

No to Violence Feedback

*Draft regulations and Regulatory Impact
Statement for social services*



Acknowledgment of Country

No to Violence acknowledges First Nations Peoples across these lands; the Traditional Custodians of the lands and waters. We pay respect to all Elders, past, present, and emerging. We acknowledge a deep connection with country which has existed over 60,000 years. We acknowledge that sovereignty was never ceded, and this was and always will be First Nation's land.



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Executive summary

No to Violence welcomes the introduction of a new regulatory framework for Victorian social services. If implemented effectively, we believe this scheme has the potential to clarify and streamline service obligations that will ultimately reduce and prevent harm to social service users.

Our feedback on the proposed Social Service Regulation Reform (SSRR) has been developed through consultation with our Victorian members. No to Violence met with 21 service providers, managers, and team leaders representing 14 organisations who provide men's family violence services. These member organisations range in size from 1,000+ to less than 10 employees, and feedback on the SSRR varied accordingly. Members from smaller organisations were concerned that no additional resources have been provided to support them to comply with the reforms by July 2024. Members from larger organisations were generally less concerned about compliance with the reforms and saw the benefit of streamlining regulations across the different services their organisation provides.

We are concerned about the potential for these reforms to disproportionately impact our members – service providers who comprise a small but significant part of the social services sector in Victoria. In particular, we highlight the administrative burden involved in ensuring compliance with the SSRR by July 2024, and the lack of information about how the process will work. We are also concerned about how Standard 6 (Workforce) will impact our members, given the men's family violence sector is already struggling to recruit and retain qualified staff.

No to Violence offers the following recommendations to the Department of Families Fairness and Housing (DFFH):

1. Provide timely information and guidance to clarify the compliance process, including the specific evidence that will be required from services.
2. Provide additional funding to assist services in compliance with the regulations, with a focus on support for small organisations with limited capacity to develop new processes.
3. Provide services with adequate funding to ensure staff can access regular training and professional development opportunities.
4. Clarify how lived experience will be recognised in line with other formal qualification in the family violence sector.
5. Ensure that Family Safety Victoria are required to comply with the regulations, in line with all other parts of the social service system.

Administrative burden

No to Violence is concerned about the impact of the SSRR on the family violence sector, a sector that is already managing a significant reform agenda in Victoria. During our member consultations we were reminded that, whilst the findings from the Royal Commission into Family Violence were published in 2016, significant time went into designing the reforms and really, we are still in the early stages of implementation. It is important to acknowledge that many family violence services are experiencing reform fatigue, and that these services will require additional support in order to comply with the SSRR by July 2024.

Do you agree that the description provided is an accurate description of the costs that can be expected to be incurred as a result of the proposed registration requirements?

DFFH has indicated that services can expect to incur immediate costs associated with applying for registration and demonstrating compliance with the SSRR. These specified costs include staff costs; development of and/or enhancing existing systems; documentation to demonstrate compliance; and participation in audits, inspections and any other information requests from the regulator.

Our members noted that they would appreciate more transparency from the government about what the process will look like in practice. It is difficult for services to gauge the resources that will be required for registration given the lack of clarity around timeframes and specifics about what family violence services will need to provide.

Our members are concerned about the hidden costs that may be involved in complying with the SSRR, including those from a corporate or “back of house” point of view. Smaller organisations had doubts about whether the additional costs associated with registration would be short-term, or whether they would need to create new permanent positions to manage ongoing compliance with the new registration processes.

What capacity do you have to dedicate resources to developing new systems, policies, and procedures to ensure compliance with the SSRR?

Our members noted that there is a “short window that keeps shrinking” for the government to provide advice about what services will be required to provide and whether any additional support will be provided to services that are already experiencing staffing issues. There remain several unknowns around recruitment needs, and whether additional resources will be required in order to comply by July 1, 2024 - especially with the shrinking timeframe. Members expressed concerns that the short time frame for recruitment means that a significant portion of the sector will be trying to recruit for similar positions at the same time – in an already difficult recruitment environment.

No to Violence understands that further guidance will be provided when the regulator is appointed, however it is unlikely that this will occur before January 2024. Members cautioned that we cannot afford for this timeframe to become any shorter than it already is.

Members indicated that the reforms will be felt differently by organisations of different sizes. We heard that larger organisations have existing systems to dedicate resources to ensuring compliance with reforms, such as clinical governance teams. For these organisations, we heard that introduction

of the SSRR may save time and resources. Conversely, small organisations that are still going through MARAM alignment and managing compliance with other reforms are likely to be disproportionately impacted by the SSRR. For these services we heard that the “upfront costs and time are astronomical” and that despite the potential for long-term benefit, additional resources will be required to support compliance with the reforms.

Recommendations

1. Provide timely information and guidance to clarify the compliance process, including the specific evidence that will be required from services.
2. Provide additional funding to support services’ compliance with the regulations, with a focus on assistance for small organisations with limited capacity to develop new processes.

Workforce considerations

No to Violence is concerned about how Standard 6 (Workforce) will impact our members, given that the men’s family violence sector is already struggling to recruit and retain qualified staff in Victoria. We note that the SSRR is not offering any additional resources to service providers who require support to comply with the reforms within the allocated timeframe. We are concerned that this will unfairly impact smaller services – including those who provide culturally specific services to communities who are unlikely to engage with mainstream services.

Members told us that “workforce is the single biggest issue” in the men’s family violence sector. Some organisations are experiencing waitlists of up to 6 months, and counsellors are taking on enormous caseloads in order to manage demand for their service. This leaves little room for service providers to access and engage in ongoing training, planning and evaluation. While there is no disagreement about the importance of a safe and appropriately qualified workforce, our members stressed that additional resources are required to enable staff to access regular training and professional development opportunities.

Our members were also concerned that the SSRR may lead to a devaluing of lived experience expertise. No to Violence are pleased to see that the draft framework acknowledges how service requirements for a safe workforce may differ between sectors, and that family violence and sexual assault service benefits from a workforce with lived experience. However, we note that these reforms may create additional barriers for people with lived experience to move into senior positions within organisations, as key personnel will be required to have relevant qualifications. To avoid this, we recommend that the government clarifies how lived experience will be recognised in line with other ‘formal’ qualifications in the family violence sector.

Recommendations

3. Provide services with adequate funding to ensure staff can access regular training and professional development opportunities.

4. Clarify how lived experience will be recognised in line with other formal qualification in the family violence sector.

Scope of services

No to Violence believes that a whole-of-system approach is needed to intervene early and respond effectively to family violence. While Family Safety Victoria (FSV) is not a social service, they play an important role in site management, governance, and operation of The Orange Door network – all of which are central to ensuring the safety of women and children experiencing family violence. With this in mind, we believe that FSV should be required to comply with the regulations, in line with all other parts of the service system. This view is shared by all NTV members who participated in our SSRR consultation sessions. Further details on our member's views are provided below.

Do you consider that any of the activities undertaken by Family Safety Victoria in The Orange Door fall within the scope of the prescribed services in the draft regulations?

Our members were unanimous in the opinion that Family Safety Victoria's (FSV) role in delivering The Orange Door is within scope of the SSRR and that they should be expected to comply with the regulations. We heard that FSV must demonstrate accountability for their role in operations to ensure that the workforce is safe for clients and workers. Without this accountability mechanism, there is the potential that FSV staff could (unintentionally) contribute to developing unsafe work conditions.

Members spoke about the importance of "everyone being on the same page" in terms of the standards we are setting for the family violence service system. If FSV were to be given an exemption from the regulations, it would create a disconnect between the service providers and operational leadership (i.e.: Hub managers, strategic planning and reporting officers, etc.). Our members noted that FSV's compliance with the framework would help to foster a greater sense of understanding and joint purpose between the service sector and operational leadership.

We heard about the potential risks associated with FSV not complying with the regulations, including the potential for operational leadership to not understand trauma informed service provision. Our members highlighted that many people working in the family violence sector have lived experience, which makes it even more important that people in power understand how to work safely with victim-survivors of family violence.

Recommendations

5. Ensure that Family Safety Victoria are required to comply with the regulations, in line with all other parts of the social service system.

A note on minimum standards for Men's Behaviour Change Programs

No to Violence notes that the minimum standards for men's behaviour change programs require updating to align with the Multi-Agency Risk Assessment and Management Framework (MARAM). We welcome the opportunity to work with the Victorian Government on updating and implementing the standards, in line with Recommendation 91 of the Royal Commission into Family Violence. We believe these updated standards will play a crucial role in ensuring the safe practice of men's family violence services across Victoria, in line with the goals of the Social Services Regulation Reform.