

# Professional Services Guideline & Agreement



Implemented 23 October 2023 | Version 2

## 1. Introduction

Pathways Victoria can fund the fair and reasonable costs associated with victim-survivors obtaining legal, financial, or other professional advice or services related to their rights and interest in regard to any possible financial resolution of their matter whilst engaging in Step 3 of Pathways model.

This is to ensure that victim-survivors engaged in the Pathways process who do not have legal or similar representation and support have access to independent advice regarding their rights and interests in Step 3

## 2. What professional services?

Professional services includes:

- Legal services which are provided by an Australian Legal Practitioner (i.e. solicitor or barrister) who is registered with the Legal Services Board and Commissioner of the relevant state or territory;
- Financial services which are provided by a registered tax agent, accountant or financial advisor;
- Other professional services, which can be considered on a case-by-case basis.

Hereafter in this document, these professionals are referred to as 'service providers' or 'providers'.

## 3. What Pathways Victoria will fund

Pathways will fund the fair and reasonable costs\* of up to \$5,000 for professional services directly related to advice associated with a victim-survivor engaging in Step 3 of the Pathways model.

\* Pursuant to Section 207 of the *Legal Profession Uniform Law* a legal practitioner must not charge more than fair and reasonable legal costs. A contravention of this section can constitute unsatisfactory professional conduct or professional misconduct.

## 4. What Pathways Victoria does not fund

Pathways will not fund providers that do not have current registrations with their professional board/overseeing body.

Pathways will not fund services provided by survivor- advocates.

Pathways will not fund services prior to Step 3, where a complaint is not upheld.

## 5. Who has what responsibility in regard to victim –survivors working within the Pathways model receiving independent professional advice and services?

Pathways will:

- Strongly encourage the victim-survivor obtain independent legal advice in relation to considering any resolution within Step 3 of the Pathways.
- Offer financial assistance for the victim-survivor to obtain that advice.
- Ensure that the victim-survivor understands that Pathways will **not** see the advice or be informed about what advice or support the victim-survivor might have received and that the decision-making power as to who becomes aware of the advice and how remains completely with the victim-survivor. It is advice for them.
- Pay the provider upon production of an invoice complaint with this guideline at the completion of their services to the victim-survivor.

Victim-survivors will:

- Select a provider of their choice.
- Attend (in person or via whatever means they prefer) their chosen provider to seek the advice or support and manage their responsibility with that independent provider.

Providers will:

- Provide the services requested of them by the victim-survivor.
- Inform Pathways when they have provided the services to the victim-survivor. They will not inform Pathways of the nature of the advice or support.
- Take full responsibility and professional liability for any advice, support or services they provide.

## 6. Payment and process

Reimbursement will be provided on the production of a tax invoice and acceptance and signature of this professional services guideline.

The signed guideline should be emailed to [info@pathwaysvictoria.com](mailto:info@pathwaysvictoria.com)

## 7. Tax invoice details

For prompt and accurate payment please ensure that tax invoices contain the following information:

- The words 'Tax Invoice'
- Company/agency name
- Australian Business Number (ABN)
- Payee practice address
- Payee billing address (if different from practice address)
- Account banking details
- Victim-survivor details
- Invoice number

- Date of service
- Service location (if different from practice address)

Some services may be subject to GST. Information regarding GST registration can be obtained from the Australian Taxation Office (ATO) website at [www.ato.gov.au](http://www.ato.gov.au).

## 8. Invoice timeframes

All tax invoices are to be forwarded to Pathways Victoria.

Payments may take up to four weeks to process. If payment is not received within four weeks from the date of receipt of your tax invoice by Pathways Victoria, please contact [accounts@pathwaysvictoria.com](mailto:accounts@pathwaysvictoria.com)

A deposit will be made into your bank account or nominated institution via EFT.

Invoices can be emailed to [accounts@pathwaysvictoria.com](mailto:accounts@pathwaysvictoria.com)

Pathways can also accept invoices directly by Xero and can provide our Xero key for streamlined payments.

Enquiries about outstanding tax invoices can be made via email to [accounts@pathwaysvictoria.com](mailto:accounts@pathwaysvictoria.com)

## 9. Professional Service Agreement acceptance and signature

The below named professional service provider agrees to the terms and conditions of this Service Agreement. By signing the document below you confirm that:

- You have provided the client with professional advice associated with their participation in Step 3 of the Pathways model including the legal effect of a deed of release;
- You are satisfied that your client understands the advice you have provided; and
- You have the relevant qualifications and registrations to give the professional advice

<b>Client Name:</b>	
<b>Name of Service Provider:</b>	
<b>Representative Name and Position:</b>	
<b>Representative Signature:</b>	
<b>Date:</b>	