



# Family Dispute Resolution Mediation

Client Handbook

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## Welcome to Relationships Australia Tasmania

We want your experience with us to be a positive one and to make a positive difference in your life.

Relationships Australia Tasmania works with people to change and transform their lives through counselling, mediation, dispute resolution, support and training.

At Relationships Australia Tasmania we are;

- ✓ Client Centred
- ✓ Clear in our purpose and expectations
- ✓ Optimistic and hopeful
- ✓ Part of a collective effort
- ✓ Committed to outstanding service
- ✓ Professional and responsible

These values are demonstrated through positive client experience of services and a well-functioning organisation.

This handbook is intended to provide you with important information about using our Family Dispute Resolution and Mediation services.

If you would like to talk to someone about Relationships Australia Tasmania, or any of the information in this handbook, you can speak to our Intake worker by phoning 1300 364 277 or visit our website [www.tas.relationships.org.au](http://www.tas.relationships.org.au).

## Who we are

Relationships Australia Tasmania are a leading not-for-profit provider of relationship support services.

We have a team of highly qualified professionals offering state-wide services including support to Tasmanian's living on the Islands.

We have 70 years of experience, helping over 8000 Tasmanians every year.

We have no religious affiliations. Our services are for all members of the community, regardless of religion, age, gender, sexual orientation, lifestyle choice, cultural background or economic circumstances.

We offer people the services and support they need, when they need it to assist them when life presents challenges. This may include relationships, work, past trauma or other personal challenges.

Relationships Australia Tasmania are committed to providing a safe and nurturing environment for children. We recognise that children can be vulnerable in a number of different ways, and we regard our responsibility for the safety and wellbeing of children as paramount in any decisions about their welfare.

## What you can expect from us

Our services are focused on supporting people to change and transform their lives.

Family Dispute Resolution and Mediation are designed to help navigate and negotiate things which need to be resolved, through Dispute Resolution we can help people reach agreement on things that matter.

Our Family Dispute Resolution Practitioners (Mediators) hold a Vocational Graduate Diploma of Family Dispute Resolution. All Mediators are also formally registered as Family Dispute Resolution Practitioners with the Attorney General's Department.

## Family Dispute Resolution

Anyone can contact Relationships Australia Tasmania with the view of entering into mediation or dispute resolution with another party. However, it is really important to make sure that Family Dispute Resolution is appropriate for your situation.

Family Dispute Resolution can be a good option when needing to make arrangements concerning your children but sometimes it is not appropriate. Obtaining general legal information or advice about your circumstances may also help you prepare. If you have concerns about family violence (which can include emotional or financial control or abuse) and/or child abuse, mediation may not be appropriate.

## The Mediation or Dispute Resolution Pathway

The usual process is to attend an intake assessment, we would then invite the other party to the mediation process. Once the other party has agreed to mediation they will also attend an intake assessment. You will be asked to arrive ½ an hour early to this appointment, where you will complete registration forms (via an iPad), this will inform the Intake Worker of important personal information which you may be asked further questions about during your appointment. As part of this you will be asked to sign a number of forms such as Privacy and Confidentiality, if you have any questions about the paperwork you can discuss them with your Intake Worker.

During the Intake appointment the Intake Worker will work with you to gather relevant contact details, initial information about your situation and your reasons for coming to Relationships Australia Tasmania. If there are current orders relating to your separation you will need to provide them to the intake worker for your file. This includes family violence orders, police family violence orders or court orders. From the information you provide the Intake Worker may also suggest other services that can support you during the mediation pathway, such as counselling after separation.

Following the Intake appointment, the Intake Worker will book you in to attend a separate one to one meeting with the Mediator. At this session each party will identify, from their perspective, the areas of conflict and issues to be negotiated and further explored in mediation. At this session each parent will have the opportunity to talk about the children and the way that they are coping with the separation. During this session the Mediator will encourage you to think about the children when making decisions in mediation. The Mediator will make an assessment regarding the appropriateness of holding a joint mediation session.

If the Mediator determines that family dispute resolution and mediation are not appropriate for your situation, or one party does not attend or does not agree to mediation a Section 60I Certificate may be issued to both parties allowing you to pursue a legal pathway to have your dispute resolved.

The joint mediation session is a structured negotiation process in which the Family Dispute Resolution Practitioner (Mediator), assists both parties to identify and assess options, negotiate and seek agreement to resolve their dispute. This is done in the best interests of children and is fair to both parties involved. The session is flexible and will be tailored to suit the circumstances. Mediators are independent in the negotiations, but may assist by asking questions, encouraging discussions, offering different perspectives and expressing issues in alternative ways. Depending on your circumstances the joint mediation session may occur as a 'Shuttle'. Shuttle mediation is where both parties attend an appointment at the same time but sit in separate rooms allowing the Mediator to work between the two spaces to assist both parties to identify options and negotiate an agreement.

The information at the back of this handbook, *Share the care* will provide you with information to think about prior to mediation and tips on what to bring to the joint mediation session.

## Child Inclusive Mediation

Depending on your circumstances, and with written consent from both parties, it may be appropriate to consider child inclusive mediation. While this is not appropriate for all families, Relationships Australia Tasmania has trained Child Consultants.

The child consultant can meet with the child or children affected by a relationship separation. This is an opportunity for the child or children to convey their thoughts, needs and concerns to a neutral person in a non-threatening environment. The child or children involved then agrees on which aspects of this information they would like to feedback to each parent separately.

## Parenting Plans

Your mediation session may result in a written parenting plan. These are voluntary agreements, which cover day to day arrangements for children, for example living arrangements, special days, activities, school arrangements and transport. Parenting plans can be changed at any time with the agreement of both parties, which may involve additional mediation sessions. Parenting plans are not legally binding but parents can engage the services of a lawyer if they wish to change the parenting plan into consent orders.

## Things to consider during mediation

Some things to consider as part of your mediation process is how you might respond to suggestions or proposals put forward by the other party. It is important that throughout the process you always keep your children's best interest at the forefront of your mind. It is a good idea to take the time to clarify your thoughts before responding to information, don't interrupt, roll your eyes or bang the table, instead it is worthwhile to take notes and respond accordingly when it is your turn. The Mediator will be there to assist to ensure you each have an opportunity to be heard.

At any time during mediation if you feel frustrated, angry, intimidated, upset or confused, ask for a break or for a private session with the Mediator. He or She can end the meeting if necessary and so can you.

It is important to make sure any agreement includes everything that has been agreed at mediation. Make sure that your agreement states clearly the agreed rules for contact with children including when, where and who is to be present.

Make sure that the drop off and pickup arrangements are safe for you and the children. It is always useful to have a back-up plan for times when one party is not on time or arrangements fall through.

## Cost of Mediation

Relationships Australia Tasmania is actively committed to ensuring that affordable services are provided to all members of the Tasmanian community. Whilst most services are funded by the Commonwealth governments, it is necessary to charge a fee for some services. All client fees are directed back into services and any fees that we charge are based on people's capacity to pay.

RA Tas will not refuse a service to those who are experiencing financial hardship and are unable to pay. Where a client's ability to pay is limited the client is able to request a fee reduction by completing a fee reduction form.

If you are accessing services for child or children related matters please refer to the 'Family Relationship Centre' fee scheduled at [attachment one](#). If your services relate to property or property and children please refer to the 'Family Dispute Resolution (mediation)' fee schedule at [attachment two](#).

## Support person and children

A support person can accompany you to your appointment and remain in the waiting area during your session. If you would like the support person present during the joint session (mediation), both the mediation practitioner and the other party must agree to this before it can occur. You can request a support person information sheet from the Intake Worker or Mediator.

As mediation generally involves an area of disagreement or conflict it is not appropriate for children to attend. It is best to make child care arrangements before confirming your appointments.

## Your Rights

At Relationships Australia Tasmania we are committed to providing an outstanding service that meets the needs of our clients. This means offering a service that:

- Respects the uniqueness of you, your situation and your family
- Recognises your need and identity, with respect to culture, religion, gender, sexuality, language, disability or mental health
- Supports your access to an interpreter if required
- Respects your privacy and confidentiality, dignity and lifestyle
- Is inclusive and free from abuse, discrimination, neglect, force and favouritism
- Is in an environment that is safe, accessible, clean and secure
- Is engaging and empowering

In addition, we are committed to ensuring the safety, wellbeing and empowerment of children. This means:

- A zero tolerance approach towards all forms of abuse, neglect and exploitation of children and young people
- Creation of child safe services and environments
- Engagement and empowerment of children and young people and their families
- Care, protection and support from all the adults involved in their lives

## Your Responsibilities

When you use a service you not only have rights, you also have some responsibilities. The responsibilities you have are towards all people that access our service including yourself, other clients and their children and staff. These responsibilities are:

- To respect the rights of others, such as their privacy and safety
- To help create a safe environment for all, free from harm and violence
- To tell us if you have any problems as soon as you can
- To help create a welcoming environment
- To pay fees as appropriate to your service

## Privacy and Confidentiality

We care about your privacy and confidentiality and are committed to protecting it.

When providing you with a service, we need to collect information about you and your circumstances. We will only do this when it is relevant to your service or if it is required by law.

Our services are completely confidential. We will not give your name or any information about you to anyone outside Relationships Australia, unless someone's personal safety is at risk, or it is required by law.

In protecting your privacy we must:

- Keep all information we collect about you confidential
- Respect your safety, privacy and dignity when using your information
- Protect information from any misuse or loss
- Take steps to ensure that the information we have about you is accurate, complete, up to date and relevant to the service you are accessing
- Not share your information with anyone else unless you have given clear written consent or if it is necessary to maintain your safety or otherwise required by law.

You have a right to:

- Complain if you feel we have not respected your privacy
- Know why and how your personal information is collected
- Know how your personal information is used, who it may be shared with and when
- Give or refuse consent before information is collected about you
- Ask for information or records to be explained or changed if you believe it is inaccurate, misleading, incomplete or out of date
- Request a copy of our Privacy and Confidentiality Policies

## Making a complaint and giving feedback

If you have comments to make about your experience of our services - whether it's a compliment or complaint, we want to hear from you. We know one of the best ways for us to improve our services and your experience, is through receiving your feedback. You have a right to:

- Make a complaint about the service you receive
- Be listened to respectfully
- Have your complaint kept private
- Have your complaint responded to fairly and in a timely manner
- Give feedback on what is working well or what could be improved at any time
- Be informed of what has happened with your complaint or feedback
- Be safe from negative consequences should you make a complaint

We will review all feedback and complaints to evaluate the quality of our services, identify what is, and what is not, working well, and consider how we can improve our services.

How can you make a complaint or provide feedback?

You can raise a complaint, compliment or give feedback to the Intake Worker, Mediator or their Manager.

Complaints and feedback can also be given via:

Our website: <http://www.tas.relationships.org.au/>

Phone: 1300 364 277

Post:

South: 20 Clare Street, New Town, 7008

North: 6 Paterson, Launceston, 7250

North West: 68 North Fenton Street, Devonport, 7360

## Attachment 1



An Australian Government Initiative

### Fees - Family Relationship Centre

Individual Sessions are generally 1 hour

Hours	All Clients
Individual sessions	Free

Joint Dispute Resolutions (mediation) Sessions are generally 2 hours – unless otherwise advised

Hours in mediation	Concession Card Holders	No Concession Card & salary less than \$50 000	Salary over \$50 000
First hour	Free	Free	Free
Second hour	Free	Free	\$30
Third hour	Free	Free	\$30
Fourth hour (and any subsequent hours)	\$30	\$60	\$60

Fees as at May 2017

Relationships Australia Tasmania (RA Tas) is actively committed to ensuring that affordable services are provided to all members of the Tasmanian community. Whilst most services provided by RA Tas are funded by the Commonwealth or Tasmanian governments, it is necessary to charge a fee for some services. All client fees are directed back in to services and any fees that we charge are based on people's capacity to pay.

You will be advised of RA Tas' fee policy prior to receiving a service. When you arrive at reception, you will need to pay for your appointment prior to receiving the service.

Once you have paid, you will be provided with a receipt.

We understand that from time to time things can come up or plans change and that you may not be able to attend your appointment. If this happens, please contact us to reschedule or cancel your appointment. If you do not attend your appointment and have not contacted us, you will be charged the full fee for the service.

RA Tas will not refuse a service if you are not able to afford to pay the fee for any service. If you are finding it difficult to pay the fees for your service, you can request a fee reduction by completing a fee reduction form that will then need to be approved.

RA Tas is committed to ensuring that your privacy and confidentiality is maintained in all instances and this commitment is continued throughout the fee collection processes with particular consideration given to couples who are separated.

A schedule of fees for other services provided by RA Tas is available on request.

## Attachment 2



### FEES - FAMILY DISPUTE RESOLUTION (mediation)

	Concession Card Holders	No Concession Card
First session (intake)	\$20	\$40
Subsequent sessions Joint Dispute Resolution (per hour)	\$30/participant	\$60/participant
After hours appointments Joint Dispute Resolution (per hour)	\$80	\$80
Organisational payers (per hour)	N/A	\$150
Non-arrival No notification	Session fee	Session fee

Fees as at May 2017

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## Information for Parents About Safeguarding Children and Young People

### Our Commitment

At Relationships Australia Tasmania (RA Tas) we consider the health, safety and wellbeing of all children and young people to be our highest priority. We strive to ensure the safety and wellbeing of children and young people through our *Safeguarding Children and Young People Policy*.

Our *Safeguarding Children and Young People Policy* has been adopted, approved, and endorsed by our Chief Executive Officer. It underpins a set of policies and procedures in relation to the protection of children and young people which guide:

- The screening and recruitment of our staff
- The behaviour of our staff towards children and young people
- The induction and training of our staff about safeguarding children and young people
- Our open and effective communication with children and young people and their parents and guardians
- Our responses to the abuse and neglect of children if it occurs and
- Our maintenance of a safeguarding culture in the organisation

All personnel must ensure that their approach and interactions with children and young people are sensitive, respectful, and inclusive of all backgrounds and abilities. We promote equity and respect diversity by:

- actively anticipating children's diverse circumstances and responding effectively to those with additional vulnerabilities
- by giving all children access to information, support, and complaints processes, and
- paying particular attention to the needs of Aboriginal and Torres Strait Islander children, children with a disability and children from culturally and linguistically diverse backgrounds.

Our personnel are required to:

- undergo an extensive screening process including a Working with Children Check and a National Criminal Records Check
- behave professionally and with care towards children and young people by not acting outside the boundaries of their duties or using their position with the organisation to seek work with or initiate contact with children and young people who are clients of our organisation
- understand the important responsibility they have to protect children and young people from all forms of abuse, bullying and exploitation either by our personnel or that occurs outside the scope of our operations and services; and
- create and maintain a child safe culture.

We expect all within our organisation, regardless of their role or level of responsibility, to safeguard

children and young people from harm by:

- adopting the practices and behaviour we have set as our standard when carrying out their roles, and
- reporting any abuse or neglect of which they become aware to our management and/or to external authorities responsible for child protection or to police, regardless of whether that abuse is being perpetrated by staff within our organisation, or by those outside our organisation including those from the child's family, extended family, their family's extended network or strangers.

We are dedicated to protecting the children and young people in our community and have successfully achieved Accreditation with the Australian Childhood Foundation's Safeguarding Children Program.

## **Responding to Child Abuse Reports and Allegations**

We consider any form of child abuse including emotional, physical, psychological, and sexual abuse, family violence, grooming or neglect as intolerable under any circumstances.

We have a legal, moral and mission driven responsibility to protect children and young people from harm and to ensure that any incident of suspected child abuse is promptly and appropriately dealt with. Our personnel are required to report suspected child abuse to their direct supervisor/manager and the child protection authorities or the police. RA Tas will co-operate with the child protection authorities and police and other agencies as required by law.

## **Practice and Behaviour Guidelines**

RA Tas staff, volunteers and students are required to maintain the highest standards of professional conduct towards children and young people. We have developed Practice and Behaviour Guidelines to identify and prevent behaviour that may be harmful to the children and young people in our care. The following is a summary to those Guidelines.

### ***Supervision***

Our personnel are required to, where possible, avoid one-to-one unsupervised situations with children and young people to whom we provide services. Where possible staff are to conduct all activities and/or discussions with children and young people in view of other staff or by utilising our 'live streaming' technology.

### ***Transport***

RA Tas prohibits staff from providing transport to children and young people as part of our service, unless there has been specific prior authorisation from a Manager and the child or young person's parent or guardian. To gain approval from RA Tas, our staff are required to submit details about the proposed journey including the form of transport, the reason, and details of who will be present.

### ***Overnight Stays***

RA Tas prohibit overnight stays as part of the service we provide to children and young people.

### ***Physical Contact***

Any physical contact with children and young people must be appropriate to the delivery of RA Tas services and based on the needs of the child or young person (such as to assist or comfort a distressed child or young person) rather than on the needs of our staff.

### ***Positive Guidance***

We aim to make children and young people aware of the acceptable limits of their behaviour. Children and young people are encouraged to feel and be safe. There are times when our staff may be required to use appropriate behavioural management strategies to ensure:

- an effective and positive environment
- the safety and wellbeing of children, young people or personnel participating in our services.

Any behaviour management strategy used must be fair, respectful and appropriate to the developmental stage of the children or young people involved.

The child or young person is to be provided with clear directions and given an opportunity to redirect their misbehaviour in a positive way. Under no circumstances are our staff to take disciplinary action involving physical punishment or any form of treatment that could reasonably be considered as degrading, cruel, frightening or humiliating.

### ***Use of language and tone of voice***

Language and tone of voice used in the presence of children and young people should not be harmful to children and young people and should provide clear direction, boost their confidence, encourage or affirm them.

### ***Professional role boundaries***

Our staff are not to act outside the confines of their duties, as specified in their position description, when helping to deliver our services.

If an RA Tas staff member becomes aware of a situation in which a child or young person requires assistance that is beyond the confines of that person's role, or beyond the scope of our organisation's usual service, they will at the earliest opportunity:

- refer the matter to an appropriate support agency
- refer the child or young person to an appropriate support agency
- Contact the child or young person's parent or guardian, and
- Seek advice and inform RA Tas management of any of the above.

RA Tas prohibit staff from attending any private social function at the request of a child or young person, or their family who has participated in, or is participating in RA Tas services.

### ***Photographs of children and young people***

Children and young people to whom RA Tas deliver services are to be photographed while involved in our services only if:

- A Manager has granted prior and specific approval
- Prior written parental/guardian authorisation is obtained
- The context is directly related to participation in our services
- The child or young person is appropriately dressed and posed

### ***Use of electronic and online communication***

Where possible, email and text messages sent to a child or young person are to be copied to their parent or guardian. Any communication is to be restricted to issues directly associated with delivering our services, such as advising that a scheduled event is cancelled.

### ***Use, possession or supply of alcohol or drugs***

Whilst delivering services, staff must not use or be in possession of an illegal drug or alcohol, be incapacitated by any other legal drug such as prescription or over the counter drugs or supply alcohol or drugs (including tobacco) to children or young people participating in our service.

### ***Giving Gifts***

Giving of gifts by our service delivery staff to children and young people to whom we provide a service is subject to obtaining prior authorisation from a Manager and the child's parent or guardian.

### ***Promoting equality and diversity***

All staff must ensure that their approach and interaction with children and young people are sensitive, respectful and inclusive of all backgrounds and abilities. Where RA Tas is involved with children and young people who are Aboriginal or Torres Strait Islander, from culturally and/or linguistically diverse backgrounds or who have a disability, our personnel will promote their safety (including cultural safety), participation and empowerment.

### **Further Information**

If you have any concerns regarding the safety of a child or young person or would like to discuss any of the information further, please contact RA Tas on 1300 364 277.

For more information about child safety and to view our full safeguarding children policies visit our website <http://www.tas.relationships.org.au/>

## Guidelines for Parents/Carers

### Our Commitment

At Relationships Australia Tasmania (RA Tas) we are committed to creating an environment where all its community can participate in our programs without experiencing abuse insults threats or other anti-social behaviour.

We call on all parents/carers (and other people accessing our services) to:

- Observe our organisations guidelines for parents/carers,
- politely and respectfully remind others of their obligation under these guidelines, and
- In the event of serious or ongoing breaches of these guidelines by another person, report the matter to a staff member to take an appropriate action

### Our Guidelines for Parents/Carers

The participation and safety of your children, other children and other young people in RA Tas programs are our primary consideration. As parents/carers your role is to support these by:

- Encouraging your child's participation in a positive manner,
- Advising your Practitioner of any additional support that your child may have or develops while accessing the program, to assist in the safe participation of the program,
- Advising the Practitioner of any changes in contact information in the event of an emergency,
- Not engaging in behaviour that discriminates against any other person based on gender, sexuality, sexual identity, race, ability, colour, religion, language, politics or national or ethnic origin,
- Not engaging in, threatening to engage in, violent, physical, or verbal confrontations with any other person,
- Engagement with RA Tas personnel in a positive manner and do not criticise the personnel in the presence of your child. Report any concerns to the program manager,
- Ensuring your child has adequate supervision at all times when waiting for your appointment,
- Ensuring that your child is picked up on time at the conclusion of their appointment.
- Notify the Practitioner prior to the session commencing if your child is to be picked up by a person unknown to the RA Tas staff member.
- Not taking photos of children unless you have consent from an RA Tas staff member and other children's parents or guardians.
- Not being affected by alcohol, drugs and other behaviour altering substances.
- Not requesting contact with staff outside of the RA Tas program.
- Not requesting personnel to provide any support or services outside the boundaries of the RA Tas program.
- Report any concerns regarding the safety, wellbeing and welfare of a child or young person to a staff member immediately.

## Safeguarding Children and Young People Policy

### 1. Purpose

Relationships Australia Tasmania is a community-based, not-for-profit organisation providing services to all Tasmanian's including children and young people between the ages of 0 and 18 years.

Our organisation operates from three main office locations: Hobart, Launceston and Devonport and provides a wide range of services. The services specifically related to children and young people including.

- Supporting Children After Separation
- Children's Contact Service
- Family Dispute Resolution Services
- Reconnect
- Family and Relationship Counselling
- Community Based Mental Health Care Services

RA Tas are committed to the rights of children and young people to feel safe and be safe when engaging in our services. We take seriously our responsibility to deliver support in an environment that is caring, nurturing and safe.

We promote equity and respect diversity by:

- actively anticipating child and young person's diverse circumstances and responding effectively to those with additional vulnerabilities
- giving all children and young people access to information, support, and complaints processes, and
- paying particular attention to the needs of Aboriginal and Torres Strait Islander children, children with a disability and children from culturally and linguistically diverse backgrounds.

Our Board of Directors approves and endorses RA Tas's commitment to zero tolerance of child abuse and to safeguard children and young people from abuse and neglect.

It is the responsibility of all at RA Tas, from executive to staff and volunteers, to:

- protect children and young people from all forms of abuse, bullying and exploitation by our people;
- be alert to incidents of child abuse and neglect occurring outside the scope of our operations and services that may have an impact on the children and young people to whom we provide a service; and
- create and maintain a child safe culture that is understood, endorsed and put into action by all the individuals who work for, volunteer or access our programs and services.

We expect all within our organisation, regardless of their role or level of responsibility, to act to safeguard children and young people from such harm by:

- adopting the practices and behaviour we have set as our standard when carrying out their roles, and

- reporting any abuse or neglect of which they become aware to our management and/or to external authorities responsible for child protection or to police, regardless of whether that abuse is being perpetrated by personnel within our organisation, or by those outside our organisation including those from the child’s family, extended family, their family’s extended network or strangers.

## 2. Scope

The *Safeguarding Children and Young People Policy* applies to all personnel involved with RA Tas.

## 3. Related Documents

The following RA Tas policies must be considered in relation to this document:

- Client Risk Assessment Guidelines
- Code of Ethics
- Code of Conduct
- Practice and Behaviour Guidelines
- Children and Young People Risk Management and Abuse Reporting Policy
- Employee Lifecycle Policies and Procedures

## 4. Related Legislation

In upholding this Policy, the following legislation and guidelines must be considered by all Relationship Australia Tasmania personnel:

- Family Violence Act 2004 (TAS)
- Children, Young Persons and their Families Act 2013 (TAS)
- Registration to Work with Vulnerable People Act 2013 (TAS)
- APS Guidelines: Legal and Ethical Aspects of Working with Young People

## 5. Definitions

Definitions are included in Appendix 1.

## 6. Responsibilities

The Board of Directors of RA Tas is responsible for the development and endorsement of the Relationship Australia Tasmania *Safeguarding Children and Young People Policy*. It delegates the implementation of the Policy to the CEO. The role of each entity in relation to the development and compliance of the Relationship Australia Tasmania *Safeguarding Children and Young People Policy* is detailed in the table below.

Entity	Role/Responsibility
CEO	<ul style="list-style-type: none"> <li>• Promote the commitment to this Policy and its expectations.</li> <li>• Support policy review on a three-yearly cycle as a minimum or at a time governed by legislation, regulations, or organisational learnings that promote a change to the Policy and all relevant policy or procedural guidelines.</li> <li>• Ensure compliance to the Policy via an inbuilt review mechanism.</li> <li>• Ensure adequate resources are allocated to allow for the development and effective implementation of this policy.</li> </ul>

Entity	Role/Responsibility
	<ul style="list-style-type: none"> <li>• Develop opportunities for regular discussion at all levels to support a culture of openness, continued improvement and accountability to child protection and member welfare.</li> <li>• Advocate and promote child rights, empowering and engaging children and young people in support of this Policy and its expectations.</li> </ul>
<b>CEO</b> <b>COO</b> <b>CFO</b> <b>Directors</b>	<ul style="list-style-type: none"> <li>• Ensure all involved personnel understand their obligations in accordance with the <i>Safeguarding Children and Young People Policy</i> and any relevant policy and procedural documentation. This includes induction, a minimum of one compulsory training session, and regular discussion and guidance at supervision and team meetings.</li> <li>• Ensure the <i>Safeguarding Children and Young People Policy</i> is implemented and adhered to amongst relevant member stakeholders.</li> <li>• Ensure the development and implementation of required internal policy/work procedures and guidelines are in place to support child protection practice in accordance with the expectations of the <i>Safeguarding Children and Young People Policy</i>.</li> <li>• Ensure adequate resources are allocated to allow effective implementation of the <i>Safeguarding Children and Young People Policy</i>.</li> <li>• Ensure to support personnel in a joint way with a decision to initiate any form of action to protect a child or young person from abuse, neglect, grooming or exploitation.</li> <li>• Ensure appropriate supports, such as counselling and formal debriefing, are provided for any personnel involved in a matter relating to responding to a concern for the safety and wellbeing of a child or young person.</li> <li>• Advocate and promote child rights, empowering and engaging children and young people in support of this Policy.</li> <li>• Proactively share resources and experience in the development of child safe initiatives as they are identified.</li> <li>• Develop opportunities for regular discussion at all levels to support a culture of continuous improvement and accountability of child protection and member welfare.</li> <li>• Ensure that our personnel are aware of the appropriate recruitment, screening, and employment practice in relation to individuals with specific roles in working, coaching, or volunteering with children and families.</li> </ul>
<b>All Personnel</b>	<ul style="list-style-type: none"> <li>• Maintain a full understanding of the commitments and expectations of this Policy, as well as all other policy relevant to safeguarding children and young people.</li> <li>• To undertake any induction and training in relation to policy and procedures relevant to safeguarding children and young people.</li> <li>• To seek guidance from a supervisor or manager if there is ever any lack of understanding in relation to the commitments and expectations as set out in this Policy.</li> </ul>

Entity	Role/Responsibility
	<ul style="list-style-type: none"> <li>• To take action to protect children and young people from all forms of abuse, bullying, exploitation, and harm.</li> <li>• To assist in creating and maintaining a child safe culture and a culture of inclusion and safety</li> </ul>

## 7. Our Commitment

RA Tas is committed to ensuring the safety and wellbeing of all children and young people who access our activities, programs, services, or facilities. Our policies and procedures seek to address risks to child safety and to establish a safeguarding culture and practices. Our Safeguarding Children and Young People policies and procedures are accessible

- in forms that are easy to understand
- have been informed by stakeholder consultation
- communicated to children, young people and their families, our personnel, and the general public.

We regularly review our policies, gain endorsement of changes and advise our personnel of changes.

### **We are committed to safeguarding children & young people**

Through our policy we document our clear commitment to safeguarding children and young people from abuse and neglect. We communicate our commitment to all our personnel and give them access to a copy of our policy.

### **Our personnel know the behaviour we expect**

- We ensure that each person involved in delivery of our services to children and young people understand their role and the behaviour we expect in relation to safeguarding children and young people from abuse and neglect.
- We utilise clear position descriptions which clearly state relevant safeguarding requirements.
- We have a code of conduct, code of ethics and practice and behaviour guidelines which are approved and endorsed from the highest levels of our organisation. These codes and guidelines outline our expectations for behaviour towards children and young people. Our personnel are given a copy of and have access to the code of conduct, code of ethics and practice and behaviour guidelines. Our personnel indicate, in writing, that they have read and are committed to the code of conduct, code of ethics and practice and behaviour guidelines.

### **We minimise the likelihood of recruiting a person who is unsuitable**

We have appropriate measures in place to minimise the likelihood that we will recruit a person who is unsuitable to work / volunteer with children or young people. We have recruitment procedures that ensure:

- our safeguarding commitment is communicated to potential applicants for positions
- face-to-face interviews are held which includes safeguarding-related questions
- two professional reference checks are undertaken
- screening checks are undertaken, including identity, criminal record, international criminal record, working with children checks and qualification checks.

### **Induction and training are part of our commitment**

- We provide all new personnel with information during their induction about our commitment to safeguarding including our *Safeguarding Children and Young People Policy, Code of Conduct, Code of Ethics and Practice and Behaviour Guidelines* and *Children and Young People Risk Management and Abuse Reporting Policy*.
- We have a process for ensuring all our personnel complete Safeguarding Children training.
- We support ongoing education and training for our personnel to ensure safeguarding information is provided in an ongoing way.

### **We encourage the involvement of children, young people and their parents**

We involve and communicate with children and young people, and their families in developing a safe, inclusive and supportive environment. We provide information to children and their carers (such as brochures, posters, handbooks, guidelines) about:

- our commitment to safeguarding children, young people and their rights
- the behaviour we expect of our personnel and of themselves
- our policy about responding to child abuse

We have processes for encouraging two-way communication with children and families. We seek their feedback and have a process for responding. We respect diversity and seek to facilitate effective communication and involvement.

### **Our personnel understand their responsibility for reporting child abuse**

Our policy for responding to child abuse is approved and endorsed from the highest levels of our organisation and applies to all our personnel. The policy states that:

- personnel must immediately report abuse or neglect and any concerns with policies, practices, or the behaviour of personnel.
- personnel must meet any legislated mandatory reporting requirements
- personnel must follow a specified process when reporting abuse or neglect failure to report is a serious misconduct.

Our personnel are given a copy of and have access to the policy and understand the implications of the policy for their role. We document any allegation, disclosure or concern regarding child abuse and monitor responses to all allegations, disclosures or concerns.

### **We maintain and improve our policies and practices**

- We are committed to maintaining and improving our policies, procedures, and practices to safeguard children and young people from neglect and abuse.
- We have assigned responsibility for maintaining and improving our policies and procedures to a 'Safeguarding Children Program Coordinator'
- We monitor our personnel and external providers to ensure appropriate practice and behaviour, and policies are followed.
- We communicate with our personnel to ensure that they understand our policies and that the policies are effective in the workplace.
- We require our personnel to disclose convictions or charges affecting their suitability to work with children and young people and we review police record and Working with Children Checks periodically.

- We have formally reviewed our service delivery to identify and document potential risks to children or young people.
- We undertake formal reviews, at least annually, to identify and document potential risks to children or young people associated with our service delivery.
- We have a procedure to undertake annual reviews, as part of our ongoing compliance with safeguarding requirements.

## 8. Records and Documentation

We retain records of changes to this document (see 10. Monitoring and Review).

## 9. Communication

RA Tas commits to ensuring our *Safeguarding Children and Young People Policy* is communicated to:

### Service users

- on our website
- in age-accessible formats for children and young people
- as part of enrolment forms and program information provided to parents and families

### All 'Involved' Personnel

- during recruitment and induction processes
- during compulsory training on safeguarding children and young people policies and procedures
- on agendas for team meetings
- when there are any updates or changes to this document

## 10. Monitoring and Review

This document will be reviewed at least every 3 years, after consultation. Some circumstances may trigger an early review, this includes but is not limited to legislative changes, organisational changes, incident outcomes and other matters deemed appropriate by the Chief Executive Officer. We retain records to document each review undertaken. Records may include minutes of meetings and documentation of changes to policies and procedures that result from a review.

External audit and verification based on a sample, conducted by the Australian Childhood Foundation shall occur at 3 yearly intervals.

## 11. Supporting Resources

RA Tas Child Risk Assessment Tool
Core Competency - Child Safety
Reporting of Notifiable Client Matters Policy and Procedures
Client Risk Assessment Guidelines

## Appendix 1

Term	Definition
<b>Bullying</b>	<p>Bullying involves the inappropriate use of power by one or more persons over another less powerful person or group and is generally an act that is repeated over time. Bullying has been described by researchers as taking many forms which are often interrelated and include:</p> <ul style="list-style-type: none"> <li>• <i>Verbal</i> (name calling, put downs, threats);</li> <li>• <i>Physical</i> (hitting, punching, kicking, scratching, tripping, spitting);</li> <li>• <i>Social</i> (ignoring, excluding, ostracising, alienating); and/or</li> <li>• <i>Psychological</i> (spreading rumours, stalking, dirty looks, hiding or damaging possessions).</li> </ul>
<b>Child or young person</b>	A person under the age of eighteen years.
<b>Practice and Behaviour Guidelines</b>	The Practice and Behaviour Guidelines aim to identify and prevent behaviour that may be harmful to children and young people in our support service communities. The Safeguarding Code of Conduct outlines what is and is not acceptable behaviour or practice when working or engaging with children and young people.
<b>Direct role in providing activities, programs and services to children and young people</b>	A direct role is considered one that has contact with children and young people that is not incidental, but normally part of providing a service, program or activity for children and young people. This direct delivery may require regular physical contact and forms of ongoing communication. For example, coaching.
<b>Emotional or psychological abuse</b>	Can occur where the behaviour of their parent or caregiver damages the confidence and self-esteem of the child or young person, resulting in serious emotional disturbance or psychological trauma. This can include a range of behaviours such as excessive criticism, withholding affection, exposure to domestic violence, intimidation or threatening behaviour.
<b>Family Violence</b>	Family violence occurs when children or young people are forced to live with violence between adults in their home. It is harmful to children or young people. It can include witnessing violence or the consequences of violence. Family violence is defined as violence between members of a family or extended family or those fulfilling the role of family in a child or young person's life. Exposure to family violence places children and young people at increased risk of physical injury and harm and has a significant impact on their wellbeing and development.
<b>Grooming</b>	Grooming is when a perpetrator of abuse builds a relationship with a child or young person with a view to abusing them at some stage. There is no set pattern to groom a child or young person. For some perpetrators, there will be a lengthy

Term	Definition
	<p>period before the abuse begins. The child may be given special attention and, what starts as an apparently normal display of affection, such as cuddling, can develop into sexual touching or masturbation and then into more serious sexual behaviour. Other perpetrators may draw a child or young person in and abuse them relatively quickly. Some abusers do not groom children but abuse them without forming a relationship at all. Grooming can take place in any setting where a relationship is formed, such as leisure, music, sports and religious activities, or in internet chatrooms, social media or by other technological channels.</p>
<b>Harm</b>	<p>Harm to a child or young person, is defined as any detrimental effect of a significant nature on the child's physical, psychological, or emotional wellbeing. It is immaterial how the harm is caused. Harm can be caused by:</p> <ul style="list-style-type: none"> <li>• physical, psychological, or emotional abuse or neglect</li> <li>• sexual abuse or exploitation</li> <li>• a single act, omission, or circumstance; and</li> <li>• a series or combination of acts, omissions, or circumstances.</li> </ul>
<b>Neglect</b>	<p>Neglect is the persistent failure or deliberate denial to provide the child or young person with the basic necessities of life. Such neglect includes the failure to provide adequate food, clothing, shelter, clean water, medical attention or supervision to the extent that the child or young person's health and development is, or is likely to be, significantly harmed.</p> <p>Categories of neglect include physical, medical, abandonment or desertion, emotional and educational neglect. The issue of neglect must be considered within the context of resources reasonably available.</p>
<b>Personnel</b>	<p>All staff, volunteers and students who work for the organisation whether in a paid or unpaid capacity.</p>
<b>Physical abuse</b>	<p>Physical abuse occurs when a person subjects a child or young person to non-accidental physically aggressive acts. The abuser may inflict an injury intentionally or inadvertently as a result of physical punishment or the aggressive treatment of a child or young person. Physically abusive behavior includes (but is not limited to) shoving, hitting, slapping, shaking, throwing, punching, biting, burning, excessive and physically harmful over training, and kicking. It also includes giving children or young people harmful substances such as drugs, alcohol or poison. Certain types of punishment, whilst not causing injury can also be considered physical abuse if they place a child or young person at risk of being hurt.</p>
<b>Sexual abuse</b>	<p>Sexual abuse occurs when an adult or a person of authority (e.g. older) involves a child or young person in any sexual activity. Perpetrators of sexual abuse take advantage of their power, authority or position over the child or young person for their own benefit. It can include making sexual comments, engaging them to participate in sexual conversations over the internet or on social media, kissing, touching their genitals or breasts, oral sex or intercourse with a child or young person. Encouraging a child or young person to view pornographic magazines, websites and videos is also sexual abuse. Engaging children or young people to participate in sexual conversations over the internet is also considered sexual abuse.</p>

Term	Definition
<b>Sexual exploitation</b>	Sexual exploitation occurs when children or young people are forced into sexual activities that are then recorded in some way and/or used to produce pornography. Such pornography can be in the form of actual photos or videos or published on the internet. Exploitation can also involve children or young people who are forced into prostitution.

### Approval and Endorsement:

<b>Approved By:</b>	Michael Kelly (Chief Executive Officer)
<b>Endorsed By:</b>	Board of Relationships Australia Tasmania
<b>Date of Endorsement:</b>	21/12/2021
<b>Review Date:</b>	30/09/2021

# Children and Young People Risk Management and Abuse Reporting Policy

## 1. Aim and Justification

This policy describes Relationships Australia Tasmania's (RA Tas) risk management strategies and reporting mechanisms which seek to safeguard children and young people from abuse or neglect (including sexual abuse).

According to the Australian Institute of Family Studies (AIFS) as many as one in three women and one in twelve men experience some form of sexual abuse as a child.<sup>1</sup> Furthermore, the Royal Commission into Institutional Responses to Child Sexual Abuse has identified that there is not only opportunity for children to be abused in their own homes and social circles, but also in the organisations they spend time in.

This policy defines the roles and responsibilities of all our employees, volunteers, students and contractors to protect children from abuse and neglect. It provides information on the appropriate actions which are to be taken when a child has been abused or has suffered neglect, or when there are reasonable grounds to believe this is likely to occur.

Through the implementation of this policy we will meet relevant state and federal laws relating to safeguarding of children and young people.

## 2. Scope

This policy applies to all RA Tas Board members, employees, volunteers, students and contractors and includes all forms of abuse and neglect.

## 3. Policy

### Our commitment

RA Tas is committed to promoting and protecting the best interests of children and young people involved in its programs. We believe that all children and young people, regardless of their gender, race, religious beliefs, age, disability, sexual orientation, family or social background, have equal rights to protection from abuse, and neglect (including sexual abuse).

All board members, employees, volunteers, students and contractors have a responsibility to take reasonable action to ensure that any child or young person engaged in our services or programs is protected from abuse and neglect. Everyone connected with RA Tas has a responsibility to report any information about suspected child abuse or neglect in line with the state laws.

### Expectations

RA Tas expects that employees, volunteers, students and contractors:

- Make themselves aware of their obligations to report any concerns in line with relevant state law;
- Become aware of their obligation to observe the *Code of Conduct* as it relates to child safety;
- Provide an environment that is supportive of all children's emotional and physical safety;
- Understand and implement strategies to detect and prevent child abuse and neglect,

RA Tas meets these expectations by ensuring that all concerns are responded and reported to the relevant child safety authorities and/or the Police. **Strategies**

RA Tas monitors its programs, the physical, social and online environments around which they are delivered to identify issues that may expose children or young people to abuse or neglect. We assess the likelihood and probable impact of these concerns and employ a range of preventative strategies to manage and minimise the risk of offending behaviour towards children and young people. These include developing and implementing:

- rigorous screening and selection processes to eliminate potential offenders and to identify people with the correct values to work with children;
- a code of conduct;
- a code of ethics;
- Practice and Behaviour Guidelines;
- training and supervision activities to develop staff skills;
- strategies to identify and respond to unprofessional relationships and grooming behaviours between children and young people and adults;
- programs to develop family strengths;
- child risk assessments;
- strategies to ensure children and young people have access to transparent and clear information regarding their rights and healthy relationships;
- procedures to reporting and acting upon risks or concerns.

We believe that the collective implementation of these strategies can significantly contribute to the safety of children and young people.

The implementation of this policy will be monitored and evaluated by our Chief Executive Officer and Senior Management Group.

### **A shared responsibility to report any concern**

RA Tas board members, employees, volunteers, students and contractors are expected to acknowledge their legal and moral obligation to ensure the safety and wellbeing of children or young people associated with the organisation.

Everyone working at RA Tas has a direct or indirect responsibility to ensure that children are protected from abuse and neglect. Everyone connected with RA Tas has a responsibility to report any information about suspected child abuse and neglect (including sexual abuse). This expectation applies regardless of whether the person has statutory mandatory reporting responsibilities or not.

RA Tas describes these responsibilities in the *Code of Conduct, Practice and Behaviour Guidelines* and *Reporting Issues of Significance Policy*.

### **Obligation to internally report**

RA Tas expects that any employee, volunteer, student or contractor will report any allegation or suspected incident relating to the abuse (including the sexual abuse) of a child or young person. This expectation applies regardless of whether the person has statutory mandatory reporting responsibilities or not.

RA Tas describes these responsibilities in the *Code of Conduct, Practice and Behaviour Guidelines, Reporting of Notifiable Client Matters Policy* and *Reporting Issues of Significance Policy*. These policies and procedures comply with the Children, Young Persons and Their Families Act 1997. This Act provides a penalty of a fine for mandatory reporters who do not report their suspicions of child abuse and neglect.

All allegations of abuse are reported to the relevant agencies identified within local state legislation or to the police if the child or young person is at imminent risk of harm or abuse. RA Tas will also make a report to the

Australian Childhood Foundation if an allegation of child abuse is made against one of our employees or volunteers.

## 4. Definitions

**Child abuse:** For the purposes of this policy, child abuse constitutes any act committed against a child involving:

- physical abuse,
- sexual abuse (and grooming),
- emotional or psychological abuse,
- cumulative abuse and neglect. See below for further descriptions.

**Child sexual abuse:** Child sexual abuse occurs when an adult or a person of authority (e.g. older) involves a child or young person in any sexual activity. Perpetrators of sexual abuse take advantage of their power, authority or position over the child or young person for their own benefit. It can include:

- making sexual comments, engaging them to participate in sexual conversations over the internet or on social media,
- kissing,
- touching their genitals or breasts,
- oral sex or intercourse with a child or young person.
- encouraging a child or young person to view pornographic magazines, websites and videos is also sexual abuse.
- engaging children or young people to participate in sexual conversations over the internet is also considered sexual abuse.

**Cumulative harm:** Refers to a series of acts or omissions that, when viewed separately may not indicate significant risk, but when viewed together suggest a pattern of significant harm.

**Emotional or psychological abuse:** Can occur where the behaviour of their parent or caregiver damages the confidence and self-esteem of the child or young person, resulting in serious emotional disturbance or psychological trauma. This can include a range of behaviours such as excessive criticism, withholding affection, exposure to domestic violence, intimidation or threatening behaviour.

**Grooming:** Grooming is when a perpetrator of abuse builds a relationship with a child or young person with a view to abusing them at some stage. There is no set pattern to groom a child or young person. For some perpetrators, there will be a lengthy period before the abuse begins. The child may be given special attention and, what starts as an apparently normal display of affection, such as cuddling, can develop into sexual touching or masturbation and then into more serious sexual behaviour. Grooming may also include the perpetrator building a relationship with a child's parent/caregiver as a trusted adult to gain access to the child. Other perpetrators may draw a child or young person in and abuse them relatively quickly. Some abusers do not groom children but abuse them without forming a relationship at all. Grooming can take place in any setting where a relationship is formed, such as leisure, music, sports and religious activities, or in internet chatrooms, social media or by other technological channels.

**Neglect:** Neglect is the persistent failure or deliberate denial to provide the child or young person with the basics of life. This includes the failure to provide adequate food, clothing, shelter, clean water, medical attention or supervision to the extent that the child or young person’s health and development is, or is likely to be, significantly harmed.

Categories of neglect include physical, medical, abandonment or desertion, emotional and educational neglect. The issue of neglect must be considered within the context of resources reasonably available.

**Physical abuse:** Physical abuse occurs when a person subjects a child or young person to nonaccidental physically aggressive acts. The abuser may inflict an injury intentionally or inadvertently as a result of physical punishment or the aggressive treatment of a child or young person. Physically abusive behavior includes (but is not limited to) shoving, hitting, slapping, shaking, throwing, punching, biting, burning, excessive and physically harmful over training, and kicking. It also includes giving children or young people harmful substances such as drugs, alcohol or poison. Certain types of punishment, whilst not causing injury can also be considered physical abuse if they place a child or young person at risk of being hurt.

**Associated policies and procedures:**

This policy is supported by the following RA Tas policies:

- Code of Conduct
- Code of Ethics
- Practice and Behaviour Guidelines
- Police Check and Working with Children Registration Policy and Procedures
- Reporting Issues of Significance Policy
- Reporting of Notifiable Client Matters Policy

**References:**

The relevant legislation, standards and references that apply to this policy include: Children, Young Persons and Their Families Act 1997

**Approval and Endorsement:**

<b>Approved By:</b>	Michael Kelly (Chief Executive Officer)
<b>Endorsed By:</b>	Board of Relationships Australia Tasmania
<b>Date of Endorsement:</b>	21/12/2021
<b>Review Date:</b>	31/10/2022

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# Share the care

## Parenting Plan

Collaborative parenting apart



*Relationships Australia*

## Authors

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## Why a parenting plan?

Divorce and separation are painful for everyone involved—particularly children. At this challenging time children need support, love and contact with both parents.

Some certainty about the future is also very important for everyone. A written parenting plan, worked out between parents, will help clarify the arrangements you need to put in place to care for your children. The Plan can include shared parental responsibility for major long-term decision making and the time children spend with each parent. It will help everyone involved to know what is expected of them and it will be a valuable reference as time passes and circumstances change.

## What is a parenting plan?

A parenting plan puts the best interests of the child first. It is drawn up in good will with a shared commitment to your children and their future firmly in mind.

A parenting plan is a written agreement between parents covering practical issues of parental responsibility.

Your plan will detail practical decisions about children's care in such areas as:

- parenting style
- living arrangements
- finances
- religion
- education
- health care
- emotional well-being.

A parenting plan is not legally enforceable; however it can have legal implications. See Parenting plans and the law (page 4).

## What is not covered in a parenting plan?

A parenting plan does not cover how you intend to divide up your cash, homes and assets. You should discuss these matters with a mediator or lawyer who provides property settlements.

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# About the Plan

## How do we draw up a parenting plan?

Plans can be worked out personally between the parents, or with the assistance of a family dispute resolution practitioner. This can be done face to face or by telephone or email.

*Share the care* is a write-in resource to help you work out your individual plan.

Your plan will be unique to you as parents. It should be practical, simple and as concrete as possible. The more detailed or complex it is, the more you may need to review it.

We have provided questions for you to think about and examples to assist you in working out your own approach. These are not prescriptive.

## Family dispute resolution can help

Family dispute resolution is a process in which a Family Dispute Resolution Practitioner, an independent person, helps people experiencing separation or divorce resolve their differences with each other.

Consider also including the children in this process. This can:

- give you an insight into your children's thoughts
- provide insight into their developmental needs which can be reflected in your parenting plan.
- assist in reducing parental conflict.

This is appropriate when:

- all parties agree it would be helpful
- the children have not already been asked to tell their stories and thoughts.

In these sessions children can talk about how they are managing and what is important to them. At no time, however, is a child put in the position of having to make the decisions.

## Changes and review

As your circumstances change, your plan may need to be changed in order to reflect:

- changes you have already discussed but not yet committed to writing
- changes to Australian Family Law
- children's changing developmental needs, for example
- 0 to 4 years every 9 months
- 4 to 12 years every 12 months
- 12+ years every 2+ years.

Reviews can be done at any time providing you both agree and some parents prefer not to set a formal review date. However the Agreement on page 7 allows you to set a date for review where you both agree to do so.

## Parenting plans and the law

A parenting plan can take any form, but to be a parenting plan under the Family Law Act it must be made free from any threat, duress or coercion. It must be in writing and signed and dated by both parents. However a parenting plan is not legally enforceable.

If both parents agree on arrangements, you can submit your parenting plan to the Family Court using the Court's *Application for Consent Orders* form. The details of your parenting plan are then built into a Parenting Order, giving it the same legal effect as an order made after a Court hearing.

If you cannot agree on arrangements for children you may need to have the Family Court decide and issue you a Parenting Order. In deciding parenting arrangements the Court must always consider:

- the best interests of the child
- the extent to which both parents have complied with their obligations in relation to the child, which may include those set out in a parenting plan (if any).

Parenting Orders are one form of consent order issued by the Court. (Other types of consent orders relate to property settlement, spousal maintenance and child support).

## Changing an existing Parenting Order

Parenting Orders made on or after 1 July 2006 can be changed by parents preparing a new parenting plan (unless the Parenting Order says otherwise).

This makes it easier for parents to agree on changes without going back to Court.

Your new parenting plan may add to, replace part or all of the Parenting Order. However the changes made are not enforceable unless you apply to the Court for new consent orders (as above).

Some parents consult a lawyer regarding their parenting plan. This way they can explore the possible legal effects of the plan and inquire about other matters.

The Family Court, your state law society or legal aid service can all assist. Refer to the contacts at the back of this booklet.

## The year planner

Use the sheets at the back of the plan to record future commitments or plans involving the children.

## Your completed plan

When you have completed your parenting plan both parents should sign and date it. You should then photocopy it and each retain a copy for future reference.



# Our Agreement

We are the parents of:

\_\_\_\_\_ [child's name] \_\_\_\_\_ [date of birth]  
\_\_\_\_\_ [child's name] \_\_\_\_\_ [date of birth]  
\_\_\_\_\_ [child's name] \_\_\_\_\_ [date of birth]  
\_\_\_\_\_ [child's name] \_\_\_\_\_ [date of birth]

We respect each other as parents and our significance in the lives of our children.

We have drawn up this parenting agreement to assist us in providing a loving, stable and nurturing environment for our children, consistent with their developmental levels and our social and economic circumstances.

We recognise our children's right to:

- emotional and physical safety, stability and security
- feel loved by both of us and significant family members
- know and be cared for by both of us and significant family members
- develop independent and meaningful relationships with each of us.

As parents we accept responsibility for:

- our children's physical care
- our children's emotional stability
- our children's changing needs as they grow and mature
- protection of our children so they are not exposed to harmful parental conflict
- cooperation with each other to make decisions in our child's best interests.

We have an existing parenting plan dated \_\_\_\_\_

We will review this plan on [insert date] \_\_\_\_\_

(optional, see page 4)

\_\_\_\_\_ [signature of parent] \_\_\_\_\_ [date]

\_\_\_\_\_ [signature of parent] \_\_\_\_\_ [date]

# Communication

Having children links you together as parents forever. The challenge is to make your relationship and communication as constructive as possible for the benefit of the children.

Solid ground rules about how you communicate with each other and with your children are a good foundation for your parenting plan.

Family dispute resolution may be valuable in assisting you with this part of your plan.

## Communication Modes

Is it better to discuss matters in a regular meeting, by telephone, text messaging, email or other means? Use what has worked best in the past or try something new.

## Respect

Agree on ground rules for respectful communication. For example when is it ok to call each other and when is it not? What notice is reasonable if one of you has to change contact arrangements due to sickness or work commitments?

## Religion, values and principles

It is useful to discuss some of the values and principles that you agree are important in bringing up your children. You can then document these as part of your parenting plan. Changing children's names or religion are examples.

## Major decisions

Major decisions, such as shifting house or moving schools affect your children greatly. The arrival of a new partner is another important adjustment for the children. You may agree to discuss these major decisions together before you finalise them.

This may include making or changing wills and providing for guardianship in the case of death.

## Contact with children while you are apart

Being separated means that your children are nearly always away from one of you. You need to keep communication going even when you are not physically present. Children need to know you care. At the same time it is important that you don't make children messengers between you.

## Grandparents

Grandparents can contribute enormously to the quality of life and emotional well-being of children. They may provide important support and stability in what may seem like a child's uncertain world.

Consider how grandparents will continue to play their part in the lives of your children and how you will include them in your parenting plan.

## Other relatives, in-laws and friends

When you split up it is easy to lose contact with relatives and significant family friends who provide support, encouragement and stability to your children. Think about how you can keep these relationships going.

### TIPS

Focus on the children, not on your past relationship.

Children can cope with different rules as long as they are clear about what they are.

Children can be very worried about new partners in their parents' lives. Be sensitive to their fears and anxieties.

Don't discuss the children's affairs at changeover time—particularly if you don't communicate well.

# Think about

- What parenting decisions need our joint consultation?
- What parenting decisions don't need consultation?
- How are we going to conduct ourselves in front of the children when we get together? We want them to know we are cooperating with them in mind.
- How are we going to share important information, eg school reports, health care?
- Do we need regular meetings to discuss parenting issues?
- At what times is it ok to call the other parent and when is it not?
- How will we resolve disagreements?
- Should we discuss how we talk to the children about the other parent?
- What do we do about emergencies (eg, medical, dental, accidents)?
- How will we make sure our children remain in contact with supportive friends or relations from the 'other side' of the family?
- How will we let each other know when a child is in trouble?
- What happens if one of us dies? Both?
- How will we introduce new partners to our children's lives?

## EXAMPLES

- We will not make negative comments to our children about the other parent.
- We agree not to make big changes like moving house without discussing them with each other.
- We will not change Emma's last name without discussing it with the other parent.
- We will not plan activities with our children during their other parent's time.
- We will give each other a minimum of 24 hours notice if one of us needs to change contact arrangements.
- In an emergency, the parent who is in charge, or who gets the call will handle immediate arrangements; they will phone the other parent as soon as practicable.
- Each of us will be responsible for organising contact between our children and our side of the extended family.
- We will not pass messages to each other through our children.
- We agree not to argue in front of the children or anywhere they could hear us.



# Living arrangements

Shared parenting is not just about the amount of time each child spends with each parent. The amount of time spent should allow the relationship to be meaningful. Children should be encouraged to see each parent as equally important in their lives even if they do different activities with each.

## Contact hours

You will need to agree on the periods of time children will spend with each parent. Children's ages and school situations, and parents' employment and availability are considerations in your decision-making.

Except where there are issues of violence or abuse, the law presumes that it is in the best interests of a child for parents to have equal shared parental responsibility. Consider equal time if you both agree that this is in the best interest of the children.

If it is not appropriate for your child to spend equal time with both of you, consider an arrangement that allows each of you to spend **substantial and significant time** with the child. This refers to a child spending time with each parent over a mix of weekends, holidays and regular days and nights. This way you are both involved in the child's daily routine, as well as sharing special events and other events of significance.

The year planner at the back of this booklet can be used to record arrangements, special days etc.

## Transport and children's activities

Children lead busy lives and you will need to make arrangements to support their activities. Keeping up with their sporting and other activities is critical to their social development and to good co-parenting. This can involve transport and supervision for such events as sleepovers. If they are travelling on holidays arrangements will need to be made to collect and return them.

## Changeovers

It is important for children that changeovers go smoothly. They will sense any conflict between you.

Find ways to smooth the path, if necessary by arranging to meet each other at a neutral location outside the home. Some people may find it useful to use a Children's Contact Service.

## Child care and supervision of the children

When child care or baby-sitting is required appropriate supervision must be arranged by the parents. You can discuss child care and also whether the other parent would be the first choice to care for the children when baby-sitting is required.

## Housekeeping

With children spending time in different homes, some housekeeping arrangements may need to be spelt out, such as responsibility for washing clothes, meals and sharing belongings between households.

## Special days

On special days arrangements will need to be made for children to spend time with each parent, both parents, or relatives, such as grandparents, for example on:

- days of religious significance, eg Christmas
- parents' birthdays
- child's birthday
- Father's Day and Mother's Day
- holidays
- other important days in the family

## TIPS

Think of your children having two homes, one with you and one with their other parent.

If children can't have their own rooms give them a space they can call their own with furniture, toys and photos.

Make changeovers as natural and friendly as possible.

Some children are very angry about separation and may show a range of emotional or behavioural responses. Give it time and patience.

Agree on a period of notice for changing arrangements.

Plan ahead, be reliable and do what you say you'll do.

# Think about

- How much time can each child spend with each parent?
- What days can they be with each of us?
- What age will the children need to be before we agree on unaccompanied travel by air/coach?
- What different ideas are there for maintaining close and meaningful contact even when children and parents are separated for long periods of time?
- Will there be a main place where the children will live and if so where will it be?
- If neither of us is able to look after the children, who will be the alternative carers? What about school holidays?
- Are there times when it is not convenient to ring my children?
- How will we manage contact when one parent works long hours?
- Who will wash the children's clothes?
- What clothes and other belongings will be taken and returned at changeover?
- How will we arrange pick up and drop offs?
- Who will take them to regular sporting engagements on weekends?  
After school?
- If they are 'sleeping over' somewhere how can we make sure they are safe?

## EXAMPLES

- Our children will spend equal time with each parent. One week with one parent and, one week with the other parent.
- Our children will live with Pat. They will go to Alex's place every second week. Alex will pick them up at 6.00-pm following after school care on Fridays from the school and will return them to school on Monday mornings.
- Anne is doing year 12. To minimise disruption to her studies she will live with one parent for the major part of the week, and will see her other parent on Saturday or on another day arranged between them.
- Our children will spend Christmas lunch every year with Dad and go to Mum's at 5.00 pm for the evening meal.
- When the children are with one parent, the other parent will ring between 6.00 pm and 8.00 pm each night.
- We will encourage our children to ring the other parent once every day when they are apart.
- Jimmy's grandparents will take him to soccer every Saturday and return him after lunch.
- If our new partners are picking up the children we will phone each other first to tell them.
- For our changeovers, we will meet at 4.00 pm at the school.
- Our children will live with Alex and spend most of the Christmas holidays and two weeks in one of the other holidays with Pat.
- Our children live with Dad and spend all but two weeks of the holidays with Mum.



# Finances

Negotiating clear and detailed financial arrangements can save conflict and stress further down the track. Discuss the tips, refer to the check-list, then write down your decisions.

Negotiating finance can become complex. Use family dispute resolution if you can't agree. Relationships Australia can help.

## Child support

Living arrangements for children can have an impact on child support, income support and family assistance payments.

Your parenting plan can provide for child support but these provisions will have no effect and not be enforceable until they have been accepted by the Child Support Agency as a child support agreement.

### TIPS

Agree on the easy things first.

Think of yourselves as business partners working together for the sake of the children.

Different ways of paying child support can be arranged. Contact the Child Support Agency and Centrelink for details.

Focus on the children's needs and try not to become involved in discussions about each other's lifestyle.

Decisions such as selling your house and dividing the proceeds should not be considered in this plan. These one-off permanent decisions following separation belong in a Property Settlement and should be discussed with a lawyer.

# Think about

- How will we share day to day costs? Some parents share costs equally, others pro-rata costs according to income.
- How will pocket money be handled?
- How will the Child Support Agency Assessment be taken into account?
- How will we handle unforeseen costs?
- What will we do if our financial positions change?
- How will financial arrangements change as the children grow up?

## CHECKLIST OF COMMON EXPENSES

### Clothes

- uniform
- casual
- sports
- formal
- shoes
- dry cleaning

### Education

- school fees
- lunches
- excursions
- books and stationery
- after-school care
- vacation care
- extra-curricular activities

### Medical

- doctors
- prescriptions
- glasses
- dentists, braces
- insurance

### Entertainment

- cinemas
- videos and DVDs
- outings
- parties
- other activities

### Mobile phone calls

### Holidays

### Presents, birthday and other

### Transport (bus, taxis)

### Pocket money

### Treats

### Birthdays

### Toiletries

## TIPS

Pocket money

What do other children of the same age get?

What will your child be expected to spend this on?

Who will provide the pocket money and when?

Does your child have a bank account and do you expect him or her to save?

## EXAMPLES

We will share all costs 50/50.

Mum will pay pocket money; Dad will pay for Alison's mobile phone plan with amounts negotiated with children direct.

Mum and Dad will negotiate unforeseen expenses as they come up.

Mum will pay health insurance; Dad will pay school expenses including fees and books.

School excursions and camps to be split 50/50.

We will review our financial arrangements at the end of every calendar year.



# Education

Changing schools can be very disruptive for children. To achieve continuity and stability consider leaving schooling arrangements unchanged until the end of the school year.

If you live apart it may be necessary for children to attend a new school.

This raises questions such as

- which school?
- private or public?
- who pays the school fees?

## TIPS

Offer to help with school events like fundraising, working bees and committees or helping at sports day. Children generally love having their parents involved at school.

Make contact with your child's classroom teacher and discuss your new circumstances.

Make sure the school has both your contact details.

## Think about

- Getting the school to send notices, reports and other material related to my child's progress to both of us.
- How can we get involved?
- Making contact with school counsellors so that they will be aware of your separation and its possible consequences for the children.





# The Tools

## Year planner

Day	Jan	Feb	March	April	May	June
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# The Tools

## Year planner

Day	Jan	Feb	March	April	May	June
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# Emergency numbers

Compile a list of emergency numbers for your children.

<b>Dad</b>	<b>Mum</b>
Home:	Home:
Work:	Work:
Mobile:	Mobile:

Relatives (grandparents, aunts, uncles, cousins)

<b>Name 1:</b>	<b>Name 2:</b>
Home:	Home:
Work:	Work:
Mobile:	Mobile:

School (teachers, counsellors, pre or after school care)

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Friends

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Sport or classes (coaches, teachers etc)

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Healthcare (doctor, dentist, optician, specialists)

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Other

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Police	Fire	Ambulance
Chemist	Hospital	Other
Doctor	Poison Information Centre	Other

Medical records for: _____ [name]	
Vaccinations	Significant past illnesses
Last tetanus booster	
Operations/general anaesthetic	Allergies
	Antibiotics ok?
Medicare number	Health fund number

Medical records for: _____ [name]	
Vaccinations	Significant past illnesses
Last tetanus booster	
Operations/general anaesthetic	Allergies
	Antibiotics ok?
Medicare number	Health fund number

Medical records for: _____ [name]	
Vaccinations	Significant past illnesses
Last tetanus booster	
Operations/general anaesthetic	Allergies
	Antibiotics ok?
Medicare number	Health fund number

Medical records for: _____ [name]	
Vaccinations	Significant past illnesses
Last tetanus booster	
Operations/general anaesthetic	Allergies
	Antibiotics ok?
Medicare number	Health fund number

# Useful contacts

Australian Parenting and Relationships Helpline:	1300 365 859	
Centacare:	1300 138 070	
Child Care Access Hotline:	1800 670 305	
Children's contact service:	1800 050 321	<a href="http://www.facs.gov.au/frsp">www.facs.gov.au/frsp</a>
Department of Human Services	132 468	<a href="http://www.humanservices.gov.au">www.humanservices.gov.au</a>
Family Assistance Office:	13 61 50	<a href="http://www.familyassist.gov.au">www.familyassist.gov.au</a>
Family Court of Australia		<a href="http://www.familycourt.gov.au">www.familycourt.gov.au</a>
Family Court of Western Australia		<a href="http://www.familycourt.wa.gov.au">www.familycourt.wa.gov.au</a>
Family Relationship Advice Line:	1800 050 321	
Family Relationships Online:		<a href="http://www.familyrelationships.gov.au">www.familyrelationships.gov.au</a>
Family Services Australia:	1300 365 859	
Federal Circuit Court:	1300 367 110	<a href="http://www.fmc.gov.au">www.fmc.gov.au</a>
Financial Counselling:	1800 050 321	
Interpreter services:	13 14 50	
Lifeline Australia:	13 11 14	<a href="http://www.lifeline.org.au">www.lifeline.org.au</a>
Mensline:	1300 789 978	<a href="http://www.menslineaus.org.au">www.menslineaus.org.au</a>
Parenting Websites:		
	<a href="http://www.parentlink.act.gov.au">www.parentlink.act.gov.au</a>	
	<a href="http://www.parenting.sa.gov.au">www.parenting.sa.gov.au</a>	
	<a href="http://www.parentingaustralia.com.au">www.parentingaustralia.com.au</a>	
	<a href="http://www.raisingchildren.net.au">www.raisingchildren.net.au</a>	
	<a href="http://www.families.gov.au">www.families.gov.au</a>	
	<a href="http://www.community.nsw.gov.au">www.community.nsw.gov.au</a>	
	<a href="http://www.community.wa.gov.au">www.community.wa.gov.au</a>	
	<a href="http://www.familylawsection.org.au">www.familylawsection.org.au</a>	
	<a href="http://www.kidscount.com.au">www.kidscount.com.au</a>	
	<a href="http://www.longdistancefamilies.com">www.longdistancefamilies.com</a>	

**Relationships Australia: 1300 364 277**

[www.relationships.org.au](http://www.relationships.org.au)

Family Dispute Resolution Services  
Counselling  
Education Services  
Children's Contact Services



Relationships Australia provides counselling, mediation, courses in family violence prevention, relationship skills, family skills and parenting, and other relationship services. Branches across all states and territories of Australia.

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[www.relationships.org.au](http://www.relationships.org.au)

1300 364 277