



Organisational Manual

The manual outlines the policies of the Family Contact Service. It is intended to define and support the service delivery framework of the Family Contact Service.



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ABOUT FAMILY CONTACT SERVICE

The Family Contact Service (FCS) is an independent organisation that facilitates safe supervised handovers and time spent for children where families are in dispute. The FCS provides children with a safe, neutral and natural setting to spend time with a parent or family member (references to 'parent' is intended to incorporate other significant carers and persons) In addition to the provision of supervised time spent, the FCS provides families with Observational Reports, which document the time a child has spent with a parent and provides families and Courts with evidence so they can determine whether this time spent supports the best interests of the child.

The FCS provides qualified and experienced contact supervisors with a current Working with Children Check. Contact supervisors are engaged to facilitate and directly supervise contact between a child/ren and parent, where a Court Order, Parenting Plan or Agreement require this time to be supervised.

The service is available 365 days a year and operates across central and regional Victoria and Queensland.

When parents in dispute cannot meet without conflict, FCS contact supervisors can assist children by facilitating supervised handover arrangements and providing outreach supervised time spent services, which allows supervised contacts to be planned according to a child's needs and location. The FCS is a flexible and innovative organisation providing outreach services so that supervised time spent can be planned with families, depending on their location. The FCS is therefore able to plan safe, neutral and natural supervised time for children, tailored to a child's needs, in various public and community based settings, including parks, playgrounds, play centres and activity centres. For some families, supervised time can be planned for the home, where the FCS has assessed that home as safe and Court Order or Agreement provides for this to occur.

Supervised Contact

As an outreach service, the FCS is able to provide safety to children in families where there is dispute, conflict or risk. Supervised handovers and time spent can be planned with a family depending on their location and needs and taking into account a child's needs (and sometimes request or wishes). Unless Court Ordered otherwise, supervised time spent will initially be planned for a community setting but can progress to other locations, including a home where a Court Order or Agreement provides for this to occur, the FCS has assessed a home as safe and/or in consultation with the Director of the FCS.

The FCS not only facilitates supervised services for children and families but also provides documentary support as to how that time has been for the children supervised. An FCS contact supervisor takes factual, impartial and concurrent Observational Notes which form the basis for Observational Reports. These Observational Reports are then frequently relied upon by parents, families and Independent Children's Lawyers in litigated contexts to determine whether the time spent is in the best interests of a child.

The FCS is a professional and independent service with explicit and clear operating protocols. While staff have a deep working understanding of the challenges for children and families in dispute, staff are clear that their role is outside the legal process, and they do not offer legal advice.



Changeovers

In the context of families in dispute, for a child to spend time with a parent that they do not live with, the child needs to be 'handed over' and 'handed back' at the commencement and conclusion of time. In some cases, this handover of the child is uncomfortable or unsafe, and exposes a child to possible conflict between the parents, which is never in a child's best interest.

To alleviate conflict and assist parents who do not feel comfortable or safe, a FCS supervisor can facilitate or supervise the handover. This may be particularly important to families where Intervention Orders are in place. The FCS supervisor can make careful plans for handovers to occur at separate locations, or with separate arrival and departure times, so that parents do not see each other or interact and a child is thereby not exposed to any potential for conflict between the parents.

Roles and Responsibilities

Separated parents are subject to the Family Law Act 1975. The Family Law Act requires the Court to regard the best interests of the child as the paramount consideration when making parenting orders. There are two primary considerations in the determination of best interests; 1) the benefit to the child of having a meaningful relationship with both of the child's parents; and 2) the need to protect the child from physical or psychological harm.

The FCS operates with these two considerations at the core of its operation, believing that it is important for children to have meaningful relationships with parents (and other significant persons) where this can occur safely.

Additionally, the FCS aims to assist families to make arrangements that are child-focussed, progressive and sustainable and this may include;

- Detailed intake and assessment procedures;

- Regular reviews and negotiations of contact arrangements;

- Observational Notes and Observational Reports for negotiation, mediation and Court purposes;

- Feedback, referrals and recommendations, where required.

All of these services are aimed at creating a tailored service and response for families. The FCS believes that through progressive supervised services, we can support families to move onto self-managed arrangements, providing it is safe to do so or is otherwise Court Ordered.

Our Commitment to Child Safety

The FCS is a child safe practice organisation that is committed to Child Safe Standards*.



OPERATIONS

The FCS endeavours to support a child's best interests by delivering supervised services that safely provide the child with time with a parent.

The FCS is committed to:

- Protecting a child from harm, physical or psychological;
- Being independent and impartial, providing a neutral facilitator for a child to spend time;
- Providing thorough intake processes that identify particular needs for culturally diverse families, or families and children with disabilities or gender diversity;
- Providing outreach services that plan time spent services tailored to a family's location and a child's needs;
- Providing documentary evidence of supervised time spent in the form of factual, accurate and concurrent Observational Notes and Reports;
- Supporting and assisting parents to negotiate and build sustainable parenting arrangements that provide meaningful and safe relationships for a child.

Operating Hours

The FCS operates seven days a week 365 days a year and is able to provide flexible, responsive supervised services depending on a child and family's needs.

The Supervised Contact Process

The decision regarding whether it is in the best interests of the child or appropriate for the child to have supervised contact with a parent and/or significant others, including siblings, will generally be made by a court. Alternatively, it may be that parents have come to an Agreement or Parenting Plan that supervised time should occur.

Whether by court order or otherwise, each parent is required to first make an application to the FCS for the supervised handovers and time spent. The FCS then undertakes a thorough intake process, which includes the collation and review of relevant documents and the completion of intake interviews with each parent over the telephone. Once intake is completed, the FCS is able to assess the presenting risks and whether supervised contacts can be safely planned and resourced. The FCS retains at all times the ability to decide whether it will provide supervision services to a family. This includes determining at the very outset that it will not provide supervision services to a family or where, at any time during the course of engagement with a family, that it will cease providing supervision services where it has become unsafe or unsustainable to do so.

The FCS is always able to immediately suspend or cease supervised contact where it is assessed by a supervisor (in conjunction with management) that a child is at risk and that risk cannot be safely managed or mitigated.



Safety

The paramount priority for the FCS is to provide physical and emotional safety for children, families, and staff at all times.

It is sometimes a concern of a residential parent that a contact parent may try to remove or abscond a child from a supervised contact period. This may be exacerbated by a high conflict family history where such an incident has previously occurred.

Whilst the FCS places child safety and security as its paramount priority, and contact locations and arrangements are made to ameliorate this risk, there are some limitations on what a contact supervisor is able to physically do.

It is important to note that a contact supervisor may not be able to physically restrain a contact parent from removing a child, where doing so presents some risk of serious or unacceptable harm to a child or staff member.

A contact supervisor (in conjunction with management) would however immediately notify the residential parent as well as all relevant authorities, including police, of any attempt to remove a child from a supervised contact and cooperatively work with all authorities to facilitate the return of the child. A contact supervisor also would complete all mandated reporting requirements in relation to the incident and prepare detailed Observational Notes of the incident, which would then inform courts and authorities on whether safe contact could proceed going forward.

Cancellation of Services

If a contact supervisor has been engaged to supervise a contact and a child refuses to attend participate, or the supervised contact period concludes earlier than scheduled, the parent remains liable to pay for the full 3 hour period.

In circumstances where a supervised contact period is cancelled less than 48 hours prior to the scheduled start time, and a medical certificate is provided that confirms that a child was too unwell to attend the contact period, the usual cancellation fee for the supervised contact will be waived. If a supervised contact is otherwise cancelled by a parent less than 48 hours prior to the scheduled start time, and no doctor's certificate is provided, the residential parent will be liable to pay for the full 3 hour period.

Responsibility for the Child During Supervised Contact

While the residential parent is present at handover, they remain responsible for the child (and any of the child's belongings). When the residential parent has handed over the child to the contact supervisor, the contact supervisor assumes the care and responsibility of the child (and any of the child's belongings). When the contact supervisor has handed over the child to the contact parent, the contact parent assumes the care and responsibility of the child (and any of the child's



belongings), save that all of their care of the child is strictly supervised, and the supervisor remains able at all times to intervene in the contact parent's care of the child or bring the contact period to conclusion, and thereby the contact parent's responsibility and care of the child.

Should it be determined that a residential parent should attend supervised contact with care items to support the child during the supervised contact (such as food, medication, nappy change or nappy care items, prams and toys etc), those items remain the responsibility of the parent and not the contact supervisor, save that the contact supervisor will strictly supervise their use and prompt the contact parent where necessary for their safe use, handling and return.

Location of Supervised Contact

The FCS is an outreach service, which plans and facilitates supervised time that is both safe and tailored to the needs and locations of a child and parents. The FCS relies on community-based locations, such as parks, playgrounds, libraries, play centres, activity centres and shopping centres to facilitate natural and child focused time for a child with a parent that accommodates the locations of both parents. The location of a supervised contact is discussed during intake and then cooperatively determined with the contact supervisor once allocated. The supervised contact location is flexible and subject to change, depending on any court orders, the weather and a child's needs or request (where relevant).

Whether court ordered, or by Agreement or Parenting Plan, supervised contacts may be planned and located in a parent's home or progress to a parent's home. This however remains subject to the FCS determining that contact in a home can be safely conducted and the completion of a Home Safety Assessment, which has concluded that a home can be a safe physical location for contact.

Activities During Supervised Contact

A contact parent is able to attend contact with all items to facilitate a safe and interactive period for the child. Appropriate activities for contact include sporting, craft, play and educational activities and will depend on the needs of a child, the nature of supervision required and any risk issues relevant to the family. A contact supervisor remains able at all times to determine whether a particular activity is safe and appropriate for a child and can ask a contact parent to not proceed or cease an activity if any risk to the child is identified. Where a contact parent is not cooperative with any request of a contact supervisor, the contact supervisor (in conjunction with management) is able to suspend or conclude a supervised contact period.

Under the Influence: Alcohol and Drugs

Supervised handovers and contacts will not be facilitated if it is assessed that a contact parent is under the influence of any substance, including alcohol or illicit drugs, at the commencement or at any time during the supervised contact period. The contact supervisor is able to make this assessment on its reasonable reading of the presentation of the contact parent, taking into account



any information that may have been provided during intake (such as a parent's history of substance misuse or medical and/or mental health history). This is in order to ensure that:

- A child is not exposed to a parent who is under the influence of any substance;
- The contact parent is appropriately present, alert and attentive to a child during contact;
- The contact parent is able to provide safe care of a child;
- The contact parent can appropriately relate to the child during visit time;
- The contact parent can comprehend and follow the reasonable directions of the contact supervisor; and to
- Mitigate any harm, emotional or otherwise, that may come to the child if they were exposed to a parent under the influence.

Similarly, if a residential parent attends a supervised handover and the contact supervisor reasonably assesses that they may be under the influence of any substance, the contact supervisor (in conjunction with management) is able to determine that a child cannot be safely handed over to the residential parent and may make alternative arrangements for this handover to occur.

Non Denigration: Conversations with a Child or Exposing a Child to Conflict

Whether by court order, Parenting Plan or Agreement, non-denigration clauses are routinely made. Non-denigration clauses operate to restrict parents speaking to a child or exposing a child to matters in dispute between the parents (including parenting arrangements or financial matters) or to their negative view of the other parent.

This restriction applies to both parents and requires that neither parent speak to the supervisor about such matters, whilst a child may be in ear shot. Should either parent speak to a supervisor about such matters, and the supervisor is concerned about the content of the matters raised or the possibility that the child has been exposed to any of the matters raised (or the prevailing sentiment shared), the supervisor is able to record these conversations in the Observational Notes.

Use of Mobile Phones During Supervised Contact

The FCS relies on both parents being readily contactable by mobile phone at all times. This is important so that supervised contact periods can be appropriately planned and that contact arrangements can be confirmed or altered (where necessary) at short notice.

Once a supervised contact period commences however, the FCS strongly encourages contact parents to switch their mobile phone to silent or turn them off, so as to limit distractions during the period and maximise the opportunity for interaction with a child.

The FCS strictly prohibits either parent video or voice recording a contact supervisor at any time. The contact parent may be permitted to use their mobile phone to take photographs or videos of a child



during a contact period but this is subject to the contact supervisor determining that this is safe and appropriate to do so or otherwise any court orders, Agreement or Parenting Plan that limits or prevents such activity. The contact supervisor may also require that a child's consent is sought before any photographs or videos are taken of them. Should a contact parent not cooperate with or fail to observe any reasonable request of the contact supervisor, the contact supervisor (in conjunction with management) is able to suspend or conclude the contact period immediately.

Child Refusal

If a child is resistant to contact and refuses to attend a supervised contact period, it remains the residential parent's responsibility to bring a child to a contact location, so that their presentation may be assessed by the contact supervisor. The contact supervisor is strictly not able to attend a parent's home to negotiate a child's attendance.

Medication and Diet

All specific arrangements for any medical or dietary requirements for a child should be detailed at intake and otherwise confirmed by the residential parent with the contact supervisor prior to the commencement of any supervised contact period.

Feedback at Handover

At the conclusion of a supervised contact period and the final handover of a child to the residential parent, the supervisor is able to provide basic information to the residential parent as to how the contact generally proceeded and how a child generally presented. This may include information as to what a child ate or drank, any toileting needs observed during the contact period or any incidents of note (for example, an accident at play including a trip or fall). Any information provided to a residential parent at the conclusion of contact is intended to ensure continuity of care of a child.

The information at final handover will not provide detail about the contact period or any information about the contact parent. Detailed information about the supervised contact period will only be provided in the Observational Reports, once released to both parents.

Family Diversity and Cultural Sensitivity

The FCS is committed to providing a child and family with a service that is culturally aware and respectful of diversity. FCS policies, procedures and system delivery are planned to provide a culturally safe and inclusive context for Aboriginal children and their families, as well as children and families from culturally and linguistically diverse backgrounds.

The FCS is committed to providing safety for children with disability or children who are lesbian, gay, bisexual, transgender and intersex.

The FCS provides equitable independent and impartial supervision services, regardless of race, religion, sexual identity or orientation, language, disability, age or location.



ASSESSING, RESPONDING AND REPORTING

Role of the FCS Director

The FCS Director retains at all times the right to make all decisions in relation to the provision of supervised contact services, including the acceptance (or otherwise) of new applications, the progression (or otherwise) of supervised contact arrangements and the suspension or cessation of supervised contact services.

Role of Management

A contact supervisor generally is assigned a manager. The contact supervisor reports back to their manager and provides their manager with copies of all Observational Notes for a family.

A manager is able to regularly review supervised contact arrangements, assess the possible progression (or otherwise) of supervised contact and suspend or cease supervised contact services.

Where parents are not able to cooperatively engage with a contact supervisor or otherwise fail to observe the reasonable requests or directions of a contact supervisor, the manager may provide oversight in relation to supervised contact arrangements and/or may liaise with legal and/or therapeutic professionals (where relevant).

A manager is able to assist parents with any concerns or complaints that they have in relation to the conduct of a supervised handover or contact period, the conduct of a contact supervisor or parent or the safety of a child.

Role of Contact Supervisor

The contact supervisor is the primary FCS contact point for children and families. The contact supervisor:

- Is committed to being neutral and independent;

- Is able to propose and determine the supervised contact arrangement, where parents are otherwise unable to cooperatively do so;

- Will plan and facilitate supervised contact handovers;

- Will plan and conduct supervised contact periods;

- Seeks to ensure that supervised handovers and contacts proceed as scheduled and in accordance with any relevant court orders;

- Keeps factual, accurate and concurrent Observational Notes, which will be provided to parents in the form of Observational Reports;

- Will facilitate and support, where necessary, safe interaction between a child and parent;



Will intervene, where necessary or appropriate, to ensure the safety and wellbeing of a child;

Will suspend or conclude, where necessary or appropriate, a supervised contact period;

Will provide feedback, where necessary, or guidance as appropriate to parents to ensure a child's safety and the continuity of care;

Will involve and report to the FCS Director, management and all relevant authorities, including police, Child Protection and the Commission for Children and Young People, where necessary or appropriate.

Sharing of Information

Where the FCS is required to communicate with one parent in relation to a matter in dispute, both parents will be copied into the correspondence.

If a parent has a legal representative, this communication will be directed to their legal representative and the other parent's legal representative will be copied into that correspondence.

The FCS is committed to transparent and equitable provision of service. This general commitment to the sharing of information may be curtailed where the FCS identifies safety concerns.

Code of Conduct

The FCS places the child at the heart of its service delivery, policies, procedures and protocol. Although the parents are responsible for payment, the FCS considers the child as 'the client' and holds a child's best interests as paramount. Accordingly, the FCS will prioritise a child's needs (wishes and views, where relevant or appropriate) over the needs of parents.

The FCS endeavours to provide an independent and impartial service to children and families. Should a staff member's independence or neutrality be compromised for any reason, including because of prior connection to either parent or significant other, the matter will be reallocated to another staff member.

Record Keeping

The FCS provides families with two core services, the facilitation of supervised contact services and the provision of accurate, factual and impartial Observational Notes.

Once collated, Observational Notes are released to both parents (and where relevant, legal representatives, including Independent Children's Lawyers) in the form of Observational Reports and these Observational Reports can be relied upon by parents in negotiations, mediations and court proceedings.



For the purpose of intake and the proper and safe facilitation of supervised contact services, the FCS may take, collect and store other records relevant to a child and family including:

A signed copy of the application form and service agreement;

Intake assessment materials and interviews;

Any materials released to the FCS by the parties or court including written reports and expert materials;

Case Files including details of telephone calls and text communications between the FCS and a parent or other notes or notifications recorded by FCS staff;

Other reports or assessments including detailed Home Safety Assessments; and

Incident Reports or complaint materials.

All records are strictly confidential and for internal purposes only, except as required to be produced at law.

Fees and Payment of Invoices

All invoices must be paid and received as cleared funds by the FCS 48 hours prior to a scheduled supervised contact period.

If payment has not cleared 48 hours prior to a scheduled supervised contact period, the FCS retains the right to cancel the scheduled supervised contact service.

If this cancellation results in a dispute between the parents in relation to any make up supervised contact arrangements, the parents remain responsible for any such arrangement and not the FCS.

Where parents are unable to come to cooperative arrangements in relation to make up supervised contact, the legal representatives (where relevant, including the Independent Children's Lawyer) may become involved.

Please refer to the Family Contact Service website for further details of costs associated with supervised contact services at www.familycontactservice.com.au

Administration Costs

A contact supervisor (and where relevant, their manager) will engage in basic communications with parents to propose and confirm supervised contact arrangements. Where parents are not cooperative or not able to agree to proposed supervised contact arrangements, the parents will be asked to contact (where applicable) their legal representative. If a parent is not legally represented, they may need to seek legal advice. It is not the role of the contact supervisor to negotiate supervised contact arrangements nor mediate disputes between parents.



Similarly, where parents are not cooperative or their communications with contact supervisors are excessive in content or frequency, legal representatives may need to become involved or parents may incur additional administrative fees (currently \$60.00 per hour, but subject to change) for telephone calls, text messages or emails outside of those reasonably required for the making of supervised contact arrangements.

Costs of Venues for Supervised Contact

In the event that supervised contact is planned for a venue, such as a play or activity centre etc, that has an entry fee, the contact parent is responsible for the costs associated with their entry as well as any cost applicable to the child (or children) and the contact supervisor.

Suspending or Ceasing Contact Supervision Services

The FCS retains the right to suspend or cease provision of supervised contact services for a family at any time, including where:

The FCS determines that it is unable to provide safety for a child for any reason whatsoever, including that the contacts are too stressful or traumatic for a child; and

The FCS determines that a parent has failed to comply with the reasonable requests and directions of a contact supervisor or staff member, or a parent presents some safety risk to a staff member, including where they are threatening, intimidating or offensive.

The decision to suspend or cease providing a supervised contact service will be made in conjunction with management and the FCS Director and is not subject to review.

The FCS does not have to but may provide reasons as to the determination to suspend or cease providing supervised contact services. Where the FCS provides reasons, these reasons will be shared with both parents (and legal representatives where relevant, including the Independent Children's Lawyer).

Dress Requirements

Contact supervisors do not have a uniform but are expected to wear neat, casual clothing with enclosed shoes. Contact Supervisors are required to have in their possession whilst working their Staff Card and Working with Children Check Card and make both available for parents on request.

Gifts for Children

If a contact parent attends a scheduled supervised contact with a gift for a child, they must first let the contact supervisor know that they have something to gift the child and must provide the contact supervisor with any information as to what is contained in any packaged gifts, so that the contact supervisor is able to assess that the gift is both appropriate and safe for the child.



Where the gift includes a gift card or note, the parent should let the contact supervisor know what the card or note says, or otherwise allow the contact supervisor to read the card or note, so that the contact supervisor is able to assess the card or note as both appropriate and safe for the child.

A contact supervisor should ask a residential parent whether they consent to the gift (card or note) coming home with the child at the conclusion of contact or otherwise ask that the contact parent take the item with them.

A contact supervisor is not required to negotiate or mediate disputes between parents in relation to gifts and parents will be referred to their legal representatives (where relevant, including the Independent Children's Lawyer) if they remain in dispute about these matters.

Where a contact parent regularly brings gifts outside of usual seasonal gifts, this will be noted in Observational Notes.

Third Party Participation

As a general rule, no third parties are permitted to participate in a supervised contact period, including by videocall. This means that unless court ordered or prior arrangements have been made with the contact supervisor and agreed to by the residential parent, a contact parent is required to attend to all scheduled supervised contacts alone.

Where a contact parent would like to bring a third party to a supervised contact period (or have them attend a portion of a supervised contact period) or they would like to make a videocall to a third party during a supervised contact period, they must ask the contact supervisor prior. For the contact supervisor to approve a third party participating in a supervised contact period, relevant conditions including the following apply:

Three supervised contact periods have been conducted without incident or concern;

The contact supervisor has sought and confirmed the residential parent's consent for this to occur;

No more than two additional people are proposed to participate in the supervised contact period; and

The additional people understand and comply with the policies and protocols of the supervised contact period and the supervisor can cease their involvement at any time.

If a residential parent does not agree to a third party participating in a supervised contact period, the parents will be referred to their legal representatives (where relevant, including the Independent Children's Lawyer) to determine. The contact supervisor is not required to negotiate or mediate disputes between parents in relation to third parties participating in supervised contact periods.



Even where court ordered, or otherwise in a Parenting Plan or Agreement, the FCS retains the right to determine whether it is safe and appropriate for any third party to participate in a supervised contact period.

Staff Learning and Development

The FCS expects and supports contact supervisors and staff to continued education and professional development. The FCS expects all staff, whether in the course of their duties they are in direct contact with children or otherwise, to be familiar with and committed to the Child Safe Standards and their mandatory reporting requirements.

Further, the FCS expects and supports contact supervisors and staff to;

Continually deepen their understanding of child development, child trauma and trauma informed practice;

Remain updated and informed of changes to state and federal law relevant to child welfare, children and families;

Renew and evolve their commitment to the equitable and impartial provision of supervised contact services and their cultural awareness;

Be informed and familiar with all background materials relevant to a child and family and identify any particular risk issues or vulnerabilities for a child prior to the conduct of the initial supervised contact period;

Plan for any particular risk issues or vulnerabilities for a child;

Reflect on their practice and conduct of supervised handovers and contacts;

Review their interactions with parents and children;

At the earliest opportunity, bring to the attention of management any concerns that they have in relation to the conduct of a supervised handover and contact or their interaction with a parent or child, especially where the concern relates to the safety, including emotional safety of a child;

Feedback to management where parents are not cooperative with or observant of their reasonable requests or directions;

Maintain accurate, thorough, impartial and concurrent Observational Notes at all times, no exceptions.

Routine Reviews



The FCS is committed to the conduct of periodic review of matters in order to assess the efficacy of the supervision service being provided, the possibility of progression of supervised contact arrangements and the review the appropriateness of the supervision service continuing engagement.

Complaints and Feedback

The FCS values the feedback of children, families and professionals ancillary to the supervised contact service. A complaint or compliment can help improve our services delivery and the outcomes for children generally.

If you have a complaint or compliment, please ask a staff member or otherwise email the FCS Director, Julie Robinson at julie@familycontactservice.com.au.