

Parenting Through Separation (PTS)

Operating Guidelines

1 July 2018



MINISTRY OF
JUSTICE
Tabu o te Iure

[New Zealand Government](http://www.govt.nz)

Introduction

These guidelines form part of the Outcome Agreement between the Ministry and providers contracted to provide the Parenting Through Separation (PTS) programmes. Providers must follow these guidelines, as well as those in the PTS presenter kit, when delivering the programme. The guidelines reflect the changes to the service from 1 July 2018.

This is a living document which, from time to time, the Ministry may update after consultation with key stakeholders (where practicable). When changes are made, the Ministry will contact providers with the details of these.

Feedback on the guidelines is welcome at any time and can be sent to the Ministry at PCS.family@justice.govt.nz.

For more information about the guidelines, providers should contact the Ministry Relationship Manager named in their Outcome Agreement.

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About out of court services

The Ministry funds various community-based services to help people reach agreement on parenting issues without going to court. The disputes are primarily about day to day care and contact, or guardianship matters arising under the Care of Children Act 2004 (CoCA 2004).

Services include:

Family Legal Advice Service (FLAS)

This service provides initial advice and information so that people involved in a dispute about the care of their children can:

- understand their rights, responsibilities and options
- get help to complete court entry forms, if required.

Family Dispute Resolution (FDR)

This is a family mediation service designed to remove the stress, conflict, and expense of going to court, and to help people develop the skills to resolve any future issues regarding the care of their children.

Parenting Through Separation (PTS)

This is a parenting education programme designed to help people understand and manage the effects of separation on their children. Attendance is mandatory for people wishing to make standard track applications to the Family Court.

Together, these three services form the out of court family justice services.

People may enter family justice services through many different points. For example, by:

- going online to the Ministry's website at www.justice.govt.nz
- phoning the Ministry on 0800 2 AGREE (0800 224 733)
- contacting a lawyer, FLAS, PTS or FDR provider,
- or visiting organisations like a Community Law Centre or Citizens Advice Bureau.

Parenting Through Separation: overview

The PTS programme is designed to provide practical advice to help participants understand and manage the effects of separation on their children.

The programme is delivered by providers contracted by the Ministry, to address demand throughout New Zealand.

PTS is the first step for most parents or guardians ('parties') when working out how to care for their children after separating.

Programmes are four hours long and delivered either all in one session, or two sessions of two hours. Separating parties should attend different programmes.

The programme covers:

- how separation affects children
- what's best for children when parents or guardians no longer live together
- tools and tips for dealing with separation, including how to make a parenting plan.

Providers must deliver the programmes following the PTS presenter kit, these Operating Guidelines, and their Outcome Agreement with the Ministry. The PTS presenter kit can be ordered from the Ministry.

Cultural awareness

All programme delivery must be culturally sensitive and responsive to the needs of participants, and carried out by culturally competent staff. Cultural competence includes, but is not restricted to, respect for and understanding of Māori, Pacific peoples, and migrant communities.

Who can attend

PTS is available to all parents who are separating, or grandparents and guardians who need to make day-to-day care arrangements for children. The programme can also help other family members who may be involved in caring for the children.

Attendance at PTS is mandatory for parties wishing to make standard track applications to the Family Court¹, though the court may grant an exemption in some circumstances.

Participants can bring a support person, with the agreement of the PTS facilitator and the other participants. Lawyers are not considered a support person.

¹The PTS Certificate of Completion is valid for two years. If parties decide to apply to court after this period, they may need to attend another PTS programme and get a new certificate.

Cost

PTS is free for participants.

Social sector accreditation standards

Providers must meet the Ministry of Social Development Level 3 accreditation standard. The accreditation standard ensures providers have the capacity and capability to deliver quality services. Providers must maintain their approval level throughout the term of their Outcome Agreement.

Information and PTS resources

For a list of PTS providers, downloadable factsheets and video content, go to the Ministry's website at:

<https://www.justice.govt.nz/family/care-of-children/parenting-through-separation/>

To order a PTS presenter kit, providers need a login for Web Warehouse, the Ministry's online ordering system. To get a login, email publications@justice.govt.nz.

Intake and enrolment

When a party contacts a provider, providers should take the names and contact details of both parties involved in the separation, and note any special requirements, like interpreters, that may be needed.

Providers can take these details by phone, email or use an online enrolment form². Providers should enrol the enquiring party in a programme that will start within six weeks of their enquiry.

Who performs this role?

The provider's intake staff. This may be a trained facilitator or trained administrative staff.

Why is it important?

- Collecting basic information about a party and their dispute ensures that the Ministry has a record of parties attending PTS.
- Enrolling a party in a programme promptly ensures the party has timely access to the service.
- Collecting basic information about both parties ensures they do not attend the same programme.

Tasks for providers

- When a party enquires about PTS, providers should explain the nature and purpose of the programme, its outcomes, and the role of everyone involved.
- Providers should collect the name and contact details of both parties involved in the separation and note any special requirements, like interpreters, that may be needed.
- Providers should tell the enquiring party why they're collecting their information, and read or provide them with the Ministry's privacy statement (see page 16).
- Providers should enrol the enquiring party in a programme that will start within six weeks of their enquiry. Providers should add the party to the programme record in the Resolution Management System (RMS).

² Providers may have different processes in place to collect these details.

Points to note

- If both parties enquire about attending PTS, the provider must ensure they each attend a different programme. Or the provider can refer one party to another provider, if there's one available.
- If an unenrolled party arrives at a programme and asks to attend, the provider must consider:
 1. if the other separating party is at the programme. In this case, the provider must decline the request. They can provide other options
 2. if the other separating party isn't at the programme. The provider may allow the unenrolled party to attend, subject to the PTS facilitator's agreement.
 3. if the number of participants at the programme is manageable, including any relevant health and safety risks.
- Cancellation of enrolment or non-attendance:
 1. if a party cancels more than one working day before the programme, providers should remove them from the programme in the RMS.
 2. if a party cancels within one working day of the programme, providers should record their attendance status in the RMS as 'Did not attend', unless:
 - the party has been rescheduled for a new programme,³ or
 - the party has been referred to another provider within the region.⁴

In these cases, providers should remove the party from the programme in RMS.

 3. if a party does not cancel and does not attend, providers should record their attendance status in the RMS as 'Did not attend'.
- If the programme was scheduled as a '5+ participants' (large programme), but non-attendance meant the participant level dropped to between '1-4 participants' (small programme), the programme will be counted as a '1-4 participants'.

³ When possible, re-enrol the party within six weeks of the first enquiry.

⁴ When possible, refer to another provider with availability within six weeks.

Completion and follow-up

Completion certificates

Providers must issue a Certificate of Completion to all participants who complete PTS.

Who performs this role?

The provider's staff. This may be a trained facilitator or trained administrative staff.

Why is it important?

To provide participants with a record of their completion of the PTS programme, required if parties decide to make an application to court under the CoCA 2004.

Tasks for providers

- Generate the PTS certificate from RMS. The certificate will display the participant's details, the date of the programme and name of the provider.
- The programme's facilitator must sign the certificate.
- Providers can email the certificate to the participant only if they have previously communicated with the participant via that email address.
- Providers must complete and issue the certificate within three working days.
- Providers should only issue a certificate to participants who completed the entire four-hour programme.

Points to note

- The PTS Certificate of Completion is valid for two years. If parties decide to apply to court after this period, they need to attend another PTS programme and get a new certificate.
- Participants' details are confidential. If providers receive a request for a new copy or reprint of a certificate, before reissuing the certificate, they must verify that the person making the request is the same person who completed the programme.
- If a party wishes to apply to court and they do not have a physical copy of their certificate, court staff can check RMS to verify they completed the programme within the two-year period.

Follow-up

Providers must contact participants four weeks after they completed the programme and ask for their feedback on the programme, and identify if they need any other services.

Who performs this role?

The provider's staff. This may be a trained facilitator or trained administrative staff.

Why is it important?

To identify trends, the programme's effectiveness, and if participants need any other services.

Tasks for providers

- Providers should call participants four weeks after they have completed the programme to find out:
 - if the programme was effective and how.
 - if they need any other family justice or social services (for example, FLAS and FDR). Providers will have local knowledge of other social services that a participant might need and can give them information or refer them.
 - if they applied to the court, or reached agreement on their own, through FDR or a lawyer.
- Providers should collate information and complete the quarterly narrative report (see template in Appendix 12 of the Outcome Agreement). The report should include:
 - the number of participants contacted
 - any trends or issues identified. For example, 'How well informed are the parties about the family justice system?' 'How many parties have needed to apply to court?' 'How many participants have made an agreement either on their own or by going to FDR?'

Points to note

- Providers must attempt to follow-up with and get feedback from all participants, however the Ministry understands it might not be possible to reach everyone. If a provider can't contact a participant after two follow-up phone calls, a third and final attempt can be made via email where possible.
- Providers must tell participants about the steps they should take before going to court. For example, legal assistance through FLAS or mediation through FDR.

Programme delivery and demand

Scheduling and moving programmes to address demand

Providers contracted to deliver PTS in more than one geographic region can move the programme between these regions. This means that, if a programme does not run in one contracted geographic region due to no enrolments, it can be shifted to another contracted geographic region to meet demand.

Who performs this role?

The PTS co-ordinator or administrator.

Why is this important?

To enable providers to amend programme schedules to match regional demand, ensuring that all parties who want to attend a programme can attend.

Tasks for providers

- Providers should schedule programmes in advance, taking into consideration enrolment queries, historic delivery trends, and contracted geographic coverage requirements.
- Providers should amend the programme schedule to reflect enrolment queries and demand.

Points to note

- At least one programme must be advertised within each contracted geographic region per quarter. If there are no enrolled parties for that programme, it may be shifted to another quarter or contracted geographic region where there is demand.
- Before reallocating a programme to a different contracted geographic region, providers should consider whether there is another provider already addressing demand in that region, and ensure the reallocated programme is scheduled to coincide with the other provider's schedule.
- These changes do not require Ministry approval before implementation but the provider must keep a record of the changes. The changes will be reviewed as part of regular monitoring and reflected in quarterly contractual reporting.

Amending group size to address demand

If a provider has scheduled all their contracted 5+ participants programmes and not filled up the 1-4 participants programmes, or vice versa, they can make a request to their Ministry Relationship Manager to transfer from one group size to another.

Who performs this role?

The provider's PTS co-ordinator or administrator.

Why is this important?

To give flexibility to providers to amend programme schedules when demand is higher or lower than their contracted numbers. This will ensure parties' access to PTS is not limited by contracted group sizes.

Tasks for providers

- Providers should request approval from their Ministry Relationship Manager to transfer from one programme size to another.
- Providers must give the Ministry Relationship Manager the following information:
 - the quarter that the programme will be delivered
 - the schedule for the quarter when the programme will be delivered
 - the RMS ID of the programme that will be transferred
 - the number of parties enrolled.
- If approved, the Ministry will pay for resized programmes at the end of the financial year. Providers should send an invoice to the Ministry on or before 30 June each financial year.
- Schedule new group size.

Points to note

- Providers must make the request to the Ministry Relationship Manager by emailing PCS.family@justice.govt.nz and include the reason for requesting the change.
- The Ministry Relationship Manager will approve or deny the request within five working days of receiving it.

Additional programmes to address demand

Who performs this role?

The provider's PTS co-ordinator or administrator.

Why is this important?

To ensure that all parties who want to attend a PTS programme can attend.

Tasks for providers

- Providers should request approval from their Ministry Relationship Manager for funding to deliver additional programmes.
- Providers must give the Ministry Relationship Manager the following information:
 - the quarter that the programme will be delivered
 - the schedule for the quarter when the programme will be delivered
 - the number of parties enrolled.
- If approved, the Ministry will pay for resized programmes at the end of the financial year. Providers should send an invoice to the Ministry on or before 30 June each financial year.
- Schedule additional programmes.

Points to note

- Providers can request funding approval to deliver additional programmes when:
 - all scheduled programmes are fully booked, and
 - there are no more contracted programmes for the financial year, and
 - any contracted allocation of 1-4 participants programmes has been transferred to 5+ participants programmes, and
 - enrolment queries are continuing to be received and waitlisted.
- To request approval of additional volumes, providers should email their Ministry Relationship Manager at PCS.family@justice.govt.nz, and include the schedule for the quarter and the number of participants on a waiting list.
- The Ministry will approve or deny the request within five working days of receiving it.

Service costs and payment

Programme payment

The Ministry makes programme payments every quarter, in advance. (See 'Appendix 5 – Payment' of the Outcome Agreement Variation, which outlines the pre-conditions a provider must meet to receive payment). The only exception is for additional programmes and resized programmes, which are paid at the end of the financial year.

Tasks for providers

- Providers must email a valid tax invoice to their Ministry Relationship Manager at PCS.Family@justice.govt.nz within 10 working days of the beginning of each quarter.

Payment adjustments

Programme payments are made in advance. To ensure that providers are tracking towards 100% delivery for the financial year, contracted volumes will be reviewed against delivered volumes at the end of Quarter 3 (January-March). This information will be generated from RMS.

If a provider is tracking below the contracted volumes for the financial year, they will need to provide the Ministry with confidence⁵ that they will achieve the contracted volumes within Quarter 4 (April-June).

To enable providers to track delivery against contracted levels throughout the year, the Ministry will send providers a quarterly report. This will be based on RMS information and include the number of programmes delivered, and the number of attendees and non-attendees.

If, at the end of the financial year, the provider has not delivered their contracted programmes, the Ministry may require advance payments to be repaid.

Travel costs

The Ministry pays providers an annual travel allowance to cover the travel costs incurred by facilitators to deliver the programme.

⁵ Providers will need to give the Ministry a strategy including the schedule of courses to be delivered before the end of the financial year (30 June).

Who performs this role?

The provider's PTS co-ordinator or administrator.

Why is this important?

To support providers in their delivery of PTS programmes across all regions in New Zealand.

Tasks for providers

- Providers must keep a record of all travel undertaken to deliver PTS programmes.
- They must keep travel receipts and reimbursement forms for audit and monitoring purposes.
- They must include the travel allowance payable by the Ministry in the first invoice of the financial year (July payment).

Points to note

- The travel allowance will be included in the first payment of each financial year.

Annual service fee

The Ministry will pay the provider an annual service fee in advance, in the first payment of each financial year. The fee is intended to support the administration of the programme and follow-up contact with participants.

Providers should include the fee in the first invoice of the financial year (July payment).

Resolution Management System (RMS)

All PTS providers are required to use RMS, the online recording and reporting system for tracking out of court family justice services. RMS enables the Ministry to track participation in PTS programmes and allows providers to quickly check whether a participant has previously completed the programme.

Providers, court registrars, other relevant Ministry staff, FDR suppliers, and FLAS providers have access to different areas of the system, depending on the service they are providing.

Getting access to RMS

Providers must give the Ministry a list of all delegates (authorised personnel) who need access to RMS and identify whether they will be using RMS in an administrative or facilitator role.

- Each RMS user needs a unique email address.
- Providers must complete an 'RMS delegated user form' for new users. This form is available by emailing the Ministry at rms.family@justice.govt.nz. Completed forms should be emailed back to the same address.
- Providers must advise the Ministry of any staff changes, for example, when a person leaves their organisation. This ensures the user database stays up-to-date and the integrity and security of RMS is maintained.

What RMS is used for

Providers use RMS to:

1. find out:
 - if a party is already in the system
 - if a party has completed PTS within the last two years
2. record:
 - a party's contact details
 - programme details
 - attendance details
 - completion of a programme
3. generate the PTS Certificate of Completion.

Timely recording of data in RMS

Who performs this role?

The provider's PTS co-ordinator, facilitator or administrator.

Why is this important?

Timely recording of information in RMS ensures:

- other providers can access basic identity information and people do not need to repeat their details if they access other family resolution services, and
- the Ministry can access accurate information about programmes delivered and attendance.

Tasks for providers

- Providers should enter the party's details in RMS as soon as possible after initial contact but definitely within two business days.
- Providers must update programme attendance details and complete the programme in RMS within two business days of the programme taking place. It's especially important that all programme details are entered and completed in RMS by the last day of each quarter. This enables the Ministry to track progress against contracted volumes.

RMS user guidelines and support

Providers can find detailed instructions for using RMS in the RMS process tool, in the learning tools section of RMS.

RMS user support is available:

- by phoning the RMS helpdesk on 0800 774 418 from 8.30am to 5.00pm weekdays
- by emailing rms.support@resolvesoftwaregroup.com

Privacy guidelines and requirements

Who performs this role?

The provider's PTS co-ordinator, facilitator or administrator.

Why are these important?

To protect the privacy of parties' information collected and stored in RMS.

The Privacy Act 1993 imposes obligations around the collection, use, disclosure and storage of personal information obtained from individuals.

Privacy Act

Under the Privacy Act 1993, individuals have the right to access all information held about them and to request correction of that information. Individuals providing personal information to the provider must be told about this.

It is not compulsory for parties to give the Ministry or a provider their personal information. However, they must be made aware that if they do not provide the information requested, they will not receive a PTS Certificate of Completion, which they will need if they decide to apply to court.

Providers must keep all collected information secure and confidential. They must only use the information to deliver the programme to people who have authorised them to deliver such services.

Points to note

- Providers must tell the party what information is being collected about them and why. There is a privacy statement in RMS that providers must read or give to the party.
- When logging in to RMS, providers must confirm they are using the system for proper purposes.
- Providers should only use RMS for recording or checking information about their own parties, and for linking a party to a programme.
- Providers must not use RMS to gather information about other parties.
- The system keeps a record of what information users have accessed so that improper use can be identified and followed up.

Promotion and collaboration

Who performs this role?

The provider's PTS co-ordinator, administrator, or facilitator.

Why is this important?

To ensure the best outcomes for people, parties need to be aware of all the services available and where and how to access them.

Who is responsible?

PTS providers must engage with providers of other family justice services in their area (for example, FDR and FLAS providers, Family Court staff) to share knowledge and create seamless connections between services for parties needing help.

Tasks for providers

- Providers should engage with local stakeholders and community groups to promote the benefits of the PTS programme, and increase knowledge of the services available. This may be through local print media, digital media, and local community meetings and events.
- Providers should report on this activity as part of their quarterly narrative reporting.
- They should refer participants to FDR or FLAS as a next step, if needed.

Points to note

- Providers must ensure all public communication about PTS, including distribution of written material and website content, is consistent with the Ministry's published information.
- Media enquiries about PTS should be referred to the Ministry in the first instance. Providers must notify the Ministry promptly before they respond to queries that may have implications for the Ministry.

Appendix 1: glossary

Term	Definition
Attendee	Parties who have attended a PTS programme. An attendee may be someone who has completed or partially completed the programme, or a person who has been a participant's support person.
CoCA 2004	The Care of Children Act 2004, promotes children's welfare and best interests, helping to ensure that appropriate arrangements are in place for their guardianship and care.
Family justice services	Services to help families reach agreement on parenting issues.
Outcome Agreement	The contract a PTS Provider has with the Ministry to deliver the PTS programme.
Participant	Parties that have completed a PTS programme.
Party	Separating parents, grandparents, guardians involved in the care of children, any other whānau or carer of children.
PTS Certificate of Completion	A certificate that confirms a party participated in a PTS programme.
PTS facilitator	Trained staff who deliver PTS programme content.
PTS presenter kit	The kit approved and produced by the Ministry which includes the information to be delivered to parties attending PTS programmes.
PTS programme	Educational programme provided to parents, other family members, or carers involved in the care of children, which can be delivered in two sessions of two hours or one session of four hours.
PTS providers	Providers contracted by the Ministry to deliver the PTS programme.
Quarter/s	Three-month terms within each financial year. Quarter 1 (July – Sept), Quarter 2 (Oct – Dec), Quarter 3 (Jan – Mar), Quarter 4 (Apr – June).
Resolution Management System (RMS)	The online system that tracks the progress of Family Disputes and attendance at PTS programmes. Access may only be granted by the Ministry and includes any other system provided by the Ministry, at any time that the Ministry directs PTS providers to use.
Social Services Accreditation	The Ministry of Social Development accreditation standard that the Ministry requires the provider to maintain.

Ministry of Justice
Tāhū o te Ture

justice.govt.nz

info@justice.govt.nz

0800 2 AGREE

0800 224 733

National Office

Justice Centre | 19 Aitken St

DX SX10088 | Wellington | New Zealand



New Zealand Government