

Mr Shaun Kelly
Senior Manager
Policy and Participation
Housing and Community Services

Dear Mr Kelly,

Housing ACT Review of Operational Guidelines

Thank you for this opportunity to provide input into ACT Housing's review of Operational Guidelines. As community sector peak bodies ACTCOSS, ACT Shelter and the Youth Coalition of the ACT represent social housing consumers (tenants and applicants), and community sector organisations providing a range of services to low-income housing consumers. Therefore we take a keen interest in the content and accessibility of Housing ACT's Operational Guidelines.

The Operational Guidelines play an important role in providing guidance to Housing ACT and Housing ACT officers on complex areas of the Housing Assistance Public Rental Housing Assistance Program (PRHAP). We welcome Housing ACT's regular review of the Guidelines and are pleased to provide the following input to the current review.

1. Content

- 1.1 Our organisations would strongly object to any changes to the Operational Guidelines that further restrict eligibility for public and community housing. This includes: any further restrictions to eligibility criteria; any further narrowing of the eligibility criteria for "Early Allocation" of housing (High Needs and Priority housing); and any changes to the Guidelines that limit the security of tenure for any tenant groups. This includes market renters in social housing, and tenants with outstanding debts or experiences of tenancy breakdown in previous or current tenancies.
- 1.2 This position is based on our shared understanding that public housing is the foundation of an affordable housing system in the ACT, and must be funded and supported to grow commensurate with demand. Increasingly restrictive targeting of social housing has meant that many people who require the affordable, secure and safe housing that social housing offers cannot access it. This compounds housing insecurity, housing poverty and homelessness risk, with negative consequences for individuals, households and the community. Security of tenure is essential to health, wellbeing, work force participation and community involvement. Time-limited or income-limited tenancies do not afford this security, which is recognised as an integral aspect of the human right to housingⁱ. Security of tenure for market renters contributes to the financial viability of public and community housing; and assists in allaying the stigma that can, regrettably, be attached to public housing in particular. The existing provisions of the Residential Tenancies Act (reflected in the current Operational Guidelines) are a sufficient legal framework in which to manage tenancy matters related to "anti-social behaviour", debt accrued in previous social housing tenancies and abandonment of or damage to property in previous housing tenancies.

- 3.1 We support the retention, in the Operational Guidelines, of the existing provisions for the Commissioner for Social Housing or the Commissioner's proxy to exercise discretion, for example in the waiving of eligibility criteria under defined circumstances.
- 3.2 There are a range of complex areas of the Public Rental Housing Assistance Program that are not directly addressed in the Guidelines. We would single out the redevelopment of tenanted public housing stock as one area where additional Operational Guidelines – or an alternative policy and processes – may be necessary. We recommend that ACT Housing in cooperation with community sector organisations and peak bodies, consider developing guidelines for managing the redevelopment of tenanted stock, including tenanted multi-unit complexes. This may assist in encouraging the replication of good experiences of tenanted redevelopments (such as at Melba Flats) and reducing negative tenant experiences of redevelopments. Such guidelines should, crucially, incorporate processes and policies to meaningfully and respectfully engage tenants in the redevelopment process.

2. Accessibility

- 2.1 It is our understanding that the Guidelines are primarily intended to provide guidance to Housing ACT officers, rather than to communicate information about Housing ACT processes and policies to applicants, tenants or community services. It is our understanding that the Operational Guideline document itself is not well-known or widely referred to in the community services sector. This may result from agencies' perception that the Guidelines do not provide information additional to their 'day-to-day' understanding of Housing ACT's processes and policies; and that the Guidelines are rather abstracted from the process of assisting applicants for housing. Furthermore, the Guidelines are not 'user-friendly': the writing is complex and can be difficult to understand; and the way the document is laid out (and the titles of each section) are not intuitive. As the Guidelines provide important information for Housing Officers, tenants, and community services, they should be accessible to all parties and not require expertise in the area of housing policy or delivery of housing services.
- 2.2 Should the Guidelines be intended for wider use beyond that of the Housing Officers, this needs to be clearly communicated to other parties. Consultation with the community sector has shown that community services often use the Fact Sheets published by Housing ACT, but are not aware of the Operational Guidelines. This suggests that services value the 'plain English' language of the Fact Sheets. It is important that Fact Sheets always reflect the current Operational Guidelines. It may be useful for Housing ACT, in cooperation with community sector peaks, to develop additional Fact Sheets reflecting other areas of the Guidelines.
- 2.3 We welcome efforts by Housing ACT to improve communication with applicants and community services generally, and in this area specifically. In particular we would be pleased to discuss ways in which we might, as peak bodies, assist Housing ACT in this area; for example by sharing through our networks news about changes to the Operational Guidelines (such as, for example, those made to the guidelines for Re-assessment of Eligibility and Needs Category in May 2012, which do not appear to be well known in the community sector).

2.4 There may be value in publishing and sharing clear information about the processes used for updating any of the Operational Guidelines, including processes for sector and tenant consultation in this process. There should be clear processes for informing the community sector of any changes to the Guidelines, for example by sharing this information via the relevant peak bodies, issuing a revised Fact Sheet, or inviting relevant service providers to attend Housing ACT's training for staff on changes to the Operational Guidelines.

We look forward to continuing to work in partnership with Housing ACT through the review process and on any matters arising from the review. Please do not hesitate to contact us to discuss any aspect of the review process in more detail. Please contact Leigh Watson or Sarah Spiller at ACT Shelter (02 6247 3727 or contact@actshelter.net.au) as the first points of contact for any queries.

ACT Council of Social Service

ACT Shelter

Youth Coalition of the ACT

ⁱ United Nations Committee on Economic, Social and Cultural Rights. 1991. *General Comment 4, the Right to Adequate Housing*.