



Australian Government

CHCDSP003 Support the safety of vulnerable parties in family dispute resolution

Release: 1

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Modification History

Release	Comments
Release 1	This version was released in <i>CHC Community Services Training Package release 3.0</i> and meets the requirements of the 2012 Standards for Training Packages. Also contains content from CHCDISP802. Significant changes to the elements and performance criteria. New evidence requirements for assessment including volume and frequency requirements. Significant changes to knowledge evidence. Minimum work hours added. Supersedes CHCDISP804B

Application

This unit describes the skills and knowledge required to assess the suitability of the dispute resolution process for vulnerable parties, and to support the physical and emotional protection of those parties.

This unit applies to dispute resolution practitioners managing complex family dispute resolution using a variety of facilitative processes within the family law environment.

The skills in this unit must be applied in accordance with Commonwealth and State/Territory legislation, Australian/New Zealand Standards and industry codes of practice.

Elements and Performance Criteria

ELEMENT

PERFORMANCE CRITERIA

Elements define the essential outcomes

Performance criteria describe the performance needed to demonstrate achievement of the element.

1. Assess the needs of vulnerable parties

1.1 Identify and use standard protocols that screen for the existence of safety and vulnerability issues

1.2 Seek specialist assistance with screening protocols according to case requirements

ELEMENT**PERFORMANCE CRITERIA**

	1.3 Ensure protocols are in place before entering into an agreement to provide family dispute resolution to parties
	1.4 Recognise possible impact and risk of dispute resolution process for those involved and make informed judgment about when not to proceed
2. Take measures to protect vulnerable parties	2.1 Activate pre-determined security protocols 2.2 Establish a climate for the disclosure of physical and emotional safety concerns 2.3 Establish each person's understanding of essential rules for respectful and safe participation in the process 2.4 Organise and use personal protective and screening measures
3. Manage situations that threaten safety	3.1 Identify situations and behaviours that threaten safety of self or participants 3.2 Refer participants to community supports and alternative programs according to their individual needs 3.3 Follow established steps to suspend or terminate the family dispute resolution session to protect the safety of the participants 3.4 Adhere to organisational and legislative reporting and documentation requirements

Foundation Skills

The Foundation Skills describe those required skills (language, literacy, numeracy and employment skills) that are essential to performance.

Foundation skills essential to performance are explicit in the performance criteria of this unit of competency.

Unit Mapping Information

No equivalent unit

Links

Companion Volume implementation guides are found in VETNet -

<https://vetnet.gov.au/Pages/TrainingDocs.aspx?q=5e0c25cc-3d9d-4b43-80d3-bd22cc4f1e53>

Assessment Requirements for CHCDSP003 Support the safety of vulnerable parties in family dispute resolution

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Performance Evidence

The candidate must show evidence of the ability to complete tasks outlined in elements and performance criteria of this unit, manage tasks and manage contingencies in the context of the job role. There must be evidence that the candidate has:

- performed the activities outlined in the performance criteria of this unit according to legal requirements and ethical standards during a period of 50 hours of dispute resolution work with clients, under the supervision of an accredited Family Dispute Resolution Practitioner (FDRP), in a dispute resolution service
- facilitated, either individually or in a co-facilitation capacity, at least 5 different dispute resolution processes that individually or cumulatively include matters involving:
 - domestic and family violence
 - mental health issues
 - alcohol and other drugs abuse
 - vulnerabilities associated with people cultural and linguistically diverse backgrounds
- managed sessions where all parties are present, and in a shuttle situation.

Knowledge Evidence

The candidate must be able to demonstrate essential knowledge required to effectively complete tasks outlined in elements and performance criteria of this unit, manage tasks and manage contingencies in the context of the work role. This includes knowledge of:

- legal and ethical considerations for the dispute resolution process in relation to protecting safety of vulnerable parties, and how these are applied in organisations and individual practice:
 - children in the workplace and child-focused practice
 - codes of conduct
 - discrimination
 - duty of care
 - human rights
 - mandatory reporting
 - practitioner/client boundaries
 - policy frameworks
 - privacy, confidentiality and disclosure
 - records management
 - rights and responsibilities of workers, employers and clients
 - specific legislative frameworks that apply to family dispute resolution, including:
 - provisions for children and property in the *Family Law Act 1975*, *Child Support (Assessment) Act 1989*
 - Family Law (Family Dispute Resolution Practitioners) Regulation 2008 in terms of family dispute resolution practitioner obligations and role
 - work role boundaries – responsibilities and limitations
 - work health and safety
- key areas of diversity that may lead to vulnerability and their characteristics, including:
 - culture, race, ethnicity
 - disability
 - religious or spiritual beliefs
 - gender, including transgender and intersex
 - generational
 - sexual identity – lesbian, gay, bisexual, heterosexual
- what constitutes a vulnerable party in family dispute resolution context, and associated responses and strategies, including those for situations involving:
 - domestic and family violence
 - alcohol and other drugs abuse
 - mental health issues
 - vulnerabilities associated with cultural and linguistic diversity, including Aboriginal and/or Torres Strait Islander people
 - impact of trauma

- potential needs of vulnerable groups, including:
 - protective factors
 - physical, mental and emotional health issues/care needs
- consideration of impacts of discrimination, trauma, exclusion and negative attitudes
- procedures and instruments to screen for vulnerability and other significant factors that may affect a party's ability to participate before and during the dispute resolution process
- safety planning requirements and procedures for clients and staff as well as limitations
- how violent, controlling and intimidating behaviour may manifest, and how to respond, including:
 - coercion by one party over another
 - aggressive body language
 - inappropriate expressions of emotions
 - real or perceived threatening behaviour or language
 - silence, stalling, sabotage and dominance of time in the process
 - withdrawing with intent to terminate the session before agreements reached, as a matter of abuse of power
 - refusing to negotiate on any issue
- techniques and protocols for dealing with potentially volatile clients and group situations
- community, educational or other resources for referral or use within the dispute resolution process, including those specifically related to services for vulnerable parties
- self knowledge, including personal and cultural attitudes toward family conflict and the impact of self on the parties and process.

Assessment Conditions

Skills must have been demonstrated in the workplace with the addition of simulations and scenarios where the full range of contexts and situations have not been provided in the workplace. The following conditions must be met for this unit:

- use of suitable facilities, equipment and resources, including:
 - client and dispute information
 - current family dispute resolution regulations
 - organisation policies and procedures
- modelling of industry operating conditions, including:
 - scenarios that involve complex interactions with families
- supervision of client work by an accredited Family Dispute Resolution Practitioner (FDRP).

Assessors must satisfy the Standards for Registered Training Organisations (RTOs) 2015/AQTF mandatory competency requirements for assessors.

In addition, assessors must:

be an accredited Family Dispute Resolution Practitioner (FDRP).

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