

ACCREDITATION AS A FAMILY DISPUTE RESOLUTION PRACTITIONER

This Fact Sheet outlines the requirements to become an accredited family dispute resolution (FDR) practitioner able to issue section 60I certificates under the *Family Law Act 1975*(Cth). It includes information and common questions about:

1. requirements under the [accreditation standards](#)
2. the [accreditation process](#)
3. [ongoing accreditation](#) requirements

1. Accreditation Standards

To be accredited as a family dispute resolution (FDR) practitioner under the Accreditation Standards set out in the *Family Law (Family Dispute Resolution Practitioners) Regulations 2008* (the Regulations), a person must meet specific criteria, including:

- qualifications and competencies; **and**
- not being prohibited under a law of a State or Territory from working with children; **and**
- having access to a suitable complaints mechanism; **and**
- being suitable to perform the functions and duties of a FDR practitioner; **and**
- not being disqualified from accreditation (a current National Police Check is required for this purpose).

A person may apply for accreditation using the approved form available from the [Becoming a family dispute resolution practitioner](#) website at www.ag.gov.au/fdrproviders. Personal information and contact details will be held within the FDR Register and in accordance with Departmental recordkeeping practices.

A condition of accreditation is to hold, or have access through an employer, professional indemnity insurance. Insurance coverage is important to ensure FDR practitioners, and their clients, as consumers of FDR services, are protected from injury or damage which may occur in the course of, or as a result of, services provided by the practitioner.

Evidence of professional indemnity insurance coverage should be provided with the application for accreditation. If employed by an organisation funded under the Family Relationship Services Program to provide FDR services, evidence of employment will meet this requirement.

Can a person be 'conditionally accredited'?

Yes. If an accredited FDR practitioner meets all other accreditation requirements but does not have professional indemnity insurance coverage, accreditation may be permitted on a conditional basis. The practitioner will not be able to provide FDR services until covered by professional indemnity insurance. While accredited on a conditional basis, the practitioner will be required to meet all other ongoing obligations to continue to meet the Accreditation Standards.

What are the qualifications and competencies requirements?

The Accreditation Standards are centered on a competency based qualification – the Vocational Graduate Diploma of Family Dispute Resolution. This qualification may be delivered by Registered Training Organisations or higher education providers who have certified they deliver the equivalent qualification.

To meet this criterion, applicants need to provide evidence of:

- having completed the full Vocational Graduate Diploma of Family Dispute Resolution (or the higher education provider equivalent); **or**
- having an appropriate qualification **and** competency in the six compulsory units from the Vocational Graduate Diploma of Family Dispute Resolution (or the higher education provider equivalent); **or**
- accreditation under the National Mediation Accreditation Scheme **and** competency in the six compulsory units from the Vocational Graduate Diploma of Family Dispute Resolution (or the higher education provider equivalent); **or**
- having been included in the FDR Register before 1 July 2009 **and** demonstrated competency in the three specified units of the Vocational Graduate Diploma of Family Dispute Resolution (or higher education provider equivalent) before 1 July 2011.

What is an 'appropriate qualification'?

Under the Regulations an '*appropriate qualification*' means:

- (a) a higher education award in law, psychology, social work, conflict management, mediation or dispute resolution; **or**
- (b) a higher education award in a field or discipline that is relevant to the provision of FDR services; **or**
- (c) a Vocational Graduate Diploma in a field or discipline that is relevant to the provision of FDR.

The higher education award may be from an Australian or overseas provider.

How do I find a Registered Training Organisation that delivers the Vocational Graduate Diploma of Family Dispute Resolution?

The training.gov.au website provides a list of Registered Training Organisations (RTOs) able to deliver this training.

Practitioners wishing to be considered for Recognised Prior Learning (RPL) need to discuss this option with the training provider, as a Statement of Attainment showing the required competencies gained or completed is necessary for accreditation.

What is a 'higher education provider equivalent'?

The Regulations allow for higher education providers to certify that the postgraduate course or units they provide are equivalent to those in the Vocational Graduate Diploma of Family Dispute Resolution. A list of certified higher education providers is available on the [Becoming a family dispute resolution practitioner](http://www.ag.gov.au/fdrproviders) website at www.ag.gov.au/fdrproviders.

How can an applicant show they comply with working with children laws?

Laws relating to staff and volunteers working with children and young people vary across Australia. Practitioners should first consult the appropriate State or Territory legislation to see what is required to comply with the relevant laws.

If practitioners are required to obtain a Working With Children check in accordance with the appropriate State/Territory legislation then a copy of a valid Working With Children check card or assessment notice must be provided with an application for accreditation.

If practitioners are not required to obtain a Working With Children in accordance with their State/Territory laws they need to state this (in writing) on the application form or by email to the Unit.

What is a suitable complaints mechanism?

A suitable complaints mechanism can be:

- a recognised process established by an organisation of which the practitioner is an affiliate or employee or on whose behalf the practitioner provides services;
- a process established by a professional association of which the practitioner is a member; or
- complaints procedures of statutory bodies established by the Commonwealth, a State or Territory.

Practitioners operating as individuals or small businesses should use a complaints mechanism established by a relevant professional association with the ability to handle complaints on their behalf. This usually requires an appropriate level of membership of that association or body. Complaints mechanisms must provide sufficient independence of process.

Applicants must provide evidence and information about the complaints mechanism their clients will be able to access. If employed by an organisation funded under the Family Relationship Services Program to provide FDR services, evidence of employment will meet this requirement.

FDR practitioners are expected to observe guiding principles of accessibility, fairness, accountability, efficiency, and effectiveness in developing appropriate complaints mechanisms. Further information about benchmarks and guiding principles and standards in complaints mechanisms is available from the Commonwealth Ombudsman – [Better Practice Guide to Complaint Handling](#).

Is there a complaints system run by the Attorney-General's Department for practitioners to use to support their practice?

The Attorney-General's Department does not operate a complaints system for practitioners.

How can an applicant show they are suitable to perform the functions and duties of an FDR practitioner?

A Commonwealth Statutory Declaration is a part of the application for accreditation. The applicant must provide a completed declaration which includes a statement that provides they *have the appropriate personal qualities to perform the functions and duties of a FDR practitioner and they are of good character and not engaged in conduct likely to bring FDR into disrepute*. This declaration will be made under the *Statutory Declarations Act 1959*. An intentional false declaration is a criminal offence.

How does an applicant show they are not disqualified from accreditation?

Applicants must provide a current National Police Check that shows that they have not been convicted of offences involving violence to a person, or a sex-related offence which would disqualify them from accreditation as an FDR practitioner.

Information about gaining a National Police Check can be found on the [Australian Federal Police](http://www.afp.gov.au) website at www.afp.gov.au, or from your local Police Station.

If you apply for a National Police Check through the Australian Federal Police, use 'Code 28' on their application form.

What is regarded as 'current' with respect to a police check?

A police check is only 'current' or valid as at the date it is conducted, therefore checks should be no older than 4 months from the time of application for accreditation to the Attorney-General's Department.

2. Accreditation Process

Applications for accreditation are received by the Practitioner Accreditation Unit (the Unit). The applicant will receive a submission number as acknowledgement of receipt of the application.

If the application is incomplete, it will be put on hold and the Unit will seek further information from the applicant.

When finalised, the practitioner will receive notification by email of their accreditation and will be provided with a unique registration number for use on section 60I certificates.

Who decides if a person is eligible to be accredited as an FDR practitioner? Is there any way to appeal?

An Authorised Officer of the Attorney-General's Department may accredit a person if they meet the requirements for accreditation set out in the Regulations. If the Authorised Officer decides not to accredit an applicant, the person will be given written notice of the Authorised Officer's decision and the reasons for it. They will also inform the practitioner of their right to seek a review of the Authorised Officer's decision through the Administrative Appeals Tribunal if applicable.

How long will it take to be accredited under the Accreditation Standards?

The length of time for the accreditation process is dependent on the applicant providing all suitable information and evidence required for an Authorised Officer to be able to determine if the applicant meets the Accreditation Standards.

If an incomplete application for accreditation is provided, additional information will be sought from the applicant, which may delay the accreditation process.

In accordance with the Department's Service Charter, an applicant should allow 28 days from the receipt of a completed application. Completed applications are processed in order of receipt.

3. Ongoing accreditation requirements

Once accredited, FDR practitioners have certain obligations under the Regulations that must be maintained. These include requirements to:

- notify us of any change to the practitioner's name or contact details **within 28 days**; and
- notify us of any matter that may affect the practitioner's accreditation **within 7 days**, including:
 - compliance with State/territory laws relating to working with children
 - criminal convictions
 - ceasing to provide FDR services
 - ceasing to have access to a suitable complaints mechanism;
- undertake **at least 24 hours** of education, training or professional development in FDR in every two year period from the date of accreditation;
- uphold reasonable professional standards in the provision of FDR services; and
- comply with any request for information.

An Authorised Officer may cancel, suspend or impose a condition on a practitioner's accreditation if any of the above obligations are breached (see the Suspension and Cancellation Fact Sheet).

Notification should be in writing to the Unit:

E-mail: fdrregistration@ag.gov.au

OR

Practitioner Accreditation Unit
Family Law Branch
Attorney-General's Department
3-5 National Circuit BARTON ACT 2600

For more information about accreditation obligations, see the Fact Sheet named: FDR Practitioners Obligations – Accreditation.

If you require more information about accreditation contact the Practitioner Accreditation Unit on 1800 025 255 or by email to fdrregistration@ag.gov.au