

AN BORD UM CHÚNAMH DLÍTHIÚIL



LEGAL AID BOARD

# Family mediation procedures handbook

*“Our mission is to provide a professional, efficient, cost-effective and accessible legal aid and mediation service in accordance with the terms of our statutory mandate”*

**October 2014**  
First Edition

SEIRBHÍS IDIRGHABHÁLA TEAGHLAIGH



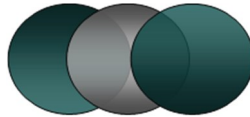
FAMILY MEDIATION SERVICE





**LEGAL AID BOARD**  
**Family mediation**  
**procedures handbook**  
**October 2014**

SEIRBHÍS IDIRGHABHÁLA TEAGHLAIGH



**FAMILY MEDIATION SERVICE**

**First edition issued October 2014**

# Introduction

*“The principal functions of the Board shall be... to provide, within the Board’s resources and subject to the other provisions of this Act—  
(i) legal aid and advice in civil cases to persons who satisfy the requirements of this Act, and  
(ii) a family mediation service;”*

- Civil Legal Aid Act 1995, as amended

This handbook has been produced with the aim of providing a reference detailing all necessary procedures for the running of a family mediation office. This handbook is an “operating manual” for the mediators and administrative staff and details the administrative process particular to the mediation process.

## **Who is this handbook for?**

This handbook has been written for all existing staff as well as newcomers to family mediation offices. The directions and procedures in this handbook apply to staff in family mediation offices – administrative staff, contract, fixed term, and permanent mediators.

## **How the handbook works**

The handbook provides two types of information – general background information on the Board’s procedures in an area – **why we do things this way**, and detailed procedures which must be carried out – **how we do things**.

## **Important information and procedures are in a box like this**

Information in a box falls into three categories. Procedures are headed with the word “**Procedure**” and incorporate a step-by-step guide to the way a particular activity should be carried out. Important messages and directions are also in a box.

There are also cross references like this:

## **→ Chapter 6**

With an → Arrow symbol indicating that there is more information about the procedure in another Chapter.

## **Updates to procedures**

Procedures may change from time to time. Updates to procedures will be circulated by email in the form of amendments to this handbook. Such amendments will supersede the existing handbook and should be printed off and inserted in the appropriate place.

Feedback in relation to the procedures outlined in the handbook is encouraged and should be forwarded to staff officers in Ormond Quay.

## **Other sources of information**

Apart from this handbook, other sources of information that might be consulted include

- The **Case Tracking System User Manual**
- The **Staff Handbook** and **Manager’s Handbook** provide information on Human Resources policies and procedures. They are distributed to all new staff members and managers respectively by Human Resources Section.
- The **IT Help Manuals** contain detailed information on the use of the IT system.

## **About the Legal Aid Board**

The Legal Aid Board is a statutory body established under the *Civil Legal Aid Act 1995*, and is responsible for the provision of civil legal aid and advice to persons who are unable to afford to pay a solicitor privately (“persons of insufficient means”). Further functions have been added by the Civil Law (Miscellaneous Provisions) Act 2011.

Section 50 of the Act provides that responsibility for the provision of a family mediation service is also a principal function of the Board. More recently, responsibility for a number of criminal legal aid ad-hoc schemes have been transferred to the Board.

The Board consists of a Chairperson and twelve other members (two of whom must be barristers, and two of whom must be solicitors), who are appointed by the Minister for Justice and Equality. The Board itself acts on a part-time, non-executive basis – that means that the functions of the Board are normally carried out by the staff of the Board in Head Office, family mediation offices, and law centres.

### ***What the Board does***

The Legal Aid Board provides civil legal advice and legal aid in civil cases to persons who satisfy the requirements of the *Civil Legal Aid Act 1995* and Regulations made under the Act. Principally, a person's means must be below a certain limit and there must be merit to the case. Legal aid is available for representation for proceedings in the District Court, Circuit Court, High Court, Court of Appeal, and Supreme Court, for complainants in certain rape and sexual assault proceedings in the Central Criminal Court, and also for certain proceedings before the European Court of Justice. Legal aid is not available for the conduct of proceedings before an administrative tribunal, except for appeals against the refusal of refugee status. Legal advice and assistance can generally be provided, however, to persons involved in proceedings before tribunals. The Board also now provides family mediation services and administers certain criminal legal aid ad-hoc schemes.

### ***About family mediation***

Family mediation is a service to help couples who have decided to separate or divorce, who have already separated, or who have never lived together but have a child between them, to negotiate their own terms of agreement, taking into account the needs and interests of all involved. In certain circumstances, mediation can also assist in disputes within families.

A state-funded family mediation service was established in a pilot basis in 1986 and placed on a statutory footing by the Family Support Agency Act 2001. Since November 2011 the family mediation service has been provided by the Legal Aid Board. The role of family mediation is to encourage the separating couple to co-operate with each other in working out mutually acceptable arrangements on all or any of the following:

- Parenting the children
- Financial support
- Family home and property
- Pensions
- Other issues related to the separation

Family mediation is free for the client. The Board provides family mediation through 16 family mediation offices.

The Board publishes a number of leaflets regarding the services it provides and also on applying for legal services. The leaflets published to date provide general information, in non-legalistic language, on a range of family law remedies which are currently available. The leaflets are available at the Board's family mediation offices and law centres, on its website [www.legalaidboard.ie](http://www.legalaidboard.ie), as well as court offices and Citizen Information Centres throughout the country.

Expenditure incurred by the Board in the operation of its services is met from the Legal Aid Fund. This fund consists of a grant-in-aid from the Department of Justice and Equality, contributions from aided persons and other income, for example, recovery of costs in some cases.

## Table of Contents

<b>CHAPTER 1 GENERAL .....</b>	<b>1-1</b>
1. What is family mediation? .....	1-1
2. How family mediation operates.....	1-1
3. Structure of a mediation office.....	1-3
4. Head Office.....	1-4
<b>CHAPTER 2 GENERAL OFFICE PROCEDURES.....</b>	<b>2-1</b>
1. Family mediation office opening hours .....	2-1
2. Reception .....	2-1
3. Customer service.....	2-2
4. Using the telephone.....	2-2
5. Sending and receiving written correspondence.....	2-5
6. Using the IT system - basics .....	2-14
7. Case Tracking System.....	2-18
8. Health, safety, and security procedures .....	2-18
9. Other office procedures.....	2-21
<b>CHAPTER 3 REGISTERING FOR FAMILY MEDIATION .....</b>	<b>3-1</b>
1. Referrals from law centres .....	3-1
2. Registering for family mediation.....	3-3
3. Completing appointment details and finalising cases .....	3-3
4. Statistics.....	3-6
<b>CHAPTER 4 WORKING WITH FILES.....</b>	<b>4-1</b>
1. Opening a file .....	4-1
2. Record keeping.....	4-1
3. File management.....	4-1
4. Closing, storing and destroying files.....	4-2
<b>CHAPTER 5 REFERRING TO CIVIL LEGAL AID AND ADVICE .....</b>	<b>5-1</b>
1. What is civil legal aid and advice? .....	5-1

2.	What is a law centre?.....	5-2
3.	Applying for legal services.....	5-3
4.	Pilot compulsory information sessions on mediation .....	5-4
<b>CHAPTER 6 FINANCIAL PROCEDURES .....</b>		<b>6-1</b>
1.	Petty cash.....	6-1
2.	Regional Manager’s role re: finances .....	6-5
3.	Contacting Finance Unit by post or email.....	6-7
<b>CHAPTER 7 MANAGEMENT INFORMATION REQUIREMENTS.....</b>		<b>7-1</b>
1.	Demand and service delivery reporting.....	7-1
2.	Risk Management.....	7-1
3.	Compliance with the contents of the Board’s Family Mediation Procedures Handbook .....	7-2
4.	Finance Unit reporting requirements – an overview .....	7-2
5.	Human Resources reporting requirements .....	7-2
<b>CHAPTER 8 CLIENT CARE.....</b>		<b>8-1</b>
1.	Dealing with the public .....	8-1
2.	Clean desk policy and confidentiality .....	8-1
3.	Visitors or callers causing difficulties .....	8-3
4.	About complaints.....	8-4
5.	Customer Charter.....	8-7
<b>CHAPTER 9 FREEDOM OF INFORMATION.....</b>		<b>9-1</b>
<b>CHAPTER 10 MANAGING PERFORMANCE.....</b>		<b>10-1</b>
1.	PMDS – an overview .....	10-1
2.	Completing the all-in-one form.....	10-1
3.	Completing the interim review .....	10-2
4.	Completing the annual review.....	10-3
<b>CHAPTER 11 APPENDICES .....</b>		<b>11-1</b>
1.	Appendix A – Structure of Head Office.....	11-1

2.	<b>Appendix B – Law centre contact details .....</b>	<b>11-2</b>
3.	<b>Appendix C – Family mediation office contact details .....</b>	<b>11-5</b>



# Chapter 1

## General

This chapter deals with:

1. What is Family Mediation?
2. How family mediation operates
3. Structure of a mediation service office
4. Head Office

### 1. What is family mediation?

Family mediation helps couples who have decided to separate or divorce, who have already separated, or who have never lived together but have a child together to negotiate their own terms of agreement, taking into account the needs and interests of all involved. In certain circumstances, mediation can also assist in disputes within families. Mediation allows people to make their own decisions.

State-funded family mediation was originally set up for married couples separating and provided a service that was to assist the couple in sorting out all issues involved in separation with the assistance of a neutral third party, the mediator. The mediator helps the parties negotiate an agreement that meets the interests and needs of both parties.

The scope of family mediation has broadened over the years as has the definition of the family, to include non-married couples, couples who have never lived together but may have a child between them, same sex couples, and in some cases mediated family disputes that could involve siblings, parent-child dispute, care of elderly relative and other family matters.

### 2. How family mediation operates

The service operates in the following way<sup>1</sup>:

A client contacts the family mediation office. Individuals may have heard about mediation from their solicitors - the Judicial Separation and Family Law Reform Act 1989 and the Family Law (Divorce) Act 1996 makes it obligatory for solicitors to suggest mediation as a non-adversarial route for separation to their clients who have contacted them to work for them in their separation. Others may have heard about the mediation service through word of mouth - a large percentage of the clients come through self-referral. Some couples, and more often recently, unmarried parents are referred to mediation by the courts to try and mediate around their parenting arrangements.

Once a party has registered they are informed that before they can be given an appointment the other party needs to register independently. The reason for this is that mediation is a voluntary process and therefore can only be embarked on if both parties are willing to attend. Once both parties have confirmed interest in attending mediation they will be sent out an appointment date in due course. This appointment will be for them both to attend the mediation service and meet with the mediator.

The aim of mediation is to empower the clients to negotiate their own agreement around the issues involved in separation and, if there are children involved, the on-going parenting of these children. In cases involving children, the mediator seeks to help the parents realise that although their own relationship may be over, their roles as parents are for a lifetime. Research has shown that it is not so much the fact that parents separate that damages children but the way in which they separate - i.e. their own behaviour towards each other.

---

<sup>1</sup> A somewhat different process applies in respect of court based initiatives in Dolphin House, Cork, and Naas.

It is the mediator's task to work with parents/clients in focussing attention on each child's particular experience and needs when deciding parenting arrangements. This is achieved by either indirect or direct consultation with children as appropriate to each case.

The mediation process model followed by the Board is an 'all issues' model.

The extent of the issues to be negotiated in mediation is couple-specific but some or all of the following can be included in the final mediated agreement: finances, maintenance, family home, other property, parenting arrangements, insurances, pensions, succession.

The mediator explains the process to the clients, hears about their situation and the issues they need to make decisions over. The screening of all clients for any safety issues (including domestic abuse) and child protection issues is undertaken in all cases. This screening forms part of the initial meeting with clients and is ongoing throughout the mediation process.

Likewise, the mediator assesses each client's capacity to engage in the decision making process. There are ground rules to be signed by all parties committing to full disclosure of all assets and an undertaking not to dispose of any assets during mediation unless agreed by both parties. The clients and the mediator would then prioritise issues for the process. It would be emphasised that in the 'all issues' model of mediation "nothing is agreed until everything is agreed"; however, in some cases couples are only able to agree on some issues and these can be drawn up into a 'partial agreement', which can be incorporated into the legal document. In dealing with all aspects of finances clients would be given budget sheets and be encouraged to estimate their future individual expenses in as far as it is possible at that time. The family home would be looked at along with any other property there may be and options discussed and developed around these assets.

The mediation process can involve any number of sessions - on average between three and six sessions - but every couple is different and it depends on the complexity of the issues to be negotiated, the level and quality of the communication between the clients and their commitment to the mediation process. When all aspects of the separation have been negotiated to the agreement of both parties, the mediator draws up these agreements into a Note of Mediated Agreement. This is not legally enforceable in its own right but the clients can take it to their solicitors and have it drawn up into a Deed of Separation or used as the basis of a divorce settlement if the couple have been married, or drawn up into a legally binding contract if the couple are not married. The Mediated agreement can also be used as a working document by the couple - all these options are dependent on their wishes and circumstances. The mediator would encourage clients to consult other professionals while they are going through the process of mediation - lawyers, accountants, and actuaries - to ensure that when an Agreement is reached it is a document that both parties can stand over and be satisfied that all avenues have been explored, tested and verified. It also ensures a smoother passage for the client when the document is being legalised.

### ***Benefits of mediation***

- People are in control of the decisions that are made about their futures.
- Mediators are highly skilled professionals facilitating the couple in their negotiations; they do not take sides and are neutral as to the outcome of the process.
- With regard to children it is the parents that know best what will work for their children and mediation can help them work together to achieve the best outcome for their children and themselves. Mediation encourages a co-operative relationship between ex-partners in working together around parenting arrangements.
- Keep out of court and the adversarial system which can further polarise individuals.
- Family mediation is free. There will be legal costs in converting the Mediated Agreement into a Deed of Separation but the overall cost of separating will be considerably less than taking the adversarial route.
- Mediation allows couples to separate with dignity and negotiate the best agreement for themselves and their families going forward - meeting the interests and needs of all parties.

### ***Other routes to separation***

Mediation is not suitable for everyone.

The individuals need to be committed to the process. If there are severe communication difficulties it may not be possible to mediate; other factors that may render mediation inappropriate could include domestic abuse, addiction, and mental capacity. There are a number of other alternative dispute resolution options which may be available.

### **3. Structure of a mediation office**

Family mediation offices vary in size and staffing is as follows:

- Ormond Quay Family Mediation Office is staffed by the Director, Family Mediation Service, Regional Manager, 1 Clerical Officer, a Staff Officer post, and 5 mediators.
- Other full-time offices are staffed by a clerical officer with 2-8 Mediators. The Limerick office has a Regional Manager.
- Part-time offices are staffed by a clerical officer and a mediator

It should be noted that this staff make up is not 'cast in stone' and is subject to change depending on resources and potential efficiencies.

#### ***Duties of mediation staff***

This section sets out in general the duties of mediation staff. It is not a replacement for the detailed Job Specifications available from Human Resources Section, but a guide to the general role of each staff member.

#### ***Director, Family Mediation Service***

The Director, Family Mediation Service's role is to provide an accessible and effective family mediation service with professional mediators and to manage the service and staff, consolidate and identify areas for expansion and to oversee the provision of the Board's practitioner training and sign off on trainees, promote awareness of the value of family mediation and contribute effectively to various teams within the Board.

#### ***Regional Manager***

The Regional Manager supports the Director, Family Mediation Service in providing an accessible family mediation service to the highest professional standard, ensure the delivery of a professional mediation service through the management of staff, both mediators and administrative staff, contribute to the Board/Maynooth University practitioner training programme and contribute to policy development within the Board.

#### ***Mediators***

The mediator usually sees both clients/parties together and looks at issues to be discussed and agreed. They create a climate in which neither party dominates but in which both parties participate fully in good faith, maintain an atmosphere of co-operation and responsibility and help both clients/parties deal with difficult emotional issues that can help prevent them reaching agreement.

While seeing both clients together is the preferred and usual process, it may happen that, where appropriate and requested by clients, that shuttle or caucus methods are used to facilitate discussions.

#### ***Mediation training***

The Board provides training to mediators. The trainers and supervisors on this practitioner course are professionally qualified mediators with more than 3 years of practice and training in supervision. In order to apply for the training the applicants must have completed 60-hour general mediation training. Applicants undergo a rigorous selection procedure and those that are selected are allocated a trainer and supervisor. The training is intensive and thorough: for 2 days each week over a period of 9 months the trainee works with their trainer, co-mediating cases and in time taking their own cases under the supervision of their trainer. The trainee is evaluated on an on-going basis throughout the training by a process of observation and supervision by their trainer and the Director, Family Mediation Service who ultimately signs off on their adequate completion of the training programme.

Once trained, mediators can apply through open competition to work for the Board as a mediator when a vacancy arises and/or choose to work privately.

### ***Staff officers***

In addition to ensuring that a good quality, confidential and professional service is provided to all customers requiring the Board's mediation services, staff officers manage the Client Tracking System, produce monthly statistics and provide administrative support to the Director, Family Mediation Service, Regional Manager, Mediators, Trainees, and administrative staff.

### ***Clerical officers***

Clerical officers provide administrative support and assist with the delivery of information about the family mediation to ensure the effective operation of the family mediation office. Clerical officers duties include reception duties, management of CTS/diary, providing administrative support to mediators to enable them provide a professional service to all persons choosing to avail of the service, typing mediated agreements, management of enquiries, delivering information on the service, managing distressed clients and security/key holder responsibilities.

In family mediation offices, the clerical officers should be familiar with each other's duties and be able to deputise during each other's temporary absence from an office.

## **4. Head Office**

The Board's Head Office is located in Cahirciveen, Co. Kerry. Certain head office functions are delivered from offices in Dublin. In particular, support for the running of the Board's family mediation offices is carried out from the Ormond Quay Family Mediation Office where the Director, Family Mediation Service and Regional Manager are based.

### ***Structure of Head Office***

The Board's staff is headed by a Chief Executive appointed by the Minister for Justice and Equality, upon the recommendation of the Public Appointments Service. A number of Directors report directly to the Chief Executive.

➔ **Appendix A** shows the structure of the Board's support services.

### ***Head office sections***

Law Centres will have interaction with most Head Office sections on a regular basis. Two sections relate primarily to service delivery, Civil Operations which manages the law centre network, and Legal Services which deals with matters such as grant/refusal of legal aid.

### ***Civil Operations***

This Section has overall responsibility for the delivery of the legal aid service through the law centre network. The Section is responsible for service delivery and for developing proposals for legal aid policy development.

### ***Legal Services***

The consideration of certain applications for legal aid is assigned to the staff in Legal Services, based in Cahirciveen. Legal Services is divided into a number of Units and each law centre is allocated to a Unit.

Legal Services process certain applications for legal aid, such as from the Central Authority for Maintenance Recovery / Child Abduction, from complainants in rape cases, and administers the Private Practitioner Schemes and the Board's panels of private practitioners for family law cases, and barristers. Legal Services Support also deals with general enquiries from members of the public.

### ***Information Technology***

The Information Technology (IT) Section deals with the provision of IT systems, hardware, software and support for the Board. Law centres may need to contact IT from time to time. The **IT Helpdesk** is based in Cahirciveen. Calls may be placed with the IT Helpdesk by clicking the **Log Servicedesk Call** button in the Lotus Notes email application, which is the preferred method of contacting IT Unit. Where Lotus Notes is not available (for example, in the case of a general system or network outage) call **066 9471076**.

IT Unit has produced comprehensive help manuals which are available via the **IT Help Manuals** tile in Lotus Notes and should first be consulted prior to contacting IT Unit.

### ***Human Resources***

Human Resources (HR) Section, based in Cahirciveen, deals with personnel matters, including leave, recruitment, bullying and harassment, industrial relations, and disciplinary matters.

HR Section has produced a comprehensive **Staff Handbook** and a **Manager's Handbook** which have been distributed to all staff and managers respectively and which should be consulted regarding general HR queries.

To contact HR Section, the group email **Human Resources/Training** is available. Queries regarding flexitime and attendance (see → **Chapter 7**) should be emailed to the group **Time Management**.

In the future, it is planned that some of the functions of Human Resources Section, particularly regarding leave and pensions, will transfer to PeoplePoint, the new shared human resources centre for the Civil Service. Further details of the changes this will bring about will be released closer to the time and included in future editions of this Handbook.

### ***Learning and Development***

Learning and Development is part of HR Section. It organises training courses, is responsible for booking staff on external training courses, planning training and development, study and examination leave, advance and refund of fees, and change management in the Board. Learning and Development Unit has a Training Officer and can be contacted on the group email **Training Unit**.

### ***Disability Liaison Officer***

The Board's Disability Liaison Officer acts as a point of contact for staff with disabilities, their managers and Human Resource Section and provides advice on workplace accommodations, information about disability and appropriate contacts. The Disability Liaison Officer can be contacted at **DLO**.

### ***Organisation***

Organisation deals with buildings and facilities, including the provision of furniture, office supplies, and telephone lines, and buildings maintenance. Organisation Section has introduced a facility whereby law centres may order stationary and certain office supplies locally, via the Internet. → **Chapter 2** details how to use this facility.

Other queries should be directed to the group email **Organisation**.

Responsibility for the Board's property is a function of the Director, Human Resources.

### ***Finance***

Finance is responsible for the Board's accounts and banking functions, including payment of all invoices. Family mediation offices must file returns to Finance Unit on a monthly basis (see → **Chapter 6**).

Finance Unit is no longer responsible for payroll or the payment of travel and subsistence claims.

These are now dealt with through the Department of Justice and Equality's Payroll Shared Services Centre in Killarney. Instructions for the use of the PSSC's online portal can be found on the LAB Bulletin Board. Alternatively, the PSSC Helpdesk can be contacted at 076 100 2702 or by email to [helpdesk@pssc.gov.ie](mailto:helpdesk@pssc.gov.ie).

### **Research and Information**

Research and Information comprises the Board's **Library** service which holds copies of legal texts and other documentation, and the **Refugee Documentation Centre** which holds materials relating to refugee law and which provides a legal query service and a country of origin information service. The Library can also conduct Property Registration Authority searches.

The Library offers an electronic catalogue of materials it holds, which can be accessed by opening Internet Explorer and clicking Favourites → RDC and LAB e-library. A username and password must be obtained by contacting the group emails **LAB Library** or **Refugee Documentation Centre**.

### **Contacting Head Office**

On occasion, you may need to call the office. The **Telephone Directory** application, available through the LAB Portal, allows staff to obtain individual telephone numbers for Head Office staff, as well as other family mediation offices and law centres.

#### **Procedure 1.1 – Using the telephone directory**

1. Open Internet Explorer
2. Click Favourites → LAB Portal
3. Enter your username and password (if unsure, contact IT Unit)
4. Click "Telephone Directory" (underneath the Legal Aid Board logo)
5. To contact a Head Office staff member, click "By Section/Unit" under View. To contact a Law Centre staff member, click "By Law Centre" or "By RLS" as appropriate
6. Click on the name of the Section/Unit you require
7. Click on the office location you require
8. A list of staff in that unit, based at that location, will appear. Click the staff member's name you require

The Telephone Directory can also give you the telephone numbers of family mediation offices and law centres, by clicking "By Section/Unit", "By Law Centre" or "By RLS" under View. It also has an alphabetical list of all staff employed by the Board.

### **Updating the telephone directory**

Staff now have access to edit their own telephone directory records.

#### **Procedure 1.2 – Updating your telephone directory record**

1. Follow → **Procedure 1.1** to find your own entry in the Telephone Directory
2. Click the Edit button at the top of the page
3. Update the details as required.
4. Click the Save button to save the details.

You cannot edit your name, email address, or grade. Contact Human Resources Section if you need any of these details changed.

If the Edit button is missing, click the "Help" button. An email will be automatically generated to IT Unit who will correct the problem.

### ***Communications from Head Office to family mediation offices***

Communications from Head Office may be made by telephone or email, the LAB Portal, or the LAB Bulletin Board. Head Office may issue general communications to all FMS offices which take the following forms:-

#### ***Office Notices***

From time to time Head Office may issue Office Notices announcing events, changes to office procedures, and other relevant information. These will normally be circulated by email and placed on the LAB Bulletin Board.

#### ***Amendments to the Handbook***

Head Office may from time to time issue notices which amend the Family Mediation Procedures Handbook to take account of new developments. Such notices should be inserted into the Handbook, as appropriate and supersede the original version or any previous amendments.

#### ***The LAB Bulletin Board***

The LAB Bulletin Board is a Lotus Notes database which contains a wide range of information including Office Notes, Circulars, Department of Finance Circulars, Private Practitioner Panels, Minutes of Meetings and other documentation. The LAB Portal lists the last 6 documents posted to the Bulletin Board.

#### ***Minutes***

Minutes of past meetings of the Board, the senior management team, and various other committees and Work Groups are available on the LAB Bulletin Board.

#### ***Employee participation***

There are a number of ways employees of the Board can become involved in the wider business of the Board as follows:-

#### ***Legal Aid Board***

Two employees are appointed to the statutory Board by the Minister. They serve a five year term.

#### ***Partnership***

A Partnership Committee operates in the Board, which enables management, union, and employee representatives to discuss various change initiatives in the Board and help resolve various issues. The Partnership Committee is chaired by the Chief Executive. Staff members who are not nominated through their Union may put themselves forward for nomination at regular intervals. The Secretary to the Committee is the Assistant Director, Learning, Development, and Change Management through whom the Committee may be contacted.

→ Pages 49-51 of the **Staff Handbook** contains more details on Partnership.

#### ***Work Groups***

Special purpose Work Groups or committees are formed from time to time to assist with various projects. They are normally disbanded as soon as the project for which they were founded is finished, though some, such as the Family Mediation Practice Work Group and the Professional Practice Work Group, are ongoing.





## Chapter 2

# General office procedures

This chapter deals with:

1. Family mediation office opening hours
2. Reception
3. Customer service
4. Using the telephone
5. Sending and receiving written correspondence
6. Using the IT system – basics
7. Case Tracking System
8. Health, safety, and security procedures
9. Other office procedures

### 1. Family mediation office opening hours

Full-time family mediation offices are staffed Monday-Friday, 9:00-13:00 and 14:00-17:00. Part-time offices are staffed for a total of 2½ days per week within the above days/times. The Regional Managers have responsibility for ensuring there is adequate staff cover on working days and there should be at least one staff member on premises during these times.

Public opening hours are primarily by appointment. However public visitors can be seen between 9:00-13:00 and 14:00-17:00. The family mediation office should be accessible and staff available to meet public visitors during these hours, except when a member of staff is in the office on their own.

### 2. Reception

Family mediation offices shall operate a “Reception” arrangement whereby a staff member or staff members, will be available to answer the phone and where possible deal with public callers.

The duties of Reception are to:-

- welcome mediation clients
- answer the main phone
- deal with public callers

The reception/waiting area should display up to date reading material and should be kept as clear as possible. → **Chapter 8** deals with Client Care and maintaining confidentiality.

Information leaflets should be available for perusal and, where possible, information leaflets from other relevant service and support providers should be available.

**Dealing with the public is a duty of every staff member**

#### ***Dealing with personal callers***

Family mediation offices, depending on their size and catchment area, may have some personal visitors to the office each day.

#### ***Visitors during public opening hours***

Visitors who attend during public opening hours should, in normal circumstances, be invited into the premises. If there is more than one visitor to the family mediation office, they should be invited to take a seat in the waiting area and dealt with in the order they arrived at the office.

For routine matters e.g. registering for mediation the visitor may be dealt with in the reception area. However, in the circumstances where a client wishes to discuss an aspect of their case, an appropriate appointment should normally be made for them to see their mediator. If appropriate, a consultation room or a free office should be utilised in order to see a client who needs to discuss a matter in private. It is essential that a client's business is kept confidential.

### ***Clients who bring children with them for an appointment***

The Board informs clients that unfortunately we are not able to offer child-minding facilities in our offices and, for safety reasons, children cannot be left unattended in the waiting area.

To avoid causing children any distress it is our policy that parents do not bring their children into a mediation session unless it is for a family session which has been pre-arranged with the mediator.

Where a client brings their children with them for an appointment, the appointment should be re-arranged for a more convenient time. If this is queried, staff members should explain that the Board does not permit young children to be left unaccompanied in reception areas.

## **3. Customer service**

In all dealings with the public, regard should be had to the provisions of the Board's Customer Service Action Plan, available on the LAB Bulletin Board. A key element of the Plan relates to how the Board interacts with its customers.

### ***Courtesy***

Care should be taken to ensure that every caller who visits the family mediation office or communicates by phone or letter is dealt with courteously.

A humane approach is crucial. Many of those approaching the family mediation office will be upset and nervous and will have found it difficult to contact the centre in the first place. Many will not have had marriage or relationship difficulties before and they may be at a low point in their lives. It is essential that the approach should always be sympathetic and that explanations should be given where possible.

Each client with an appointment should be discreetly greeted by name and not kept waiting past the appointed time. It is the responsibility of the clerical staff to provide a friendly greeting.

### ***Visitors causing difficulties***

Visitors causing difficulties should be dealt with in line with the principles contained in → **Chapter 8**, which deals with Client Care.

### ***Queries concerning family mediation***

**A staff member should give information only if satisfied that it is correct**

If there is any doubt, the query should be referred to somebody who is in a position to provide the correct information.

All staff are expected to be in a position to provide general information about the scope of the service (e.g. registration requirements, the location of FMS offices etc.)

## **4. Using the telephone**

Organisation Section deals with the installation of communications equipment in mediation services offices in conjunction with IT Unit. All mediation offices have at least one main phone line and one fax line.

### **Procedure 2.1 - Answering the phone:**

1. The phone should be answered slowly and clearly <<Mediation Service Location>> "Family Mediation Office", <<Your Name>, "speaking, how can I help you?"
2. Listen to the caller's query, and through the use of appropriate questions, enquire as to the nature of the query.
3. If the caller is seeking information about the Service, provide the information as appropriate or direct the client to the appropriate office to answer the query.  
OR  
If the caller wishes to Register for family mediation services → **Chapter 3**
4. Be courteous to the caller at all times and thank the caller.

If you are unsure, refer to a more experienced member of staff or direct the caller to the appropriate person.

### ***Transferring calls and taking messages***

Most office phone systems will feature a button that allows a call to be transferred to another extension on the same system. On some systems this is marked "Cnf/Trn", on others "Transfer". It may be labelled differently or with a symbol on the system in your family mediation office.

When transferring a call, the person to whom the call is to be transferred should be asked whether they are available to take the call. Under no circumstances should a call be transferred without warning to another extension, or without telling the caller that you are going to transfer the call.

In the event that the required person is unable to take the call, they should be informed of the details of the call via the phone message facility in Lotus Notes. This can be found in **Create → Special → Phone Message**.

All client related messages should be sent via email and not via manual methods.

### ***Holding calls***

The "Hold" button on the phone will place a call on hold. A call should be placed on hold only if necessary to obtain information from other staff members. The caller should be advised that you will place the call on hold for a few moments to obtain information and be assured that you will return to them once you have obtained the information required. You must seek the caller's agreement before you place them on hold.

### **Procedure 2.2 – Transfer and message taking procedure**

1. Obtain the name (and family mediation office/law centre/section/other organisation, if appropriate) of the person calling and the staff member they are trying to reach.
2. Advise the caller that you are going to transfer the call to another staff member and the name of that staff member.
3. Press the transfer button and wait for a dial tone, then dial the extension of the staff member concerned.
4. Advise the staff member of the caller's details and ask if they are willing to accept the call.
5. If they are willing to accept the call, hang up.

**OR**

6. Press the line number that the call was received on (eg "Line 1").
7. Advise the caller that the staff member they were seeking is unavailable and that you are willing to pass a message to them.
8. If the caller does not wish you to pass a message to the other party, thank the caller and wait for them to end the call, then hang up.

**OR**

9. If the caller wishes you to pass a message to the other party, enquire as to whether the message is in relation to an existing client.
10. If it is in relation to a client, obtain the client's name, and send an Internal Memo using the IT system.
11. If it is not in relation to a client, open the Email application in Lotus Notes. Click Create → Special → Phone Message. Enter the details of the message and click Send.

### ***Using the answering machine***

Depending on the system installed in the family mediation office, the main phone will either have a voicemail facility or will be connected to a standalone answering machine. The answering machine/voicemail facility should have a facility to take messages and an appropriate message should be placed on the answering machine as follows:

*"You have called \_\_\_\_\_ Family Mediation Office. We are open 09:00am – 13:00pm and 2:00pm – 5:00pm \_\_\_\_\_ (state days office is open). You should call back during opening hours. If you would like to leave a message, please do so after the tone and a member of staff will return your call. Please remember to leave a name and contact number. Alternatively contact our main office on 01-8747446 where a member of staff will take your query. Thank you."*

The answering machine/voicemail facility should be switched on when the Reception person is out of the office; during lunch, close of business and when on leave. It should be switched off when Reception person returns to office. In the unlikely event that it is necessary to operate the answering machine during office hours a message should be left inviting the person to leave their contact details and the person should be contacted as soon as possible.

Some offices may have phone systems where each phone has an individual voicemail facility. If this is the case, staff members should ensure their voicemail is set up and switched on each time they are away from their desk for an extended period. They should also ensure that their voice message is updated appropriately, particularly if they are likely to be away from their desk for a significant period of time e.g. on leave.

### ***Outbound telephone calls***

It is normally necessary to dial "0" or "9" before making an outbound telephone call. This varies from office to office.

In some offices you must choose an outgoing telephone line by pressing the appropriate line button (e.g. "Line 1"). Outbound telephone calls should normally be made for business purposes only. A certain amount of personal usage is allowed, but this must be kept to a minimum.

## 5. Sending and receiving written correspondence

Written correspondence by post, fax and email, is sent and received daily by family mediation offices. It is the responsibility of the Reception person to manage the incoming and outgoing post on a daily basis.

### **Post**

All mediation offices must have a set of post trays in place in the office where staff may pick up their incoming mail. Each mediator must have their own in tray.

An Post mail should arrive direct to family mediation offices during the morning, however the time will differ according to local arrangements. When the mail arrives the mail should be dealt with in accordance with Procedure 2.3.

#### **Procedure 2.3 – How to deal with post**

1. Post should be opened daily by the Reception person.
2. All envelopes should be opened other than those addressed to a specific person and marked either 'Personal' or 'Addressee Only' which should be placed directly in the addressee's tray;
3. Post, other than the letters referred to above, but including letters marked 'private and confidential', should be reviewed by the Reception person. It is considered that in the normal course this review would involve no more than a cursory glance at each letter. The Reception persons' concern is to ensure that an appropriate professional service is being provided thus they should be looking out for expressions of client dissatisfaction, allegations by clients of a failure to proactively manage their case or to respond to their contacts, allegations by a Mediator of a failure to respond appropriately or to deal with the case in a professional manner or other material that would give rise to a concern about the service being provided;
4. Following review, letters should be stamped with the date of their receipt and distributed appropriately.
5. The Reception person should discuss any issues of concern identified in correspondence with the relevant Mediator or Regional Manager in order to satisfy himself / herself that a professional service is being provided. If there is a concern about the adequacy or appropriateness of the service he / she should identify those concerns to the Mediator or Regional Manager and should monitor on a regular basis whether the concerns are being addressed. If the concerns are not being addressed, the Regional Manager should be so informed in writing and the concerns must be brought to the attention of the Director, Family Mediation Service.
6. If correspondence is of the nature of a complaint → **Procedure 7.3** should be followed; and
7. In the event of a Reception person being out of the office, the post should be opened by another member of staff.

If contact is made by either letter or e-mail, it is the Board's best practice to:-

- issue an interim response within seven working days of receipt;
- a substantive response within 15 working days.

Arrangements must be put in place to ensure correspondence does not go unanswered where the staff member to whom the correspondence is addressed is absent from the office. Accordingly, where a mediator is on leave, mail addressed to that mediator should be given to the Regional Manager who will decide on a course of action.

Mail directed to a non-mediator member of staff may be dealt with by the Reception person. If in doubt as to the appropriate response, the query should be directed to the Regional Manager

There is no need to maintain a register of incoming and outgoing post. Nor is it necessary to keep a record of non-client related phone calls.

### ***Outgoing communications***

All outgoing letters, faxes and e-mails from family mediation offices **must** include the name and contact numbers of the staff member dealing with the correspondence. Letters and faxes must be on Board headed notepaper while emails must include an appropriate signature.

A staff officer or clerical officer may sign a letter which they are sending on behalf of a mediator (if they are authorised by the mediator concerned to do so), but must place the letters "p.p." (*per procuracionem*) before their own signature.

**The sign off on a letter sent by a staff officer or a clerical officer should be in the format:**

---

**Joe Smith**  
**Wexford Family Mediation Office**

The sign off on a letter sent by a mediator should be in the format:

---

**Mary O'Brien**  
**Mediator**  
**Wexford Family Mediation Office**

All correspondence must be written in plain English using only technical and official terminology where absolutely necessary. All letters to clients should be generated using the case tracking system (CTS) and where a precedent is available it should be used unless a mediator has determined that it is not appropriate for the particular case. If no precedent is available, the free text letter or blank Microsoft Word document templates should be used, as appropriate.

All staff should place outgoing mail in the Post Out trays in Reception by 4:15pm each afternoon. (This time may be adjusted locally.)

Any mail to a client should be marked PRIVATE AND CONFIDENTIAL.

A copy of all correspondence sent, by whatever medium, should be kept on the client or other appropriate file.

### ***Use of envelopes***

All correspondence must be placed in properly sealed envelopes.

**Procedure 2.4 – Dealing with outgoing mail**

1. Mail to be sent by An Post should be franked using the franking machine. A chart should be displayed on the wall beside the franking machine detailing the current prices.
2. Any Private and Confidential mail should be clearly marked.
3. The mail to be sent by An Post should be brought to the local post-box. If there is a separate post-box for franked mail it should be used.

Postage is expensive. Ensure you weigh and insert the correct amount on the machine.

Franking machines are now installed in all premises of the Board and need to be used for all mail to be sent by An Post (other than FREEPOST items).

Franking machines need to be topped up with credit from time to time. Some newer franking machines can be topped up using the system software on the franking machine itself. For others, you must ring the franking machine company. The actual procedure varies from machine to machine, if you are unsure, consult the franking machine user manual, or ask another member of staff.

***Courier service***

The use of the courier service should only be made in such cases where delivery into the hands of the recipient is of the utmost urgency. A log of use of couriers is kept for checking against invoices, which can then be paid from the local bank account.

A record of use of the courier service should be kept along the following lines:

<b>FAMILY MEDIATION OFFICE COURIER RECORD</b>				
Courier Company Name:				
Telephone No:				
Account No:			Password (where applicable):	
Month: _____				
Date	Time:	From:	To:	Ordered By:

This should be kept on record and may be used where Organisation Section requires the family mediation office to verify that the invoice received from the courier company matches the actual use of couriers by the family mediation office.

***Photocopying***

An economic approach should be taken to the use of photocopying. Where possible, double sided copying should be done. Consideration should also be given to re-using paper where only one side has previously been used, except where client confidentiality reasons arise. Confidential documents should not be left on the copier.

### ***Shredding printed material***

All inbound correspondence received, and copies of final versions of correspondence sent or other documentation relevant to the case, should be printed and placed on files. They may not be shredded or otherwise disposed of, except on disposal of the file in accordance with the guidelines in → **Chapter 4**.

From time to time you may need to print draft versions of documents that may not be appropriate to be placed on a file. Such documentation must be confidentially shredded as it arises.

**Under no circumstances** should any documentation with client details on it be placed in a public waste disposal / rubbish facility. The Board is under an obligation to keep such client details confidential.

This includes any material with names, addresses, telephone numbers, ID numbers, or any other personal details, or any other details of a case, whether ongoing or completed. In the case of such material, the confidential shredding procedure above applies.

If in any doubt as to whether a document should be confidentially shredded or not, consult with the Regional Manager.

→ **Chapter 4** contains procedures for destruction of client files which have been closed for certain periods.

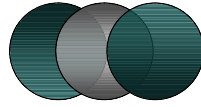
### ***Fax machines***

All offices of the Board are provided with a fax machine. Fax machines are available for written correspondence which needs to be received on a same day basis and where email is not available or appropriate. However, **email (including scanning letters, documents, correspondence etc) should be preferred over fax wherever possible**. Prior to sending any fax, the staff member should consider whether sending the correspondence via email is possible, and where it is possible, use email instead.

The fax cover sheet illustrated on the next page should be filled out appropriately and included with each fax. The design illustrated is the only design of fax cover sheet which it is permitted for family mediation offices to use. Offices should maintain a supply of blank copies of the fax cover sheet in a suitable location adjacent to their fax machine:



# SEIRBHÍS IDIRGHABHÁLA TEAGHLAIGH



## FAMILY MEDIATION SERVICE

### CLÚDACH FAICS/FAX COVER SHEET

**Do/To:**

**Ó/From:**

**Uimhir Telefón/ Telephone No:**

**Dáta/Date:**

**Uimhir Faics/Fax No:**

**Tagairt/Re:**

**Líon Leathanaight/No. of pages:**

**Teachtaireacht/ Message:**

Tá an t-eolas tarchurtha beartaithe don duine nó aonán amháin a seoladh an teachtaireacht chucu agus d'fhéadfadh ábhar rúnda agus/nó pribhléideach a bheith i gceist. Tá cosc ar atarchur, scaipeadh nó úsáid an eolais, nó beart ar bith a thógáil ag brath ar an eolas seo, ag daoine nó aonáin nach iad an faighteoir beartaithe. Más trí earráid go bhfuair tú an teachtaireacht seo, déan teagmháil leis an seoltóir le do thoil.

The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender.

## **Email**

E-mail is a system whereby written correspondence can be sent via computer. Mediators/staff should consider on a case by case basis whether email is the most appropriate form of communication with the client for the particular case.

### **About the Board's email system**

The Board's email system is based on Lotus Notes and messages, once delivered, are saved in a Lotus Notes database and displayed in your inbox. To open the email database in Lotus Notes, click the icon on your Lotus Notes workspace with your name on it (eg. "John A Smith").

The section → **"Using the IT system"**, later in this chapter, tells you how to access Lotus Notes.

### **About email addresses**

Both external and internal e-mail is available to all staff of the Board. Internal email refers to email between staff members while external email refers to persons, companies, or organisations outside the Board.

There are four types of email addresses you will use:-

- Lotus Notes (internal) email addresses
- Lotus Notes (internal) email groups
- Lotus Notes email addresses for staff of the Department of Justice and Equality
- Internet (external) email addresses

You can use Lotus Notes email addresses to contact all other members of the Board's staff. Lotus Notes email addresses consist of your full name (including a middle initial) and a path. For example, John Smith's email address might be John A Smith/Users/Legal Aid Board. To find a person's email address, start typing their name into the "To:" field and press Enter. Lotus Notes will either complete the address for you or give you list of staff whose names start with those letters.

Email groups allow you to contact many people at once. All family mediation staff are members of two email groups, "Everyone" and "FMS – all users". These groups, which contact all staff and all family mediation staff respectively, should only be used with the authorisation of your Regional Manager. In addition, you may be a member of other groups depending on your grade and whether you are a member of a committee or Work Group. Lotus Notes email addresses may also be used to contact members of staff of the Department of Justice and Equality and some of its other agencies (principally the Office of the Refugee Appeals Commissioner, Refugee Appeals Tribunal, and Private Security Authority). These addresses (in the format Jane A Smith/JUSTICE or similar) are all available on the "Global Directory Catalog" tile on your Lotus Notes workspace and can be used in the same way as internal email addresses. It is rare that staff in family mediation offices will need to use these addresses, but if you do need to contact a DJE staff member they should be used instead of external addresses as they are more secure.

All Legal Aid Board Lotus Notes (internal) email addresses have external aliases which either take the form [username@legalaidboard.ie](mailto:username@legalaidboard.ie) or in some limited cases [yourname@legalaidboard.ie](mailto:yourname@legalaidboard.ie). So John Smith's internet email might be [jasmith@legalaidboard.ie](mailto:jasmith@legalaidboard.ie) or [johnsmith@legalaidboard.ie](mailto:johnsmith@legalaidboard.ie). IT Unit will assist you in obtaining your external email address.

Remember, e-mail is effectively on the Board's headed paper! It can be traced back to the place, date and time of sending.

## ***Composing an email***

### **Procedure 2.5 – Composing a new email**

1. Click “New Message” on the toolbar in the email database.
2. Click in the “To:” field to enter the address of the person you are sending it to.
3. Click in the “CC:” (carbon copy) field to add persons to copy the email to.
4. Ensure that a subject has been entered in the Subject field.
5. Enter the text of the email in the body field and proof read prior to sending.
6. Lotus Notes now automatically spell checks emails and underlines misspellings. To correct a misspelling, right click the misspelt word and choose the correct word. When ready click “Send” on the email database toolbar.

Once the "send" button is clicked, e-mail cannot be stopped

When composing an email, remember that external e-mail should be as formal and as professional as any other form of written external correspondence. Make sure you are satisfied with its content and that it has been approved at the appropriate level. Double check the address of the intended recipient. You may be required to copy your email to your line manager or other staff and if so you should insert their email addresses in the “CC:” (carbon copy) field. The “BCC:” (blind carbon copy) field acts the same as the “CC:” field, but only the person to who the message has been blind copied to knows that they have received the message. For this reason use of this field should be limited and used with discretion.

### ***Emails to clients or about clients***

Emails to clients may only be sent to **one client at a time**. That is to say, the same email should **not** be sent to multiple clients or applicants or copied to multiple clients or applicants.

In the case where a staff member needs to send the same email to different clients the “Copy into New” feature in Lotus Notes may be used to generate a new copy of the email and the recipient’s email address entered in the “To” field and any greeting adjusted accordingly. In an email, click **More → Copy Into New → Message**.

In the case where communication to or from head office about the same issue relates to a number of clients, the e-mail must only contain reference to one applicant or client as the copy e-mail to be placed on the file must only refer to one individual.

### ***Sending a secure email***

The Board has obligations under the Data Protection Acts 1988 & 2003 to keep personal and confidential data secure. The Department of Finance Data Protection guidelines advises that staff should ensure that all email containing personal, private, sensitive or confidential data should be encrypted when being sent outside the organisation.

To send an encrypted email **simply type ‘Secure:’ at the start of your subject line** and send as usual. As soon as the encrypted email has been opened on the recipient’s PC an email will be sent to the sender to confirm the email has been accessed and displayed. Staff should ensure that emails containing personal (i.e. all correspondence with or relating to a client), private, sensitive or confidential data should be encrypted when being sent outside the organisation. Recipients should be encouraged to respond using the secure system. Further information on client confidentiality can be found in → **Chapter 8**.

### ***Reading an email sent securely***

Where a staff member of the Board has sent an email securely, the person to whom they have sent the email has the option of replying securely.

In order to read securely sent emails, you must first register your Legal Aid Board **external** ([username@legalaidboard.ie](mailto:username@legalaidboard.ie)) address with Cisco Systems’ secure email facility. This must be done the first time you are sent a secure email.

## Procedure 2.6 – Reading a secure email

1. Open the secure email.
  2. Save the securedoc.html attachment to your desktop
  3. Open the securedoc.html file in Internet Explorer
  4. If this is your first time using the secure email facility, you will be unable to connect to the server. When prompted, click “Help”, and you will be taken to the registration page. Ensure the email address you enter is in the format [username@legalaidboard.ie](mailto:username@legalaidboard.ie) (not User X Name/Users/Legal Aid Board)
- OR**  
Enter your password and click “Open” to download the email.

Fuller instructions, including screenshots, can be found on the LAB Bulletin Board under “IT Unit”.

### **Signature**

All email leaving the office should end with a signature along the following lines:

AN. Other	← Name of staff member
Clerical Officer,	← Position
Ormond Quay Family Mediation Office	← Family mediation office
9 Lr. Ormond Quay,	← Address
Dublin 1	
Tel: 01- 8747446	← Telephone number
Fax: 01- 8747449	← Fax number

In Lotus Notes, open the email application, and then choose Actions → More → Preferences..., then click the Signature tab to add your signature in. This means that you will not have to type in your signature, each time you send an email. It is not necessary to include a signature on emails which are being sent to other staff in your office, but you should include it on emails to staff of the Board outside of your family mediation office.

### **Attachments**

You can attach documents, pictures, and other material to your email. There are two ways to do this:-

- Drag (click the file, then keep the left mouse button depressed) a file from a Windows Explorer window into the email. If Lotus Notes is not visible, you may need to drag the file over the Lotus Notes button on the Windows taskbar to make it appear.
- OR**
- In Lotus Notes, choose File→ Attach... . In the dialog box that appears, navigate to the file and click Attach.

### **Virus and malware protection**

The Board automatically scans all email for viruses, so it is not necessary to do this. However, you should nonetheless absolutely refrain from including any programs (files ending in .EXE, .COM, or .BAT) or VBScript files (.VBS) in your attachments.

The Board employs a program which scans all outgoing and incoming email for potentially hazardous material. Often this may block legitimate incoming or outgoing email. If an email is blocked by this system, an automatically generated email will appear in your inbox and the sender/recipient will be notified also. If the email is legitimate, you can apply to IT Unit to have it released.

### **Procedure 2.7 – Asking IT Unit to release a blocked email**

1. Double click the automatically generated email to open it.
2. Click Forward → Forward on the toolbar.
3. Enter “IT Cahirciveen” as the address to send the email to.
4. Enter a short message politely asking IT Unit to release the message, stating that it is business-related.
5. Click Send on the toolbar.

In your use of the Board’s email system you should remember at all times to adhere to the Board’s Computer Usage Policy which is detailed later in this Chapter, and an up-to-date version of which can be found on the LAB Bulletin Board.

### ***Printing, filing, and archiving emails***

Emails are generally stored in your inbox. All emails over 6 months are automatically moved to an archive database. This can be accessed for the first time by clicking Tools → Archive → Mail Archive in the folder list in your main mail database. After that, it can be accessed by clicking the Archive tile (labelled “Jane A Jones (Archive)” or similar) in your Lotus Notes Workspace.

Note that due to constraints on server space, IT Unit has allocated only a certain amount of space to each staff member’s email database (this includes Inbox, Outbox, Sent, Drafts, and any Folders). While the archiving process will stop the quota being reached in normal circumstances, it can still be reached in certain circumstances (for example, if you are sent a large volume of large attachments). You will be warned automatically by Lotus Notes if you are running out of space (known as reaching your disk quota).

If you are running out of space, you must delete items from your inbox. Once you run out of space, you will not be able to save drafts or receive emails and outgoing emails will not be saved in your Sent folder.

All emails relating to an applicant or client should be printed and placed on the physical client file. To print an email, choose File → Print and then click the Print button. The email may then be deleted from your inbox by pressing the “Del” key on your keyboard. (It is not however permanently deleted until you empty your Trash folder – to do so click on the Trash folder and click “Empty Trash” on the toolbar.)

Likewise any other emails relating to any other topic on which a physical file exists should be printed and placed on the relevant file, and deleted from your Inbox.

### ***Saving emails***

In certain circumstances, you may want to keep an electronic copy of your email outside of the Lotus Notes environment. Lotus Notes can save email in either plain text (ASCII) format or Rich Text Format, a format which preserves formatting such as bold and italics and which is compatible with Microsoft Word. To save an email, choose File → Export. In the combo box “File type” choose either .TXT (plain text) or .RTF (rich text format). Navigate to the client’s folder on your common drive, then give the file a name e.g. “Email to opposing solicitor 10.3.09.txt” and click Export. **Note: Unlike many other software packages, Lotus Notes does not automatically add the file type extension to the file. Therefore, in order for Windows Explorer to recognise the file as a text document, you must give the file a name ending in .txt .** Likewise if you are saving the email in Rich Text Format, you must add the extension .rtf yourself. You can then delete the original email from Lotus Notes.

### ***Out of Office Auto Reply***

The system can be set to automatically reply to emails sent to you when you are out of the office. You should enable this setting when leaving the office for any period of one working day or more.

### Procedure 2.8 – Setting up Out of Office Auto Reply

1. Ensure you have the Lotus Notes email database open.
2. Choose Actions → More → Out of Office...
3. Click the widget beside “Returning: Tomorrow” and choose the date you will be back in the office.
4. In the “Additional Body Text” text box, type the message you wish to send to people that email you while you are out of the office (see below template).
5. Click “Enable and Close”.

**Note:** There is no need to deactivate your Out of Office AutoReply when returning to the office, unless you have returned early.

Your Out of Office Message should read along the following lines, but may be customised as appropriate:

*I am out of the office [for reason] from \_\_\_\_\_ to \_\_\_\_\_.*

*Please refer your enquiries to \_\_\_\_\_ who may be contacted at [phone number] or emailed at [\\_\\_\\_\\_\\_@legalaidboard.ie](mailto:_____@legalaidboard.ie).*

*Alternatively Legal Aid Board staff may contact the entire family mediation office at the email address FMS - \_\_\_\_\_.*

*Thanks.*

## 6. Using the IT system - basics

All staff members are provided with desktop computers for their use in official business.

### ***Provision of computer account***

On the date of a new staff member joining the Board, HR Section will send an instruction to IT Unit to set up a network, a Lotus Notes/email account, and a CTS account for the user.

On arrival in the family mediation office a new staff member should contact IT Unit in order to obtain their network and/or Lotus Notes password. Your network password must be changed as soon as possible in order to protect the security of your account. It is also good practice to change your network password on a regular basis. Windows will prompt you to do this from time to time. You should not use your name or anything else which can be easily guessed as your network password.

**Your network password must be changed on your first login and should not be disclosed to anyone else!**

**You are accountable for all usage of your computer account.**

To change your Windows password, hold down the “Ctrl” (control) key and press “F1”. Click the button “Change Password...” and follow the instructions onscreen.

### ***Logging on to the network***

To access the computer network, turn on the computer and, when Windows has started, click “Login”. Enter your username and password when the login box appears. Once logged in, the LAB Portal appears. **You should only log on using your own network ID. Never log on to the system using another users network ID.**

### ***Locking the PC***

When you are away from your desk for a short period, you should lock the PC to prevent other users accessing it. To lock the PC, hold down the "Ctrl" key and press "F1". Then press "Return" or "Enter". To unlock the computer, enter your username and password.

(Note that the normal Ctrl-Alt-Del sequence you may be familiar with from other Windows NT environments will not work on the Board's system.)

Locking the PC should only be done when you are going to be away from your desk for a short period. In the event that you are going to be away from your desk for a longer absence (of thirty minutes or more), you should log off the system and shut down the PC where appropriate.

### ***Shutting down the system***

For both data integrity and environmental reasons, it is necessary to shut down all PCs daily. Each user should shut down their PC when leaving the premises at the end of the day.

To exit the Citrix client, click Start → Log Off and confirm by clicking "Log Off" in the dialog box that appears. Once returned to the local Windows installation, click "Shutdown" to shut down Windows. The PC will automatically turn off once Windows is shut down. The monitor will not automatically turn off and should be done so manually once Windows finishes shutting down.

You must log out of Windows by using Start → Log off, and the Citrix client will close automatically when you have logged off the Windows server. Closing the Citrix client without logging off the server first, can lead to loss of data, as IT Unit reboot the servers on a nightly basis.

If you have a local printer, you should turn it off manually at the end of the day. The last staff member to leave an open-plan office at the end of the day should turn off the shared printers.

### ***LAB Portal***

The Portal is a way of accessing common applications in use in the Board.

The portal runs in Microsoft Internet Explorer. It includes:-

- the last five entries on the LAB Bulletin Board;
- your last five emails from your Inbox;
- links to access the e-library, telephone directory, and commonly used applications; access to shared directories; and,
- access to FMS Clients and Lotus Notes.

As an alternative, Windows Explorer remains available. Click the "Close" button (the "X") on the Internet Explorer title bar, and the Windows desktop will appear.

### ***Lotus Notes***

The Board uses Lotus Notes both as its email program and also as a host for many of the databases which the Board maintains.

To log into Lotus Notes, click on the "Notes" icon in the LAB Portal or the Windows desktop. The Notes Workspace will appear where you can access your email or other databases.

### ***Internet access***

Most family mediation office staff have limited access to the internet, via Microsoft Internet Explorer. A list of approved sites has been drawn up by IT Unit and all other websites are blocked. To view the list of approved websites, click Favourites → LAB Standard Internet List in Internet Explorer.

### **Corporate identity policy**

The Board's Equality and Disability Strategy stipulates the use of a 12 point sans-serif font as the standard font to be used in documents. Sans-serif fonts include Arial and Helvetica.

### **Computer usage policy**

New staff joining the Board are required to sign the Computer Usage Policy during their induction by Human Resources Section.

The Computer Usage Policy states that the computer system should be used primarily for official business only and expressly prohibits:-

- importation and onward transmission of certain identifiable types of files which can physically damage the network (.exe; non virus checked);
- transmission of text, audio or video material, which can be, construed as sexist, racist, bullying, harassing or discriminatory;
- allowing others to use your identification;
- time wasting; and
- inappropriate use of the Internet.

A small amount of limited personal use of e-mail and Internet facilities is permitted if such use does not otherwise infringe the policy. The full computer usage policy is available on the LAB Bulletin Board. However it can be summarised as follows:

### **Network Security**

<b>Do</b>	<b>Do Not</b>
<ul style="list-style-type: none"><li>• Change your passwords when requested</li><li>• Use a unique password(s), a good password is one that cannot be guessed</li><li>• Lock your workstation when you leave your desk</li><li>• Log out if you are leaving the office.</li><li>• Change your password if you think it is known to some one else</li></ul>	<ul style="list-style-type: none"><li>• Log on to the network as anyone other than yourself</li><li>• Share your password</li><li>• Write your password down and leave it where it can be found</li><li>• Use any disks/media without virus checking them first</li><li>• Save unauthorised data to the Board's network</li><li>• Load any unauthorised programs or .exe files etc.</li></ul>

### **Email**

<b>Do</b>	<b>Do Not</b>
<ul style="list-style-type: none"><li>• Double check the name of the intended recipient before sending</li><li>• Show vigilance by not replying to spam e-mails e.g. providing bank details etc</li><li>• Keep your e-mail password confidential</li></ul>	<ul style="list-style-type: none"><li>• Send images, videos or junk mail to other people</li><li>• Send e-mails for political canvassing or selling goods</li><li>• Use anyone else's e-mail account or allow anyone else to use yours.</li><li>• Participate in chain mailing</li><li>• Send any material that may be considered offensive or e-mail that could be perceived as derogatory</li></ul>

### **World Wide Web**

<b>Do</b>	<b>Do Not</b>
<ul style="list-style-type: none"><li>• Request sites to be added to the standard list of sites, through your line manager if required for business purposes.</li></ul>	<ul style="list-style-type: none"><li>• Visit sites that contain obscene, pornographic or offensive material.</li><li>• Allow other people to log onto the Internet under your username</li></ul>



<ul style="list-style-type: none"> <li>• Report any sites that may cause offence or could be perceived as derogatory.</li> </ul>	<ul style="list-style-type: none"> <li>• Upload data unless business related</li> <li>• Download videos, images, audio files etc. unless business related</li> <li>• Express personal opinion as being representative of the Legal Aid Board</li> <li>• Visit social networking sites such as Bebo, Facebook, YouTube etc.</li> <li>• Access the Internet under some one else's username</li> </ul>
--	---

### **Support for IT systems**

Each family mediation office must appoint an "IT Superuser" who is responsible for coaching individual staff on basic computer procedures and helping with minor problems with using IT applications. The IT Superuser is the first point of contact where there is a minor (non-technical) issue with a computer programme or application.

IT Unit provides help manuals on the general usage of the computer system. These are available on an "IT Help Manuals" tile on your Lotus Notes workspace.

For more specific and/or technical help, the IT Helpdesk may be contacted. There are three ways to contact the Helpdesk. The preferred method should be to use the Lotus Notes database, if Lotus Notes is unavailable, the web application may be used.

The telephone line option (**066 9471076**) should only be used where the IT system is itself inaccessible (ie. you cannot log onto the network at all).

### **Lotus Notes**

You can log a Helpdesk support call directly from your Lotus Notes inbox. Just above the list of mails in your in box you will notice a button called Log Servicedesk Call



By clicking on this button you will be given access to a self explanatory form which when completed and submitted, logs the call on the IT Service Desk database. It is very important that as much information as possible is entered in the description field as this will help IT Unit resolve the call as quickly as they can. Once the form is complete you should click submit. Once the call has been "picked up" by an IT staff member you will receive an email with a call reference (ticket number) number and a link to the IT Service Desk where you can view your call.

### **Directly on the IT Service desk application**

Open Internet Explorer and go to favourites and click on the link for IT Service Desk. You will be prompted to logon - username = first name surname (eg jane jones) and the password is password. If this doesn't work please contact the IT Helpdesk on 066-9471076.

To log a call, click on "New Call". Again, the form is self explanatory. It is very important that as much information as possible is entered in the description field as this will help IT Unit resolve the call as quickly as they can. Once you have entered all the info required then click on **LOG CALL**. You can save the call as a draft if you don't have all the info you need at hand to create the call. Once the call has been created you will receive an email with a call reference (ticket number) number and a link to the call on the IT Service Desk where you can view the progress of the call and who the call has been assigned to etc.

Once the call has been resolved by an IT staff member you will receive an email informing you that the call has been resolved. You can then review the call and, if satisfied, close the call. You will continue to receive emails regarding a resolved call until you close it. If you are unsatisfied with the outcome of a resolved call you can reactivate the call.

## **Telephone**

The third way to log a call is by phone. The IT Helpdesk has a dedicated number **066-947 1076**. You should ring this number for all IT related queries and problems. Please do not ring individual IT Unit staff members unless it is following up on an existing assigned call. If you happen to get an answering machine please leave a number and someone will revert to you as soon as possible.

## **7. Case Tracking System**

The Case Tracking System (CTS) is the case management system in use in family mediation offices. It provides a single database for the entire lifecycle of a case, from when an application is first received until a case is closed. CTS allows you to:

- Record all relevant personal information relating to a client;
- Record all appointments offered/attended by client;
- Record of event - details of other consultations with clients;
- Generate letters and other documentation relating to the client; and
- Generate the outcome and closing of the case.

While you will find instructions on how to use CTS for particular relevant tasks in this Handbook, a full description of all operating procedures on CTS is beyond the scope of the Handbook. You should make reference to the Case Tracking System User Manual for detailed instructions on the use of CTS.

The CTS is an integral part of the workings of the Board's family mediation services. It is important for all staff to have a working knowledge of the system. The database is used to record the entire lifecycle of a case from when an application is first received until a case is closed. It is from this database that statistical information is gathered.

### ***Accessing CTS***

A link to FMS Clients is provided on the LAB Portal. Click the FMS Clients link, and CTS will appear.

CTS is hosted in Microsoft Internet Explorer. As such, most normal Internet Explorer commands and conventions apply to CTS. To close CTS, close Internet Explorer.

## **8. Health, safety, and security procedures**

Health and safety is a priority of the Board. All mediation staff should satisfy themselves that health and safety procedures are being followed at all times in the mediation offices.

### ***Health and safety officers***

It is a requirement that all family mediation offices have a trained:-

- Fire Warden
- First Aider
- Safety Representative

A sign should be erected in each office detailing who the nominated health and safety officers are and revised as appropriate.

If the First Aider or Fire Warden leaves the office, either on a permanent or medium-term (career break, maternity leave, or leave of absence) basis, the Regional Manager should without delay appoint a new fire warden or first aider.

Learning and Development Unit will organise training for safety representatives, fire wardens, and first aiders at regular intervals. However, in the event on a new fire warden or first aider appointed and no other trained fire warden or first aider, as appropriate, being currently trained, the Regional Manager should contact the Training Officer and seek their views on whether the appropriate training can be organised for the individual at an early date.

### ***Fire precaution***

Each family mediation office has a fire alarm and fire equipment supplied by the Board. In the event of a fire, and if it is safe for staff to extinguish it themselves, extinguishers are provided.

In case of a fire that is not manageable by staff, there is also an escape route plan and designated meeting points. All staff must read same and familiarise themselves with fire exits, escape routes etc. Every law centre that has more than one level or is not on ground level should conduct a fire escape drill at least once a year.

Should you have any queries in the matters of fire precaution, please contact the fire warden.

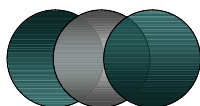
### ***Health and Safety***

A safe office environment is considered to be a tidy and uncluttered environment. Among the factors which help create a safe place of work, are where there are no files or loose cables on the floor. Potential risk areas in offices include blocked passageways / corridors and stairways. See →**Chapter 4 - Working with files** for further information regarding storing files.

Accidents do happen and all reasonable precautions should be taken to avoid them. However, items in the first aid kit should be reviewed in order to ensure supplies are in date and do not run low. Any accidents or injuries should be reported to the Regional Manager and Safety Representative. If necessary, an accident report form may need to be completed and sent to both HR and Organisation Sections. A copy of which can be found at the end of this section. Potential risk areas in offices include blocked passageways / corridors and stairways. See →**Chapter 4 - Working with files** for further information regarding storing files.

Should you have any queries in the matters of Health and Safety, please contact the above. A copy of the Board's Safety Statement can be found on the → **LAB Bulletin Board**.

# SEIRBHÍS IDIRGHABHÁLA TEAGHLAIGH



## FAMILY MEDIATION SERVICE

### Accident / Incident Report Form

Name of Injured Person: \_\_\_\_\_

Job title: \_\_\_\_\_

State whether an: Employee  Other  Details: \_\_\_\_\_

Date and time of accident/incident: \_\_\_\_\_

Description of Accident/Incident and Injuries, if any sustained:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Witnesses, if any \_\_\_\_\_

\_\_\_\_\_

Immediate and root cause of  
accident: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Details of any corrective action taken: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Do the Safety Statement or Risk Assessments need to be amended? Yes  No

Does the accident / incident need to be reported to the Health & Safety Authority? Yes  No

If Yes Date sent: \_\_\_\_\_ By whom: \_\_\_\_\_

Estimate of time lost? Less than 1 day  1-5 days  6-30 days  More

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Job title: \_\_\_\_\_

#### ***Office security procedures***

If you are the last person to leave the office **at lunchtime or the evening**, please lock all windows and doors, set the alarm and carry out a check to ensure that the petty cash box is securely locked away. This should be done whenever the office is unattended. In some cases where the family mediation office forms part of a larger facility and the building is locked up by security staff it will not be necessary to lock up the building. However, in single occupancy offices the individual staff member should ensure windows are locked.

**As codes change from time to time please ask a member of staff what the current code is.**

**Do not write down the alarm code!**

If the alarm is set off in error, the alarm company must be contacted immediately. Details of the alarm monitoring company are shown on the alarm control panel or are available from Organisation Section.

Security cameras are linked to the screens and recording equipment in the reception area.

### ***Keyholding services***

The Board engages keyholding companies in a number of family mediation offices to attend the premises in the event of an alarm being activated after office hours. Not all offices have a designated keyholding company and in these cases the names and contact numbers of the office staff are given to the monitoring station. Invoices for keyholding services should be forwarded to Organisation Section for payment.

## **9. Other office procedures**

In certain special cases some of this information may not apply or may differ slightly. Ask your Regional Manager or Organisation Section for details.

### ***Taxis***

Taxis or cars should be hired only when there is no suitable public transport available.

### ***Mobile phones***

The Board provides a number of mobile phones for the use of the Director, Family Mediation Service/Regional Managers. All mobile phone bills for family mediation offices are paid by direct debit by the Board. Payments are monitored by Organisation Section to ensure that no unauthorised levels of usage occur.

Staff who use the Board's mobile phones are required to contribute towards personal calls under the Board's mobile phone usage policy.

### ***IT consumables***

The Board has a contract for all IT consumables with Datapac. All orders for IT consumables must be made via IT Unit by emailing the address **IT Cahirciveen**. Orders for IT consumables may not be made over the phone. .

Datapac will deliver on a next day basis so there is no need for family mediation offices to hold stock of IT consumables. On receipt of goods, the Delivery Docket should be checked against goods ordered, date stamped, and approved for payment by a member of staff on-site, before being sent to IT Cahirciveen by DX. Invoices will only be processed by IT Cahirciveen on receipt of a delivery docket, date stamped and approved for payment.

IT Cahirciveen should be notified immediately regarding any issues surrounding receipt of incorrect goods so that corrective action can be taken immediately. Once goods are returned within an agreed time frame, the Board will not be liable for any associated costs.

### ***Stationery***

The Government Supplies Agency from time to time awards contracts for the supply of stationery and office supplies to Government Departments and Offices, including the Legal Aid Board. **The current contract is with Codex Limited.** Organisation Section will notify mediation offices if there are changes to the procedure which may be made from time to time.

Orders should be placed by family mediation offices directly with the contractor. Offices must keep proper records of all transactions entered into with the contractor and information as to the cost, quantity and type of goods purchased from the contractor.

Family mediation offices must keep office stationery e.g. biros, sellotape, document wallets, headed paper, paper, paper clips, message books etc., in a designated stationary press or storeroom. Offices order their everyday supplies directly from the company to whom the contract has been awarded

Requests for items other than those mentioned on the list should be requested from Organisation Section in writing. Sanction may then be given, depending on the request, for the family mediation office to purchase from the recommended supplier

**Toner for photocopiers and fax machines are ordered from Organisation Section. All invoices are to be forwarded to Organisation Section who will process them for payment.**

### ***Information leaflets***

These are generally ordered in bulk by Head Office and distributed to family mediation offices. Amendments to the Information Leaflets and decisions in relation to amount of stock required by Head Office are the responsibility of Organisation Section. The office should ensure that the full complement of leaflets are available in the Reception area.

### ***Legislation***

Electronic versions of most Acts of the Oireachtas, Statutory Instruments, and pre-1948 Statutory Rules and Orders are available for free on [www.irishstatutebook.ie](http://www.irishstatutebook.ie) which is available to all staff as part of the LAB Standard Internet Access List.

### ***Premises maintenance***

Some family mediation offices are units that are part of a larger building/complex. In these instances the building is normally managed by a Management Company to whom the Board will pay a service charge under the term of its lease.

The service charge usually pays for the upkeep of the building and for the upkeep of the common areas under headings such as lighting, cleaning, heating etc. Any issues that arise must be reported to Organisation Section.

Some offices, depending on their location, are subject to payment of water rates and refuse charges to the local council. **All invoices are to be forwarded to Organisation Section who will process them for payment.**

A number of offices have had water cooler/filter systems purchased. **All invoices are to be forwarded to Organisation Section who will process them for payment.**

### ***Cleaning and linen supply contracts***

Cleaning services and linen supply contracts are tendered through Head Office. If there is a problem with the cleaning or linen supply contracts company, the family mediation office should try sort it out themselves. If the problem persists/cannot be resolved locally, the office should contact Organisation Section. All invoices are to be forwarded to Organisation Section who will process them for payment.

Cleaning products which are not supplied by a contract cleaning services can be purchased locally and reimbursed from petty cash.

### ***Window cleaning***

Window cleaning is included in the cleaning services contract tendered through Head Office. The current supplier is Grosvenor. External window cleaning must be requested through Organisation Section and **all invoices are to be forwarded to Organisation Section who will process them for payment.**

### ***Office furniture***

Should a family mediation office need to repair or replace an item of furniture they must contact Organisation Section where the request will be dealt with appropriately. Every year an inventory of all office furniture and equipment must be completed.

# Chapter 3

## Registering for family mediation

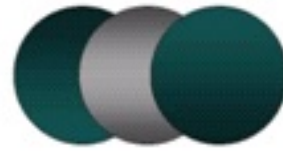
This chapter deals with:

1. Referrals from law centres
2. Applying for family mediation
3. Completing appointment details and finalising cases
4. Statistics

### 1. Referrals from law centres

A person who makes contact with a law centre may, in the course of their contact with the law centre, express interest in pursuing family mediation rather than the legal route. Where this is the case, the law centre will refer them to their paired mediation office. The person may, if they wish, simultaneously continue to pursue an application for civil legal advice/aid, but legal proceedings will not be commenced while the mediation process is ongoing.

The form on the following page is used by law centres to refer persons who express an interest in family mediation. The law centre will ask the person to complete the form. They will then scan the form and email it to the family mediation office and send the hard copy version in the post. When the family mediation office receives the form they should begin the process of registering the person for family mediation as if the person had made direct contact with the mediation office.



## I am interested in family mediation

Name:

Address:

Telephone no:

Mobile no:

Date of birth:

Marital status:

Matter for which I've applied for legal services:

Details of my children: (use additional pages if necessary)	Name <input type="text"/>	Date of birth <input type="text"/>
	Name <input type="text"/>	Date of birth <input type="text"/>
	Name <input type="text"/>	Date of birth <input type="text"/>
	Name <input type="text"/>	Date of birth <input type="text"/>
	Name <input type="text"/>	Date of birth <input type="text"/>

The law centre will pass your details to the family mediation office, and by filling out this form you agree that they may do so.

Civil legal aid and family mediation are services provided by the same body, the Legal Aid Board. Your details will not be passed on to third parties without your agreement. However mediation can only proceed if the other person is also to proceed. Therefore, the mediation office needs to contact your spouse/former partner to see if they are happy to proceed on that basis also. By completing this form you agree that they may do so.

**My spouse/former partner's details:**

Name :

Address:

I have left a voicemail for the family mediation office to call me back      Yes       No

Signed \_\_\_\_\_

Date \_\_\_\_\_



## 2. Registering for family mediation

The Board, through its family mediation service, offers clients the opportunity to negotiate their own terms of agreement within a structure that helps them look at their own needs and interests and needs and interests of their partner and any children they may have. For an appointment both parties must contact the family mediation service and confirm that they are both willing to attend.

When a client expresses an interest in availing of mediation, register them for our service by creating “couple mediation” or by completing one of the relevant options from the drop down menu under “Create”. If contact details are available for the second party complete these. Ensure the client knows the necessity for the second party needing to make contact with the service in order to be given an appointment.

When the second party calls to confirm their willingness to attend mediation, complete the second contact details and any outstanding information required e.g. date of marriage, names and dates of birth of children. On CTS - Mediation Details complete “date all parties confirmed willingness to participate in mediation”.

The status of this case will now change from “Pending” to “Waiting”. A letter to contact 1 and contact 2 is issued using Create “Placed on Waiting List Letter” from the CTS.

These clients have been assigned a case reference number and placed at the end of the relevant office’s waiting list.

When an appointment becomes available it is assigned to a mediator and offered to the participating couple. A letter of appointment to contact 1 and contact 2 is now issued using Create “Confirmation of Appointment Letter” from the CTS. If there are time constraints to fill appointment offering to both parties by telephone is acceptable.

## 3. Completing appointment details and finalising cases

It is essential that **all** appointments are completed on a daily basis. Completed appointment details form part of the statistics at the end of each month.

When an appointment is kept

- Appointment kept? – click on yes
- Discussed – click on the drop down menu and select one of the options.

When an appointment is **not** kept

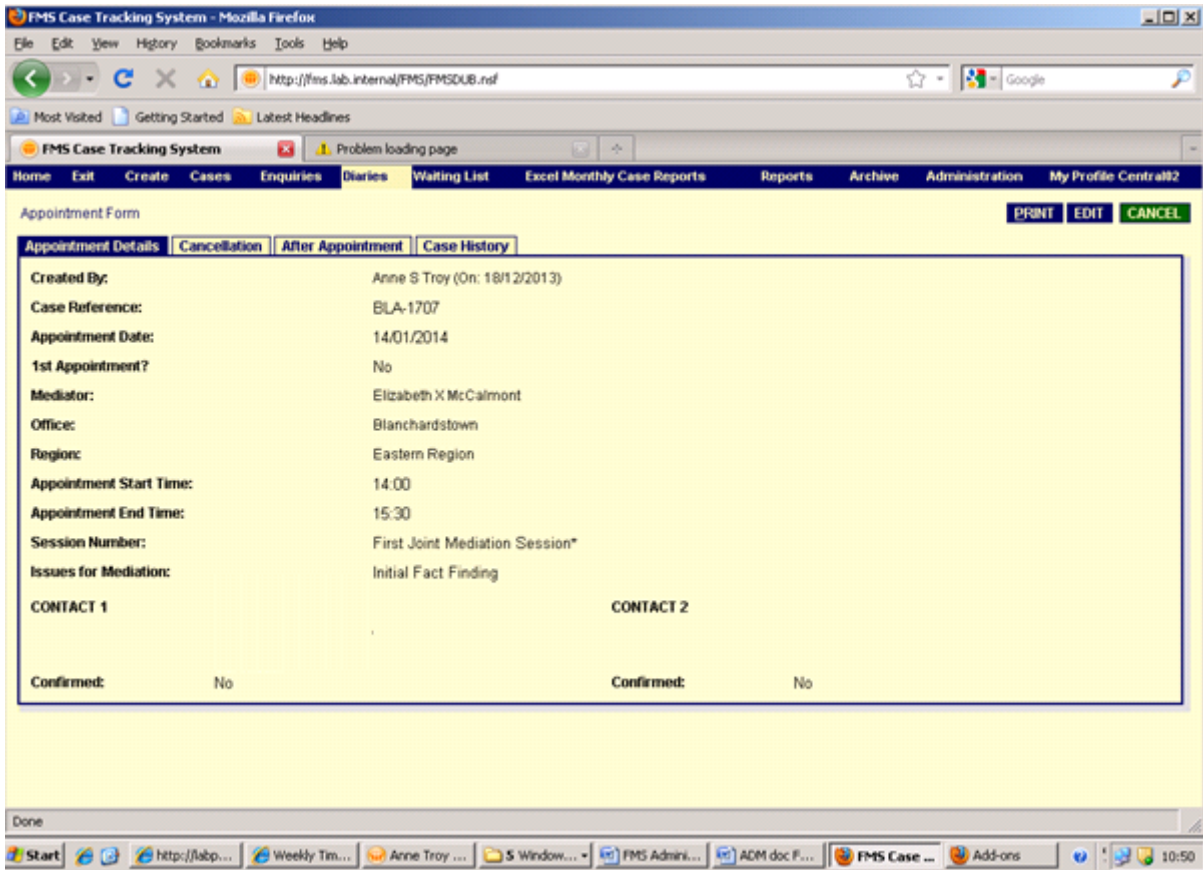
- Appointment kept? Click on No
- If not why? – click on the drop down menu and select one of the options
- Cancelled Session – click Yes or No as appropriate
- Refilled with Client – click Yes or No as appropriate
- Details of work carried out during cancelled session – put in Admin or writing agreement.

Appointments are deemed cancelled in the following situations:

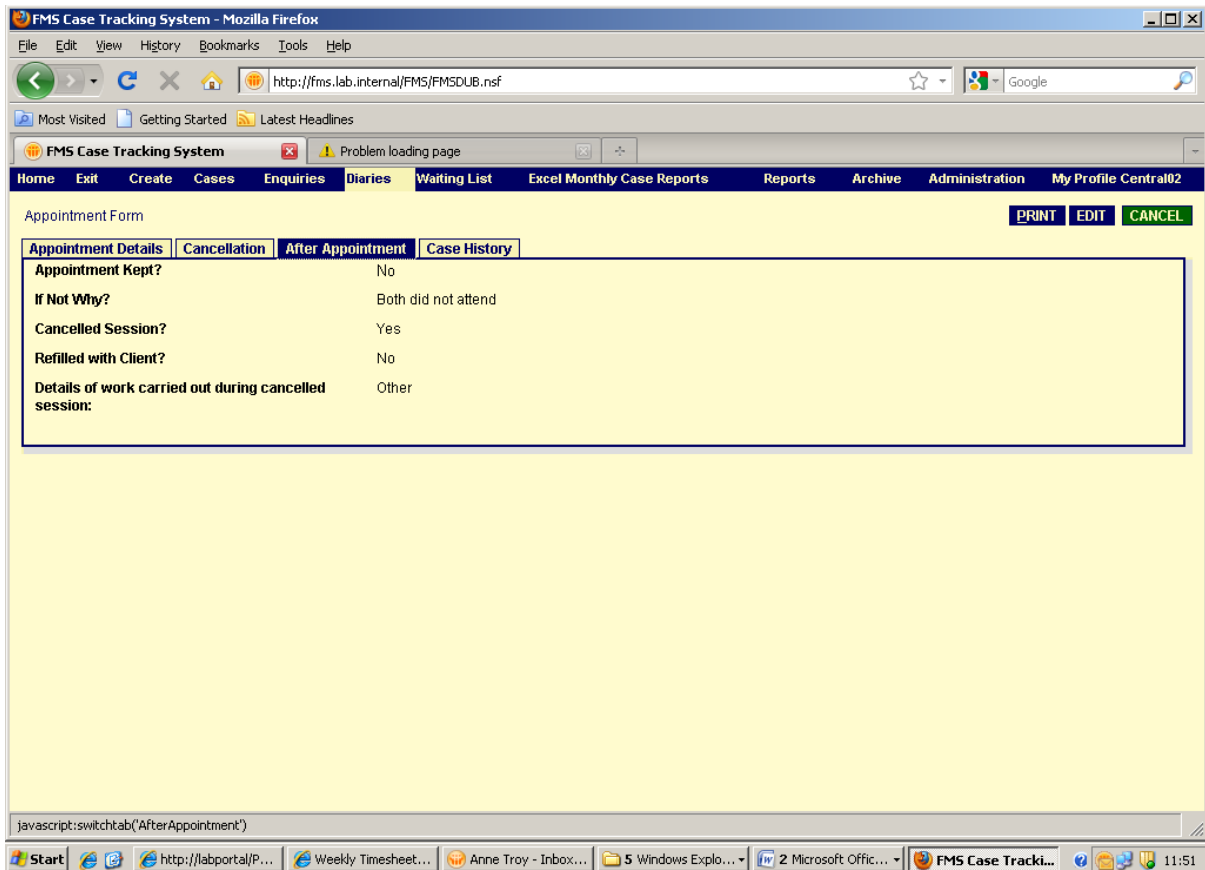
- When a client rings into to inform us they cannot attend
- When a voice mail is left informing us one or other of the couple cannot attend
- When the mediator cannot attend
- When there is no admin cover in the office and a First Joint Mediation Session is on offer.

### ***Procedure to follow:***

On the diary, edit the appointment details and under the confirmed option, please click “NO” for both clients. Contact 1 and Contact 2 require this option to be completed. The system prompts you into the cancellation details options. This is the responsibility of the clerical officer in the office who takes the call to complete with the information she/he has gleaned, i.e. date, reason, offer of new appointment (see below to create new appointment).



Continue to the after appointment details and complete as follows:



Refilled with client will be “NO” initially. **When this appointment is refilled by the clerical officer offering the appointment to other clients, change the “refilled with Client” status to reflect the new arrangement, i.e. refilled with client “YES”.**

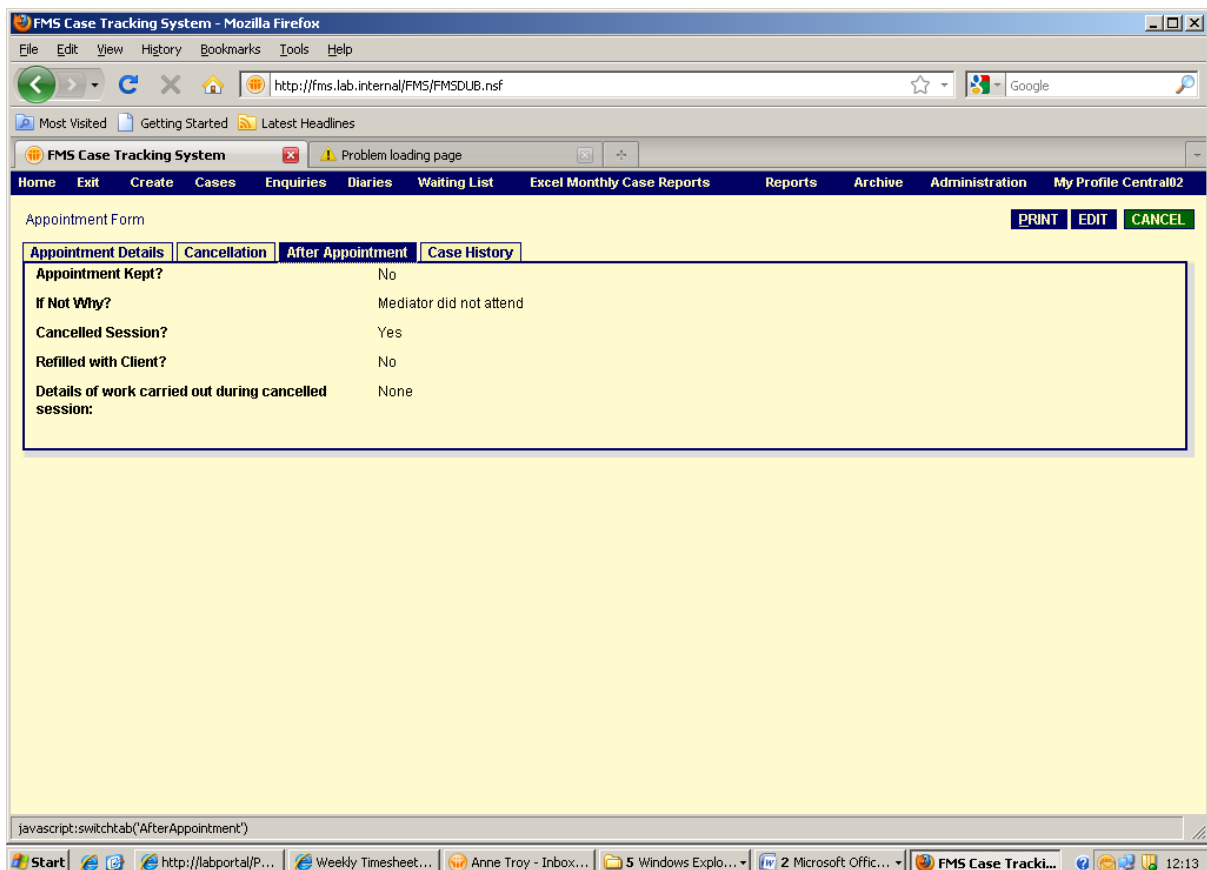
If there is a short notice cancellation and there is no prospect/time to refill this appointment, the default setting as above remains and it now becomes the **responsibility of the Mediator** to clarify the work carried out during the cancellation. The options are as follows:

1. Writing agreement for the clients who were cancelled  
 Cancelled Session? “YES”  
 Refilled with Client? “NO”  
 Work carried out? “Writing agreement”

2. Writing agreement for another set of clients  
 Admin session for cancelled clients  
 Admin for another set of clients

Cancelled Session? “YES”  
 Refilled with Client? “YES”  
 A new appointment now needs to be created **by the mediator** to reflect what piece of work was carried out.

3. When mediator cancels, the **clerical officer completes the appointment** as above. The after appointment details will be as follows:



Appointment kept “NO”  
 If Not Why? “Mediator did not attend”  
 Cancelled Session? “YES”  
 Details of work carried out... “None”

### ***Finalising Cases***

Cases are closed off by the Mediator when the couple have completed mediation or if they do not wish to proceed with mediation after the first joint mediation session. There are standard clauses which must be followed when preparing an Agreement for a client. All Agreements are typed in Microsoft Word, formatted and proofread before binding and sent to clients. A copy of the Agreement is then uploaded to the client's record under "Mediation Details".

## **4. Statistics**

The Board collates statistics from Monthly Case Reports on the case tracking system. The reports are generated for the previous month on the first working day of the current month. In order to have accurate reports, it is necessary that all after appointment details are completed on a daily basis and any cases that are no longer active are closed off using a current date so as to provide correct statistical information. Failure to complete details correctly has huge implications on the statistical information we gather on a monthly basis.

# Chapter 4

## Working with files

This chapter deals with:

1. Opening a file
2. Record keeping
3. File management
4. Closing, storing and destroying client files

### 1. Opening a file

A physical file should be opened where possible, immediately prior to the First Joint Mediation Session and according to the procedure below:

#### **Procedure 4.1 – Opening a client file**

1. Keep a supply of file folders and treasury tags easily accessible.
2. Punch a hole in the top left hand corner of the file folder and insert a treasury tag through this.
3. Place on the file the Intake Details on the left hand cover. Place a copy of the Ground Rules of Mediation, First Meeting Questionnaire, Budget Sheet, Pension Details and Final Outcome Questionnaire on the right hand cover.
4. Give the client file the number assigned by the IT system.
5. Copies of all correspondence must be retained on the file in reverse chronological order (latest correspondence first).
6. When case is closed file as appropriate according to the system in the office.

It must be recorded on the client file that the client has read and signed the Ground Rules of Mediation.

### 2. Record keeping

Mediators are responsible for:

- maintaining appropriate records in accordance with Board policy ensuring that all records are confidentially stored in accordance with Board policy;
- all records are the property of the Board and may not be removed from family mediation offices without the prior consent of the Regional Manager;
- clients, upon request, must be informed about the nature of records kept, access to such records and the degree of security attaching to their storage; and
- mediators must be both familiar and cognisant of the current provisions and consequences of the Freedom of Information Act and Data Protection Act.

### 3. File management

All files should be maintained in a structured manner. (File numbers as assigned by CTS in ascending order.)

Files should be maintained as follows:

- one file per couple;
- intake form kept on the inside left cover;
- correspondence should be filed in chronological order;
- use standard forms for factual information;
- multiple copies of papers, drafts etc. should not be retained;
- memo's, correspondence etc. should be concise;
- documents such as bank statements, payslips, P60's, pension details and insurance details should be kept together bound by paper clip/treasury tag;

- any personal documents received should be copied for inclusion in the Mediated Agreement; and
- all documents the family mediation office comes into possession of should be stored safely in a locked tambour unit.

**Files should never be stored on the floor and one file should be worked on at a time.**

Information and files left on floors and on desks are also more likely to be damaged or destroyed in a disaster such as fire or flood.

#### ***File and document confidentiality***

The Family Mediation Code of Ethics and Practice states that confidentiality is one of the fundamental principles of the mediator/client relationship. The Mediator is obliged to explain to the clients the principles of confidentiality and how the rules in relation to confidentiality operate. The duty to protect the client's confidentiality extends to all staff.

Further information regarding client confidentiality is contained in → **Chapter 8 Client Care**

## **4. Closing, storing and destroying files**

### ***Recording details regarding closed files***

The details of closed files must be recorded on CTS, in the "Outcome" tab.

Agreements must be uploaded as an attachment, in the "Mediation" tab.

### ***Closure of files***

When a mediator intends to close a file the file should be reviewed for the purpose of making sure that there are no matters outstanding that need to be attended to.

All original documentation should be returned to the clients.

### ***Disposal date***

As a practical example of the date on which a file should be marked for disposal, a case file that is being closed in the year 2014 should be retained for 7 years, namely the years 2015 to 2022, and marked for disposal in 2023.

### ***Time periods***

Files should be retained in the family mediation office for 7 years after which they can be destroyed.

# Chapter 5

## Referring to Civil Legal Aid and Advice

This chapter deals with:

1. What is civil legal aid and advice
2. What is a law centre
3. Applying for legal services
4. Pilot compulsory information sessions on mediation

Sometimes a problem may not be resolvable by means of family mediation. In such cases, it is important that staff be aware of the details of the civil legal aid and advice service provided by the Board and be able to refer applicants to their nearest law centre for the purposes of making an application for legal services. This Chapter gives some brief background details of how the civil legal aid and advice system works. The Board's → **Administrative Procedures Handbook**, available on the LAB Bulletin Board, contains further details.

### 1. What is civil legal aid and advice?

#### ***Persons of insufficient means***

At the outset it is important to note that unlike family mediation, civil legal aid and advice is only available to persons of insufficient means to pay for a solicitor out of their own funds. What that means is that, except in limited circumstances, each application for civil legal services is assessed to see if the applicant is financially eligible for the service.

A person is financially eligible for legal services when their **disposable income** and the value of their **disposable capital (excluding the family home)** are less than prescribed limits. These limits are determined by the Minister for Justice and Equality (by way of a set of Regulations, currently the Civil Legal Aid Regulations 1996-2013) and may change from time to time.

- **Disposable income** means income after income tax, PRSI, USC, PRD, allowances for children and spouses, and accommodation costs. The disposable income limit is currently €18,000 per annum.
- **Disposable capital** means that outstanding loans are deducted from the applicant's capital. The disposable capital limit is currently €100,000.

#### ***Not free***

Unlike family mediation, civil legal aid and advice is not free. A contribution must be paid towards the service. The minimum contribution is usually €30 for advice and €130 for aid and this is paid by all persons whose sole source of income is social welfare and who have no disposable capital. The maximum contribution payable for advice only is €150. A person may have to pay substantially more if representation in Court is involved. However, in family disputes the contribution payable for legal aid is capped at €5,000 for a separation or divorce and €417 for matters such as custody, access, guardianship and maintenance.

In certain cases a legally aided person may have to repay back some or all of the full cost of their legal services at the end of a case. This chiefly arises if a person is awarded property or money at the end of their case.

#### ***Civil and criminal matters***

It is important to be aware that of the distinction between a civil and criminal matter. Legal aid is available from the Board in relation to most civil matters. A limited number of matters are excluded from the scope of civil legal aid. A **civil matter** may be described as a matter which concerns disputes between individuals or individuals and organisations. The → **Circular on Legal Services** gives details of the matters covered by the Civil Legal Aid Act 1995. Criminal matters – which concern the prosecution of offences which carry a criminal penalty, i.e. a fine, community service, or imprisonment – are outside the scope of the Civil Legal Aid Act.

For the purposes of referring to law centres it can normally be assumed that all problems dealt with through family mediation offices are civil matters and are, in the vast majority of cases, within the scope of the Act.

### **Legal advice**

Legal advice is any oral or written advices given by a solicitor or a barrister in civil matters. It can include writing letters on a client's behalf and acting for them in negotiations with other persons. Legal advice is provided by solicitors in the Board's law centre network.

### **Legal aid**

Legal aid means representation by a solicitor or barrister in civil proceedings in the District Court, Circuit Court, High Court, Court of Appeal, Supreme Court and the European Court of Justice. Legal aid is available also for representation before the Refugee Appeals Tribunal and in certain cases before coroner's courts.

Legal aid is in most cases provided by solicitors employed by the Board in its law centres. In certain cases, legal aid may be provided by solicitors in private practice who are contracted by the Board and placed on a panel for this purpose. Cases where legal aid is provided by solicitors in private practice include some family law disputes where the matters are being dealt with in the District Court.

For convenience, the Board often refers to civil legal aid and advice collectively as "legal services".

## **2. What is a law centre?**

A law centre is a Legal Aid Board public office which provides **legal aid** and **legal advice** on matters of civil law to persons unable to fund such services from their own resources. The Board has 33 law centres located throughout the country, including six in Dublin, and two each in Cork and Galway.

Each law centre is staffed by one or more solicitors (one of whom manages the centre and is known as the managing solicitor), paralegals, and clerical officers.

### **Pairings**

For the convenience of referrals and to encourage the building of relationships between family mediation offices and law centres, each office has been paired with one or more nearby law centres.

<b>Family Mediation Office</b>	<b>Law Centres</b>
Athlone	Athlone Longford
Blanchardstown	Blanchardstown Navan
Castlebar	Castlebar
Cork	Cork Popes Quay Cork South Mall
Dolphin House	Dolphin House Wicklow (located in Bray)
Dundalk	Cavan Dundalk Monaghan
Galway	Galway Francis St Galway Seville House
Letterkenny	Letterkenny
Limerick	Ennis Limerick Nenagh
Ormond Quay	Gardiner Street



	Smithfield
Portlaoise	Portlaoise Tullamore
Raheny	Finglas
Sligo	Sligo
Tallaght	Clondalkin Newbridge Tallaght
Tralee	Tralee
Waterford	Kilkenny Waterford
Wexford	Wexford

However when referring applicants to civil legal aid and advice it is important to note the following:

- The “paired” law centre may not be the most convenient law centre for the applicant. Note the applicant’s address before suggesting any particular law centre to apply to;
- Both parties to the mediation cannot be represented by the same law centre. It is “first come first served” in this regard. An applicant who applies to a law centre that the other party to the case has already applied to will be asked to select another law centre of his/her choice and his/her application will be forwarded there; and
- An applicant is entitled to apply to any law centre of his/her choice for legal services.

**→ Appendix B contains contact details for all of the Board’s law centres**

### 3. Applying for legal services

A person applies for legal services by completing the Board’s standard application form in writing and returning it, by post or by hand, to the law centre. Currently the Board does not have an online application facility though it is hoped to introduce one in the coming months.

After a person’s application is received, it goes through the following stages:

- The person’s application is briefly checked to see if it comes within the scope of the Act, that there is no conflict of interest, and whether it is a matter to be prioritised or placed on the risk register;
- The person will be financially assessed to see if they are eligible for civil legal services;
- If financially eligible, the person will be placed on an applications record (waiting list)
- Waiting times vary in each law centre. The Board strives to give applicants for civil legal aid and advice a first appointment within 3-4 months. If the waiting list is substantially longer, they may receive a first appointment, usually within four months, however they will be placed back on the applications record for an additional period to wait for a second consultation
- Legal proceedings will not be commenced until after a client has been granted a legal aid certificate. This can be granted at law centre (managing solicitor) level for most family law applications in the District Court. For other matters, such as judicial separation or divorce, the decision is made by the Board’s Head Office in Cahirciveen. A merits test is applied to applications. This examines such matters as whether the applicant has grounds to institute the proceedings and if court proceedings are the most satisfactory means by which the result sought by the applicant, or a more satisfactory one, may be achieved.

#### **4. Pilot compulsory information sessions on mediation**

The Board has introduced an initiative in its Cork Popes Quay, Cork South Mall, and Athlone law centres whereby certain applicants for civil legal aid for family law matters at these centres will not be granted legal aid certificates (representation in court) unless they have attended an information session on mediation at their local family mediation office. There is no compulsion to actually go on to participate in family mediation and the person may still avail of legal advice, if financially eligible for legal services.

##### ***Procedures in Cork Family Mediation Office***

1. The mediation office receives a 'walk-in', telephone call or email from the applicant requesting an appointment for information on ADR including mediation.
2. An appointment is made for the day(s) / morning(s) / afternoon(s) that the mediation office has allocated for information sessions. It is recognised that given that a number of persons referred may already have a court date, it is important that the information sessions take place quickly and that a backlog of such sessions is not allowed to build up. The aim is that no person waits more than two weeks for an information session from the date of their first contact with the mediation office.
3. When making the appointment, the applicant must provide personal details including information on their date of birth, address, phone number, marital status and details of their children. They will also be asked to provide a name and contact details for their spouse / ex-partner. The client will be advised that the session is NOT mediation. It is information and pre-mediation screening.
4. The general approach is that an appointment that the client receives is for the client to attend on their own. He or she will be advised that they cannot bring their children with them to any appointment. There may be very exceptional circumstances where it might be appropriate that the client is accompanied to an appointment for the purpose of helping their understanding of the information.
5. The applicant attends the information appointment and is given a certificate to confirm that he or she has attended. The information sessions are individual sessions and not group ones.
6. The objective of the information session is to provide both information on mediation and to include an element of assessment in terms of suitability. The session will involve a level of story-telling which will be an outline of the core issues and less about the full history of their prior relationship.
7. The time allocated to the mediation information session and assessment will be approximately 40 minutes to one hour (face to face contact with the mediator). This will be kept under review particularly in terms of the time taken for a) the client to fill in initial questionnaire and watch the video, b) the client to complete information session and assessment with the mediator, c) the completion of the post session questionnaire by the client and d) the completion by the mediator of the file and the inputting of data on the IT system.
8. The client should be asked to arrive at the mediation office ten minutes before the session is due to start. In the waiting room, the DVD "Separating the Options" developed by offices of the Courts Service and the Office of the Ombudsman for Children plays on a loop. The client is given a copy of this DVD. The client will be given a pre-session questionnaire to complete before the session starts; They should also be given a copy of the information leaflet.
9. At the information appointment the applicant is given more detail about the mediation process and what is involved in going to court. The structure of the information session is set out below. The applicant is provided with information on how to resolve his / her issue through mediation. He / she is given an opportunity to explain briefly to the mediator, the issues that are of greatest concern to him / her. This allows the mediator to tailor the information provided. The mediator explains that the mediation process is a voluntary process that can be used to help the applicant and his / her ex-partner try to come up with solutions that best suit their circumstances. He / she will be advised that mediation can be used to work on one issue, such as maintenance or access, or many issues, such as a full separation agreement. The mediator will have regard to the 'key selling points' below. During the session the mediator completes an intake questionnaire.

10. At the conclusion of the information session the applicant is asked whether he/she wishes to participate in the full mediation process. If so, he / she is advised that his / her spouse / ex partner will be contacted to ask if they would like to participate. The client is also given a post-session questionnaire to complete immediately.
11. The mediator will complete the administration of the file after the session and input the results of the questionnaires. The client file is to include:
  - a. Application Details
  - b. Ground Rules
  - c. Specific information relating to the parenting of client's children age
  - d. Post- session questionnaire
  - e. Certificate of Attendance
  - f. Resources document
12. If the applicant is interested in pursuing mediation, the mediation office contacts the second party sending letter offering an appointment / requesting contact within the next 2 weeks.
13. If the second party does not attend the meeting or attends the meeting and is not interested in pursuing mediation, the mediation office contacts the first party and informs them that mediation is not going ahead at this point. The second party is given a certificate to confirm they have attended if indeed they have done so.
14. If the second party attends and agrees to go ahead with mediation, the mediation office contacts the first party and informs him or her that the second party has agreed to mediation and they will be issued with an appointment in due course. The second party may be offered an information session in anticipation of the mediation process starting. If the second party has indicated that he or she will attend mediation, the information session is not mandatory though it should be stressed to the second party that it is preferable that he or she would attend in order to develop a full understanding of the process. It is recognised that in order to incentivise the take up of mediation, efforts will have to be made to keep waiting times to a minimum and the aim is that there will be a maximum period of three weeks from the second party agrees to mediation, to the first mediation session.
15. The mediation that is available will be 'all issues'. While the criteria for the mandatory information is 'dependent child' any mediation should not be confined to child specific issues.
16. It is a matter for the mediation office whether the same mediator conducts the mediation as gave the information session;
17. If a matter proceeds to mediation it can involve the child(ren) if both parents agree to it.
18. Persons attending mediation will not be accompanied by their solicitors.

### ***Procedures in Athlone Family Mediation Office***

1. The mediation office receives a 'walk-in' or telephone call or contact details either from the applicant or from the law centre requesting an appointment for information on ADR including mediation.
2. An appointment is made for the day(s) / morning(s) / afternoon(s) that the mediation office has allocated for information sessions. It is recognised that given that a number of persons referred may already have a court date, it is important that the information sessions take place quickly and that a backlog of such sessions is not allowed to build up. The aim is that no person waits more than two weeks for an information session from the date of their first contact with the mediation office.
3. When making the appointment, the applicant must provide personal details including information on their date of birth, address, phone number, marital status and details of their children. They will also be asked to provide a name and contact details for their spouse / ex-partner. The client will be advised that the session is NOT mediation. It is information and pre-mediation screening.
4. The general approach is that an appointment that the client receives is for the client to attend on their own. He or she will be advised that they cannot bring their children with them to any appointment.  
There may be very exceptional circumstances where it might be appropriate that the client is accompanied to an appointment for the purpose of helping their understanding of the information.

5. The applicant attends the information appointment and is given a certificate to confirm that he or she has attended. The information sessions are individual sessions and not group ones. The objective of the information session is to provide both information on mediation and to include an element of assessment in terms of suitability.
6. The time allocated to the mediation information session and assessment will be approximately 40 minutes to one hour (face to face contact with the mediator). This will be kept under review particularly in terms of the time taken for a) the client to fill in initial questionnaire and watch the video, b) the client to complete information session and assessment with the mediator, c) the completion of the post session questionnaire by the client and d) the completion by the mediator of the file and the inputting of data on the IT system.
7. The client should be asked to arrive at the mediation office ten minutes before the session is due to start. In the waiting room, the DVD "Separating the Options" developed by offices of the Courts Service and the Office of the Ombudsman for Children plays on a loop. The client is given a copy of this DVD. The client will be given a pre-session questionnaire to complete before the session starts. They should also be given a copy of the information leaflet.
8. At the information appointment the applicant is given more detail about the mediation process and what is involved in going to court. The structure of the information session is set out below. The applicant is provided with information on how to resolve his / her issue through mediation. He / she is given an opportunity to explain briefly to the mediator, the issues that are of greatest concern to him / her. This allows the mediator to tailor the information provided. The mediator explains that the mediation process is a voluntary process that can be used to help the applicant and his / her ex-partner try to come up with solutions that best suit their circumstances. He / she will be advised that mediation can be used to work on one issue, such as maintenance or access, or many issues, such as a full separation agreement. The mediator will have regard to the 'key selling points' – see below. During the session the mediator completes an intake questionnaire.
9. At the conclusion of the information session the applicant is asked whether he/she wishes to participate in the full mediation process. If so, he / she is advised that his / her spouse / ex partner will be contacted to ask if they would like to participate. The client is also given a post-session questionnaire to complete immediately.
10. The mediator will complete the administration of the file after the session and input the results of the questionnaires. The client file is to include:
  - a. Application Details
  - b. Ground Rules
  - c. Specific information relating to the parenting of client's children age
  - d. Post- session questionnaire
  - e. Certificate of Attendance
  - f. Resources document
11. If the applicant is interested in pursuing mediation, the mediation office contacts the second party sending letter offering an appointment / requesting contact within the next two weeks.
12. If the second party does not attend the meeting or attends the meeting and is not interested in pursuing mediation, the mediation office contacts the first party and informs them that mediation is not going ahead at this point. The second party is given a certificate to confirm they have attended if indeed they have done so.
13. If the second party attends and agrees to go ahead with mediation, the mediation office contacts the first party and informs him or her that the second party has agreed to mediation and they will be issued with an appointment in due course. The second party may be offered an information session in anticipation of the mediation process starting. If the second party has indicated that he or she will attend mediation, the information session is not mandatory though it should be stressed to the second party that it is preferable that he or she would attend in order to develop a full understanding of the process. It is recognised that in order to incentivise the take up of mediation, efforts will have to be made to keep waiting times to a minimum and the aim is that there will be a maximum period of three weeks from the second party agrees to mediation, to the first mediation session.

14. The mediation that is available will be 'all issues'. While the criteria for the mandatory information is 'dependent child' any mediation should not be confined to child specific issues.
15. It is a matter for the mediation office whether the same mediator conducts the mediation as gave the information session.
16. If a matter proceeds to mediation it can involve the child(ren) if both parents agree to it.
17. Persons attending mediation will not be accompanied by their solicitors.

### ***Key selling points of mediation***

- Free
- Can be quicker
- Can get quicker access to legal advice if registered and approved by the law centre
- Voluntary – can decide not to continue at any time
- Confidential
- Safe environment
- Parties can make their own decisions as opposed to a decision being made by a judge
- Parties can learn more about what their child needs at this point
- Can use an impartial mediator to help the parties negotiate around their needs.

### ***Structure of information session***

While the session has been broken into sections, the client will not experience any break in the process. Throughout the session, the mediator will be screening for capacity to mediate.

#### **PART I – Introduction**

- Welcome
- Brief Introduction on the Legal System and Alternatives to Court
- Explanation of Mediation (Role of Mediator, Role of Parties, Mediators Approach, Advantages etc)

#### **PART II – Child Focus**

- What are the advantages of mediation for children of participating parents?
- Impact of family crisis on children
- Information on Working with Parents and Children in Mediation

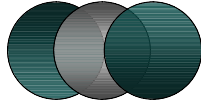
#### **PART III – Client Focus**

- Opportunity for client to outline their core issues and reason for application for legal services
- Mediator screens for Domestic Abuse & Mental Health Issues in Client and Children
- Mediator assesses information to:
  - Identify the current welfare of the children and impact of dispute on their development;
  - Identify potential for mediation outcomes;
  - Clarify level of conflict; and
  - Identify communication skills of client and ability to negotiate.

#### **PART IV - Summary**

- What happens next? Mediator explains Stages of Mediation
- Setting expectations about potential outcomes of mediation and explain terms such as Parenting Agreement or Full / Partial / Interim Note of Mediated Agreement
- How to legalise any mediation agreement
- Agreement to Continue Mediation
- Provision of Additional Resources to Client

**SEIRBHÍS IDIRGHABHÁLA TEAGHLAIGH**



**FAMILY MEDIATION SERVICE**

**CERTIFICATE OF ATTENDANCE**

**This acknowledges that**

\_\_\_\_\_ **has attended**

**a Family Mediation  
Information Session**

\_\_\_\_\_ **Mediator**

\_\_\_\_\_ **Date**

# Chapter 6

## Financial procedures

This chapter deals with:

1. Petty cash
2. Regional Manager's role re finances
3. Contacting Finance Unit by post or email

It is a requirement that family mediation offices keep proper records of all financial dealings. The Regional Manager is, in the first instance, responsible for ensuring proper financial records are kept and monthly returns are made to Finance Unit.

### 1. Petty cash

Each family mediation office may have petty cash not exceeding €500 on hands to meet minor local expenses such as bus fares, cleaning, sundry supplies etc.

Petty cash in the office is operated from the local bank account with a cheque being written to reimburse the office's petty cash float. This float should not exceed €500.

All petty cash should be kept in a lockable cash box which should be locked in the safe when not in use.

The petty cash should be operated as follows:

**Petty Cash Voucher:-** A voucher must be completed and signed by the person receiving money. The manager who approves the expenditure must sign the form before a petty cash payment is made. The relevant receipt should be attached to the voucher and the voucher should be numbered in order. The numbering system should commence at the start of each year and have a reference such as 1/2014 for the first voucher of 2014.

The category of expenditure such as cleaning, office supplies etc should be indicated on the voucher under the heading "Expense Category". This will assist in completing the monthly return.

If expenditure relates to a particular case file, the file name and reference number should also be recorded on the voucher. Vouchers and receipts should be kept on a file entitled 'Petty Cash vouchers year 20....'

**Petty Cash Book:** Once a petty cash payment is made the corresponding entry should be made in the petty cash book immediately. Entries on the left hand page of the book should consist of voucher number, voucher date and amount. The opening balance or cash on hands at the beginning of each month should be indicated at the top of the page. Any subsequent 'top-ups' (to maintain the €500 limit) or other receipts should also be shown. The right hand page of the book should give a breakdown of expenditure under various expenditure headings. Expenditure headings should be in the same order as those on the Petty Cash Monthly Return form. The petty cash book pages for each month should be totalled and then summarised at the back of the book.

**Petty Cash Monthly Returns:** Returns to Finance Unit should be made by the seventh working day of each month. A copy should be retained at the law centre.

# PETTY CASH VOUCHER

EXPENSE

CATEGORY \_\_\_\_\_

PETTY CASH VOUCHER No: \_\_\_\_\_

I received the sum of € \_\_\_\_\_

In respect of

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

being expenditure properly incurred on behalf of the Board.

Signed: \_\_\_\_\_

Approved: \_\_\_\_\_ Regional Manager

Date: \_\_\_\_\_



**Procedure 6.1 – How to complete the petty cash return**

1. **Balance on hands on first day of month:** This should equal the amount in the petty cash box as per the end of the previous month.
2. **Imprests received:** This should equal the amount of petty cash allotted from the Local Bank Account.
3. **Other income:** Any income received other than an imprest. Details should be provided.
4. **Monthly expenditure:** All expenditure made during the month. This information can be ascertained from the 'Petty Cash Vouchers'.
5. **Miscellaneous expenditure:** All non classified expenditure. Details should be provided.
6. **Refund contributions:** Any contribution refunded to clients.
7. **Additional information:** Details of other income received and details of miscellaneous expenditure should be completed.

**The balance on hand and the actual amount in the petty cash box should be the same.**

# PETTY CASH RETURN

Family Mediation Office - \_\_\_\_\_

**PETTY CASH RETURN FOR ..... 20\_\_**

Balance on hands on first date of Month €.....

Add: Imprests: €.....

Add Other Receipts: €.....  
(see attached list)

**TOTAL RECEIPTS** (A) € \_\_\_\_\_

**LESS: MONTHLY EXPENDITURE**

Office supplies €.....

Legal fees €.....

Cleaning €.....

Travelling expenses €.....

Postage €.....

Library €.....

Photocopying €.....

Maintenance premises €.....

Maintenance equipment €.....

Miscellaneous expenses  
(see list attached) €.....

Refund contributions €.....

**Total Expenditure** (B) € \_\_\_\_\_

**BALANCE ON HANDS ON THE LAST DAY OF THE MONTH (A-B)** € \_\_\_\_\_

**ACTUAL CASH ON HANDS IN THE PETTY CASH BOX** € \_\_\_\_\_

## **2. Regional Manager's role re: finances**

The Regional Manager must be satisfied that accounts procedures are being followed, check that the returns being submitted are accurate and sign a confirmation that they are satisfied of this.

To assist in the checking procedure, please see the following:

### ***Petty Cash Returns***

The 'balance on hands on the last day of the month' and the 'actual cash on hands in the petty cash box' should be the same. This requires a physical check on the cash in the petty cash box. If these do not balance, then further investigation is required.

If there are any irregularities, please contact the Higher Executive Officer in Finance Unit immediately.

# Regional Manager's Confirmation Sheet

Family Mediation Office \_\_\_\_\_

Month \_\_\_\_\_

I wish to confirm that I am satisfied that the attached

- Petty Cash Return

has been completed and that I have checked for accuracy.

Signed \_\_\_\_\_ Date: \_\_\_\_\_  
Regional Manager

### **3. Contacting Finance Unit by post or email**

When addressing post for Finance Unit, it should be addressed to the correct section or group email. Post or email for Finance Unit should not be sent to a specific staff member, unless in reply to an email sent by a specific staff member.

#### ***Post/email addresses for Finance Unit***

- If you have post for the Travel & Subsistence Section - send it to T&S Section, Finance Unit. Likewise if you have emails for the Travel & Subsistence Section - send it to ["T&S"](#)
- If you have post for the Payroll Section - send it to Payroll Section, Finance Unit. Likewise if you have emails for the Payroll Section - send it to ["Payroll"](#)
- If you have post for the Invoices/Fee Notes Section - send it to Invoices Section, Finance Unit. Likewise if you have emails for the Invoices/Fee Notes Section- send it to ["Invoices"](#)
- If you have post that concerns Local Banking/Petty Cash/Settlements - send it to Banking Section, Finance Unit. Likewise if you have emails for the Local Banking/Petty Cash/Settlements Section- send it to ["Banking"](#)



# Chapter 7

## Management information requirements

This chapter deals with:

1. Demand and service delivery reporting
2. Professional negligence
3. Compliance with the contents of the Board's Family Mediation Procedures Handbook
4. Finance Unit reporting requirements – an overview
5. Human Resources reporting requirements

### ***Reporting relationship***

Family mediation offices are required to report certain information on a monthly basis to various Head Office sections including Human Resources Section and Finance Unit.

This chapter of the Handbook deals with the regular reporting requirements. Other information may be sought from the Director, Family Mediation Service/Regional Managers from time to time relating to the operation of the service.

## **1. Demand and service delivery reporting**

### ***Statistical record reports***

Statistical reports are made available to Head Office each month. These reports comprise of:

Report	Measures
New Referrals	Number contacting the service requesting mediation.
Waiting List	Number of couples on the waiting list at the end of the month, carried forward to next month.
Waiting Time	Number of weeks that the longest of these cases has been waiting.
Optimum Appointments	Number of sessions available to each mediator.
New Clients	Number of first joint mediation sessions
Total Number of Mediated Sessions	Total number of mediated sessions in current month.
Cancelled Appointments	Number of couples who did not attend their scheduled appointment.
Active Cases Carried to Next Month	Active cases carried forward from last month plus cases taken off waiting list minus the cases finalised in current month.
Finalised Mediated Agreements	Number of completed mediated agreements

### ***Other reports***

A number of other reports are made available to Head Office on a monthly or otherwise basis. It is not proposed to describe these reports in full here however, any queries as to the criteria for, or output of a report should be directed to the Director, Family Mediation Service/Regional Manager as appropriate.

## **2. Risk Management**

A regular formal review of all cases in family mediation offices is essential to enable the Board ensure the quality of its services and to ensure that there is a proper structure in place to limit the scope of any potential actions against it in the future. The formal process must, therefore, be operated by each and every mediator. This requires that mediators review their files and ensure that the case status on CTS is up to date.

### **3. Compliance with the contents of the Board's Family Mediation Procedures Handbook**

All family mediation office staff should familiarise themselves with the contents, in particular, of the Family Mediation Procedures Handbook. Mediators are required to declare that they are broadly familiar with the contents of the Handbook. Adherence to procedures should be a regular agenda item at staff meetings.

### **4. Finance Unit reporting requirements – an overview**

Finance Unit requires that the petty cash return be forwarded to them by the seventh working day of each month.

### **5. Human Resources reporting requirements**

#### ***Learning and Development Plans***

As part of the Performance Management and Development System (PMDS), each staff member (whether mediator or administrative) must complete with their Regional Manager a personal training and development plan in January of each year. Regional Managers must complete their plans with the Director, Family Mediation Service.

The plan sets out the staff member's requirements for on-the-job training, training courses, and other development to take place over the next twelve months and is agreed between the staff member and Regional Manager based on the staff member's role profile. See also →Chapter 10.

Human Resources Section requires that a copy of each staff member's plan be sent to the Board's Training Officer following its completion.

#### ***Computer-based time recording***

Family mediation offices are staffed 9:00-13:00 and 14:00-17:00. This is known as "Standard Working Hours". At least one staff member must be on the premises at all times during Standard Working Hours.

The main purpose of flexitime is to provide a more flexible system of attendance for staff and to allow them to vary their times of arrival and departure, to vary length and time of their lunch break and to take flexi-leave if they have accumulated sufficient credit hours. Flexitime is available to all administrative (up to Higher Executive Officer, and to Assistant Principals who already had flexi-time before 1<sup>st</sup> July 2013) staff in the Board, but not to mediators at present.

An average of 37 hours (excluding breaks) must be worked each week over a four week period. The following are the flexi arrangements:-

**08:00 – 10:00** Staff must start work during this period, but no earlier than 08:00

**10:00 – 12:30** Staff must be present for work during this period unless on an authorised absence

**12:30 – 14:30** Staff may take between 30 minutes and 2 hours break during this period, but must take at least 30 minutes.

**14:30 – 16:00** Staff must be present for work during this period unless on an authorised absence

**16:00 – 19:00** Staff may finish work at any time during this period, but no later than 19:00.

An application is available on the user's PC which allows staff to record their times of starting and finishing work as well as lunch breaks and business absences. It also allows staff to check their current flexi balances. Mediators do not at the moment clock in – mediators should be present during Standard Working Hours. Mediators should use the system when applying for leave.



Staff who have built up positive balances over the previous four-week period are able to take *leave in lieu of time worked up* (normally called flexi-leave) of up to a day, in the following four week period, depending on the amount of time worked up (3:42+ for a half day and 7.24+ for a day). The same principles apply to granting such leave as normally apply to the grant of annual leave. Time worked up in excess of 11:30+ is lost. Flexi-time is always subject to the requirements of the family mediation office.

#### **Procedure 7.1 – How to access the Flexitime application**

1. If the LAB Portal is not already open, open it by clicking Start → Programs → Internet Explorer, then Favourites → Citrix Labportal.
2. In the portal, click the link to “Flexi” under Quick Links on the right hand side of the screen.
3. Enter your username and password and click “Logon”. The Employee Dashboard will appear.

→ Full **User and Supervisor Manuals** for the computer-based flexi system, detailing full procedures for using the system, have been distributed to all family mediation offices. Additional copies are available on request from Human Resources Section. Online help is also available by clicking on the “?” icon in the top right-hand corner of the Employee Dashboard page.

#### ***Regional Manager’s responsibilities re Flexitime***

Managing the time and attendance of staff is an important function of Regional Managers. In exercising their responsibilities, they should ensure as far as is practicable, that all staff are rostered appropriately to ensure that sufficient staff are available to deliver the Board’s services. Regional Managers must ensure at least one staff member is on the premises at all times during Standard Working Hours and that all staff members scheduled to work are on the premises (or otherwise on approved business absence). Regional Managers should be aware of attendance patterns in each family mediation office and require staff numbers during non-core hours to reflect this. They must also ensure that the office remains open to the public during public opening hours. In smaller offices, this may require the Regional Manager to ensure that at least one staff member has taken and returned from their lunch break by 14:00 to open the office.

Regional Managers must also manage staff to ensure they are working the required number of hours. A deficit (a negative closing balance at the end of a flexi period) may not be carried over by a staff member for two flexi periods in a row. Human Resources Section may intervene, where a staff member has carried over a deficit for more than two flexi periods, or where a substantial deficit (in excess of 8:00- ) has been carried over.

#### **The continued operation of flexitime is subject to conditions!**

**The family mediation office MUST be staffed adequately and be open to the public during Standard Working Hours.**

#### ***Queries regarding the flexitime system***

Queries regarding the flexitime system, and time and attendance generally are dealt with by Human Resources Section. If you have a query you should email the group Time Management. The general Human Resources/Training email address should not be used for such queries.

#### ***Mediators’ working hours***

Mediators are not required to clock in. Their normal working day is 9:00-18:00 with a break of 1 hour for lunch.



# Chapter 8

## Client Care

This chapter deals with:

1. Dealing with the public
2. Clean desk policy and confidentiality
3. Visitors or callers causing difficulties
4. About complaints
5. Customer Charter

Client care is a core value of the Board and is central to the Board's ethos. The client should be made feel welcome and treated with the utmost respect. The Board should strive to avoid giving cause for complaints from clients. Where a complaint is made, it is important it is dealt with fairly and equitably and in accordance with the Board's complaints procedure.

### 1. Dealing with the public

#### ***Personal contact***

All dealings between staff and members of the public must be conducted, at all times, with courtesy and respect. Staff must be polite at all times and must have regard to the possibility that applicants and clients may be extremely nervous when visiting or contacting the family mediation office and may have had no previous contact with mediation. Staff must also keep in mind that most of the Board's clients will be going through extremely difficult personal experiences in their lives and will be going through a period of unhappiness and vulnerability. Reception/front line staff should adopt a positive atmosphere when dealing with the public.

Staff will, from time to time, have to deliver bad news. At such times the client should be treated in a sensitive manner and advised of their options (other methods of help available, procedures, etc). Should the client become angry, the staff member must remain polite and calm at all times. More information on dealing with clients is contained later in this chapter.

#### ***Telephone***

All calls to family mediation offices should be answered promptly and courteously. Calls should be answered according the procedures in → **Chapter 2**.

If you are unable to deal with the subject matter immediately, you must take the appropriate details from the caller and undertake to return their call. In certain circumstances it may be appropriate to transfer the caller to someone else in the office. If it is not immediately possible to transfer the caller to the staff member who can best deal with the issue, you should take the appropriate details from the caller and make arrangements for the appropriate staff member to return the call at the earliest possible time.

#### ***Written correspondence***

All letters sent to the family mediation offices must be replied to promptly and within the following deadlines:

- an interim response should be issued, where necessary, within seven (7) working days of receipt of correspondence, and;
- a substantive response must be issued to all correspondence within fifteen (15) working days, this is conditional on the timely receipt of information and instructions where appropriate.

### 2. Clean desk policy and confidentiality

The Board has introduced a clean desk policy for a number of reasons including the following:

- it portrays the right image when clients call in;
- it reduces the risk of client confidentiality being breached as confidential information is less likely to be left visible on a desk or a floor; and

- scientific studies have shown that there is a reduction in stress when employees adopt a tidy desk policy.

It is generally accepted that a tidy desk is a sign of efficiency and effectiveness.

### ***Operation of the clean desk policy***

It is expected that all staff, including staff in family mediation offices will adhere to the following parameters:

- desks should be kept tidy. All loose leaf correspondence and other similar material should be kept in trays;
- books, periodicals etc. should be kept on bookcases when they are not being worked upon. Periodic reviews of non client related material should be undertaken for the purpose of disposing of material that can be disposed of;
- the number of client and other files kept out of cabinets or off the shelves for immediate attention should be kept to a minimum and should not exceed four at any one time. Files should be stored in cabinets overnight where possible;
- all staff should periodically review their offices / work stations for the purpose of ensuring that material that can be disposed of, is so disposed of. Great care should be taken that sensitive material is set aside for shredding. Regard should be had to the fact that many documents and other items may be available in soft copy and it may not be necessary to retain a hard copy;
- files and other material should be maintained in a manner that makes them easily accessible to other staff in the event that the staff member with responsibility for the file or the material is out of the office; and
- offices should be kept tidy. Files should not be left on the general floor area, save in the circumstances set out above. Steps should be taken to ensure that offices are cleaned, including vacuum cleaned, regularly.

### ***Confidentiality in general***

Confidentiality must be observed in dealing with clients at all times.

- When a staff member commences employment with the Legal Aid Board they are given a copy of Circular 15/79 – Official Secrecy and Integrity. The Board's staff handbook provides further information in this regard. The consequences of using official information for the purpose of obtaining private gain for oneself or another person is an offence and is punishable by imprisonment, fine or both.
- To ensure confidentiality, access to a file must normally be limited to family mediation office staff.
- Where possible, at the end of each day, files should be stored in cabinets or locked drawers. Keys to cabinets / drawers should be kept in an agreed secure place for access to all staff. Individual offices should not normally be locked. However, if they are in an area accessible to the general public, they should be locked, but the key should be stored in an agreed secure location to be accessed by all family mediation office staff.
- Files must not be kept in any area that is not secure, for example, in an area that can be accessed without a door code. It is important to remember that people other than family mediation office staff e.g, cleaning staff, may have access to offices to carry out certain duties. Client files should not be visible nor should any other material that is client related. Post trays should be kept in a discrete location and should be placed in a cabinet if the staff member is out of the office.
- The reception area is normally in public view. This area should be kept as clear as possible at all times and information, message or receipt books for example, should not be kept on desks within reach or sight of callers. Computer screens near the reception area should be angled away from the view of the reception area.
- Material should not be left on printers or photocopiers.
- In certain circumstances, specific client details or access to the file may need to be given to the Regional Manager for the purposes of undertaking a review of the file. Conversations with clients regarding their case should therefore normally take place in the office's mediation room. They should not take place in the Reception area.

Care should also be taken not to discuss confidential information on mobile telephones, particularly in public places.

- Staff in general offices should be mindful that conversations or telephone calls regarding clients may be heard in the waiting area.
- Emails to clients may only be sent to **one client at a time**. That is to say, the same email should **not** be sent to multiple clients or copied to multiple clients. See → **Chapter 2** for further information on the operation of the e-mail system.

### **3. Visitors or callers causing difficulties**

Should a person attend the family mediation office and behave in a difficult manner, efforts should be made in the first instance to calm the person, for example, by asking them to compose themselves.

However, it is in order to ask a visitor who refuses to calm down to leave the premises. Any visitor who is clearly under the influence of drink or drugs or who threatens or initiates violence against a member of staff in the office should be asked to leave the premises immediately and building security (where available) or the Garda Síochána should be contacted in the event the caller refuses to leave. The Regional Manager should be informed of any occasion where this occurs and in the case of a client the guidelines below should be followed.

The following are various examples of categories of unreasonable behaviour:-

- Threat of, or actual, physical assault
- Threat of, or actual, self harm (whether active or passive)
- Surveillance/stalking
- Abuse, obscene language and/or gestures
- Inappropriate behaviour of a personal nature
- Malicious or vexatious complaints made by clients
- Clients who cause difficulties regarding instructions
- Unauthorised taping of consultation

These guidelines pre-suppose that the person engaging in unreasonable behaviour is a client. However on occasion a person attending the office and behaving in a difficult manner may not be a client. The Board must be mindful that it must act within its power to facilitate clients for mediation services being made and services being appropriately given, however the safety and welfare of staff is paramount and a client is not entitled to services at the expense of the safety and wellbeing of staff.

#### ***Terminating a call from an angry or abusive caller***

You should, in the normal instance, wait for the caller to hang up before hanging up on external callers.

In the event that the caller becomes angry or abusive, the following procedure should apply:

#### **Procedure 8.1 – Dealing with an abusive or angry caller**

1. Remain calm at all times and do not return the abuse or anger or otherwise respond.
2. Advise the caller that if they do not cease the abusive behaviour, the call will be terminated.
3. In the event the behaviour continues, warn the caller that you are about to terminate the call. If it persists, hang up.
4. If the caller is a client, create a record of event and detail the caller's behaviour. Inform the mediator dealing with the case.

**OR**

If the caller has not yet been assigned a mediator create a record of event and inform your Regional Manager.

Avoid terminating a call without warning.

**If the caller is a client, inform the mediator dealing with the file**

#### **4. About complaints**

Complaints are made from time to time:-

- against mediators; and
- other staff of the Board.

In addition, other performance issues may arise in relation to the delivery of mediation services on behalf of the Board.

The procedures to be operated by the Board for dealing with complaints and performance issues are set out below and have regard to the need for fair procedures, while ensuring the provision of a quality service to all persons.

**Complaints are sensitive! If you receive a verbal complaint listen carefully and be calm and polite to the person making the complaint.**

In considering complaints, regard must be had to:-

- the Civil Legal Aid Act, 1995, and the Civil Legal Aid Regulations; and
- the Customer Charter / Customer Service Action Plan.

#### ***Verbal complaints***

If a verbal complaint is made to the Board or any of its family mediation offices, every effort should be made to resolve the complaint informally and without recourse to the formal procedures set out below. If it is not possible to resolve a verbal complaint informally, the complainant should be asked to put the complaint in writing and advised that only complaints that have been made in writing will be considered formally by the Board. Where there are language difficulties, the person should be asked to write the complaint in his/her language, which can then be translated. Where there are literacy problems, appropriate assistance should be provided to enable the complaint to be put in writing.

#### **Procedure 8.2 – Dealing with a person who wishes to make a complaint by telephone or in person.**

1. Be polite and courteous to the person and do not make any comments on the complaint or the nature thereof.
2. If the Regional Manager is in the office and available to take the call or meet the person, transfer the call to or inform the Regional Manager, giving details of the complaint as given to you to. **Do not put a caller through until you have spoken to the Regional Manager first.** Regional Managers should make themselves available to try to address complaints informally.
3. If the Regional Manager is not in the office, take details of the person calling to complain and advise that the regional manager will contact them. Send an internal memo to the regional manager detailing the client's concerns and place a copy on the client file.
4. The regional manager will, in the first instance, deal with the complaint in accordance with the procedures set out above.

#### ***Written complaints***

Complaints against staff (other than a Regional Manager) should be dealt with by the relevant Regional Manager in the first instance.

On receipt of a written complaint in Head Office about a member of staff (other than a Regional Manager), the complainant will be informed in writing that the complaint has been transmitted to the Regional Manager of the family mediation office who will be in touch with them in relation to the matter.

All matters not within the remit of the Regional Manager should be referred promptly to the Director, Family Mediation Service.

**Procedure 8.3 – Dealing with a written complaint against an family mediation office member of staff (other than the Regional Manager).  
A written complaint against an Regional Manager must be forwarded to the Director, Family Mediation Service.**

**For other complaints Regional Managers should:**

1. furnish a copy of the written complaint to the relevant member of staff requesting their comments (except in exceptional circumstances where it is not practicable to do so); The member of staff should be mindful that the comments may be made available to the complainant;
2. upon receipt of the comments, respond to the complainant in writing;
3. copy the member of staff with the response;
4. within reason and if appropriate, engage in ongoing correspondence with the complainant;
5. if appropriate, offer the complainant an appointment to try and resolve the matter; if further attempts to resolve the complaint are unsuccessful, offer the complainant an opportunity to have the matter referred to the Director, Family Mediation Service.;
6. if the complainant requests the complaint be referred to the Director, Family Mediation Service, or the Regional Manager wishes to have it so referred, do so and include with the complaint the comments of the relevant member of staff and the Regional Manager's own comments; and
7. copy the complaint and the Regional Manager's response to the Director, Family Mediation Service.

In the event of a complaint being referred for consideration the Director, Family Mediation Service should:-

1. advise the Regional Manager and relevant member of staff of their observations / findings on the complaint; and
2. write to the complainant with their findings and also any observations they may have on how the complaint might be resolved.

All matters not within the remit of the Regional Manager should be referred promptly to the Director, Family Mediation Service.

**Director, Family Mediation Service should be advised of all cases in which a formal complaint is made in writing directly to a family mediation office, including the nature of the complaint and the Regional Manager's observations / findings.**

***Complaints in relation to Regional Managers***

All complaints in relation to a Regional Manager should be sent to the Director, Family Mediation Service for investigation. The procedures set out above will apply, subject to appropriate amendments.

***Responding to complaints***

First instance responses to/acknowledgements of complaints should be issued by the Regional Manager or Director, Family Mediation Service (where the complaint relates to a Regional Manager).

It is frequently the case that a complaint will relate to the interpersonal engagement between the mediator and the client. In many of these instances it is difficult if not impossible to make findings of fact on the complaint.

The client will allege that certain behaviour or demeanour was unacceptable while the mediator will take issue with the allegations and will often maintain that the client's behaviour was unacceptable. In those circumstances the Board may seek to resolve the issue without making any findings which may understandably displease the complainant and / or the mediator.

In general, every effort should be made to resolve the issues as quickly as possible and not enter into prolonged correspondence.

### ***Recording information in relation to complaints***

(Copies of) letters of complaint, mediator observations and responses issued to complainants should be kept on file.

### ***Formal investigation following on from a complaint***

If the Director, Family Mediation Service considers that the nature of the complaint is such that a formal investigation is required into the behaviour of the member of staff such an investigation will be carried out by a person appointed by the Chief Executive. In carrying out such an investigation, due regard will be had to the need for fair procedures and all relevant material will be provided to the individual staff member and to the relevant Regional Manager, if appropriate.

### ***Issues of performance***

There are specific arrangements in place for managing the performance of Board staff and they should be followed where any performance issues arise in respect of the service provided by staff of the Board.

### ***The Office of the Ombudsman***

As of 1<sup>st</sup> July 2013, the Legal Aid Board comes within the remit of the Office of the Ombudsman. The Ombudsman can examine complaints in relation to the 'administrative actions' of the Board **which occur on or after 1 May 2013 only**.

Common complaints which tend to be dealt with by the Ombudsman's office are as follows:

- Delay
- Failure to respond
- Poor Communication
- Poor treatment (Care and treatment cases)
- Denial of entitlement (payment) on means or other grounds
- Denial of entitlement (service) medical or other grounds
- Inconsistent implementation of scheme/policy
- Lack of fair procedures.

### **Contact Details for the Office of the Ombudsman are as follows:**

Office of the Ombudsman,  
18 Lower Leeson Street,  
Dublin 2.

Lo-call: 1890 223030

E-mail: [Ombudsman@ombudsman.gov.ie](mailto:Ombudsman@ombudsman.gov.ie)



For clients under the age of eighteen, the Ombudsman for Children's Office may perform the same role.

**Contact details for the Ombudsman for Children's Office are as follows:**

Ombudsman for Children's Office  
52-56 Great Strand St  
Dublin 1

Freephone: 1800 20 20 40  
E-mail: [ococomplaint@oco.ie](mailto:ococomplaint@oco.ie)  
[www.oco.ie](http://www.oco.ie)

## **5. Customer Charter**

The Board has adopted a Customer Charter. The purpose of the Charter is to identify to applicants and clients how they can and should expect to be treated by the Board and its staff, what they can do if they are not satisfied that they are being so treated and what the Board's expectations are from them in relation to their interaction with the family mediation office and Board staff. All staff should have careful regard to the terms of the Charter and the ethos that it seeks to create.

The Customer Charter is available on the Bulletin Board.

Customer Service should form a standard agenda item on all staff meetings.



# Chapter 9

## Freedom of Information

This chapter deals with Freedom of Information requests.

### **Background**

The *Freedom of Information Acts* governs access to information held by State bodies, including the Legal Aid Board. The legislation gives members of the public the following rights:-

- the right to access official records held by Government Departments or other public bodies listed in the Act;
- the right to have personal information held on them corrected or updated where such information is incomplete, incorrect or misleading; and
- the right to be given reasons for decisions taken by public bodies that affect them

Regulations made under the legislation provide parents, guardians and next-of-kin with these personal information rights.

These rights mean that members of the public can seek access to personal information and to other records created by the Board.

### **Dealing with enquiries**

Family mediation offices should normally co-operate in relation to client requests for their own personal information or for a copy of their file. It is significantly more cumbersome and time consuming to have to deal with a Freedom of Information request for a client's file than it is to hand over the file simpliciter, assuming that there are no documents on the file that the family mediation office is or might be precluded from releasing to the client. It should not therefore be necessary for a client to make an FOI request in order to obtain copies of personal documentation which may have been submitted as part of an application for mediation services.

The Board has created a number of Information Leaflets which are available and give general information on the Board's services. A member of the public making a general enquiry regarding the services provided by the Board may be handed one of these leaflets which are available from Organisation Section. They may also be given general information regarding the Board's policies and procedures.

While the member of the public must be informed of the FOI request procedure if they ask, consideration should be given at all times as to whether it would be possible for the relevant member of the public to be given the information, with regard to the Board's need to also comply with the Data Protection Act, the Official Secrets Acts, and mediator-client confidentiality.

### **FOI requests**

Where a Freedom of Information request does arise, it is dealt with through Organisation Section, Cahirciveen. The Assistant Director, Organisation is the Board's Freedom of Information Officer. Staff should be aware of, and be able to advise a member of the public, of the procedure for making a freedom of information request.

Staff in Organisation Section in Cahirciveen will normally liaise with the family mediation office in respect of obtaining copies of the relevant records. Copies of all records should be sent on, even if there is a possibility that they will not be released. The Assistant Director, Organisation will make a decision.

### **Procedure 9.1 – Dealing with a person who wishes to make a request under the Freedom of Information Acts**

1. If the person is a client, consult with the mediator dealing with the file. Identify whether or not the information being requested is something that cannot be released to the client without recourse to an FOI request.
2. Advise the person that they will need to put the following in writing:
  - the request
  - specify that the request is being made under the FOI Acts; and
  - be clear enough so that the Board understands what records are being requested.
3. A fee may be payable, by cheque/postal order made payable to the “Legal Aid Board”. A fee is not normally payable when the request relates to personal information about the requester.
4. They must submit the request to the following address:  
**Freedom of Information Officer**  
**Legal Aid Board**  
**Quay St.**  
**Cahirciveen**  
**Co. Kerry**
5. They should be advised that a decision will normally issue within four working weeks. The Freedom of Information Officer will send an acknowledgement to the requester.

### ***Fees for FOI requests***

The Board's position in relation to any fees or charges that might arise for the provision of information is as follows:-

- Personal records: no application fees or charges in respect of the cost of copying the records requested will arise, unless a large number of records is involved;
- Non-personal information: an application fee of €15 per request may be charged (€10 for medical card holders). Fees may also be charged in respect of the time spent in efficiently locating and copying records (€20.95 per hour, and 4c per sheet for a photocopy, 51c for a 3½” floppy disk, €10.16 for a CD-ROM, and €6.35 for a radiograph). There will be no charge in respect of the time spent by the Board in considering requests; and
- An internal review of non-personal information decisions: a fee of €75 may also be charged (€25 for medical card holders).

A deposit may be payable where the total fee is likely to exceed €50.79. In these circumstances, the Board will, if requested, assist the applicant to amend the request so as to reduce or eliminate the amount of the deposit.

It should be noted that the Board cannot charge a client a fee for their file when it is requested nor can a charge for the retrieval of it from outside storage be applied.

Charges may be waived in the following circumstances:-

- A fee in respect of search and retrieval and copying of records will be waived where the cost of collecting and accounting for the fee would exceed the amount of the fee itself (a guideline of less than €10 is used in this respect);
- A fee in respect of search and retrieval and copying of records or a deposit may be reduced or waived where the information in the record would be of particular assistance to the understanding of an issue of national importance.
- in the case of personal information, where such charges would not be reasonable having regard to the applicant's means.

### ***Internal review procedure***

Under the Freedom of Information Acts an applicant who is unhappy with the FOI Officer's decision, or who does not receive a reply within four weeks, may seek an internal review of that decision or lack thereof. At present, such reviews in the Board are conducted by the Director of Human Resources.

To request an internal review the applicant must write to the Board referring to the decision received (if one was made) and state that they are making an internal review appeal. The applicant cannot raise any further issues in the internal review appeal; the sole purpose of the review is for another officer to reconsider the decision on the original request only. The Director of Human Resources has three weeks to make a decision on the request for an internal review.

### ***Application for review to the Office of the Information Commissioner***

An FOI applicant whose internal review has been refused may appeal the decision, within six months, to the Information Commissioner, which is a statutory office established under the *Freedom of Information Act 1997*. An appeal is known as an "Application for Review" by the Commissioner.

An Application for Review must contain:-

- the applicant's name, address, telephone number and any other contact details (e.g. email address);
- the fact that the original request was made to the Legal Aid Board;
- the correct fee - if the applicant believes that no fee or a reduced fee is payable, they must provide supporting information;
- the reference number of the Board's decision, if one was provided, and;
- the applicant should state clearly the aspects of the Board's decision that they are unhappy with and which they are appealing.

The full fee for a review is €150, however reduced (€50) or no fees apply in certain circumstances and details of these are available on the Commissioner's website at [www.oic.gov.ie](http://www.oic.gov.ie)

Applicants may apply for a review through the Commissioner's website, or alternatively write to:

The Office of the Information Commissioner  
18 Lower Leeson Street  
Dublin 2



# Chapter 10

## Managing performance

This chapter deals with:

1. PMDS – an overview
2. Completing the all-in-one form
3. Conducting the interim review
4. Conducting the annual review

### 1. PMDS – an overview

The Regional Manager is responsible for managing the performance of the FMS office as a whole and of individual staff in the family mediation office. One of the principal tools available to managers in the Board is the Performance Management and Development System (PMDS) which is used throughout the Civil and Public Service. Participation in the PMDS process is compulsory for all staff. The PMDS process is carried out by engagement between the staff member and their direct line manager. In most offices this will be the Regional Manager. Regional Managers participate in PMDS with the Director, Family Mediation Service.. This Chapter deals with some aspects of managing performance. Other responsibilities are detailed elsewhere, including the Board's → **Circular on Legal Services**.

### 2. Completing the all-in-one form

At the start of the year, the Regional Manager and staff member must meet and complete a customised form for each staff member and for the year ahead. Generic templates are available on the LAB Bulletin Board.

Where a staff member joins a family mediation office mid-year, they should, as soon as possible after their start date, agree their PMDS Form with their Regional Manager. The PMDS Form of the staff member they are replacing may be used, alternatively, the generic precedent PMDS Form, appropriately customised, may be used.

### Procedure 10.1 – Holding the initial PMDS meeting

1. The staff member and Regional Manager should agree a time and date for the initial PMDS meeting (to take place no later than 31<sup>st</sup> January of each year).
2. In advance of the initial meeting, the staff member should draft the following sections of the PMDS Form: the Personal Details, Job Purpose, Goal Setting, and Achieving My Goals.

**OR**

The staff member should use the generic precedent PMDS Form and adapt it, based on any specific duties their Regional Manager has informed them they will/will not be performing.

**Note:** It is a requirement for all Regional Managers and any other staff who have staff reporting to them, to include the **Goal 1 “Manage the performance of all staff reporting to me”** in their Goal Setting section.

3. In advance of the PMDS meeting, the staff member should send the draft PMDS Form to their Regional Manager.
4. At the meeting, the staff member and Regional Managers should discuss the draft PMDS Form. They should identify which competencies need to be developed over the coming year. Based on that, they should complete together a draft Learning and Development Plan. They should also agree a date in June/July for the completion of the Interim Review.
5. The staff member should make changes to their PMDS Form based on the discussion at the PMDS meeting.
6. The staff member should present their updated PMDS Form (including LDP) to the Regional Manager. If both are happy with the updated versions, then they may be signed off on, otherwise **steps 3-5 need to be repeated** until ready to be signed off.
7. The staff member should make a copy of the full PMDS Form and a second copy of the LDP section. The copy full PMDS Form must be given to the Regional Manager. The second copy of the LDP should be sent to the **Training Officer, Legal Aid Board, DX 139 DUBLIN.**
8. The staff member should retain the original PMDS Form themselves.

### 3. Completing the interim review

The interim review allows the Regional Manager and staff member to reassess the objectives and key deliverables set out in the interim review, to measure progress in relation to the key deliverables and to make the appropriate changes for the remaining six months of the year.

At the time of completing the PMDS Form, the staff member and Regional Manager should agree a date for completion of the Interim Review. When agreeing this date Regional Managers should bear in mind any Term-Time Leave arrangements that may have been approved for the staff member in question. Where this occurs, the staff member’s interim review should be completed prior to the commencement of term-time leave.

There are headings relating to the interim review throughout the Goal Setting, Achieving my Goals, and Learning and Development Plan sections of the PMDS Form and these should be completed by the staff member in draft form prior to the Interim Review meeting, along with the Interim Review performance narrative commentary



#### **Procedure 10.2 – Holding the Interim Review**

1. The staff member and Regional Manager should arrange the date for their interim review and the time.
2. In advance of the meeting, the staff member should complete all Interim Review headings in the PMDS Form.
3. At the meeting, the staff member and Regional Manager should discuss their drafts and any performance issues. The staff member may give upward feedback.
4. The staff member should draft a typed revised PMDS Form based on the meeting and present this to the Regional Manager. If both are happy with the typed version, then it may be signed off on, otherwise **steps 3-4 need to be repeated.**
5. The staff member should make a copy of the revised PMDS Form and give to the Regional Manager. In the event of changes to the LDP, a second copy of the updated LDP should be sent to the **Training Officer, Legal Aid Board, DX 139 DUBLIN.**
6. The staff member should retain the original revised PMDS Form themselves.

#### **4. Completing the annual review**

The annual review should where possible be completed in December/January of each year. If a staff member transfers out of the family mediation office, the annual review should be completed prior to their departure.

The annual review incorporates a self-appraisal by the staff member of how he / she has performed during the year, an appraisal by the Regional Manager, and a rating. There is also an opportunity for upward feedback.

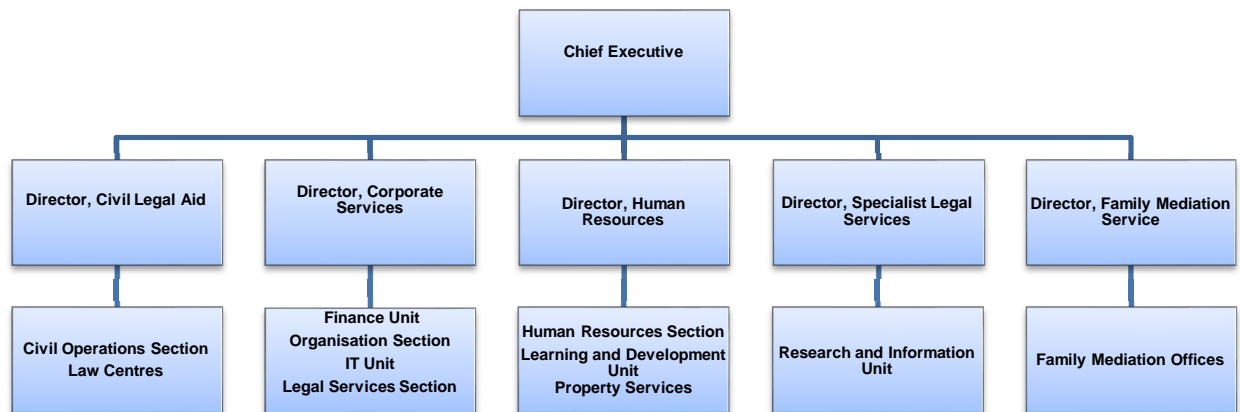
### **Procedure 10.3 – Holding the annual review meeting**

1. The staff member and Regional Manager should confirm the date for their end of year review.
2. The staff member should complete the relevant sections of the form that relate to the annual review as a 'self-assessment' and give the form to the Regional Manager in advance of the annual review meeting. This self-assessment provides the starting point for the discussion at annual review stage.
3. The Jobholder should review the following sections of the form and then complete the box for recording progress at annual review stage:
  - a. Setting My Goals
  - b. Achieving My Goals
  - c. Learning and Development Plan
  - d. Assessment of performance at interim review stage
4. A discussion should then take place between the Regional Manager and the staff member based on the performance in the review period and cover any changes to the goals, tasks, competencies and learning and developments requirements.
5. Following discussion with the staff member, the Regional Manager should complete the assessment of performance and the rating. In reviewing performance, account should be taken of the agreed goals, tasks, competencies, learning and development and any attendance issues that might have arisen during the year that have impacted on performance. The Regional Manager and staff member should agree the assessment of performance by signing off on this part of the form.
6. The "Feedback Conversation" and "Career Development" sections are optional, but it is recommended that they are completed.
7. The staff member should complete a typed copy of the final PMDS Form and they should sign off it with their manager. A copy of the typed, signed copy should be made and give to their manager.
8. The staff member should retain the final PMDS Form themselves.
9. A copy of the assessment of performance at annual review stage should be sent to HR Section (to include the narrative, the rating and any comment on attendance).

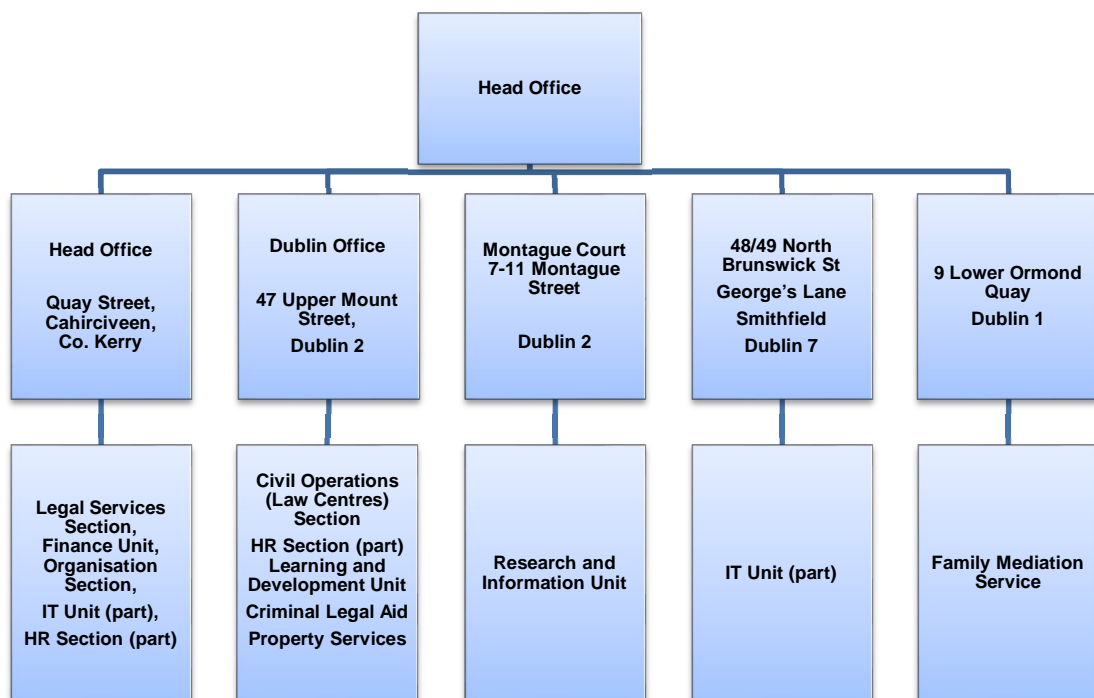
# Chapter 11

## Appendices

### 1. Appendix A – Structure of Head Office



The Board's Head Office functions are physically located in the following offices:



As in any organisation the management structure is subject to ongoing review and change, and updates will be issued to staff from time to time.

## 2. Appendix B – Law centre contact details

LAW CENTRE	MANAGING SOLICITOR
<b>CAVAN</b> Newcourt Shopping Centre, Church Street, Cavan Tel: (049) 433 1110 Fax: (049) 433 1304	<b>Patricia O'Reilly</b>
<b>CLARE</b> Unit 6A, Merchant's Square, Ennis, Co Clare Tel: (065) 682 1929 Fax: (065) 682 1939	<b>Mary Cuffe</b>
<b>CORK</b> North Quay House, <b>Popes Quay</b> , Cork Tel: (021) 455 1686 Fax: (021) 455 1690  Fifth Floor, Irish Life Building, 1A <b>South Mall</b> , Cork Tel: (021) 427 5998 Fax: (021) 427 6927	<b>Betty Dineen</b>  <b>Deirdre Kissane</b>
<b>DONEGAL</b> Unit B9, Letterkenny Town Centre, Justice Walsh Road, Letterkenny, Co Donegal Tel: (074) 912 6177 Fax: (074) 912 6086	<b>Dearbhla Deery</b>
<b>DUBLIN</b> 45 Lower <b>Gardiner Street</b> , Dublin 1 Tel: (01) 874 5440 Fax: (01) 874 6896	<b>Anke Hartas</b>
1 <sup>st</sup> Floor, Civic Centre, South Dublin County Council, Ninth Lock Road, <b>Clondalkin</b> , Dublin 22. Tel: (01) 457 6011 Fax: (01) 457 6007	<b>Tom Nally</b>
Village Green, <b>Tallaght</b> , Dublin 24 Tel: (01) 451 1519 Fax: (01) 451 7989	<b>Pauline Corcoran</b>
44/49 Main Street, <b>Finglas</b> , Dublin 11 Tel: (01) 864 0314 Fax: (01) 864 0362	<b>Barbara Egan</b>
48/49 North Brunswick Street, Georges Lane, <b>Smithfield</b> , Dublin 7 Tel: (01) 646 9700 Fax: (01) 646 9799	<b>Gráinne Brophy</b>
Unit 6-8, Blanchardstown Business Centre, Clonsilla Road <b>Blanchardstown</b> , Dublin 15 Tel: (01) 820 0455 Fax: (01) 820 0450	<b>Joan Crawford</b>
<b>Medical Negligence Unit</b> Montague Court, 7-11 Montague St Dublin 2 Tel: (01) 477 6208 Fax: (01) 477 6241	<b>Margaret O'Shea-Grewcock</b>
<b>Personal Injuries Unit</b> 48/49 North Brunswick Street, George's Lane, Dublin 7 Tel: (01) 646 9740 Fax: (01) 646 975	<b>Catherine Martin</b>

<b>Dolphin House</b> office, 3 <sup>rd</sup> Floor Dolphin House, East Essex Street, Dublin 2 Tel: (01) 675 5566/(01) 675 5565 Fax: (01) 764 5116	<b>Garrett Searson</b>
<b>GALWAY</b> 9 <b>St. Francis Street</b> , Galway Tel: (091) 561650 Fax: (091) 563825  <b>Seville House</b> , New Dock Street, Galway Tel: (091) 562480 Fax: (091) 562599	<b>Shane Dooley</b>  <b>Cormac Faherty</b>
<b>KERRY</b> 1 Day Place, Tralee, Co Kerry Tel: (066) 712 6900 Fax: (066) 712 3631	<b>Carol Anne Coolican</b>
<b>KILDARE</b> Canning Place, Newbridge, Co Kildare Tel: (045) 435777 Fax: (045) 435766	<b>Edel Poole</b>
<b>KILKENNY</b> Unit A, 1st Floor, Smithlands Centre, Loughboy, Kilkenny Tel: (056) 776 1611 Fax: (056) 776 1562	<b>Niall Murphy</b>
<b>LAOIS</b> Unit 6A, Bridge Street, Portlaoise, Co Laois Tel: (057) 866 1366 Fax: (057) 866 1362	<b>Katie Gilhooly</b>
<b>LIMERICK</b> Unit F, Lock Quay, Limerick Tel: (061) 314599 Fax: (061) 318330	<b>Fergal Rooney</b>
<b>LONGFORD</b> Credit Union Courtyard, 50A Main Street, Longford Tel: (043) 334 7590 Fax: (043) 334 7594	<b>Edel Hamilton</b>
<b>LOUTH</b> Condil House, Roden Place, Dundalk, Co Louth Tel: (042) 933 0448 Fax: (042) 933 0991	<b>Deirdre McMichael</b>
<b>MAYO</b> Humbert Mall, Main Street, Castlebar, Co Mayo Tel: (094) 902 4334 Fax: (094) 902 3721	<b>Thomas O'Mahony</b>
<b>MEATH</b> Kennedy Road, Navan, Co Meath Tel: (046) 907 2515 Fax: (046) 907 2519	<b>Mary Pat Ahern</b>
<b>MONAGHAN</b> Alma House, The Diamond, Monaghan Tel: (047) 84888 Fax: (047) 84879	<b>Stephanie Coggans</b>
<b>OFFALY</b> Harbour Street, Tullamore Tel: (057) 935 1177 Fax: (057) 935 1544	<b>Deirdre O'Connor</b>
<b>SLIGO</b> Bridgewater House, Rockwood Parade, Sligo Tel: (071) 916 1670 Fax: (071) 916 1681	<b>Brendan Hoey</b>

<b>TIPPERARY</b> Friars Court, Abbey Street, Nenagh, Co Tipperary Tel: (067) 34181 Fax: (067) 34083	<b>Catherine Ryan</b>
<b>WATERFORD</b> Canada House, Canada Street, Waterford Tel: (051) 855814 Fax: (051) 871237	<b>Aidan Lynch</b>
<b>WESTMEATH</b> Paynes Lane, Irishtown, Athlone, Co Westmeath Tel: (090) 647 4694 Fax: (090) 647 2160	<b>Phil O'Laoide</b>
<b>WEXFORD</b> Unit 8, Redmond Square, Wexford Tel: (053) 912 2622 Fax: (053)912 4927	<b>Niamh Murran</b>
<b>WICKLOW</b> Floor 3, Block D, Civic Offices, Main Street, Bray, Co Wicklow. Tel: (01) 202 2644 Fax: (01) 2022667	<b>Barbara Smyth</b>

### **3. Appendix C – Family mediation office contact details**

#### ***Dublin***

##### **Blanchardstown**

West End House,  
West End Business Park,  
Snugborough Road Extension,  
Blanchardstown,  
Dublin 15.  
Phone: (01) 811 8650

##### **Dolphin House**

Family Mediation Service,  
4th Floor, Dolphin House,  
Dublin 2.  
Phone (01) 672 5886

##### **Raheny**

Skillings House,  
1st floor offices,  
Raheny Shopping Centre,  
Howth Rd  
Dublin 5  
Phone (01) 851 0730

##### **Ormond Quay**

9 Lower Ormond Quay,  
Dublin 1,  
Phone (01) 874 7446

##### **Tallaght**

The Rere,  
Tallaght Social Services Centre,  
The Square,  
Tallaght,  
Dublin 24.  
Phone: (01) 414 5180

#### ***Outside Dublin:***

##### **Cork**

3rd & 4th Floor,  
Hibernian House,  
80A South Mall,  
Cork  
Phone: (021) 425 2200

##### **Galway**

3rd Floor,  
Merchant's Square,  
New Dock Street,  
Galway  
Phone: (091) 509730

##### **Limerick**

3rd Floor,  
Riverpoint,  
Lower Mallow Street,  
Limerick  
Phone: (061) 214310

***Part time offices are located in:***

**Donegal**

3rd Floor,  
Riverfront House,  
Pearse Rd,  
Letterkenny,  
Co Donegal.  
Phone : (074) 910 2240  
Opening hours: Monday & Tuesday 9am - 1pm, 2pm - 5pm.  
Wednesday 9am - 12.30pm (admin cover)

**Kerry**

Unit 2,  
Market Place,  
Main Street,  
Tralee,  
Co. Kerry.  
Phone: (066) 718 6100  
Opening hours: Monday & Tuesday 9am - 1pm, 2pm - 5pm.  
Wednesday 9am - 12.30pm (admin cover)

**Laois**

Level 2,  
Grattan House,  
Grattan House Business Centre,  
Portlaoise,  
Co Laois.  
Phone: (057) 869 5730  
Opening hours: Tuesday and Wednesday 9am - 1pm & 2pm - 5pm,  
Thursday 9am - 12.30pm (admin cover)

**Louth**

10 Seatown,  
Dundalk,  
Co. Louth  
Phone: (042) 935 9410  
Opening hours: Tuesday & Thursday 9.30am - 1pm, 2pm - 5.30pm.  
Wednesday 9am - 12.30pm (admin cover)

**Mayo**

c/o Family Centre,  
Chapel St,  
Castlebar,  
Co. Mayo  
Phone: (094) 903 5120  
Opening hours: Thursday & Friday 9am - 1pm, 2pm - 5pm.  
Wednesday 9am - 12.30pm (admin cover)

**Sligo**

Level 6,  
Quayside Shopping Centre,  
Wine Street,  
Sligo.  
Phone: (071) 915 4260  
Opening hours: Monday & Tuesday 9am - 1pm, 2pm - 5pm.  
Wednesday 9am - 12.30pm (admin cover)



**Waterford**

13B Wallace House,  
Maritana Gate,  
Canada St,  
Waterford.

Phone (051) 860460

Opening hours: Monday & Tuesday 9am - 1pm, 2pm - 5pm.

Wed 9am - 12.30pm (admin only)

**Westmeath**

Suite 10, 1st Floor,  
Inish Carraig Business Centre,  
Golden Island,  
Athlone,

Co. Westmeath

Phone: (0906) 420970

Opening hours: Monday & Tuesday 9am - 1pm, 2pm - 5pm.

Wednesday 9am - 12.30pm (Admin only)

**Wexford**

32 Key West,  
Custom House Quay,  
Wexford

Tel: (053) 916 3050

Opening hours: Monday & Tuesday 9am - 1pm, 2pm - 5pm.

Wednesday 9am - 12.30pm (admin cover)