



Australian Government
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Service Delivery Standards 2011-12

Indigenous Justice Program



Service Delivery Standards

Indigenous Justice Program

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Definition of terms

Benchmarking

Comparing services nationally and internationally to identify and recognise 'good' and 'best' practice.

Eligible client

An individual of Aboriginal or Torres Strait Islander descent who is at risk of coming in contact with the criminal justice system, and their family (including those of non-Indigenous descent).

Local services

Other organisations providing relevant services in the community.

Performance indicator

A measure to indicate performance, either good or poor performance.

Self-audit Report

A document for Service Providers to evaluate their services against the Service Standards, to identify the standards that are being met and areas that need improvement to meet the Standards. Assertions made in the report require the provision of evidence to demonstrate that the Standard has been met.

Service provider

An organisation funded to deliver a service.

Service standard

Service delivery expectations identified as the standard to be met by Service Providers.

1 Introduction

The Attorney-General's Department provides funding through the Indigenous Justice Program (the Program) to develop and undertake culturally relevant activities that will:

- help reduce Indigenous Australians' adverse contact with the criminal justice system, and
- to help to reduce recidivism through the provision of through care support for Indigenous Australians detained or incarcerated, to assist in their successful reintegration back into the community.

The Service Delivery Standards (the Standards) provide minimum service expectations across the four activity streams of the Program. The activity streams are:

1. Youth Prevention and Diversion
2. Prisoner Through Care
3. Community Patrols, and
4. Restorative Justice.

The Standards will:

- establish clear Departmental expectations of quality justice services to be delivered to Indigenous people through the Program
- provide a clear guide to Service Providers, and
- provide a reference document for the Indigenous community and other key stakeholders.

There are five Standards. This document outlines these Standards and their associated reporting requirements. The Standards are:

1. Provision of services
2. Accessibility and cultural relevance
3. Organisational management
4. Cooperation and relationships with other providers, and
5. Client satisfaction and managing complaints.

Note: These Standards are not applicable to community patrols in the Northern Territory. If you are providing a Community Patrol in the Northern Territory you must adhere to the 'Night Patrol Services in the Northern Territory Operational Framework'. See <http://www.ag.gov.au/ntnightpatrol>.

2 Assessment of performance against the Standards

Each Service Provider is different and depending on factors such as the size, location, expertise and structure of the organisation, the policies and procedures put in place to meet a standard will vary.

2.1 Establishing performance

The activity will be assessed against the Standards and Performance Indicators (PIs), as noted in the table below:

<i>Service Standard</i>	<i>Standard</i>	<i>PIs</i>
Provision of services	y	y
Accessibility and cultural relevance	y	
Organisational management	y	
Cooperation and relationships with other providers	y	
Client satisfaction and managing complaints	y	

The PIs will be outlined in the Agreement Schedule and in the Self-audit Report, which will be provided to successful grant applicants with the Funding Agreement.

2.1.1 Reporting by Service Providers

All Service Providers will be required to meet the Standards in order to constitute good performance in service delivery. Performance will be established through:

- six monthly self-audits completed by Service Providers, and
- monitoring and evaluations conducted by the Department.

Self-audits by Service Providers will be used, in the first instance, to assess performance.

The self-audits are to be recorded using a Self-audit Report template. The Self-audit Report contains a number of questions that relate to the elements of each standard and each question is to be completed.

As noted, in the first standard, *Provision of services*, PIs will also be used to assess performance.

The PIs are clearly outlined in the report and a response is required for each.

In assessing performance, Service Providers will use a four point rating scale, as follows:

- 1 *Not met – key elements of the Standard have not been met and there is no work underway to remedy this within the set time frames.*
- 2 *Not met but work underway – key elements of the Standard have not been met, but work is underway to meet the standard in a set time frame.*
- 3 *Partially met – some of the key elements of the Standard have been met.*
- 4 *Fully met – all key elements of the Standard have been met.*

Statements about performance made by Service Providers in the Self-audit Report will require the attachment of documents, as evidence, to demonstrate that each standard has been met, or that verifies one of the other three ratings is appropriate, such as, has ‘not met but work underway’.

2.1.2 Monitoring by Program Staff

Completed Self-audit Reports and the attached documentation will be reviewed by Program Staff and timely feedback will be provided to Service Providers.

If there are concerns about the quality of the performance reporting or service delivery, in the first instance, Service Providers will be contacted to discuss the issues and to develop solutions. Suggestions on steps to improve the quality of the service will be offered to assist, if appropriate.

If there are ongoing concerns with the quality of performance reporting or service delivery, reporting requirements may be increased and an external audit or evaluation of the service may be undertaken, to help identify the issues and helpful solutions.

If the performance reporting and service delivery is good, Program Staff will acknowledge this pleasing result in feedback. If the quality of service delivery is high and, after benchmarking, could be considered ‘best practice’, Program Staff will promote the service to other relevant providers and academia, in the interest of improving services on the ground and building the body of knowledge of ‘what works, when and how’, in Indigenous Justice.

3 Categories for reporting

There are three levels of reporting for Service Providers against the Standards. The three levels of reporting are:

- *low* = a minimum level of reporting
- *medium* = a higher level of reporting, and
- *high* = the most extensive level of reporting.

The categories of reporting relate to the level of funding provided and the capacity of Service Providers to deliver the activity effectively and efficiently.

Service Providers with a ‘high’ reporting category may have more field visits from Program Staff than those assessed as at a ‘medium’ or ‘low’ reporting category. The field visits are designed to provide greater support to Service Providers and also for monitoring purposes.

The reporting requirements for each of the three reporting categories are outlined at the end of standards two to five. Service Providers are encouraged to attach relevant documentation to back their statements against this standard.

4 The Standards

All services should reduce the rate of adverse contact by Indigenous Australians with the criminal justice system. It is essential that the services meet or exceed the minimum standard outlined in this document to reduce the high levels of over-representation of Indigenous Australians in the criminal justice system.

4.1 Provision of services

4.1.1 Youth prevention and diversion

The provision of youth diversion services to at risk Indigenous youth is expected to help reduce their adverse contact with the criminal justice system, and increase their motivation to identify and take opportunities that will support leading a productive life. Effective youth diversion services includes the following elements:

- a. culturally relevant and innovative diversion programs that are sensitive to local cultural values and practices
- b. assess clients to identify their key issues and challenges and monitor their progress
 - assessment including consideration of risk, this may involve contact with family where there are concerns about safety at home, making appropriate referrals as required
- c. services that engage, encourage and support youth to:
 - identify and work through key issues linked to the risk of their coming into adverse contact with criminal justice system such as trauma, drug and alcohol abuse, truancy and unresolved anger
 - identify and reduce negative attitudes that support anti-social behaviour and offending, and
 - physical challenges to build confidence, self-esteem and a positive attitude to life
- d. follow up contact at the completion of the program, where possible, to verify the status of former clients (offence free / facing charges), or make referrals as appropriate.

4.1.2 Prisoner through care

Through care services for prisoners and detainees are expected to assist with rehabilitation and successful reintegration in the community as law abiding citizens. Prisoner through care services are to be tailored to meet gaps in the services provided in the institutions concerned and avoid duplication of existing services. Effective through care services includes the following elements:

- a. liaise with key institutional staff to identify potential duplication of services and key service gaps
- b. provide culturally relevant and innovative case management, that is sensitive to the cultural values and practices of clients, to build their motivation to engage in rehabilitation and live crime free
- c. will uphold client confidentiality as appropriate
- d. complete client assessments and develop case management plans to coordinate key services to assist in rehabilitation and reintegration in the community, the plans based on an understanding of:
 - the key underlying issues in the offending pattern and the services that are available, and
 - the key challenges to be faced in rehabilitation and reintegration in the community

- e. provide additional support interventions, as needed, during the sentence and in the community, including:
 - counselling to clients and their families in times of acute crisis, to work through issues and reduce the risk of self-harm, making referrals as required
 - community legal education to assist the client and their family to understand the law and criminal justice system, making referrals for relevant legal advice and representation as required, and
 - conflict resolution / mediation support between the client / family / institution to resolve issues, as required
- e. prepare reports in an accurate and timely way to assist clients access parole and other community-return programs
- f. support clients and their families, pre and post release, to assist in their successful reintegration in the community, including those returning to remote communities, and report on the process.

4.1.3 Community Patrols

Note: These Standards are not applicable to community patrols in the Northern Territory. If you are providing a Community Patrol in the Northern Territory you must adhere to the 'Night Patrol Services in the Northern Territory Operational Framework'. See <http://www.ag.gov.au/ntnightpatrol>.

Community patrol services will provide locally driven, culturally relevant early intervention services to help prevent crime and victimisation in Indigenous communities. Community patrols should work to decrease the rate of Indigenous people coming into contact with the criminal justice system, and thereby reducing the use of legal aid. Effective community patrol services will include the following elements:

- a. conflict resolution to defuse potentially violent situations and reduce anti-social or destructive behaviour
- b. removal of intoxicated at risk Indigenous people and placing them in safe environments
- c. knowledge of and a constructive working relationship with all relevant service providers to ensure effective referrals are made
- d. partnerships with Indigenous communities and non-Indigenous people, such as the police, local shires and local businesses, to build cultural understanding and support
- e. advice and referral to services to assist clients to address the issues affecting them, including children 'at risk'
- f. leadership and encouragement for the development of community safety plans to build on the activities of community patrols
- g. alternate activities for youth to help them build positive attitudes
- h. liaison and advocacy support as appropriate, and
- i. uphold client confidentiality as appropriate.

4.1.4 Restorative Justice

Restorative justice services will provide culturally relevant and effective justice alternatives for Indigenous people at risk of, and in contact with, the criminal justice system. Restorative justice projects and programs are important because they provide culturally based alternatives to the mainstream criminal justice system, and engage Indigenous people in the development and delivery of effective justice options for their people. Effective restorative justice services will include the following elements:

- a. early intervention and resolution options to keep youth out of the criminal justice system
- b. early intervention and alternatives to court for offenders, including conferencing, circle sentencing and grievance resolution education
- c. alternative sentencing options to avoid the incarceration of youth and adult offenders through community based solutions, such as serving sentences in designated communities and undertaking work in the community
- d. consideration and involvement of restorative justice initiatives within the sentence serving process for Indigenous prisoners, as appropriate, to assist in their healing and rehabilitation, including apologies to victims where this is supported by the victim and is likely to be helpful in the victim's recovery, and
- e. development and implementation of community safety initiatives by Indigenous community members that integrate restorative justice principles and practices to help build peace in the community, and
- f. support Indigenous prisoners and detainees returning to remote and rural communities, to access appropriate options to assist in their reintegration in the.

4.2 Accessibility and cultural relevance

Accessibility and cultural relevance are fundamental elements to ensure effective services are provided to Indigenous Australians. Service Providers must provide a culturally relevant service that effectively meets the cultural needs of their clients, to give the best chance of changing negative, dysfunctional attitudes and habits that contribute to offending.

The Standard

The Service Provider is actively committed to providing culturally relevant services that are accessible by local Indigenous people. Key elements of accessibility and cultural relevance will include:

- a. staff awareness of, and sensitivity to, local cultural values and key issues
- b. relevant cultural factors, such as specific family and other relevant inter-generational issues, are factored in and accounted for in the design of the service, and
- c. a non discriminatory eligibility policy is in place to ensure all Indigenous people, and their families, in the service target area are treated equally, and fairly, in the assessment and provision of the service.

Reporting – accessibility and cultural relevance

Service providers are required to provide documentary evidence as set out below. The exception is if the evidence has been provided in previous financial years. In this case, the evidence does not need to be presented again. However, service providers must advise the Department of any changes or updates to the evidence.

Service Providers assessed as **'low'** will be required to demonstrate that they have met the key elements of the standard, by providing **one** of the following kinds of evidence:

- a. a copy of their cultural awareness training as provided to staff and others
- b. a copy of information on local Indigenous values and key issues provided to staff
- c. a support letter from other local Indigenous organisations or community members that confirms accessible and culturally appropriate services are being provided.

Service Providers assessed as **'medium'** will be required to demonstrate that they have met the key elements of the standard by providing **two** types of evidence noted above.

Service Providers assessed as **'high'** will be required to demonstrate that they have met the key elements of the standard by providing **three** types of evidence noted above.

Service Providers may provide other forms of evidence as appropriate and as negotiated with the relevant Program staff.

4.3 Organisational management

Effective service provision will not be achieved unless Service Providers have appropriate structures, policies and procedures in place to ensure the organisation has sound governance, and effective financial and organisational management.

The Standard

Accordingly, the Service Provider is required to manage service delivery operations and resources effectively, having good governance and appropriate funds administration structures, policies and procedures in place, to ensure quality service delivery can be achieved. Key elements will include:

- a. identification, prioritisation and management of risk including consideration of service delivery capacity
- b. development and implementation of a service delivery monitoring and evaluation plan, that includes consideration of client feedback
- c. maintenance of accurate data and secure storage including personal information on clients
- d. accurate and timely financial management and accurate performance reporting
- e. job descriptions that clearly outline and meet the services provided
- f. development of a staff training plan with training sessions that occur on a regular basis, including familiarity with the policies and procedures of the organisation, and
- g. clear lines of accountability across core functions of the organisation, including staff supervision.

Reporting – organisational management

Service providers are required to provide documentary evidence as set out below. The exception is if the evidence has been provided in previous financial years. In this case, the evidence does not need to be presented again. However, service providers must advise the Department of any changes or updates to the evidence.

Service Providers assessed as **'low'** will be required to demonstrate that they have met the key elements of the standard, by providing **two** of the following kinds of evidence:

- a. a copy of the risk management plan or policy
- b. a copy of the service delivery plan or policy
- c. a copy of the file management manual or procedures
- d. job description documents to cover the operation of the service
- e. a copy of the staff training plan or policy
- f. a copy of the staff supervision structure and policy, or
- g. a copy of the performance monitoring plan or policy.

Service Providers assessed as **'medium'** will be required to demonstrate that they have met the key elements of the standard, by providing **three** types of evidence noted above.

Service Providers assessed as **'high'** will be required to demonstrate that they have met the key elements of the standard, by providing **four** types of evidence noted above.

Service Providers may provide other forms of evidence as appropriate and as negotiated with the relevant Program staff

4.4 Cooperation and relationships with other Service Providers

Cooperative relationships with other Service Providers is essential to ensure the issues and needs of clients are met to the highest level possible, through referral and informative exchange, to support effective, sustainable change.

The Standard

The Service Provider is required to develop and maintain constructive and cooperative working relationships with other key, relevant service providers in the local area and beyond as required. The Service Provider is required to also engage in appropriate information exchange and referral with other service providers, to increase the capacity to meet the needs of clients effectively. Key elements of cooperative relationship building and maintenance will include:

- a. identification and maintenance of a contact list of key service providers and community organisations
- b. proactive steps to engage and build constructive and cooperative working relationships with them
- c. working collaboratively to establish actions and protocols to achieve appropriate information exchange and referrals for clients as required

- d. sensitivity to, and a policy on management of, potential conflicts of interest such as the involvement of family members in the organisation or in other organisations, and
- e. active participation in ongoing meetings and forums with relevant service providers and community leaders and members, to regularly and appropriately share information and to ensure referrals that are made are appropriate.

Reporting – cooperation and relationships with other service providers

Service Providers are required to provide documentary evidence as set out below. The exception is if the evidence has been provided in previous financial years. In this case, the evidence does not need to be presented again. However, service providers must advise the Department of any changes or updates to the evidence.

Service Providers assessed as **‘low’** will be required to demonstrate that they have met the key elements of the standard, by providing **one** of the following kinds of evidence:

- a. a current contact list of key Service Providers and community organisations
- b. minutes from regular meetings and involvement of new staff in internal and external meetings building relationships with other services
- c. Memorandum of Understanding between services (formal agreements) or policies and action steps outlining methods for working together cooperatively and collaboratively, or
- d. pictures, news paper articles, flyers of community events and projects.

Service Providers assessed as **‘medium’** will be required to demonstrate that they have met the key elements of the standard, by providing **two** types of evidence noted above.

Service Providers assessed as **‘high’** will be required to demonstrate that they have met the key elements of the standard, by providing at least **three** types of evidence noted above.

Service Providers may provide other forms of evidence as appropriate and as negotiated with the relevant Program staff.

4.5 Client Satisfaction and managing complaints

It is essential that Service Providers periodically review their performance to ensure they are effectively meeting the needs of their clients.

The Standard

Service Providers should offer their clients the opportunity to provide feedback on their experience with the service. Service Providers should manage complaints promptly and fairly. Key elements of client satisfaction and the effective management of complaints will include:

- a. a clear definition and promotion of the client eligibility criteria and the services provided
- b. eligible clients who receive services are given the opportunity to appropriately and privately provide feedback on their level of satisfaction, with feedback processes flexible enough to ensure people from diverse Indigenous cultural and linguistic backgrounds can participate

- c. a complaints management plan, or policy document, that clearly outlines the process for dealing with eligible client and other feedback, that reflects the principles of natural justice, and includes a commitment to consider and resolve all legitimate issues raised
- d. promotion of the complaints process so that all clients using the service have the opportunity to make a complaint if they wish to
- e. the complaints plan, or policy, ensures that appropriate and private feedback processes are in place, including using a variety of methods to ensure people from diverse Indigenous cultural and linguistic backgrounds can participate, including the non-literate, and
- f. client feedback and complaints are considered in case reviews and to guide service improvements.

Reporting – client satisfaction and managing complaints

Service providers are required to provide documentary evidence as set out below. The exception is if the evidence has been provided in previous financial years. In this case, the evidence does not need to be presented again. However, service providers must advise the Department of any changes or updates to the evidence.

Service Providers assessed as **'low'** will be required to demonstrate that they have met the key elements of the standard, by providing **one** of the following kinds of evidence:

- a. copy of the client eligibility criteria and outline of services together with a summary of the steps taken to promote the information
- b. a copy of the policy for seeking client satisfaction feedback, together with a copy of the client satisfaction form, and an outline of other methods used to gain this information
- c. a copy of the complaints management plan, or policy, including the complaints form and an outline of other methods used to gain this information, together with a summary of the steps taken to promote the process, or
- d. an example of how client feedback and complaints have been used to improve the service.

Service Providers assessed as **'medium'** will be required to demonstrate that they have met the key elements of the standard, by providing at least **two** types of evidence noted above.

Service Providers assessed as **'high'** will be required to demonstrate that they have met the key elements of the standard, by providing **three** types of evidence noted above.

Service Providers may provide other forms of evidence as appropriate and as negotiated with the relevant Program Staff.