

# Homelessness Services Guidelines and Conditions of Funding May 2014

Incorporating  
Homelessness Support Services/Providers  
Transitional Housing Management  
Housing Establishment Fund

These Guidelines set out the policy and operational requirements of the Homelessness Services funded by the Department of Human Services and replace the Office of Housing Homelessness Assistance Programs – Guidelines and Conditions of Funding 2006-2009.



**Homelessness Services  
Guidelines and Conditions of Funding**

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## Background

Clearly documented program requirements are required to guide and support staff and organisations working with clients, to promote consistent approaches to high quality service delivery. By providing high quality services, the Department of Human Services and funded agencies can promote clients rights to safety, stability and healthy development and relationships.

These guidelines replace the *Office of Housing Homelessness Assistance Programs – Guidelines and Conditions of Funding – 2006-2009*.

## Purpose of the Guidelines

The purpose of these guidelines is to describe the service, and detail the program requirements for staff and funded agencies to work within, and build upon, to ensure a consistent approach to service delivery, which enables quality outcomes for clients.

This document provides practice requirements and a common benchmark for practice and outcomes, the basis for ongoing monitoring and review for continual improvement and the establishment of a framework for client service delivery.

NB: Throughout the document, where 'staff' is used, this means paid and unpaid staff, volunteers and carers, unless otherwise stated.

In line with homelessness services development, existing program management practices are being integrated and refined together with the introduction of new tools and guidelines to enhance the delivery of services to homeless people.

## How to use the Guidelines

It is recommended that these guidelines be used in conjunction with the *Department of Human Services Standards* (DHS Standards) as the relevant industry standards. DHS Standards represent a single set of service quality standards for service providers delivering services to clients. <http://www.dhs.vic.gov.au/about-the-department/documents-and-resources/policies,-guidelines-and-legislation/department-of-human-services-standards>

In addition, all Registered Housing Agencies registered under the provisions of the *Housing Act 1983* are required to perform in accordance with *Performance Standards for Registered Housing Agencies* (PSRHA) which can be found at <http://www.housingregistrar.vic.gov.au/Home>.

Use of these guidelines in conjunction with the DHS Standards will also assist with the development and documentation of inter/cross agency protocols and practice arrangements.

### *Service Agreement*

### *Service Agreement Information Kit for Agencies*

It is suggested that homelessness services use the DHS Standards as the primary standards manual for the industry.

These guidelines also reference relevant sections of three year *Service Agreements* and *the Service Agreement Information Kit for Agencies*.

Each major component of homelessness services provision and management is covered within a discrete section of these guidelines. Each Part has its own indexed headings and page numbering while being linked to the overall guidelines document.

As elements of policy or procedure require updating, replacement pages/sections covering the amended topic will be provided.

Distribution of amended sections will occur electronically via the DHS Divisions and passed onto funded homelessness services. Updates will be added to the DHS web site on a six monthly basis or as required.

## Glossary

ADSA	Alcohol and Drug Supported Accommodation
AOD	Alcohol and Other Drug Support Services
AOF	Accommodation Options for Families
APTCH	A Place to Call Home
CEEP	Creating Connections Education Employment Pathways
CHART	Common Homelessness Assessment & Referral Tool
COMAC	Community & Commercial Property Services
CRA	Commonwealth Rent Assistance
CSA	Crisis Supported Accommodation (also known as TCA)
CSHA	Commonwealth State Housing Agreement
DHS	Department of Human Services
DoH	Director of Housing
FaCSIA	Department of Families, Community Services & Indigenous Affairs (Commonwealth)
FAC	Funded Agency Channel
FRMP	Family Reconciliation and Mediation Program
FVF	Family Violence Framework
GST	Goods and Services Tax
HA	Housing Assistance
HAS	Homelessness Advocacy Services
HEF	Housing Establishment Fund
HP	Housing Provider
HS	Homelessness Services
HSO	Housing Services Officer
HSP	Homelessness Support Program
HSSP	Homelessness Support Services/Providers
HSSDP	Homelessness Service System Development Project
IAP	Initial Assessment and Planning
ITAR	Indigenous Tenants at Risk
NCHS	National Community Housing Standards May 2010
NPAH	National Partnership Agreement on Homelessness
PSRHA	Performance Standards for Registered Housing Agencies
RHA	Registrar of Housing Agencies
HO	Housing Office
RTA	Residential Tenancies Act 1997
SAAP	Supported Accommodation Assistance Program
SHIP	Specialist Homelessness Information Platform
SHSC	Specialist Homelessness Services Collection
SWL	Segmented Waiting List (public housing)
TAW	Tenancy Administration Worker
TCA	Temporary Crisis Accommodation (also known as CSA)
THM	Transitional Housing Management Program/Manager
VCAT	Victorian Civil & Administrative Tribunal
VHAP	Victorian Homelessness Action Plan
VWA	Victorian Work Cover Authority
YHAP	Youth Homelessness Action Plan

	Definitions
Accreditation	Formal accreditation is a standards-based recognition system with a clear focus on continuous quality improvement. It involves assessment against a pre-determined set of standards and formal acknowledgement of achievement of expected performance against those standards through a recognition process.
Business Day	“Business Day” means a day on which the major trading banks are open for ordinary business in Melbourne, and where banks or equivalent are open in rural centres and towns and excludes a Saturday, Sunday or public holiday.
Case Management	Case management within the homelessness service system is a collaborative client-focused approach to service delivery, aimed at working with clients to effectively meet individual needs.
Case Management Plan	A case management plan is a personal plan or support agreement that usually has a statement of the client’s needs, some goals for the client and strategies for achieving those goals, developed between the client and support worker as a result of a comprehensive, detailed assessment process.
Client	A client within the homelessness service system is a person who meets one or more of the following criteria: who is homeless or at risk of becoming homeless; receives an initial assessment; and receives a set of services either in one episode or on an ongoing basis.  (Note: individual children assisted by children’s workers/support programs are counted as clients).
Common Homelessness Assessment & Referral Tool	As a key component of the Statewide Assessment and Referral Framework, the common assessment & referral tool will replace inconsistent intake practices across agencies and service catchments and increase potential for assistance at the first point of contact.
Consumer Charter	A Consumer Charter is designed for people seeking services from any community-managed housing or homelessness assistance service. The Charter sets out the rights and responsibilities of consumers and the expectations of service providers in a clear and concise format. The Charter underpins the Homelessness Assistance Service Standards.
Department of Human Services (DHS) Divisions and Areas	DHS Divisions and Areas are responsible for the contract management of funded community services.
Director of Housing (DoH)	A statutory entity existing under the <i>Housing Act 1983</i> responsible for all public, community and home finance programs funded by the Department of Human Services (DHS).

	Definitions
DHS Standards	DHS Standards represent a single set of service quality standards for service providers delivering services to clients. The standards are summarised as Empowerment; Access and Engagement; Wellbeing; and Participation. The standards will help to ensure a consistent quality of services no matter which departmentally funded services people access.
Entry Point	Consolidated access points into the homelessness service system, providing improved timelines of assistance, enhanced initial assessment and pathways through the service system and out of homelessness.
Homelessness	The homelessness service system recognises the Chamberlain and MacKenzie 1992 definitions of homelessness:  <i>Primary homelessness</i> -people without conventional accommodation (living on the streets, in deserted buildings, parks, etc);  <i>Secondary homelessness</i> -people moving between various forms of temporary shelter (friends, emergency accommodation, refuges, hostels and rooming/boarding houses); and  <i>Tertiary homelessness</i> -people living in single rooms in private boarding houses without their own bathroom, kitchen or security of tenure.
Homelessness Services	Service delivery agencies/organisations providing homelessness assistance and housing support.
Homelessness Services Guidelines	The Homelessness Services Guidelines set out standards of good practice for service delivery in the homelessness assistance, family violence and housing support sectors. These are the relevant industry standards for housing support sectors and represent the core business of housing support and case managed housing support.
Homelessness Support Services / Providers	Homelessness Support Services/Providers (HSSP) (previously known as Supported Accommodation and Assistance) are aimed at reducing homelessness in Australia. These programs are aimed at providing transitional supported accommodation and related support services, in order to help people who are homeless or at risk of being homeless to achieve the maximum possible degree of self-reliance and independence.
Housing Pathways (Joined-up) Initiatives	Cross-program/government targeted support and housing initiatives assisting with the prevention of homelessness and early intervention for at-risk people with complex needs.



	Definitions
Housing Registrar	The Housing Registrar is a business unit within the Department of Treasury and Finance. It supports the Registrar of Housing Agencies legislative role, and focuses on registration and regulation of rental housing agencies to service the housing needs of low income Victorians.
National Affordable Housing Agreement (NAHA)	An agreement between the Commonwealth of Australia and the States and Territories which aims to guide the delivery of services across the housing and homelessness services sector. The NAHA provides the framework for the Parties to work together to improve housing affordability and homelessness outcomes for Australians.
National Partnership Agreement on Homelessness (NPAH)	An agreement between the Commonwealth of Australia and the States and Territories which aims to facilitate significant reforms to reduce homelessness. The agreement contributes to the following outcome: <i>People who are homeless or at risk of homelessness achieve sustainable housing and social inclusion.</i>
Opening Doors	Opening Doors is a practice and systems approach to providing timely and effective access to homelessness and social housing services to people seeking assistance.
Registered Agency	Any agency achieving registration under Part VIII of the <i>Housing Act 1983</i> in either registration category of Housing Association or Housing Provider. Housing Associations will play a greater role in growing the quantity of social housing available in Victoria.
Performance Standards for Registered Housing Agencies (PSRHA)	PSRHA represent the standard of operation required of Registered Housing Agencies while registered under the provisions of the <i>Housing Act 1983</i> . The agency should note that compliance at all times with all standards, and the measures that apply to them, is mandatory. It is the responsibility of the agency to provide when requested supporting evidence to show that the standards have been met.
Registrar of Housing Agencies	<p>On 1 January 2005, the <i>Housing Act 1983</i> was amended, introducing a new system of regulation for non-government rental housing agencies. The legislation established the Registrar of Housing Agencies and an accompanying range of functions, subsequently supported by its administrative arm, the Housing Registrar.</p> <p>The Registrar of Housing Agencies (RHA) reports to the Assistant Treasurer and is responsible for promoting continuous improvement in affordable rental housing through registration, regulation and monitoring of rental housing agencies.</p>

	Definitions
Registration	Registration is the confirmation that an eligible housing agency has applied to the Registrar of Housing Agencies and met all criteria prescribed in Schedule 7 of Part VIII of the <i>Housing Act 1983</i> and any other relevant requirements to be registered in one of the two registration categories – Housing Associations and Housing Providers.
Regulation	Regulation is the mechanism and processes implemented to ensure that registered agencies are meeting all relevant requirements described in Part VIII of the <i>Housing Act 1983</i> .
Supported Accommodation Assistance Program (SAAP)	The Supported Accommodation Assistance Program (SAAP) is now referenced in these guidelines as Homelessness Support Services/Programs.
Service Contact	A <i>Service Contact</i> is a contact between a homelessness worker and a client (or third party) during which some assistance is provided (either directly or indirectly) to the client and which results in an entry being made in the client record.
Statewide Assessment & Referral Framework	Designed to replace inconsistent intake practices across agencies and service catchments and to increase potential for assistance at the first point of contact.
Waiting List Categories	A waiting list system for public housing, consisting of prioritised categories which ensure that people with the greatest need are assisted first.
Youth Homelessness Action Plan (YHAP)	YHAP was developed under the Victorian Homelessness Strategy to provide recommendations for a range of multi faceted responses to young people who are homeless.

## Supporting Documents

- Consumer Charter 2006
- Creating Connections – Education Employment Pathways Guidelines (CEEP)
- DHS Fire Risk Management Guidelines 2013
- DHS Information Privacy Principles
- Management Response to Inhalant Use-Guidelines (DH)
- DHS Policy and Funding Plan
- Framework for Inter-Agency Housing and Support Agreements
- Housing Act 1983, incorporating *Housing Act (Housing Agencies) 2004*
- Insurance Guide for Non-Government Organisations
- Making Sense of Maintenance
- National Community Housing Standards
- Complaints Policy
- Allocation Policy Manual
- Performance Standards for Registered Housing Agencies
- Residential Tenancies Act 1997
- SAAP Information Management Plan
- Service Agreement Information Kit for Agencies
- Shaping the Future (DHS)
- Supported Accommodation Assistance Act 1994
- Tackling SIDS – A Community Responsibility (Commission for Children and Young People)
- Victorian Homelessness Action Plan
- Volatile Substance Abuse Protocol
- DHS Language Services Access Guide
- Department of Human Services Policy and Funding Plan

Documents pertaining to registration and regulation of non-profit community housing agencies have been developed and distributed. Materials are continuing to be developed. All current documents are available on the Housing Registrar's website at [www.housingregistrar.vic.gov.au](http://www.housingregistrar.vic.gov.au)

DHS publications and reports are available on the DHS website by following the links to relevant areas/programs of interest, eg. <http://www.dhs.vic.gov.au>

HSSP related publications and reports are available on the Department of Families, Community Services & Indigenous Affairs (FaCSIA) website <http://www.facs.gov.au/>

HSSP data related information is available from the National Data Collection Agency website <http://www.aihw.gov.au/housing/sacs/ndca/index.cfm>

The Funded Agency Channel (FAC) is a DHS information, communication and business tool for use of funded agencies. FAC provides information on service agreements, funding, reporting, DHS policies and guidelines, links to libraries and research. <http://www.dhs.vic.gov.au/funded-agency-channel>

# Part One

## Service Quality Improvement

- Governance
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## 1.1 Governance

### 1.1.1 Operating environment

The Department of Human Services (DHS) is a service delivery organisation that supports Victorians in need to build better lives and achieve their potential. Groups and divisions provide corporate and executive services across the department.

DHS operates across the state from within 17 local areas that each focus on achieving lasting outcomes for our clients. Local areas are responsible for service agreement negotiation and monitoring, planning, and assisting providers to meet their statutory obligations, *Funding and Service Agreement* requirements, and other relevant Departmental or State Government requirements.

The Accommodation and Support Unit, through the Service Development and Design Branch, leads service development and design projects and day-to-day work for accommodation and related services. Building on existing service design and delivery models, this team harnesses integrated and cross program service design to meet clients' accommodation and support needs. This unit manages Homelessness Services (HS) which include: Homelessness Support Services/Providers (HSSP) - previously known as Supported Accommodation Assistance Program (SAAP), the Transitional Housing Management (THM) program; the Housing Establishment Fund (HEF); Accommodation Options for Families (AOF); A Place to Call Home (APTCH); and Indigenous Tenants at Risk (ITAR).

Public housing in Victoria is governed and enshrined in the *Housing Act 1983* (Vic) and the *Residential Tenancies Act 1997* (Vic). The *Housing Act 1983* sets out the responsibilities and powers of the Minister for Housing and the Director of Housing. Amendments to this Act in 2005 included the introduction of a regulatory framework for non-profit rental housing agencies to provide low cost housing to low income tenants. These amendments also established the Registrar of Housing Agencies to review and monitor the performance of housing agencies and the community sector as a whole. Not all homelessness services are required to be registered – only those services that also manage rental housing will need to meet this requirement.

The *Residential Tenancies Act 1997* outlines the rights and duties of all landlords and tenants (in public, community and private rental). Under this Act, all tenants are expected to adhere to their duties in the law, including paying rent and adhering to expected behaviours (such as not using the property for illegal purposes or causing damage). Just as it imposes rights and obligations on tenants in the private rental market, public housing tenants can also be required to vacate their property if they fail to comply with the legislation.

### 1.1.2 Homelessness Services (HS)

Homelessness services provide a range of accommodation and support services to people who are experiencing homelessness or are at risk of homelessness. Two major programs that are providing this homelessness response are the THM and the HSSP - previously known as Supported Accommodation Assistance Program (SAAP).

The THM program is co-ordinated with HSSP and other support programs to provide an integrated approach to resolving the housing and support needs of individuals and families in crisis.

The broad aim of the THM from a housing provision perspective is to:

- Provide short-term housing assistance to individuals and families in crisis as a result of homelessness or impending homelessness; and
- Assist individuals and families in housing crisis to establish and/or maintain appropriate, secure and sustainable housing through the provision of transitional housing, assessment and planning services, housing advocacy and housing establishment funds where required.

In addition to these aims, this program also provides tenancy administration for both transitional and crisis housing.

HSSP assist people who are homeless or at imminent risk of homelessness through a range of support and supported accommodation services to achieve the maximum possible degree of self reliance and independence. Intervention is provided to minimise and prevent the recurrence of homelessness. Services include supported accommodation, advocacy, links to health, education and employment services and outreach support.

### 1.1.3 Transitional Housing Managers delegated role

THMs are delegated powers by the DoH under the terms of **Section 35** of the *Housing Act 1983* to manage, control and undertake related activities to administer a transitional housing portfolio. This delegation includes the power to lease as set out in **Sections 14(1)(g)(h)** of the *Housing Act 1983*. THMs exercise that power in their own right and not as agents of the DoH. THMs are landlords and are liable under the tenancy/occupancy agreement, provisions of which are governed by the RTA.

To facilitate provision of services, the DoH will, pursuant to **Section 35** of the *Housing Act 1983* and with the prior approval of the Minister for Housing, delegate to the persons within THM services who occupy management, housing assessment, intake, information and referral and tenancy administration positions, to undertake the activities specified in these guidelines which form the delegated role of landlord. [Refer to Part Four of these guidelines, Housing Management](#). Such approval will be in writing and at the discretion of the DoH, following notification of the names and designation of THM personnel to be accorded such delegated powers.

#### Delegations should be kept up to date

THMs are responsible for ensuring that the delegation remains current through prompt notification to the DoH of any relevant changes to THM personnel. The DoH may withdraw a delegation given to a service at any stage during the period of the *Service*



*Agreement* and any delegation given will terminate and be of no further force or effect at the expiry of the *Funding and Service Agreement*.

#### 1.1.4 About Homelessness Support Services/Providers (HSSP)

Homelessness Support Services/Providers (HSSP) - previously known as Supported Accommodation Assistance Program (SAAP) is governed by the *Commonwealth Supported Accommodation Assistance Act 1994* (the SAAP Act). In Victoria HSSP form a key part of homelessness services.

As stated in **Section 7** of the SAAP Act, the overall aim of HSSP is to provide, within a case management framework, transitional support and a range of related support services linked to housing in order to help people who are homeless or at imminent risk of homelessness to achieve the maximum possible degree of self-reliance and independence. Within this aim the goals are to:

- resolve crisis;
- re-establish family links where appropriate; and
- re-establish the capacity of clients to live independently of HSSP.

**Homelessness services also have a key role in providing crisis/protection related assistance to women and children experiencing family violence. These services should take account of the Family Violence Risk Assessment and Risk Management Framework 2012.**

#### 1.1.5 National Partnership Agreement on Homelessness

The NPAH is an agreement between the Commonwealth of Australia and the States and Territories which aims to facilitate significant reforms to reduce homelessness by funding homelessness initiatives targeted at people who are homeless or at risk of homelessness.

The NPAH has a focus on prevention, early intervention and building the foundation to reform and to diversify the response to homelessness in Victoria. There are a number of initiatives to respond to families who are experiencing homelessness, through the provision of a range of support and accommodation services to maintain housing to prevent homelessness. Services focus on preventing evictions and maintaining positive tenancies; linking families to appropriate community services, including mental health and drug and alcohol services; and assistance to access and maintain longer term tenancies across a range of tenures.

The NPAH has provided a range of responses to family violence through the Whole of Government Integrated Family Violence reform, including services for men who use violence, support for women to remain safely in the home, enhanced after hours services and access to legal assistance and specific responses for Indigenous women.

Victoria has continued the implementation of a coordinated response to young people who are homeless through a number of initiatives, including: a model of housing emphasising engagement with employment, education and training; proactive and intensive responses for young people leaving care; coordination services between mental health and drugs

for young people with a dual diagnosis; enhanced family reconciliation services; and reform of youth crisis facilities.

Responses for adults include a continuing partnership with the Department of Justice to provide housing support to people exiting prisons, assertive outreach and support for people who are sleeping rough, supportive housing for people who require additional support to maintain their tenancies and targeted responses to assist people with mental health issues to access private rental.

### 1.1.6 Business structures

Homelessness services program funds are provided to incorporated non-government, local government and church-based agencies to deliver housing and support services for homeless people. DHS develops these general and specific guidelines to ensure services are tailored towards the needs of clients. As the understanding of client need changes, so too do program frameworks and funding guidelines.

Generally DHS funded community programs form part of the three-year *Service Agreement* arrangements arising through the DHS Partnerships Project. Funded services should refer to the DHS Policy and Funding Plan to identify types of service that are not subject to three-year service agreements.

### 1.1.7 Role of service management

Funded homelessness services should maintain the highest standards of contemporary service management, financial management, planning and evaluation. Homelessness assistance services are required to:

- comply with relevant statutory obligations under the SAAP Act, *Housing Act 1983* and RTA;
- apply DHS standards and ensure compliance with Performance Standards for Registered Housing Agencies (PSRHA) if a registered housing agency; and
- adhere to all operational and procedural guidelines developed for homelessness services.

There are some additional requirements to published standards. Homelessness services are required to:

- maintain a focus on client rights, including cooperation with Homelessness Advocacy Service (HAS) as representatives of clients in grievance procedures;
- work within the highest standards of probity at all times, having in place systems to monitor this compliance;
- employ staff competent to the level of service delivery required to meet client needs, and ensure that appropriate staff development, supervision and de-briefing is available;
- ensure operational funds provided through homelessness assistance programs are principally spent on outlays directly arising from meeting client needs, and for the purposes for which the funding has been approved;
- establish clear procedural and budgetary policies for reimbursement of non-employee members of Boards and Committees of Management for expenses incurred in carrying out their voluntary duties in relation to the governance of funded services;
- ensure that any goods purchased by funded services are used for the benefit of clients including food supplies and in the case of THMs, goods necessary for establishment/

- furnishing of transitional housing properties;
- maintain organisational governance and service delivery as separate and distinct functions, in the structure of funded services and governing bodies, and in the allocation of roles;
- ensure the majority of members of governing bodies responsible for funding are not paid employees of funded services or allied organisations;
- ensure that conflicts of interest are publicly declared;
- ensure highly effective collaborative working relationships between homelessness assistance services in the best interests of clients; and
- ensure services operate in accordance with established protocols for working with specific client groups such as: young people; sexually, culturally and linguistically diverse groups; and women/women with children escaping family violence.

### Professional development

DHS funds a range of professional development and training opportunities for homelessness assistance program workers and voluntary Board or Committee members in non-government organisations. Information about subsidised courses organised by DHS is provided to funded services on a regular basis through the specialist homelessness sector training calendar available at

<http://www.wodongatafe.edu.au/organisation/about-us/teaching-departments/community-services-and-health/specialist-homelessness-sector.aspx>

Family violence specific training is also provided through the Domestic Violence Resource Centre Victoria. Six-monthly training calendars are available at

<http://www.dvrcv.org.au/training>

### Grievance processes

Collaborative service provision between homelessness services as part of an integrated SHS is critical to addressing client needs. However, from time to time, grievances and disputes will arise. Homelessness assistance services will document within their inter-agency protocols / agreement / dispute resolution processes.

The grievance process will deal with all operational and service provision issues, for example where support providers have had difficulty accessing accommodation for clients over a period of time, or where clients have been provided with inadequate information.

Grievance processes must be clearly documented, agreed by both parties, and are subject to annual review. The foremost concern of homelessness services is to secure the best possible outcome for clients. Grievance processes should reflect this fundamental principle and focus on expedient resolutions that minimise adverse impact on clients.

All clients should be provided with information about grievance procedures in an accessible form.

For homelessness services that are registered housing providers, there is a legislative requirement to have a complaints management procedure in place, to maintain a

register of complaints and to make the register available for inspection by the Registrar of Housing Agencies. Tenants' /occupants' or prospective tenants' complaints that cannot be resolved within 30 days of complaints being made, may be referred by complainants to the Registrar for investigation. Complaints made by other parties may be referred by complainants to the DHS and addressed in accordance with the Housing Complaints Policy.

Homelessness services should be aware that they are subject to Whistleblower legislation, which may result in their organisations being subject to grievance mechanisms within the broader DHS and by the Victorian Ombudsman. [Refer to section 14 of the Service Agreement and section 5.8 of the Service Agreement Information Kit for Agencies.](#)

### Information Privacy

Specialist homelessness assistance services must comply with the provisions of the *Victorian Government Information Privacy Act 2000*. The *DHS Information Privacy Policy* outlines privacy obligations for the DHS and its funded services. [Refer to section 14 of the Service Agreement and section 4.5 of the Service Agreement Information Kit for Agencies.](#)

### Insurance requirements

Homelessness services are required to maintain a range of insurances, which are purchased on behalf of funded services by DHS.

These include public liability, directors' and officers' liability, professional indemnity and voluntary workers insurance. Details of these insurances can be found in the *DHS Insurance Guide for Non-Government Organisations*, distributed to all DHS funded services for which insurance is purchased. [Refer to section 16 of the Service Agreement and section 4.7 of the Service Agreement Information Kit for Agencies.](#)

### Critical incident reporting

Homelessness services must comply with DHS requirements for critical incident reporting for category one and two incidents only. The Departmental Instruction on critical incident reporting incorporates a housing-specific guideline for staff of DHS funded services. Requirements refer to:

- homelessness assistance service personnel, including casual, voluntary and/or auxiliary staff;
- occupants of THM-managed crisis and transitional housing; and
- clients of support workers, housing information and referral/initial assessment and planning, and Entry Point workers, and clients of other housing and support programs managed by homelessness assistance services. [Refer to section 5.3 of the Service Agreement Information Kit for - reporting forms also available on FAC.](#)

### Occupational health and safety

Homelessness services must be aware of their occupational health and safety obligations as employers, and should have in place a documented system for demonstrating compliance. [Refer to section 5.6 of the Service Agreement Information Kit for Agencies for details.](#)

### Pre-employment and pre-placement safety screening

Homelessness services will comply with the DHS policy and guidelines on *Pre-employment/Pre-placement checks for Direct Client/Patient Contact Areas* where applicable. [Refer to section](#)

5.5 of the *Service Agreement Information Kit for Agencies*.

<b>Intellectual property</b>	Copyright of all documents and data in relation to the provision of homelessness services is vested in the DoH. Refer to the <i>Service Agreement</i> , section 13 and for a broader definition of intellectual property, refer to section 4.4 of <i>the Service Agreement Information Kit for Agencies</i> .
<b>Acknowledgement of Homelessness Support Services/Providers (HSSP) funding in publications</b>	All Homelessness Support Services/Providers (HSSP) funded homelessness services must acknowledge Commonwealth/State Government HSSP funding in any form of publication relating to the operation of HSSP-funded services. This includes annual reports and publicity brochures, as well as electronic media. The publication should include words to the effect: <i>“This (service/publication/event) is funded through the Homelessness Support Services/Providers-HSSP, a program jointly financed by the Commonwealth and State governments.”</i> The funded service is required to forward copies of publications about the service to DHS within one month of the publication date. Publications, specifically HSSP funded, must be approved by DHS prior to publication.
<b>Service opening hours</b>	Homelessness services are funded at a minimum to deliver services during a normal business day between the hours of 9.00am-5.00pm Monday to Friday, 52 weeks of the year, and where applicable, to employ outreach services to more remote and/or high need locations.  Where public holidays differ from Area/Division to Area/Division, ie local racing carnivals, the local public holiday replaces the metropolitan equivalent day, ie Melbourne Cup. Services that are funded to provide 24-hour access will ensure these requirements are met.  Principle and/or co-located service points are to remain open to the public without periods of closure such as for lunch. Telephone arrangements must clearly state hours of operation and also indicate appropriate contact points out of normal working hours such as on weekends and public holidays. In exceptional circumstances, where services wish to close during normal working hours service managers must contact the DHS Divisions and negotiate the alteration to the standard arrangement. This period cannot exceed half a working day.
<b>Staff leave arrangements</b>	Homelessness services will take due care and responsibility for ensuring that delivery of services remains constant, and will implement measures to ensure that services are affected to the minimum extent possible by situations such as leave arrangements or staff illness.
<b>Salary oncost &amp; unit priced funding</b>	Salary oncost funding provided, as part of the unit price for each funded position, is included to enable services to replace staff on leave.

## 1.2 Standards for Service Delivery

### 1.2.1 DHS Standards

DHS Standards combine and replace a range of existing program quality standards into one readily accessible set of standards which can be summarised as follows:

- Empowerment
- Access and Engagement
- Wellbeing
- Participation.

The DHS standards help to ensure a consistent quality of service no matter which DHS funded service people access.

The focus of the standards is on quality service delivery. The standards

- acknowledge peoples rights;
- focus on measurable outcomes, including client outcome;
- include standards that are clear in intent and few in number;
- encourage continuous quality improvement;
- incorporate the strengths of the existing program standards;
- focus on improving services and creating greater consistency across services for clients; and
- seek to reduce administrative duplication.

Registered housing agencies are required to comply with Performance Standards for Registered Housing Agencies (PSRHA) in order to maintain registration.

Use of these guidelines in conjunction with the DHS standards will also assist with the development and documentation of inter/cross agency protocols and practice arrangements.

These guidelines and the DHS Standards meet the requirements of the SAAP Act and the expectations of successive NAHA Agreements, along with other government and widely accepted good practice approaches.

<http://www.dhs.vic.gov.au/about-the-department/documents-and-resources/policies,-guidelines-and-legislation/departments-of-human-services-standards>

### 1.2.2 Performance Standards for Registered Housing Agencies (PSRHA)

PSRHA apply to any agency that has been registered under Part VIII of the *Housing Act 1983*. Section 95 of the *Housing Act 1983* states, "a registered agency must comply with the relevant performance standards applicable to that agency". The standards applying to all registered housing agencies were first published in the Victorian Government Gazette in August 2005.

Areas addressed in PSRHA are:

- Governance of the agency;
- Management of the agency;
- Probity;
- Financial viability;
- Tenancy management;
- Housing management and maintenance; and

- Risk management.

'Intervention Guidelines' for the Registrar of Housing Agencies, gazetted in August 2005 will ensure registered housing agencies are meeting standards as described by PSRHA. Use of these guidelines by the Registrar is considered to be a power of last resort. **Not all homelessness services are required to be registered – only those services that manage rental housing will need to meet this requirement.**

### 1.2.3 Consumer Charter

The Consumer Charter is for people seeking or receiving housing and/or support services from homelessness services and other community housing providers.

<http://www.dhs.vic.gov.au/about-the-department/documents-and-resources/policies,-guidelines-and-legislation/consumer-charter-for-homelessness-assistance>

The Charter, together with a strengthened complaints mechanism for people who access homelessness services works to create a service environment that uniformly respects the rights of people who are experiencing homelessness or who may be at risk of homelessness. DHS expects homelessness assistance services to:

- uphold the principles listed in the Consumer Charter;
- develop policies, procedures and practices based on the Charter, DHS Standards and PSRHA and make them widely available to clients in appropriate formats;
- be accountable to all clients, the community and government for policies, procedures, actions; and
- inform clients of their rights and responsibilities, as well as complaint and appeal options.

### 1.2.4 National Community Housing Standards

The NCHS were developed in 1998, republished in 2003 and 2010. The most recent review has been undertaken to ensure that the NCHS reflect significant changes in the operating environment for homelessness service system providers and developments in industry good practice.

Where relevant, the revised NCHS also attempt to provide guidance around additional expectations for larger, growing organisations.

The review of the NCHS involved extensive consultation with stakeholders across Australia.

The NCHS provide a nationally consistent framework to accredit homelessness service system providers and provide service users with an assurance of quality. The NCHS can be used by all types and sizes of organisations to achieve continuous quality improvement and improve service delivery.

## 1.3 Registration & Regulation

### 1.3.1 Introduction

On 1 January 2005 Part VIII of the *Housing Act 1983* introduced a new system of regulation for not for profit non-government rental housing agencies that receive funding from, and/or manage properties on behalf of the Director of Housing (DoH).

#### What is registration?

Registration is the process whereby an eligible rental housing agency satisfies criteria specified within Schedule 7 of Part VIII of the *Housing Act 1983* to achieve a status of either a registered housing association or housing provider.

#### What is regulation?

The legislative foundation for regulation of registered housing agencies comprises Part VIII of the *Housing Act 1983*, PSRHA and Intervention Guidelines. These new regulatory provisions encourage the development of well-managed rental housing agencies to better serve the housing needs of low-income Victorians.

Regulation will involve the registration and monitoring of registered housing agencies, including assessment of performance against PSRHA.

The Housing Registrar has described its operational approach to this foundation in 'Our Regulatory Framework' and an accompanying series of documents.

### 1.3.2 Aims of registration and regulation

The new regulatory framework aims to enhance the capacity for agencies to work in partnership with government to attract new investment into the delivery of affordable housing. It also aims to strengthen the existing rental housing sector through an increased focus on service performance and quality outcomes for tenants/occupants.

#### Why register?

All agencies managing long term, transitional or crisis housing on behalf of the DoH, or receiving funding to do so, are required to register.

Future housing funding priorities will also be increasingly targeted to registered agencies, in particular, Housing Associations will be considered first for capital funding for growing social housing.

### 1.3.3 Planning for registration

The Office of the Registrar of Housing Agencies (ORHA) is responsible for managing the registration process on behalf of the Registrar. However collectively these two entities are represented by the terminology: Housing Registrar, used extensively throughout this document.

Schedule 7 Part VIII of the *Housing Act 1983* outlines the criteria for agencies seeking registration. Further guidance and information to help agencies plan for registration is available from the Housing Registrar.



**Requirements of registered agencies**

Once registered, agencies must comply with PSRHA and the legislative provisions of Part VIII of the *Housing Act 1983* to ensure registration status is maintained. The Housing Registrar is responsible for the regulation and monitoring of registered housing agencies to ensure ongoing compliance. Further information on registration and the regulatory system can be found at [www.housingregistrar.vic.gov.au](http://www.housingregistrar.vic.gov.au)

**1.3.4 Focus of regulation**

Regulation has four primary areas of focus for the Housing Registrar to address with individual registered housing agencies and the registered sector as a whole:

- Compliance with PSRHA;
- Compliance with other legislated requirements;
- Performance and continuous improvement relating to measures included in agencies' annual business plans; and
- Performance of the registered sector as a whole.

## 1.4 Accreditation

### 1.4.1 What is accreditation?

From July 2012 homelessness services that provide services directly to clients will be accredited every three years regardless of the number of DHS programs they are funded to provide.

Accreditation and independent review processes help to ensure that homelessness services have acceptable levels of management, administration and service delivery in place and that there is a culture of continual improvement.

Information regarding independent reviews and accreditation can be found at <http://www.dhs.vic.gov.au/about-the-department/documents-and-resources/policies,-guidelines-and-legislation/department-of-human-services-standards>

### 1.4.2 Which services need to be accredited?

Homelessness services in scope of the DHS standards are required to demonstrate their compliance with the DHS standards by achieving and maintaining accreditation / certification.

Further information on the process for achieving accreditation is available at <http://www.dhs.vic.gov.au/about-the-department/documents-and-resources/policies,-guidelines-and-legislation/department-of-human-services-standards>

## Part Two

### Funding, Performance & Reporting

- Homelessness Services  
Funding/Activities
- Homelessness Services Performance
- Reporting Requirements

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## 2.1 Homelessness Services Funding/Activities

- 2.1.1 THM recurrent funding arrangements** Recurrent funding is structured around the activities that DHS purchases from THMs. The funding components are located in the Department of Human Services Policy and Funding Plan <http://www.dhs.vic.gov.au/about-the-department/plans,-programs-and-projects/plans-and-strategies/key-plans-and-strategies/department-of-human-services-policy-and-funding-plan-2012-2015>
- THM salaries and administration** Funding is provided for costs associated with the provision of staffing and business operations. Those costs are determined at the beginning of the negotiated three-year funding period and amended each financial year in accordance with property numbers. Costs include:
- salaries and associated costs (oncosts), eg. Workcover, Superannuation, locum provision; and
  - operational costs, eg. office rental, utilities and travel costs.
- THM property establishment funds** A grant is provided for furnishing of all newly purchased or leased crisis and transitional properties. Funding is calculated at the beginning of each financial year based on a forecast of the amount and type of additional stock to be held by THMs by the end of that period. A review of stock levels will be undertaken by the DHS as required and the *Service Agreement* will be varied if necessary. Refer to Part Four of the guidelines, section 6 Establishment & Maintenance Policy.
- Leased properties** Where a THM property lease ceases, furniture purchased for it should be transferred to the replacement property, other THM property or stored for future use.
- Asset management principles** All assets purchased with establishment funds and valued at \$300 or more must be included in service asset registers. Assets listed in the Asset Register should be depreciated using a straight-line method (prime cost method) based on depreciation rates listed in the Australian Master Tax Guide. This value is set for THMs given the responsibility for furnishing (and managing furnished) housing.
- Property allowances** Assets purchased with establishment funds remain the property of the DoH and funds received from the sale of assets should be returned to DHS. Records should be kept on the condition of furniture and whitegoods, and estimated replacement dates.
- THM-based crisis properties** Property allowances are provided for all DoH owned and leased transitional and crisis properties, for minor responsive maintenance and re-establishment of properties. The principal uses of property allowances are listed in detail in Part Four of these guidelines, section 6 Establishment & Maintenance Policy. These allowances are subject to periodic review.
- For THM-based crisis accommodation, THMs provide a tenancy

and property management service that requires an increased response to occupancy turnover and property maintenance, vacancy cleaning and establishment. Appropriate tenancy administration resourcing levels are allocated on the basis of average occupancy to worker ratios required for the delivery of crisis accommodation.

An increased level of base property allowance per property is allocated annually for crisis-designated properties under this framework, with allowance made for the likelihood of more frequent re-establishment of these properties. This allowance also includes per property per annum coverage of utility costs in crisis accommodation.

### **2.1.2 Housing Support Services/ Providers (HSSP) recurrent funding arrangements**

Recurrent funding for Housing Support Services/Providers (HSSP), formerly known as SAAP, is structured around the activities that DHS purchases from HSSPs. The funding components are located in the Department of Human Services Policy and Funding Plan <http://www.dhs.vic.gov.au/about-the-department/plans,-programs-and-projects/plans-and-strategies/key-plans-and-strategies/department-of-human-services-policy-and-funding-plan-2012-2015>

#### **HSSP salaries and administration**

Funding is provided for costs associated with the provision of staffing and business operations. Those costs are determined at the beginning of the negotiated three-year funding period. Costs include:

- salaries and associated costs (oncosts), eg. Workcover, Superannuation, locum provision; and
- operational costs, eg. office rental, utilities and travel costs.

## 2.2 Homelessness Services Performance

### 2.2.1 Current service performance arrangements

DHS Divisions are responsible for negotiating specific targets with service providers that maximise the effective use of the resources available, and meet state and national performance targets. Each *Service Agreement* contains a number of performance measures, which vary between service types.

Funded homelessness services are required to deliver services against the outputs negotiated in their service plans.

Performance measures are a key component in communicating performance expectations to, and measuring outcomes of, activities performed by funded homelessness services. These measures are key quantifiable service goals for funded activities for the purpose of the *Service Agreement*. They provide the basis for assessment of services' performance against agreed targets.

### 2.2.2 Housing Registrar monitoring

Homelessness services registered under the *Housing Act 1983* as Housing Associations or Housing Providers will be subject to additional regulatory monitoring, to be undertaken by the Housing Registrar. Monitoring will involve a range of requirements that are described in 'Our Regulatory Framework' and the series of publications that accompany this document. Refer to [www.housingregistrar.vic.gov.au](http://www.housingregistrar.vic.gov.au) to view these documents. Copies of 'Our Regulatory Framework' can also be obtained from the Housing Registrar.

### 2.2.3 Housing Support Services/ Providers (HSSP) performance & monitoring

Homelessness Specialist Services/Providers (HSSP) - previously known as Supported Accommodation Assistance Program (SAAP) are monitored at a number of National and State levels.

DHS also reports annually on HSSP performance.

DHS Divisions are responsible for ensuring that the program meets these targets at the local level, based on the performance of individual agencies.

### Direct support & service development resources

Reflecting the Award, a full time position is based on a 38-hour week. It is required that approximately 75% will be allocated to direct service delivery or casework; and that approximately 25% will be allocated to other core functions, such as casual support.

Each full-time position funded in a Transitional Support Service is required to operate on a staff/client ratio of 1:12, and each full-time position funded in Temporary Crisis Accommodation (TCA) is required to operate on a staff/ client ratio of 1:6.

In recognition that a family unit represents a number of people, homeless family staff/client ratios are 1:7.5 for Transitional Support services and 1:5 for Crisis Supported Accommodation services.

Hours available per client are an indicative average over the whole period of support, and will vary from week to week according to the specific needs of the client. The following table provides a summary:

<b>Per Full time Position</b>	<b>Average Needs Clients</b> <i>(Transitional Support Service)</i>	<b>High Needs Clients</b> <i>(Crisis Supported Accommodation)</i>
<b>Individuals</b>	12 (2.5 hours per client)	6 (5 hours per client)
<b>Families</b>	7.5 (4 hours per family)	5 (6 hours per family)

#### **Crisis support accommodation & transitional support**

Annual throughput for TCA services is calculated in the following way:

Key Output Measure =  $a \times (52/b)$

a = Client capacity (using the staff: client ratio to calculate the average number of clients that the agency can support at any one time.

b = Average duration of support in weeks (TCA = 6 weeks, TS = 13 weeks).

#### **Homeless persons' support centres**

Annual throughput for Homeless Person's Support Centres is calculated as follows:

Key Output Measure =  $a \times b$

a = Daily average number of clients attending the centre.

b = Days of operation.

Key Output Measure = Number of activities undertaken.

#### **Service support**

This measure refers to the number of activities undertaken by the service to positively represent the achievements of HSSP at a divisional or statewide level.

**Note: This section is being reviewed as part of the Homelessness Sector Reform Project.**



## 2.3 Reporting Requirements

### 2.3.1 THM Reporting requirements

THM service plan and financial reporting requirements are outlined in the *Service Agreement* at:

- *Schedule 3*: the Service Plan, which incorporates performance measures for each THM activity area and six monthly or monthly data collection requirements; and
- *Schedule 5*: financial accountability requirements, incorporating audited annual report. Services should take note of additional requirements as detailed below for monthly Rent Remittance reporting.

*Schedules 2 and 4* of the *Service Agreement* incorporate agency financial summaries and DHS/agency relationship requirements.

### Annual performance review

DHS also reports annually on THM performance to the Victorian Parliament. DHS Divisions are responsible for ensuring that the program meets these targets at the local level, based on the performance of individual agencies.

THMs will participate in an annual performance review process, as defined in the *Service Agreement*. The performance review will include, but will not necessarily be limited to, the following performance measures:

- quality of transitional services provided;
- appropriateness of transitional services provided;
- accessibility of service;
- effectiveness of links with support providers; and
- standard of transitional housing management.

THMs are encouraged to maintain a close working relationship with DHS Divisions in order to keep Divisions informed of activities and/or specific issues in relation to the service development, implementation and ongoing management of the THM program.

THMs are expected to develop within business plans, internal review processes with clear performance measures to enable services to appraise overall performance in relation to broader service objectives, goals and targets, and community expectations. Refer to the *Service Agreement Information Kit for Agencies*.

THMs are required to prepare all accounts to comply with all accounting standards and with the accounting requirements of the Corporations Law applying to public companies.

### THM stock list

Stock lists for all THMs are maintained by DHS Divisions through a departmental database. The lists are confirmed with THMs to ensure an accurate record of managed housing stock is kept between DHS and services and to confirm property funding levels are correct. THMs maintain their own stock lists and liaise with DHS Divisions regarding changes in property usage/target group, neighbourhood issues and upgrade requirements.

It is of utmost importance that stock lists are kept up to date at all times.

For registered agencies, this stock is also listed in the Agency Register maintained by each individual agency.

#### THM entry points

Entry points must report data to the SHSC.

### 2.3.2 THM data collection requirements

THM services currently collect data in accordance with the reporting requirements scheduled to the *Service Agreement*. Refer to 2.3.7 below.

#### HEF data collection

THM services are required to submit six monthly reports for HEF within 21 days after the end of the reporting period – by **21 January** for the 1 July to 30 December period, and **21 July** for the 1 January to 30 June period.

### 2.3.3 Housing Support Services / Providers (HSSP) reporting requirements

Homelessness Support Services/Programs (HSSP) - previously known as Supported Accommodation Assistance Program (SAAP) should develop an annual cycle of internal planning and review, which outlines service improvement objectives, along with strategies to deliver required services.

HSSP funded services must participate in a detailed review of their funding on request by DHS Divisions.

The current standards and guidelines have been developed to fulfil the requirements of the SAAP Act and meet the expectations of successive National Affordable Housing Agreements (NAHA), along with other government departments and widely accepted good practice approaches.

HSSP funded services are monitored at a number of National and State levels.

### Planning, performance, research & review

Under the NAHA there is a requirement for accountability to the community for performance, against agreed objectives and outcomes, and in respect of allocated roles and responsibilities. NAHA performance indicators include proportion of people who are homeless and proportion of people experiencing repeat periods of homelessness. DHS also reports annually on NAHA performance to the Victorian Parliament. DHS Divisions are responsible for ensuring that the program meets these targets at the local level, based on the performance of individual agencies.

DHS Divisions may request that organisational or service reviews be undertaken at certain times. Annual service targets and financial data will be monitored using client data and financial accountability returns supplemented by relevant information to be provided by the HSSP on request from DHS Divisions.

### 2.3.4 Housing Support Services / Providers (HSSP) data collection requirements

Homelessness Support Services/Programs (HSSP) and THM entry points are required to provide non-identifying client data, to the Australian Institute of Health and Welfare (AIHW) through the Specialist Homelessness Services Collection (SHSC). Refer to the AIHW website for details <http://www.aihw.gov.au/shsc/>

This client data and service performance data is provided to DHS

as agreed between jurisdictions and the AIHW in agency statistical summaries.

As DHS is required to provide administrative information about services to the AIHW, services are required to provide notice of change of any details to DHS Divisions as soon as practicable. To ensure that reports from the AIHW are provided both to the service and DHS in a timely manner it is imperative that AIHW administrative data is kept up to date.

HSSPs may be also required to collect and remit data to DHS for programs funded shorter term, or while a new ongoing program is being established. Where HSSPs operate a program funded by another government body or department, it may be a condition of funding that a data collection is established for this program.

### 2.3.5 Housing Establishment Fund (HEF) reporting requirements

The *Service Agreement* specifies general reporting, financial and accountability requirements for Housing Establishment Fund (HEF) providers. Allocation of HEF to homelessness services is conditional upon satisfactory compliance with these requirements.

Services will provide details of the Chairperson, Secretary, Treasurer or their equivalent annually in September. They will advise the DHS and Consumer Affairs in writing of amendments to these details within thirty (30) business days of a change.

Within three months of the conclusion of the financial year (end of September), services will submit their annual report.

### Financial accountability of HEF providers

All HEF providers, both THM and HSSPs, will report in accordance with the DHS *Funding and Service Agreement*. HEF funds are not to be used for purposes other than those outlined in these guidelines.

HEF providers will arrange for two signatories for HEF cheques. The Board of Management/Committee of Management must approve a list of signatories for their organisation, and as part of the half yearly reporting process, supply the DHS with the name, position and contact details of signatories for the funds. HEF providers will also advise the DHS in writing of amendments to these details within thirty (30) business days of the change. **Signatories must be available to enable a timely response to clients.**

### 2.3.6 Housing Establishment Fund (HEF) data collection

Within 21 calendar days of the conclusion of the reporting period (being January to June and July to December), non-THM HEF providers will submit data to DHS Divisions on households assisted in accordance with Homelessness Reporting Requirements.

These reports will also identify discretionary assistance. HEF providers will collect the data in accordance with Recording and Reporting the Housing Establishment Fund guidelines.

### Data remittance

When reporting on discretionary assistance, supporting documentation should contain a description of the relevant circumstances of each episode of assistance.

**2.3.7**  
**Regulatory**  
**reporting**

Homelessness services that are Registered Housing Providers will be subject to additional regulatory reporting. As much as possible, this reporting will not duplicate existing program reporting requirements, and where appropriate will use data and information provided via the program reporting.

# Part Three

## Access to Services

- Responsiveness
- Access & Allocation
- Initial Assessment & Planning

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## 3.1 Responsiveness

### 3.1.1 Principles of responsiveness

#### Consumer Charter

Homelessness services are focused on the needs of homeless people and provide appropriate and accessible housing and support services. Principles for responsiveness include:

- Responses are planned and provided to ensure optimum access for clients, with emphasis given to assisting all eligible persons at their first point of contact with the homelessness service sector (HSS).
- Responses work to enable people to remain in their local/natural communities, and to address the needs of people who are homeless and transient.
- Responses are provided in a timely manner, recognising that early intervention to prevent homelessness is the most appropriate form of assistance in the majority of circumstances.
- Responses are planned and provided to maximise self-determination of clients, ensuring that they have full knowledge and maximum control over decisions that impact on their lives.
- Responses are co-ordinated between homelessness services, and in collaboration with complementary support services to allow for a cohesive service system targeted towards assisting individuals and families in housing crisis.
- Homelessness services treat all clients equitably, regardless of age, gender, ethnicity, language, income status or source of referral.
- Homelessness services are respectful of clients' rights, culture, individuality and diversity and provide responses that are sympathetic to a range of cultural and social issues, with regard to the dignity of clients and the protection of human and legislative rights.
- Homelessness services will maximise opportunities for self-determination and independence, with clients having full knowledge and control of decisions that affect their lives.
- Homelessness services are designed to be flexible and focused on the individual needs of clients and aim to deliver appropriate outcomes for each client.
- Homelessness services are accountable to the community through the fulfilment of all statutory and contractual arrangements and engage in community consultative processes as and when required.

### 3.1.2 User Rights

In accordance with the privacy principles outlined in [Part One of these guidelines](#) and detailed in [section 4.5 of the Service Agreement Information Kit for Agencies](#), homelessness services are provided in a respectful manner consistent with user rights principles by:

- ensuring the fundamental principles of social justice are applied to homelessness assistance service provision, including human rights, access and equity, dignity, respect and individually responsive service provision;
- ensuring that clients are active participants in any actions/decisions affecting their lives;

- ensuring that clients are fully informed of options available to them;
- provision of accurate information on homelessness service policy and services offered;
- making client files available to the client concerned;
- implementing client feedback and consumer satisfaction systems; and
- provision of services and accommodation that are responsive to individual needs ie, security needs considered and appropriate facilities available.

### Consumer Charter

The Consumer Charter applies to all Department of Human Services (DHS) funded assistance to people who are homeless, and client rights responses formally extend across all funded homelessness services. Refer to Part One of these guidelines, section 1.2.3 Consumer Charter.

### 3.1.3 Culturally appropriate service provision

Homelessness services must be delivered in a manner that is accessible and appropriate to people from culturally and linguistically diverse communities. Information should be presented to clients in a form that is easily understood and responsive to diversity.

### Links to the Indigenous services sector

Homelessness services with strong links to the Indigenous services sector are more likely to be accessed by Indigenous people than those mainstream services without these important linkages. These services will have a more informed understanding of Indigenous housing and support needs, and will be able to respond to clients' needs more effectively in a culturally sensitive manner.

### Refugees and asylum seekers

To assist in the provision of services to refugees, asylum seekers - including holders of Temporary Protection Visas, other newly arrived migrants and all others from culturally and linguistically diverse communities, homelessness assistance services are strongly encouraged to develop linkages and protocols with Migrant Resource Centres and other culturally specific support services.

### Victorian Interpreting and Translating Services (VITS)

VITS is the DHS language service provider, delivering services to both DHS and funded organisations. VITS provides the full range of language services including interpreting, translation and Auslan.

All language services bookings should be directed to VITS. Further information is available on the DHS website at <http://www.dhs.vic.gov.au/about-the-department/plans,-programs-and-projects/projects-and-initiatives/cross-departmental-projects-and-initiatives/language-services>

It is expected that homelessness services will cover the costs of any interpreting and translating required outside negotiated arrangements with VITS.

### People without an income

A no-income status, as may be the case for asylum seekers, and new migrants awaiting residency status, does not preclude homeless people from access to transitional and crisis accommodation.



Homelessness is the criterion for entry. When presenting for housing assistance, clients who are asylum seekers and others presently without income must be assessed for eligibility on the basis of their immediate need for housing and other types of appropriate assistance, regardless of their financial status.

### **3.1.4 Sexual/gender diversity awareness**

Further to the principles described in the above sections, homelessness services will be inclusive of all people who are homeless or at risk, regardless of cultural background, income status, sexual and/or gender identities.

Inclusive service provision for gender and sexually diverse clients must be based on a client-centred best practice approach, and must be positive and reflective of individual need.

### **Consumer Charter**

The Consumer Charter is a clear statement of the rights of people accessing homelessness services to be free from discrimination, to receive respect for culture, dignity and privacy. [Refer to the Consumer Charter for the complete statement and Part One of these guidelines, section 1.2.3.](#)

## 3.2 Access and Allocations

### 3.2.1 Principles for access

- Homelessness services are provided for:
- families and individuals who are homeless or at risk of homelessness;
  - women and their children who are escaping family violence; and
  - young people between the ages of 15 and 24 years who are homeless, at risk of homelessness or escaping family violence.

### Responsive allocation policies

Homelessness services will work together collaboratively to develop policies and procedures for access to and allocation of crisis and transitional housing and homelessness support. This will reflect the client profile of the division or catchment served and to ensure that the provision of housing and support remains responsive to those local needs. Policies and procedures will be subject to the approval of DHS Divisions and will encapsulate the following principles:

- Access to homelessness services is reflective of DHS policy to target those in greatest need for assistance, particularly those assessed for early allocation to public housing.
- The objective of allocations policies must be to best match available assistance to need at a point in time.
- Allocations policies should be developed by local homelessness service networks rather than by individual agencies.
- Allocations policies must be consistently understood and applied by all participating services and they must be transparent for clients and participating homelessness services.
- Access to homelessness services is non-discriminatory.
- Service exclusion practises must not be built into allocations policies.
- Eligibility is based on the primary determining factors of housing crisis and relative need.
- The principal eligibility criterion for access to the HSS is homelessness, regardless of clients' place of origin sub-regionally, regionally or interstate, or of income status.
- If clients from other homelessness services catchments or interstate present at any given homelessness service, all efforts are to be made to provide the level of assistance appropriate to their needs. The principle applies to all homeless people including new migrants and asylum seekers.

### Out of area assistance

### Income status

- Client income and assets are not the primary determinants in assessing eligibility for homelessness assistance, with the exception of Housing Establishment Funds (HEF). However, clients' financial status can determine their capacity to access and maintain alternative housing options, should this be appropriate, considering other risk factors, ie support needs/complexity of need.
- The existence of rent arrears or poor tenancy histories in previous public (including THM) or private rental housing

**Availability of support**

- is not a barrier to access.
- Availability of support may be a determining factor in allocating transitional housing to those clients requiring general and/or specialised homelessness support.
  - Allocation policies and procedures will maximise the appropriate use of crisis and transitional housing.
  - Allocations policies must be regularly reviewed to ensure capacity to best match available assistance to need using unmet demand as an indicator.

### 3.2.2 Opening Doors

Opening Doors was implemented in July 2008. The Program received \$6.75m over four years in the 2008 budget for Network establishment and implementation, Initial assessment and response teams, Resource Register and Evaluation.

Opening Doors is a practice and systems approach to providing timely and effective access to homelessness and social housing services to people seeking assistance.

It provides consistent, high quality initial assessment and referral and access to the resources of homelessness services.

Better service coordination among homelessness services – including the establishment of clear access points, sharing of support, housing and brokerage resources, and improved communication among workers and agencies will provide a more timely, streamlined and less stressful process for people in crisis. Opening Doors also provides clear direction about the best practice response at the entry points.

It maximises the resources of homelessness services by reducing duplication and time wasted on unnecessary assessments and referrals and improves access to allied health and welfare services.

**Target Groups**

Clients assisted include young people, singles, families and women and children escaping family violence with services provided generally through a case management system.

**Eligibility Criteria**

Eligibility is not based on income or assets. Support is provided to people who are homeless or at risk of homelessness.

### 3.2.3 Process for accessing transitional housing

Priority access is given to people exiting crisis supported accommodation services who require continued support and housing assistance.

Access into transitional housing is via:

- referral from homelessness assistance Entry Point services; or
- nomination or placement from a local HSSP - previously known as SAAP, specialist or other funded support provider or through formal Housing Pathways initiatives.

Clients may also be referred for housing assistance from a number of other services such as DHS Housing Service Offices (HSOs), local police or community welfare services through one of the homelessness services entry points.

In instances where clients access transitional housing via a support service other than a HSSP funded service or through HSOs, referrals will be received through homelessness assistance Entry Points. Clients of joined-up initiatives, eg Alcohol & Drug Supported Accommodation, Corrections or Juvenile Justice pathways, are referred through to THMs managing specifically designated housing stock for each initiative. Refer to section 3.2.4 below, Nomination / access rights and housing pathways initiatives.

### Initial assessment

At initial presentation for assistance at homelessness assistance Entry Points, individual THM or HSSP services, an assessment will be undertaken by intake and/or Initial Assessment and Planning (IAP) workers to determine eligibility for transitional housing and homelessness and/or specialist support services. Refer to section 3.3 below, Initial Assessment & Planning.

A range of access options to best address need include:

- open access - referral into properties determined by a needs based priority allocations policy;
- nomination rights - direct access into specific properties; and
- allocated property/Housing Pathways initiatives - direct access into a pre determined number of properties/bedrooms; actual properties may vary.

Proposed access arrangements, which may comprise a number of approaches, require the agreement of DHS Divisions, following agreement with local service networks.

Note: Nomination arrangements should not be made between HSSP's. Limited nomination rights still exist within Joined-up initiatives.

### 3.2.4 Nomination / access rights and Joined-up Initiatives

Where nomination arrangements between homelessness services are localised and based on formally agreed protocols, the principles of allocation should reflect the principles for access to ensure that transitional housing continues to target those clients in greatest need of housing, for example, those moving from crisis accommodation and requiring continued support and housing assistance.

Homelessness services should ensure that interagency agreements with regard to nomination arrangements are periodically reviewed and clearly define a process that will enable ready identification of the occupancy/vacancy status of all nominated properties at a given time.

These arrangements will be subject to modification at a local level as an outcome of work undertaken within divisional homelessness service system development projects.

Through joined-up initiatives DHS provides a predetermined number of properties for specific programs assisting people who are homeless and who have complex needs and also to facilitate planned exits from institutional care or custody.

These arrangements may be varied only through review or expansion over time. Examples of these involve formal housing nomination arrangements with Mental Health, Juvenile Justice, Corrections Victoria, and Alcohol and Other Drug (AOD) support services and Family Violence Crisis Services.

### Managing vacancies

If a nominated property remains vacant for a period in excess of five business days where no maintenance is required or 10 business days where maintenance is required, THMs will have the option, after notifying the relevant nominating support service, to allocate the property without a direct referral from that service.

Extension of vacancy periods may be applied for Housing Pathways initiative properties. However, these must be negotiated with and approved by DHS Divisions.

### 3.2.5 Alcohol and drug supported accommodation

The THM program manages approximately 250 properties designated for clients of AOD support services, including approximately 30 for youth specific services.

This figure may increase to support any future expansion of Alcohol and Drug Supported Accommodation (ADSA) initiatives, such as the Drug Court program, the Homeless & Drug Dependency program and the THM/ADSA program. Properties designated as ADSA are to remain targeted towards this group with AOD services having exclusive nomination rights to the properties.

Where it is considered appropriate for the designated properties to be alternated or changed, THMs may arrange this upon agreement with support services and advice to DHS Divisions in the interests of maintaining accurate records.

### RTA Rooming House provisions

ADSA properties are managed under the Rooming House provisions of the RTA where multiple occupancy arrangements apply. A set of house rules is developed for incorporation into protocol agreements between THMs and AOD support services.

The house rules focus on how a multiple occupancy household will run and sets out responsibilities of each occupant. THMs are required to provide occupants with a copy of the house rules. Protocol agreements will detail how the services may interact around tenancy management functions and occupants' support requirements. [Refer to Part Four of these guidelines, section 4.2 Occupancy Arrangements.](#)

### 3.2.6 Crisis supported accommodation

The key objective of a crisis accommodation response in the THM program is to, in accordance with divisional need; provide a range of additional crisis support and accommodation options to homeless people.

The two broad crisis accommodation models are:

- a limited number of temporary crisis accommodation (TCA) facilities with on-site intensive support; and
- short term accommodation in THM-based crisis properties with linked outreach intensive HSSP support.

It is likely that:

- support that is based in TCA will also provide support on an outreach basis to a range of THM-based crisis accommodation; and
- facility-based and THM-based crisis accommodation will be supplemented with appropriate short term emergency accommodation purchased with HEF.

### 3.2.7 Access arrangements for young people

A minimum of 650 crisis, transitional and 85 longer-term beds are designated for young people. Access to general transitional housing stock should also be made available to young people where required.

Young people comprise 40% of HSSP clients. Homelessness services will endeavour to maintain the benchmark allocation of crisis, transitional and longer term properties for young people as far as possible.

Future benchmark indicators for properties specific to young people will be determined on a regional and localised needs basis as identified by DHS Divisions in collaboration with local homelessness services.

Transitional housing designated for young people will generally be shared. Allocation of bedrooms in transitional properties will be managed to ensure appropriate assessment and matching of clients. Generally, only one support service will be involved in the support of young people sharing a property. However, where appropriate and agreed, support arrangements for these households may vary.

**Note: shared properties of unrelated households must be fire compliant.**

#### Filling vacancies

Where vacancies occur in properties designated for young people and there are no young people requiring this accommodation at the time, THMs may allocate vacancies to other clients, provided there are no other young people currently in residence. Such vacancies may be held for no longer than the maximum period of 10 business days, where maintenance beyond the usual for vacant properties is required (five business days where no maintenance is required).

Young people aged 15–17 years must be in receipt of an independent income to become residents of THM properties in their own right.

### 3.2.8 Access to education, training and employment opportunities

Educational, training and employment outcomes for young people experiencing homelessness should be prioritised. In many instances, the provision of longer-term accommodation and support will assist young people with long histories of difficulties to overcome the barriers preventing their participation in education, training and employment opportunities.

Occupancy arrangements for transitional housing allow for up to 18 month stays for young people. However, this may be extended in some cases to accommodate the above

principles. Refer to Part Four of these guidelines, section 4.2.8 [Occupancy arrangements for young people](#).

Occupancies in transitional properties beyond initial stabilising periods of three to six months provide an important opportunity to address a range of issues for young people. Homelessness services supporting young people in transitional properties must work to ensure opportunities are made available to young people wherever possible.

### **3.2.9 Young people aged under 15 years**

Consistent with legislation and DHS policy, the minimum age of a person to access transitional housing in their own right (ie. not dependent on another individual) is 15 years of age. Young people under 15 years cannot sign a tenancy/ occupancy agreement without the co-signature of a legal guardian.

When young people under 15 years present without an accompanying adult at homelessness assistance Entry Points or THMs requesting accommodation, intake workers will ensure that these young people are referred to local Adolescent Community Placement (ACP) services or Protection and Care units at DHS Divisions. ACP services or Protection and Care units will undertake an assessment of the needs of these young people.

Overnight accommodation will only be provided at the direction of ACP services or Protection and Care units. Homelessness services should take all reasonable steps, in conjunction with ACP services or Protection and Care units to ensure that adequate support and supervision is provided for young people less than 15 years when temporarily accommodated.

### **3.2.10 Access to support services**

Homelessness services promote co-ordination of housing and support for clients. Individuals and families presenting for housing assistance should be assessed for their support needs and actively referred to appropriate services. Access to support services will be via:

- nomination or placement (in consultation with clients) by homelessness assistance Entry Points; or
- direct approach by prospective clients to THMs, HSSP or other support services.

In the case of assessment for access to transitional housing via homelessness assistance Entry Point intake workers or THM housing information and referral services, the following process will apply:

- Prospective tenants of transitional housing will be advised that support arrangements may be available, and offered a referral to an appropriate homelessness service.
- Clients will be assisted to take up these referrals, eg assistance with transport, and workers will follow up that referrals have been accepted and are successful links into support services.
- Prospective tenants will be offered referral letters to appropriate support services and advised that written consent to referrals is a condition of entry into transitional housing.

- Homelessness assistance Entry Point intake workers and initial assessment and planning workers will provide clients with information in an accessible form about the services they are being referred to.

Homelessness services receiving referrals will co-ordinate appropriate exit plans for clients, including access to ongoing sustainable housing arrangements and/or longer-term alternative support arrangements. [Refer to Part Five of these guidelines, Homelessness Support Management.](#)



## 3.3 Initial Assessment & Planning (IAP)

### 3.3.1 Assessment process

A common assessment and referral framework for homelessness assistance Entry Point services is designed to support best practice for initial engagement and risk assessment within the HSS. The framework will be implemented wherever first contacts occur.

Initial assessment occurs at HSSP Entry Point services and some specialist services who assist complex cohorts.

Initial assessment, referral and response comprises the following:

**Screening** Screening determines whether the individuals and families seeking assistance are homeless or at risk of homelessness.

**Initial assessment** Initial assessment determines:

- the most immediate homelessness related needs and risks;
- options for safe housing for the night;
- basic needs for food, hygiene, transport;
- indications of need for specialist support; and
- risks to clients' safety or to the safety of others.

**Response** A course of action is developed to access services as required. This involves planning, matching resources to client need, active referral to appropriate housing, support and material aid services and, if required, direct service delivery which typically includes:

- placement in emergency short-term accommodation, where safe and appropriate;
- access to food, clothing, personal hygiene etc.;
- assistance to secure and/or maintain crisis and transitional accommodation;
- assistance to secure and/or maintain private rental accommodation;
- assistance with applications for priority access to public housing;
- assistance to secure community managed housing;
- financial assistance for housing related needs;
- assistance with legal issues;
- housing advice and information;
- advocacy/liaison;
- assistance with exit planning;
- monitoring while the client is waiting for other services;
- safety planning; and
- emotional support.

### **3.3.2 Determining appropriate housing options**

- Determining an appropriate housing response will depend on what options are available to particular individuals.
- Initial assessment will ascertain whether private rental or other private housing options are suitable.
  - Individuals and families able to access alternative and appropriate housing options, appropriate advice and assistance to access that housing will be provided. This assistance may include referral to other housing providers, support providers or provision of financial assistance.
  - Where private housing options are unavailable or unsuitable, eligibility for transitional housing should be determined.
  - Where a suitable transitional vacancy is available, a referral for transitional housing can be made.
  - If there are no suitable vacancies every effort will be made to access alternative short-term accommodation arrangements, for example staying with friends or relatives, TCA, private hotels/motels, rooming house or caravan park accommodation, where appropriate and safe. Homelessness services will maintain contact with clients placed in these settings until appropriate housing and/or support options are arranged.

Local access protocols will include processes for allocating access to a single vacancy from multiple applicants, and to identify alternative arrangements for clients who are awaiting the next suitable vacancy.

Decisions on vacancy allocations should be made jointly and at the agreement of all services/workers involved to ensure a co-ordinated response for clients.

## Part Four

### Housing Management

- Tenancy Management
- Exit Management
- Property Management

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## 4.1 Role and Responsibilities of Housing Management

**4.1.1 THMs' role in housing management** THMs are the primary providers of transitional housing services. Each THM has delegated powers of the Director of Housing (DoH) to administer a transitional housing portfolio of between approximately 40 to 300 properties, the smaller portion of which is provided as crisis housing.

To ensure ongoing quality improvement of tenancy and property management, THMs as registered housing providers, are required to comply with Performance Standards for Registered Housing Agencies (PSRHA). THMs should also make use of the appropriate sections and standards provided in the *Department of Human Services Standards* (DHS Standards). Refer to 4.1.5 below – Applying PSRHA, and Part One, section 1.2 of these guidelines – Standards for Service Delivery.

**Leased properties** To highlight the differences in tenancy and property management for properties that are leased by the Director of Housing from private owners, this chapter now incorporates specific information where processes may vary.

**4.1.2 The THM program's aim** The broad aim of the THM program from a housing provision perspective is to:

- provide housing assistance to individuals and families in crisis as a result of homelessness or impending homelessness; and
- assist individuals and families in housing crisis to establish and/or maintain appropriate, secure and sustainable housing through the provision of transitional housing, initial assessment and planning, and support.
- provide general transitional housing and Joined-Up Initiative housing in accordance with formalised allocation referral pathways, and through collaboration with Local Area Service Networks (LASNs) via the Resource Register process.

**4.1.3 The tenancy administration role** The tenancy administration role incorporates overall stock management responsibilities with the aim of ensuring that stock is maintained to an appropriate standard, that those most in need have access to transitional housing stock, and are supported to sustain their tenancies in collaboration with support workers, and that tenants/occupants are afforded appropriate rights in accordance with the RTA and government policy.

Responsibilities broadly include negotiation of tenancy/occupancy agreements, monitoring of occupancy arrangements and tenancies, rent collection, managing neighbourhood issues, maintenance reporting, arrangement of minor responsive maintenance using property allowances provided as part of THM program recurrent funding, and

identifying tenant caused damage to leased properties  
providing a liaison point between landlords/agents and tenants.

### Consumer Charter

Tenancy administration workers must have a comprehensive knowledge of the *Housing Act 1983* as amended - Housing (Housing Agencies) Act 2004, the *Residential Tenancies Act 1997* (RTA), PSRHA, DHS Standards, the Consumer Charter for Community Managed Housing & Homelessness Services, and other relevant legislation and government policy relating to protection of the rights of clients.

### Allocation of housing

Allocation of transitional housing is co-ordinated with support vacancies through Local Area Service Networks (LASNs) and Entry Points and/or specialist support providers, either through first access or formal joined-up housing and support pathways initiatives, or via inter-service housing and support protocol agreements setting out roles and responsibilities of housing and support workers.

Transitional housing and support vacancies are posted on the Resource Register for allocations to be made through LASN prioritisation processes described in Part 3 of these guidelines and more fully in the [Opening Doors Service Coordination Guide- Attachment 9: Guide for prioritisation](#).

#### 4.1.4 Transitional and crisis housing tenure

Transitional housing is medium-term accommodation in which residents enter into a tenancy or occupancy agreement that is subject to the provisions of the RTA.

For the purposes of these guidelines a tenancy agreement refers to an agreement governed by the Residential Tenancies provisions of the RTA. An occupancy agreement refers to the arrangement between a rooming house resident and provider (as landlord) governed by the Rooming House provisions of the RTA.

A 'transitional' tenancy/occupancy can be from three months up to 18 months, where required for young people.

### Temporary Crisis Accommodation

Temporary Crisis Accommodation (TCA) is provided for much shorter periods. Connecting clients with support services is the primary aim of TCA, with accommodation an ancillary outcome. It is intended that clients in TCA are provided with appropriate support during their stay that will help stabilise their immediate crisis situation and assist them to transition to stable medium to long-term accommodation, such as THM, public housing and private rental.

Where TCA is intended to be provided for periods of less than 14 days, TCA is not subject to the RTA. [Refer to Part 5 of these guidelines, section 5.2.2 for information on applying the RTA in TCA.](#)

**4.1.5**  
**Applying**  
**Performance**  
**Standards for**  
**Registered**  
**Housing Agencies**  
**(PSRHA)**

All providers of transitional housing are registered agencies and are required to comply with PSRHA. Tenancy management, housing management and maintenance are the two key responsibilities covered by PSRHA. Registered housing providers must meet regulatory requirements and will be informed by guidance published by the Office of the Registrar of Housing Agencies. Refer to the Housing Registrar website at: <http://www.housingregistrar.vic.gov.au/registered-housing-sector>

## 4.2 Occupancy Arrangements

### 4.2.1 Tenancy /occupancy principles

The THM program is designed to respond to the effects of homelessness and housing crisis in partnership with homelessness support services. Negotiated periods of tenancy/occupancy in transitional housing should be reasonably flexible, as the critical aim is to assist individuals and families who are homeless or at risk of homelessness to re-establish secure housing as soon as possible.

The length of tenure of transitional housing will vary for individual residents and families, generally averages around 12 months. The expectation, given the transitional nature of the accommodation, is for typical tenancies/occupancies of between six and twelve months. **These periods should not be interpreted literally as residents can move on from transitional housing only when an appropriate long term affordable and housing option becomes available.**

It is recognised that tenancies/occupancies may need to be extended up to one year for single adults and families and up to 18 months to two years for young people, where planned exits cannot be implemented earlier.

#### Extended tenancies/ occupancies for young people

**Some clients, particularly young people may require longer periods of stay in transitional housing as a means of achieving sustainable outcomes for the longer term, including linking to education, training and employment opportunities.**

#### Leased properties

As for all tenants/occupants of THM program properties, those occupying privately-owned DoH leased properties may require additional support to sustain their care of the property. Damage by tenants/occupants or their visitors should be identified and Program Leasing advised as soon as possible to determine the level of works required and the interventions required to prevent the damage escalating.

#### Deemed Rooming Houses

Where four or more unrelated people share a THM property, it is deemed a rooming house. If a property is a deemed rooming house it has to be registered with local government and be fire compliant.

### 4.2.2 Applying the Residential Tenancies Act 1997

Transitional housing is to be provided on the basis of a tenancy/occupancy agreement that reflects the rights and responsibilities of tenants/occupants and THMs under the Residential Tenancies or the Rooming House provisions of the RTA, as applicable. THMs are delegated landlords on behalf of the DoH pursuant to **Section 35** of the *Housing Act 1983* as amended. **Refer to Part 5 of these guidelines, section 5.2.2 for information on applying the RTA in TCA.**



### Applying a tenancy/occupancy agreement

#### RTA Definition:

A tenancy is created when there is an agreement, 'whether or not in writing or whether expressed or implied, under which a person lets premises as a residence.' This definition refers to an agreement governed by the Residential Tenancies provisions.

'A rooming house owner and a resident may enter an agreement (not being a tenancy agreement) specifying the terms and conditions of the resident's use and enjoyment of the rooming house' (see **Section 94 (2)** of the RTA).

Tenancy and occupancy arrangements should be made with a view to responding to the individual needs of clients in both single and multi occupancy properties. These arrangements should seek to maximise protection for tenants/occupants in accordance with the RTA.

Where appropriate exit arrangements cannot be made, or are not agreed to by clients, THMs may issue a 120 days notice to vacate where no reason is given (**Section 263** of the RTA), unless a breach of tenancy/occupancy has occurred for which other provisions and notice periods will apply, eg rental arrears, anti-social behaviour, etc. Alternative notices may be applied to coincide with the end of fixed term tenancies of less than or greater than six months, and with achieving appropriate long term housing exits. Refer to section 4.2.5 below, RTA notice periods.

### Use of 120 day notices

**The use of 120 days notices to vacate should be applied with caution and only in cases where all steps have been taken to secure appropriate long term housing outcomes for clients who resist taking up such arrangements. The practice of these notices being served on clients at the beginning of their THM tenancies is not supported by DHS, and may have the counter effect of further destabilising vulnerable people.**

### Leased properties

These properties have two leases, the first between the DoH and the property owner (the Head Lease) and the second between THMs, acting as delegates of the DoH, and their sub-tenants (the Sub-lease).

Both leases are subject to the RTA. The DoH has the responsibilities of a tenant under the RTA, as do the sub-tenants. THMs have both landlord and tenant responsibilities within this context. In situations of legal uncertainty THMs should contact Program Leasing for guidance.

### 4.2.3 Declaration of THM properties under Section 19 of the RTA

The Minister for Housing has approved the public gazetting of properties, owned by the DoH for the THM program, through a declaration under **section 19** of the RTA. This allows one, two and three bedroom properties to be administered within the Rooming House provisions of the RTA. The Declaration and a schedule of properties is published in the Victorian Government Gazette.

**Applying Section 19** The Minister for Housing will approve a revised schedule on a six monthly basis to allow for variations to be recorded. This declaration applies to buildings:

- a) in which there are one or more rooms available for occupancy on payment of rent; and
- b) in which the total number of people who may occupy the rooms is less than four.'

The primary advantage of applying the RTA Rooming House provisions is ease of management of multiple occupancy households.

Shorter notice periods may be applied to minimise risk and disruption to other occupants. Properties accommodating four or more independent residents in four or more rooms available for rent are already deemed rooming houses under RTA definition. **Generally fully self-contained units within a block must be declared under Section 19 if the Rooming House provisions are to be applied. In particular this is required for former shared rooming houses that have been converted to self contained units.**

**Section 19(3)**– 'The Minister, at the request of the DoH may declare a building owned by the DoH and containing one or more self-contained apartments to be a rooming house for the purposes of this Act'. **Section 19(4)** - 'A declaration under sub-section (3) must be made by notice published in the Government Gazette'.

Leased properties are not included in the gazettal process for the reasons stated below.

### Properties used for shared housing

Generally, shared housing is managed under the rooming house provisions of the RTA. To enable this, the properties have historically been declared under Section 19 of the RTA to identify single tenancy dwellings as rooming houses for the purpose of shared housing management.

Properties occupied by unrelated young people or adults sharing require appropriate fire safety installations under classification 1b of the Building Code of Australia. If not, alternative arrangements are to be made for the sharing tenants to 1b (fire compliant) properties.

When identifying properties to be used for shared housing THMs are to ensure the properties are appropriately classified as 1b with the required fire safety installations in place prior to being re tenanted as shared housing. Properties classified as 1a are appropriate for single tenancy families and individuals and are managed under the residential tenancies provisions of the RTA.

**All DoH-owned properties identified for shared housing use must undergo this reclassification process.**

### Leased Properties

Properties that are leased by the DoH from the private rental market for the THM program are **not** used for shared housing unless classified as 1b and appropriately equipped with the necessary fire safety installations. **For more detail on this requirement refer to section 4.6.9 below –Fire safety in shared housing.** It should be noted that approval to

undertake any works on such properties require the owner's consent and approval from Program Leasing, which will not generally be provided.

### Managing multiple occupancy households

Multiple occupancy households may be managed through exclusive occupation under the Residential Tenancies provisions, or the Rooming House provisions for properties declared as rooming houses in the Government Gazette by the Minister for Housing. Refer to section 4.2.7 below, Declaration under section 19. Exclusive occupancy means that each resident has exclusive use of their room as a residence and can prevent the landlord from entering their room except in specified and agreed circumstances (through the provision of appropriate notice).

### Alcohol & Drug Supported Accommodation- Section 19

THM properties used for Alcohol and Drug Supported Accommodation (ADSA) are administered under the Rooming House provisions (see **Part 3** of the RTA, Rooming Houses-Residency Rights and Duties).

All matters relating to property/room access are to be managed in accordance with appropriate notice periods and others conditions of entry (see **Part 3, Division 7** of the RTA, Rights of entry).

### ADSA protocol

Homelessness services managing ADSA properties do so within the terms of the ADSA Protocol with ADSA support services, covering roles and responsibilities of tenancy managers and support providers in assisting clients to maintain occupancies and support plans, and to achieve a successful exit into longer term sustainable housing.

### Applying fixed term tenancy agreements

THMs may opt to sign fixed term tenancy agreements with individual residents of multiple occupancy households (Residential Tenancies provisions). THMs should note that **Section 16** of the RTA states that Rooming House provisions do not apply if an agreement is entered into that entitles the occupant to reside in the room for a fixed term. Also see **Section 94** of the RTA, Power to enter tenancy agreements.

The standard form of tenancy agreement and information about rooming house occupancy rights are available at the Consumer Affairs Victoria website, <http://www.consumer.vic.gov.au/>

### 4.2.4 Occupancy arrangements- Rooming House provisions

**Rental receipts-Section 100** of the RTA outlines the requirements for record of rent payment. THMs are not exempt from this provision in relation to properties managed under the Rooming House provisions (see **Section 43** of the RTA for tenancy agreements).

**Rent in advance-**THMs choosing to enter into rooming house occupancy arrangements should note **Section 99** of the RTA for rent in advance.

Rent in advance should be charged with discretion, as in some circumstances THM residents may not have the capacity to pay rent in advance, while others may (see **Section 40** of the RTA for tenancy agreements).

**Applying house rules** THMs may develop house rules relating to properties declared as rooming houses. Each room should display a written copy of any house rules and a summary of residents' rights and responsibilities under the RTA (**Sections 124, 126, 127** of the RTA). House rule breaches constitute a breach of duty and can be used in RTA proceedings.

**Deemed Rooming Houses** Where four or more unrelated people share a THM property, it is deemed a rooming house. If a property is a deemed rooming house it has to be registered with local government.

**4.2.5 RTA notices periods** THMs are required to apply standard fixed term or rooming house notice periods in all transitional properties as applicable. Leased Properties however require care in applying Notices under the Act. Program Leasing will challenge an owner if Notices are served incorrectly and endeavour to negotiate an extension to 120 day notification periods. THM agencies will be consulted, where possible, to negotiate termination dates. The following table is a guide for applying notices, referencing the appropriate provisions of the RTA:

Tenancy Agreements		Leased Properties	Rooming House Residency	
Termination of residential tenancies – notice by landlord	Notice period after date on which notice is given	Notice period after date on which notice is given. Some notices are dependant upon the notice given by an owner.	When does a residency right end – notice by rooming house owner	Notice period after date on which notice is given
Damage (section 243)	Immediate or a later date specified by landlord	Major damage - Immediate	Damage (section 278)	Immediate or a later date
Danger to neighbours (section 244)	Immediate or a later date specified by landlord	Immediate	Danger to other occupants or property (section 279, unless notice has been given under section 368)	Immediate or a later date
			Violence on certain premises (sections 367 - 377)	Immediate suspension for 2 days (VCAT may order termination of agreement)
Premises unfit for habitation or destroyed (section 245)	Immediate	Immediate	Termination if room or rooming house destroyed (section 272)	Immediate
			Disruption (section 280)	Immediate or a later date
➤ Non-payment of rent (section	14 days after the date on	THM to give sub tenant 14 days	➤ Non payment of rent	2 days after the date on which notice is

Tenancy Agreements		Leased Properties	Rooming House Residency	
Termination of residential tenancies – notice by landlord	Notice period after date on which notice is given	Notice period after date on which notice is given. Some notices are dependant upon the notice given by an owner.	When does a residency right end – notice by rooming house owner	Notice period after date on which notice is given
246) <ul style="list-style-type: none"> <li>➤ As a result of failure to comply with a Tribunal order (section 248)</li> <li>➤ Successive breaches (section 249)</li> <li>➤ Use of premises for illegal purpose (section 250)</li> <li>➤ False statement to housing authority (section 252)</li> <li>➤ Assignment or sub-letting without consent (section 253)</li> </ul>	which notice is given	after the date on which notice is given	(section 281) <ul style="list-style-type: none"> <li>➤ As a result of failure to comply with a Tribunal order (section 282),</li> <li>➤ Successive breaches (section 283)</li> <li>➤ Use of premises for illegal purposes (section 284)</li> </ul>	given
<ul style="list-style-type: none"> <li>➤ Repairs or landlord renovation (section 255)</li> <li>➤ Demolition (section 256)</li> <li>➤ Owner wants to sell (section 259)</li> <li>➤ Owners family wants to reside in property (section 258) (Note they need proof)</li> </ul>	60 days after the date on which notice is given	If owner serves NTV under section 255, 256, 258 or 259 to the DoH, THM to give sub tenant NTV under section 261 –end of fixed term lease. Program Leasing will negotiate with owner for an extension of termination date	Repairs or Demolition (section 286)	60 days after the date on which notice is given
Premises required for public purposes (section 260)	60 days after the date on which notice is given	N/A		
End of fixed term tenancy (section 261)	60 days if fixed term is < 6 months; 90 days if fixed term is > 6	If owner serves NTV under section 261 (90 days) to the DoH, THM to given sub tenant NTV under section		

Tenancy Agreements		Leased Properties	Rooming House Residency	
<b>Termination of residential tenancies – notice by landlord</b>	<b>Notice period after date on which notice is given</b>	<b>Notice period after date on which notice is given. Some notices are dependant upon the notice given by an owner.</b>	<b>When does a residency right end – notice by rooming house owner</b>	<b>Notice period after date on which notice is given</b>
	months	261- end of fixed term lease. Program Leasing will negotiate with owner for an extension of termination date		
No specified reason (section 263)	120 days after the date on which the notice is given	If owner serves NTV under section 263 (120 days) to the DoH, THM to give sub tenant NTV under section 261 –end of fixed term lease (60 or 90 days)	No specified reason (section 288)	120 days after the date on which notice is given
Owner gives reason as not renewing lease (section 263)		As above for section 263		
Notice by mortgagee (section 268) where the owner has reneged on their mortgage		If owner serves NTV under section 268 (28 days) to the DoH, THM to give sub-tenant NTV under section 261 – end of fixed term lease. Program Leasing will negotiate with Owner/mortgagee for an extension of termination date to match termination date of sub-tenant		
Notice of Intention to Vacate by Director of Housing as Tenant (section 235)		Program Leasing will only serve this Notice if the Headlease is about to expire or has expired and THM agency no longer wants the property (vacant) due to neighbour fatigue etc.		

Tenancy Agreements		Leased Properties	Rooming House Residency	
Termination of residential tenancies – notice by landlord	Notice period after date on which notice is given	Notice period after date on which notice is given. Some notices are dependant upon the notice given by an owner.	When does a residency right end – notice by rooming house owner	Notice period after date on which notice is given
		28 days notice will be provided to Owner and keys handed back as soon as possible.		

#### 4.2.6 Negotiating fixed term agreements

Where fixed term tenancy agreements are entered into, the initial period in a transitional property may be offered an initial three months, then the following rules should apply:

- reviews involving THM and support workers should be undertaken to determine the need for extensions of the tenancies at least six weeks prior to the termination date on agreements; and
- reviews should take into account relevant factors, such as:
  - whether there is a critical ongoing need for transitional housing;
  - whether exit from transitional housing is impeded due to no suitable alternative options available; and/or
  - status of any application for priority access to public housing.

#### A reminder for rooming house occupancies

Where occupancy agreements (not fixed term) are applied, new residents should be advised that a review to determine the need for ongoing occupancy beyond an initial three months period will be undertaken after the first six weeks.

Where properties are leased, the term of the current lease may limit the fixed period of the sub-tenancy.

#### 4.2.7 Extending tenancy/occupancy periods

Where it is determined there is a need for extending occupancies, the following applies:

- A further fixed term tenancy agreement or occupancy agreement of three months may be offered.
- Where a resident has been in occupancy for nine months and is still unable to exit transitional housing, the period may be extended subject to conditions such as:
  - the tenancy/occupancy period is extended on a month to month basis only;
  - the review is undertaken at four weekly intervals; or
  - the overall period of occupancy should not normally exceed 12 months from the initial entry into transitional housing- **with the exception of longer periods where appropriate for young people, and where clients are on waiting lists for allocation to long term housing.**

**Leased Properties** Extension of tenancies in leased properties can only be implemented if the term of the head lease allows. Where a head lease has been terminated extension of the tenant's sub-lease cannot be approved beyond the termination date as legislative and contractual requirements for handback need to be complied with. Check with the Data Pack received at the lease commencement for the expiry date of the lease, or contact Program Leasing for confirmation on 9096 8414 or [imt@dhs.vic.gov.au](mailto:imt@dhs.vic.gov.au). [Tenancy agreements between THMs and their sub-tenants may be terminated under the appropriate section of the RTA, or THMs may be asked to convey the property owner's Notice to Vacate.](#)

In these circumstances THMs shall serve a NTV under s267 – Notice by Owner.

As for all other THM tenancies, anti-social behaviour of sub-tenants in leased properties should be acted upon quickly to prevent escalation. An immediate Notice to Vacate may need to be served where dangerous behaviour or serious property damage is occurring. This applies particularly where properties come under the terms of the Owners Corporation Act.

#### **4.2.8 Occupancy arrangements for young people**

In recognition of the difficulties facing young people, in particular those aged 15-17 years, in being able to access alternative housing options, and of the importance of stabilising the living circumstances of young people, a longer period of occupancy should be considered. Use the principles as defined above when determining appropriate tenancy/occupancy arrangements for young people aged 15-17 years.

Young people should be advised that a review to determine the need for ongoing occupancy will be undertaken. Tenancy/occupancy arrangements may be extended up to 18 months. Any extension beyond 18 months should be considered only in circumstances where there is a need for ongoing support and accommodation, particularly where young people have been linked into education, training or employment opportunities.

The development of an achievable exit plan for young people is central to the assistance provided to them while accommodated by a THM service. [Refer to Part Three of these guidelines, sections 3.2.7-3.2.9, access arrangements for young people.](#)

#### **4.2.9 THM/support worker access to properties**

Access to THM properties while tenanted needs to occur from time to time for reasons of property inspection or maintenance works for which appropriate notice to tenants/occupants is required; support visits to tenants/occupants when they are at home and give consent for such visits; and for emergency access when tenants/occupants are believed to be at risk of harm. Such access circumstances may be assisted by police or a THM worker assisting access with a master key.

**Leased properties** In addition to the above, where THM properties are leased,



inspections will be undertaken by either the owners, their agents, or registered property valuers. These inspections may occur every 6 months but must be arranged well in advance by appropriate notice through Program Leasing. THMs should accompany owners or their representatives to inspect properties. THM workers may need to act in a conciliatory role to deflect any conflict between sub-tenants and owners. Where a tenant is being supported by a Support Service, that service should be invited to attend the inspection or to assist in facilitating access for the inspection.

### RTA provisions for access to properties

RTA Notice periods apply where THM services need to access properties for maintenance/condition inspections and for contractors to undertake maintenance/upgrade works. Part 2, Division 8, **section 85 – 91A** of the RTA outlines rights of entry to single occupancy properties (residential tenancies provision):

- *A landlord or landlord's agent has a right to enter rented premises together with any persons who are necessary to achieve the purpose of the entry –*
  - *(a) at any time agreed with the tenant if the tenant has consented not more than 7 days before the entry; or*
  - *(b) for a purpose set out in section 86, at any time between 8am and 6pm on any day (except a public holiday) if at least 24 hours notice has been given to the tenant in accordance with section 88.*

Part 3, Division 7, **section 136** of the RTA outlines rights of entry for properties managed under the rooming house provisions (generally multiple occupancy):

- *A rooming house owner or person appointed in writing as the rooming house owner's agent for the purpose has a right to enter a room occupied by a resident –*
  - *(a) if the resident agrees at the time entry is sought; or*
  - *(b) if there is an emergency and immediate entry is necessary to save life or valuable property; or*
  - *(c) if services are provided and it is necessary to enter to provide them, but only during hours specified in house rules; or*
  - *(d) for a purpose set out in section 137, at any time between 8am and 6pm on any day (except a public holiday) if at least 24 hours notice has been given to the resident in accordance with section 139.*

### Leased properties

Property owners or their agents have a right to access their properties, with a key, if sub-tenants are not at home, providing the inspection has been arranged through service of the correct notice. THMs must facilitate access to properties in these cases. However, THMs should be aware that some owners may try to access properties to undertake maintenance or repairs without the proper notice. In these circumstances, THMs should advise tenants of their rights and to report any such behaviour to Program Leasing. Program Leasing may determine that a breach by the owner has occurred and may serve a notice on the owner, as landlord, accordingly.

### Risk assessment

The following risk assessment principles pertain to young

people in THM properties – they form part of a guideline for the *THM-Youth Justice Housing Pathways Initiative*. These principles should also be applied when assessing clients in general for access to crisis and transitional properties.

To maximise the safety of young people in THM properties and to reduce the likelihood of having to access properties in an emergency, workers should:

- conduct an assessment of risk, including suicide risk, as part of the case planning process;
- consider whether a young person is more appropriately accommodated in a single or dual occupancy arrangement; and
- consider whether an alternative type of accommodation would be more appropriate for the person being assessed.

### Access in an emergency

If at any time there is serious concern for the health and safety of a tenant/occupant, emergency access may be necessary, assisted by the police.

If there is concern for the welfare of a tenant/occupant but there does not appear to be an immediate risk to health and safety, THM housing workers may attend with keys to gain entry.

### Consent to give out keys

There may be instances in which service users, particularly young people, are asked by their support workers to sign a consent which would allow a support worker to access their property with a key.

It is not the role of THMs to ask tenants/occupants on behalf of support workers to sign over such consent. As tenancy managers, THMs are required to hold keys to all managed properties and to provide access in the circumstances outlined above.

If tenants/occupants of THM properties choose to give consent to their support workers allowing them free access to their properties, they should do so in the full knowledge of their rights to privacy in accordance with the RTA and privacy legislation. **THMs as tenancy managers must provide to prospective and new tenants/occupants a full statement and explanation of their rights and responsibilities under the RTA.**

Refer to *Guidelines for the Youth Justice Community Support Service incorporating THM YJ Housing Pathways Initiatives Guidelines* <http://www.dhs.vic.gov.au/about-the-department/documents-and-resources/policies,-guidelines-and-legislation/guidelines-for-the-youth-justice-community-support-program>

### 4.2.10 Management response to inhalant use

*Management Response to Inhalant Use-Guidelines for the Community Care & Drug & Alcohol Sector* is a manual for workers in DHS funded services for use in responding to young people who are using inhalants. Workers in homelessness assistance services, including tenancy administration staff, are required to familiarise themselves with these guidelines to enable them to appropriately respond when they witness clients and occupants of crisis and

transitional housing using inhalants in or around homelessness assistance program properties and service outlets. The guidelines are available online at the Department of Health website:

<http://docs.health.vic.gov.au/docs/doc/Management-response-to-inhalant-use:-Guidelines-for-the-community-care-and-drug-and-alcohol-sector>

The response to inhalant use and the Volatile Substance Use Protocol are also covered in Part Five of these guidelines, 5.1.2 Management response to inhalant use.

#### **4.2.11 Owners corporation law (formerly body corporate law)**

The Owners Corporations Act 2006 has come into effect in Victoria which requires changes to the way properties, previously known as bodies corporates, are managed. Owners' Corporations (OCs) are formed when land has been subdivided to allow for separate ownership of properties or lots within a subdivision, and where a portion of that land is commonly owned.

The DoH, as an owner, is a member of OCs and is responsible for meeting requirements under the OC Act. This requirement includes nominating proxies to attend meetings. For DoH owned properties, this nomination extends to THM services and can involve DHS regional officers in some cases, eg property maintenance or significant neighbour issues. OCs are responsible for maintenance of common property, public liability, replacement and reinstatement insurance for common property – pathways, driveways, stairs, passages, common gardens, lifts, common entrances and other common spaces or facilities intended for use by all owner occupiers and tenants.

#### **Governing rules**

OCs are governed by a set of standard rules or customised rules according to requirements of each owner's corporation. These rules include health, safety and security matters, storage of dangerous substances, water disposal and metering, use of common property, owner/occupier behaviour, parking and dispute resolution.

#### **Changes to powers of Owners' Corporations**

The most significant change associated with the OC legislation is that OCs or individual owners can make applications to VCAT against the DoH and/or its tenants/occupants for breaches of the OC Act. Where an application is made against a THM program tenant/occupant, the DoH may also be joined in the dispute.

Some tenant actions that breach the OC rules may also be breaches under the RTA. Any action for OC non compliance is separate from remedy available to THMs under the RTA. Where action is required for RTA breaches, THMs should proceed in the usual manner and advise DHS housing offices immediately if application is also made by OCs for breaches of the OC Act to enable legal advice to be sought and acted upon.

THMs should ensure they have copies of the model OC rules, or any rules specific to a particular OC, and advise tenants/occupants of these rules, ensuring they are aware of their obligations while residing within an OC environment.

Model OC rules are available on the Consumer Affairs Victoria website:

[www.consumer.vic.gov.au](http://www.consumer.vic.gov.au)

### **Leased properties**

Where properties are leased from private owners and are subject to Owner's Corporation rules, THMs must supply a copy of the rules to their sub-tenants and ensure the sub-tenants know their responsibilities in relation to the use of common property.

The OCs may seek action for breaches of tenancy or make demands for compensation where damage to property has occurred. The behaviour of visitors and/or pets are two specific issues that may cause an Owners Corporation to take remedial action against the DoH.

The DoH, as tenant, of leased properties is not a member of the OC and does not have any responsibilities for OC management. THMs as delegate do have a responsibility to report any damage to the common areas, any urgent maintenance or repairs to common facilities and to report and respond to neighbour disputes.

### **4.2.12 Residents wishing to keep pets**

In recognition of the benefits that keeping pets can bring in terms of companionship and general well being, pets may be allowed in THM properties providing that the size and number of pets is appropriate to the accommodation.

However, residents of leased THM properties are not permitted to keep pets unless there is agreement from landlords/agents.

Similarly, THMs must ensure that clients with pets in DoH owned properties are not in breach of any OC rules. THMs must ensure that tenants/occupants of OC properties are aware of any specific rules on pets and other common residential requirements.

THM tenants/occupants who are allowed to keep pets must be advised to take appropriate care and control of their pets. They must also ensure that their pets do not create a nuisance, and that due care is taken to prevent damage to properties.

Sub-tenants of a leased property who wish to obtain consent to keep a pet should contact the THM and provide in writing details of the request, specifying the number, type and care of the proposed pet/s. This written request should then be forwarded by the THM to Program Leasing who will contact the property owner to seek consent and negotiate on behalf of the sub-tenant.

All damage to the properties caused by pets need to be rectified by the sub-tenants. This includes carpet damage, scratches on doors, flyscreens, window coverings, fences and gates, etc.

## 4.3 Rent Policy

### 4.3.1 Current THM rent and rebate policy

- The current THM rent policy is summarised as follows:
- Rent payments are assessed for each tenant/occupant in a property, where they have the capacity to pay rent.
  - Rent payments are set at 25 per cent of gross assessable income plus 15 per cent of assessable Centrelink Family Payments (Family Tax Benefit FTB).
  - Rental payments for tenants/occupants aged 15-17 years are set at \$15 per week if receiving an independent rate of Centrelink benefit, or \$7 per week if receiving the dependent rate. If tenants/occupants aged 15-17 years receive a part benefit due to wages from part time work, or if they have dependents, the above criteria apply.

#### Rent in advance

Rent in advance is not a requirement for access to transitional housing. However, rent in advance payments should be encouraged, in accordance with the provisions of the RTA, where incoming tenants/occupants have the financial capacity to do so. The charging of rent in advance is at the discretion of THMs on this basis (see **Sections 40 & 99** of the RTA).

#### Rent arrears

THMs will develop a rental arrears policy that is sensitive to the needs of tenants/occupants and provides a process that is consistent with the provisions of the RTA. Rent arrears policies are subject to the approval of the DHS Divisions.

### 4.3.2 Clients with no income

THMs have the discretion to apply full or partial rental subsidies for clients without income or significantly reduced income, who are ineligible for Centrelink income as they are not permanent residents of Australia, and who are subject to the Centrelink two-year waiting period. People in this category include:

- those on certain types of visas that may delay access to work rights or income support;
- New Zealand citizens who arrived in Australia after 26 February 2001; and
- sponsored migrants subject to the Centrelink two-year waiting period for income (10 years for older people) whose relationship with their sponsor has broken down.

Other groups that may be granted full or partial rent subsidy include people in crisis accommodation for a period of less than 14 days, and for people experiencing significant financial hardship related to benefits re-payments or entitlement issues. Rental payments should resume once clients obtain and ongoing income.

### Assisting clients to access income

Homelessness services are responsible for ensuring that clients receive support and assistance to secure benefits from Centrelink or other income sources. This may include referral to appropriate support services, Migrant Resource Centres or statutory bodies.

Where clients are in substantial financial difficulty due to debt, which is likely to impact on their ability to exit transitional

### 4.3.3 Rent remittance reporting

housing, homelessness assistance services should consider referral to an appropriate financial counselling service.

DHS requires a consistent format for Rent Remittance reporting by all THMs. Rent Remittance reporting is to be provided electronically to DHS on a monthly basis. THMs provide data for a reporting period that includes:

- total market rent raised;
- total rebate allowed;
- total subsidy allowed (based on current THM subsidy policy);
- total rent payable;
- total cash received (excluding utilities revenues and any other non DHS payment);
- total rent account balance;
- total rent forgone due to vacant tenable;
- total rent forgone due to vacant non tenable;
- total rent forgone due to hard to match residents; and
- vacated tenancy arrears payments.

The practice of deducting Centrepay fees from rent returns to DHS is **not** an acceptable practice. Such costs are to be met from THMs' administration allowances.

### Reporting format

The monthly Rent Remittance, including actual rent and acquittal reports, must be submitted to DHS within 10 working days of the end of the reporting month. The reporting of rent data in this format addresses the current issues of financial integrity across the THM program and satisfactorily meets the Auditor General's requirements for financial probity. The *Rent Remittance Template* is the reporting format submitted to DHS incorporating the required rental information transferred from the Property Administration Management System (PAMS) or other property management tools.

### Continuation statements

THMs are required to submit an annual Continuation Statement that recommends the DoH to write-off of an amount of rental arrears for the cycle 1 April to 31 March. These Statements must be submitted by 1 June following the end of the cycle. [Rent Remittance and Continuation statements are also covered in Part Two of these guidelines, section 2.3 Reporting Requirements.](#)

### Rental & maintenance arrears write-off process principles

The write-off of tenants' rental or maintenance arrears balance should match the following conditions:

- Tenants with arrears balances must have terminated or transferred from program managed properties;
- The rental or maintenance arrears have not previously been written off in a previous financial year and remain outstanding as at 31 March of the current financial year; and
- Where practicable, attempts to recover arrears through the appropriate RTA provisions (sections 213a and 415) have been made.

[For further information on the arrears write-off process refer to DHS Division.](#)

## 4.4 Utilities

### 4.4.1 RTA rules for utilities

Provisions of the RTA relating to service charges for utilities are defined in **Sections 108, 109 & 109A** for THM properties declared as rooming houses under **Section 19**, and **Sections 52,55,56,57** for fixed term tenancy arrangements.

- **THM properties declared as rooming houses under section 19 - Section 109A** allows for service charges to residents for water, central heating, laundry or utility services or facilities made available to a resident. This only applies if it is not possible to accurately measure utilities usage by individual residents.
- **Residential tenancies separately metered** – Tenants are liable for all charges for gas, electricity and water usage (**Sections 52** of the RTA).
- **Residential tenancies non-separately metered** – THMs can impose a service charge for water usage, central heating, laundry or utility service, standardised in line with the cost of providing the service. This applies to properties where it is not possible or practicable to accurately measure utilities usage by individual tenants (**Section 57** of the RTA).

Costs for initial installation of utilities, such as cabling and the pipes, are DHS responsibility where the property is owned by the DoH. Connection fees for establishment of utilities accounts are a THM responsibility. **Such costs may be claimed against property allowance budgets.**

### Leased properties

Owners are responsible for all initial installation of utilities and for payment of the rates component of fees. In some circumstances owners may receive utility charges for service usage. They will seek reimbursement from DHS for these fees. THMs are responsible for utility accounts between tenancies. THMs are required to open a rollover account with the utility company from the commencement date of the lease and to ensure sub-tenants change the account at the start and end of their tenancies. THMs are responsible for ensuring utility accounts are billed correctly for the term of the lease.

### Utilities use between tenancies

Where properties are being maintained between tenancies/occupancies, contractors are responsible for arranging utilities supply where required. If utilities are not disconnected at termination of a tenancy/occupancy and maintenance contractors make use of them, costs are to be met by THMs against the property allowance budget. **Such costs should be minimal. Where they are excessive, THMs should contact DHS Divisions to discuss strategies for dealing with the circumstances involved.**

### Water leaks

Where excess water costs occur as a result of water leaks that are not reported for some time, tenants/occupants are responsible for paying such costs, unless they were unaware of leaks existing. Such matters should be considered on the basis of individual circumstances.

All tenants/occupants should be advised of the importance of reporting leaks and other property maintenance requirements as soon as they become aware of them.

#### **4.4.2 Utilities costs in crisis accommodation**

Additional property allowances for crisis properties are provided to THMs in a total allocation which they will manage in a flexible way to cover any or all utility costs for crisis designated properties, where short falls result from financial difficulties experienced by occupants. **The shorter occupancy periods expected in crisis properties and frequent turnover of vacancies necessitate utilities to be registered in the names of THMs.**

A service charge may be applied to recover one, several or all utility costs provided this recovery is consistent with the RTA provisions as listed above.

#### **4.4.3 Utilities costs in transitional accommodation**

Utilities in transitional properties should be registered in the name of the tenants/occupants where practicable. In situations where it is not practicable to do so, for example where young people are sharing a property and coordination of finances may be problematic, payment of utility costs may be recovered through service charges in line with RTA provisions as listed above.

THMs will advise the relevant utilities authorities of any incoming, terminated or amended tenancy/occupancy arrangements as soon as practicable to allow the authorities sufficient time to read meters.

**Where THMs place all utilities in the organisation's name, and where costs are not fully recovered, deducting those costs from rental returns to DHS, is **not** an acceptable practice. THM property allowances may be used for this purpose.**



## 4.5 Exit Arrangements

### 4.5.1 General exit arrangements

Clients leaving transitional housing will generally exit via one of the following options:

- the private housing market;
- public housing; or
- long term community managed housing.

Homelessness services are responsible for ensuring that individuals and families are provided with assistance to access long term housing through the private rental market where appropriate including:

- assisting clients to make application for private rental accommodation;
- providing letters of support where required;
- providing an advocacy role on clients' behalf to real estate agents;
- assisting clients to make application for Bond Assistance where appropriate; and
- providing financial assistance through the provision of HEF.

### 4.5.2 Waiting list categories

Applicants who meet the criteria for Early Allocation can be allocated housing before other applicants on the waiting lists who may have earlier effective dates. The types of early housing allocation are Police Witness Protection Program, Victorian Emergency Management Procedures, Homeless with support category, Temporary Absence Category, Supported Housing Category, Special Housing Needs Category, Property Management Transfers and HOLS conversions.

The waiting list categories are subject to regular review including amendment of guidelines for application and assessment. Homelessness services will be advised of amendments to policies and procedures in this area as they occur. Application forms and current public housing policy and practice manuals are available from the DHS website at <http://www.dhs.vic.gov.au/for-service-providers/housing-and-homelessness/public-housing/public-housing-policy-and-procedure-manuals>.

### Participating agencies

Participating agencies assess clients' eligibility for recurring homelessness and are defined as THMs or 'like services' - Homelessness Support and other 'like' services. Participating agencies recommend clients to DHS for approval to the recurring homelessness category of the public housing waiting list after ensuring that they meet the necessary criteria, complete Recurring Homelessness Applications and forward them to the relevant Regional Panels via Regional Housing Offices (RHOs).

### Regional Panels

Regional Panels review recommending assessments made by participating agencies and decide approval/non approval based on recurring homelessness criteria. Approved assessments are held by the relevant RHOs for allocation from the waiting list.

### Focus on realistic housing outcomes for applicants

Specialist homelessness services are responsible for ensuring that individuals and families who may be eligible for early allocation to public housing via the Recurring Homelessness or Insecure Housing categories are appropriately assessed for such assistance. This process should include:

- provision of information on public housing eligibility and processes;
- assessment of eligibility for public housing;
- assessment and recommendation for early allocation to public housing via the Recurring Homelessness, Supported Housing Segment and the Insecure Housing category of the Special Housing Needs Segment;
- assistance to clients to access an advocate, if required, and to gather support letters and other supporting evidence;
- assistance to clients to provide advice to RHOs on rental history and relevant personal circumstances;
- advice to clients on appropriate public housing types and locations with respect to realistic outcomes. This information can be obtained from RHOs; and
- advocating and/or processing of housing related appeals.

### Focus on easily accessible housing types and locations

Homelessness services should develop close working relationships with RHOs to ensure that individuals and families approved for early allocation to public housing may exit transitional, crisis or temporary housing situations as soon as possible, preferably within a six to twelve month period, depending on public housing waiting times.

**Allowing clients to wait extended periods (two or more years) for public housing property types and locations in which vacancies are rare is not practical or appropriate.** Assessment of appropriate property types and locations must include consideration of more easily accessible types of housing and locations while still meeting clients' needs. Where a waiting period for a particular locality or broadband is indefinite or in excess of one year, alternative localities with shorter waiting periods must be considered.

Facilitating an offer of public housing under the early allocation arrangements includes the following principles and considerations:

- Applicants being assessed under the early allocation segments will be afforded an effective date of first contact with the assisting homelessness assistance service in relation to applicants' most recent episodes of homelessness (Recurring Homelessness Segment). This includes people in prison being assessed for housing need upon exit.
- At the point of application, clients are residing in transitional accommodation that may be either THM managed or some other form of short term accommodation managed privately or through DHS support programs, such as Mental Health, church or community organisations.
- Consideration of appropriateness and availability of private rental remains a factor in eligibility for early allocation to public housing.
- RHOs will allocate a property subject to availability.

- Only one offer of public housing will be made through the early allocation process, unless extenuating circumstances can be demonstrated for a client having to refuse an offer.

### Refusing a public housing offer

THM program clients who refuse offers of public housing, or who are assessed as not meeting the early allocation eligibility criteria will be expected to vacate transitional properties within the agreed occupancy period, in line with an alternative agreed exit plan. In circumstances where approved clients refuse to vacate THM properties after being offered public housing that meets their needs, and there are no extenuating circumstances for the client in relation to the offer, notices to vacate may be applied in accordance with the appropriate RTA provisions.

### 4.5.3 Exit arrangements for young people under 18 years

Young single people with significant support needs may remain in transitional accommodation for extended periods of 18 months where appropriate. Longer periods may be negotiated with the intention that young people are supported and assisted to access education, training and employment opportunities, and an extended stay in transitional housing will help them to achieve long-term, sustainable housing outcomes. [Refer to Part Three of these guidelines, sections 3.2.7 – 3.2.9 Access arrangements for young people.](#)

### 4.5.4 Eviction

THMs have an obligation to ensure that transitional housing is being appropriately utilised to enable the most effective response to homelessness. Underpinning this aim is the requirement to act within the parameters of due legal process, primarily the RTA. In doing this, principles of the Victorian Charter of Human Rights must be observed at all times.

THMs will be required from time to time to issue Notices to Vacate and pursue an action for eviction through the Victorian Civil & Administrative Tribunal (VCAT). This may occur in instances where:

- there is a breach of tenancy/occupancy conditions, for example, non payment of rent, breach of quiet enjoyment;
- tenants/occupants or their visitors are causing disruption and/or posing a risk to the health and safety of other residents or neighbours;
- period of tenancy/occupancy has expired and there are no compelling reasons to extend the period; or
- alternative long-term housing options are available, but clients refuse to take up offers without special circumstances associated with refusal.

### Eviction as a last resort

Eviction of tenants/occupants should only be considered after all other avenues to resolve tenancy issues have been exhausted, and only after consultation with support workers. Eviction for non-payment of rent should only be considered in instances where this has been a consistent problem throughout a tenancy/occupancy and after all other avenues to resolve the issue in consultation with appropriate support services, have been exhausted.

Where possible THMs should afford tenants/occupants maximum notice periods, except in circumstances of endangerment and violent behaviour for which immediate suspension and/or notices to vacate are appropriate. THMs

should report on any such instances. Refer to section 4.2.5 above, RTA Notice periods.

**Leased properties** THMs act as both landlord and tenant (as delegates of the DoH as tenant), and therefore have a role in managing leased properties. This dual role will require THMs to serve Notices to Vacate on sub-tenants in response to Notices to Vacate served on the DoH by the property owner. Program Leasing will provide advice to THMs as to the correct process to use.

THMs must also ensure sub-tenants have assistance to relocate within specified timeframes, allow time to clean properties and to identify and respond to any tenant caused damage. Any works raised should be done only after consultation with Program Leasing.

## 4.6 Establishment & Maintenance Policy

### 4.6.1 Property establishment

Establishment grants are provided for all new/replacement DoH owned and leased properties coming into the THM program. When establishing properties, the following standard items may be covered by the establishment grant:

- Refrigerator
  - Washing machine
  - Microwave oven
  - Lounge suite or upholstered chairs \*\*
  - Coffee table
  - Dining table and chairs
  - Beds and mattresses \*\*
  - Wardrobes (if not built in)
  - Chest of drawers for each bedroom
  - Small household items eg crockery, cutlery, cleaning utensils
  - Vacuum cleaner where a property is carpeted
  - Linen (where the client is unable to supply their own) \*\*
  - Provision of portable electric heater, fry pan and kettle in case of gas failure
  - Children's furniture which meets appropriate Australian Standards eg cots, high chairs, safety gates
  - Telephone handsets where required
- \*\*made with fire retardant materials

**Note:** Other items (not listed above) are not to be funded by grants and recurrent budgets provided by the DHS.

**Note:** Guidelines for property establishment apply to DoH owned and DoH leased housing stock.

### Provision of telephone handsets

The provision of telephone handsets in THM properties is considered important as a health and safety measure for clients in being able to readily contact emergency services, family, support workers and community networks.

Telephone handsets may be provided as part of the initial establishment of a property and funded through property budget allowances. In the majority of cases, phone lines will already be attached to properties. Where they are not, and these properties are DoH owned, THMs may arrange installation and seek reimbursement from DHS. For leased properties consent from private owners is required and the owner will need to arrange installation of telephone lines.

The cost of connection of a telephone account is the responsibility of residents, as are connection fees for other utilities. Telephone accounts should be in residents' names. Workable arrangements should be facilitated for multiple occupancy households sharing use of a telephone and payment of bills.

### Property re-establishment

Re-establishment refers to a requirement to replace all or some household furnishings and white goods in a property as a result of damage, theft or beyond use due to wear. The cost of re-establishment has been calculated into property allowance budgets with the assumption of replacement of white goods every five years and furniture every ten years for transitional properties, and full replacement every three years for crisis properties.

### 4.6.2 Property allowances

Property allowances are provided for all DoH owned and leased THM properties for minor responsive maintenance and re-establishment of properties where required. These funds may also be used for:

- provision/replacement of linen and small household items such as cookware, crockery and cutlery; and
- payment of utility costs not met by residents, provided that all reasonable steps are taken to minimise the incidence of such debts and to recover them when they occur – this may include excess water bills due to leaks not detected for some time.

THMs are expected to employ forward planning in order to budget property allowance funds. However, variations to property allowances may be requested by providing a detailed report of expenditure levels during the previous six months. Factors to be taken into account when requesting a variation may include:

- extraordinary expenditure such as costs associated with establishing gardening and cleaning contracts;
- expenditure required as a result of meeting the special needs of residents in transitional housing, for example where cultural orientation requires specific items to be provided in addition to those included as standard for THM property establishment; or
- recompense for an extraordinary expenditure incurred as a result of major theft or damage to one property or multiple properties at one time.

### Monitoring expenditure

To assist in the monitoring and review of property allowance expenditure, detailed reports listing expenditure on urgent and periodic replacement of furniture, whitegoods, linen and other household items are to be included in financial reports. THMs are required to report to police any damage and/or theft from DoH owned and leased properties as a result of criminal activity, and to retain copies of police reports for the statutory period. **Note: Guidelines for using the property allowance apply to DoH owned and DoH leased housing stock.**

### 4.6.3 Minor responsive maintenance

Property allowances provide for minor responsive maintenance not normally covered by landlord responsibilities. THMs will be directly responsible for items such as:

- minor painting/touch ups (less than 300mm x 300mm);
- garden maintenance, including gutter cleaning on single storey properties, path cleaning, mowing and pruning, tree trimming up to eave level (above eave height report to Maintenance Call Centre), removal of leaves from storm water drains;
- all cleaning, including graffiti removal, window cleaning, trauma cleaning, removal of oil and stains from paving, mould washing, carpet cleaning;

- all rubbish removal;
- linen replacement and laundry costs associated with vacated properties;
- all repairs and replacement of furniture, appliances and whitegoods (re-establishment);
- adjustment of external door locks, cylinders and keys, including locks, cylinders and keys to individual rooms;
- minor adjustments to locks, door latches, catches, hinges to doors and cupboards, adjustments to blinds and curtain tracks (for replacement refer to Maintenance Call Centre);
- testing of fire safety equipment and maintenance of battery operated smoke detectors (report to Maintenance Call Centre if faulty/needs replacement);
- pest control for all pests other than white ants (report to Maintenance Call Centre);
- any other housekeeping items which may be undertaken without a licensed contractor such as:
  - lighting pilot lights (after 3 failed attempts report to Maintenance Call Centre);
  - fitting light bulbs (Maintenance Call Centre to replace if ceiling greater than 2.7m in height);
  - resetting safety switches/circuit breakers after turning off faulty appliances;
  - floor polishing; and
- mop up of water from overflow of appliances, troughs or baths.

#### Leased properties

Owners of leased properties are responsible for all repairs to the structure of buildings, to fittings and fixtures such as blinds, cupboards, carpet replacement, painting etc. The DoH is only responsible for rectifying tenant damage or for items installed by the DoH with the owner's approval e.g. hard wired smoke detectors.

COMAC should be engaged to repair any damages caused by sub-tenants.

COMAC should be contracted to undertake any vacant maintenance, bearing in mind that major capital repairs are the responsibility of owners. Vacated maintenance should consist of energy safety checks, changing of locks and cleaning.

Sub-tenants may call the Maintenance Call Centre to report any urgent maintenance issues after hours. The Call Centre will engage COMAC to respond to the urgent call out. THMs should note that for some urgent works owners will need to be advised and may be asked to carry out these works e.g. a failed hot water service. This will add a wider timeframe to the call out.

COMAC may also send Field Services Officers to inspect properties and prepare technical reports, which Program Leasing may then forward to owners. This ensures owners are fully informed of the extent of any major repairs and can obtain quotes without undue disruption to sub-tenants.

While Program Leasing will issue Notices of Repair to the Landlord, THMs need to monitor that the repairs have been

undertaken within the timelines and requirements of the Notice.

If repairs have not been completed within the Notice period, for any reason, or not performed satisfactorily Program Leasing should be informed so that it can be determined whether further action, such as a compliance notice to VCAT, is required.

#### 4.6.4 Standard responsive, programmed & capital maintenance

THMs are responsible for reporting all standard responsive maintenance requirements, including vacant unit maintenance, and minor and major capital works requirements for all properties under management.

THMs are to provide appropriate notice to tenants/occupants when maintenance contractors require access to properties. Conditions of entry to occupied THM properties and associated notice requirements are detailed in **Sections 85 to 91A** of the RTA for residential tenancies and **Sections 136 to 142A** of the RTA for rooming house occupancies.

#### The Maintenance Call Centre

The **Housing Call Centre** provides standard responsive maintenance services for all THM properties, excluding those minor responsive items listed above for which property allowances may be used. The Housing Call Centre may be contacted on **13 11 72** or emailed at: [tenant.maintenance@dhs.vic.gov.au](mailto:tenant.maintenance@dhs.vic.gov.au).

#### Community & Commercial (COMAC)

**COMAC** provides all vacant unit maintenance, programmed and minor capital works for THM properties. For party fencing, THMs are responsible for renegotiating with neighbouring residents with regard to the need for repairs or replacement and COMAC arranges works. Vacant unit maintenance may include rectifying resident-caused damage in both DoH owned and leased properties. These requests are forwarded to COMAC via email Monday to Friday 9:00am to 5:00pm at: [maintenance.comac@dhs.vic.gov.au](mailto:maintenance.comac@dhs.vic.gov.au)

#### Urgent Maintenance

Requests for urgent maintenance that fall within the definition 'urgent repairs' as prescribed under **Section 3 Definitions** of the RTA should be actioned immediately. All of the examples listed under 'urgent repairs' are landlord responsibility unless any damage is resident-caused (tenants/occupants are responsible for costs incurred). Damage is listed as 'any damage of a prescribed class', for which there is no standard definition. This is determined by VCAT on a case-by-case basis.

#### After hours Urgent Maintenance

For urgent maintenance required after hours tenants/occupants are to contact the **Housing Call Centre** on **13 11 72**. THMs are to provide this number on the provision that it may be used for after hour's emergencies only. These may include electrical wiring faults, burst hot water services, blocked sewerage or severe roof leaks. **Urgent after hour's calls will be automatically diverted to another provider who will arrange for urgent works.**

#### Timelines for responsive and urgent maintenance

##### **Urgent:**

'Urgent' maintenance requirements when reported are issued



to contractors for immediate response and are to be completed reasonably within 24 hours of notification.

**Priority:**

'Priority' maintenance works are to be completed reasonably within 7 days of contractors being issued with a works order.

**Normal:**

'Normal' maintenance works are to be completed reasonably within 14 days of contractors being issued with a works order.

**Access to THM properties**

Where access to THM properties is required in order for maintenance works to be completed, the RTA provisions apply:

- arranging access and consent for access with the tenant/occupant
- giving required notice if access is required to undertake works and occupants cannot be contacted in the first instance
- emergency access may be required if there is imminent risk to health and safety of tenants/residents and/or to valuable property.

Refer to section 4.2.9 for more detail on access to THM properties.

**4.6.5  
Disability  
modifications**

Where tenants/occupants of THM properties require disability modifications such as handrails and other safety fixtures, THMs may arrange this through COMAC with instructions from medical practitioners or occupational therapists (OTs), describing fixture and placement requirements. **Only handrails may be installed in leased properties.**

There are a small number of THM properties that are fully modified for disability access. Where these properties are not available for clients requiring wheelchair access, THMs in collaboration with support workers should consider longer-term housing options.

**Leased properties**

Generally, no Disability Modifications should be made to leased properties. Any modification to a leased property requires the owner's consent and will usually require the property to be returned to its original condition ("Make Good") at the end of the lease. Therefore even minor works such as the installation of handrails may incur significant "make good" costs as materials required for the rectification may be difficult or impossible to match and therefore require a full replacement, e.g. re-tiling a bathroom.

All requests should be forwarded to Program Leasing for consideration and negotiation with the property owner.

OT reports are required for any disability modification request, including hand rails, as contractors require this information to install items correctly.

Smoke alarms suitable for hearing impaired people may be installed, again only if the owner provides consent, that installation will not create significant make good costs at the end of the lease, and if the current head lease is for a lengthy period. Again OT reports are necessary for contractors to install the correct smoke alarms.

#### 4.6.6 Vacancy periods

The standard timeframe between tenancies/occupancies, in transitional properties, to allow for vacant maintenance and/or re-establishment, is 10 business days where requirements are minor. Where cleaning only is required a five-day turn around should be sufficient.

Some properties will be vacant for longer periods due to more extensive maintenance and re-establishment requirements. This should be reported as part of the monthly Rent Remittance process.

#### Crisis designated properties

For THM properties designated for crisis responses, vacant maintenance and cleaning should be treated as urgent and preferably completed within 48 hours.

Where maintenance requirements are extensive and/or requiring a longer lead-time to complete, they are to be reported as part of the monthly Rent Remittance process.

There is no justification for keeping properties vacant for prolonged periods unless there are health and safety risks involved in re-tenanting them. This should be reported to immediately to COMAC, and Program Leasing, if a leased property to ensure necessary maintenance is arranged.

#### Property replacement

In circumstances where COMAC determines that it is not cost effective to maintain or upgrade particular properties and hand back is recommended, replacement targets may be negotiated with DHS's Property & Asset Services Branch where there is documented justification for replacement in the same or alternate location. DHS Divisions will provide evidence-based recommendations on the need for replacement properties in particular or alternative locations.

#### 4.6.7 Property condition reports

THMs as tenancy managers are not legally obliged to complete Tenancy Condition Reports, as there are no bonds payable by THM tenants/occupants. However, condition reports do provide important conclusive evidence, for the purposes of the RTA provisions, of the state of repair or general condition of THM properties at the commencement of tenancy/occupancy agreements. **THMs are encouraged to complete condition reports at commencement of all new tenancies/occupancies.** The existence of a condition report can determine the level of both wear and tear and of avoidable damage at the end of tenancies/occupancies, and may be used as evidence if a dispute should arise about the cost of maintenance associated with resident-caused damage. COMAC will arrange for maintenance resulting from resident-caused damage and will alert the THMs involved. If THMs are taking legal action in relation to damage, evidence can be provided by COMAC as to maintenance undertaken and associated costs.

Condition reports provided with this evidence are useful to establish the original condition of properties, particularly if damage is extensive.

THMs may refer to **Sections 78 & 79** of the RTA for residential tenancies or **Section 116** for rooming house occupancies. THMs making damage claims and receiving payments from residents should record and remit these monies as part of the Rent Remittance process.

**Leased properties** At original handover a leased properties condition reports will be included in the Data packs provided to THMs. Property condition reports are signed by the owners of the properties and the DoH. THMs are encouraged to prepare tenancy condition reports with each successive sub-tenants allocated to leased properties. These reports can be used as evidence by the DoH to clarify claims of tenant damage by property owners.

At handback of leased properties THMs are required to complete the checklist items on the Handback form (cleaning etc). THMs must then advise Program Leasing of the date the keys will be available.

Program Leasing will engage COMAC to undertake final property condition reports, and to pick up keys from the THMs.

#### 4.6.8 Fire risk management

THMs are required to be familiar with requirements of the *DHS Fire Risk Management* guidelines which can be found at <http://www.dhs.vic.gov.au/about-the-department/documents-and-resources/policies,-guidelines-and-legislation/fire-risk-management-policy,-procedures-and-guidelines>.

Refer to the *Service Agreement Information Kit for Agencies* section 4.1.

Asbestos risk management guidelines are available at section 4.2.

As THM properties are fully furnished at the commencement of tenancy/occupancy agreements, all upholstery, furnishings, mattresses and curtains purchased must be made of flame retardant materials where practicable to minimise the risk of ignition.

Any issues relating to fire services within THM properties can be reported to the DHS Fire Risk Management unit (FRMU).

The FRMU can be contacted at [fireriskmanagementunit@dhs.vic.gov.au](mailto:fireriskmanagementunit@dhs.vic.gov.au).

DHS printed 'Fire Order' stickers should be affixed to the internal side of the front door of each THM property. Fire Order stickers are available in a number of languages and can be requested via the FRMU.

**Leased properties** For residential buildings a special condition of the head lease includes the provision for the DoH to install and service hard wired smoke detectors. These smoke detectors will be installed prior to handover to THMs, in accordance with the Building Code Australia for Class 1a properties.

There may be some large buildings, such as rooming houses, leased by the DoH which require the property owner to have ongoing responsibility for fire safety equipment checks and repairs. In these circumstances the lease should be checked to clarify the DoH's responsibilities.

As part of the pre-lease checks a fire safety audit, inspection and any rectifications are carried out by property owners. FMU

will then provide advice as to whether the building meets the standards for lease.

#### **4.6.9 Fire safety in shared housing**

##### **1a and 1b classification**

This information relates to important fire safety requirements for all THM program properties that accommodate more than one unrelated occupant in a shared living arrangement.

Where the use of a property changes from single to shared accommodation, the building classification changes from Class 1a to Class 1b. The minimum requirements in relation to fire services within a Class 1b include:

- mains powered interconnected smoke alarms in the hallway and in each bedroom;
- emergency exit lighting *or smoke alarm with lighting*, fitted in the hallway to the bedrooms, which is wired to other smoke alarms and is activated in the event of the smoke alarm warning signal; and
- where locks have been installed on any bedroom doors for the purpose of privacy and exclusive occupancy, these doors must be readily openable by the occupant, by either a single handed downward or pushing action, without the need for a key, to enable rapid exit in case of an emergency.

Properties with a 1b classification are maintained by Fire Services Contractors managed by the DHS Fire Risk Management unit.

Any issues relating to fire services within Class 1b properties can be reported to the relevant Fire Services Contractor or DHS FRMU.

##### **Director of Housing owned properties**

Through the gazetting of THM program properties under section 19 of the RTA (refer to section 4.2.3 above), two and three bedroom properties can be managed using the rooming house provisions where there are unrelated occupants sharing, and in which each occupant would have exclusive occupancy of a bedroom.

##### **Director of Housing leased properties**

Leased properties present difficulties for fire safety compliance as private owners could be asked to ensure fire safety equipment is installed to meet the 1b classification and may decline to do so as it may change the properties future use and maintenance liabilities.

It is therefore necessary to require that leased properties are not used for shared housing to negate the need for fire safety compliance beyond standard smoke detector installation (1a classification).

Whilst it is acknowledged that this requirement has the potential to further reduce the THM program's capacity to provide transitional housing assistance, the risk to two or more occupants sharing leased properties that do not meet or partially meet fire safety requirements is the greater risk.

Properties which are located within multi level blocks of flats, units (eg walk ups etc), are classified Class 2 under the BCA.

These are deemed to be "a building containing 2 or more *sole occupancy* units each being a separate dwelling". It is not possible to re-classify these flats and units to 1b for shared housing use.

**Class 2 properties** Class 2 properties have a different level of fire safety requirement to that of Class 1b buildings. As such they are to be used for single tenancy households only (lone individuals or families on a single tenancy).

## Part Five

### Support Management

- Homelessness Support Management
- Temporary Crisis Accommodation
- Family Violence Responses
- Support for Young People
- Accommodation Options for Families
- A Place to Call Home
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## 5.1 Homelessness Support Management

### 5.1.1 Homelessness Support activities

Within the overarching aim of Homelessness Support in Victoria the service activities funded by the Department of Human Services (DHS) may include:

- Temporary Supported Accommodation (TCA),
- Transitional Support (General and Adolescent Community Placement);
- Telephone Information and Referral;
- Homeless Persons' Support Centres;
- Service Support;
- Family reconciliation services;
- Interpreter services.

#### Temporary Supported Accommodation (TCS) - also known as Crisis Supported Accommodation (CSA)

TCA services provide safe short-term accommodation in response to the immediate needs of people in housing crisis. They provide case managed assessment, support and referral services aimed at resolving clients' accommodation needs and crisis issues, to improve access to a range of social supports, long term secure and affordable housing and training and employment opportunities.

#### Transitional support - General

Transitional support provides assessment and referral and case managed support beyond crisis, which may include counselling, crisis resolution, personal care, life skills training, information, and advocacy and/or assistance with accessing appropriate long term housing and training and employment opportunities. Transitional support can be provided, irrespective of clients' living situations, eg. rooming houses, transitional housing, squats, informal arrangements.

#### Transition support - Adolescent Community Placement (ACP)

ACP transitional support provides short and long term out-of-home placements with approved caregivers for young people who are in crisis as a result of being homeless. Young people are eligible to access ACP between the ages of 15-18 years, although it is recognised some clients who turn 18 while in ACP may receive continuing assistance based on their specific circumstances.

ACP transitional support provides case managed assessment, support and referral services aimed at resolving clients' accommodation needs and crisis issues, to improve access to a range of social supports, long term secure and affordable housing and training and employment opportunities.

*It is important to note within this context that the official school leaving age in Victoria is now 17 years.*

#### Telephone information & referral

Telephone-based assessment of support and information requirements of clients can include arrangements with direct support agencies for services to individuals and families.

#### Homeless Persons Support Centres (HPSC)

HPSCs provide a range of supports and practical assistance to clients, which may include meals, living skills, information, counselling, personal care, health care, shower facilities, referrals etc. Services may also include provision of facilities for the linked



or coordinated delivery of support by other services or programs, eg. legal services, health care etc.

### **Family Reconciliation and Mediation Program**

Family Reconciliation and Mediation Program (FRMP) is an early intervention approach to strengthen the capacity of the specialist homelessness services to work with young people to improve relationships with family, and where possible facilitate a return home or to extended family. The program provides a state-wide brokerage service to funded homelessness services to purchase family reconciliation and mediation services from private practitioners, group work and other local supports. FRMP also incorporates a capacity building component to strengthen the understanding of, and commitment to, family reconciliation in homelessness services, including establishing and facilitating the family reconciliation network.

### **Regional Children's Resource Workers**

In recognition of the growing number of families and children who are homeless or at risk of homelessness, Homelessness Assistance funds Regional Children's Resource Programs in each division across Victoria.

The Regional Children's Resource Programs aim to improve service delivery for children and young people accessing homelessness and family violence services with their family.

Program coordinators provide resources, training, information and secondary consultation to homelessness practitioners. They consult with local government and community programs to improve sector responses and service delivery, and advocate on a broad level to raise awareness of the issues facing children and young people experiencing homelessness and/or family violence.

The Regional Children's Resource Program also manage brokerage support funds to assist children and young people to engage in and maintain their education and facilitate access to social, recreational and support opportunities in their community.

### **Indigenous Homelessness Network**

The Victorian Indigenous Statewide Homelessness Network (VISHN) comprises the Indigenous homelessness and the Indigenous Tenants at Risk funded organisations. The Network meets on a quarterly basis to develop strategies to respond to homelessness within Indigenous communities. It also provides for input to inform the development of programs to support people who are homeless or at risk of homelessness.

Ngwala Willumbong is the Network co-ordination and support organisation. Further information and Network contacts are available on the website [www.vishn.com.au](http://www.vishn.com.au)

### **Regional Networks**

DHS provides resources for the maintenance of Regional Homelessness Networks. These networks provide an opportunity for all homelessness services to come together at the regional level to improve responses to homeless people in their local communities. All homelessness services are required to participate in these activities.

### **VITS Interpreter Services**

Interpreting services are available to assist with service delivery to clients who are from culturally and linguistically diverse backgrounds.

### 5.1.2 Management response to inhalant use

*Management Response to Inhalant Use-Guidelines for the community care & drug & alcohol sector* is a manual for workers in DHS funded services for advice on how to respond to young people who are using inhalants.

The guidelines contain the minimum expectations with regard to duty of care and strategies for appropriately responding to inhalant use, in particular, to intoxication and the acute effects of inhalant use.

DHS policy does not permit passive observation or supervision of young people using inhalants. Homelessness service workers, including tenancy administration workers, when confronted with such situations, have a duty of care to respond in order to reduce risk of harm and to ensure linkages to appropriate supports are in place. The guidelines are available online at the Department of Health website, <http://docs.health.vic.gov.au/docs/doc/Management-response-to-inhalant-use:-Guidelines-for-the-community-care-and-drug-and-alcohol-sector>.

The Volatile Substances Legislation (*Drugs, Poisons and Controlled Substances (Volatile Substances) Act 2003*) came into operation in 2004.

The *Volatile Substance Abuse Protocol* is a protocol agreement between funded services to support this legislation, which gives Police limited civil powers to apprehend and detain young people under 18 years who they reasonably suspect have abused a volatile substance or are at risk of doing so. Police also have powers to search for and seize volatile substances and items used to inhale. In such circumstances, police will provide health and welfare responses where required and connect the young people involved to appropriate services. Homelessness services workers are required to be familiar with the Protocol arrangements. More information is available online at: <http://docs.health.vic.gov.au/docs/doc/Interagency-Protocol-between-Victoria-Police-and-nominated-agencies---2004>.

## 5.2 Temporary Crisis Accommodation

### 5.2.1 Program objectives

Temporary crisis accommodation (TCA), also referred to as crisis supported accommodation (CSA), provides safe, short-term accommodation in response to the immediate needs of people in housing crisis. TCA provides case managed assessment, support and referral services aimed at resolving clients' crisis issues and accommodation needs, to improve access to a range of health and social supports, income support, long-term secure and affordable housing, training and employment opportunities.

Connecting clients with support services is the primary aim of TCA, with accommodation an ancillary outcome. It is intended that clients in TCA are provided with appropriate support during their stay that will help stabilise their immediate crisis situation and assist them to transition to stable medium to long-term accommodation, such as THM, public housing and private rental.

TCA is provided for:

- families and individuals who are homeless or at risk of homelessness;
- women and their children who are escaping family violence; and
- young people between the ages of 15 and 24 years who are homeless, at risk of homelessness or escaping family violence.

Refer to Part Three of these guidelines, sections 3.2 Access and allocation.

### Types of accommodation

TCA describes the following categories of short-term accommodation:

- mainstream adult and families crisis accommodation;
- youth refuges; and
- women's and children's crisis services.

### 5.2.2 Applying the Residential Tenancies Act 1997

Under the *Residential Tenancies Act 1997* (RTA), TCA is defined as 'accommodation provided on a non-profit basis for a period of less than 14 days'. Section 22 of the RTA excludes TCA from the application of RTA provisions.

The effect of these provisions is to exempt TCA from the RTA where the accommodation is offered to a client on a temporary basis. The primary rationale for the exemption is that the tenancy and residency provisions should not apply to accommodation provided as part of a crisis response. The exemption aims to promote the efficient stabilisation of a client's crisis situation and exit to alternative accommodation.

The exemption applies in circumstances where accommodation is provided on a short-term, temporary basis. If accommodation is provided for a period that exceeds 14 days, the accommodation may still be considered to be covered by section 22 if the intention at the time the offer of accommodation was made was that it be provided on a short-term, temporary basis.

Due to a range of issues such as the complex needs of clients and the availability of appropriate alternative accommodation, it is anticipated that a significant number of crisis accommodation periods will exceed 14-days (with some averaging six to eight weeks).

Where clients are offered accommodation that is not intended to be provided on a short-term, temporary basis, the RTA applies to clients and providers. Whether the residential tenancy provisions or the rooming house provisions of the RTA apply will be determined according to the circumstances as a whole. For example, where clients enter tenancy agreements (whether or not in writing, expressly or implied) with a provider and pay rent or similar charges, and have exclusive possession of a property, it is likely that the tenancy provisions of the RTA apply. Where clients do not enter into tenancy agreements, share the property and common facilities with other residents, or occupy a room as their only or main residence, it is likely that the rooming house provisions will apply.

TCA providers must be aware that if they believe that the RTA does not apply to a particular client in crisis accommodation, the provider has the onus of proving this under section 507 of the RTA.

Upon offering accommodation to a client, it is expected that TCA providers communicate to the client their intention that the accommodation is offered strictly as part of a short-term, temporary homelessness service. While the client remains in the TCA service, the provider must ensure that all required measures are undertaken to help the client stabilise their crisis situation and assist the client to access appropriate alternative housing within a reasonable timeframe.

**Notice periods under  
the Residential  
Tenancies Act 1997**

Under the RTA, the residential tenancy provisions differ from the rooming house provisions. TCA providers should be aware of how these different provisions may affect delivery of their crisis accommodation service and the rights and obligations of clients, and where applicable, observe these provisions.

In particular, residential tenancy or rooming house notice periods must be observed where accommodation is not offered for a period of less than 14 days. The following table is a guide for applying notices, referencing the appropriate provisions of the RTA:

Tenancy Agreements		Rooming House Residency	
Termination of residential tenancies – notice by landlord	Notice period after date on which notice is given	When does a residency right end – notice by rooming house owner	Notice period after date on which notice is given
Damage (section 243)	Immediate or a later date specified by landlord	Damage (section 278)	Immediate or a later date

Tenancy Agreements		Rooming House Residency	
Termination of residential tenancies – notice by landlord	Notice period after date on which notice is given	When does a residency right end – notice by rooming house owner	Notice period after date on which notice is given
Danger to neighbours (section 244)	Immediate or a later date specified by landlord	Danger to other occupants or property (section 279, unless notice has been given under section 368)	Immediate or a later date
		Violence on certain premises (sections 367 - 377)	Immediate suspension for 2 days (VCAT may order termination of agreement)
Premises unfit for habitation or destroyed (section 245)	Immediate	Termination if room or rooming house destroyed (section 272)	Immediate
		Disruption (section 280)	Immediate or a later date
<ul style="list-style-type: none"> <li>• Non-payment of rent (section 246)</li> <li>• As a result of failure to comply with a Tribunal order (section 248)</li> <li>• Successive breaches (section 249)</li> <li>• Use of premises for illegal purpose (section 250)</li> <li>• False statement to housing authority (section 252)</li> </ul> Assignment or sub-letting without consent (section 253)	14 days after the date on which notice is given	<ul style="list-style-type: none"> <li>• Non payment of rent (section 281)</li> <li>• As a result of failure to comply with a Tribunal order (section 282),</li> <li>• Successive breaches (section 283)</li> <li>• Use of premises for illegal purposes (section 284)</li> </ul>	2 days after the date on which notice is given
<ul style="list-style-type: none"> <li>• Repairs (section 255)</li> <li>• Demolition (section 256)</li> </ul>	60 days after the date on which notice is given	Repairs or Demolition (section 286)	60 days after the date on which notice is given
Premises required for public purposes (section 260)	60 days after the date on which notice is given		
End of fixed term tenancy (section 261)	60 days if fixed term is < 6 months; 90 days if fixed term is > 6 months		
No specified reason (263)	120 days after the date on which the notice is given	No specified reason (section 288)	120 days after the date on which notice is given

### 5.2.3 Rights and responsibilities

Upon being offered accommodation, clients should be provided with a statement of their rights and responsibilities whilst receiving support at the TCA service. The statement must include any applicable service charges or fees, daily provisions such as meal times, cleaning requirements, and where necessary, accommodation rules such as access to rooms, behavioural conduct and engagement with support.

#### Engagement with support

It is expected that clients in TCA have case management plans prepared for them within 24 hours of a business working day (9:00am-5:00pm)/week (Monday-Friday) by a case worker. Case management plans should reflect the terms on which accommodation is to be provided, that is, to enable intensive support to be provided on a short term basis. It is a condition of receiving assistance that clients engage with support services and participate in developing and implementing achievable case plans.

It is intended that TCA be provided on a short-term, temporary basis. Due to a range of issues such as the complex needs of clients and the availability of appropriate alternative accommodation, it is anticipated that a significant number of crisis accommodation periods will exceed 14-days. In these circumstances, the advice provided in these guidelines applies, particularly section 5.2.2.

#### Exit management

TCA providers are expected to ensure an achievable exit plan is developed for clients to enable transition for people from crisis accommodation into transitional and long-term housing tenures.

[Refer to Part Four of these guidelines, section 4.5 Exit Arrangements.](#)

#### Current funding arrangements

Refer to Part Two of these guidelines, section 2.1.3 for information on income generation in crisis accommodation services.

## 5.3 Family Violence Responses

### 5.3.1 Victoria's Action Plan to address violence against women and children (2012-2015)

The Victorian Government believes that violence against anyone in any form is unacceptable. Violence against women and children is particularly devastating for families, the community and the state.

The long term plan of *Victoria's Action Plan to Address Violence Against Women and Children* (Action Plan) is for women and children to live free from violence in Victoria. Addressing violence against women and children is a shared responsibility across government and across the community

The Action Plan outlines the Government's approach to prevent violence happening through a range of prevention activities, intervening early to help change the behaviour of those at risk of committing violence, and providing a range of supports and responses for women and children experiencing violence.

The initiatives to address violence against women and children fall within three streams:

- Preventing violence against women and children through education and engagement;
- Intervening earlier through identification and targeting interventions; and
- Responding through an integrated system that gets tougher on perpetrators and protects and empowers women and children.

The Action Plan is available at

<http://www.dhs.vic.gov.au/about-the-department/plans,-programs-and-projects/plans-and-strategies/women/action-plan-to-address-violence-against-women-and-children>

### Integrated family violence response (IFVR)

Victoria has been investing in an integrated family violence system since 2005: Victoria has a whole-of-system approach – including police, justice and human services - that places women and children at the centre of the response.

The IFVR aims to:

- reduce deaths, injuries and the emotional impact of family violence;
- respond more effectively to all women and children experiencing family violence;
- strengthen the responses of police and the courts to family violence;
- increase the accountability of and access to behaviour change and other programs for men who use violence;
- emphasise the rights, needs and safety of children;
- provide greater support to all workers who deal with victims of family violence; and
- bring the issue of family violence into the open and give all members of the community the confidence to speak out.

Integration is also required between a range of family violence specific and other support services, including housing and homelessness services, victims of crime services, sexual assault support services and child and family services, to ensure that unified and streamlined responses are provided to victims of family violence, regardless of which part of the service system provides support.

### **Family Violence Risk Assessment and Risk Management Framework**

The *family violence risk assessment and risk management framework (2012)* (commonly referred to as the Common Risk Assessment Framework – CRAF) aims to support a consistent approach for assessing and managing family violence.

The framework comprises six components to identify and respond to victims of family violence:

- a shared understanding of risk and family violence across all service providers
- a standardised approach to recognising and assessing risk
- appropriate referral pathways and information sharing
- risk management strategies that include ongoing assessment and case management
- consistent data collection and analysis to ensure the system is able to respond to changing priorities
- quality assurance strategies and measures that underpin a philosophy of continuous improvement.

The CRAF is available at <http://www.dhs.vic.gov.au/about-the-department/documents-and-resources/policies,-guidelines-and-legislation/family-violence-risk-assessment-risk-management-framework-manual>

DHS funds family violence services to provide the following:

- Case management and intensive case management for women experiencing family violence;
- Outreach support for women and children experiencing family violence including additional programs to assist women to remain safely at home;
- Access to private rental program ;
- Enhanced after hours services and emergency after hours accommodation for women and children escaping family violence;
- Secure Refuge responses;
- Domestic Violence Victoria;
- Domestic Violence Resource Centre;
- Statewide services: Women’s Domestic Violence Crisis Service; inTouch Multicultural Centre Against Family Violence; Women with Disabilities Victoria and the Aboriginal Family Violence Prevention & Legal Service;
- Case management and intensive case management for men who use violence against women and children; and
- Emergency accommodation for men who use violence and are excluded from the home.

### **Children affected by family violence**

Children experiencing family violence have support needs that may be separate from those of adult family members. Family violence can have significant and harmful effects on children, particularly during critical stages of their development. The IFVR promotes the individual rights, needs and safety of children. The *Child Well Being and Safety Act 2005* sets out



'Principles for Children', to be used for guidance in the development and provision of Government-funded services for children and their families. Principles can be found at [http://www.austlii.edu.au/au/legis/vic/consol\\_act/cwasa2005218/](http://www.austlii.edu.au/au/legis/vic/consol_act/cwasa2005218/)

The *Assessing children and young people experiencing family violence practice guide* has also been developed to support family violence professionals to assess the safety and needs of unborn children, infants and young people affected by family violence. The practice guide is available at <http://www.dhs.vic.gov.au/about-the-department/documents-and-resources/policies,-guidelines-and-legislation/assessing-children-and-young-people-experiencing-family-violence-practice-guide>

**Department of Justice** The Department of Justice (DoJ) covers all Government activities involved with reform, administration and enforcement of the law.

A Family Violence Court Division of the Magistrates' Court and Specialist Family Violence Services are provided through DoJ to support victims of family violence in their contact with the legal system. The Family Violence Court Division commenced sitting at the Magistrates' Court of Victoria at Ballarat and Heidelberg in 2005 and provides specialist family violence counselling programs comprising:

- court directed counselling for men who use violence, where an intervention order has been granted;
- support programs and services to adult aggrieved family members who are (former) partners of directed clients; and
- support programs to child affected family members or children of an adult affected family member.

In addition, specialist family violence services have been established at the following Courts: Melbourne, Frankston, Sunshine and Werribee.

The Family Violence Court Division aims to simplify access to the justice system and increase safety for family violence intervention order applications and affected children. In addition, Specialist Family Violence Services enhance services already in place at Magistrates' Court venues by providing additional specialist staffing resources at the three sites such as additional police prosecutors, Magistrates, registrars and a specialist applicant worker who will support individuals and their children who have experienced family violence. There are also changed listing arrangements in order to provide additional courtroom time dedicated to family violence intervention order proceedings. Visit <http://www.justice.vic.gov.au> for more information.

**Victoria Police** The Victoria Police *Code of Practice for the Investigation of Family Violence* outlines how police will respond to reports of family violence and emphasises that police will treat all such reports seriously.

When attending family violence incidents, the Code of Practice requires police at a minimum, to make an informal or formal

referral to support services.

Police are therefore required to make an assessment of risks and threats and to use a risk assessment tool developed for this purpose. Police are also required to assess the needs of children separately and have mandatory reporting obligations in certain circumstances.

To support the Code of Practice, Family Violence Advisors are located throughout the State. In addition to the Family Violence Advisors, there are Family Violence Liaison Officers located at every 24 hour Police Station. These members have portfolio responsibility for ensuring appropriate family violence responses in their service areas.

The Family violence referral protocol between the Department of Human Services and Victoria Police 2012-14 provides guidance on how Victoria Police, the Department of Human Services and the service agencies it funds can work together to strengthen the collective response to family violence. The protocol is available at <http://www.dhs.vic.gov.au/about-the-department/documents-and-resources/policies,-guidelines-and-legislation/family-violence-referral-protocol-between-dhs-and-victoria-police>

### Family Violence response for Indigenous communities

The *Indigenous Family Violence Primary Prevention Framework* meets the commitment made to develop an Indigenous specific prevention framework for family violence identified in *Strong Culture, Strong Peoples, Strong Families: Towards a safer future for Indigenous families and communities Ten Year Plan*. This Plan is available at <http://www.dhs.vic.gov.au/about-the-department/documents-and-resources/reports-publications/strong-culture-strong-peoples-strong-families-10-year-plan>

The framework is designed to support:

- Aboriginal family violence primary prevention capacity building;
- effective, sustainable activities; and
- ownership and leadership within Aboriginal communities.

The framework also provides evidence of the range of community led initiatives that are contributing toward the prevention of family violence in Aboriginal communities in Victoria.

The framework is a resource for Aboriginal communities to guide the development and evaluation of prevention initiatives. It is also a tool for mainstream organisations and government partners who may be working or be intending to work in the prevention of Aboriginal family violence.

Further information about the Indigenous Family Violence Strategy can be found at the DHS website:

<http://www.dhs.vic.gov.au/about-the-department/plans,-programs-and-projects/plans-and-strategies/children,-youth-and-family-services/indigenous-family-violence-primary-prevention-framework>

### 5.3.2 Family violence service objectives & targets

Family violence services are provided principally to women and children who are:

- experiencing an immediate crisis;
- recovering from experiences of violence or abuse; and
- at risk of being unsafe in the family environment.

The objectives of integrated family violence services for women and children are to:

- increase safety and wellbeing for women and children; and
- acknowledge and support women to have control over their lives.

### Guiding principles

The following principles underpin the integrated approach to family violence services for women and children.

These principles are a guide for establishing a more consistent approach to family violence services throughout Victoria.

- The safety and wellbeing of women and children is paramount.
- It is the responsibility of the community not the victim to hold men who use violence accountable.
- The integrated approach to family violence is underpinned by a common understanding of the gendered nature of family violence. All funded family violence services must incorporate a gendered analysis and approach to addressing family violence.
- The individual needs of children, including young people, and the nexus between family violence and child abuse must be recognised.
- A consistent and coordinated approach to women and children should be provided, irrespective of the agency with which they first contact or the geographic location.
- Flexible services are required to respond to the needs of individual women and individual children whose experiences of violence may differ.
- Intervention strategies with women should be based on an empowerment model, actively supporting each victim's right to self-determination.
- Appropriate and sensitive service responses must be available to all women and children including:
  - Indigenous women and children;
  - women and children from culturally and linguistically diverse backgrounds;
  - women and children with disabilities;
  - women with complex needs;
  - lesbian, bisexual, transgender and intersex individuals;
  - sex workers; and
  - women in prison.

Targets are set as per Part Two: Funding, Performance & Reporting, section 2.2.4.

## 5.4 Homelessness Support for Young People

### 5.4.1 Youth focused homelessness support

Over 40% of those assisted by funded homelessness services each year are young people under 25 years of age. To ensure the needs of young people are addressed, DHS developed the Victorian *Youth Homelessness Action Plan* (YHAP) in two stages, the *YHAP1* and *YHAP2-Creating Connections*.

Through *YHAP1* and *Creating Connections* youth focused homelessness support services provide case management and a range of interventions and links to appropriate responses to improve outcomes for young people who are homeless.

### Transitional housing response

Young people aged 15 to 25 who are homeless are able to reside in transitional housing for extended periods from 18 months up to two years on the basis that they are assisted by their Homelessness Support Services/Providers (HSSP) - previously known as Supported Accommodation Assistance Program (SAAP) or like support service to participate in education, training and employment assistance programs. Refer to Part Three of these guidelines – sections 3.2.5-3.2.8, access arrangements for young people, and Part Four – section 4.2.8 Occupancy arrangements for young people.

### 5.4.2 Youth Homelessness Action Plan1 (YHAP1)

*YHAP1* provided a set of practical actions for immediate implementation. These included initiatives targeting:

- young people leaving State care;
- young people needing assistance with family reconciliation;
- links to employment, education and training pathways; and
- responses for particular subgroups of young people who are vulnerable, homeless or at risk of becoming homeless, for whom the existing service system has not been able to appropriately respond.

### 5.4.3 Creating Connections Youth Homelessness Action Plan2 (YHAP2)

*YHAP2*: 2006-2010, launched in October 2006, provides a platform to undertake strategic development of homelessness services to young people aged 15 to 25 years.

*Creating Connections* directions include:

- a strong focus on early intervention and interdependence;
- tailored accommodation and housing support options for each homeless young person;
- greater access to complementary services for homeless young people with complex needs; and
- enhanced youth homelessness service capacity.

### Youth hubs

Through *YHAP2* the youth transitions hub model has been established in each DHS division. The structure of each youth hub varies according to the *YHAP2* partnership formed by youth agencies within the division. Youth hub models can centre on a physical location or exist as virtual hubs.

Youth hubs are designed to provide assistance to homeless

young people aged 16-24, with a greater emphasis on young people 21 years and under, who require additional skills development to be able to sustain affordable long term housing. The hubs provide young people with the support to transition from crisis accommodation to living in independent or low support living arrangements within the community.

Youth hubs are a partnership approach to service delivery offering the following services:

- education, training and employment;
- links to the private rental market;
- youth focused housing placement;
- intensive case management; and
- housing and homelessness support/life skills development.

### **Family reconciliation responses**

Family Reconciliation and Mediation Program (FRMP) is an early intervention approach to strengthen the capacity of specialist homelessness services to work with young people to improve relationships with their family, and where possible, facilitate a return home or to extended family. It provides a state-wide brokerage service to funded homelessness agencies to purchase family reconciliation and mediation services from private practitioners, group work and other local supports, assisting over 200 young people per year.

### **Regional Family Reconciliation workers**

Family reconciliation positions are funded and located in 13 homelessness services in Victoria. Most are located in youth and family services and two are located in youth refuges. The positions provide a direct service to young people aged 16-25 who are at imminent risk of homelessness, or who have recently left home, or who are accommodated in a homelessness service and are assessed as having unresolved family issues which are contributing to their homelessness.

### **Young People Leaving Care housing & support initiatives**

DHS funds Young People Leaving Care (YPLC) Housing & Support Initiatives in each DHS division and Indigenous specific responses. These initiatives form part of the Regional Leaving Care Alliance response in each Division.

The YPLC initiatives provide support to young people to develop the appropriate living skills and connections to move toward independent living.

### **Youth refuge**

Additional resources are allocated across DHS divisions, supplementing existing refuge funding to strengthen the crisis response to young people to prevent them transiting from youth to adult homelessness. Refuges now provide brokerage funds, and an improved model of service delivery in eight youth refuges that focuses on specialist support, family reconciliation and follow up support.

### **Support for Young People That Really Counts**

This program targets young people who are able to benefit from moving from crisis accommodation or intensive support services to more independent housing that provides additional levels of support, life skills training and a focus on participation in education, employment and training. The relatively small size of these developments allows accommodation and support services to be tailored to the needs of each young person

appropriate to their age, experience, culture, behaviour, and self-identification. The support model is flexible to accommodate diverse client groups, such as young people leaving care or young parents. The main features of the model are:

- a holistic, flexible approach to each young person – linking services and providing specialist support as needed, including a health response;
- development of an ongoing relationship between a young person and the case or support worker;
- planned pathways and linking a young person to employment, education, and training;
- provision of life skills development opportunities;
- a safe environment linked to after-hours support;
- provision of a “moving on” strategy and ongoing or follow-up support;
- communal facilities and opportunities to hold training or other activities on site;
- involvement of local community and local stakeholders in the project; and
- on-site support.

### **Supporting Young Parents Program**

This program delivers a high level of support to homeless or at risk young people who are pregnant or parenting, over a six month period. Five programs operate in three DHS rural areas. The program connects young parents to relevant health and welfare services, provides parenting and living skills, connects to education, employment and training opportunities, promotes social inclusion and access to stable housing.

### **Dual Diagnosis Youth Homelessness Program**

DHS has formed a partnership with Department of Health-Mental Health & Drugs and implemented a dual diagnosis service response in placed within the youth homelessness service sector of each DHS division. This service is being delivered by nine specialist dual diagnosis clinicians and provides for both direct and incidental engagement of young people, increasing the opportunity for a young person to receive support with drug or alcohol and mental health issues and move closer to resolving their homelessness.

### **Foyer models of housing & support for young people**

These models will focus on supporting young people by providing secure housing, personal support services, reconnection to learning and skills development and work experience and access to jobs. This will require a cross government and cross sector response.

### **Step Ahead (formerly funded as Youth Transitions Model)**

Originally funded as a demonstration project through YHAP1, *Step-Ahead* provides a foyer-like response through two distinct models, Lion Garden and the Transitional Housing Management program. The model assists young people 16-25 years to make the transition to greater independence. It provides an integrated package of accommodation, living skills casework and access to employment, education and training opportunities with support linked to a range of other services.

**Ladder** Ladder Hoddle Street is a partnership between DHS and Ladder Project Ltd (a joint venture between the Australian Football Foundation and Australian Football Players Association). It provides Foyer style supportive housing service for young people who are homeless or at risk of homelessness.

**Youth Private Rental Brokerage Program**

In 2006 under *Creating Connections*, the Youth Private Rental Access Program was funded in all DHS divisions. The Youth Private Rental Access Programs have two broad key foci:

- Cultivate and support young people's independence beyond the homelessness service system including the use of brokerage funds in the establishment of sustainable tenancy within the private rental market.
- Develop relationships and advocate for young people with the private housing provider sector with the view to reduce barriers and strengthen pathways for young people's successful entry into the private rental market.

Further information on these youth initiatives can be provided by DHS divisions.

## 5.5 Accommodation Options for Families

### 5.5.1 Background

Following increased public concern about the safety and appropriateness of rooming houses, the Rooming House Standards Taskforce (RHST) was established in 2009.

The report found that there was a subset of providers in the sector who operated outside the registration and regulatory regimes and were exploiting vulnerable groups in urgent need of affordable or emergency accommodation.

### Accommodation Options for Families

Accommodation Options for Families program (AOF) formed the basis of the Victorian government's response to the recommendations in the RHST Report. Funding for three recommendation responses was granted through Consumer Affairs Victoria (CAV), Victorian Property Fund.

These initiatives were:

- Accommodation Options for Families (AOF) (response to recommendation 29). AOF provides interim support and a range of short to medium term accommodation to families who are homeless or at risk of homelessness to reduce the need to utilise sub standard and unregistered rooming houses.
- Additional Support for Families (ASF) (response to recommendation 22). ASF provides support of up to 14 months to families who are homeless or at risk of homelessness. The aim of the support is to establish and maintain long term secure housing and to reduce the need to utilise sub-standard and unregistered rooming houses.
- Private Rental Brokerage Service (PPBS) (response to recommendation 23). PRBS assists rooming house residents and those at risk of entering rooming house to establish sustainable tenancies in the private rental market. This initiative targets singles, couples and families. Funding is used for rent in advance, payment of bond, furniture, appliances, removalist costs, utility connections, and alleviation of debts.

As from the 1 July 2013, the Accommodation Options for Families and Additional Support for Families will be delivered as a single program for greater efficiency, under AOF. The new revised program will have two distinct service responses; Accommodation Options for Families and Private Rental Brokerage Service.

AOF aims to reduce the number of families living in unregistered rooming house accommodation or at risk of entering rooming house accommodation, and assist families to secure longer term support and more appropriate housing options (including public housing, social housing and private



rental accommodation).

The program is generally managed by Transitional Housing Managers (THM) in partnership with support agencies. Families residing in unregistered rooming houses are given priority access to the program; the program also supports families who are at risk of accessing unregistered rooming house accommodation.

### **5.5.2 Access for households**

Support agencies in conjunction with the THM identify an appropriate family that are currently supported and have a homeless with support segment application.

The support agency undertakes to provide support to the family over a fourteen month period and to facilitate appropriate data collection. Within the fourteen month support, the support provider agrees to provide transitional support to link the family in with appropriate networks once the tenancy has transferred to public housing.

All households are required to meet eligibility criteria for homelessness with support segment application, and will generally be families who are resident of substandard rooming houses closed by additional compliance activity, inappropriately housed or clients at risk of becoming tenants of substandard rooming houses.

### **Private Rental Brokerage Service (PRBS)**

PRBS aims to support families to access private rental accommodation where Housing Establishment Funds are not available. The following guidelines have been developed to assist in the expenditure of funds.

- household expenses, eg, electricity, gas and water bills, repairs to whitegoods,
- assistance to secure longer term private rental accommodation including private rental in advance private rental arrears and private rental bonds.

### **Recording and Reporting Requirements**

Each of the funded organisations will have an annual minimal target based on the level of funding provided. Agencies will be required to completed requested data reports during a financial year.

## 5.6 A Place to Call Home

### 5.6.1 Background

Over a period of five years, commencing in 2008, the Australian Government committed to deliver 600 additional dwellings across Australia known as the A Place to Call Home (APTCH) initiative.

The objective of this initiative is to reduce the level of homelessness in Australia and increase the likelihood of stabilising the assisted households lives by providing secure housing and removing the need for households to move once their housing circumstances have been successfully stabilised.

In Victoria the initiative will see 118 accommodation units (this includes 50 places for singles within the Elizabeth Street Supportive Housing development and a further 68 additional properties) provided to the Transitional Housing Management (THM) Program across the state. These guidelines largely relate to the 68 additional properties. Separate guidelines/policy documents are being established for the Supportive Housing model.

### A Place to Call Home 1 – Commonwealth Funding

Under APTCH, families in need of housing assistance will be provided with access to the 68 dispersed APTCH properties coupled with support for twelve months. The people living in these properties together with the property itself will then transfer to long term Public Housing after twelve months. The properties will be replaced by existing public housing stock.

### A Place to Call Home 2 – State Funding

The properties are allocated to the THM program for a 12 month period and then transfer with tenants to public housing Rental General Stock (RGS) without the requirements for a replacement property being transferred to the THM program.

### 5.6.2 Access for households

The APTCH dispersed properties are accessed by families including women and children experiencing family violence, Indigenous families and families in housing crisis. Potentially any household in THM properties can transfer subject to stock management considerations. The numbers of tenancies that can transfer under the APTCH arrangement are capped by Divisional location.

### Eligibility Criteria

All households are required to be on an approved homelessness with support segment application. Families should also have or have quickly developed strong linkages to the local community such as children attending local schools and/or household members accessing specific health, training or work opportunities.

A critical component of the success of *A Place to Call Home* is the ability for support agencies to continue to work with the family for up to a fourteen month period. Support agencies are best placed to nominate clients they are working with who would meet the eligibility criteria for allocation to APTCH properties.

## 5.7 Indigenous Tenants at Risk

### 5.7.1 Background Indigenous Assistance in Victoria

Department of Human Services (DHS) provides subsidised housing for low-income Victorians who cannot access the private rental or ownership markets, and who meet eligibility requirements of DHS.

### 5.7.2 Indigenous Tenancies

The Indigenous Tenants At Risk (ITAR) program uses an intensive case management and support service model to assist Indigenous people living in mainstream, public housing, community housing or Aboriginal Housing Victoria (AHV) properties whose tenancies are at risk as a result of emerging issues such as financial difficulty, neighbourhood disputes, drug and alcohol and mental health issues. Households are supported to stabilise their housing and retain their tenancies rather than leave the property or risk eviction.

The Support Worker will be required to intervene where a public housing tenancy is breaking down to resolve factors placing the tenancy at risk. It will also involve provision of intensive individual support to tenancies identified at risk and referrals from DHS housing offices, whilst rent arrears are the major factor to contribute to tenancies at risk this initiative will also include other factors such as living skills. It will be expected that where the issues relate to non-housing programs referrals will be made to those programs.

ITAR workers are required to participate in the Victorian Indigenous Statewide Homelessness Network (VISHN) meetings which occur three or four times a year.

### Victorian Indigenous Homelessness Statewide Network (VISHN)

Department Human Services (DHS) funds Ngwala Willumbong to employ a Coordinator to manage the day to day activities of VISHN and deliver four sector forums each year. The worker actions the priorities identified by the Network, in order to identify problems and develop strategies to address homelessness within Indigenous communities, including:

- providing input to DHS to refine programs to more appropriately meet the housing and support needs of Indigenous communities experiencing homelessness, housing crisis or overcrowding;
- representing the homelessness and housing needs of their communities;
- providing comment on policy and practice based on this knowledge; and
- developing reliable and consistent practice and service outcomes across Victoria.

Agencies delivering Indigenous specific responses are required to have at least one worker attend VISHN meetings.

- Service providers will be monitored by the DHS Service Agreement Management System,

### **Performance, Monitoring and Reporting Requirements**

Agencies are required to participate in the National Specialist Homelessness Services Collection (SHSC) data collection. Brokerage fund also needs to be included in the SHSC collection.

As part of this program, flexible brokerage funding has been allocated to each EFT.

Primary uses of Flexible brokerage funding include:

- Household expenses, eg, electricity, gas and water bills, repairs to whitegoods.
- Counselling services, drug and alcohol counselling, grief and loss counsellors, dealing with stress.
- Life skills eg financial services, cooking courses, cleaning skills.
- Recreation activities, sporting and fitness activities, dancing classes, gym membership, join in community groups, culture events, children holiday clubs, camps, after school activities.
- Education and training, extended learning, language classes, literacy and numeracy, job coaching.
- Material aid, e.g. food, travel, clothing expenses.
- Medical, doctors, dentist, optometrist, podiatrist.
- Pharmaceutical requirements, glasses, prescriptions, where indicated for use by GP.
- Therapeutic intervention, family counselling, parenting skill courses, anger management, and speech therapy.

Recording and reporting the ITAR brokerage funding expenditure must be completed in the Specialist Homelessness Information Platform (SHIP) and a report needs to be generated at the end of each financial year.

Flexible brokerage expenditure should not be used to duplicate HEF. The primary uses of HEF are to access or maintain housing by the following:

- Private Rental Bonds;
- Private Rental in advance;
- Private Rental Arrears;

In addition HEF may be used in the following "other" categories:

- Overnight emergency accommodation (where no acceptable alternative option is available);
- Storage costs;
- Removal Expenses;
- Essential furniture where the provision of such is a prerequisite to housing the applicant and no acceptable alternative option is available. This may include bedding, refrigerators or other health related items.

Targets are set as per Part Two: Funding, Performance & Reporting, section 2.2.4.

## Part Six

### Flexible Funds Management

- Housing Establishment Fund
- HEF Products
- Roles & Responsibilities
- Referral Guidelines-Private Accommodation

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## 6.1 Housing Establishment Fund

### 6.1.1 The Housing Establishment Fund (HEF) program

The Housing Establishment Fund (HEF) is a Victorian Government initiative that aims to address and prevent homelessness by providing financial assistance to individuals and families who are homeless or in housing crisis. HEF is a critical component of the homelessness service system.

The program, administered by the Department of Human Services (DHS), distributes funds to homelessness services including Transitional Housing Management (THMs) and Homelessness Support Services/Providers (HSSP) - previously known as Supported Accommodation Assistance Program (SAAP).

Homelessness services are the primary distributors of HEF monies throughout the State, with the majority of funds distributed through THMs, key access points operating under the 'Opening Doors' framework, and supplemented by smaller allocations of funds to other local services and statewide services such as temporary crisis accommodation (TCA) and women's refuges. These services must continue to demonstrate high standards of probity and accountability and ensure HEF is accessible and meets the needs of eligible clients.

### Housing Establishment Fund (HEF) as part of a broader service response

HEF is provided to people who are homeless or at risk in the context of a broader service response. The principal responsibility of HEF providers is to assist homeless people to access crisis, longer-term or alternative-housing options, or to assist them to maintain their existing housing. DHS relies on the expertise of HEF providers when making assessments of people seeking assistance. HEF providers will consider all options available and will seek the most appropriate outcomes for clients.

### 6.1.2 Housing Establishment Fund (HEF) aims

HEF aims to:

- provide people who are homeless or at risk with direct assistance in accessing private rental housing and securing private tenancies at risk;
- assist people who are homeless to access appropriate and safe overnight/emergency accommodation and related services where no other option is available;
- promote exit points out of homelessness services and into long-term affordable housing;
- target resources to those in greatest housing need;
- complement other services to individuals and families in housing crisis; and
- increase understanding of the extent and nature of housing crisis through a comprehensive data collection system.

### 6.1.3 Housing Establishment Fund (HEF) distribution

HEF is distributed to:

- all THMs and key access points operating within the 'Opening Doors' framework, using divisional and local needs-based allocation models;
- some HSSP funded agencies, based on historical allocations;

- temporary crisis accommodation;
- the Women's Domestic Violence Crisis Service of Victoria; and
- other Statewide services.

#### 6.1.4 Client access

HEF providers remain focused on the needs of people who are homeless and at risk to provide the most appropriate assistance.

Assistance provided is planned and provided to maximise clients' self-determination, ensuring that they have full knowledge and control over all decisions that impact on their lives.

HEF provision is coordinated with complementary support services to allow for a cohesive service system targeted at assisting individuals and families in housing crisis.

#### Service responsiveness

HEF provision is designed to be flexible and focused on the individual needs of clients and delivers appropriate outcomes for each individual or family.

Provision of HEF is planned to ensure optimum access for clients, with emphasis being given to assisting all eligible individuals and families at their first point of contact to the service system.

HEF is allocated to cover particular geographic regions. However, people presenting at services from outside catchment areas should be assessed for assistance. Referral to the 'correct' geographic service is not acceptable client-focused practice, unless the initial contact is by telephone.

HEF providers are to remain responsive to the needs of people seeking assistance at all times. Clients are treated equitably and with respect regardless of age, gender, ethnicity, language, income status or source of referral.

Where grievances occur, DHS Grievance procedures must apply. HEF providers must also comply with the provisions of the *Information Privacy Act (2000)*, as listed in Section 13, *Privacy*. Refer to Part One of these guidelines, section 1.1, *Governance*.

#### 6.1.5 Eligibility for Housing Establishment Fund (HEF) assistance

In order to ensure that HEF is distributed to those in greatest housing need, it is important that eligibility is assessed equitably.

Eligibility for HEF assistance is assessed against the DHS income and asset eligibility criteria for access to public housing and the Bond Loan Scheme. Eligibility should be assessed whilst considering the level of risk involved for individual clients, eg their capacity to access the required resources to prevent a housing crisis. See below also *Applicants without an income*.

#### Income eligibility

It is likely that most applicants for HEF will be in receipt of a full or partial Centrelink income or low wages. However, HEF may be provided on a discretionary basis to assist applicants who do not meet the income eligibility criteria but are in significant



housing difficulty. Refer to section 6.2.4 below, Discretionary assistance.

### **Proof of income eligibility**

Proof of income in its own right does not indicate eligibility for HEF. The primary identifying criterion for eligibility is that those seeking assistance are either homeless or at risk of becoming homeless and do not have the financial means to address their immediate housing crisis.

Where possible, applicants will provide a Centrelink, Austudy or Veterans' Affairs income statement or bank statement. A current Healthcare Card is also acceptable.

In instances where a person seeking HEF assistance has been removed from a household because they are the perpetrators of family violence, appropriate referral from police is required. In these instances, proof of income is not required, providing the assistance is short term (ie overnight).

### **Applicants without an income**

Some people may be ineligible for Centrelink, or may be suspended from payment, due to a range of circumstances including, but not limited to:

- failing to participate in Centrelink's job search requirements;
- new arrivals to Australia on certain types of temporary or bridging visas;
- New Zealand citizens who arrived in Australia after 26 February 2001;
- sponsored migrants subject to the Centrelink two-year waiting period for income (10 years for people over the age of 65) whose relationship with their sponsor has broken down;
- a young person exiting a Juvenile Justice facility who is still under custodial protection and is ineligible for Centrelink for a period of up to eight weeks;
- a person exiting a correctional facility who does not have access to an income for the first two weeks post release;
- someone experiencing crisis who has been unable to arrange for Centrelink payments due to personal circumstances or a lack of support - such as a person escaping domestic or family violence;
- a person who is homeless or at risk of homelessness but, for a range of reasons including mental health issues, is unwilling/unable to engage with Centrelink in order to claim their entitlement to payments; or
- a person experiencing a personal and/or housing crisis with subsequent need for emergency housing assistance, which may include a person escaping domestic or family violence.

Note: Applicants for HEF without income are eligible for HEF.

Applicants for HEF without an income should sign a statutory declaration to that effect. In cases where applicants are eligible for a Centrelink income but have not accessed it or have been suspended for failing to meet job search participation obligations, support workers should assist applicants to access their entitlements.

Centrelink has made significant changes to the range and timing of one-off crisis payments. Access to these payments may form part of an overall package of financial assistance, including HEF, for individuals and families.

**Asset eligibility** In the majority of cases, people seeking HEF assistance will not have any assets. For those who do, it is important to determine whether they have the capacity to access those assets to contribute to their housing costs.

The household asset eligibility limits for HEF are consistent with the DHS Bond Loan Scheme asset eligibility limits.

For applicants who require disability access modifications when they are able to secure long-term housing, the asset limit is raised to \$60,000. Applicants applying for entitlement to the discretionary asset limit are required to submit documentation from an appropriate professional (eg. Occupational Therapist) outlining the disability modifications they require.

**Assessable assets** Assessable assets include capital value of assets or equity:

- cash holdings;
- mobile homes;
- net fixed assets of a business;
- recreation vehicles eg caravans, boats etc.;
- savings;
- shares in estates and businesses;
- stock market bonds and investments;
- value of any interest or equity in land; and/or
- value of interest/equity in Victorian real estate that can be realised (house, flats and units).

**Non-assessable assets** Assets not included in assessing eligibility are:

- personal belongings;
- furniture;
- a private car;
- assets that cannot be realised, eg superannuation rollover funds, lifetime annuities, and/or
- an interest or equity in real estate in Australia that cannot be used or sold by the applicant to meet housing costs.

Documentation should be recorded to verify applicants' claims that assets cannot be realised, for example, a letter from State Trustees or Workcover confirming details of the assets and why they are not realisable. A Statutory Declaration would also be acceptable.

**Exemptions for real estate ownership** Applicants who own or have interest in real estate are ineligible for HEF assistance unless they cannot make effective use of the property by:

- residing in the property; or
- selling their equity in the property.

Circumstances where owned property cannot be put to effective use are:

- an owner cannot or should not occupy the property for medical or safety reasons and they are unable to sell the property, eg owner is a police witness and at risk if they remain in the property, or the property is unsuitable for a person with mobility difficulties;

- the property is part of a contested property settlement and the applicant cannot occupy it or sell their equity; or
- an applicant is escaping a current family violence situation, has not yet commenced legal proceedings, and is unable to reside in the property or to sell.

Where police have removed an applicant from a family violence situation, the application should provide a copy of an intervention/removal order, where possible.

### **Confirming cash assets**

In cases where it is difficult for applicants to provide proof of assets, HEF providers should use their judgement to offer applicants the minimum required assistance to alleviate their immediate housing crisis.

If possible, applicants should provide one of the following to confirm cash savings available:

- current bank book or bank statement; or
- current bank account print-out which confirms the account belongs to the applicant and confirms the balance of the account; or
- statutory declaration.

### **Accountability requirements**

The *Service Agreement* specifies general reporting, financial and accountability requirements for HEF providers. Allocation of HEF to homelessness services is conditional upon satisfactory compliance with these requirements.

Refer to Part Two of these guidelines, section 2.3, Reporting requirements.

## 6.2 Housing Establishment Fund Products

### 6.2.1 Targeting Housing Establishment Fund (HEF) Assistance

People seeking financial assistance through HEF are often experiencing extreme financial hardship, and may also have outstanding debts. Therefore, it is not appropriate to require people to repay HEF as part of a package of emergency assistance to resolve their homelessness.

### Housing Establishment Fund (HEF) bonds

In the majority of cases, it is expected that HEF will be provided to people seeking assistance as a grant, with the exception of bond loans. The issuing of bond loans will be in keeping with legislated requirements: the provision of HEF for bond must be lodged with the Residential Tenancies Bond Authority with returned bond funds being retained by the issuing HEF provider for reuse in the HEF program.

**Note:** Bond should only be paid for when a client is ineligible for the DHS bond loan scheme.

<http://www.dhs.vic.gov.au/for-individuals/housing-and-accommodation/public-housing/applying-for-housing/income-and-asset-limits-public-housing/bond-loans>

### Voluntary repayment

It is not intended to discourage those individuals who, of their own choosing, wish to repay all or part of their HEF assistance. HEF providers need to be satisfied that voluntary repayment agreements will not place undue financial pressure on clients requesting to repay and will not add to an existing burden of debt.

**Repayments should only be agreed where clients are assessed as having the capacity to repay. There is to be no coercion to repay HEF assistance, or exclusion from initial or subsequent HEF assistance due to inability to enter into or maintain voluntary repayment agreements.**

### Housing Establishment Fund (HEF) products

HEF may be used for full or partial provision of the following:

- private rental in advance;
- private rental arrears;
- rent in advance to long term community managed housing, where the client is exiting homelessness services (Clients must be exiting crisis or transitional housing, and be engaged with the HSS. No more than two weeks rent in advance can be provided);
- private rental bonds;
- appropriate and safe overnight emergency accommodation (accompanied by a meal and transport to the accommodation where no acceptable alternative option is available);
- pre-purchase of accommodation to manage local events and seasonal variances;
- storage costs;
- removal expenses;
- essential furniture where required if there is no alternative resourcing option available. Provision of items such as refrigerators, beds and other health related items may also be required by individuals and families exiting

- homelessness services into long term public rental housing;
- and
- lock changes.

**HEF is not available for:**

- material relief (e.g. food, travel, clothes, personal expenses) other than in the circumstances described above;
- household expenses (e.g. utility costs, property repairs);
- payment of DHS debts (e.g. rent in advance, arrears or outstanding bonds); or
- DHS bond loan top up payments.

### 6.2.2 Other forms of financial assistance

HEF providers should confirm the availability of other funding sources within their localities for the provision of material relief. Clients may also have access to a number of alternative options including:

- No Interest Loans Scheme program that provides loans to low-income clients. Details of this program are available from Good Shepherd Youth and Family Services;
- Commonwealth Emergency Relief Program;
- Community Connections Brokerage funds;
- Funds for emergency relief and material aid from Churches and other charitable organisations;
- Court funds from the Magistrates Court distributed to charitable organisations and other community services;
- philanthropic trusts; or
- Traveller's Aid: provides assistance towards travel costs.

These programs are not necessarily linked and co-ordinated within the homelessness services and access may vary across the State. In some instances, alternative funds may purchase HEF related items where no HEF is available.

### 6.2.3 Housing Establishment Fund (HEF) assistance limits

Individual assistance provided through HEF may be limited per transaction as a means of maximising numbers of clients assisted through the program, whilst ensuring the amounts provided will result in successful outcomes for clients. The average financial assistance provided through HEF per client is approximately \$250.00. This will vary according to client need. The upper limit amounts of HEF assistance per transaction approximate the cost of establishing private tenancies and are based on median rents according to actual size of rented properties – these limits are applied by the DHS bond loan scheme: <http://www.dhs.vic.gov.au/for-individuals/housing-and-accommodation/public-housing/applying-for-housing/income-and-asset-limits-public-housing/bond-loans>

### Payment of Housing Establishment Fund (HEF)

HEF monies are not paid directly to clients. Monies are payable to the entity providing the goods or services, ie: real estate agents, whitegoods companies, locksmiths, etc. Normally, multiple assists may not be necessary, as HEF is a primary tool in ensuring individuals' or families' housing crises are stabilised. The intent of the HEF program is to provide effective one-off assistance resulting in a pathway to long term housing outcomes. However, for high needs clients, multiple assists may be required before sustainable outcomes can be achieved.

It is important to recognise that assisting people who are in

housing crisis is not just about providing them with material aid. HEF providers should ensure that clients are linked to appropriate supports to minimise any requirement for further HEF assistance.

### Re-presenting for Housing Establishment Fund (HEF) assistance

However, clients who do re-present for HEF assistance in a crisis situation and who can demonstrate they are experiencing homelessness or are at risk of becoming homeless must **not** be refused access to any services that may provide them with secure accommodation.

Financial assistance may not always be the most appropriate form of assistance. Successful outcomes may be achievable through referral to other forms of support/assistance to better meet individual needs.

### 6.2.4 Discretionary assistance

HEF providers may use their discretion to provide assistance above the indicative limits. When assessing people for assistance, HEF providers should consider the level of assistance needed to resolve the presenting housing crisis.

HEF providers may use up to 5% or \$500, whichever is the greater, of their HEF allocation for discretionary assistance purposes not specifically listed in these guidelines on the basis that:

- assistance is necessary to secure appropriate rental housing;
- circumstances are documented to adequately support and monitor the use of discretion;
- use is not within the responsibility of material aid services or flexible/brokerage financial assistance packages available for through some programs targeting young people and women and children escaping family violence;
- use is not specifically excluded by the guidelines;
- provision of HEF will alleviate an immediate housing crisis;
- allocation of HEF is appropriate to a client's financial situation and will not cause further financial hardship, for example, for people who do not have an ongoing income and no current capacity to sustain a private rental situation;
- additional assistance above the assistance limit to ensure that clients are no longer in immediate housing crisis; and
- assistance to applicants who do not meet the eligibility criteria eg:
  - clients without an income, who are eligible for Centrelink payments and meet the asset test;
  - family violence victims who are marginally ineligible for Centrelink payments because of wages but meet the asset test;
  - family violence victims who meet the income eligibility criteria, but fail the asset test because of a share in the family home; or
  - persons removed by police from the family home in family violence situations that may otherwise be ineligible due to income and assets.

Where more than 5% of the funds have been expended on discretionary assistance, HEF providers will report to DHS with supporting information associated with discretionary assistance.

## 6.3 Roles and Responsibilities

### 6.3.1 Transitional Housing Management (THM) program providers

THMs distribute HEF through initial Assessment & Planning (IAP), and where providing an 'Opening Doors' entry point service, through the initial IAP process. THM and intake workers providing housing information and referral assistance are housing specialists and have extensive knowledge of and links to local housing sectors within their catchments. This includes sound working relationships with local real estate agents, local government housing, community-based and public housing. They also have a sound knowledge of the *Residential Tenancies Act 1997* (RTA).

HEF is a fundamental tool enabling IAP and intake workers to assist clients who are already in, or are wishing to enter private rental housing, or those who are experiencing housing crisis and require overnight or short-term accommodation. Workers are responsible for initial assessment of housing and support needs and ensuring that other relevant services assisting homeless and at risk clients within their catchments have equitable access to HEF.

Development of cross referral protocols should include strategies to minimise duplication of client information and assessment processes required for access to HEF. [For information on the Opening Doors framework refer to Part three of these guidelines, section 3.3, Initial Assessment & Planning.](#)

### 6.3.2 Homelessness Support Services/Providers (HSSP)

As homelessness support specialists, HSSP workers provide assistance and case management to homeless individuals and families.

As providers of HEF, HSSP workers develop appropriate pathways for individuals and families experiencing housing crisis. They have extensive knowledge of longer term housing options within their localities, and build links with other housing and support providers outside their catchment area.

HSSP that do not receive a HEF allocation should develop appropriate linkages, assessment and referral processes with local HEF providers within their localities.

### Crisis services

HEF enables homelessness assistance workers to assist people who are experiencing immediate housing crisis. Workers are responsible for assessment of client housing and support needs, and for the provision of HEF to purchase short term emergency accommodation or establishment into longer-term housing.

### Women's Domestic Violence Crisis Service of Victoria (WDVCSV)

WDVCSV is the Statewide, 24-hour telephone service that is the central entry point to family violence services in Victoria. This service provides specialist telephone crisis counselling to women experiencing family violence, risk assessment and referral into family violence crisis accommodation, including secure women's refuges.



WDVCSV receives over 26,000 calls per annum from women escaping family violence, but is able to accommodate only some of these callers directly into family violence crisis supported accommodation. As a HEF provider, WDVCSV purchases safe, interim motel accommodation and emergency travel for women and children who are unable or unwilling to access refuge or similar options. WDVCSV can arrange outreach family violence support to women and children who are accommodated in this way. [WDVCSV crisis line for women 1800 015 188](#).

### 6.3.3 Opening Doors access points

Where homelessness services 'Opening Doors' entry points are in place, HEF may be pooled for the division or area through local area networks. Many clients may be assisted with HEF as a preventative measure and to purchase crisis and temporary accommodation when not available through crisis accommodation services. [Refer to Part Three of these guidelines for further information on access points](#).

### 6.3.4 Risk assessment- emergency accommodation

Homelessness services must exercise caution when referring clients to emergency accommodation operated by private providers such as hotels, supported residential services or caravan parks.

People who are vulnerable with high and complex needs are assisted by HEF to access accommodation that is safe and secure, with follow-up by referral workers to ensure prompt access into transitional and other forms of secure, appropriate housing linked to support.

The final decision on whether to stay in a particular form of emergency accommodation, when crisis or transitional beds are not available, is discussed between individual clients and their support workers, and is a decision ultimately made by the clients themselves.

However, clients choosing, irrespective of their own safety, to stay in accommodation known to be of considerable risk to vulnerable people, must be advised of this risk and that making such a choice is not advisable under any circumstances.

The following section provides guidelines for use when referring clients to private accommodation providers. These guidelines are derived from standards developed as part of a funded project undertaken by the Council to Homeless Persons in consultation with homelessness services.

## 6.4 Private Accommodation Referral Guidelines

### 6.4.1 Documentation to support good practice

People seeking emergency or crisis accommodation when there are no available program vacancies, are effectively referred to the most appropriate private accommodation provider to meet their short term needs.

People need to receive appropriate services, particularly when they are in housing crisis. Homelessness assistance services can contribute to successful client outcomes using HEF by ensuring referrals are timely and appropriate. [The following guidelines are intended to assist HEF provider services in how to achieve this.](#)

### RTA Rooming House Standards regulations (Rooming House Additional Minimum Standards) 2012

The Rooming House Additional Minimum Standards come into effect on 31 March 2013. A range of legislative reforms were introduced in the *Residential Tenancies (Amendment) Act 2010*. These reforms came into effect on 1 September 2011. The reforms have been complemented by the Rooming House Compliance Monitoring Program led by Consumer Affairs Victoria (CAV) with local government assistance.

Under the regulations, all rooming house owners are required to ensure that their properties meet the Rooming House Additional Minimum Standards, alongside other legislated obligations.

CAV will be responsible for enforcing the new standards, including inspecting properties to assess compliance, and taking action to address non-compliance. There is a risk that some Rooming Houses will not meet the standards and may be forced to close down.

<http://www.consumer.vic.gov.au/housing-and-accommodation/renting/standards-repairs-and-entry-rights/minimum-standards-in-rooming-houses>

### Private Rooming House Closure Protocol

To manage this risk, a rooming house closure protocol is in place to assist homelessness services and local government to work together to support and protect vulnerable residents affected by closures.

HEF may be used as part of an overall response for people affected by rooming house closures.

<http://www.dhs.vic.gov.au/for-service-providers/housing-and-homelessness/homelessness/rooming-houses/rooming-house-reform>

### Public Rooming House Register

All rooming houses, including both privately owned and operated and rooming houses owned by the Director of Housing are required to be registered with local government authorities.

CAV has established a public register of rooming houses. Refer to the CAV website for further information.

If services become aware rooming houses that are not registered they are urged to report this to the local government authority.

<http://www.consumer.vic.gov.au/housing-and-accommodation/renting/types-of-rental-agreements/public-register-of-rooming-houses>

### **Local private accommodation providers**

Homelessness services should be familiar with private accommodation providers in and around their catchment areas, and take note of the features of accommodation available detailing against each provider information such as:

- Registration status
- premises/room information;
- adequacy of overall amenity, level of amenity in individual rooms available for rent and in common areas;
- client groups accepted and suitability;
- owner/manager contact details;
- room rates and payment requirements;
- house rules and exclusions;
- public transport access;
- shared facilities available;
- management practices relating to house rules / client rights in the context of the Residential Tenancies Act 1997 (RTA) rooming house or residential tenancies provisions and
- management acceptance of external support services.

### **Written agreements with providers**

Where appropriate, homelessness services will develop written protocols with private accommodation providers to be used when referring clients. It is always in the best interests of clients to provide them with accommodation that is underpinned by written agreements that actively comply with the legislative requirements of the RTA.

Such agreements/protocols must be consistent with privacy legislation and should include:

- contact protocols including after hours responses where available;
- details of any support provided and periods of support;
- confidentiality;
- costs and payment periods;
- services and facilities available to clients;
- dispute resolution processes; and
- RTA rights and responsibilities of landlords and tenants.

Where a formal protocol is not appropriate, an informal protocol should be established verbally and notes kept at the referring agency for use by all workers involved in referring clients to the particular premises.

## **6.4.2 Processes that can support good practice**

Homelessness services should have internal processes for sharing information amongst workers about provider, whether the property is registered, management practices, including any potential risks to client safety and security.

### **Client feedback & information sharing**

Services may receive feedback from clients about management practices and any risks to safety and security at the premises. As a matter of course, clients may be asked about their experience of staying in private accommodation and any issues they had observed about particular premises. If clients report

that particular premises pose risks to their personal health, safety and security, homelessness services must assist with alternative options as they become available and report the premises to the local government authority.

If complaints involve alleged crime or illegal activities by owners/managers, services are advised to report these to the appropriate authorities.

Some private accommodation options are less than ideal for individual clients, even for use in emergency situations. However, these may be the only options available at times to ensure clients do not sleep rough or remain in other inappropriate situations.

### Clear and accurate information–potential known risks

The assessment process will identify any client vulnerabilities and these must be taken into account when assessing the appropriateness of some forms of private accommodation individual client.

Homelessness services must ensure clients are given clear and accurate information about their private accommodation options, including any potential risks, so they can make informed decisions on whether or not to accept an offer. A choice by clients to refuse accommodation referrals based on information provided by service workers should not preclude them from further assistance.

### Follow up support

In recognition that clients experiencing an immediate housing crisis are likely to have other significant support needs, all clients assisted into short term private accommodation must be offered appropriate referrals and follow up support. This may involve:

- maintaining contact with the services that provided HEF assistance;
- referral to appropriate support providers, or developing support plans for the duration of their accommodation; and
- developing long term housing plans, including information about other accommodation options available.

Services should actively encourage clients to continue to engage with housing and support services as a means of addressing their ongoing homelessness and related support needs. Ultimately it is the clients' decision to accept further support.

### 6.4.3 Measuring outcomes to support good practice

Homelessness services are urged to use the public register of rooming housings to ensure the premises they are referring clients to are registered.

In order to assess the effectiveness of HEF as a crisis intervention, homelessness services should have a process of recording and reporting on the housing outcomes of clients accessing private accommodation as an emergency option.

### Monitoring housing outcomes

This information can also be used to identify whether clients placed in certain types of accommodation eg, private rooming houses, are more or less likely to have had a successful housing outcome than those placed in other forms of private rental. [This information can be used to inform DHS about the relative](#)

effectiveness of different forms of crisis accommodation.

**Monitoring private  
emergency  
accommodation**

The rate of private accommodation closures is reported to be increasing and will have major impacts on homelessness services with increased demand for supported crisis accommodation. Homelessness services need to maintain regular contact with DHS divisions and local government authorities about such closures (or proposed closures) to assist with future planning processes. Where services receive early information about potential closures, it will also assist DHS divisions and Local Area Service Networks and local councils to collaboratively develop alternative responses.