

UNIT CODE	CHCFIN007
UNIT TITLE	Provide counselling, advice and represent the client
APPLICATION	<p>This unit describes the skills and knowledge required to analyse and use technical information to assist individuals to understand their rights and make informed decisions about financial issues in the context of a strengths-based and client-focused financial counselling model.</p> <p>This unit applies to financial counsellors who work in agencies that meet the requirements for the Australian Securities and Investments Commission (ASIC) exemptions from holding a financial services or credit licence.</p> <p>The skills in this unit must be applied in accordance with Commonwealth and State/Territory legislation, Australian/New Zealand Standards and industry codes of practice.</p>
PREREQUISITE UNIT	Nil
COMPETENCY FIELD	
UNIT SECTOR	

ELEMENTS	PERFORMANCE CRITERIA
<i>Elements describe the essential outcomes</i>	<i>Performance criteria describe the performance needed to demonstrate achievement of the element.</i>
1. Assess client position.	<p>1.1 Assess if the client is managing each valid debt or needs assistance.</p> <p>1.2 Assess the client's financial capacity to pay each debt.</p> <p>1.3 Assess the impact of any debt recovery processes on the client.</p> <p>1.4 Work with client to assess highest priority debts or most significant financial stresses.</p> <p>1.5 Discuss identified legal and consumer protection issues to highlight key areas that may require action.</p> <p>1.6 Assess if the client needs information, advice, referral or representation.</p>

2. Counsel and give advice to client.	<p>2.1 Write and maintain a case plan which identifies issues to be addressed, the client and financial counsellor strategies and responsibilities.</p> <p>2.2 Assist clients that will self-advocate to develop an action plan.</p> <p>2.3 Identify and inform client of potential for additional or different income sources or entitlements to improve their financial situation.</p> <p>2.4 Identify and discuss client's legal rights and responsibilities in relation to each debt and overall financial situation.</p> <p>2.5 Provide advice to the client by assessing the consequences of workable strategies.</p>
3. Act for the client.	<p>3.1 Explain what is involved if the financial counsellor will be acting for the client.</p> <p>3.2 Work with the client to identify areas where they want to take action.</p> <p>3.3 Obtain a third-party authority to act for the client using principles of informed consent.</p> <p>3.4 Collect and use appropriate documentation required to represent the client.</p> <p>3.5 Identify, use and adapt standard financial counselling sector tools and templates.</p> <p>3.6 Apply appropriate negotiation tools and techniques with creditors, government agencies and others to agree arrangements on behalf of the client to improve the client's financial position.</p> <p>3.7 Take action to assist the client improve their financial position.</p>

FOUNDATION SKILLS	
<i>FOUNDATION SKILLS ESSENTIAL TO PERFORMANCE ARE EXPLICIT IN THE PERFORMANCE CRITERIA OF THIS UNIT OF COMPETENCY.</i>	
SKILLS	DESCRIPTION
Reading skills to:	■
Writing skills to:	■
Oral communication skills to:	■
Numeracy skills to:	■
Learning skills to:	■
Problem-solving skills to:	■
Initiative and enterprise skills to:	■
Teamwork skills to:	■

Planning and organising skills to:	■
Self-management skills to:	■
Technology skills to:	■
UNIT MAPPING INFORMATION	Supersedes and is not equivalent to CHCFIN002 Identify and apply technical information to assist clients with financial issues.
LINKS	Companion Volume Implementation Guide

TITLE	Assessment Requirements for CHCFIN007 Provide counselling, advice and represent the client
PERFORMANCE EVIDENCE	<p>Evidence of the ability to complete tasks outlined in elements and performance criteria of this unit in the context of the job role, and:</p> <ul style="list-style-type: none"> ■ performed the activities outlined in the performance criteria of this unit during a period of 220 hours of work in a financial counselling agency that has met the requirements for the Australian Securities and Investments Commission (ASIC) exemptions from holding a financial services or credit licence or in an appropriate simulated environment. ■ used critical thinking and problem-solving to analyse financial and other information for at least five clients with multiple and complex needs to: <ul style="list-style-type: none"> ○ assess and prioritise debts ○ identify legal and consumer protection rights ○ provide advice ○ provide representation, including in each of the following mediums: <ul style="list-style-type: none"> ● telephone ● in writing (letters or emails): ● complaints to Internal Dispute Resolution (IDR) or External Dispute Resolution (EDR) ● request for a hardship variation or a debt waiver.

KNOWLEDGE EVIDENCE	<p>Demonstrated knowledge required to complete the tasks outlined in elements and performance criteria of this unit:</p> <ul style="list-style-type: none"> ■ types of debt and their features, including: <ul style="list-style-type: none"> ○ secured and unsecured ○ unsecured credit products including credit cards, personal loans, BNPL, wage advance, SACCs & MACCs ○ consumer leases ○ fringe lenders/predatory lenders ○ joint/relationship debts ○ guarantors and co-borrowers ○ tax debts ○ fines and infringements
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- government related debts
- tools for collecting financial information:
 - statement of financial position
 - income statements (including Centrelink)
 - liability and debt statements
 - complex needs assessment
 - legal documents and contracts
 - profit and loss statements for small business
 - assets and liabilities
- consumer protection laws, regulatory guidance and industry codes affecting consumers and small business:
 - National Consumer Credit Protection Act 2009 (particularly Schedule 1, National Credit Code and responsible lending, hardship requirements)
 - Competition and Consumer Act 2010 (particularly Schedule 2, The Australian Consumer Law)
 - State/Territory Fair trading acts
 - social security law
 - taxation law
 - Privacy Act (and credit reporting code)
 - Bankruptcy Act 1966
 - ASIC regulatory guides, ASIC/ACCC debt collection guidelines
 - Banking Code of Practice, Customer Owned Banking Code of Practice, Telecommunications Consumer Protection Code, energy codes, BNPL Code
 - Open data and the consumer data right
- relevant client documents (hard copy or online) such as:
 - income source (eg Centrelink income statements)
 - any legal letters
 - bills
- specific legislation impacting financial counselling, including:
 - ASIC class order 11/792 re exemption from an Australian Financial Service Licence and how this applies to the work of generalist financial counsellors and their agencies
 - ASIC class order 11/793 re exemption from an Australian Credit Licence and how this applies to all financial counsellors and their agencies
 - claims management exemption for financial counsellors that are members of their State/Territory financial counselling association
- financial counselling role, including:
 - giving advice to clients
 - representing clients and acting on the client's behalf
 - duty to act in their client's best interests
 - ethical obligations, including as set out in the Australian Financial Counselling Code of Ethical Practice
 - having expertise in financial difficulty and a range of areas relating to financial difficulty
 - financial counsellors are not:
 - financial planners or accountants
 - providers of emergency relief and material aid
 - finance brokers
 - legal advisors or solicitors
 - therapeutic counsellors
 - business advisors
- aspects of informed consent including,
 - privacy statement
 - checking for understanding
 - varying or ending agreement

- rights and responsibilities of workers, employers and clients
- income sources such as:
 - wages and salary
 - Centrelink
 - child support
 - rental/board
 - superannuation income stream or lump sum
 - insurance payment (eg TPD, income protection)
 - business income
 - compensation (workers compensation, injury and accident)
 - other income sources
- expenditure support relating to:
 - utilities
 - housing
 - cost of living
 - emergency relief and other assistance
- actions that may assist the client to improve their financial position:
 - debt waivers
 - hardship arrangements under the credit code or informal arrangements
 - hardship arrangements for non-credit code debts/bills
 - IDR and EDR
 - bankruptcy and debt agreements
 - early access to superannuation
 - accessing insurances (TPD, income protection), either in or out of superannuation
 - insurance claims for contents/property
 - amending a credit report
 - challenging an unfair contract term
 - legal action through courts or tribunals
 - appealing against adverse decisions from Centrelink and Child Support
- tools to use in providing advice:
 - online tools for accessing grants or concessions
 - use of standard letters
- representing the client including:
 - what is involved
 - roles and responsibilities
 - third party authority form
 - continuing input and instructions from the client
- document the issues where the financial counsellor will be representing the client
- key sources of information and resources including:
 - FCA toolkit
 - NDH website
 - State Association resources
- tools and techniques for negotiating with creditors or making complaints:
 - communication including both written and verbal
 - how to best present your client's case, including the evidence required
 - standard letters and resources developed by the financial counselling sector or legal centres.

ASSESSMENT CONDITIONS	<p>Skills must be demonstrated in the workplace or with simulations and scenarios developed by Financial Counselling Australia capturing the full range of contexts and situations.</p> <p>Assessment must ensure access to:</p> <ul style="list-style-type: none">■ suitable facilities, equipment and resources, including:<ul style="list-style-type: none">○ client information○ organisational policies, procedures and resources■ modelling of industry operating conditions, including:<ul style="list-style-type: none">○ scenarios that involve complex interactions with other people○ scenarios that involve problem-solving. <p>Assessors must satisfy the Standards for Registered Training Organisations' requirements for assessors.</p>
LINKS	Companion Volume Implementation Guide