

FAMILY VIOLENCE PROVIDER UPDATE | FEBRUARY 2021

Lessons from the audits, police vetting, child worker checks, facilitator approvals, new FVPP04, remote NVP sessions and the new Privacy Act.

**This update is essential reading for all approved MoJ programme facilitators.
Please share with your team.**

Ngā mihi nui o te wā pohutukawaki a koutou katoa

Warm summer greetings to you all! We hope that the holiday period was relaxing and enjoyable for those of you that were able to take time away from work. For those who have worked through, thank you for the incredible dedication you have to this important mahi. Hopefully you have time off planned soon.

We are in the final stages of completing audit visits and plan to have reports with you by the end of March with any required remedial actions due for completion by 30 June 2021.

During the audit process we found some great practice and processes – and some areas for improvement. We have identified some of the common themes, questions and issues that may be helpful to remind everyone about. These are covered in this Provider Update to ensure that you have this information top of mind as you go into the year ahead.

Current contract period due to expire

The current contracts for family violence services started on 1 July 2018 for an initial term of three years with two rights of renewal, each for a further one-year period.

The current contract is due to expire on 30 June 2021. We want to reassure you that we are not planning on a tender/RFP process or any major changes for our non-violence and safety programme providers. Within the coming weeks, you will receive an email detailing:

- the proposed contract changes based on feedback received from providers over the last three years and our re-contracting approach
- how feedback on the changes will be gathered for consideration
- dates of online hui presentations where you can hear jointly from the Ministry of Justice and Department of Corrections on the proposed changes
- the date that you will be notified of the final contract changes.

Police Vetting and children's worker checks

During the audits we discovered a wide range of understanding and experience about the process and recording of safety checks under the Children's Act and police vetting. We have worked with the police vetting service to help understand the anomalies and barriers many of you have identified and we have agreed on a new modified process that should assist your vetting processes going forward. There will be a new role of Family Violence Specialist available for you to choose from Monday 15th February.

For ease of future reference, we have combined information about children's worker checks and police vetting in one document (attached). The document includes screen shots and explanations of how to

ensure you get the correct vetting for facilitators. This information will also be included in an updated Code of Practice due for release in July 2021.

If you are unsure if you have the correct vetting for facilitators or we identified gaps in approvals during audits, please resubmit your applications and remember to log on and download the full vetting report for each applicant.

Reminder of the process for approving facilitators

During the audits we have been looking for evidence that suitably qualified and/or experienced people are being employed into facilitator roles. To do this, we need to see evidence that facilitators meet the criteria and processes outlined in Part 1 of the Code of Practice:

- current facilitator approval forms with all relevant signatures and attestations
- result of police vetting (relevant to role)
- CV or recruitment information for all facilitators who have been employed within the last three years.
- induction and training information for all facilitators who have been employed within the last three years if the CV or recruitment information doesn't demonstrate an obvious fit with the facilitator skills and competencies.

While this is something we usually only look at during audits, it is an ongoing requirement for all new facilitators that you employ. Please make sure you are familiar with the approval processes.

Matching clients to the most suitable programme clients/evidencing responsiveness

Referral information from the courts doesn't always accurately record client ethnicity – this is usually because the lawyer, client or police haven't captured the information of the client or partner at initial engagement. Please remember you are required to assess suitability of the service for all referred clients, and this includes offering clients a programme and provider that matches their cultural needs wherever possible. If you identify that a client has cultural needs that would be better met by another approved provider, you can notify the court using the relevant change form.

FVPP forms need accuracy and FAM number and client name in email header

DV Programmes and contract managers have noted increasing numbers of inaccurate or incomplete FVPP forms. DV Programmes cannot enter client information into the court database if forms are incomplete, and the errors are creating additional work for you, them and us. Please make sure facilitators take the time to complete forms correctly and completely. Let your contract manager know if your team needs support with this. Where we identify a common theme relating to forms, we do amend them to assist with compliance – the new FVPP04 is a good example of this.

When you are emailing DV Programmes, please remember to include the name of the client and the FAM/CRI case number in the subject line of your email. As the team receive around 400 emails each day, these details make it much easier for emails to be processed quickly.

Amended FVPP04 to clarify information for assessment non-compliance

We realise there is still considerable confusion around the process of engaging and responding to referrals now clients are not served with a time and date for their first assessment.

Clients from the criminal court (CRI) are sent letters directing them to make contact within 14 days. Most of our Family Court (FAM) protection order clients have a direction requiring contact within 28 days. Providers need to ensure referral papers are reviewed so you know which timeframe the client has been given.

You should attempt to contact the respondent once you have the referral documents. If no contact is made by the respondent 7 days after the final date they are due to contact you, you must submit a notice of non-compliance (FVPP04).

We have amended the FVPP04 to clarify what information the court needs if clients don't make contact as directed. We have also developed a new flow chart to clarify the referral process – let us know if it helps so we can include it in any updates to the Code of Practice.

You will notice minor wording and layout changes in the FVPP04 to prompt detailed information that assists with any court action on non-compliance. The new FVPP04 and flow chart is attached and will be live on our website tomorrow.

Remote delivery of Non-violence programme sessions

The new process for remote delivery of non-violence programme sessions seems to be a little unclear, so we thought it would be useful to remind you of the Ministry's requirements.

Face to face delivery of non-violence programme sessions is expected in the vast majority of cases – this can include the clustering of sessions together to minimise travel or fit with work schedules, although we do expect each clients programme to run for a minimum of 8 weeks to ensure that the learning is embedded.

However, if you believe that is not possible for a client to attend a face-to-face programme (for one of the reasons given below) and you can still meet the overall programme goals and programme integrity, you may settle terms to include all or some remote sessions.

Criteria for remote delivery:

- geographic isolation
- client's work schedule (e.g. client is a shift worker, truck driver etc)
- lack of transport/financial hardship
- other – eg immunocompromised, ongoing childcare issues.

If you want to deliver the entire programme remotely, an 'Approval for remote delivery of NVP' form must be completed and signed by both the assessor/facilitator **and** the clinical lead or manager. Keep a copy on the client file and send a copy to your Ministry of Justice contract manager (prior to the programme beginning) for monitoring purposes.

Please remember:

- the FVPP02a or FVPP06 must also detail the remote delivery
- NVP groups are not to be delivered remotely (unless in COVID-19 lockdown)

- all assessments for non-violence programmes **must** be delivered face to face
- the Department of Corrections do not allow any programmes to be delivered remotely

Privacy Act changes and guidance

The Ministry released new guidelines that align with Privacy Act changes implemented on 1 December 2020. The guidelines pull together legislative requirements, good practice suggestions and case studies which will help providers meet ministry requirements in terms of privacy and information management. We have also identified the IT controls we recommend you have in place to ensure information is managed safely. Compliance with the guidelines is required for contracts starting on or after 1 July 2021.

You can find more information on our website - <https://www.justice.govt.nz/about/lawyers-and-service-providers/service-providers/privacy/>

What you can do – Complete the IT self-assessment.

What you must do – Act if you are aware of a privacy breach.

Last chance to provide feedback on the Information at Service Packs for Protection Orders

Surveys collecting feedback about the new Information at Service Packs close on Wednesday 10 February. Your feedback is important and will help ensure impacts of the information pack are understood and any necessary final changes are made. Please click on the links below to give your thoughts:

Non-violence programme provider staff: <https://consultations.justice.govt.nz/sector/46692430>

Safety programme provider staff: <https://consultations.justice.govt.nz/sector/3a3efeb3>

The year is already looking busy and we look forward to working with you all! From the entire Safety Services team, we hope that the beginning of 2021 has you and your team feeling positive about the year ahead.

Mauri Ora, Corrie and the Safety Services team