

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
ATTORNEY-GENERAL'S DEPARTMENT

Output 1.1

Question No. 18

Senator Crossin asked the following question at the hearing on 31 October 2006:

In relation to the evaluation of pilots and tendering for New Family Relationships Centres (FRCs):

- (a) What performance reviews are being undertaken by the Department the first 15 pilot centres?
- (b) Is there any provision for internal staff appraisal of how the first 15 pilot centres are performing?
- (c) Given that the second round of tenders is currently being processed, have any of the following changed at all for round 2: (i) the tender document; (ii) the application form; and (iii) specifications or service descriptions. If so, in what way?
- (d) How many service providers have applied for the second tender round?
- (e) Are these the same service providers as were successful in the first round, or different organisations?
- (f) When will decisions be made on the next 25 FRCs?
- (g) When will they be announced?

The answer to the honourable senator's question is as follows:

- (a) The first 15 Family Relationship Centres are not pilots. Rather they are part of a staged roll-out of service over three years. As set out in the Operational Framework, the first scheduled performance reviews of the first 15 Centres will take place by March 2008 as this gives time for the Centres to establish themselves and for sufficient data and qualitative information to be available for a fair assessment of performance. In the meantime, the Department is monitoring the roll-out of Centres for any apparent performance issues that may need to be addressed through an ad hoc performance review. (Under the Operational Framework, the Department can undertake an ad hoc performance review at any time if it has reasonable grounds for considering that an organisation may not be meeting the Key Performance Indicators.)
- (b) Yes. Reports provided by Centres will be included in the performance reviews and the collection of qualitative information for performance reviews and/or evaluation purposes is likely to include gathering of input from Centre staff. In addition, Centre staff can also provide input through participation in action research and in informal communication to the Department such as during teleconferences and other forums.
- (c)(i), (ii) and (iii) Yes. An overview and comparative table showing the changes to the selection documentation for the 2006 selection process compared with the 2005 process is attached.

(d) The Department is happy to provide this information once the funding agreements with the successful applicants are settled. The Department has been advised by the Australian Government Solicitor that it may harm the bargaining position of the Australian Government in negotiating funding agreements with successful applicants if the number of applicants is disclosed before the agreements are settled.

(e) Applicants include service providers that were successful in the previous round and different organisations.

(f) and (g) The timing of the decisions and announcements is ultimately a matter for the Attorney-General but the target date set out in the selection process is February 2007.

Overview of changes to 2006 Request for Applications for Funding Selection Documentation

General

Most sections of the selection document remain unchanged. The formatting and layout have been amended to assist applicants with reading the selection document and completing the application form. Information that previously appeared in multiple sections has been collated and placed under the one section where possible. For example, information on consortia has been grouped under the one section (Statement of Requirements) and a definition for Memorandum of Understanding has been included in the Glossary.

The content of the Introduction, Statement of Requirements, Assessment Process, Funding Agreement and Terms and Conditions remains largely unchanged. There are fewer mandatory requirements (at the suggestion of the Australian Government Solicitor) and these have been simplified.

New Section – How to Apply

A new section entitled *How to Apply* has been developed to assist applicants with understanding the requirements of the selection criteria and completing the application form. This section provides applicants with a guide against each selection criterion.

The assessment process has not changed but one selection criterion has been deleted. Last year's criterion 4 asked applicants to demonstrate their ability to comply with each of the FRSP approval requirements. This was not found to be very useful and so, this year, will be addressed in their Statement of Willingness to Comply with the Draft Funding Agreement (which includes the approval requirements). Key approval requirements, such as safety, continuous improvement and quality assurance are covered by questions under other criteria.

Selection Criteria

Questions asked under criterion 2 have changed. Previously they were generic, with the same questions asked regardless of the service type. This year, applicants will be asked different questions depending on the service type applied for. This will enable applicants to provide more specific detail for newer service types such as the Family Relationship Centres, and to provide an holistic response for bundled early intervention services. Applicants for Centres with advisers for Indigenous communities will also be asked to provide additional information. Applicants will be provided with guidance/prompts on what is required when describing business risks and dependencies (eg infrastructure, staffing) that they are relying on in their application.

The differences between parts of selection criteria 1 and 3 have been explained in the *How to Apply* section. Like last year, criterion 1 is at the organisational level, whilst criterion 3 is at the local service type level. Criterion 1 covers the history and experience of an organisation, whilst criterion 3 is about the proposed implementation and management of a specific service type in a location.

Applicants have been provided with a revised budget pro forma and with an Implementation Plan pro forma to assist with completing these sections in criterion 3.

Other Items

A number of improvements have been made addressing issues raised in feedback from applicants. Page limits are specified as maxima. Applicants may elect to provide fewer pages if they choose to. Additional attachments have been requested, in response to feedback that applicants wanted to be able to provide more supporting material in attachments. These are more structured and will not be included in the page limits. Applicants may nominate at least three referees. This provides applicants with the choice of nominating more referees, if needed. The timing of the debriefing process will be brought forward to after the announcement of preferred applicants (as opposed to after negotiations have been completed). The request for applicants to number pages has been dropped. Questions and answers will be posted more frequently on the website and a frequently asked section will be developed. All questions and answers will be grouped according to subject matter. New material will be flagged.

Changes to Attachments

Draft Funding Agreement

The draft funding agreement has been amended to reflect the fact that funding for this round covers a two year period. Paragraphs on legislative requirements have been updated to reflect changes to the law. A penalty clause for Family Relationship Centres has been added. The clause deducts funding on a pro rata basis for the days that the Centre is not operational from 2 July 2007. Centres that are not operational from 2 July 2007 will be ineligible for performance payments.

Operational Framework for Family Relationship Centres September 2006

General

The Operational Framework remains largely unchanged. Minor changes have been made to provide clarification of issues that arose in the last selection process. In addition, information has been updated to take account of developments since the last selection round, including updating cross references and links. Additional guidelines, developed since the last selection process, have also been provided in appendices. This includes referral arrangements with the Child Support Agency, decline of service, safety policies and procedures, telephone and video conferencing requirements, and action research.

<p align="center">2005 Selection Document for Family Relationship Centres and other Family Relationship Services</p>	<p align="center">2006 Selection Document for Family Relationship Centres, Early Intervention Services, Parenting Orders Programs and Children’s Contact Services</p>
<p>1. Introduction</p>	<p>1. Introduction This section has not substantially changed. It includes minor updates to refer to last selection round</p>
<p>2. Statement of Requirement This section described the eligibility requirements, service types, funding agreement, uses of funding, legislative requirements, the quality assurance and performance frameworks, information technology requirements and the performance payment scheme for Family Relationship Centres.</p>	<p>2. Statement of Requirement This section has not substantially changed. It still contains a description of eligibility requirements, service types, legislative requirements and information technology requirements. An overview of the selection criteria is now included. All information relevant to incorporated entities and consortia appears here (previously in sections 2 & 6). A definition for Memorandum of Understanding is now included (in Glossary).</p>
<p>3. Selection Criteria This section described the selection criteria, including items listed under each criterion as a guide in preparing responses. General instructions on how to complete the application form, including page limits and the need to repeat relevant information, were included. A summary of the assessment process was also provided. There were five criteria:</p> <ol style="list-style-type: none"> 1. Suitability of the Applicant to deliver the service (by organisation) 2. Applicant’s ability to deliver proposed service objectives and outcomes (by service type and location) 3. Applicant’s capacity to manage the proposed service and evaluate outcomes (by service type and location) 4. Proposed Compliance with Approval requirements (by organisation) 5. Financial Viability (by organisation) <p>The questions in all criteria were generic, however, responses to criteria 1,4 and 5 were required at the organisation level, whilst responses to criteria 2 and 3 were required by service type and location.</p>	<p>Selection Criteria have been moved to Section 6.</p>
<p>4. Assessment Process This section described the stages in the assessment process – receipt registration and screening for compliance, assessment of criteria 1,2,3 and 4 by the Departments, short-listing and assessment of</p>	<p>3. Assessment Process This section has been updated. The assessment process has not changed.</p>

criterion 5 by KPMG (financial viability), with a final comparative assessment by the Chairs of each of the panels in locations where funding was available for more than one service type.

Thirteen mandatory requirements were also listed.

Mandatory requirements have been moved to section 6.

2005 Selection Document for Family Relationship Centres and other Family Relationship Services		2006 Selection Document for Family Relationship Centres, Early Intervention Services, Parenting Orders Programs and Children's Contact Services
<p>5. Funding Agreement This section referred applicants to the Draft Funding Agreement and the need to complete the compliance statement.</p>		<p>4. Funding Agreement The content of this section has not substantially changed. Information on the Funding Agreement is now in one section and has been amalgamated (previously in sections 2 & 5). This section refers applicants to the Draft Funding Agreement, uses of funding, the funding period and the quality assurance and performance frameworks (previously in section 2).</p>
<p>6. Terms and Conditions – this section described the mandatory application requirements, general matters, notices, errors and alterations, lodging applications, deadlines, correspondence during the selection process, conflicts of interest, confidentiality and freedom of information disclosure of information, the Departments' rights, and disclaimer and governing law.</p>		<p>5. Terms and Conditions The content of this section has not substantially changed.</p>

<p align="center">2005 Selection Document for Family Relationship Centres and other Family Relationship Services</p>	<p align="center">2006 Selection Document for Family Relationship Centres, Early Intervention Services, Parenting Orders Programs and Children's Contact Services</p>
	<p>6. Selection Criteria –How to apply (new section). This section has been created to provide further guidance on the Application Package including how to complete the Application Form. The selection criteria are outlined and items are listed under each to be used as a guide in preparing responses (previously in section 3). Therefore there are four criteria (compared with five last year):</p> <ol style="list-style-type: none"> 1. Suitability of the organisation to deliver the service 2. Ability to deliver the proposed service objectives and outcomes (different questions for each service type, response by service type and location) 3. Capacity to manage the service type in the location (response by service type and location) 4. Financial Viability (by organisation) <p>Last year's selection criterion 4 (Proposed Compliance with Approval requirements) is not being used this year as it was not found to be useful. Instead of applicants having to state their ability to comply with each of the approval requirements under that criterion, it will be addressed in their Statement of Willingness to Comply with the draft funding agreement (which includes the approval requirements). Also, under criterion 1, they will be asked to describe their continuous improvement and quality assurance systems. Key approval requirements will be assessed through questions asked in criteria 2 and 3.</p> <p>Last year, the questions against each criterion were generic, regardless of the service type. This year, criterion 2 requires applicants to answer different questions depending on the service type applied for. Applicants for Centres with advisers for Indigenous communities will also be asked to provide additional information.</p> <p>As advised by Australian Government Solicitor, there are fewer mandatory requirements and these have been simplified.</p>

2005 Selection Document for Family Relationship Centres and other Family Relationship Services	2006 Selection Document for Family Relationship Centres, Early Intervention Services, Parenting Orders Programs and Children's Contact Services
<p>Attachments FRSP Program Guidelines Draft Funding Agreement FRSP Performance Framework</p>	<p>Attachments The FRSP Program Guidelines have been updated to reflect legislative change. The Draft Funding Agreement has been updated to reflect the two year term. A penalty clause has also been introduced for Centres that do not start services on 2 July 2007. The FRSP Performance Framework is unchanged. The FRSP Approval Requirements have been added for information purposes. The Obligations for Family Dispute Resolution Practitioners have been added for information purposes (particularly with regard to recent changes to the <i>Family Law Act 1975</i>).</p>
<p>Operational Framework for Centres</p>	<p>The Operational Framework for Centres has a small number of changes providing more detail than was available last year. There are also new attachments providing Centres with additional guidance.</p> <ul style="list-style-type: none"> • Page 4-5: Further guidance about joint dispute resolution sessions • Page 6: Further information about Phase 2 of compulsory dispute resolution • Page 6: Information on child support has been expanded following the announcement of the child support reforms • Page 7: Information has been expanded to provide clearer guidance on the involvement of children in dispute resolution sessions • Page 9: No change of substance but re-worded to provide greater clarity about the requirements for providing services to Indigenous clients especially that proving outreach to Indigenous communities is a core requirement for all Centres • Page 10-11: Fee exemptions under the Family Law Regulations have been set out to provide further information • Page 15-16: Updated information on the accreditation system and competency standards • Page 18: Information technology requirements have been set out • Page 19: Additional badging information has been provided • Page 20: Information has been provided on action research which Centres are required to undertake as part of their performance management • Page 20-22: Information has been revised to provide greater clarity about referrals from the

	<p>Family Relationship Advice Line and the function of Family Relationships Online and the requirements for Centres in using these resources</p> <ul style="list-style-type: none"> • Page 24-27: References to brokering services have been deleted to clarify that the purchase of services can only be done through subcontracting arrangements • Page 29-30: The term Indigenous advisers has been changed to Advisers for Indigenous service delivery to clarify the advisers need not be of Indigenous background • Page 31-32: Minor changes to reflect the final version of the Key Performance Indicators as cleared by the Attorney-General • Page 32: Updated references to the Family Law Act, the Regulations and the accreditation standards • Page 33: Information has been provided about the new FaCSIA data collection system • Page 35-36: Updated information in view of further progress on research and evaluation activities which will be undertaken • Appendices A-E: to provide further guidance on Child Support Agency referral arrangements, decline of service, safety policies and procedures, telephone and video conferencing requirements, and action research.
--	--

<p>Attachments to be submitted Memorandum of Understanding (consortia) Fees policy and schedule Service Plan (Implementation Schedule, Safety and Security Plan and Floor Plan) Evidence of compliance with Approval Requirements Budget proforma Financial Information</p>	<p>Attachments to be submitted Feedback from applicants indicated that they wanted to be able to provide more supporting material in attachments. The list this year reflects that: Organisational structure (new) Service charter (new) Service delivery model flow chart (FRC, PSS, EIS)(new) Staffing arrangements (FRC, PSS, EIS)(new) Memorandum of Understanding (consortia) Fees schedule Service Plan (Safety and Security Plan and Floor Plan) Evidence of compliance (with any quality assurance system) Budget pro forma (revised) Implementation Plan pro forma (new) Financial Information</p>
--	---