

Specification

TENDER DETAILS	
RFT Number	FACS.19.137
Title	FACS Family Group Conferencing Facilitation Services – Panel of Service Providers

SPECIFICATION DETAILS

1. INTRODUCTION

The NSW Department of Family and Community Services (FACS or ‘the Department’) seeks tenders for the supply of Family Group Conferencing (FGC) facilitation services as specified in this document. The primary objective of this tender is to increase the FACS prequalified panel (PQP) of FGC facilitation service providers (‘the Panel’) across NSW to provide facilitation services to eligible FACS clients. Only suitably qualified facilitation service providers (either individuals or organisations) will be appointed to the panel. The facilitation providers are to provide FGC facilitation services of a high quality in an efficient and cost effective manner and in compliance with the requirements and all relevant statutes and regulations. The panel will be an ‘Open Panel’, facilitating new entrants into the market in a seamless and streamlined manner.

2. BACKGROUND

2.1 Family and Community Services (FACS)

The NSW Department of Family Community Services (FACS) seeks to better protect the most vulnerable members of our community. Our vision is to empower all people to live fulfilling lives and achieve their potential in inclusive communities.

FACS objectives include increasing the proportion of children and young people in safe and stable homes, and helping families earlier with services that address their identified needs. We collaborate with government, non-government and community partners to work with children, adults, families and communities to improve lives and realise potential, with a focus on breaking, rather than managing, disadvantage. Services are provided via a network of eight districts and more than 82 Community Services Centres (CSC) throughout NSW. This is mainly done within the framework set by the *Children and Young Persons (Care and Protection) Act 1998* and the *Adoptions Act 2000*.

(Further information regarding the Department is available on its website <http://www.facs.nsw.gov.au>)

2.2 Family Group Conferencing (FGC)

FGC is a family-focused, strengths based form of alternative dispute resolution that strengthens partnerships between FACS and families and encourages greater family decision making and responsibility. As part of the NSW Child Protection Legislative Reforms proclaimed in 2014, FGC was implemented by FACS through a staged roll out in all districts.

FGC aims to:

- Empower parents and families in making decisions to ensure the safety and well-being of children and young people at risk of significant harm, through the development and implementation of a Family Plan.
- Improve outcomes for children and young people by providing them and their extended family with a stronger voice in decisions about their care.
- Maintain children in the care of family where possible by including extended family in the FGC process.
- Build respectful relationships and communication between FACS and families.

2.3 FGC Benefits and Outcomes

Family Group Conferencing provides a number of benefits and outcomes for families, children and young people including the following.

Benefit	Outcomes
Family group conferencing involves extended family members, provides opportunities to identify family placements and for children and young people to be placed within the family network.	<ul style="list-style-type: none"> • Fewer children and young people are likely to enter out-of-home care, and where a child does need to come into care to keep them safe a greater number are placed with family.
Family group conferencing can be used across the child protection system as early intervention during case planning following a safety and risk assessment, through to looking at restoration when a child is in out-of-home care. However, as part of the Safe Home for Life reforms we are seeking to use it as early as possible in the child protection continuum.	<ul style="list-style-type: none"> • Family Plans which improve child safety are developed and implemented with families at an earlier stage in the child protection system. • Reduced frequency and time spent by families and caseworkers with the court system. • Supporting consideration of restoration as a permanent placement option as early as possible.
Family group conferencing demonstrates respect for families and their views and builds on the strengths of the family to facilitate change which provides safety for children and young people.	<ul style="list-style-type: none"> • Improved family engagement with FACS. • Provides information, engagement and collaboration with other services that can provide support to the family. • Shared decision making and responsibility for implementing a family plan.

FGC in FACS has been implemented within the context of the broader FACS Care and Protection Practice Framework and Practice Standards. This tender process is to increase supply of FGC facilitation services.

3. DETAILED DESCRIPTION / SCOPE OF ACTIVITIES

3.1 Background

The FACS FGC model is based on the New Zealand model however participation of parents and families is voluntary. The FACS FGC process consists of five important stages:

1. Referral
2. Preparation
3. The Conference
4. Implementation of the Plan
5. Review of the Plan

The conference (stage 3) includes three significant components to the family group conferencing model, which are:

- Introductions and information sharing
- Private family time, where the Family Plan is developed by the family
- Presentation, negotiation and agreement to the Family Plan

Additional information on the FACS FGC model and FACS resources and templates are included as part of this tender and will also be provided to FACS panel facilitators.

3.2 Summary of facilitator responsibilities

- Lead the timely preparation, organisation and implementation of an FGC for FACS, in close liaison with relevant FACS district key contacts.
- Strive to deliver an FGC within four weeks of the date of referral. Exceptions will be tolerated, but only with written justification provided to and approved by the relevant district manager.
- Ensure the voice and experience of the children and young people about whom the conference is being held remain the focus of the FGC.
- Ensure reasonable adjustments are made in preparing for and convening a family group conference to account for a family's cultural context and background.
- Ensure reasonable adjustments are made in preparing for and convening a family group conference to account for the needs of all participants.
- Take necessary steps to facilitate the participation of key family members.
- Demonstrate adherence to the FACS family group conferencing model and ensure model fidelity along each step of the process.
- Manage the preparation and delivery of an FGC within the designated Fee Schedule (Schedule 6 of the Standing Offer Agreement), seeking early approval for any exceptions.
- Demonstrate a clear understanding of the different roles of conference participants.
- Be able to clearly and simply explain the process to conference participants, including confidentiality and expectations of behaviour.
- Participate in training as required, and may also be asked to attend other professional development or feedback sessions to support continuous improvement.

3.3 Services to be provided by the Panel

A facilitator for a FACS FGC is impartial and plays a significant role in liaising with family members and key stakeholders to prepare and guide them through the FGC conference process. The success of a FGC is largely reliant on the skills and experience of the facilitator. The facilitator is responsible for preparing participants for the conference and leading and managing each of the key stages of the conference, to ensure the conference runs as smoothly as possible.

The key accountabilities of a FACS FGC facilitator are outlined below by each critical FGC stage.

Stage 1: Referral

- Accept the FACS referral, with the aim of completing all FGC preparation and the conference within a four week timeframe from the date of referral. This requires the facilitator to assess his/her current workload and capacity to prepare for a family group conference to meet the four week timeframe. Exceptions to the four week timeframe will be tolerated, but only with written justification provided to and approved by the relevant district manager.
- Confirm there is a clear need for a decision to be made.
- Liaise with the FACS caseworker to confirm and clarify family information, the reason for the referral, to discuss any cultural considerations or safety concerns, and confirm FACS' purpose for holding an FGC as well as FACS' "bottom lines", being the safety, risk and wellbeing concerns for the child or young person which need to be addressed.
- Note the FGC confidentiality requirements.

Stage 2: Preparation

- The facilitator will liaise with all participants identified to participate in the family group conference, including: parents, the child or young person (depending on age), family members/kin, any support persons, the FACS caseworker and their manager, and any NGO services or other Government Agencies who are currently working with the family or who may be able to offer services in the future. The preparation stage is critical to ensure information sharing with all participants prior to an FGC. The facilitator will:
 - clearly explain the facilitator's role as an impartial facilitator and how the FGC will work on the day
 - ensure understanding of the purpose of the FGC, and the concerns and issues to be discussed
 - answer questions or concerns and clarify expectations about the FGC process
 - negotiate other family or services the parents may wish to invite to the conference
 - speak with the child or young person (depending on their age), and discuss with them how they would like their views to be heard at the FGC
 - explain the confidentiality agreement, ensure understanding of how this will apply throughout the conference process, and ask participants to sign the agreement

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- explain and clarify expectations around behaviour at the family group conference, including “group rules”.
 - Liaise with FACS Personnel for all conference arrangements.
 - Liaise with the FACS caseworker and Manager Casework as required to clarify any concerns or questions that arise during the preparatory phase relating to FACS position, or to seek, by exception and in writing, prior approval for additional expenditure.

Stage 3: The Conference

- Lead the conference and facilitate discussions through each stage:
 - *Information Sharing*: why we are here; voluntary participation; confidentiality. Introductions, confirmation of the decision(s) to be made, FACS assessed concerns and “bottom line/s”, any support services available to family, clear expectations set about behaviour of all participants during the conference, including “group rules”.
 - *Family time*: explain purpose and process; provide facilitation assistance if requested by the family.
 - *Agreement to plan*: all participants re-join after family time; family presents plan; Family Plan is negotiated; facilitate participant discussion ensuring all family members are able to ask questions and express their views; remain focused on the safety, best interests and welfare of the child or young person; if agreement is reached on the Family Plan, document agreement and ensure all participants sign.
- Manage any conflict which may arise during the FGC process, ensuring that everyone taking part feels supported, respected and safe during the FGC process. Inappropriate or disrespectful behaviour should not be allowed during the conference.
- Terminate the conference if required.
- Ensure the conference is convened and managed in a culturally appropriate way and that it accounts for the needs of participants.
- Provide time management for the conference, including break times and manage flow.
- Record outcomes of the conference, document an agreed Family Plan, ensure it is signed by all participants and that it includes a review date for the Family Plan. Participants may be given a hard copy of the plan on the day if it is available.
- Encourage all participants to complete the FGC feedback forms.
- Acknowledge the contribution of all participants.
- As part of quality assurance, facilitators may be asked to participate in peer review and feedback sessions as required, to support ongoing professional development. FACS also reserves the right to observe an FGC Conference from time to time for quality assurance purposes.

Stage 4: Implementation of the Plan

- If the Family Plan was signed but not typed up on the day of the conference, type up the exact terms of what was agreed and distribute it to all participants within one week of the conference. This should be accompanied by a copy of the signed Family Plan agreed on the day.

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- Ensure the referring caseworker and Manager Casework receives a copy of the Family Plan. It is the responsibility of the casework team to review the Family Plan.
 - Return the signed confidentiality agreements for each participant to the FACS caseworker or relevant contact officer.
 - Send an invoice to FACS for the family group conferencing process within a month of the conference completion, ensuring it clearly itemises expenditure including hours spent on preparation, hours spent convening the conference, and any follow up if required.

Stage 5: Review of the Plan

- In some circumstances the facilitator may be requested to provide facilitation services for a Review Meeting. Facilitators are encouraged to contact the referring casework team leading up to the review date to enquire if their services are required (at least four (4) weeks prior).
- A facilitator's involvement and level of participation in the review of the Family Plan meeting remains at the sole discretion of FACS.
- Tasks may include:
 - coordination of family members to remind them of the Family Plan review meeting
 - advising family members of review meeting details including; time, location etc.
- At the review meeting a Facilitator may be required to facilitate and encourage family discussion:
 - to reflect on the progress of actioning the Family Plan including any outcomes for the child/young person
 - to overcome barriers or need for assistance
 - to address any concerns
- It is expected that the review meeting and co-ordination tasks required comprise a total of 2 hours (including phone calls to/from FACS and participants).
- Payment will be made in line with the pricing approach outlined in paragraph 5.1 below.

3.4 Facilitator skills and expertise

FACS FGC facilitators will have relevant skills and experience, including the qualifications and requirements outlined below.

1. Demonstrated experience in relationship-based practice and strong interpersonal skills to support effective communication with vulnerable families.
2. Demonstrated experience in mediation, facilitation or other forms of alternative dispute resolution, within a child protection or family focused context.
3. Experience in managing complex issues and group dynamics, and capacity to manage impasse situations.
4. Evidence of relevant qualifications, e.g. mediation, dispute resolution or accreditation as an FGC facilitator.
5. Current or recent membership of a recognised mediator accreditation body or other relevant professional affiliation.

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6. Understanding of the alternative dispute resolution confidentiality provisions of the *Children and Young Persons (Care and Protection) Act 1998* (Chapter 15A) and its application within the FACS family group conferencing process.

Facilitators must also have a current NSW Working with Children Check and National Criminal History Record check, and provide evidence of current professional indemnity and public liability insurance, as detailed in the Standing Offer Agreement Clause 14.

3.5 Geographic representation

The operational delivery of child and family services in FACS is organised into eight geographically based districts, which are split into two clusters: Southern and Western and Northern Cluster. Casework is undertaken by FACS officers based in, and reporting through, this district structure. Facilitators may provide localised services or be available on a State-wide basis. Engagement of facilitators is district led.

3.6 Open Tender Panel Process

The Panel will be an open panel. It is intended that there will be no limit to the maximum number of Panel members that FACS may select. New suppliers can register for inclusion on the Panel at regular intervals stipulated by FACS at its discretion and any new supplier is to follow the tender process as stipulated by FACS.

A Standing Offer Agreement is to be signed by all successful suppliers. The Standing Offer Agreement sets out the standard terms and conditions upon which the Facilitator will provide FGC facilitating services to FACS from time to time. This includes, but is not limited to, an acknowledgement that the supplier is not an exclusive supplier of the services, and FACS may at any time during the term acquire such services as stipulated in this tender or any part of them, from a third party.

FACS may appoint other suppliers to provide the same or similar services being provided by the supplier under this tender process. If a tender applicant is deemed unsuccessful, the applicant can reapply not less than six months since the previous application for admission to the panel.

Applicants that are Aboriginal or Torres Strait Islander can indicate whether they prefer to provide evidence of their experience via an interview process in the tender response schedule.

4. PERFORMANCE MEASURES AND MONITORING

Practitioners appointed to the Panel will be subject to performance measures and monitoring as outlined in the **Performance Measures & Monitoring Table** and the **Standing Offer Agreement** which form part of this Tender.

5. PRICING APPROACH

Services are to be charged to FACS at a fixed hourly rate with limits set for the different stages of an FGC and a total capped upper limit which can only be exceeded with prior approval in writing from the FACS Manager Casework or Manager Client Services. Further details are set out below. This fixed fee schedule has been developed by measuring the average time taken for each stage in a typical family group conference. The schedule allows for standardisation of certain aspects of a typical conference while providing flexibility for the more complex matters or differing circumstances.

5.1 Facilitator Fees

Facilitators providing FGC facilitation services to FACS will be paid at a rate of up to a maximum of \$120 per hour (GST inclusive). This is for a maximum of 15 hours preparation time, up to five hours facilitation time for a family group conference, and one hour follow up (if required), for distribution of the family plan or other information to participants. Facilitator fees are outlined in the Fee Schedule and reviewed as required.

Facilitator fees are inclusive of:

1. Facilitator preparation hours including conducting conversations with the caseworker, family members and other participants attending the family group conference.
2. Telephone, email and other administrative costs such as postage, printing and consumables including paper and markers.
3. Local travel time (i.e. facilitator travel to meeting venues and family members does not exceed 50 km one way). There is no additional payment for mileage OR time spent travelling within a 50 km radius
4. Facilitator hours for time spent convening the family group conference
5. Facilitator hours for time spent preparing and convening a family plan review meeting

The cost of venue hire and refreshments will be met by FACS.

Facilitators may be required to participate in peer reviews and feedback forums as part of ongoing learning, and quality assurance purposes. This will be paid for a maximum of eight hours in accordance with the fee schedule.

5.2 Preparation

Where preparation time is under an hour, payment will be made in 30 minute increments. Where preparation time is likely to exceed 15 hours, prior approval in writing from the FACS Manager Casework or Manager Client Services is required (for example, where contracted services become more complex or protracted than either of the parties could have anticipated).

5.3 Co-facilitator Request

Co-facilitation will be considered only under exceptional circumstances and a co-facilitator will be subject to the rate specified in the Fee Schedule for the time spent convening a family group conference, for a maximum of five (5) hours. Prior approval in writing must be obtained from the local FACS Manager Casework or Manager Client Services.

The co-facilitator fee is inclusive of travel within a 50 km radius of the co-facilitator's home or point of business. If travel exceeds 50 km to reach the FGC location, then the co-facilitator must seek prior written approval to be paid a flat travel rate for the time spent travelling to the location. In special circumstances where required, FACS may pay for the cost of return air flights, accommodation, incidentals and any local travel. Estimated costs will be required prior to approval. This will be monitored in consultation with the local FACS Manager Casework or Manager Client Services, and evidence in writing must be provided.

A co-facilitator will be sourced directly by FACS following written approval by the local FACS Manager Casework or Manager Client Services, and will be required to invoice independently.

5.4 Payment

Payment will be made in full for the time worked following completion of the FGC process and receipt of an invoice from the facilitator. In the event that the FGC is cancelled, terminated or a family plan is not finalised at the FGC, the facilitator time will still be paid for the time that they spent organising the FGC, up to a maximum of 15 hours (unless prior approval was given).

Invoices should be sent to FACS within one month of completing the FGC. The invoice should clearly itemise individual costs as indicated in the Fee Schedule with a breakdown of both preparation time and facilitation time included.

5.5 Value for money

Whilst the facilitation rates are set and non-negotiable, any services delivered under this panel arrangement will be done so in a way that delivers value for money to FACS. To achieve this, it is expected that the panel members deliver facilitation services efficiently (within timeframes), effectively (per the specifications), and to a high professional standard.

6. COMPLIANCE AND CONSULTATIONS

In preparing this Request for Tender (RFT), FACS has, to the extent that is practicable and/or ascertainable complied with NSW Government procurement policies.

7. SELECTION CRITERIA

Employees of the Department of Family and Community Services are ineligible to apply.

The successful panel members will be selected based on the criteria outlined in the Tender Response Schedule.