes where feasible, especially for clients who are likely to have trouble using other services without assistance.

Feedback and follow up

When a referral is made, it is useful to obtain client feedback about the referral. A follow up call may be needed to ensure the referral was effective. In relation to Centres, it may be possible to set up feedback processes that take the form of a three-way discussion between the Centre, the service to which the client is referred, and the client.

Possible term	Characteristics	Possible advantages and disadvantages
Passive referral	The client is given contact information for appropriate service(s) and is left to make her/his own contact at a time that best suits the client.	This process gives responsibility to the client to take action on their own behalf. However, there is a greater likelihood that the referral will not be taken up.
Facilitated referral	The client is helped to access the other service, for example, the referring organisation makes an appointment with the other service on the client's behalf, asks the other service to make contact with the client/s or a caller is transferred to the other service.	The other service is made aware of the client, and the client is helped to access that other service. The client may need to wait for a response to the other service.
Active referral	The referring organisation, with the client's consent, provides the organisation to which it is referring the client with information that it has collected about the client or with its professional assessment of the client's needs.	The client does not need to repeat all of their story and the agency to which the client is referred has relevant information about the client. However, there is a risk that the information is communicated out of context and therefore misinterpreted by the service which is receiving the referral, especially if not done as a 'warm' referral (see below).
Cold referral	The client is transferred to another service, without any immediate communication between the Centre or Advice Line and the other services, for example, by putting the client into a call centre queue.	The other service may be unaware of the nature of the call or of any information or services that have already been provided. The client may be frustrated that they have to re-tell their story or may not communicate their needs in a way that allows the other service to see why the client has been referred.
Warm referral	A 'live' three way conversation in the presence of the client (whether face to face or by telephone) in which the referring organisation introduces the client, explains what has already been done to assist the client and why the client is being referred.	This provides an open and transparent process in which information can be exchanged between the Centre, the client and the other service. Issues can be clarified immediately. The client does not need to repeat all of their story. The process relies on someone being available at the other service at the time the client is to be referred.

Staff skills

Sound skills and practices are critical to effective referral. Centre staff who make referrals also possess the knowledge and skills needed to support people in accessing other services if required, including negotiating ways to overcome barriers to access to services.

The following checklist may assist staff in Centres and the Advice Line to make effective referrals:

- I understand the client's situation and perceived needs.
- The client and I have talked about how to prioritise these needs and what options exist to help address them.
- The client is willing and ready to be referred.
- We have discussed what issues might make it difficult for the client to follow through with the referral.
- The agency to which I am referring the individual is registered on Family Relationships Online or I am familiar with the agency, including its eligibility requirements and services.

Some additional points for Centre staff and for the Advice Line are:

- I have considered whether a facilitated, warm or active referral would be desirable, based on the client's:
 - ability to negotiate complex social situations
 - ability to provide and receive information
 - ability to tolerate waiting
 - level of ambivalence about seeking help
 - interpersonal style (e.g. passive or argumentative)

If the referral is a passive or cold referral:

- I have provided sufficient information and 'coaching' to help make the referral successful.
- I have made a plan to follow up with the client to see how things went and to determine next steps (where appropriate).

GUIDELINES FOR REFERRALS TO LEGAL ADVICE BY STAFF IN FAMILY RELATIONSHIP CENTRES

The Government wants separating parents to sit down, focus on their children and agree on parenting arrangements rather than going to court. An aim of the Government's family law reforms is to change the culture of family breakdown so that parenting issues after separation are seen primarily as relationship rather than legal issues. However, the Government recognises that legal issues arise in this context.

The Family Relationship Centres are not intended to work alone but as an integral part of a much wider system. As the legal profession and legal services are an important part of that system, the Government expects the Centres to work collaboratively with them to ensure the best outcomes for clients.

In developing appropriate referral arrangements, Centres are expected to liaise with the local legal profession and legal services and to be aware of issues that affect referrals. For example, there may be resource implications for the legal service receiving referrals, or conflict of interest policies and means and merits tests might apply.

This document is intended to provide guidelines only and staff will use their discretion and professional judgment as to the most appropriate referral pathway for each client. Any referrals to legal advice need to be considered within the context of also providing referrals to other appropriate services.

Legal information versus advice

It is important to emphasise that clients may also need to be provided with legal information whilst at a Centre or referred externally to obtain legal information. Legal information is information of general application such as information about what the law says. When provided with this information some clients may then ask how this information applies specifically to them. Legal advice is information that is specific to a person's individual circumstances, such as an explanation of the legal consequences of pursuing a particular option of course of action. Centre staff should make clients aware that they cannot give legal advice but can encourage the client to seek legal advice by offering the client a referral to a legal service.

Set out below are examples of circumstances and issues where it may be appropriate to refer a client for legal advice. These indicators are intended to help staff at Centres identify when a client might need legal advice. These issues may arise at any point during a client's contact with a Centre including before, during or after dispute resolution and as such the guidelines are for general use by all staff. The indicators are not intended to be relied on as an exhaustive list covering all fact scenarios or issues that might arise during a client's contact with a Centre.

Urgent situations

A client may need to be referred for urgent legal advice if they raise the following issues:

- International parental child abduction/retention of child(ren) either overseas or in Australia
- Domestic parental child abduction/retention of child(ren) within Australia
- Family violence
- Child abuse/child protection
- Property
- Child support
- Spousal maintenance

Other referrals to legal advice

In addition to the urgent situations outlined above, clients may need to be referred to legal advice if the following arises:

- Where the client(s) have been assessed as not suitable for dispute resolution by the Family Relationship Centre or other services. Note that clients assessed as not suitable for dispute resolution at a Centre may be suitable for specialist dispute resolution elsewhere or lawyer assisted dispute resolution services (such as conferencing offered by Legal Aid Commissions).
- Where the client has a question about the meaning of the law, the family law reforms, the application of the law to their particular circumstances or the legal options available to them (where this cannot be addressed by legal information such as that contained in fact sheets).
- Where advice is required in relation to court proceedings currently on foot
- Where the client seeks advice in relation to legal or other documents (court orders, letter from lawyers etc).
- Where the client raises issues relating to property, (including defacto property issues) or wishes to include property in any agreement reached. (Note that, where property and children are both issues in dispute, Centres can include the property in the dispute resolution process, if they have the skills to do so, or they can refer the clients to another dispute resolution service that has that expertise.)
- Where the client raises issues about the legal remedies available to secure sole use/occupancy of the family home.
- Where either party seeks paternity testing.
- Where the client is seeking legal advice on the impact of entering into a parenting plan or requires advice prior to signing a parenting plan. Centres should not assume that every client seeking to make a parenting plan should be referred for legal advice. However, a variety of circumstances exist where it might be considered appropriate to suggest a client get legal advice – for example, prior to signing a parenting plan where existing parenting orders are in place that may be varied by the terms of the parenting plan.
- Where the client requires advice on entering into consent orders in the terms of a parenting plan. In some situations, parents may wish to have some key aspects that they have agreed upon in their parenting plan reflected in a legally enforceable court order. These clients should be referred for legal advice on the drafting and filing of consent orders if appropriate.
- Where the client raises legal issues in relation to child maintenance or spousal maintenance.
- Where the client requires advice on complex child support issues (which have not been addressed after a primary referral to the Department of Human Services including by three-way conversation between the client, Centre Staff and the Department of Human Services). Complex child support issues may include variations, change of assessments, departure applications, drafting court applications etc.
- Where the client raises issues that fall under State/Territory legislation (child is in care etc).
- Where the client raises issues about legal matters outside the family law jurisdiction (for example criminal or civil law proceedings, debt, immigration etc).

- Where dispute resolution has been unsuccessful, or terminated, and the client requires legal advice on their options.

SERVICE CHARTER AND COMPLAINTS

Family Relationship Centres prominently display a common service charter that sets out their commitment to the provision of high quality, timely, safe and ethical services, what clients can expect of the Centre and how to provide feedback on the service received (including the Centre's complaint procedures).

Family Relationship Centres should have an internal complaints procedure in place and it is prominently displayed at the Centre at part of this service charter (see Standard 11 Managing Client Feedback and Complaints of the Families and Children Approval Requirements).

'Internal complaints procedure' can include the complaint being handled by the organisation running the Centre.

The complaint will be referred to the Department of Social Services if the complainant is dissatisfied with the Centre's internal handling of the complaint.

If the Family Relationship Centre has sub-contracted the provision of services on behalf of the Centre, the Centre ensures that all sub-contractors have appropriate internal procedures for handling complaints and that the service charter (including the complaints policy) is prominently displayed.

SERVICE CHARTER TEMPLATE

Family Relationship Centres are committed to providing you with safe, timely and high quality services.

Centres will help you focus on your children's needs and will help you access services that can strengthen family relationships.

Centres are committed to the following Service Charter:

Information

We will provide up-to-date information about family relationships or help you to find this information.

Accessing other services

We will help you make contact with other services that can best meet your needs and the needs of your children, and will work closely with other services to help you get the support you need.

Help for separating families

If you are experiencing separation we will talk with you to help you focus on your children's needs and decide what to do next. We will also offer joint sessions with the other parent or family members.

If you want the other parent to come in as well, and this is hard for you, we will help to arrange that.

Fees

We will provide information, referral and individual sessions free of charge. We will also provide one hour of joint sessions free of charge. We will charge clients earning \$50,000 or more gross annual income \$30 per hour for the second and third hours of family dispute resolution. We will provide the second and third hours of joint family dispute resolution, free of charge, to clients who earn less than \$50,000 gross annual income or receive Commonwealth health and social security benefits. We will charge fees in accordance with our Centre's fees policy for subsequent dispute resolution sessions, if they are required. We will discuss these fees with you prior to commencing joint dispute resolution sessions.

Our staff

We are committed to employing the best possible people to help you with your relationships, and to making sure that staff are highly skilled and ethical.

Safety

We are committed to providing a safe environment. If you feel unsafe at any stage, or require special arrangements to assist with your safety or the safety of your children, please advise a staff member.

Privacy

Your privacy is important to us and will be protected. We will only disclose personal information if you give permission to do so or if we are required or authorised by law, for example, to protect someone from harm.

Using our service

We will do all that we can to help you and your children get the most out of our service. If you have trouble using our service for any reason, or if you have special needs, please advise a staff member.

Complaints process

Have you had satisfactory service?

The Centre wants to make sure that it is providing you with the best possible service. If you like the services a Centre has provided, please let the Centre know. If you have any suggestions for changes, the Centre needs to hear those too.

If you want to make a complaint, please contact the Centre concerned and it will try to address your concerns.

If you are not satisfied with how your complaint is handled please contact:

The Department of Social Services Feedback Coordination Team

Ph: 1800 634 035

Fax: (02) 6204 4587

Email: complaints@dss.gov.au

Post: DSS Feedback Coordination Team, PO Box 7576, Canberra Business Centre, ACT, 2610

Please ask a Centre for a copy of its complaints policy if you would like more information.