

Victorian Social Housing Regulation Review

(SEPTEMBER 2021)



AASW

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Australian Association
of Social Workers

About the Australian Association of Social Workers

The Australian Association of Social Workers (AASW) is the national professional body representing more than 15,000 social workers throughout Australia. The AASW works to promote the profession of social work including setting the benchmark for professional education and practice in social work, while also advocating on matters of human rights to advance social justice.

Acknowledgements

This submission has been developed in consultation with our members who are working across Victoria in various social work areas of practice and, by consultation with our National Advisory Panels which are made up of experts in their field of practice.

For further information or questions relating to this submission, please contact:

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Executive Summary

Issues of housing and homelessness are present across all areas of social work practice, therefore the AASW welcomes the opportunity to contribute to the Social Housing Regulation Review consultation papers. Social workers know the importance of timely access to social housing, particularly when a person is experiencing homelessness for the first time, and particularly in an increasingly unaffordable private rental market. We also know of the importance of wraparound services in stabilising new social housing tenancies and preventing tenancy breakdown. Housing is internationally recognised as a key determinant of health and life outcomes. As the provision of social housing has not kept pace with need in Victoria, the wellbeing of many individuals and families-both currently awaiting social housing, as well as those households eligible for housing but not applying is being compromised. The AASW broadly supports the principles outlined in the Social Housing Regulation Review consultation papers. By addressing the main consultation questions, our overall recommendation is that Housing First principles are embedded throughout any social housing regulation to properly ensure tenants' rights and self-determination.

Recommendations

The AASW recommends:

- That the Social Housing Regulation Review address barriers for eligible people in applying for social housing
- That the ability for community housing providers to select tenants from the Victorian Housing Register is removed and that the principles upon which public housing offers are made are incorporated across all social housing providers
- That a requirement for wrap-around services, such as those in the Housing First model, are provided when an offer of social housing is made to reduce the risk of tenancy breakdown
- That the Social Housing Regulation Review introduced legislated requirements that compel social housing providers to adhere to housing first principles

Context for this submission

Many AASW members working across Victoria are involved in the delivery or planning of housing support and homelessness services in a range of fields of practice. Social workers bear direct witness to the devastating impacts of homelessness on people's lives and their multitude of vulnerabilities.

They work within Specialist Homeless Services (SHS), crisis accommodation, housing information and referral, Assistance with Care and Housing (ACH), foyers and youth refuges and women's refuges. In addition, members who work in other areas of practice frequently encounter the negative consequences of housing insecurity or homelessness for the people they work with, including, for example, discharge planning from hospital or rehabilitation services. Social workers in acute health and corrections settings who are involved in discharge planning regularly report that many of their clients remain in those institutions for longer periods than required or are discharged into absolute homelessness due to the unavailability of affordable housing.

A lack of affordable housing can exacerbate other situations people experience. This includes women and children who are unable to leave situations of family violence, parents who face extensive delays when seeking to be reunified with their children, and people unable to leave temporary accommodation services due to the lack of permanent accommodation.

The International Covenant on Economic, Social, and Cultural Rights (ICESC) and the Universal Declaration of Human Rights identifies housing as a human right. In addition, the Charter of Human Rights and Responsibilities Act 2006 (VIC) affirms such international human rights standards in Victoria. This is the ultimate aim of any response to reducing housing stress, preventing loss of a secure home and linking those who have no home to sustainable and supported housing.

The Australian Association of Social Workers (AASW) welcomes the opportunity to contribute to the consultation paper Social Housing Regulation Review.

Our submission

Our submission will address the main consultation questions.

Are there any areas that the Review Panel have not covered in their discussion paper that you would like to see addressed?

In the Discussion Paper 2, introduction it is claimed:

“that many people benefit from living in social housing, but there are many others who are eligible for social housing but must rent privately, in unsuitable accommodation or in rental stress – and have less stability than people in social housing. Others are unable to access long-term accommodation at all and are homeless.”

In big part this is due to decreased policy and funding settings over the past 20 plus years when Victoria has funded per capita half the amount of social housing than other states.¹ This has led to Victoria having about half the stock of social housing when compared to the OECD average as well as dropping to below the national average.

1. Households not applying when eligible

Social workers also have difficulty in encouraging their clients to apply for social housing despite knowing the significant benefits and improved outcomes for those who live in public or community housing. In addition, research indicates many households are eligible to apply for social housing but have been found not to apply for a range of reasons, including²:

- Being unaware that they could be eligible - much wider advertising, broader avenues for assistance in navigating the system, and less stigmatised communication would be beneficial for stressed households to ensure they know they are eligible to apply;
- Many people see social housing as so negative or stigmatised that they advised they would only apply as a last resort and in when desperate need of housing. Social workers have found this has commonly led to households presenting in a point of crisis and desperation when it would have been better for them to have applied before their situation reached such a critical point, given the lengthy waiting periods even for priority housing;
- Being informed of lengthy waiting periods and deciding to not apply.
- Clients have also told social workers in various community and health settings that they had found the whole process of considering applying for social housing to be overwhelming as well as the lack of perceived choice, and some being discouraged to apply by Department of Housing employees when they made contact about how to apply

2. Impact of trauma on accessibility requirements.

Additionally, a significant barrier to accessing social housing is the inaccessibility of the application and engagement requirements. These requirements are lacking in the required sensitivity and understanding of the significant impact that trauma has on people's capacity to engage with such complex processes. The inaccessibility of these requirements leaves those most vulnerable at higher risk of experiencing homelessness and the significant risk of physical and mental harm that comes with this.

What are the key problems with service delivery by housing providers and how do these impact tenant experiences?

¹ <https://www.theguardian.com/australia-news/2019/jan/22/victoria-spends-less-than-half-what-nsw-does-on-social-housing-report-shows>.

²

https://www.ahuri.edu.au/_data/assets/pdf_file/0015/3048/AHURI_RAP_Issue_62_Which_households_eligible_for_public_housing_do_not_apply_and_why.pdf, p.1

1. Overall lack of social housing in Victoria

One of the key issues with service delivery within the Victorian social and community housing system is the unaffordable rental market, a lack of available social and community housing options and the lack of a trauma informed and Housing First framework for practice. Across Australia more than 400,000 households are eligible for, but cannot access, social housing and there are over 150,000 applications on waiting lists.³ Depending on their location, non-priority applicants can wait between ten to twenty years for a social housing property, making the system of no practical use to these people.⁴ Many people eligible for social housing properties have chosen not to apply and increasing rent in the private market has increased financial burden and subsequently increased more acute housing insecurity and vulnerability to poverty. Some parts of Australia have become particularly expensive to live in, which affects all people on low incomes, not just those eligible for social housing. Discussions on social housing are often dominated by questions of supply and affordability. Insecure tenancies and a shortfall of affordable rental housing in the private market have increased pressure on social housing and increased rates of homelessness.⁵

2. Impacts of ongoing homelessness

In this context, what may start as manageable and addressable housing insecurity (given timely access to adequate housing) can deteriorate into more acute experiences of homelessness and significantly increase people's vulnerability to physical and psychological harm, particularly through experiences of street homelessness. In situations where people's experiences are already complex, the lack of timely and accessible housing can lead to creating entrenched experiences of homelessness, the longer of which goes on, the harder it is to address. The lack of options available and extensive waitlists also removes the incentive for providers to work to improve tenant outcomes, such as through improving the quality of properties or through trauma informed engagement with prospective tenants and existing tenants. Additionally, current approaches to managing social housing provide people with little choice over where they live, removing autonomy and requiring people to choose between safe and secure housing and connection to their community and support networks. Therefore, the lack of available stock and lack of incentive to provide a more supportive and flexible housing response not only fails to address homelessness it can reinforce and intensify people's experience of homelessness.

3. Challenges with the Victorian Housing Register

Additionally, AASW members have told us that prior to the introduction of the Victorian Housing Register (VHR) the property allocation system of public housing worked best for their clients. Public housing offers were made on the basis of need, location, accessibility requirements, and effective

³ <https://www.pc.gov.au/inquiries/completed/human-services/reforms/report/02-human-services-reforms-housing.pdf>, p.1

⁴ ibid

⁵ <https://www.infrastructurevictoria.com.au/wp-content/uploads/2019/04/Affordable-Development-Outcomes-Improving-access-to-affordable-housing-for-vulnerable-Victorians.pdf>, p.6

date of application. This meant that people were more likely to be allocated a property that better met their needs. This is in contrast to members' experiences with community housing providers where social worker's clients are denied housing as they are on Jobseeker or Youth Allowance, are not deemed to be good enough tenants, or offered housing far from their preferred area and told if they do not accept that their application will be removed from the waiting list. One social worker told us the following case study of the difficulty of securing a community housing property for an Aboriginal woman and her daughter:

"I was working with an Aboriginal woman and her teenage daughter who were couch surfing when they came to our service for help with securing housing. Together we did applications for both public and community housing. Shortly after submitting the applications I became aware of a new community housing development that was currently taking in new tenants, the property was near the daughter's school and seemed perfect for the family. We applied and were given the opportunity to interview for one of the apartments. During this time I had also put forward a couple of my other clients for these properties and I attended the interviews with all who had applied. The difference of experience of the interviews was stark; the older white women I attended with were asked basic questions pertaining to their eligibility for community housing and were offered apartments within hours of completing the interview. The Aboriginal woman and her daughter however were asked questions about their ability to keep a property clean, whether they would have family or friends over, and were asked for further documentation, including proof that the daughter was in attendance at school. The process was arduous and only resolved by threatening to make a complaint to the Victorian Human Rights Commission. The woman and her daughter were eventually offered a property but their trust in their housing provider was non-existent, their homelessness however meant they had no choice but to take the apartment. This never happened with public housing offers and from that point I was reticent to refer clients who did not fit the model of the ideal tenant to community housing providers."

AASW Member.

The VHR was introduced to overcome the ability of community housing providers to choose tenants and to streamline the application process, however in practice this has not been the case for many applicants, to the detriment of vulnerable and significantly at-risk people.

4. Housing First Principles

Additionally, for those in social housing, the role of tenancy support services should not be overlooked. They can help to stabilise tenancies and assist people who find it difficult to find and maintain a tenancy in the private market. These services are particularly important for those at risk of homelessness.

There is also a lack of access to ongoing wrap around support to help people keep their housing once they finally do achieve an allocation of housing. The level of support that is recurring, offers a

continuity of care and that can address emerging issues throughout tenancies that are needed should be underpinned by Housing First principles⁶

- *Housing First is an international model for housing and supporting people who have experienced long term and reoccurring homelessness and who face a range of complex challenges. It supports strategies to end homelessness and is a methodology for effectively assisting some of the most vulnerable people in our community.*

The principles of Housing First are as follows:

- People have a right to a home
- Housing and support are separated
- Flexible support for as long as it is needed
- Choice and self- determination
- Active engagement without coercion
- Social and community inclusion
- Recovery oriented practice
- Harm reduction approach

A 'Housing First' approach places people experiencing homelessness directly into permanent and safe housing with 'wrap around' support services to address complex needs, including mental health and alcohol and drug support. Although the Royal Commission into Victoria's Mental Health System recommends boosting overall social services, social workers report that people leave one level of health care back into homelessness. For example, people with complex mental health conditions might fall back to homelessness after being discharged from an acute mental health setting. The interconnectedness between all segments of social services should be strengthened to ensure that vulnerable people never fall back into homelessness. Therefore, we support the regulation's proposal which creates stronger connection between housing and homelessness services with services that meet other needs, such as family violence, mental health, and drug and alcohol, to support people holistically and reduce the risk of a housing relapse. We further recommend that early intervention programs be introduced more widely to prevent homelessness and help break the cycle of homelessness and housing insecurity.

How could housing providers be encouraged to give greater attention to their tenants' preferences and experience of social housing?

The AASW supports the principles outlined in the discussion paper on improving tenants' experience of social housing and supports the principle that these regulations be rolled out to cover eligible social housing tenants who reside in the private market. Many low-moderate income

⁶ <https://www.ruah.org.au/wp-content/uploads/2020/08/Housing-First-Principles-web.pdf>, p. 1-3

Victorians are in housing stress, paying more than 30% of their incomes on housing costs. According to the Department of Family, Fairness and Housing, only 11.4 % of new rentals in December 2020 were affordable, the lowest rate since this series first began in 2000.⁷ In Metropolitan Melbourne, the proportion of affordable new lettings decreased to 7.0 per cent in the December quarter 2020, compared with 7.9 per cent in the September quarter 2020.⁸ Housing unaffordability increases homelessness, with people unable to meet rental payments in the private market and once homeless, unable to acquire housing due to inadequate supply.

Social work values are closely aligned with Housing First principles as these provide a strong, evidenced based framework of strengthening and supporting tenancies and peoples' lives which have been comprehensively outlined in this paper. The AASW recommends that the Social Housing Regulation Review introduced legislated requirements that compel social housing providers to adhere to housing first principles. Furthermore, we recommend that there is sector-wide training in housing first principles, such as the training currently being delivered by Council to Homeless Persons to ensure continuity across the social housing sector.

Conclusion

The AASW broadly welcomes the Victorian Government's commitment to streamlining community and public housing processes. We also broadly support the principles outlined in the consultation papers for the Social Housing Regulation Review which aim to increase the rights of tenants within a system that generally has less flexibility than private housing markets. As a part of this review we recommend the inclusion of Housing First principles as a way to significantly increase the rights and self-determination of social housing tenants, a cohort who already experiences significant disadvantage in the housing market. The AASW welcomes the opportunity to discuss any points raised in this submission.

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<http://www.dhhs.vic.gov.au/sites/default/files/documents/202103/DFFH%20Rental%20Report%20December%20quarter%202020.docx>, p. 18

⁸ <https://www.dhhs.vic.gov.au/rental-report-september-quarter-2020>, p. 19



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