

MINISTRY OF JUSTICE COMMUNITY SERVICES

TEAM: COVID-19 RELATED COMMUNICATIONS

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Other relevant documents:

Located on Ministry Website

Code of Practice – COVID-19 Supplementary Information
2020 May - Family Violence Provider Update
2020 July - Family Violence Provider Update

COVID LEVEL GUIDANCE AND FAQ FOR MINISTRY OF JUSTICE PROGRAMME DELIVERY: 24 April 2020

Email to providers 24 April 2020

This document provides specific guidance regarding programme delivery at level 3 and 4 of COVID-19. It is to be read alongside the Code of Practice COVID-19 Supplementary document released on 25 March 2020. We also include frequently asked questions and answers.

All organisations providing programmes can operate under all Alert levels providing that they take the health measures outlined by the Government to keep their workers and the people and families they support safe.

Detailed Alert Level guidance is on the NZ Government COVID-19 website

MSD are leading across government messaging for the sector and you will receive regular updates from MSD as we move across different levels.

The detailed information relating to programme delivery in this document is intended to supplement MSD guidance. We have provided brief details about key messaging in each level to provide a context for the programme scope and delivery.

In most instances this information will be consistent with the Department of Corrections, but as the client and referral pathways are different, there may be some areas or levels that differ.

Please contact your contract manager if you have any questions.

Programme delivery at all levels of COVID-19 responses

Non-Violence Programmes

The design and service delivery of any non-violence programme must meet the primary objective of stopping or preventing family violence by the client. All programmes must begin with an assessment to determine risk and what programme, if any, is most suitable.

Until notified otherwise, respondents will not be served a time, date and place for the first appointment. Respondents will be informed they must contact the provider to set up the first appointment.

Safety Programmes (Adult Safety, Children's Safety and SSS)

Safety programmes must have the primary objective of promoting (whether by education, information, support, or otherwise) the protection of the protected person from family violence.

Level 4: 24 April 2020

- *People instructed to stay at home.*
- *Businesses closed except for **essential services** (eg supermarkets, pharmacies, clinics) and lifeline utilities.*

All Ministry of Justice family violence programme delivery is included as an essential service.

- All programmes must be delivered remotely.
- New referrals must be responded to by providers and initial contact made by phone to determine appropriate mode of contact for service.
- From late March 2020, all NVP clients will be informed they must contact providers to arrange first assessment times.
- Client files must document all contact including session times, mode of contact, risk and safety issues and progress on programme goals.
- All programmes can be extended or altered to address safety and need during Level 4 without seeking permission from DV programmes. This includes the ability to provide up to 6 additional hours of service beyond the current Code allowances. Any changes to hours are to be noted on completion reports.
- In most instances NVP clients not asked for medical certificates if report unable to attend due to illness but all sessions must be completed.
- Child programmes can be delivered directly to children **or** the relevant caregivers to maintain safety and attend to need during Level 4.
- Providers can give temporary approval to programme facilitators where those staff have the relevant skills for each programme type. This must be documented.

Level 3: 24 April 2020

- *Stay at home, other than for essential personal movement and going to work/school.*
- *Stay in extended bubble, which can include close family or caregivers.*
- *People must work from home unless that is not possible.*
- *Businesses can open premises but cannot physically interact with customers.*
- *Gatherings of up to 10 people are allowed but only for wedding services, funerals and tangihanga. Physical distancing and public health measures must be maintained.*
- *Healthcare services use virtual, non-contact consultations where possible.*

All Ministry of Justice family violence programme delivery is included as an essential service.

- Programmes delivered remotely in vast majority of cases but some very limited face to face work available for individual programmes in exceptional circumstances, but steps must be taken to protect bubbles. (eg, safety programme service to clients in safe house, or new assessment for high risk client).
- No face to face group delivery is permitted.
- Staff can work from the office if they are not able to work from home however they are not to allow clients onto the premises
- Contract managers should be informed of any face to face programme delivery.
- NVP clients must contact providers to arrange first assessment times.
- In most instances NVP clients not asked for medical certificates if they report they are unable to attend due to illness, but all sessions must be completed.
- Facilitators may allow an increased number of fail to attend sessions before closing referral.
- All programmes can be extended or altered to address safety and need without seeking permission from DV programmes. This includes the ability to provide up to 6 additional hours of service beyond the current Code allowances. Any changes to hours are to be noted on completion reports.
- Standard FVPP forms and timeframes should be complied with.
- Providers ensure all staff and clients aware they must not attend work or programmes if unwell.

Level 1 and Level 2: 24 April 2020

We anticipate level 2 will allow reintroduction of face to face and group delivery as long as COVID health and safety guidelines are followed. We will send detailed guidance as soon as we receive further Ministry of Health and sector information. We will maintain the option of remote sessions throughout all COVID levels.

General Q and A for COVID-19 programme delivery: 24 May 2020

Q: Can I use zoom or other apps for sessions?

Yes. However, you need to ensure you have informed client consent, that you have assessed risk of information being overheard or recorded, and that you are not storing recorded sessions insecurely.

New FVPP02A assessment forms will include information for NVP clients about remote technology agreements.

Group work using remote conferencing technologies can be used to provide clients with an ongoing support network and reduce their sense of isolation, it can also help with normalising their experience of stress/anxiety in extraordinary circumstances.

Facilitators may wish to use visual aids to assist learning, i.e. a whiteboard or online exercise (screen sharing can be used for most online video-conferencing platforms, make sure only the facilitator has permission to screenshare).

Facilitators can send out session information or resources to support work with clients.

Netsafe.org.nz have provided some useful guidance on using Zoom:

- **Control your meeting attendees:** Only send Meeting IDs to people you know to make sure only people you want to talk to join your Zoom.
- **Create a password:** When scheduling a Zoom, you can also select “require meeting password” to make your meeting more secure. You can then give this password to your intended participants.
- **Use Zoom’s waiting room:** When scheduling a meeting you can enable the waiting room feature which stops anyone from entering before you do. You’re then able to decide who can come and go from the chat.
- **Lock the meeting:** You can lock the meeting to prevent anyone else from joining. To do this, click the button that says “participants” and then click “lock meeting”.
- **Take control:** As the Zoom host you can control what actions participants can perform. You can stop participants from unmuting their microphones, sharing screens, annotating content and showing their videos by using the control at the bottom of the meeting screen.
- **Turn off file transfer:** You can turn off this feature to stop your Zoom being bombarded with unsolicited content.
- **Mute participants:** If you’re hosting a public Zoom, consider muting/unmuting individual participants or all of them at one. You can also use the Mute Upon Entry feature to help with larger Zooms.
- **Explore the technology:** Before you host or join a meeting, familiarise yourself with Zoom’s features and privacy settings. If your child is going to be using Zoom for school or to chat with friends, it’s important to go over these settings together and set expectations and boundaries for using it.

- **Protect your identity:** When using audio and video sharing apps it's important to protect yourself by not sharing any personal information about yourself with the app or other users if you don't know. Stop and think carefully about the details you're disclosing or whether they need to be entered online.

Q: How do I record the amount of time I am spending with clients?

All client work should be recorded in client files and agency systems. The amount of time needs to indicate if it is a full or part session. If it is a part session, record in 15 min blocks. The amount in the client file should match the hours recorded on completion reports.

Q: The respondent agreed to attend a group programme but we're now in lock-down. How do we work out if the respondent has 'completed' the programme?

The general principle is that the respondent must still fulfil and be accountable to the purpose/intent of the programme you assessed they needed at the time of the referral. This was based on risk and need and attending to preventing further violence. You need to consider the overall aim of the programme agreed, rather than the number or content of particular sessions.

You do not need to submit a change of programme form (FVPP06) to move clients from groups to individual programmes during lock-down.

Individual work with the client dealing with 'real life' lockdown conditions may well provide unique opportunities to develop skills and address issues.

If you determine they have nearly completed all the group hours, you may agree to complete the programme in one or two individual remote sessions. If they were at the beginning of the group programme, you may determine they need to still complete the bulk of the programme hours to address the programme goals. You will need to consider how much time you are spending with the client – if it is short 15 min check ins this would only be part sessions. If you are substituting full 60 min sessions with group clients, you may be better to think of this as completing an individual programme.

You will need to document your decisions and agreements with the client and ensure completion reports capture the actual hours and structure of the programme delivered.

We will be amending the completion reports to make it easier to document any changes to the proposed programme.

Q: What form do I send when a new NVP client doesn't engage?

It depends on what details are on the information given to the respondent.

If the original referral letter advised the respondent to contact the agency for an assessment, then providers should also attempt to contact the client to engage. If there is no contact or response from the client after 2 to 3 weeks from receiving the referral, send a FVPP04 to courts detailing the contact you have attempted but noting they have not made contact as directed.

If the respondent had a time and date served for an assessment, but the office was closed at that time and date, you will need to allow a little leeway as the respondent could rightly claim that it was inappropriate to respond during lockdown. You should document at least 3 attempts to contact the respondent and then make contact again after lockdown. If there is no contact within a week following lock-down, you can send in an FVPP03 stating the programme is inappropriate

because the respondent could not attend due to lockdown. The court will then re-serve the respondent with a programme direction. You should detail what attempts to contact you made.

Q: Can I send a non-compliance notice when the respondent doesn't answer my calls or contact?

If you have arranged contact in advance and the client has given you contact details for check-ins or sessions and they do not respond at agreed times you must submit an FVPP04.

You should have documented agreements about making contact for sessions or check-ins. This agreement can be by email, signed when in office, by text, or by you documenting and timing phone conversations.

We will amend the FVPP02A to include COVID-19 information and the use of remote technology.

Q: Will we be allowed to continue offering non-violence programmes remotely for some clients, if social distancing restrictions are lifted at other levels of COVID-19?

We are reviewing many aspects of the Code as a result of what we are learning through the COVID-19 situation and at this stage are planning to allow more flexibility in the future for remote sessions.

Unless there are exceptional circumstances (including COVID-19 restrictions) all respondents must attend the designated **first assessment** appointment.

Even at level 1 or when restrictions are completely lifted, where you believe attendance at programme sessions in person will cause significant hardship, or is impacted significantly by access to transport, you can explore alternative remote service options on a case by case basis.

You must ensure the client has access to video calls of some kind to allow face to face discussions and agree times/venues/modes of connection that are secure and not recorded. These agreements must be clearly documented in the Assessment Outcome and be agreed by your agency manager.

Q: When will my contract manager do the next site visit?

Contract managers will not be conducting site visits until Level 1 or all restrictions are lifted and will then follow Ministry and Government directions for safe contact. In the meantime, regular contact will be maintained using phone or video calls as well as day to day emails.

Covid-19 alert level 2 guidance: 8 May 2020

Email to providers 8 May 2020

Kia ora koutou

Over the coming days you will receive information from MSD and your other government contacts about services under COVID-19 response Level 2. The following guide is to be used alongside this wider government directions and advice and is specific to programme delivery. If you have any questions or concerns about your ability to resume some level of face to face work, please make contact with us.

Ministry of Justice family violence programme delivery at COVID-19 Level 2

- Providers should begin the transition to face to face work in a way that meets all health and safety needs for staff and clients.
- Programmes should be delivered face to face in the majority of cases.
- Remote sessions are available for all programmes to meet client or staffing need.
- Groups can resume but must allow physical distancing – this may mean smaller groups if rooms are small.
- The Ministry will allow for up to 3 fail to attend appointments if non-attendance is COVID-19 related.
- There is still some flexibility in allowing additional sessions or extensions to meet the needs of clients whose programmes were disrupted during lockdown.
- Standard FVPP forms and timeframes are to be complied with for all new clients, included change notifications and requests for extensions or new programmes.
- NVP clients must contact providers to arrange first assessment times.
- In most instances NVP clients do not need medical certificates if they report unable to attend due to illness but all sessions must be completed.
- Providers must meet all government health and safety directions to support health screening, contact tracing and welfare of staff and clients.

Covid-19 alert level 1 guidance: 9 June 2020

Email to providers 9 June 2020

Kia ora koutou,

The following guide is to be used alongside this wider government directions and advice and is specific to family violence programme delivery. We have also attached a PDF version of the level 1 guidance and the new 'Approval for remote delivery of NVP' form. Please forward this information on to your staff. If you have any questions or concerns, please make contact with us.

Level 1 COVID-19 guidance for Ministry of Justice safety and non-violence programmes

- Assessments and programme sessions will be delivered face to face in the majority of cases (noting that some safety assessments and interventions will continue to be delivered by phone).
- Group work is expected to recommence as numbers and enrolments allow.
- The option of remote sessions for all safety programme clients remains.
- Increased use of excusals or postponements is accepted if needed to support clients staying away from agencies when they are unwell.
- Standard FVPP forms and timeframes must be complied with.

Remote delivery of Non-violence programme sessions

- All assessment sessions must be delivered face to face.
- Face to face delivery is expected in the vast majority of programmes – this can include the clustering of sessions together to minimise travel or fit with work schedules.
- Remote programme sessions may be offered if the client is showing mild symptoms that prevent them from attending booked sessions in person, but do not prevent them from participating in a virtual session.
- Where geographic isolation, work schedules, lack of transport/financial hardship or other reasons are significant enough to warrant consideration of remote programme session delivery (in part or full), the following new procedure must be followed. Please note this new procedure will be closely monitored by Ministry contract managers and is subject to audit and change.
- The integrity of the programme and accountability of the client must be central to any remote delivery agreed with the client.
- The new "Approval for remote delivery of NVP" form is to be completed (attached).
- The agency clinical lead or manager must approve the remote delivery for each client.
- The FVPP02A or FVPP06 must detail the remote delivery agreement and include the current notifications regarding security and compliance.
 - A copy of the "Approval for remote delivery of NVP" form must be emailed to the Ministry contract manager and kept on the clients file.

DV Programmes referral process : 27 March 2020

Email to providers 27 March 2020

Kia Ora,

I'm sure that you will all agree that we find ourselves in uncharted waters and this means that we have had to adapt and change the way in which we work. Please read through the following information and don't hesitate to contact us if anything is unclear:

Spreadsheets:

We will no longer be using assessment dates and times for the Respondent to attend an assessment. Instead, Respondents are advised that "You have been directed to attend a Non-Violence Programme with PROVIDER (name inserted) who can be contacted on PHONE (number inserted) or by EMAIL (address inserted)."

What this means for you: We will not be sending out weekly spreadsheets.

Arranging assessment dates and times:

1. Respondent contacts Provider: please arrange an assessment date and advise the DV Team by email.
2. Respondent contacts DV Team by phone: we will recommend that they contact the provider directly and confirm contact details. (using the preferred phone number)
3. Respondent contacts DV Team by email: we will copy the provider in on our response. (using the preferred email address)
4. Can we please ask that assessments are arranged for at least one week after making contact with the respondent. We are working with limited staff and this will give us time to send the confirmed referral.

Confirmed referrals:

5. Provider advises DV Team that respondent has made contact and assessment has been arranged: confirmed referral will be sent as soon as possible. (Refer to item 4 above)
6. DV Team received confirmation of service: confirmed referral will be sent as soon as possible. When you receive the confirmed referral, but have had no contact from the respondent, please attempt to contact the respondent as per the usual process. For this reason we will only send confirmed referrals if the respondent's contact details are available.

Respondents who have already been served/are awaiting service:

Some respondents may already have been served with programme details that also included an assessment date. Again, we will only send a confirmed referral if contact details for the respondent are available.

Criminal conviction history:

These are not being requested at the moment. Please rest assured that we continue to monitor the situation and you will be advised of any changes.

Invoicing information for March – June 2020: 31 March 2020

Original released 31 March 2020 – via email

Kia ora

This email details how we will treat your MoJ programme March invoice – please share with relevant staff.

Your agency manager will be receiving an email in the next week with details of how we will fund you for April, May and June – and your contract manager will also talk with you about that.

For March 2020 invoices only

- March invoices are due to be submitted by 20th April – don't worry if you are a bit late with them.
- If you have kept all your usual appointments (even if they were delivered remotely for the last part of March) just record and invoice as usual
- All groups for the last two weeks in March can be claimed as usual – we assume you made contact with all the clients in the groups and offered some kind of support. The group payment will cover that work. Just list all the booked clients as usual. You don't need to include attendance registers.
- If you did some individual sessions with group clients that you think warrant additional payment over and above the group time we are paying for, then list these as additional sessions with the relevant client name and date.
- If you have made shorter remote contact with clients in their booked sessions, or have had several short calls with individual clients, just round these up to an hour and claim a session.
- We understand some of the information you give us may not be as accurate or timely as usual – just do your best.
- If you are struggling to make sense of what to invoice and record, please email your contract manager and they will work on the invoice with you.

Invoices pre – March 2020

- Invoices pre-March should just follow the usual procedures – let us know if you are behind on these and need more time or support.

Invoices April, May, June 2020

- As per our phone conversation, you will receive an email in the next week confirming you do not need to submit the usual invoice for these months – we will be issuing a notification that states we will be paying you a lump sum in advance to cover service delivery for April, May and June. This payment amount has been calculated based off the average referrals and funding paid in June-November 2019.
- You don't need to do anything until you receive our email.
- You can still record work in your own systems for April, May, June and can even use our invoice spreadsheet if that helps you track work – but they won't be used for invoicing purposes, unless you think at the end of the 3 months that there are significant discrepancies between service delivery and the amount paid up front. If that occurs, you are welcome to make contact with us to discuss the difference and agree on a way forward.

Delaying and re-engagement of NV Programme: 1 May 2020

Email to providers 1 May 2020

Kia ora

We know many of you have had to delay non-violence programmes due to COVID-19 – especially in our prison sites. If you agreed on a delay of sessions with the client and didn't send any forms in, you don't need to do anything else, but if you submitted an FVPP03 requesting delay you may now be wondering about what to do next.

Re-engagement after submitting an FVPP03 for delay of programme beginning or continuing because of COVID-19

- If you have submitted an FVPP03 to delay NVP because of COVID-19 issues (including prison lockdown), please attempt to re-engage the client as soon as practicable.
- If you are unable to re-engage the client but know where they are, inform DV programmes so they can re-serve.
- If you have no updated contact details, you do not need to contact DV programmes. They will still follow up and attempt service in the future.
- If you agreed a delay in sessions with the client, but didn't submit an FVPP03, then you can just continue with the sessions as agreed.

- **If you re-engage the client you should complete an assessment** (short if only reviewing programme need, long or medium if client was at assessment stage).
- Submit an FVPP2a to DV programmes noting if it is being submitted following an FVPP03 and detail what programmes sessions still remain.
- You can record/track/invoice this as a second assessment.
- Complete the programme as agreed and note the details of the delay on the completion report.

DV Programmes – Protection Order wording: 6 May 2020

Email to providers 6 May 2020

Good afternoon

Please see the following important message from Luzahn and the DV programmes team – please send any questions about this to dvprogrammes@justice.govt.nz

The move from Level 4 Alert to Level 3 on 28 April 2020 has brought about a change in the wording of the programme details on the TPO.

The previous wording stated: “You have been directed to attend a Non-Violence Programme with PROVIDER (name inserted) who can be contacted on PHONE (number inserted) or by EMAIL (address inserted).”

The new wording directs the respondent to contact the provider within a certain time-frame and reads as follows:

Provider: You have been directed to attend a Non-Violence Programme with PROVIDER.

You must contact them within 14 days of receiving this Order to arrange an assessment

Contact Info: NUMBER or EMAIL

Changes to confirmed referral process and what it means for providers:

Previously, confirmed referrals were only sent to providers if (1) we had a contact number for the respondent OR (2) the respondent made contact with either the DV Team or the Provider. Providers were also expected to contact the Respondent and arrange an assessment date and time.

The new wording in the TPO means that ALL referrals will be confirmed once a Proof of Service is received. The onus is now on the Respondent to contact the provider within 14 days of being served.

For example: if you receive a confirmed referral without a contact number - this means the respondent was served with 'Level 3 wording' and they must contact you".

The change is implemented with immediate effect and will remain in place until you are notified otherwise.

We are continually re-assessing the way we work as we move between the alert levels and will advise you of any changes.

Contact phone numbers and email addresses: Please ensure that we have your current contact details and that we are advised of any changes.

Any questions you may have can be directed to the DV Team.

On behalf of the team, I also want to say thank you for the way in which you have taken these changes in your stride!