

Rural Financial Counselling Service

Client Service Agreement and Declaration

Name of RFCS Programme service provider: _____

1. The type of services a rural financial counsellor can offer:

If you have concerns about your financial position and you wish to see a rural financial counsellor, you need to be aware of the types of services a rural financial counsellor can provide.

Rural financial counsellors will use a case management framework to help you plan, set and implement goals to improve your financial self-sufficiency. This support is provided for up to three years but is reviewed at least yearly.

The RFCS Programme is funded by the Department of Agriculture and Water Resources, Primary Industries and Regions SA and the Department of Primary Industries and Resources NT, and provides free¹ financial counselling to farmers, fishers, forest growers and harvesters and owners of small related enterprises², who are in financial difficulty and have no alternative sources of impartial support.

2. A rural financial counsellor will assess your eligibility for support and CAN³:

- confidentially assess and prepare reports on your current financial position, cash flow and viability
- help you to understand your situation and identify financial and business options for the future of your enterprise, including potentially moving out of farming, fishing or forestry
- help you identify options for, develop and implement plans to improve your financial self-sufficiency within one to three years of commencing with the service
- help you deal with lending institutions in relation to: applications and contracts with those institutions; and processes relating to farm debt mediation
- help you identify the need for advice from, and to prepare for meetings with, professional service providers
- provide information on, refer you to, or help you access programmes provided by government or industry
- in some cases, provide advice on generic categories of financial products e.g. insurance products.

3. Rural financial counsellors CANNOT:

- represent you in legal processes or act as a mediator⁴ in farm debt mediation processes

¹ Services provided by rural financial counsellors using a case management framework are free of charge to eligible clients. You should not offer to pay counsellors or request them to provide services in a private capacity.

² A small related enterprise is an enterprise that is primarily involved in supporting the production of farm, fish or forest products up to and including the time those products are harvested. For example, small related enterprises may erect fencing on farms, or provide persons to harvest crops, shear sheep, control weeds or other pests, or manage stock.

³ Any decisions made are the sole responsibility of the client and the service provider accepts no responsibility or liability for such decisions. The service provider will work with you towards realistic and achievable goals based on the options open to you, but they cannot guarantee a specific outcome.

⁴ A mediator is accredited under the National Accreditation System

Rural Financial Counselling Service

- provide advice⁵ on any legal, financial, accounting or taxation aspects of your enterprise
- provide advice on particular financial products
- provide family, social or emotional counselling
- provide debt agreement administration under the *Bankruptcy Act 1966* (Cwlth)
- provide technical or agronomic advice for your enterprise
- complete the sections of succession plans where legal, financial, accounting or taxation advice is required.

4. Agreement

If you wish to become a client of the RFCS Programme, you need to **agree** to the following

Note: Please cross out the reference/s which is/are not relevant:

- [I am a recipient of the Farm Household Allowance]; or [I am applying for the Farm Household Allowance] and/or [I am in financial hardship or likely to be experiencing financial hardship without support of the Rural Financial Counselling Service] [delete whichever does not apply];
- [The enterprise I own] / [The enterprise I represent as a co-owner] [delete whichever does not apply] is a primary production, fishing, forest growing or forest harvesting enterprise or a small related enterprise and I contribute a significant portion of my labour and capital to this enterprise.
- My enterprise has a significant commercial purpose.
- I have read the information above about the services rural financial counsellors can and cannot provide and I confirm that the support I am seeking is within the range of services counsellors can provide.
- [I am seeking support in an individual capacity] / [I am seeking support on behalf of, and with the authority of, the following persons, namely:
_____ (the Other Partner(s)) [delete whichever does not apply]
(Insert name(s) of partner(s) in enterprise or persons on behalf of whom support is sought)
- [Cross out this paragraph if you are seeking support in an individual capacity and not on behalf of anyone else.] I have the full authority to represent and act on behalf of the Other Partner(s). I agree to represent the views of Other Partner(s) in the enterprise and will involve them in any decisions made as a result of information provided by a rural financial counsellor. I also agree that the Other Partner(s) are permitted to access any information that I disclose or provide to the counsellor for the purposes of seeking support or that is provided to me by a counsellor in relation to the support I am seeking.
- I have, or will provide, to the best of my knowledge, full disclosure of my financial position and/or full disclosure of the financial position of the enterprise, including the Other Partner(s), that I represent.
- I acknowledge that all financial and personal information collected in connection with my application for support under the RFCS Programme will be handled in accordance with the Privacy Notice.

⁵ The meaning of 'advice' as used in this agreement has the same meaning as that used in the Corporations Act 2001. A rural financial counsellor will provide factual information to support you make a choice about your own financial situation. Rural financial counsellors are not the same as financial planners or financial advisers.

Rural Financial Counselling Service

- I will respond promptly to letters or telephone calls from my RFCS Programme service provider. *(Note: If you do not respond, your RFCS Programme service provider will assume that you no longer require their services.)*
- I understand that the RFCS Programme service provider may assign another rural financial counsellor to assist me if my first counsellor is unavailable.
- If requested, I will participate in confidential surveys aimed at maintaining the quality and effectiveness of the RFCS Programme.

5. Declaration and consent

Part A – To be completed by the individual submitting this form

I have previously been a client of a rural financial counselling service: Yes/No

If yes, name of service provider and counsellor:

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I have read and understood, and agree to, the conditions of service contained in this Client Service Agreement and Declaration.

I have also received and understood the Privacy Notice. I consent to the collection of my personal information, including any sensitive information, from myself and from other entities as described in the Privacy Notice and the use and disclosure for the purposes outlined in the Privacy Notice.

Name:

Enterprise name:

Signature:Date:.....

Part B – To be completed by each of the Other Partner(s) (if any), whose personal information is or will be provided for the purposes of seeking support under the RFCS Programme

I have received and understood the Privacy Notice. I consent to the collection of my personal information, including any sensitive information, from myself and from other entities for the purposes as described in the Privacy Notice.

Name:

Signature:Date:.....

6. Complaints

If you are dissatisfied with the way you have received support from the RFCS service provider or the department, you can contact either of these organisations and lodge a complaint. If you complain to the department, it will be reviewed by one or more independent areas of the department. If you complain to the RFCS service provider, it will be reviewed in accordance with the RBS Client Feedback and Complaints Procedure.

Contact details:

Rural Financial Counselling Service

- The RFCS Programme director at rfcs@agriculture.gov.au, free call 1800 686 175, or by mail to:

RFCS Programme Director
Department of Agriculture and Water Resources
GPO Box 858
CANBERRA ACT 2601.

- Brett Smith, Chief Executive Officer, Rural Business Support (incorporating the Rural Financial Counselling Service SA-NT), at ceo@ruralbusinesssupport.org.au, free call 1800 836 211, or by mail to:

The Chief Executive Officer
Rural Business Support
555 The Parade
MAGILL SA 5072

If no resolution is achieved, you can contact the Commonwealth Ombudsman. The Ombudsman will not usually investigate a complaint unless the matter has first been raised with the department and the department has been provided with a reasonable opportunity to respond.

The Commonwealth Ombudsman can be contacted on:

Phone: Toll free 1300 362 072

Email: ombudsman@ombudsman.gov.au

Website: www.ombudsman.gov.au