

WORK AND DEVELOPMENT PERMIT SCHEME

GUIDE FOR SPONSORS





The **Work and Development Permit (WDP) Scheme** helps people who are experiencing difficulty paying court fines due to hardship.

Under a WDP, clients can complete approved activities, unpaid work or counselling under the supervision of a sponsor, in place of paying the amount owed. Activities include:

- **Unpaid work.**
- **Medical or mental health treatment.**
- **Educational, vocational, personal development or life skills course.**
- **Treatment for an alcohol or drug use problem.**
- **Mentoring (for under 25s).**

The WDP Scheme is established under the *Fines, Penalties and Infringement Notices Enforcement Act 1994* (FPINE) to provide an alternative means to paying fine debt for clients experiencing hardship.

What is a WDP?

A WDP is a permit that allows a client who is experiencing hardship to reduce or discharge an amount owed in respect of court fines, through voluntary participation in approved work and development activities.

To be eligible for a WDP, your client must be experiencing hardship. Hardship is defined to include people who:

- Are experiencing financial hardship.
- Have been or might be subjected or exposed to family violence.
- Have a mental illness.
- Have a disability.
- Are homeless or at risk of homelessness.
- Are experiencing alcohol or drug use problems.
- Are experiencing another type of hardship.

When a WDP is approved, enforcement action ceases on those court fines that are on the permit. It is then the responsibility of the client to ensure that arrangements are made on all other outstanding matters in order to cease associated enforcement activity.



Key points

- A WDP can only be submitted if a Notice of Intention to Enforce (Court Fine) has been issued.
- A WDP cannot be retrospective, meaning only hours completed after the approval date can count towards a WDP.
- Any hours completed prior to the approval date cannot be reported by the sponsor.

Who can be a sponsor?

Sponsors can be:

- Sole traders.
- Small businesses.
- Charities.
- Not-for-profit organisations.
- Health practitioners.
- Educational, vocational or personal development providers.
- Government agencies.

Why become involved?

The success of the WDP Scheme relies on the involvement of sponsors. By signing up to the WDP Scheme as a sponsor, you can:

- Support your existing and future vulnerable and disadvantaged clients to reduce or even clear their court fine debt.
- Address their underlying issues and improve their wellbeing. This in turn, may help to improve the wellbeing of your community.
- Use the WDP Scheme as an engagement tool. The WDP Scheme can be an incentive for clients to remain involved in activities or who may be reluctant to participate.

In some circumstances, engaging in a WDP will result in the cancellation of a client's licence suspension order for unpaid fines. This may allow them to obtain a valid driver's licence for employment and other purposes.

By reducing or clearing fine debt through approved activities, your clients reduce the risk of further disadvantage caused from financial distress.

Emma's story

Emma is a mum of three and receives Centrelink payments.

She is currently going through financial hardship and has several unpaid court fines which has resulted in her licence being suspended.

Emma wants her licence reinstated so she can get back into the workforce and drive her children to school.

The Salvation Army submits a WDP for Emma to do voluntary unpaid work and it is approved by the Fines Enforcement Registry.

A WDP is set up for Emma and her licence suspension is removed.

Emma volunteers every Tuesday and Friday and reduces her fines debt by \$50 per hour.

She completed her WDP in six months and is now debt free.



How do sponsors engage with clients?

Sponsors work with clients to:

- Assess their suitability/eligibility.
- Identify appropriate activities to complete.
- Submit the application on their behalf.
- Supervise and report completed approved activities.

Responsibilities of a sponsor

- Keep relevant records and documentation for a period of seven years from the completion of the WDP (approved sponsors may be audited).
- Maintain relevant insurances, health and safety procedures and complaints management and resolution systems.
- Record clients completed activity hours on an online portal at least once a month.
- Not to provide false or misleading information or omit material information.
- Not to receive any payment, gift or personal benefit from a client including administration fees or other fees associated with a WDP.
- Ensure that clients undertaking child-related work have a valid Working with Children Check card.
- Notify FER of any potential, perceived or actual conflict of interest and how that conflict of interest will be managed.
- Comply with relevant legislation and WDP Guidelines.

Referral to third parties

Sponsors can refer clients to third party providers, while the sponsor continues to supervise the client. It is the responsibility of the sponsor referring the client to ensure that the third party provider satisfies the eligibility conditions of a sponsor, based on:

- Requirements under the FPINE Act and the FPINE Regulations.
- The category of sponsor they are; and the activity or activities they propose to provide.

It is also the responsibility of the sponsor to ensure that the third party provider has a policy of insurance in accordance with the WDP Guidelines.

The approved sponsor is required to keep records of the third party providers:

- Certificate of currency in relation to the required policies of insurance.
- Evidence of training, experience and/or accreditations required when supervising a client who is undertaking a specific activity under a WDP.

This documentation and evidence, as well as other WDP records, may be audited for the purposes of ensuring compliance with the FPINE Act, FPINE Regulations and the WDP Guidelines.



Bob's story

Bob is a client of an education institution where he is completing a training course. The institution discovers that Bob requires some mental health treatment. They refer Bob to one of their third party

providers who specialises in counselling. Bob commences counselling and those hours contribute to his WDP hours. The educational institution is responsible for recording the hours on the portal.

How do I apply to become a WDP Sponsor?

To become a sponsor an online application needs to be completed via the Department of Justice eCourts Portal available at:

ecourts.justice.wa.gov.au/ecourtsportal

New users will need to register for an eCourts Portal account before applying.

You will need the following information when applying:

- ABN.
- The organisation's objectives, governance and funding.
- Location of operations within and outside of WA.
- Description of activities being offered to clients.
- Description of client groups.
- Relevant certificate of currency for insurance (eg public liability, professional indemnity and/or voluntary workers).
- Evidence of health and safety procedures and policies.
- Evidence of complaints management and resolution systems.
- Evidence of appropriately trained, experienced and accredited employees or volunteers to provide the intended activities.
- For psychologists, medical practitioners and nurses registered with the Australian Health Practitioners Regulation Agency (AHPRA), the AHPRA registration number.

Once you have submitted the application it will be assessed by the Fines Enforcement Registry and you will be notified of the outcome within 10 working days.

Activities and requirements

Activity and Conversion Rate	Summary	Qualifications / Experience Requirements
Voluntary unpaid work \$50 per hour*	Various activities with, or on behalf of, an approved organisation, including gardening, cooking, cleaning, property maintenance, assisting the elderly and administration.	Sufficient experience in management, social work or other relevant fields.
Drug or alcohol treatment \$70 per hour*	Interventions aimed at overcoming dependencies on drugs or alcohol. These can include detoxification, medication, pharmacotherapy, counselling, behavioural therapy, group therapy and 12-step programs.	Nurses, doctors, psychologists; AOD caseworkers.
Medical or mental health treatment \$70 per hour*	Treatment in accordance with an approved health practitioner's treatment plan, including pharmacotherapy and sessions with psychiatrists or psychologists.	Doctors, psychologists, nurses or other medical practitioners registered with AHPRA.
Educational, vocational, personal development or life skills course \$70 per hour*	Activities which assist entering the workforce or that foster personal, social or practical skills to assist to function more independently in society. This includes counselling aimed at improving financial situations, mental health or resolving emotional or behavioural issues.	Tertiary qualifications or experience in education, casework, social work, counselling or other relevant fields.
Mentoring for persons under 25 \$70 per hour*	People under the age of 25 can participate in a semi-formal, structured program with an experienced mentor. Mentoring can target a broad range of areas, from emotional growth and development to job seeking and educational improvement.	Previous experience and/or training in mentoring.

* Breaks are not included in the completed hours.

How do I apply for a WDP for my client?

To apply for a WDP, you will need to log into your eCourts Portal account and complete an online application.

The application process includes the following requirements:

- Obtaining the client's consent for the WDP.
- Verifying the identity of the client.
- Assessing the client's eligibility (ie type of hardship).
- Determining that it is more appropriate for the client to undertake a WDP rather than paying the fine(s).
- Describing the proposed activity, hours and expected completion date (if known).
- Outlining any potential, perceived or actual conflicts of interest.



Key points

- Once you have submitted the application, the WDP client will be assessed by Fines Enforcement Registry and you will be notified of the outcome. This usually occurs within 10 working days.
- When the WDP is approved it will be the sponsors responsibility to ensure that they are recording completed hours on the WDP online portal.
- Every time you record hours on the WDP the client's debt is reduced.

Jack's story

Jack has schizophrenia and gets a Disability Support Pension.

He has more than \$7,000 in unpaid court fines.

Jack is seeing a psychologist who has agreed to sponsor his WDP.

If Jack follows his mental health treatment plan, which includes regular appointments with his psychologist, he can reduce his fines debt by \$70 per hour.



Want to know more?

For more information visit www.justice.wa.gov.au/wdp or contact any of the WDP Scheme partners:

Fines Enforcement Registry

Phone: 9235 0235

Email: ferwdp@justice.wa.gov.au

Legal Aid WA

Phone: 9261 6353

Email: wdpservice@legalaid.wa.gov.au

Aboriginal Legal Service of WA Ltd

Phone: 6371 4600

Email: wdpservice@als.org.au



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