



Australian Government

Department of Social Services

Families and Communities Program

Families and Children Activity
Family Law Services Sub-Activity
Family Relationship Centres
Legally Assisted and Culturally Appropriate
Family Dispute Resolution

Funding Round Summary

February 2017

FAMILIES AND CHILDREN ACTIVITY – FAMILY LAW SERVICES

LEGALLY ASSISTED AND CULTURALLY APPROPRIATE FAMILY DISPUTE RESOLUTION

The Community Grants Hub (the Hub), on behalf of the Department of Social Services (DSS), is inviting organisations that deliver government funded Family Relationship Centres to apply for funding to deliver Legally Assisted and Culturally Appropriate Family Dispute Resolution (LACAFDR) to separated or separating families experiencing family violence from Indigenous or Culturally and Linguistically Diverse (CALD) backgrounds as a component of Family Law Services under the Families and Children Activity.

Families and Children Activity

The Families and Children Activity is delivered under the Families and Communities Program and provides support to families to improve the wellbeing of children and young people to enhance family and community functioning, as well as increase the participation of vulnerable people in community life.

Organisations provide early intervention and prevention activities to improve the wellbeing of families and children, including after separation, enhance family functioning and economic engagement and strengthen communities.

The Families and Children Activity provides integrated services for families to achieve improved child, youth, adult and family wellbeing, increased economic engagement and more cohesive communities. To achieve this objective, services must work collaboratively to provide an integrated suite of local services.

Family Law Services

The Family Law Services Sub-Activity is funded by, and under, the policy responsibility of the Attorney-General's Department. The Family Law Services are an important component of the family law system, which also includes legal assistance services, family law courts and Department of Human Services - Child Support.

Family Law Services aim to provide alternatives to formal legal processes for families who are separated, separating or in dispute to improve their relationships and make arrangements in the best interests of their children. Family Law Services have a particular role to help families with complex needs, including those with family violence issues.

To achieve these aims, Family Law Services must have an emphasis on family and the best interest of children, therefore must be child-focused and work as part of a collaborative service delivery system with links across Family Law Services and the broader sector. Family Law Services should ensure:

- all families are provided with the information they need about service options available, including from other sectors and jurisdictions
- vulnerable families are actively connected to services and supports, and
- children and families at risk of harm receive a timely and well-coordinated response from those who can keep them safe.

Family Law Services should have an early intervention and prevention focus to work with families early in the life of the presenting issues.

Family Relationship Centres

Family Relationship Centres (FRCs) are a highly visible entry point or gateway to the whole family support service system and play an important role in improving family relationships. Centres provide information, support and referral services to all families and provide family dispute resolution and access to some legal assistance for separating or separated families.

Family Relationship Centres assist separating parents to focus on their children's needs and reach agreement on safe workable parenting arrangements, in the best interests of their children, outside of the court system.

The objectives of family dispute resolution activities are:

- to assist separating families resolve disputes relating to separation and divorce and improve their post-separation relationships, and
- to improve people's management of issues relating to separation and divorce.

Family Dispute Resolution Practitioners must be independent and impartial. They assist the parties to identify the issues in dispute, develop options and help them to try to reach agreement. Where relevant, Practitioners should help parents to understand the financial costs and impact on their children of using the courts to resolve parenting matters. In cases involving violence or child abuse, family dispute resolution is not compulsory and parents may wish to resolve their difficulties in court. However, where it is appropriate, parents may choose to resolve their disputes out of court in cases where there has been violence.¹

Selection type

This selection is a restricted process to select up to eight Family Relationship Centres to deliver Legally Assisted and Culturally Appropriate Family Dispute Resolution to separating or separating families experiencing family violence from CALD or Indigenous backgrounds. A restricted (or targeted) selection process is used where there are few providers available due to highly specialised services being required, there are geographical considerations, specific expertise is required or there are time constraints. A restricted round is still competitive, but only opened to a small number of potential grant recipients based on the specialised requirements of the granting activity or project under consideration. Potential grant recipients are invited to apply and are assessed against designated selection criteria.

Applicant eligibility

Applications will be assessed against the criteria to ensure public accountability and that they meet Program outcomes. Organisations must be in one of the following categories to have their application considered:

- incorporated associations (incorporated under state/territory legislation, commonly have 'Association' or 'Incorporated' or 'Inc.' in their legal name)

¹ These requirements relating to Family Dispute Resolution in Family Relationship Centres also apply to services funded under the following Components of Family Law Services: Family Dispute Resolution, Regional Family Dispute Resolution, Legally Assisted and Culturally Appropriate Family Dispute Resolution and the Family Relationship Advice Line.

- incorporated cooperatives (also incorporated under state/territory legislation, commonly have 'Cooperative' in their legal name)
- companies (incorporated under the *Corporations Act 2001* (may be a proprietary company (limited by shares or by guarantee) or a public company)
- Aboriginal corporations (incorporated under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006*)
- organisations established through a specific piece of Commonwealth or state/territory legislation (public benevolent institutions, churches, universities, unions etc)
- partnerships, or
- trustees on behalf of a trust.

In addition, grant recipients must ensure that family dispute resolution practitioners comply with their obligations under the [Family Law Act 1975](#), [Family Law \(Family Dispute Resolution Practitioners\) Regulations 2008](#) and [Family Law Regulations 1984](#).

Available funding for this Activity

Up to \$6 million is available from 1 June 2017 to 30 June 2019 to deliver Legally Assisted and Culturally Appropriate Family Dispute Resolution in Family Relationship Centres. Funding allocated for the grant Activity is:

2016-17	2017-18	2018-19	Total
\$1.25m	\$2.375m	\$2.375	\$6.0m

Closing date and time

Applications must be submitted by **2:00pm AEDT on Friday, 17 March 2017**.

Late applications – information on the late application policy is available on the [Hub website](#).

Questions

Questions and answers for this funding round are included in the Application Pack.

If you cannot find an answer to your question relating to this selection process or the Activity, please send your question to support@communitygrants.gov.au.

Responses to questions will be emailed to all invitees, except where the answers are already available in the Application Pack.

Questions will only be answered to explain the Application Form and Program Guidelines and not to advise on how to respond to specific selection criteria or about individual Applications during the assessment process. All Applicants will be notified of the outcome of their Application when the selection process is complete.

The question and answer period will close at **5:00pm AEDT Friday, 10 March 2017**. No further questions will be answered from this date until the conclusion of the selection process.

If you would like help or support in using and/or submitting the Application Form, please call 1800 020 283 or TTY 1800 555 677 or email support@communitygrants.gov.au.

Grant objectives

The objective of the grant is to enable FRCs, in partnership with other service providers, to deliver a service model of legally assisted and culturally appropriate family dispute resolution to better support separating or separated families experiencing family violence who are from Indigenous or CALD backgrounds. This early intervention and client-centred initiative will provide frontline services to victims of family violence, by giving them a safe and empowering way to resolve family law disputes without resorting to court.

The funding will enable FRCs to partner with existing legal providers, for example, Indigenous legal assistance services, and family violence prevention legal services, community legal centres, legal aid commissions, and local private legal practitioners, and to work collaboratively with Indigenous-specific services, migrant services, and interpreters. The partnerships will facilitate provision of Family Dispute Resolution (FDR) to vulnerable families experiencing violence, which would involve a legally-assisted model that may be specifically tailored for Indigenous and CALD families. The specific model utilised will be dependent on the circumstances, complexities and needs of individual families.

By involving lawyers and other support services, LACAFDR aims to provide a holistic and culturally accessible form of FDR practice. A significant benefit of providing this model of FDR at FRCs is that it will enable referral of clients to appropriate services without the need for clients to re-tell their story to other agencies.

Separately to this selection process, the Attorney General's Department will be funding a \$200,000 evaluation of LACAFDR upon commencement and throughout the Activity period to assess if the objectives of the grant were met. In particular, the evaluation will assess whether LACAFDR provides a safe and successful alternative to court for Indigenous and CALD families experiencing violence, and thereby helping them to better engage with the family law system. Grant recipients for LACAFDR will be required to participate in the evaluation process and provide information as required by the evaluators. A Final Evaluation Report is expected to be delivered to the Attorney-General's Department following the conclusion of the Activity.

Statement of Requirement

When completing your Application you **must** provide all information where you are directed to do so.

The objective of LACAFDR is to assist separating or separated families from Indigenous or CALD backgrounds, experiencing family violence, to resolve their family law disputes without resorting to court. Applicants must establish how they will provide an enhanced model of lawyer-assisted FDR, in partnership with the relevant services (examples of which are described above) that is culturally-appropriate and sensitive to the needs of this cohort of clients. It is expected that grant recipients will determine which partner services need to be utilised based on the particular circumstances and complexities of individual families. The allocation of funding to partner services will be at the discretion of the grant recipient.

Grant recipients are expected to demonstrate the need for services in their local area and propose practical, accessible and (where possible) innovative methods for engaging with Indigenous or CALD communities, particularly through regional outreach. For example, the model may adopt a combination of methods such as face-to-face, shuttle, telephone, technology-assisted FDR and child inclusive practice.

To be eligible, grant recipients must currently manage a Family Relationship Centre and have the ability to engage clients of Indigenous and/or CALD backgrounds who are experiencing family violence, as the target group for this activity.

Grant recipients must comply with the safety requirements set out in the [Family Relationship Centre Operational Framework](#).

Costs that the grant can be used for are:

- wages
- lawyers/legal services
- interpreters
- cultural support services
- therapeutic, educational, and other support or intervention services that can be internal and/or external to the FRC, and
- training.

Value for Money

In assessing the extent to which applications represent value for money, consideration will be given to the information provided at the 'Achieving value for money' of the Program Guidelines available in the Application Pack available on the Community Grants Hub [website](#).

Selection Criteria

The equally weighted selection criteria are:

Criterion 1 – Demonstrate your understanding of the need for the funded Activity in the specified community and/or the specified target group.

Your response **must** demonstrate:

- an understanding of the community need, particularly as it relates to CALD or Indigenous families experiencing family violence, and
- an understanding of services that are already available to support the target group in the location or whether there is an unmet need.

In your response please provide any statistical evidence to support the community need.

Criterion 2 – Describe how the implementation of your proposal will achieve the Activity objectives for all stakeholders, including value for money within the Grant funding.

Your response **must** demonstrate:

- how your particular model will better support and address the needs of Indigenous and CALD families experiencing violence
- how your particular model will address the needs of the target group in the regional areas, and
- how you will partner with existing legal providers to facilitate the provision of FDR to the target group.

Attachments

For this round, no attachments have been requested to support your application.

Multicultural Access and Equity Policy

Australia's *Multicultural Access and Equity Policy* means that Australian Government agencies make sure that cultural and linguistic diversity is not a barrier for people who need to access government and community services. This means, for example, that appropriate language services should be provided. Grant applicants should consider whether professional translating or interpreting services may be needed to deliver services, projects, activities or events to non-English speakers. If your Application Form states that a budget is required, costs for translating and interpreting services should be included in your budget.

Assessment

The Assessment Team may comprise of Australian Government officers from each state/territory and national offices. Teams will undertake training so that applications are assessed consistently. The Assessment Team will be bound by the APS Code of Conduct and the departmental Secretary's Instructions.

Probity and fairness

The selection of funding recipients must be fair, open and demonstrate the highest level of integrity.

The following principles will be applied throughout the selection process:

- a. fairness and impartiality
- b. consistency, accountability and transparency of process
- c. security and confidentiality of information
- d. identification and resolution of conflicts of interest, and
- e. compliance with legislative obligations and government policy.

These principles are intended to achieve an equitable, justifiable and sound process.

The Community Grants Hub may engage a Probity Advisor to help meet its obligations to make selection processes defensible and able to stand up to external and internal scrutiny. The Probity Advisor also advises The Community Grants Hub on, and monitors, the procedures used in the selection process to make sure they comply with the published relevant Program Guidelines. The Probity Advisor plays no part in the assessment of applications.

Program Guidelines and Operational Guidelines

The Program Guidelines and [Family Relationship Centre Operational Framework](#) provide the starting point for parties considering whether to apply for funding and is/are the basis for the business relationship between DSS and the funding recipient. Applicants are strongly advised to read the Program Guidelines and Operational Guidelines before completing an Application Form.

How to apply

Once you have completed your Application Form, you must submit it electronically by using the submission section at the end of the form. Following electronic submission, a message with your Submission Reference ID will appear on your screen. An email will be sent to the main email contact provided in the Application Form. A function is also available on the submission page to allow you to send a receipt email to the address of your choosing. Please save this email receipt for future reference and use it in all correspondence about this Application.

If you do not receive a confirmation email or you have difficulties submitting the Application Form, please call the Community Grants Hub Grants Hotline on 1800 020 283 or TTY on 1800 555 677.

Late applications

If an application is late or the Community Grants Hub is requested to approve a lodgement after the closing date, the Community Grants Hub may determine that there were exceptional circumstances beyond the applicant's control resulting in an inability to meet the stipulated deadline. Examples of exceptional circumstances could include, but may not be limited to:

- the Hub infrastructure failures
- natural disasters
- power outages affecting the ability of the applicant to submit their application by the stipulated deadline, or
- death or disability of key personnel.

Information about late applications is available on the [Community Grants Hub](#) website.

Grant Agreement information

The Grant Agreement is a performance-based, legally enforceable agreement between the Commonwealth (represented by DSS) and the successful applicant that sets out the Terms and Conditions governing the funding to be provided.

The type of Grant Agreement entered into will depend on the Activity, the assessed Activity risk level, the length of the Activity and the amount of the grant.