



Australian Government
Attorney-General's Department

Regulation of Family Dispute Resolution Practitioners Regulator Performance Framework

The Government has committed to reducing the cost of unnecessary or inefficient regulation imposed on individuals, business and community organisations by at least \$1 billion a year. To do this, the Government seeks to improve the performance of regulators by supporting them to adopt consistent, risk-based approaches to administering regulation.

The Government has developed the Regulator Performance Framework (the Framework) to measure the performance of regulators. The Framework applies to the regulation of Family Dispute Resolution Practitioners¹ administered by the Attorney-General's Department. The stakeholder consultation body is the Family Law Council.

The Framework aims to encourage regulators to:

- undertake their functions with the minimum impact necessary to achieve regulatory objectives
- effect positive change
- report objectively on the efforts to administer regulation fairly, effectively and efficiently, and
- identify opportunities for improvement and better target resources for greater impact.
- The Framework assists in highlighting where improvements could reduce compliance costs.²

The Framework has six outcomes-based key performance indicators (KPIs) that cover:

- reducing regulatory burden
- communications
- risk-based and proportionate approaches
- efficient and coordinated monitoring
- transparency, and
- continuous improvement.

To assess the achievement of the KPIs, performance measures have been developed to support a process for an annual, externally validated self-assessment against the Framework.

The performance measures, to enable an assessment against the KPIs, are to be approved by the Attorney-General before the Framework comes into place on 1 July 2015. The Framework will be reported upon for the 2015-16 financial year by the Attorney-General's Department through a process of self-assessment.

¹ In accordance with the *Family Law (Family Dispute Resolution Practitioners) Regulations 2008*

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KPI	KPI Description	Measures of Good Regulatory Performance	Performance Measures
1	Regulators do not unnecessarily impede the efficient operation of regulated entities	<ol style="list-style-type: none"> 1. Engagement with stakeholders on policies and procedures on emerging issues affecting the sector. 2. Responsiveness to feedback from regulated entities in accordance with the department's service charter. 	<ol style="list-style-type: none"> 1. The number of times the Practitioner Accreditation Unit engages with stakeholders on policies and procedures on emerging issues that affect the sector. 2. Responses to feedback from regulated entities in accordance with the department's service charter.
2	Communication with regulated entities is clear, targeted and effective	<ol style="list-style-type: none"> 1. Appropriately tailored guidance material and information to the regulated entities that supports predictable outcomes. 2. Decisions and advice clearly articulate expectations and the reasons for decisions. 	<ol style="list-style-type: none"> 1. Guidance material and information provided to the regulated entities is done in a clear and effective way. 2. Decisions provide advice about relevant review or appeal mechanisms and are accompanied by statements of reasons where appropriate.
3	Actions undertaken by regulators are proportionate to the regulatory risk being managed	<ol style="list-style-type: none"> 1. Risk management procedures are proportionate to the requirements to meet the accreditation standards. 2. Risk management procedures are proportionate to the requirements for regulated entities' ongoing compliance obligations. 	<ol style="list-style-type: none"> 1. Assessing suitability for accreditation is made in accordance with the Regulations using a risk-based approach. 2. Systemic issues are addressed as they arise using a risk-based approach.
4	Compliance and monitoring approaches are streamlined and coordinated	<ol style="list-style-type: none"> 1. Requests for information are made only when necessary to secure regulatory objectives. 2. Application processes for accreditation are streamlined. 	<ol style="list-style-type: none"> 1. The number of formal requests for information made and for what reason the requests were made. 2. The number of completed application forms (including all required documents and evidence) compared to incomplete applications forms.
5	Regulators are open and transparent in their dealings with regulated entities	<ol style="list-style-type: none"> 1. Information about regulated entities' obligations is publicly available. 2. A public free-call number and email address are available for general enquiries for regulated entities. 	<ol style="list-style-type: none"> 1. By checking what information about regulated entities' obligations is publicly available and ensuring it is up to date. 2. The number of phone calls and emails were received/made/sent to answer queries related to issues for regulated entities.
6	Regulators actively contribute to the continuous improvement of regulatory frameworks	<ol style="list-style-type: none"> 1. Stakeholder relationships are aimed to improve the efficiency and effectiveness of the regulatory framework. 2. Feedback mechanisms are available and made known to regulated entities and stakeholders. 	<ol style="list-style-type: none"> 1. Stakeholder relationships were established or continued to improve the efficiency and effectiveness of the regulatory framework. 2. Feedback mechanisms are available and made known to regulated entities and stakeholders.