



# 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. the requirements to meet 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:

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

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.

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.

## • Qualifications and Competencies

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

- having completed the full 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 Graduate Diploma of Family Dispute Resolution (or the higher education provider equivalent); **or**
- accreditation under the [National Mediator Accreditation System](#) (NMAS) **and** competency in the six compulsory units from the 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.

## Qualifications

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 or 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.

Legal practitioners may provide evidence of their formal qualifications or their admittance documents to any Australian Supreme or High Court as evidence of having an appropriate qualification.

If a qualification does not ‘neatly’ fit into the description above, contact the Practitioner Accreditation Unit (the Unit) to discuss the process for determining if it can be accepted for accreditation purposes.

## Units of Competency

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

RTOs having the units of competency of the Graduate Diploma in scope of their delivery are listed on [training.gov.au](http://training.gov.au). These training providers can offer the full Graduate Diploma or the 6 compulsory units.

The higher education providers that have certified to the Attorney-General’s Department that they offer an equivalent course to units of the Graduate Diploma are listed on our [Becoming a family dispute resolution practitioner](#) webpage under the heading ‘Higher education equivalent qualifications’.

If applicants complete only the 6 units (or equivalent), they are required to also provide evidence of a suitable qualification (as defined in the Accreditation Standards) or current accreditation under the NMAS.

Applicants 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.

## • Working with Children

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.

To be eligible for accreditation as an FDR practitioner, applicants need to comply with the relevant laws in the State/Territory they will be providing FDR services. This may or may not mean they require a Working With Children check, as it depends on the requirements in each State/Territory for the type of FDR service being offered.

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

## • Complaints Mechanism

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

A suitable complaints mechanism can be:

- a recognised process established by an organisation funded by the government to provide FDR services, of which the practitioner is an 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.

Employees of organisations funded by the government to provide FDR services, or those accepted on panels of approved providers such as Legal Aid Commissions, need to provide evidence of their engagement with their application for accreditation. Alternatively, they can arrange for their manager to email confirmation of their employment to the Unit.

Practitioners operating as individuals must use a complaints mechanism established by a relevant professional association that has the ability to handle complaints on their behalf. This ensures a sufficient independence of process and usually requires an appropriate level of membership of that association or body. Evidence of membership needs to be provided with their application for accreditation.

If an applicant intends to provide FDR services through a funded organisation as well as privately, they will need to provide evidence as described above for each 'outlet'.

## • National Police Check

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.

A police check is only 'current' as at the date it is conducted. Therefore, checks should be no older than 4 months from the time of application for accreditation.

## • Suitability to perform as 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.

### The Statutory Declaration

Applicants are encouraged to follow the instructions on the left of the declaration to ensure they fill in the correct areas with the full information required.

Applicants also need to ensure their witness provides their capacity to witness their declaration as provided in the list of Authorised Witnesses. A witness needs to write their 'qualification to witness' the declaration, not their academic 'qualification'. For example, a Pharmacist should write 'registered Pharmacist' not 'Bachelor of Pharmacy'. Where more detail is required, such as for teachers, they need to write 'Teacher employed on a full-time basis at a school / tertiary institution'.

The original completed Statutory Declaration must be posted to the Unit. Applications cannot progress without the original version of the signed declaration being received. However, if the application is emailed, it can commence processing, pending the declaration to arrive in the post.

## 2. Accreditation Process

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

Applications for accreditation are received by the Unit and are processed in order of receipt. In accordance with the Department's Service Charter, an applicant should allow up to 28 days from the receipt of a completed application.

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.

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.

When finalised, an Authorised Officer of the Attorney-General's Department will accredit a person if they meet the requirements for accreditation set out in the Regulations. 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.

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 person of their right to seek a review of the Authorised Officer's decision through the Administrative Appeals Tribunal if applicable.

### 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**
- 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 Fact Sheet on Suspension and Cancellation).

#### Notification of information

Notification of any changes to information, including contact details and employment should be in writing to the Unit:

E-mail: [fdrregistration@ag.gov.au](mailto:fdrregistration@ag.gov.au)

Or by post to:

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

Practitioners are not required to advise if their employment conditions have changed, such as moved from part-time to full-time. Practitioners are required to advise if they have changed complaints mechanisms due to employment changes.

For more information about other 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](mailto:fdrregistration@ag.gov.au) .