

Submission from the South Australian Government
through the Minister for Housing

**To the Standing Committee on
Family, Community Housing and Youth Inquiry into Homelessness Legislation**
September 2009

Introductory Comments

In South Australia, the reduction of homelessness is a key government objective that has been reinforced through the establishment of a target in South Australia's Strategic Plan to halve the number of rough sleepers by 2010.

This target has been supported by State-wide planning and coordination activity undertaken by the Department for Families and Communities, the Social Inclusion Board and a dedicated inter-departmental ministerial committee.

South Australia recognises the benefit of a coordinated social inclusion response that operates broadly across all areas of government and the community. Areas of critical focus include increasing access to adequate housing and personal support and strengthening linkages with health, education and training services. Tailored responses are being developed for particularly vulnerable populations, including Aboriginal people, young people, older persons and those subject to family violence.

Through the Council of Australian Governments (COAG), significant national agreements have been developed to support initiatives to reduce the incidence of homelessness. Of particular importance are the National Affordable Housing Agreement and the National Partnership Agreement on Homelessness, which include outcome based performance benchmarks and reporting.

In principle, these agreements currently being reinforced by national legislation, are designed to provide high level guidance on improving the consistency of services for those facing homelessness.

National Legislation

The *Supported Accommodation Assistance Act 1994 (SAAP Act)*, includes a number of principles to guide the delivery of services to homeless people. While much of the legislation is redundant due to changes in Commonwealth/State funding arrangements, the key principles are widely acknowledged in the specialist homelessness services sector and could be updated and expanded to reflect changes to national agreements. They may also be linked with the strategic service development directions outlined in the 2008 Australian Government White Paper on Homelessness: *The Road Home - A National Approach to Reducing Homelessness*.

The White Paper highlights an emerging emphasis on the development of broadly based and integrated responses to homelessness that extend beyond the limitations of the historical Supported Accommodation Assistance Program. Service approaches currently being developed through jurisdictional implementation plans aim to facilitate an enhanced role for mainstream services in preventing homelessness, including undertaking targeted prevention and early intervention initiatives to reduce the risk of homelessness. Other key contributions are in the areas of providing new housing opportunities, making personal support available to enable successful tenancies and extending opportunities for social and economic participation, including education employment and training.

Guiding principles could be broadly based and offer direction to a wide range of government and non-government agencies that contribute to the network of services that are vital to addressing the needs of people who experience homelessness. The following guiding principles are put forward for considerations:

Wherever possible:

- People receive early intervention to reduce the **risk factors** that lead to homelessness.
- People receive **early assistance** when they are at **imminent risk of becoming homeless**
- People receive an **immediate crisis response** including shelter and support if required when they experience homelessness or related trauma
- People can **access sustainable housing and ongoing support** to move them from homelessness to long term stability
- People who are or have been homeless receive **ongoing support for social and economic engagement** until they achieve long term independence
- **Aboriginal Australians** are a **critical focus** in efforts to prevent and respond to homelessness and facilitating independence.

Under the new COAG arrangements the delivery of homelessness services is identified as a State responsibility with accountability being linked to discrete performance benchmarks. In this context, it is appropriate that national legislation is primarily concerned with providing guidance and national harmonisation of service standards and requirements rather than direct regulation. This approach would need to be reflected in the drafting of any new legislative instrument.

Definitions and Terminology

Through the Housing and Homelessness Information Management Group, housing officials, the Australian Institute of Health and Welfare and the Australian Bureau of Statistics are reviewing the data definitions and methodologies associated with assessing the level of homelessness in the community. There is a widely held view that the accuracy of current approaches to measuring primary, secondary and tertiary homelessness could be improved significantly.

Work on data definition will need to be progressed in the immediate future in order for revisions to be included in the next Census. When this work is completed, model definitions could be delineated in national legislation to ensure the consistency of reporting and monitoring of performance.

In addition to a focus on data definitions, it would also be useful to develop agreed terminology for various high need groups and service types and models to promote national consistency, including in relation to evaluation, benchmarking and research activity.

Service and Consumer Rights Frameworks

The *SAAP Act* has historically required funded organisations to develop appropriate grievance and appeals procedures and charters of clients' rights and responsibilities. New national legislation could reinforce the requirements for States and Territories to ensure that clients of specialist homelessness services have access to appropriate complaints and appeals mechanisms that include opportunities to review primary decisions.

The legislation could also outline other expectations of services being provided to people who are homeless, including:

- Ensuring the confidentiality of client information
- Reinforcing consumer rights to make informed decisions regarding their participation in services
- Developing measures to ensure the cultural appropriateness of services minimise the potential for discrimination to occur in service provision.

Sector Development and Accountability Mechanisms

The White Paper on Homelessness identified scope for developing agreed national accreditation service standards and service charters for organisations delivering services to homeless people. National legislation could establish a requirement for the appropriate registration of (government funded) providers of Specialist Homelessness services. A further area warranting investigation is the appropriateness of introducing national legislation requiring quality improvement or assurance strategies.

Currently there are discussions between all jurisdictions, including the Commonwealth Government, centred on supporting improvement in the quality of services through a range of sector development initiatives including the introduction of formal registration of service providers, quality assurance systems and accreditation. The South Australian Government, through the Department for Families and Communities is interested in contributing actively to this national dialogue and in examining the most appropriate methods for strengthening the professionalism and accountability of the specialist homelessness services.

At present, it is not clear that national legislation would necessarily be the preferred approach to facilitating cross jurisdictional cooperation in this important area. It is expected that such activity would need to be staged over an extended period of time and require significant flexibility and opportunities for review and the sequential staging of sector development and regulatory arrangements.

It is particularly important that accreditation strategies are consistent with overarching service reform strategies. South Australia is proposing to identify three core service types – with associated infrastructure requirements and staffing competencies:

- Crisis accommodation services
- Support providers (involving case managers linked to individual clients)
- Transitional housing managers

The proposed reform process will seek to align the transitional housing management role (property and tenancy management) with the growing community housing sector and it is anticipated that agencies undertaking this role would be required to comply with community housing accountability mechanisms, including State legislation and the proposed national regulatory framework for community housing.

Collaboration and Consultation

The Department for Families and Communities and the South Australian Government are committed to working collaboratively with all jurisdictions to develop processes for registering providers and promoting quality assurance measures and continuous improvement strategies.

In developing new approaches it will be important to ensure that the cost and reporting requirements do not place undue pressure on vital service delivery and are flexibly proportional to the differentiated scale of organisations operating within the homelessness sector.

In pursuing the development of legislation it would be desirable to allow for adequate consultation in the formative process, including consultation on draft legislation involving states and territories, non-government service providers and the diverse population of service consumers.