



Uniting Vic.Tas

ABN 81 098 317 125

Level 4, 130 Lonsdale Street

Melbourne VIC 3000

unitingvictas.org.au

T 03 9192 8100

E hello@vt.uniting.org

23 September 2021

Professor David Hayward
Chair
Social Housing Regulation Review Panel
via email: info@shrr.vic.gov.au

Dear Professor Hayward,

Uniting Vic.Tas submission to Social Housing Regulation Review Consultation Papers 2 and 3

Uniting Vic.Tas (Uniting) welcomes the opportunity to comment on Consultation Papers 2 and 3 for the Social Housing Regulation Review conducted by the Independent Panel of The Social Housing Regulation Review.

Uniting is the community services organisation of the Uniting Church in Victoria and Tasmania. We have worked alongside local communities in both states since 1881. We work across the full spectrum of community services, intervening early to help people avoid crisis, as well as supporting those who live life at the margins.

Uniting operates thirteen dedicated homelessness programs across Victoria in both rural and metropolitan areas. We are the intake and assessment point for government-funded homelessness services in South East Melbourne, Sale, Horsham, Stawell and Ballarat. Additionally, we operate multiple services that interact with people experiencing or at risk of homelessness including social, affordable and retirement housing, emergency relief, mental health, family violence and alcohol and other drug programs.

In partnership with Uniting Housing Victoria (UHV), a registered Community Housing Provider, we currently manage a portfolio of over 800 tenancies in Victoria. Uniting is committed to making housing a priority for Victoria and we have pledged \$20 million to help build 500 new affordable housing projects across Victoria over the next five years.

We commend the Victorian Government for its \$5.3 billion commitment to social housing – an initiative which will undoubtedly make a real difference to the lives of people in need across our state. While this funding is a welcome start, Victoria still lags well behind the national average on recurrent funding for social housing and must address this issue urgently.

We also commend the State Government's effort to undertake this review into the social housing regulation system in the state through an independent panel.

Overall, Uniting supports the issues raised in Consultation Papers 2 and 3 as relevant and important considerations to inform social housing regulation reform in Victoria. We have been involved in the development and support the submission made by the national peak body for housing providers, Community Housing Industry Association (CHIA). Uniting's submission provides some additional factors informed by Uniting's practice experience and consumer feedback for the panel's consideration.

Uniting believes that affordable, safe and secure housing is an essential human right that underpins a person's capacity to live a dignified, healthy and meaningful life within their community. As an organisation that provides social and affordable housing and works with people experiencing, or at risk of, homelessness to access a range of crisis, transitional and long-term accommodation, Uniting is in the position to provide comprehensive and holistic insights into both the service provision and lived-experience perspective of our social housing system.

Key considerations for Consultation Paper 2

Principles for an effective social housing regulation (2.3)

Uniting supports the principles and objectives raised in the issue paper as importance considerations to deliver outcomes best suited to the interests and needs of tenants.

Alongside these principles, Uniting recommends that the panel explore the possibility of including a clear statement of rights for tenants in the social housing system. This statement could be developed similar to the Quality and Safeguarding Framework under the National Disability Insurance Scheme (NDIS).

Across our services we see a wide range of housing needs and people at all stages of risk of being homelessness, including experience of rental stress and housing-related poverty (inability to cover utility costs and other basic needs), both within and external to social housing system. We believe that people who are eligible for social housing renting in the private or non-social rental market should be afforded the same protections and benefits as those renting from a social housing provider. This could be in the form of a code of conduct for providers currently covered under the *Residential Tenancies Act 1997*.

Improving focus on the tenant experience and voice (4.11)

Uniting strongly committed to partnering with consumers. Our staff and consumers work together as equals to improve service planning, design, delivery, monitoring and evaluation. Uniting believes that it is everyone's human right to have a meaningful say in the services that impact on them.

We have created platforms and processes for people who have accessed Uniting services in the past to become consultants - who can then share their expertise, lived experience, and advocate for other consumers. Consumer consultants play a range of roles, including leading working groups, supporting interview panels, co-facilitating training, and providing advice on policy and communications documents.

Uniting is ready to work with the panel to bring our consumers' voice into planning and decision-making.

Housing allocations (4.1.2)

The crisis approach and lack of options within the current Victorian Housing Register (VHR) leads to an overt focus on people needing priority access, leaving people on the Register of Interest waiting for years for social housing unless their needs escalate making them an acute case. Waiting for people's issues to escalate increases the level of interventions they need and consequently, the systemic and financial weight required to support them.

In addition, the financial and resource pressures of operations force community housing providers (CHP) to face the conflict of choosing either those presenting with the greatest need or the most appropriate allocation. Concentration on immediate need and overlooking the Register of Interest also narrows the potential for CHPs to create diversity in housing communities through mixed allocation strategies.

Adequate financial support for CHPs and flexibility with the VHR will create a wider space for CHPs to establish social housing communities that are efficient, sustainable and thriving.

Culturally safe and appropriate housing (4.1.3)

Uniting strongly advocates for a greater and clearer focus on standards to ensure culturally safe and appropriate housing. This could be covered under principles in 2.3 to ensure that all CHPs across the state adhere to the same standards, giving consumers choice and control to choose their housing, while ensuring appropriate safeguards.

Availability of data (4.1.5)

The VHR along with the Department of Family, Fairness and Housing (DFFH) collects extensive data from the people applying for social housing in the state as well as information on housing providers. Uniting practitioners note that this data collection could be further improved to enhance transparency about existing public and community housing supply and locations. Access to this information will allow CHPs to target new social and affordable housing and services in areas where there are gaps or greatest need.

Uniting practitioners also note the importance of better system integration between VHR and CHPs. This will limit data duplication, enable secure data transfers and ultimately enhance efficiency across housing allocation processes and wrap-around service needs.

A common set of standards for community and public housing providers (4.2.1)

Uniting supports common standards and a single system of regulation, including regulator across both public and community housing. Such a system will enhance transparency, choice and confidence for consumers.

Uniting also believes that there is space for greater collaboration between public and community housing providers to better address local needs, find best housing solutions across existing portfolios and plan growth - to create a more responsive social housing system.

A set of standards covering providers of housing to vulnerable tenants (4.2.2)

The demand for social housing in Victoria far exceeds the supply, leading many people eligible for social housing and housing assistance unable to access these. These people maybe privately renting or living in housing situations that are outside the scope of social housing regulations. Within Uniting's service portfolio, we provide affordable and specialist housing support for people seeking asylum.

Given that some of these people may wait years for a social housing or may never apply due to the long waitlists, Uniting supports the case for clear codes of conduct or practice standards for all providers of housing, within and outside the regulated social housing system, when dealing with vulnerable tenants.

An improved system for dispute resolution (4.3)

Uniting practitioners note that the current regulatory and dispute resolution systems are complex and fragmented, making it extremely difficult for consumers to navigate, particularly for those who experience vulnerability and disadvantage. In addition, the processes to take disputes to VCAT are slow and resource intensive.

Uniting supports greater clarity and communication of agency roles in housing disputes and establishing a singular body, such as the housing ombudsman suggested in the discussion paper, that would provide systemic oversight across all forms of housing for vulnerable people.

An integrated system of support (4.4)

Integrated support in housing is a combination of early intervention for people at risk of homelessness and providing wrap-around support services for people experiencing long-term and complex homelessness to find and maintain tenancies.

Early intervention programs such as Tenancy Plus and the Private Rental Assistance Program in Victoria, are consistently underfunded and over-subscribed with long waiting lists, even under acute need. In Ballarat for instance, Uniting is funded for 250 support places but delivers nearly 600 a year. This is possible because of dedicated practitioners who work beyond their paid hours and by stretching funding to support more people. This is unsustainable, compromises the quality of services and takes a toll on practitioners. This is only going to get worse as the number of available housing and rental units across the state decreases, while the cost of those few available goes up.

For people who face homelessness, housing and wrap-around support need to go together. When the underlying issues are not adequately addressed, people often find it hard to maintain their tenancies, and ultimately cycle back into homelessness.

Uniting supports the "Housing First" model as the preferred and most successful approach to provide vulnerable people with safe, ongoing housing coupled with wrap-around services to address the risk factors underlying vulnerability and disadvantage. While costly, it is ideal for people who have experienced long-term homelessness, mental health or significant trauma. However, it is difficult to achieve in the current social housing system that is more program-driven, instead of being people / outcome-focused.

Key considerations for Consultation Paper 3

The interaction of contract and regulation (2.3.1)

The compliance and regulatory obligations under various contractual, policy and legislative instruments create overlaps and unnecessary burdens for CHPs. More importantly, it diverts resources from service provision to vulnerable consumers, and the organisation's capacity to innovate and scale programs.

This includes the administrative burden (and therefore cost) on providers from overlaps between the regulatory system and DFFH contracts and regulatory processes for providing other human services (e.g., homelessness services).

Uniting practitioners also note that the requirement for accreditation with Services Standards under the operating grants contracted by Homes Victoria is a double-up on registered housing agencies compliance with the Regulatory Framework's Performance Standards. Similarly, for capital grants, the requirement for a Director of Housing registered interest overlaps with the Regulatory Framework requirements for a constitutional wind-up clause protecting any assets of the housing provider to remain within the community housing sector.

Current system issues (4)

Under the *Housing Act 1983*, the criteria for registration of a housing agency requires the agency to have a wind-up clause that would allocate surplus assets to another registered organisation.

This clause creates a financial risk for large faith-based and multi-service organisations, forcing these organisations to establish and maintain a separate housing entity to protect non community housing assets from wind-up obligations. As separate housing providers, organisations need to establish their own and separate board, administration and risk management structures - all in turn to sub-contract back to the original organisation to deliver integrated and wrap-around support services.

In addition, the Victorian system restricts registered housing providers from registering in other jurisdictions, including the National Regulatory System for Community Housing, without establishing another provider organisation. This means, as an organisation operating across both Victoria and Tasmania, Uniting has to absorb significant administrative and financial burden in maintaining two housing entities to operate in the two jurisdictions. There is a need for a contemporary approach to regulation which, if not part of the national system, harmonises with the national system and acknowledges the current and future landscape of providers and their business. This includes provision of housing and other community services that may not be funded/controlled by the government.

Thank you for the opportunity to provide a submission to this review. We will be pleased to provide further input on any of the areas covered in this submission. We welcome an opportunity to meet with the panel and look forward to contributing through the process of the review.

Yours sincerely



Bronwyn Pike

Chief Executive Officer