

*Final Report*

# **A sustaining tenancies approach to managing demanding behaviour in public housing: a good practice guide**

authored by

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## ABBREVIATIONS

ASB	Anti-social behaviour
ASB	Anti-social behaviour order
AIHW	Australian Institute of Health and Social Welfare
BCA	Building Code of Australia
CGCIFI	Commonwealth Grants Commission Indigenous Funding Inquiry
CSHA	Commonwealth-State Housing Agreement
HREOC	Human Rights and Equal Opportunity Commission
NGO	Non-government organisation
NSW	New South Wales
NT	Northern Territory
SA	South Australia
SAAP	Supported Accommodation Assistance Program
SHA	State Housing Authority
OH&S	Occupational health and safety
UK	United Kingdom
WA	Western Australia

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## TERMINOLOGY

### *Agreement*

An agreement is a contract or arrangement, either written or verbal between two or more organisations, or sections within an organisation, and sometimes enforceable by law.

### *Anti-Social Behaviour*

Behaviour that disturbs the peace and upsets neighbours is often described as ‘anti-social behaviour’ (ASB) although other terms such as ‘disruptive behaviour’, ‘difficult and challenging behaviour’ and ‘demanding behaviour’ are also used. Although the term ‘ASB’ is widely used, there is no agreed definition of its meaning because of the wide variation in what is considered to be unacceptable behaviour.

### *Case Plans*

This identifies the roles and responsibilities of the services supporting a tenant or tenancy. It may or may not involve inter-agency co-operation.

### *Case Co-ordination*

This is a role taken on by a service provider. It involves being identified as the responsible worker for implementation of a management strategy in relation to a tenant or tenancy. It often involves inter-agency co-ordination.

### *Case Conference*

A case conference is a meeting attended by key players, including other agencies or community workers, to discuss and exchange information about a situation or tenancy, and to identify an appropriate management strategy. It is especially valuable in situations of service gaps and avoids service duplication. Tenants sometimes participate in case conferences since they are

the greatest 'expert' on which combination of support mechanisms will work best. They can also provide information about the availability of informal supports.

### *Churn*

When someone is evicted from their home they often end up elsewhere within the social housing system. This process, in which the costs of housing and support are transferred from one section to another, is known as 'churn'.

### *Demanding Behaviour*

In this Guide the term 'demanding behaviour' refers to socially intrusive behaviours, such as excessive noise, or verbal abuse, which threaten public housing tenancy sustainability but which fall short of requiring a statutory response.

### *Housing Residualisation*

Housing residualisation refers to the process in which the residents of social housing are increasingly drawn from vulnerable populations characterised by disadvantage and complex needs rather than just low income.

### *Human Capital*

Human capital refers to individual or collective qualities and attitudes, such as skills, values, training and health, that are productive in some way and contribute to social, economic or political development.

### *Revolving-door Syndrome*

In this Guide the term 'revolving-door syndrome' describes the process whereby high-needs tenants are housed with a pre-existing debt, subsequently evicted because of debt (and/or other issues), become homeless and spend time in the Supported Accommodation Assistance Program (SAAP) sector before being re-housed, this time with a larger debt.

### *Social Capital*

Social capital refers to the strength of social connections within a neighbourhood or group of people. It includes such things as the willingness of people to help one another, their sense of belonging to an area and their satisfaction with where they live.

### *Sustaining Tenancies*

In its broadest sense the term 'sustaining tenancies' refers to housing management policies and practices designed to assist social housing tenants to manage their tenancy successfully and to achieve improvements in their lives.<sup>1</sup>

More narrowly, it refers to assisting vulnerable tenants to avoid tenancy failure through eviction or exit under duress. In this Guide the term is used primarily in the latter sense but it sits within the overall philosophy of the broader definition.

---

<sup>1</sup> Tim Seelig and Andrew Jones provide a useful discussion of the different meanings of the term 'sustaining tenancies' in T. Seelig and A. Jones (2006) Sustaining tenancies: Definitions, directions and debates, Housing Works, Special Issue: Sustaining Tenancies, 4(2), pp. 2-8.



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Department of Health and Human Services, Government of Tasmania

Alcohol and Other Drugs Program, Department of Health and Community Services, Northern Territory Government

Housing SA, Government of South Australia

Housing Tasmania, Government of Tasmania

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Larrakia Nation Aboriginal Corporation

Mission Australia, Northern Territory

New South Wales Police Force, Government of New South Wales

NT Shelter, Northern Territory

Richmond Fellowship, Tasmania

Tangentyere Council, Northern Territory

Territory Housing, Department of Local Government, Housing and Sport, Northern Territory Government

Western Desert Nganampa Walytja Palyantjaku Tjutaku Aboriginal Corporation

Yilli Rreung Aboriginal Housing Corporation, Northern Territory

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## ICONS AND SYMBOLS



A quote from an informant



Research or Practice Note



A case study



See p. for relevant material in Part 5



An investment in sustaining tenancies



Checklist for good practice

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## PURPOSE OF THIS GUIDE

This Guide has been written as a desktop manual to help in the formulation of policy, practice and ideas for sustaining tenancies in public housing. Its focus is on those tenants whose demanding behaviour involves socially intrusive practices, such as excessive noise or verbal abuse, which threaten their tenancy but which fall short of requiring a statutory response. These households present a challenge to State Housing Authorities (SHAs) because of the conflicting demands of sustaining the tenancies of vulnerable social groups, providing a safe and peaceful environment for other tenants and residents, and ensuring efficient housing management practice and outcomes. Although eviction remains the response of last resort to demanding behaviour, it may sometimes seem the only response to some behaviours and situations involving public nuisance or disturbance.

This Guide aims to show how eviction can be avoided through positive measures to provide a supportive environment for tenancies. It does not provide guidance on criminal justice, or other forms of statutory response to anti-social behaviour, nor on supported housing models for groups such as people living with mental illness.

The intended readership of the Guide is social housing personnel working at all levels of the organisation. It is based on a systematic review of the literature and a national study of interviews with social housing providers and support workers.

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## READING GUIDE

The Guide is divided into five Parts and an Appendix:

1. Understanding the Sustaining Tenancies Approach
2. Good Policy
3. Good Practice
4. Sustaining Indigenous Tenancies
5. Resources for Good Practice

APPENDIX Good Practice Documents

The Guide is not intended to be read sequentially but to provide background information, advice and guidance as required. For this reason, the Guide is written in a modular way. We suggest that all readers look at Part 1. Policy-makers and personnel working in strategic areas of social housing will find that Part 2 will be most useful.

Housing practitioners and officers working directly with difficult and demanding behaviour will find Parts 1 and 3 most useful. Part 4 is directed at staff working with Indigenous tenants. Part 5 provides a range of useful resources, including key literature and websites. The Appendix contains some helpful models for good practice. Throughout the Guide Good Practice Examples are provided as useful models for new arrangements at a local level.

Finally, this Guide will have value and utility for practitioners and professionals working outside the housing field, including police (officers and strategic staff), social work professionals, mental health professionals and those working within NGOs which have housing, mental health, health, educative and welfare functions.

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## PREFACE

This Guide takes as its starting point the principle that appropriate, affordable and secure housing is a fundamental human right and an essential ingredient for individual well-being and community harmony. It is concerned with a group of public housing tenants whose behaviour makes them vulnerable to eviction. Changes in the profile of public housing tenants in recent decades have seen growth in the number of tenants with complex needs. Research suggests that many tenants who engage in demanding behaviour fit within this category (Crane & Warnes 2000). These tenants are especially susceptible to the cycle of homelessness, and its damaging effects.

The public housing sector is in a unique position to break this cycle by integrating a sustaining tenancies approach into routine housing management practice. The evidence is that systematic and close support of tenants can be highly effective in enabling tenants to change their behaviour and remain in their homes (Nixon et al 2006).

This means incorporating into policies and practices a range of initiatives such as early intervention and multi-agency working. A sustaining tenancies approach is also sound housing management since improving housing stability reduces the social and financial costs associated with failed tenancies.



### Housing and Support

Housing without support isn't the answer to everything. Housing with support is the answer to most things.

*SHA Tenancy Support Officer*

# Part One

## Understanding the Sustaining Tenancies Approach

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This Part of the Guide provides background information for understanding some of the key issues and debates surrounding the sustaining tenancies approach. It locates these debates in the context of broad changes in the nature of public housing. It justifies supporting tenants with demanding behaviour by making the link between high and complex needs, demanding behaviour and homelessness and by pointing out the costs of tenancy failure to SHAs.

The primary audience for this Part of the Guide is frontline workers, and those new to social housing work, who require an understanding of the underlying reasons for demanding behaviour and the effects of homelessness.

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# 1. WHY SUSTAIN PUBLIC HOUSING TENANCIES?

Those directly affected by demanding behaviour may have little tolerance of it since, by definition, it disturbs the peace and disrupts daily living. However, SHAs are funded to provide housing assistance to people unable to access alternative suitable housing options, some of whom may exhibit this behaviour. But what are the limits of their responsibilities, and what should they do when the needs of different households are in conflict and anti-social behaviour is involved? One view is that tenants who engage in these behaviours should be warned that their behaviour is unacceptable and, if they continue to breach their lease and disturb the peace then proceedings to evict should commence. This Part of the Guide identifies the links between anti-social behaviour and high and complex need and also points out that failed tenancies carry many costs.

## What is Demanding Behaviour?

In this Guide, the term 'demanding behaviour' is used to refer to socially intrusive practices, such as excessive noise or verbal abuse, which threaten public housing tenancy sustainability but which fall short of requiring a statutory response.

## What Does 'Sustaining Tenancies' Mean?

In its broadest sense the term 'sustaining tenancies' refers to housing management policies and practices designed to assist social housing tenants to manage their tenancy successfully and to achieve improvements in their lives.<sup>2</sup>

More narrowly, it refers to assisting vulnerable tenants to avoid tenancy failure through eviction or exit under duress. In this Guide the term is used primarily in the latter sense but it sits within the overall philosophy of the broader definition.

## Which Groups are Vulnerable to Tenancy Failure?

Sustaining a tenancy and managing the daily affairs of a household requires complex skills and competencies. Tenants who lack these skills or who have difficulties arising from personal difficulties or circumstances that lead to demanding behaviour are particularly vulnerable to tenancy failure, especially when this occurs in combination with rent arrears. These groups tend to include:

- Young people
- People with mental illness and/or addiction
- People with physical disabilities or ill health
- Single parents
- Large families
- Indigenous Australians

(Bisset et al 1999; Thomson Goodall Associates 2002; Nixon & Hunter 2001; Popkin et al 2005; Victorian Government Department of Human Services 2006). In Victoria it is estimated that between 2000 to 2500 public housing tenancies meet this description, representing three to four per cent of all direct tenure public housing tenancies in the State (Victorian Government Department of Human Services 2006).

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<sup>2</sup> Tim Seelig and Andrew Jones provide a useful discussion of the different meanings of the term 'sustaining tenancies' in T. Seelig and A. Jones (2006) Sustaining tenancies: Definitions, directions and debates, Housing Works, Special Issue: Sustaining Tenancies, 4(2), pp. 2-8.

These figures need to be placed in the context of Federal and State housing policies which have transformed public housing so that it has increasingly become the accommodation of last resort. The aim of the current Commonwealth-State Housing Agreement (CSHA) is to provide appropriate, affordable and secure housing for those who most need it for the duration of their need. This means that public housing tenants are increasingly drawn from vulnerable social groups. Since 1996 the number of priority and special needs allocations into public housing has increased from 17% to 49% (Heintjes 2006). This process is known as housing residualisation.



## Housing Residualisation

In NSW in 2004-5 over a third of applicants for public housing were single, another third were single parents and only 10 per cent were couples with children. Over a quarter of subsidised tenants were on the disability support pension, and nearly a third of household heads were over 65 years of age.

*NSW Department of Housing Annual Report 2004-5, NSW Department of Housing, Sydney <http://www.housing.nsw.gov.au/About%20Us/Reports%20Plans%20and%20Papers/Annual%20Reports/2004-05>*

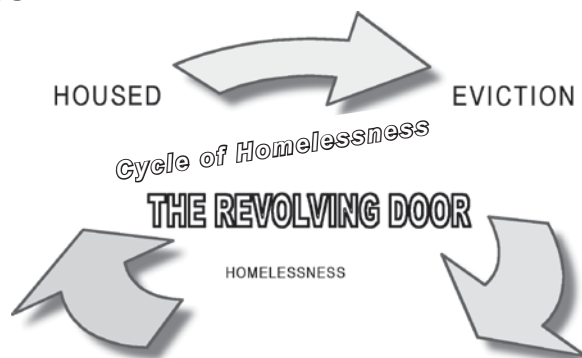
## Why Sustain Public Housing Tenancies?

Many of those who leave their rented accommodation in adverse circumstances subsequently experience homelessness and consequent serious social and health harms (Beer et al 2006). This is costly both in terms of human capital and financial resources since homeless people are high service users.

## Failed Tenancies and Homelessness

Although tenants may leave public housing for any number of reasons, a 'failed tenancy' implies a degree of involuntariness in the departure even though many tenants leave before formal proceedings have taken their course or have even been instigated (Beer et al 2006). The likelihood of homelessness following a failed tenancy is strong, especially for tenants exiting public housing as their low income makes finding alternative affordable housing in the private sector extremely difficult.

The 'revolving-door syndrome' describes the process whereby high-need tenants are housed with a pre-existing debt, subsequently evicted because of debt (and/or other issues), become homeless and spend time in the Supported Accommodation Assistance Program (SAAP) sector before being re-housed, this time with a larger debt (see Figure 1).



**Figure 1: The Revolving Door of Homelessness**

Gale, A. (2003) Successful Tenancies: Stopping the revolving door, paper presented at the 3rd National Homelessness Conference 'Beyond the Divide' convened by the Australian Federation of Homelessness Organisations, Brisbane 6-8 April. Retrieved from <http://www.afho.org.au/conference/2003conference/2003conferencepapers.htm>

The serious social and health costs of homelessness are well documented (Human Rights and Equal Opportunity Commission 1989). Homelessness affects not only the individual but also families, including children, and the broader community (Victorian Government Department of Human Services 2006). Some of the effects of homelessness are identified in Table 1.

**Table 1: The Effects of Homelessness**

Type of Effect	Effects
Health Problems	<ul style="list-style-type: none"> <li>→ Depression</li> <li>→ Physical illness</li> <li>→ Mental health problems</li> <li>→ Feelings of inadequacy and loss of control</li> </ul>
Poverty	<ul style="list-style-type: none"> <li>→ ‘Catch 22’ – no job, no home</li> <li>→ Increased risk of offending (prostitution, drugs, street crime)</li> <li>→ ‘Chain reaction’ – benefits/unemployment</li> </ul>
Family Problems	<ul style="list-style-type: none"> <li>→ Breakdown in relationships</li> <li>→ Financial problems</li> </ul>
Isolation and Social Exclusion	<ul style="list-style-type: none"> <li>→ Difficulty accessing services, e.g. banking, because of lack of identity documents</li> <li>→ Stigmatisation and rejection</li> <li>→ Vulnerability to criminal victimisation</li> <li>→ Lost opportunities (education, employment, health services, relationships)</li> </ul>

**The Costs of Failed Tenancies to SHAs**

Failed tenancies carry financial, human and social costs. Both eviction and homelessness are expensive and time consuming for social housing landlords.

**Evictions** involve:

- Documentation to support the eviction
- Legal fees
- Court attendance
- Unrecovered rent arrears
- Property refurbishment
- Higher occupancy rates

High eviction rates also contribute to the stigmatisation of public housing, increasing public perceptions of its status as ‘housing of last resort’.



**The Costs of Eviction**

It takes months to evict or terminate a tenancy. There is financial loss to the landlord in going through that procedure. We can’t act without evidence and it’s difficult to find people prepared to act as a witness.

**SHA Housing Manager**



## **The Costs of Homelessness to the Social Housing System**

When someone is evicted from their home they often end up elsewhere within the social housing system. Eviction therefore contributes to 'churn' within the services system as the costs of housing and support are transferred from one section to another, such as emergency to community housing and back again.

These costs include:

- Immediate costs of provision of crisis and transitional accommodation within the SAAP system
  - Increased demand for services such as health, mental health, drug and alcohol, child and family services
  - Increased criminal justice costs
  - Lost productivity
  - Costs of exclusion from education, employment and training
  - Long-term costs associated with inter-generational disadvantage
- (Pinkey & Ewing 2006).

## **Sustaining Tenancies and Social Capital**

A successful tenancy contributes to a stable neighbourhood and increases the social capital of the area. Social capital refers to the strength of social connections within a neighbourhood or group of people. It includes such things as the willingness of people to help one another, their sense of belonging to an area and their satisfaction with it.

High levels of tenancy turnover means a transient population with people moving on before relationships can be formed. It creates a neighbourhood with weak social ties and a sense of alienation from the environment. When combined with demanding behaviour it may be associated with feelings of unsafety, leaving residents feeling trapped rather than sustained by their neighbourhood. Assisting tenants to establish a stable home and to feel a sense of identity and pride in the area has broader implications than merely providing a roof over their head.

---

## **2. DEMANDING BEHAVIOUR AND HOUSING MANAGEMENT**

This section of the Guide considers the meaning of the term 'demanding behaviour' and its association with other key terms including 'anti-social behaviour' (ASB). It explains what kinds of behaviour fit this description and why SHAs must respond to it.

### **Demanding Behaviour, ASB and Housing Management**

Behaviour that disturbs the peace and upsets neighbours is often described as 'anti-social behaviour' although other terms such as 'disruptive behaviour', 'nuisance behaviour' and 'difficult and challenging behaviour' are also used.

Although anti-social behaviour is the most commonly used term in the media and in social policy, there is no agreed definition of its meaning because of the wide variation in what is, and is not, considered to be acceptable behaviour. What is regarded as anti-social varies according to local culture and practice and the degree of tolerance of difference within a community. However used, the term implies some kind of socially intrusive behaviour which has a detrimental effect on other individuals, especially neighbours and the immediate community.



**Table 2: Types of Anti-Social Behaviour**

<b>Nuisance Behaviour</b>	<b>Disturbances and Criminal Behaviour</b>
Excessive noise	Physical or verbal harassment
Unruly children	Property damage
Verbal abuse	Domestic violence
Throwing things	Rioting
Animal nuisance	Drug-dealing
Disorderly behaviour in shared areas	Racist behaviour
Unruly visitors	Arson
Hoarding and unconventional home management	Rubbish dumping



## Defining Anti-social or Nuisance Behaviour

Anti-social behaviour means different things to different people – it ranges across behaviours such as drunken ‘yob’ groups in public, litter and graffiti, abandoned cars, noisy neighbours, threatening and intimidating language or actions, and behaviour which is often dismissed as youthful stupidity, such as rock throwing and abusive language.

**Office of Crime Prevention, Government of WA**

<http://www.crimeprevention.wa.gov.au/CrimePrevention/AntiSocialBehaviour/tabid/802/Default.aspx>

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Anti-social behaviour includes instances where a tenant (or anyone the tenant allows onto the premises) either persistently or intentionally causes:

- a nuisance that interferes with the peace, comfort or privacy of neighbours;
- serious damage to the residential premises; or
- injury to the Department’s staff or agent, or any person occupying or permitted on adjoining or adjacent premises.

Anti-social behaviour encompasses a range of behaviour from dumping cars, petty vandalism, graffiti and noise nuisance, to more serious forms of criminal activity such as verbal and physical harassment and burglary.

**Information Sheet, Antisocial Behaviour, Housing NSW**

- 
- (1) The lessor may apply to a tribunal for a termination of Order 54 because the tenant:
- a. has harassed, intimidated or verbally abused
    - i. the lessor or lessor’s agent; or
    - ii. a person occupying , or allowed on, premises nearby; or
  - b. is causing, or has caused, a serious nuisance to persons occupying premises nearby.
- (2) An application under this section is called an application made because of objectionable behaviour.

**Queensland Residential Tenancies Act 1994 – Section 170**

The way the term 'anti-social behaviour' is used covers a wide range of behaviours and can be located on a continuum with 'nuisance behaviours' at the 'soft' end and disturbances and criminal behaviour at the 'hard' end (see Table 2). Demanding behaviour can be understood as overlapping with anti-social behaviour at the soft end of the latter.

While the effect of nuisance behaviour is relatively localised and does not usually generate a statutory response, disturbances or criminal behaviour spill over to the neighbourhood and often require a criminal justice, or other form of statutory response. Criminal behaviour is likely to result in immediate proceedings for eviction from social housing. At the nuisance end of the continuum, eviction is only likely to proceed if the behaviour is persistent and/or rent arrears are involved. It is at this end of the continuum that a sustaining tenancies approach is of greatest relevance to SHAs.

## Why Demanding Behaviour Is a Problem

Although demanding behaviour does not involve criminal behaviour it is nonetheless taken seriously by public housing managers for a number of reasons:

- All SHAs have to work within the legislative requirements of the Residential Tenancies Act that applies in their State. All such legislation includes a section which requires landlords to ensure that their tenants do not act in a way which interferes with their neighbour's peaceful enjoyment of their premises. For example, current Victorian legislation requires the landlord to 'take all reasonable steps to ensure that the tenant has quiet enjoyment of the rented premises during the tenancy agreement', It also prohibits the use of the rented premises 'for any purpose that is illegal at common law or under an Act' and states that 'a tenant must not use the rented premises or permit their use in any manner that causes a nuisance' or 'in any manner that causes an interference with the reasonable peace, comfort or privacy of any occupier of neighbouring premises' (Residential Tenancies Act 1997, Ss 59, 60 and 67).
- Managing demanding and anti-social behaviour is time-intensive. In the UK it has been suggested that five per cent of tenants with anti-social behaviour take up 20 per cent of housing management time (Scottish Executive 1999).
- Demanding and anti-social behaviour can make life for neighbours uncomfortable or unbearable. Neighbours may move out rather than live with it, disrupting their lives and adding to the costs associated with tenancy turnover (EPIC et al 2000).
- Demanding and anti-social behaviour can damage the reputation of a neighbourhood so that no one wants to live there. In more extreme cases it is associated with high levels of crime and a climate of fear and consequent falling property values.



### Whose Problem?

It's also a question of what other people may do to tenants who are noisy, for example, as a result of mental health problems. The 'perpetrator' can end up being the 'victim'.

**SHA Manager**

→ Demanding behaviour may be problematic for the individuals who engage in it. It often involves habits and practices which are related to, or cause, poor physical or mental health, and may impact on other family members, for example, if it involves domestic violence. Perpetrators of demanding behaviour may be threatened by the retaliatory actions of neighbours and other members of the community. In these circumstances the question of who is the problem becomes complicated as the line between victim and perpetrator blurs. This is especially problematic where the demanding behaviour is associated with a disability or some other form of vulnerability.



## Managing Demanding Behaviour in South Moree, NSW

South Moree is a town in Northern NSW with sharp social divisions between rich and poor. There is a large Indigenous population in the town and surrounding districts. On the edge of the town a large public housing estate borders private developments. Five years ago the estate had a poor reputation and no one wanted to live there. Some NSW Department of Housing dwellings sold for as low as \$5000. Vacancy rates and rent arrears were high, neighbourhood crime was rising and there were high levels of child protection referrals, domestic violence and other social issues. The properties on the estate appeared uncared for.

The NSW Department of Housing introduced an Intensive Tenancy Management Program with the objective of improving tenancy management performance by concentrating time and resources on areas with high levels of tenancy problems including rent arrears, rejections and nuisance and annoyance problems. An Intensive Tenancy Management office was located at Moree and targets were established for the key areas. The Intensive Tenancy Management Team consisted of a team leader, a Senior Client Service Officer, an Aboriginal Trainee Client Service Officer, a part-time Senior Client Service Officer responsible for asset management and a Senior Client Officer responsible for working with tenants with complex issues and for community development. Funding was provided from a combination of sources including the Intensive Management Program. Recruiting the 'right people' was regarded as critical.

The Intensive Tenancy Management Plan had four components: tenancy management, asset management, community development and social support. Tenants most at risk of losing their homes were supported by regular visits, a rent arrears reduction plan, property care improvements and repairs and securing support from other agencies. Properties that were not up to Departmental standards were slowly improved. Community development included simple work such as improving fences and a garden competition as well as working with the Council to improve facilities and promoting resident participation. Links were also made with other State government projects such as the early childhood intervention project, Families First Service Network.

There have been many gains. Rent arrears have reduced dramatically from 47% in 2001 to 28.7% of tenancies in arrears in 2003. The level of vandalism has reduced dramatically as have incidents of nuisance and annoyance. The infrastructure of the area is also beginning to be upgraded.

***For a detailed description of the Intensive Tenancy Management Program in South Moree see J. Ferguson (2006) 'Intensive Tenancy Management in South Moree', Housing Works, 4(2), pp. 15-18.***

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### 3. EXPLAINING DEMANDING BEHAVIOUR

Explaining demanding behaviour is the first step towards answering the question of what are the limits of SHAs' responsibilities to provide housing to those in need and what they should do when the needs of different households are in conflict and involve anti-social behaviour. Demanding behaviour is often explained in terms of personal qualities. Those who engage in it may be seen as difficult, bad or possessing other personality characteristics which explain these behaviours. The research, however, suggests that in the context of social housing demanding behaviour is linked to a range of factors which go beyond the character of those involved (Jacobs & Arthurson 2003; Jacobs et al 2005).

The causes of demanding behaviour can be divided into three main categories:

1. Tenant vulnerabilities
2. Intolerance of difference
3. Situational factors

#### **Tenant Vulnerabilities: Risk and Predisposing Factors for Demanding Behaviour**

The risk factors for demanding behaviour are strongly correlated with homelessness and suggest that many of these tenants come from backgrounds of severe social and economic disadvantage and have high and complex needs.

**Risk factors** linking demanding behaviour and homelessness include:

- A history of substance abuse
  - A history of family violence
  - A history of physical or sexual abuse
  - Mental health needs
  - A physical or intellectual disability
  - A history of State care
  - School exclusion
  - Contact with the criminal justice system
- (Randall & Brown 1999).

**Predisposing factors** may act in combination with risk factors to increase the likelihood that a tenancy will fail, although not necessarily as a result of demanding behaviour. These are adverse life events that make it difficult for people to sustain their tenancy. They include:

- Unemployment
  - Illness
  - Unanticipated expenditure
  - Income loss
  - Financial difficulty
  - Relationship breakdown
  - Domestic violence
  - Family conflict or crisis
  - Neighbourhood conflict
  - A pile-up of stressful life events
- (Jones et al 2004, cited in Seelig & Jones 2004)

Understanding the link between demanding behaviour and social disadvantage is essential for social housing workers. It implies a moral argument about providing assistance to those who, compared to many others, may have been dealt a raw deal. Equally importantly, it provides the foundation for developing a sympathetic relationship with tenants, which without being sentimental or over-involved, can assist them to accept the need for support to develop the personal, social and life skills they need to sustain their tenancies.

## **Intolerance of Difference**

Accusations of anti-social behaviour may be motivated by a lack of tolerance of difference. This may be due to:

- Prejudice against public housing tenants
- Racism
- Lifestyle differences, e.g. sexual preference, single parents
- Cultural differences
- Being of a generally unhappy or intolerant nature  
(Scott & Parkey 1998)



### **Demanding Behaviour and Difference**

Sometimes people are petty – it's not that big a deal. People with different lifestyles may be living next to someone and they don't like difference, for example, the person they object to may have a mental health issue or speak differently, or keep their house differently.

**SHA Tenancy Officer**

This means that when a complaint of anti-social behaviour is received the first requirement is always to assess whether the behaviour has occurred and whether it breaches the tenancy agreement. Considerable damage can be done to social relations if accusations of anti-social behaviour are acted on without this initial assessment.

## **Situational Factors**

Research suggests that demanding behaviour may be partly caused by the broader living situations of those involved. Factors outside the control of individual tenants may create an environment which increases the likelihood of neighbour complaints and neighbour conflict. These include:

- Inappropriate allocations
- Poor housing design and lack of housing standards
- Lack of services for tenants with support needs
- Ineffectual communication between tenants and between tenants and housing officers
- Inappropriate information-gathering strategies
- Inappropriate responses to racist abuse and intolerance  
(Martin et al 2002; Samuels et al 2004; Baker 2005).

All these explanations involve housing management factors such as the quality of housing infrastructure. They suggest that the actions and practices of housing managers can make an important contribution to reduce neighbour conflict by improving the environment in which it occurs.

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## 4. RESPONDING TO DEMANDING BEHAVIOUR

If understanding the factors influencing demanding behaviour is the first requirement for a sustaining tenancies approach, how should SHAs respond to it? Is it possible to employ a win-win strategy which controls the demanding behaviour while also sustaining the tenancies of those who engage in it? The weight of evidence suggests the answer is 'yes' but this does not mean that achieving this is easily or swiftly won. Although it is clear that the provision of support to tenants with demanding behaviour is a critical component, less is known about which approach works best in what circumstances. A wide range of factors influence what is possible and what will be effective.

This section divides the responses to demanding behaviour currently employed by SHAs internationally into disciplinary and supportive strategies. It considers the question of whether there is any room for disciplinary strategies in a sustaining tenancies approach. The summary of the main features of a sustaining tenancies approach provides the foundation for Parts 2 and 3 of the Guide which cover policy and practice.

### Disciplinary Strategies

Disciplinary strategies involve requiring tenants to conform to normative standards of behaviour or lose their security of tenure. While these approaches have been used for a number of years in the UK, it is only in the last five years or so that they have begun to be employed in Australia (Nixon, Hunter & Slatter 2005).

The most commonly used disciplinary strategies are:

#### → **Introductory, Probationary or Renewable Tenancies**

Introductory or probationary tenancies are short leases employed at the beginning of a tenancy which may be terminated, renewed or rolled over to a permanent or fixed term tenancy. They can be applied universally to all public housing tenants or selectively according to specific criteria, usually relating to rent arrears or demanding behaviour.

Although probationary leases can be as short as three months some SHAs recommend 12-month tenancies as a stronger test of tenancy sustainability. In some jurisdictions the SHA has moved away from offering continuous leases and offers only fixed term or renewable leases.

#### → **Written Agreements**

Good Behaviour Agreements or Acceptable Behaviour Contracts have become a common response to demanding behaviour in the UK and have been introduced in Australia in the NT, NSW and SA. Tenants provide, sometimes with the involvement of the Police, written consent to behavioural change which, if not adhered to, will lead to eviction proceedings. Breaches of these agreements can also be tendered as evidence to support eviction proceedings.

#### → **Anti-Social Behaviour Orders (ASBOs)**

Anti-Social Behaviour Orders are civil orders designed to reduce crime and neighbourhood disturbances by imposing penalties on individuals if they continue to engage in disruptive and/or criminal behaviour. This includes harassment, abusive behaviour and vandalism. Breach of an ASBO can result in criminal proceedings and imprisonment. In the housing sector failure to comply with the order leads to evictions, regardless of whether the subject of the order is the leaseholder of the property in which he or she resides. They are used in the UK but not in Australia.





## SHA Responses to Demanding Behaviour

Residential Tenancy legislation in all States and Territories includes nuisance behaviour as grounds for the termination of the tenancy. In NSW, the NT and SA, legislation includes the use of Acceptable Behaviour Agreements as a response to demanding behaviour in public housing tenancies. These measures exist alongside other strategies, such as community renewal and development, mediation and multi-agency working.

### *New South Wales*

*Renewable Leases:* Fixed term leases of two, five or 10 years are offered to most public housing tenants. Six-month leases are offered to clients whose former tenancy with the Department was classified as unsatisfactory or less than satisfactory. See <http://www.housing.nsw.gov.au/Policies+and+Fact+Sheets/View+by+Topic/Renewable+Tenancies.htm>

*Anti-Social Behaviour Policy:* This includes the use of Acceptable Behaviour Agreements in public housing tenancies. See <http://www.housing.nsw.gov.au/Changes+to+Public+Housing/Antisocial+Behaviour+Strategy.htm>

*'Rights, Respect and Responsibility':* This is one of the five areas of activity in the current State Government Plan. See <http://www.nsw.gov.au/StatePIHan/sp12.aspx>

### *Northern Territory*

*Introductory Tenancies:* Three-month leases for new tenants with a history of eviction or anti-social behaviour, otherwise new tenants are placed on a six-month lease which is then rolled over into a continuing lease.

*Anti-Social Behaviour Policy:* The Antisocial Behaviour (Miscellaneous Amendments) Act, introduced on 14 June 2006, provides a number of strategies to assist in dealing with anti-social behaviour.

- The use of Acceptable Behaviour Agreements for public housing tenants who engage in anti-social behaviour
- People affected by anti-social behaviour can make an application to the Court for eviction of tenants for unacceptable behaviour
- A range of measures to deal with alcohol dependence including the establishment of an Alcohol Court, the use of alcohol intervention and prohibition orders
- The declaration of designated private areas as 'restricted' or 'dry' by the Licensing Commission

See [http://www.territoryhousing.nt.gov.au/\\_\\_data/assets/pdf\\_file/5092/operational\\_manual\\_17.pdf](http://www.territoryhousing.nt.gov.au/__data/assets/pdf_file/5092/operational_manual_17.pdf) and <http://www.nt.gov.au/justice/graphpages/lawmake/changed.html>

### *South Australia*

*Disruptive Behaviour Strategy:* This outlines the approach that will be taken to public housing tenants, and their visitors, who engage in disruptive behaviour. Key features include:

- The formation of a specialist 'Disruptive Response Team' that will manage tenants with significant disruptive behaviour
- The use of Acceptable Behaviour Contracts to form part of the tenant's Conditions of Tenancy
- A 12-month probationary lease for all new tenants, with a review period of six months
- Additional mechanisms for non-renewal of tenancies where there has been significant disruption



- A range of agreements with support agencies to engage with tenants and reduce disruptive events, including MOUs with Mental Health (the Department of Health) and SA Police

See [http://www.familiesandcommunities.sa.gov.au/DesktopModules/SAHT\\_DNN2\\_Documents/Download/633127824225937500/DisruptiveBehaviourStrategyDiscussionPaper.pdf](http://www.familiesandcommunities.sa.gov.au/DesktopModules/SAHT_DNN2_Documents/Download/633127824225937500/DisruptiveBehaviourStrategyDiscussionPaper.pdf)

### *Tasmania*

*Introductory Tenancies:* Three-month introductory leases apply to all new tenants. For tenants with a history of rent arrears or other tenancy breaches, this may be increased to six months, before being rolled over to a continuous lease.

### *Western Australia*

*Good Neighbour Policy:* This includes the requirement that all new tenants sign an acceptable behaviour agreement. Fixed term tenancies may be applied in cases of anti-social behaviour.

The WA Office of Crime Prevention is also investigating a policy response to anti-social behaviour which includes the use of ASBOs.

## **Supportive Strategies**

Supportive responses to demanding behaviour involve a more holistic approach to demanding behaviour. They locate the individual in their social context, recognise that difficult behaviours often derive from difficult circumstances and employ supportive interventions to break this link. They employ strategies that encompass both the individual and their social environment. They expect the individual to develop skills and behaviours which will enable them to sustain their tenancy on the basis of provision of support. They attempt to reduce the environmental factors that may influence demanding behaviour and promote activities designed to enhance local social capital.

The key principles involved in supportive strategies can be summarised as prevention, early intervention, support, negotiation and training.

**Prevention** through measures such as:

- Appropriate design and construction
- Sensitive allocations
- Community development and education
- Good Neighbour policies

See, for example, [http://www.facsia.gov.au/internet/facsinternet.nsf/indigenous/indigenous\\_housing\\_framework.htm](http://www.facsia.gov.au/internet/facsinternet.nsf/indigenous/indigenous_housing_framework.htm)

<http://www.housingtrust.sa.gov.au/resources/43.%20Resolving%20neighbour%20issues.pdf>

**Early intervention** through:

- A regular and frequent maintenance program
- Early response to complaints
- Early warning systems

See, for example, <http://www.dhhs.tas.gov.au/agency/publications/documents/PolicyforAgencyCollaborationStrategyFeb04.pdf>



### **Support** through:

- Provision of information
- Referral
- Specialist services
- Partnerships with other services

See, for example, <http://hnb.dhs.vic.gov.au/OOH/ne5ninte.nsf/childdocs/-70B3CD9CD87687F2CA25711B001AA48F-26B2E9DBA3F19102CA2572C100036D6D>

### **Negotiation** through:

- Mediation services for tenants involved in a dispute
- Encouraging self-help amongst tenants

### **Training** staff to:

- Understand the relationship between eviction and homelessness
- Understand the consequences of homelessness
- Develop the values, skills and knowledge to work with tenants to sustain their tenancies successfully
- Keep safe

## **Is There any Justification for Disciplinary Measures within a Sustaining Tenancies Approach?**

The question of whether there is any room for disciplinary measures within a sustaining tenancies approach is debatable. The disciplinary approach tends to divide tenants into 'good' responsive tenants who are deserving of support and 'bad' unresponsive ones who are not. This ignores the complexity of the construction of 'demanding behaviour' and the environmental factors that may lie behind it. Nor does it recognise the difficulties some tenants may have in responding to demands for behavioural change.

Tenants whose habits and life circumstances combine to create situations which threaten the viability of their tenancy often choose to exit a tenancy rather than deal with demands that they change. Although this may be understood as their choice, their response may derive from circumstances of limited opportunity and a lifetime of negative outcomes. It may be easier to accept the risk of homelessness than to deal with requirements they feel unable or unwilling to meet. Disciplinary approaches ignore the effects of poor health, low skills and poverty on self-esteem and coping skills. They also rely on the threat of eviction for their success and to be effective the threat must be real. Consequently, it is hard to see how they can fit within a sustaining tenancies approach.

There is an argument that disciplinary measures are necessary to push tenants into changing behaviours that threaten their tenancy. The assumption is that by forcing them into crisis they will be more responsive to requests to change their behaviour. This argument must also be rejected since the unresponsive tenant faces a genuine risk of eviction with all its deleterious effects.

Yet for housing managers subject to the real pressures of tenants with demanding behaviour, who breach their lease and disturb their neighbours, disciplinary measures may be accepted as a necessary tool for successful tenancy management. In this case the minimum requirement of a sustaining tenancies approach is that such measures should always be accompanied by the provision of support to assist tenants to develop the life skills necessary to sustain their tenancy.



## GOOD PRACTICE EXAMPLE

### Supportive Strategies for Responding to Demanding Behaviour

Intensive Tenancy Management: The Dundee Families Project,  
Dundee City Council, Scotland

#### Website

<http://www.nch.org.uk/ourservices/index.php?i=44>

#### Context

Nationwide strategy to combat anti-social behaviour, together with local initiatives to provide housing and support to families with high and complex needs.

#### Objectives

- To break the cycle of poor behaviour and homelessness through the provision of intense supervision and support
- To bring families back into mainstream housing
- To help children and young people who are perceived to be out of control
- To provide an alternative solution where other anti-social behaviour interventions have failed

#### Strategy

- Intensive support and supervision is provided in some or all of the following settings:
  1. A core, small residential unit managed by the project. This provides for a small number of families who are provided with intense, highly structured supervision and support until specific goals are met.
  2. Dispersed accommodation which supports families in tenancies managed by the project.
  3. Outreach support to help families address behavioural and other problems in order to maintain their existing accommodation.
- Support and housing management are separated either through an independent support service or through an incorporated section of the SHA.
- The model is flexible and can be adapted to rural and urban settings and families from a wide range of different cultural and ethnic backgrounds.
- Referrals are accepted from a wide range of services.
- Families tend to:
  - be large, comprising three or more children with a high risk of being taken into care
  - have multiple support needs which have often been inadequately addressed
  - have a history of homelessness and chaotic and dysfunctional lifestyles
  - have a history of both low and high anti-social behaviour, including criminal behaviour
- For outreach work the optimum point of referral was prior to the commencement of legal enforcement action but for core and dispersed units it may be later. ⇔

- Multi-disciplinary teams working under the guidance of shared principles.
- Support plans are tailored to the specific circumstances of individual family members and include life skills programs.
- A narrative model is used to encourage people to address issues relating to active citizenship.

### *Benefits*

- A cost-effective way of reintegrating families into the community; it avoids the cost of eviction, homelessness and care resources for children.
- The development of effective inter-agency partnership at both strategic and casework levels.
- The creation of systematic and intensive forms of support for families.
- The delivery of specific service interventions tailored to the needs of individual families.
- The independent nature of the agency managing the project and providing the services.

### *Resource Implications*

The projects offer excellent value for money as they have the potential to reduce considerably the short-term and long-term costs of many agencies including those providing services relating to housing, criminal justice, policing, education and health. They also deliver intangible benefits to the families and to society.

### *Ingredients for Success*

- High degree of trust and co-operation amongst key stakeholders.
- Well-managed program.
- Separation of housing and support.
- Multi-disciplinary and multi-agency focus embedded with local anti-social behaviour partnerships.
- Provision of intensive interventions sustained over a considerable length of time with outreach support often required for 6+ months and residential support for one to two years.
- The ability of project workers to challenge individual family members based on the professional values of listening, being non-judgemental, promoting well-being and establishing relationships of trust.

### *Further Reading*

J. Nixon, C. Hunter, S. Parr, S. Myers, & D. Sanderson (2006) *Interim evaluation of rehabilitation projects for families at risk of losing their homes as a result of anti-social behaviour*, London: Office of the Deputy Prime Minister, retrieved 2 January 2006, from [http://www.shu.ac.uk/research/csi/publications06\\_0001.html](http://www.shu.ac.uk/research/csi/publications06_0001.html)



## Good Practice in Sustaining Tenancies

Anne is a young mother with three children with a background of domestic violence and drug use. The SHA received complaints of anti-social behaviour. There were also two incidents of violence towards Child and Family Health Workers. Her house was the only public housing home in the street so her family 'stuck out like a sore thumb'. With her agreement, the SHA transferred her to a Direct Tenancy (see p.69) which included a support worker from a community organisation and a tenancy manager from the SHA. Over time a trusting relationship was established between the tenant and the workers.

Anne worked with the community organisation so that she began to maintain the property, taking one room at a time. She was rewarded for this with new purchases through the tenancy maintenance program. After about seven months she had established a stable situation with the home and garden well maintained and no neighbour complaints. She enrolled in an education program, came off drugs and maintained her relationship with the support worker. She knows that when the higher level of support is reduced it will resume if things do not work out. The Housing Manager sent a congratulatory letter on her achievements.

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## 5. SUSTAINING TENANCIES AND THE SOCIAL HOUSING SYSTEM: A STEP-UP APPROACH

A key feature of a sustaining tenancies approach is the availability of a range of crisis, transitional and long-term accommodation arrangements, including provision for different target groups. A well-developed, flexible social housing system reduces the potential for tenancy failure through close matching of tenant need with living and support arrangements. It recognises that capacity to sustain independent living is differentially distributed and that at different times, different groups require varying types and levels of support (Lake 2003).

A step-up approach offers tenants opportunities to enter or exit the system as their level of support need changes over time. For tenants with high needs it provides the opportunity to develop independent living skills in a gradual, staged process. It also permits tenancies that fail the possibility of stepping-down to more supportive living arrangements (see Figure 2).

SHAs should aim to have access to a range of support services for each region based on an analysis of tenant profile and support need. This will usually involve a combination of specialist services provided by the SHA as well as formal and informal partnerships with government and non-government organisations.

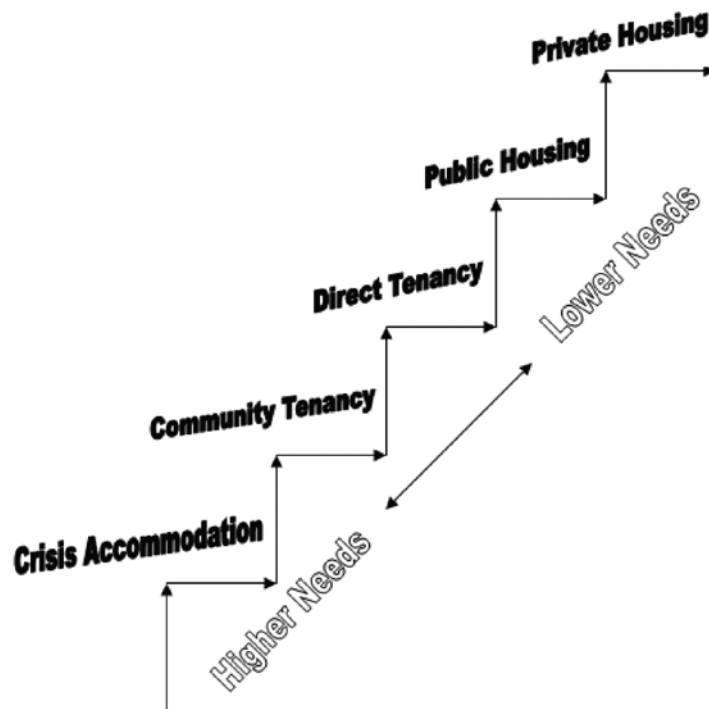


Figure 2: The Step-up/Step-down Approach to Sustaining Tenancies

## 6. KEY POINTS

- ‘Sustaining tenancies’ refers to housing management policies and practices designed to assist tenants to manage their tenancy successfully. Specifically, it refers to assisting vulnerable tenants to avoid tenancy failure through either voluntary or involuntary tenancy termination.
- Failed tenancies are costly for SHAs and often lead to churn in the social housing system in which problems and expenses get transferred from one section to another rather than being resolved (Slatter & Crearie 2003).
- Tenants who leave their home under duress often face the risk of homelessness. Homelessness is expensive for the community and has serious health and welfare consequences for individuals and their families. For these reasons it is important for SHAs to take a sustaining tenancies approach.
- Demanding behaviour refers to behaviours which breach tenancy conditions and cause problems for neighbours and the broader community. They present SHAs with significant tenancy management problems, especially when statutory responses, including criminal justice and mental health services, are not appropriate or accessible.
- There is evidence that many tenants who engage in demanding behaviour have high and complex needs. Demanding behaviour may also result from situational factors such as inappropriate allocations, or poor housing construction. Claims of demanding behaviour may also result from intolerance of difference.

- Responses to demanding behaviour can be divided into disciplinary and supportive ones. Disciplinary responses require tenants to conform to normative standards of behaviour or lose their security of tenure. Supportive responses involve a more holistic approach to demanding behaviour. They stress prevention, early intervention, support, negotiation and the training of housing officers.
- Although disciplinary responses do not fit within a sustaining tenancies approach, if they are employed they should always be accompanied by the provision of support to enable tenants to develop the necessary life skills to sustain their tenancy.
- The role of SHAs in sustaining tenancies needs to be placed in the context of the housing and support services available within the region. SHAs should aim to have access to a range of models of housing and support provision based on an analysis of tenant profile and support need. This will usually involve a combination of specialist services provided by the SHA as well as formal and informal partnerships with government and non-government organisations.



# Part Two

## Good Policy

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This Part of the Guide is directed at housing staff working in areas of housing policy and project development. It identifies the key policy principles for good practice in sustaining tenancies including many of the organisational principles, from the location of the housing agency in government structures to provisions for staff development. It describes the values and principles implicit in a sustaining tenancies approach, including those relating to infrastructure and information management. It pays special attention to the question of partnerships with other agencies and services.



# 1. ORGANISATIONAL PRINCIPLES

This section of the Guide is directed at housing managers. It concerns structural questions of the location of SHAs within State or Territory governments and principles of good governance. It argues that good practice in sustaining tenancies requires a whole-of-organisation commitment. Organisational arrangements should therefore facilitate tenancy sustainment.

## Portfolios and Government Structures

One of the Guiding Principles of the CSHA is to ensure housing assistance links effectively with other programs and provides better support for people with complex needs. Achieving this is assisted if the SHA is co-located with relevant agencies, especially Health, Family and Community Services. This supports service integration by facilitating shared policy development communication and resourcing.

Co-location with cognate agencies has many benefits for housing staff working with vulnerable social groups. These include:

- A shared philosophy
- Policy integration
- Enhanced understanding of the other agency's processes and procedures
- Improved opportunities for organisational learning
- Facilitation of informal networking and formal partnerships
- Pooling resources

Conversely, an agency located with programs with which there is minimal operational or philosophical overlap may experience barriers to accessing resourcing, lack of understanding of its aims and philosophy and problems in establishing the partnerships essential to its objectives.

Table 3 presents a summary of the location of State Housing Authorities in Australia

**Table 3: Location of SHA within State and Territory Governments of Australia**

State or Territory	Housing Agency	Department or Ministerial Portfolio
ACT	Housing and Community Services	Disability, Housing and Community Services
New South Wales	Department of Housing	Housing
	Aboriginal Housing Office	
	City West Housing	
Northern Territory	Territory Housing	Department of Local Government, Housing and Sport
	Indigenous Housing	
Queensland	Department of Housing	Public Works, Housing and Information and Communication Technology
South Australia	Housing SA	Department for Families and Communities
Tasmania	Housing Tasmania	Department of Health and Human Services
Victoria	Office of Housing	Department of Human Services
Western Australia	WA State Housing Authority	Department of Housing and Works



## Good Governance

Good governance is essential for any organisation. Table 4 identifies key principles of good governance and how these relate to a sustaining tenancies approach.

**Table 4: Good Governance Principles for Sustaining Tenancies**

<b>1. Values and philosophy</b>	<ul style="list-style-type: none"> <li>i. Human rights</li> <li>ii. Tenant centred</li> <li>iii. Social inclusion</li> </ul>
<b>2. Transparent goals, objectives, and strategies</b>	<ul style="list-style-type: none"> <li>i. Clear</li> <li>ii. Outcomes focused</li> <li>iii. Agreed and Documented</li> <li>iv. Understood by all stakeholders</li> </ul>
<b>3. Processes</b>	<ul style="list-style-type: none"> <li>i. Responsive</li> <li>ii. Encourage and facilitate participation, negotiation and the establishment of consensus</li> <li>iii. Sustainable</li> </ul>
<b>4. Equity and inclusiveness</b>	<ul style="list-style-type: none"> <li>i. Policies and practices that               <ul style="list-style-type: none"> <li>– are consistent in their content and application</li> <li>– take account of cultural and sexual difference</li> <li>– enhance tenant and neighbourhood well-being and social participation</li> <li>– provide people with choice and are tailored to meet their needs, local conditions and opportunities</li> </ul> </li> <li>ii. Maintenance of Occupational, Health and Safety procedures for staff</li> <li>iii. Access to staff training programs and opportunities for staff development</li> </ul>
<b>5. Structures</b>	<ul style="list-style-type: none"> <li>i. Structures that facilitate               <ul style="list-style-type: none"> <li>– the achievement of organisational goals</li> <li>– organisational learning</li> <li>– flexible service provision</li> </ul> </li> </ul>
<b>6. Efficiency and effectiveness</b>	<ul style="list-style-type: none"> <li>1. Elimination of the duplication of resources and inconsistencies</li> <li>2. A range of tenancy support services and programs based on an analysis of tenancy profile and support need</li> <li>3. Recognition of resource-intensive areas</li> <li>4. Facilitation of partnerships with other services</li> <li>5. Continuous updating and dissemination of policies and practice</li> <li>6. Use of benchmarks to establish standards</li> <li>7. Flexible, continuously evolving services, responses and products that recognise changing demographics and social environments</li> </ul>
<b>7. Accountability</b>	<ul style="list-style-type: none"> <li>i. Minimal reporting burden</li> <li>ii. Reporting clearly linked to agreed objectives and outcomes</li> <li>iii. Accountability linked to roles</li> <li>iv. Information systems that               <ul style="list-style-type: none"> <li>– support reporting</li> <li>– provide accurate and consistent information to staff</li> <li>– support decision making</li> </ul> </li> <li>v. Routine monitoring of performance</li> <li>vi. Regular review and evaluation</li> </ul>

CSHA; United Nations Economic and Social Commission for Asia and the Pacific <http://www.unescap.org/pdd/prs/ProjectActivities/Ongoing/gg/governance.asp>; AHURI 2006



## GOOD PRACTICE EXAMPLE

### Organising Departmental Responsibilities

Palmerston Office, Territory Housing, NT

#### Context

- Changing tenant base as a result of the urban drift of Indigenous populations.
- An internal review suggested greater efficiencies would be achieved through functional separation.

#### Objectives

- Increase positive tenancy experiences through early intervention and support.
- Improved property management.

#### Strategy

Operations are divided into three areas:

- Property Management (vacancies, maintenance)
- Tenancy Management (rent arrears)
- Client Support (neighbourhood disputes)

##### 1. Property Management (Vacancies and Maintenance)

- The Property Manager is located with asset services and is responsible for identifying which properties require upgrading.
- Tenancy staff are assisted with technical issues raised by tenants.
- Increased routine maintenance inspection (see Table 5).

**Table 5: Frequency of Inspections**

Tenancy Length	Frequency of Inspection
Three months	At six weeks
Six months	Every three months
Two and five years	Every six months

##### 2. Tenancy Management

- Complaints about tenants are referred initially to the Tenancy Manager who works with them to sustain the tenancy.
- More serious disruptive behaviour is transferred to the Client Support Cell for a more focused management process.

##### Client Support

- Client Support Officers respond to neighbourhood disputes referred by the Tenancy Manager. They work within the statutory requirements of anti-social behaviour legislation, involving community organisation and interpreters as required. ⇨

- The legislation provides for the use of Acceptable Behaviour Agreements and the designation of dwellings as ‘restricted premises’ for alcohol consumption.
- Client Support Officers deal with rental rebates. Because the same person deals with the tenant the calculation is more accurate.
- An Indigenous Client Liaison Officer works with community organisations (Indigenous and non-Indigenous).
- A Complaints Officer is responsible for tenant complaints about property management.

#### *Benefits*

- Reduction of churn
- Increased rents
- Reduction of damage
- Improved service
- Closer relationships with community organisations
- Decreased vacancies

#### *Resource Implications*

Resource intensive but this is outweighed by the benefits

## 2. VALUES AND PHILOSOPHY

The values associated with a sustaining tenancies approach should operate throughout the organisation because of their contribution to successful outcomes. It is not just Housing Officers who need to adhere to certain values to work successfully with tenants but also staff working in areas such as policy and project development where values such as social inclusion are vital for success. The values suggested here should be an explicit part of the organisational philosophy of SHAs so that they form the foundation for policy and practice.



### **Sustaining Tenancies Is Our Business**

There needs to be recognition from everyone in the organisation that sustaining tenancies is part of our core business.

**SHA Tenancy Worker**

## Human Rights

A sustaining tenancies approach implies an acceptance of a human rights framework which starts with a recognition of the worth of each individual and their right to be treated with respect. It accepts that everyone, regardless of personal or social factors, has the right to a safe, stable and affordable home.

## Tenant-centred Focus

A tenant-centred focus involves placing the tenant at the centre of the service model. It means being non-judgemental and employing empathy and compassion to understand and assist the tenant. It means locating the tenant within their social environment and providing avenues for participation in the development, implementation and evaluation of policy.

The principles associated with a tenant-centred focus include:

- Being non-judgemental when responding to situations involving demanding behaviour
- Developing empathy and compassion for tenants
- Recognising that demanding behaviour may result from social, physical or mental difficulties or needs

Employing these principles does not mean acceptance of behaviours that cause social harm. It implies accepting the person but not necessarily their behaviour. It requires using feeling and understanding in relation to them. It means looking behind the behaviour to see the person in relation to their past, present and future and assessing opportunities to improve their circumstances.



### Values

Within the organisation there will be a range of values. Good practice means recognising that your values influence how you work, recognising what your values are and learning to stand aside from those which are not in tune with those of the organisation.

**SHA Senior Tenancy Manager**

When you visit a tenant they may be suspicious at first. They may have had negative interactions with the Department previously. Some staff members have an idea of the 'bad needy' and the 'good needy'; they take the high moral ground. This makes it very difficult to work with tenants for a successful outcome.

**SHA Tenancy Officer**

## Social Inclusion

Rather than taking measures to isolate the demanding tenant from their community successful tenancy sustainment requires taking positive steps to increase their social inclusion. This involves:

- A **holistic** approach to resolving the problems arising from demanding behaviour (Fernbacher 1999; Nixon & Hunter 2001; Hill et al 2002)
- An emphasis on encouraging **participation** of tenants and neighbours in their community
- The promotion of tolerance and support in the **community**

These principles are based on the broad definition of sustaining tenancies which emphasises the role of social housing in achieving positive outcomes for tenants which go beyond shelter. They imply a community development approach as well as a focus on infrastructure. The latter includes not only the individual property of tenants but also the facilities in the area, from footpaths to community centres (Jones, Seelig & Phillips 2006).

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### 3. PRACTICE PRINCIPLES

There are a number of practice principles that derive from the values and philosophy described above and which are important in many areas of housing work. For example, the protection of tenant confidentiality is a legal requirement but also follows from a human rights philosophy and is essential for the establishment of a trusting relationship with tenants.

Key practice principles include:

- Enabling tenants to live with minimum restriction as well as maximum satisfaction both to themselves and the community.
- Respecting the confidentiality and privacy of tenants in accordance with applicable laws.
- Be sensitive to, and respect, the cultural and linguistic background of tenants. This includes recognising the importance of preserving significant networks and/or relationships
- Provide mechanisms for the separation of housing and support (Randall & Brown 1999; Tsemberis & Amussen 1999). This prevents the possibility that the supportive relationship between tenant and support service will founder because of a perceived (and real) power imbalance. This may mean separating tenancy and housing management functions and/or establishing service agreements for support from external services.



#### Separating Housing and Support

There are potential tensions in service delivery if a Housing Department is both the provider of the bricks and mortar and the support services. Tenants may be reluctant to let the housing agency know of a problem for fear it will threaten their tenancy. From a housing provider perspective if it is made clear that the provider's role is to fix the doors, locks etc. and that the tenant pays their rent and the agency makes sure that tenants do pay their rent and that the provider has absolutely nothing to do with another agency that may be supporting tenants through financial or grief counselling or drug and alcohol issues, then this has more beneficial outcomes for clients.

**SHA Housing Policy Officer**

- Work with the community to promote peaceful neighbourhoods and increased understanding and acceptance of social difference
- Provide clear, consistent and transparent policies
- Work with other service providers to establish joined-up solutions to joined-up problems



## GOOD PRACTICE EXAMPLE

### Separate Housing and Support

Supported Tenancy Program, Housing SA, South Australia

#### *Context*

Action Plan in response to South Australia's Social Inclusion Board's *Everyone's Responsibility: Homelessness in South Australia* (2003) Report. Introduced as a pilot program in a number of areas in Adelaide.

#### *Objective*

To provide tenancy support service to public housing tenants identified as in need.

#### *Strategy*

- The service is provided to tenants who are identified as at risk of tenancy failure due to problems such as domestic violence, mental health problems, neighbour complaints and non-payment of rent.
- Support is provided through a Service Agreement with seven community organisations each of which covers a specified area.
- Each NGO supports a specified number of public housing tenants in their home utilising a case management and multi-agency service model.
- Funding is determined by an analysis of the severity of housing support needs within an area according to area profiles using indicators such as numbers of public housing applicants in highest category of need.
- Funding includes brokerage money.
- Quarterly reporting identifies the level of support being provided by the NGO (high, medium and low intensity).
- The NGO provides information on the primary and secondary needs of clients.
  - Primary needs are defined as mental health issues, counselling or medication.
  - Secondary needs are defined as ability to pay rent or grief counselling.
- For high needs tenants there are also additional avenues for funding.
- A reference group comprising Heads and Managers of *SA Housing* and the NGOs is held every three months.
- Success is measured by the number of tenancies in the program whose tenancies are sustained.

#### *Benefits*

- Sustainment of difficult to manage tenancies
- Reduction of churn

#### *Resource Implications*

High ⇔

### *Ingredients for Success*

- Provision of intensive support to tenants with behavioural problems
- Early intervention
- Separation of housing management and support
- Positive relationship and good communication with NGOs
- Regular review and reporting mechanisms

### *Further Reading*

Housing SA policy on resolving neighbour issues:

<http://www.housingtrust.sa.gov.au/resources/43.%20Resolving%20neighbour%20issues.pdf>

Disruptive tenant complaint form and diary:

<http://www.housingtrust.sa.gov.au/resources/DT%20Complaint%20Form%20Diary.doc>

Evaluation of Successful Tenancies Demonstration Projects and Initiative Report (2003):

[http://www.housingtrust.sa.gov.au/resources/Successful\\_Tenancies\\_Evaluation.pdf](http://www.housingtrust.sa.gov.au/resources/Successful_Tenancies_Evaluation.pdf)

Solving Problems Between you and Your Neighbour:

<http://www.housingtrust.sa.gov.au/resources/SolvingProblems.pdf>

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## **4. ORGANISING DEPARTMENTAL RESPONSIBILITIES: SPECIALIST PROGRAMS AND POSITIONS**

Housing workers work within a context of multiple demands. Juggling priorities can be challenging and effective working may be undermined by a tendency to respond to whatever is easily fixed or most immediate, rather than working strategically for long-term solutions.



### **The Problem of Doing Everything**

As well as supportive tenancy management we still have to do the core work in the office. Some staff are employed to do different work, for example, administration, and they struggle with being asked to do different things.

#### ***SHA Tenancy Officer***

Before we started a supported management team we were using so many resources to mop up messes.

#### ***Senior Housing Manager***

Specialist positions permit the development of expert knowledge that benefits individual staff members and the organisation. They reduce the likelihood that strategic goals will get lost in the pressure of meeting everyday requirements and pressures.



The advantages of developing specialist programs and positions therefore include:

- The facilitation of expert knowledge and networks that are valuable across the organisation
- Improving efficiency by permitting staff to concentrate on core tasks
- Concentrating knowledge in areas that need it, such as early intervention
- Permitting some separation of support and routine housing management so that the same person is not dealing with rent collection and tenancy support
- Providing a career structure for staff



## GOOD PRACTICE EXAMPLE

### Specialist positions

Housing Support Co-ordinator (HSC), Housing SA, South Australia

#### *Context*

HSCs were introduced in 2000 as one of the recommendations from the Successful Tenancies Demonstration Projects. The aim of this project was to explore innovative ways of improving successful tenancy rates within the public housing system.

#### *Objective*

Improved positive tenancy outcomes for tenants with complex needs.

#### *Strategy*

- This specialist position facilitates and co-ordinates support services for tenants with complex needs in private or public housing who are at risk of eviction.
- The Housing Support Co-ordinator works closely with government and NGOs and provides assistance to staff managing difficult and complex tenancies.
- They are also responsible for identifying gaps in service provision.
- The HSCs provide support and information to housing advisers and managers to assist in the management of tenants with complex and more demanding needs.
- They offer specialised services to a range of programs, such as the Catherine House Mental Health Program, the Supported Tenancy program for clients at risk of eviction, and the Street to Home service.
- They liaise daily with all the agencies in the CBD dealing with the homeless and interview tenants or applicants with more complex needs.
- They monitor and document all short-term lease tenancies and ensure that they are well supported to maximise opportunities for success.

#### *Benefits*

- Reduction of failed tenancies.
- Provides a 'rapid response' service to disruptive tenants.
- Facilitates and co-ordinates inter-agency collaboration.
- Brokerage and co-ordination of a wide range of community services.
- Case consultation, advice and specialist assistance is available to other regional staff in respect of the assessment.
- Management of complex cases. ⇔

- Facilitates helpful feedback from other service and agencies on the appropriateness and effectiveness of SHA services.
- Enhanced expertise for tenants with severe/multiple support and housing needs that may jeopardise their current or future tenancies.

See J. Baulderstone and A. Beer (2003) *Evaluation of Successful Tenancies Demonstration Projects and Initiatives*, Adelaide: South Australian Housing Trust.

### *Resource Implications*

With the exception of the Adelaide area office where there are two HSCs covering client services and tenancy support services, each region has one HSC position.

### *Ingredients for Success*

- Knowledgeable and experienced staff.
- Low staff turnover helps to ensure continuity of service and sustained development of rapport and trust with tenants and other agencies.
- An experienced in-house case worker resource with responsibility for facilitation of case management, case consultancy.
- Early intervention.
- Case conferencing with inter-agency organisations.
- Client database which enables monitoring of past behaviours and evaluation of risk.
- Close knowledge of, and links with, government and non-government services.
- Identification of gaps in service delivery.
- Effective, targeted networking and liaising with other agencies and services.

## 5. ORGANISATIONAL LEARNING

This section of the Guide considers how the knowledge built up within an organisation can be preserved and transferred over time. It considers a range of initiatives for achieving this, including staff development.

### **Preserving Organisational Knowledge**

Expertise within an organisation is easily lost if it is dependent on individual knowledge. Establishing strategies for developing and preserving organisational knowledge means integrating mechanisms for information sharing across the organisation.



#### **Developing Organisational Knowledge**

We go out in pairs so there's always someone around with a more thorough knowledge.

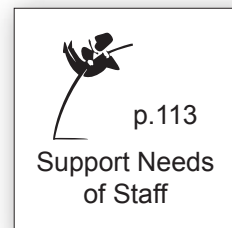
***SHA Tenancy Support Worker***

Practical actions for promoting organisational learning include:

- Anonymised case notes distributed to staff or posted on a secure in-house website
- A dedicated website for organisational learning
- Staff seminars and presentations, showcasing the work of excellent practitioners and other services
- Developing strategic relations and partnerships with local education providers
- Regular, shared review of cases, such as post tenancy assessments
- Establishing feedback loops between frontline workers and policy-makers
- Guidelines on roles and responsibilities including identifying what staff are not meant to do
- Internal case conferencing for frontline tenancy officers to share current and newly referred cases
- Pairing new staff with each member of the team for a short time
- Briefing packs on new policies

## Staff Development

An environment which encourages staff commitment has substantial benefits. It facilitates the development of individual expertise and an understanding of local issues and resources. Tenants also prefer working with someone they know. Valuing the workforce can contribute to achieving a stable workforce and is especially important given the demanding nature of housing work. Facilitating staff participation and consultation and providing information are important ways of achieving this. Supporting staff with measures designed to ensure staff safety and providing debriefing, supervision and training opportunities are also important strategies (Bisset et al 1999).



### A Stable Workforce

I've been in the same position for 20 months. It's let me build up relationships. Tenants will ring you up if something's happened. There's a level of trust. You don't have to hear it from the Police or other agencies. Complaints in writing can take time to work through the system but this way you can talk to people about what's happened the day after.

**SHA Tenancy Support Worker**

Staff development programs which should be a routine part of training include:

- Induction programs, Resource Kits and Training Manuals
- Compulsory participation in essential training programs
- Performance management indicators
- Promotion criteria
- Secondment to allow staff to experience other areas and work practices
- Mentoring programs and staff supervision
- Inter-agency development programs, such as working with Police on domestic violence programs

- Training programs covering:
  - Local services, contacts and their referral criteria and procedures
  - Customer service
  - Safety
  - Mental health
  - Sustaining demanding tenancies
  - Drug and alcohol problems
  - Domestic violence
  - Working with ex-offenders
- Training in sustaining demanding tenancies should cover:
  - knowledge of relevant legislation, and the agency's policies, procedures and forms
  - understanding of information provided to tenants and complainants
  - knowledge of relevant local agencies and community organisations and their referral policies
  - understanding of mediation and conflict resolution and when it might be appropriate
  - interview skills for tenants and neighbours in relation to neighbour disputes and demanding behaviour
 (Rowan Associates 2004: 94)

### *Staff Safety*

Dealing with demanding behaviour generates safety issues for both field and office staff. As well as meeting legislative requirements, Occupational Health and Safety policies should include:

- Measures for the physical protection of front-desk staff
- Advice, information and training on safety and client management for all frontline staff
- Policies on home visits
- Ensuring staff take regular leave

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## **6. MANAGING INFORMATION**

Managing housing information may be boring to do but it is an essential housing practice. Although it is time consuming to record the details of a visit or meeting, the record saves future time by providing a paper trail for others as well as a memory jogger. It also provides evidence for legal proceedings, whether in relation to the tenant or worker. It helps decision making and enables the record to be reviewed for ideas and possible solutions. It is also essential for the analysis of service provision and profiles.

Some helpful principles for good information management are:

- Requirements should be consistent with legislative requirements



### **Privacy Legislation**

Apart from the ACT which is regulated by the Federal Privacy Act (1988), State Governments and Territories are regulated by State legislation. See [http://www.privacy.gov.au/privacy\\_rights/laws/index.html](http://www.privacy.gov.au/privacy_rights/laws/index.html)

- Formats and procedures should be consistent across the organisation and other partner organisations if possible
- They should be kept to the minimum possible
- Systems should be user-friendly

## A Complaints System

Most SHAs have a system for recording complaints but few have the resources for a dedicated information system. Despite this it is helpful to understand the benefits such a system can offer in assisting staff to be consistent, to intervene early and to support what they do with firm evidence of areas of demand and effective intervention. A complaints information system can:

- Ensure consistency
- Provide automated notifications
- Provide a monitoring and warning system for response times
- Provide a management tool for assessing case progress and review
- Provide data on patterns of complaints, tenant and complainant profiles, support needs and outcomes
- Assist with the identification of staff support needs
- Assist with changing business practices

## Documenting Complaints

Whatever system is used there should be a chronological record of all complaints and interventions that covers:

- Type and level of complaint
- Complainant details and actions
- Third party involvement
- All contacts with complainants and third parties
- Tenant details including property type, household members, tenancy history
- Investigation
- Outcomes of investigation
- Responsible officers
- Other agency involvement (subject to Privacy legislation)
- Outcomes of review including what did and did not work
- Reasons for file closure

It should provide for different levels of access by different sections of the organisation. For example, property managers should have information on rent payments history but not to complaints records or support needs while tenancy support workers may need access to all details held. This protects tenant privacy but also ensures that those who need, and are permitted to access, information can do so.



### Non-Responsive Tenants

Most tenants will co-operate with requests to modify their behaviour and will accept support if it is offered. But there are tenants whose behaviour does not change and who therefore create a significant dilemma for SHAs. If the tenant is evicted they will likely reappear elsewhere in the social housing system. If they remain they may threaten the tenancies of neighbours and reduce the social capital of the area. Guidelines on options for non-responsive tenants should identify what the options are and the criteria for when they should be employed.

**SHA Tenancy Manager**

## A Database of High and Complex Needs Tenants

It is helpful to have a record of tenants identified as having high and complex needs. This should be kept separately from the record of complaints although relevant staff have access to both databases. The benefits of a record of tenants with high support needs include:

- Ensuring the flow of timely, accurate information which is independent of personnel
- Provision of data on patterns of need and support availability
- Provision of a chronological record of the tenant's situation over time

The areas it should cover include:

- Demographic details
- Tenancy history
- Areas of need
- Level of needs
- Management plan
- Service provision
- Contact details of services
- Number of contacts
- Length of involvement
- Goals
- Targets
- Safety considerations

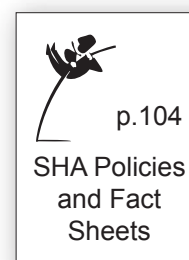
All documentation must conform to the requirements of privacy legislation (see <http://www.privacy.gov.au/links/index.html#2>).

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## 7. POLICIES

This section identifies the policies required by a sustaining tenancies approach and also outlines some of their key features. These policies reflect the values and practical principles identified earlier and provide an essential framework for staff working in the area of tenancy management.

- Community Relations
  - Promotion of tolerance of cultural and social difference
  - Clear, accessible communication about roles, responsibilities and policies
- Media
  - Authorisation for release of information
  - Channels of communication
  - Response timeframes
- Neighbourhood relations
  - Information
  - Participation
  - Self-help
- Allocations
  - Participation
  - Information



- Sensitive allocations
- Applicants with a history of anti-social behaviour
- Applicants with support needs
- Balanced communities
- Disruptive tenants and neighbour disputes
  - Systematic documentation
  - Prevention
  - Early intervention
  - Benchmarks for response times
  - Criteria for levels of anti-social behaviour
  - Non-responsive tenants and tenancy failure
- Discretionary decision making
  - Areas
  - Processes
- Building and Maintenance
  - Appropriate design
  - Standards
  - Regular, timely maintenance
  - Assessing responsibility for property damage
  - Procedures for repairing damaged property
- Tenant participation
  - Information
  - Structures
- Transfers
  - Criteria
  - Processes
- Authorisation procedures
- Multi-agency working
  - Roles
  - Responsibilities
  - Participation and consultation
  - Processes
  - Communication structures
  - Timeframes
  - Resourcing
  - Training
- Confidentiality and information sharing
  - Protocols
  - Processes
- Staff Safety
- Staff Training and Development



## Discretionary Decision Making

Sometimes it is important that we use a common-sense approach to achieve the most sensible outcome instead of sticking rigidly to what is written in policy. This is when a waiver of policy or a discretionary decision could be used.

*SHA Housing Manager*

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## 8. GUIDELINES

The provision of guidelines to staff ensures consistency of decision making and provides Housing officers with the information they need for effective service delivery. The guidelines should be the first point of call for staff working in situations of neighbour conflict so they need to be clear and direct. Unlike the policies which answer some of the 'why' questions about tenancy management, the guidelines should be more clearly focused on the how's and who's of service delivery.

Guidelines should cover:

- Roles and responsibilities
- Assessing housing need
- Establishing a tenancy
- Tenancy management
- Communication and referral
- Information management
- Discretionary decision making
- Criteria for different forms of intervention
- Development and monitoring of support plans
- Planning for joint programs
- Evaluation of individual outcomes and joint programs

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## 9. BUILDING AND MAINTENANCE

This section of the Guide describes some of the policy principles for reducing neighbour complaints through appropriate housing design and maintenance. Poor construction, inappropriate location and inadequate facilities translate into neighbourhood problems (Martin et al 2002). Properties with thin walls, for example, generate neighbour complaints about noise and create unnecessary antagonism. Adhering to construction and maintenance standards which account for the proximity of tenants to one another and the kind of physical demands likely to be placed on a tenancy are important ways of reducing neighbour complaints.





## Cheap Housing

Cheap houses are very expensive to maintain.

*Indigenous Community Organisation worker*

## Construction and Maintenance

The construction and maintenance of building is regulated by the Building Code of Australia (BCA) which is produced and maintained by the Australian Building Codes Board on behalf of the Australian Government and State and Territory governments. The BCA applies to all Australian States and Territories.

The BCA contains technical provisions for the design and construction of buildings and other structures, covering such matters as structure, fire resistance, access and egress, services and equipment, and certain aspects of health and amenity. The goals of the BCA are to enable the achievement and maintenance of acceptable standards of structural sufficiency, safety (including safety from fire), health and amenity for the benefit of the community now and in the future (see <http://www.abcb.gov.au/>).

These regulations are important because poor construction and maintenance have been implicated as factors contributing to demanding behaviour.

A number of researchers have suggested that prevention of damage through the use of strong construction and fittings as well as the provision of amenities plays an important role in sustaining tenancies (Martin et al 2002; Housing Corporation 2004). These are some of the features of a program which recognises this:

- Low density building
- Provision of community facilities
- Use of noise-proofing materials, especially in high density areas
- Ensuring physical safety and security
- Adapting homes to household changes
- Promoting energy and resource efficiency
- Low visibility, especially in mixed tenure areas



## Demanding Behaviour and Housing Stock

When you have concentrated stock often in an old run-down housing form and you have vacancies in those areas being replaced by high needs customers, that can become a very volatile mix.

*SHA Housing Manager*

An understanding of the stress that high density living can place on the home and a repairs program that works with the tenant to meet the costs of repairs gradually, without having to wait for replacements can make a difference to tenancy stability.

Hall and Berry (2006) found that the costs of Indigenous housing were significantly higher than for mainstream housing, especially in rural and remote areas. Since revenue is insufficient to meet normal operating expenses there tends to be the build-up of a progressive backlog in replacing and upgrading existing dwellings in poor condition. In 2003-4 this backlog was estimated to be \$58.1 million. However, failure to provide adequate maintenance lowers proportions of potential rents which promotes further deterioration of stock creating a downward spiral of deteriorating housing stock, lower housing management expenditures and even lower revenues.

Four elements of a good practice maintenance program are:

- Pre-tenancy identification of needs and property modification
- Frequent inspections
- Proactive and early maintenance and repair of faulty or damaged items
- Rewards program for tenants who look after their home and/or repair it.



Rewarding a tenant for looking after their home or making good any damage, is a helpful strategy. Housing SA, for example, has a 'Rewards and Recognition Scheme' for tenants who have made a contribution to their tenancies, neighbourhood and community (<http://www.housingtrust.sa.gov.au/site/page.asp?swld=1&pgld=137>).

#### *Property Maintenance Profiles*

A property maintenance information system should record:

- Timelines for inspection
- Warning system for missed visits
- Record of fittings and their replacement
- Reasons for damage
- Time taken for repair and replacement
- Responsibility for costs



#### **Low Visibility**

If we maintain our properties well they don't stand out as public housing and generate less prejudice.

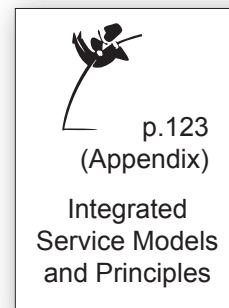
**SHA Housing Manager**

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## 10. MULTI-AGENCY WORKING

Multi-agency working is a cornerstone of a sustaining tenancies approach. Achieving better linkages both between State and Commonwealth programs and between government and the non-government sector, is also an explicit objective of the current CSHA (Commonwealth of Australia 2003: 2).

The significance of having a place to call home for general well-being means SHAs are often at the centre of the demand for tenant support even though they are not counsellors and case management is not part of their business. But they can facilitate support through the establishment of partnerships with support services. This is challenging to achieve as there are many barriers to joined-up service delivery. It requires a cultural change which encourages all service providers to develop a philosophy of 'we're all on the same team' and the establishment of formal agreements and strong informal working relationships.



Multi-agency approaches are also especially beneficial for holistic service models which a number of studies have identified as especially relevant when dealing with anti-social behaviour (Fernbacher 1999; Nixon & Hunter 2001).

### Key Services

The key services likely to be involved with tenants with demanding behaviour are:

- Health services (including drug and alcohol)
- Aged care
- Mental Health
- Disability
- Police
- Community
- Family services (including domestic violence and child protection)
- Indigenous
- Migrant
- Justice

### Types of Partnerships

Recognition at all levels of government of the need for integrated service provision has resulted in increased commitment to the establishment of formal partnerships with other government programs and community organisations.

Formal partnerships with other government agencies usually take the form of **Memorandums of Understanding** and **Joint Responsibility Agreements** which define the roles and responsibilities of each agency in relation to areas of shared responsibility.



## GOOD PRACTICE EXAMPLE

### Multi-agency Working

The Lismore Co-ordinated Community Response to Domestic Violence Project, Lismore, NSW

#### *Context*

Police initiative to provide co-ordinated response to domestic violence call-outs. The project aims to develop a model of information, referral and co-ordinated service delivery for victims of Domestic Abuse.

#### *Objective*

To combat domestic violence, in co-operation with other agencies

#### *Strategy*

- Partnership between Police Department, Department of Housing, Department of Community Services and community organisations for counselling services and refugees
- Incident reporting by Police to NSW Department of Housing
- Case management
- Joint visits by police and housing officer to public houses involving incidents of domestic violence
- Monthly meetings for anonymous case discussion

#### *Benefits*

- Integrates service provision
- Meetings allow for agreement on which agencies to use before referrals are made to clients

An evaluation of the project found the project was highly effective and recommended that it be extended or a service established (Lismore Domestic Violence Liaison Committee Inc. 2002)  
[http://www.lawlink.nsw.gov.au/lawlink/vaw/ll\\_vaw.nsf/pages/vaw\\_resources\\_vawreports](http://www.lawlink.nsw.gov.au/lawlink/vaw/ll_vaw.nsf/pages/vaw_resources_vawreports).

#### *Resource Implications*

Time intensive

Resources are provided by all involved agencies

#### *Ingredients for Success*

- Adequate resourcing
- Close co-operation with Department of Community Services and Department of Housing
- Pocket-sized Domestic Violence card with a brief description and key contacts for clients

Formal partnerships with community organisations often take the form of a **Service Agreement** which outlines the services to be provided by the NGO and the corresponding funding. Other arrangements include **Memorandums of Understanding** as well as funding agreements.

See, for example, <http://www.housing.nsw.gov.au/Changes+to+Public+Housing/Reshaping+Public+Housing/Housing+and+Human+Services+Accord.htm>;

<http://www.housing.nsw.gov.au/NR/rdonlyres/8C3B0C5A-B737-4F4B-9B6E-5494290B0577/0/JointGuaranteeofServiceforPeoplewithMentalHealthProblemsandDisorders.pdf>

<http://www.dhhs.tas.gov.au/agency/publications/documents/PolicyforAgencyCollaborationStrategyFeb04.pdf>



## Formalising Partnerships

Relationships with other service providers really need to be formalised. This means if there is a change of management the protocols are still there.

**SHA Policy Officer**

## What's in an Agreement?

An agreement is a contract or arrangement, either written or verbal, between two or more organisations and sometimes enforceable by law. Agreements between agencies are best established on the basis of existing networks and informal working arrangements. They build on these to formalise joint working arrangements, identify service gaps and develop strategies for filling these. Joint Responsibility Agreements between government agencies should cover:

- Context
- Aims
- Purpose
- Target group
- Principles
- Governance mechanisms
- Service boundaries
- Clearly mandated roles and responsibilities of all signatories
- Processes and procedures for all signatories
- Commitments
- Resource contributions (cash, staff, in-kind)
- Dispute resolution mechanisms
- Central and regional agency contacts
- Evaluation mechanisms
- Length of agreement
- Resourcing

## Establishing Successful Partnerships

Establishing successful partnerships with other agencies and services requires a significant commitment of time and energy. To some extent success is influenced by contingencies such as the personalities of those involved and the extent of fit between the organisations. This includes such things as geographical areas covered and funding arrangements. But there are also strategies and actions that can be taken to increase the likelihood of the successful establishment of partnerships.



p.128  
(Appendix)

Developing  
Partnerships



### Successful Partnerships

Build the relationships first, *then* formalise them in a partnership.

**SHA Housing Manager**

Successful partnerships can be assisted by:

- Strong, joint policy support, planning and launch
- Adequate resourcing
- Clear identification of goals
- Strong leadership and support
- Clearly articulated policies
- Steering group to monitor effective implementation and adherence
- Formalisation of processes for inter-agency co-operation
- Avoidance of duplication and gaps
- Establishing timeframes for strategy development and implementation
- Engagement and inclusion of staff at all levels of the organisation and at all stages of the process
- User consultation at all stages of the process
- Strategies for staff turnover
- Joint briefing and training
- Effective systems for information gathering and retrieval
- Regular review

At the practice level strong partnerships can be assisted by:

- Identifying what your service can and cannot do
- Identifying your expectations of what other services can do
- Establishing a single point of contact for each level
- Establishing trust relationships with local agencies, services and regions
- Encouraging networking and face-to-face contact at all levels of the organisation
- Managing expectations within the relevant organisations of what the partnership will achieve
- Providing both horizontal and hierarchical communication structures to ensure a timely response to operational failures

What not to do:

- Have unrealistic expectations of what the other service will deliver
- Avoid transferring too many duties to the new service too soon



## GOOD PRACTICE EXAMPLE

### Multi-agency Working

SA Police Agreement, South Australia

#### *Context*

- Parliamentary Committee Review of anti-social behaviour and the role of SHA in controlling it
- SHA review of management of disruptive behaviour
- Informal arrangements for information exchange and co-operation between SA Police and Housing SA

#### *Objective*

Protocols to permit information sharing between SHA and the Police to assist in a co-ordinated response to social disorder and crime within social housing properties.

#### *Strategy*

- MOU between Minister for Housing and Minister for Police
- Strategic Protocol setting out the principles for the partnership
- Operational Protocol detailing the operational guidelines for the partnership
- Information Exchange Pro Forma provides an exclusive mechanism for information sharing
- All requests for information exchange channelled through Senior Officer/Manager

When tenants become involved in the disruptive tenancies procedures they are informed that behaviour about their actions will be sought from the Police

Typically a complainant will contact a housing manager who will then bring the complaint to the attention of the Service Delivery Manager (SDM), usually via email, and then based on that the SDM will send an email to the Police with a summary of the issue and then request relevant information from the Police pertaining to the person whom the complaint has been made against.

- Social Housing/SA Police Liaison Committee in each Police Local Service Area which meets at least every two months
- Chaired by Service Delivery Manager and attended by Regional Manager (SHA), Service Delivery Manager (SHA), Senior Sergeant (SHA), Intelligence Unit Officer (SHA)
- Every third meeting attended by Senior Manager
- Regular data collection, analysis and reporting
- Annual internal formal evaluation

#### *Benefits*

- Direct information exchange about disruptive behaviour between Police and SHAs
- Documented evidence of tenancy breaches
- Early warning system
- Potential for targeted community development programs
- Assists in moving tenant to acknowledge incidents and to start work on the underlying issue
- Police act as witnesses if legal proceedings taken →

### *Resource Implications*

None.

### *Ingredients for Success*

- Good relationships between different service personnel
- Finding common ground
- Some flexibility of interpretation without breaching Privacy legislation



## **Understanding One Another's Business**

Effective working means getting an understanding of the other organisation's limitations and what they can provide.

**SHA Policy Manager**

## **Information Sharing Frameworks**

Striking a balance between tenant privacy and confidentiality and the need to exchange information with external services is a major barrier to multi-agency working. Privacy legislation, while essential, may prevent the information sharing between agencies and services necessary for effective service delivery. Establishing protocols for information sharing, within the context of relevant privacy legislation, is therefore a key component of formal agreements.

In the context of relevant privacy legislation, information sharing protocols should:

- Identify the government and non-government organisations working within a particular geographical area that are signing up to the protocol
- Identify the objective of the arrangement
- Define the different types of information to be shared including:
  - Non-personal information (which has never referred to any individual)
  - Depersonalised information (which cannot be traced to any individual)
  - Personal information (about individuals and incidents)
  - Sensitive information (which may relate to ethnicity, sexual orientation, religious or political beliefs)

**Protocols** should provide clear guidance on:

- Information sharing principles
- Legislative requirements
- What can and cannot be shared and in what circumstances
- Information sharing processes including controls for the exchange of data (e.g. a single avenue for authorisation for information sharing)



- Security of information
  - Who can access it?
  - Who makes decisions disclosure?
  - Where it is stored?
- Safeguards for any third parties processing information
- Responsibilities for accuracy of information
- Guidance on the length of time that each organisation is able to keep the information and the requirements for it to be destroyed at the end of that time
- Criteria for information exchange (types of behaviour)
- Criteria for level of urgency
- The rights of individuals to access the information held about them
- The avenue for complaints
- Confidentiality requirements
- Mechanisms for compliance and good practice
- Provisions for indemnity insurance
- What to do if a tenant refuses consent  
(See Rowan Associates 2004: 82)



## Preserving Client Confidentiality

We may get information from the Police that we can't put into our complaints system because it's not public information.

*Senior SHA Tenancy Manager*

## Working with NGOs

Strong relationships with local NGOs are essential for sustaining tenancies since they provide one of the most important avenues for supporting tenants with high and complex needs. The smaller size of NGOs enables flexible service delivery. Workers often come from a human service background and can provide professional support to tenants. Their training usually takes place within a social justice framework entirely congruent with a sustaining tenancies approach.

**Principles** for maximising the contribution of NGOs include:

- Funding mechanisms that permit long-term planning capacity
- Provisions for access to brokerage money
- Encouraging complementarity not competition across a region
- Acknowledging when changes in service delivery increase NGO responsibility and matching this with increased funding
- Ensuring continuity of service from NGOs after clients have been housed until agreed goals have been achieved

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## 11. KEY POINTS

- Organisational structures should reflect the sustaining tenancies approach. This means locating the Housing Department with cognate agencies, especially Health, Family and Community services.
- Governance principles and mechanisms should reflect the commitment to sustaining tenancies.
- A sustaining tenancies approach belongs within a human rights framework and requires appropriate values which stress a socially inclusive, tenant-centred approach. These values lead to a range of principles which should be incorporated into everyday practice.
- There is considerable value in providing specialist services and programs. These encourage the development of expertise, allow for targeted programs and permit some separation of housing and support which is a key principle of a sustaining tenancies approach.
- Successful working with tenants requires staff development programs, which equip staff with essential values, knowledge and skills. It also requires supporting staff through policies and practices which ensure their safety.
- Comprehensive information systems are essential for good practice in tenancy management. A dedicated system for recording and tracking complaints can make an important contribution to managing demanding behaviour. A database of tenants with high and complex needs is also valuable.
- Policies and guidelines relevant to a sustaining tenancies approach should be comprehensive, clear and transparent.
- The role that infrastructure plays in demanding behaviour should be reflected in building standards and maintenance programs designed to promote positive housing experiences and minimisation of neighbour conflict.
- Multi-agency working with other agencies and NGOs is a cornerstone of a sustaining tenancies approach. Formal and informal partnerships should be developed which include information sharing protocols.



# Part Three

## Good Practice

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This Part of the Guide is directed at staff employed in operational areas, including allocations and tenancy management. Personnel in areas of policy and management will find it useful insofar as it provides an overview of key areas including allocations and models of support. It builds on Part Two of the Guide, describing the implications of sustaining policy principles on practice. It answers the 'how to' questions relating to working with tenants with demanding behaviour. As well as the research literature, it pulls together the 'practice wisdom' of informants specialising in this area.

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# 1. PREVENTION

Preventative strategies are the most effective way of sustaining tenancies threatened by demanding behaviour. These include the provision of appropriate infrastructure, the promotion of neighbourhood harmony, and pre-tenancy work. This includes arranging support for housing applicants identified as likely to lack the skills to manage a public housing tenancy.

## Community Education and Neighbourhood Relations

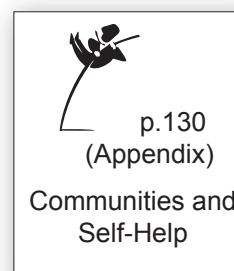
Much can be done to promote community harmony through community education and the encouragement of good neighbour relations. Community education and development is especially important in mixed tenure areas.

Designation of funding within the SHA to support community education policies and strategies is essential. The two key strategies for the promotion of community harmony are information and participation.

### *Information*

A suite of Information sheets and brochures should be made available to tenants, neighbours, community organisations and the media. They should:

- Explain to neighbours and other interested parties what areas SHAs are, and are not, responsible for
- Promote tolerance and understanding of cultural difference between neighbours and local people
- Strongly discourage frivolous and vexatious complaints and surveillances
- Explain tenancy expectations
- Explain anti-social behaviour and Good Neighbour policies
- Explain housing stock management (vacant houses)
- Explain what racist behaviour is and how it will be treated
- Explain and encourage what tenants themselves can do to resolve neighbour conflict including advice and information on negotiation
- Provide a list of contacts and services that can be provided to other tenants and neighbours affected by demanding behaviour



*Strategies for dissemination of Good Neighbour policies should include:*

- Presentations to community organisations
- Distribution of brochures and fact sheets to community and government organisations, e.g. Centrelink
- A neighbourhood newsletter
- Community programs in partnership with other services such as Schools, Health and Community Centres and Police



## Providing Clear Guidance

We have a fact sheet on what's appropriate to complain about – what's a council issue, what's a police issue and what's a housing issue.

*Senior SHA Housing Manager*

### *Participation*

Encouraging community participation contributes to community harmony by breaking down the barriers between residents. It can assist with problem identification and the development and implementation of strategies for early intervention (Samuels et al 2004). It builds social capital by encouraging personal contacts and face-to-face relations. It promotes understanding and tolerance of difference by revealing the person behind the stereotype. It assists neighbourhoods to deal with demanding behaviour through positive informal strategies. Some of the ways in which neighbourhoods can be encouraged to get to know and work together include:

- Resident/Tenants Participation Groups
- Regional Development Boards
- Community gardens
- Mobile libraries
- Neighbourhood BBQs
- Neighbourhood newsletters
- 'Have your say' phone line
- Customer Complaints and Feedback Form
- Community Project Grant Funds (<http://www.dhcs.act.gov.au/hcs/Publications/booklet.pdf>)

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## 2. ALLOCATIONS

Pre-tenancy work can do much to reduce demanding behaviour by assessing the applicant's capacity to manage a public housing tenancy and providing an environment which maximises this. The allocations process is the key mechanism for this (Martin et al 2002). It should:

- **Maximise tenant participation** in the selection of their home. Tenants who accept a property which they feel is unsuitable for their needs, or which they do not like, are unlikely to remain in it for long. Although matching tenants to properties is not easy, especially in the context of limited stock, the time spent at the allocations stage pays off through the establishment of stable tenancies.

In the UK the benefits of facilitating tenant choice are recognised in the growth of 'choice-based lettings' systems in which the public housing allocations system mirrors that of the private rental sector. Tenants are empowered and feel a sense of ownership over their home while the public housing authority benefits from increased take-up of difficult-to-let properties. This suggests that giving tenants greater control over the allocations process and allowing them to find a property they feel comfortable to call 'home' helps to create positive tenancy experiences.

The only example of choice-based lettings is the pilot by Housing SA (formerly the South Australian Housing Trust) in Whyalla which commenced in 2005 and is ongoing. It operates alongside the existing allocation system. Since its introduction vacancies have fallen significantly and client satisfaction is high although these improvements have occurred at the same time as the local economy and housing market have improved (Hulse, Phillips & Burke 2007: 41).



## Meeting Needs

Shelter is not shelter unless it meets a person's needs.

*Indigenous Community Organisation Worker*

- Permit **sensitive allocations** which recognise that 'top of the list' is not always appropriate. Consideration should be given to how well the needs and lifestyle of the tenant will fit into the area and where there are obvious conflicts these should be avoided. For example, it can be anticipated that locating young people close to older people, or families in houses with inadequate play space, might cause neighbour conflict.

There is also little point in locating a tenant with high needs in an area with poor transport facilities and far from relatives who provide essential support. As a general rule, tenants with high needs should always be located close to support networks and services.



## Sensitive Allocations

To minimise the risk of harm to neighbours a single man with an intellectual disability and a known history of arson was allocated a three-bedroom house because it was unattached even though the SHA policy only entitled him to a two-bedroom attached one.

*SHA Tenancy Support Officer*

- **The allocations interview** should assess the capacity of applicants to sustain a public housing tenancy and a strategy for providing support should be agreed upon with the applicant as part of the pre-tenancy negotiation. Prior tenancy history should identify whether there is a history of tenancy failure or difficulties, including any demanding behaviour (Slade et al 1999; Baker 2005). If tenants have support needs, these should be discussed and type and level should be recorded. An assessment should be made of whether supports are likely to be sufficient and a strategy for filling support gaps should be developed.



## GOOD PRACTICE EXAMPLE

### Prevention

Choice-based Lettings, UK

#### *Website*

<http://www.communities.gov.uk/index.asp?id=1153186>

<http://www.choicemoves.org.uk/default.asp>

#### *Context*

Increasing the British Government policy principle of increasing choice. As part of the Spending Review 2000 the Blair Government provided £13 million to support and evaluate pilot schemes (Choice Moves 2007). These tested choice-based lettings policies and involved local authorities and registered social landlords.

#### *Objectives*

- Empowerment of social housing applicants by promoting opportunities for choice in allocations
- Maximising utilisation of hard-to-let properties

#### *Strategy*

- When council and housing association properties become available they are advertised on the Local Authority website and in property magazines.
- Tenants then bid for them using their housing priority and points.
- Depending on the system in use, the Housing Authority places all priority housing applicants in one of three bands.
- Applicants are also given points to reflect their need for housing.
- If several people bid for a property it is offered to the applicant in the highest band with the most points.
- The most popular model of choice-based lettings system is based on the Delft model in the Netherlands (Choice Moves 2007).

#### *Benefits*

- Greater choice and access for housing applicants
- Greater satisfaction for tenants
- Improved housing occupancy and re-let rates
- Streamlined allocations process
- Improved relationships between tenants and Housing authorities
- Operates successfully in both high and low demand areas
- Provides valuable information for housing investment strategies about the types of housing and places that people want to live

#### *Resource Implications*

Increased costs of advertising are balanced by improved efficiencies. ⇨



### *Further Reading*

Office of the Deputy Prime Minister 2006 *Monitoring the Longer-Term Impact of Choice-based Lettings* Communities and Local Government Publications, Wetherby <https://www.odpm.gov.uk/index.asp?id=1503595>

K. Hulse and T. Burke 2007 *Improving access to social housing: Resource kit: A practitioner's guide to review and reform of social housing allocation systems* Australian Housing and Urban Research Institute, Melbourne [http://www.ahuri.edu.au/publications/download/50297\\_other](http://www.ahuri.edu.au/publications/download/50297_other)

## **Risk Factors for Tenancy Failure**

- History of rent arrears, housing debt and/or loss of bond
- History of poor maintenance/property damage, e.g. frequent 'reglaze'
- History of chronic homelessness or housing instability
- Justice system background
- Child protection involvement
- Mental health problems
- Substance dependency
- Time in local authority care
- School exclusion
- Neighbours reports of disturbed behaviour
- Living alone and the absence of a confidant or carer, especially when compounded by recent loss of a co-resident supporters  
(Randall & Brown 1999; Crane & Warnes 2000).

## **Typology of Support Need**

Type 1 Multiple non-intensive needs

Type 2 A few intensive needs

Type 3 Multiple intensive needs that compromise functioning but not the ability to meet basic needs

Type 4 Multiple intensive needs that compromise the ability to function and meet basic needs and which often manifest in challenging behaviours  
(Bisset et al 1999).

When visiting the property with the tenants any work that needs to be done to make it suitable for the tenant should be noted and actioned.

## **The Allocations Interview**

- Establish **prior tenancy history**
- Screen for **risk factors** for tenancy failure including a **prior history of anti-social behaviour**
- Identify **support needs: type and level**
- **Provide support plan** where indicated
- Request **authority for information sharing**
- Ensure that any **existing support services maintain their involvement** with applicants identified as having medium to high support needs till agreed goals are met

- Identify **key contacts**
- Identify and action **necessary property modifications**
- **Inform applicants** about lease requirements, Good Neighbour and anti-social behaviour policies and the characteristics of the neighbourhood they are moving into



### Listen to Yourself and the Tenant

People on the application team may get a gut feeling that the applicant's situation is complex.

*SHA Senior Tenancy Manager*

### Tips for Success

- Be aware that applicants may be reluctant to disclose vulnerabilities in an allocations interview due to concerns that this may reduce their chance of success. Try to ensure this does not obstruct the identification of needs that may affect their capacity to sustain the tenancy.
- If there has been a history of domestic violence, consideration should be given to the tenancy being in the name of the survivor only so that if the perpetrator reoffends he can be forced to leave.

## 3. EARLY INTERVENTION

Early identification and response prevents problems from becoming entrenched and resource intensive (Samuels et al 2004). Although most difficulties are identified as a result of neighbour complaints, there are other signs that a tenancy is failing and early warning systems should be established to identify these. If problems do arise a timely response and skilled intervention increase the likelihood of successful resolution.

Tenancy officers skilled at developing an empathetic working relationship with tenants have the best chance of finding constructive solutions to problems. This will often involve working with other professionals to support tenants to develop the life skills they need to sustain their tenancy.

This section is relevant to housing staff working in both policy and tenancy management since, as well as strategies such as regular visits, it describes the role of early warning systems to identify potentially unstable situations.



### Asking Questions

You have to learn to ask questions of people. For example, we took a phone call from someone's relative that wanted to hand the property back because she was going into rehabilitation for six months. What's the point of doing rehabilitation and being homeless when you get out? So we followed it up and arranged a lower rent while the tenant was in rehabilitation.

*SHA Tenancy Officer*



## GOOD PRACTICE EXAMPLE

### Early Intervention

Tenancy Management Team, Lismore Office, NSW Dept of Housing

#### *Context*

In the mid-1990s the Department of Housing moved to a new team model in which client service officers were expected to be multi-skilled. But it was impossible for each CSO to do every part of their role, so in many teams a specialist approach with functional roles was adopted.

#### *Objectives*

- Improving responses to applicants and access to housing assistance products and services
- Improving sustainability of public housing tenancies
- Sound management practice – in particular making workloads more manageable for staff

#### *Strategy*

- Specialised service provision by a team comprising:
  - A specialised senior client service officer whose role is to assist clients with high or complex needs to sustain their tenancies. This includes negotiating support packages with clients as well as the development of general strategies in co-operation with other service providers.
  - A nuisance and annoyance co-ordinator who is the key worker managing nuisance and annoyance issues for the client service team.
  - A Team Leader responsible for strategic planning and managing day-to-day operations.
  - Client service officers who provide frontline tenancy management.
  - A technical officer responsible for asset management and other maintenance issues.

#### *Benefits*

- Allows early intervention by specialist housing officers to deal with both nuisance and annoyance and high-needs clients, without getting stuck dealing with core business.
- Allows tenancy managers to focus on their core business without dealing with high-needs clients and complex nuisance and annoyance issues.

## Establishing Early Warning Systems

### *Maintenance*

Failure to maintain a property may be a sign of other difficulties, such as health problems. This is especially relevant for older people who may be isolated and unwilling to seek help. Maintenance workers and caretakers can be valuable sources of information in this area. For this reason, regular maintenance checks provide important opportunities for checking whether a tenancy is in jeopardy. This can be facilitated by providing:

- Maintenance indicators of tenancy difficulties
- Channels of communication for maintenance workers to report potential difficulties
- On-site maintenance offices meeting safety requirements and built to OH&S standards

### *Regular Visits by Housing Officers*

Tenants and neighbours prefer face-to-face communication and this encourages the establishment of trust relationships. Visits also facilitate informal communications with neighbours and other service providers and provide useful information. They provide non-verbal cues that a tenancy may be in trouble, such as the condition of the house and visitor patterns.

Visits should be made:

- When tenants are moving in
- Biannually for all tenants
- Following rent arrears
- Following neighbour complaints
- Following property damage or excessive wear and tear
- More frequently for tenants identified as high need
- More frequently following withdrawal of support worker
- After hospital or justice system discharge



### **Early Intervention**

It can take two or three days to write a ministerial response. It's far better to address the problem before it requires one.

**SHA Senior Policy Manager**

### *Notification Systems*

Wherever possible an arrangement compatible with relevant privacy legislation should be made with other agencies and services to advise when an event likely to affect the tenancy occurs. Tenants admitted to a psychiatric ward have sometimes lost their home because they have been too unwell to maintain their rent payments. An information sharing arrangement with an agency such as mental health can include agreement for the mental health worker to advise the SHA of any changes likely to affect the sustainment of the tenancy.

It is also important for the SHA to be advised when a community or other support worker withdraws support from a tenant. The tenancy officer can make a few timely visits to the tenant to ensure they are coping in the new circumstances.

# 4. MANAGING THE TENANCY

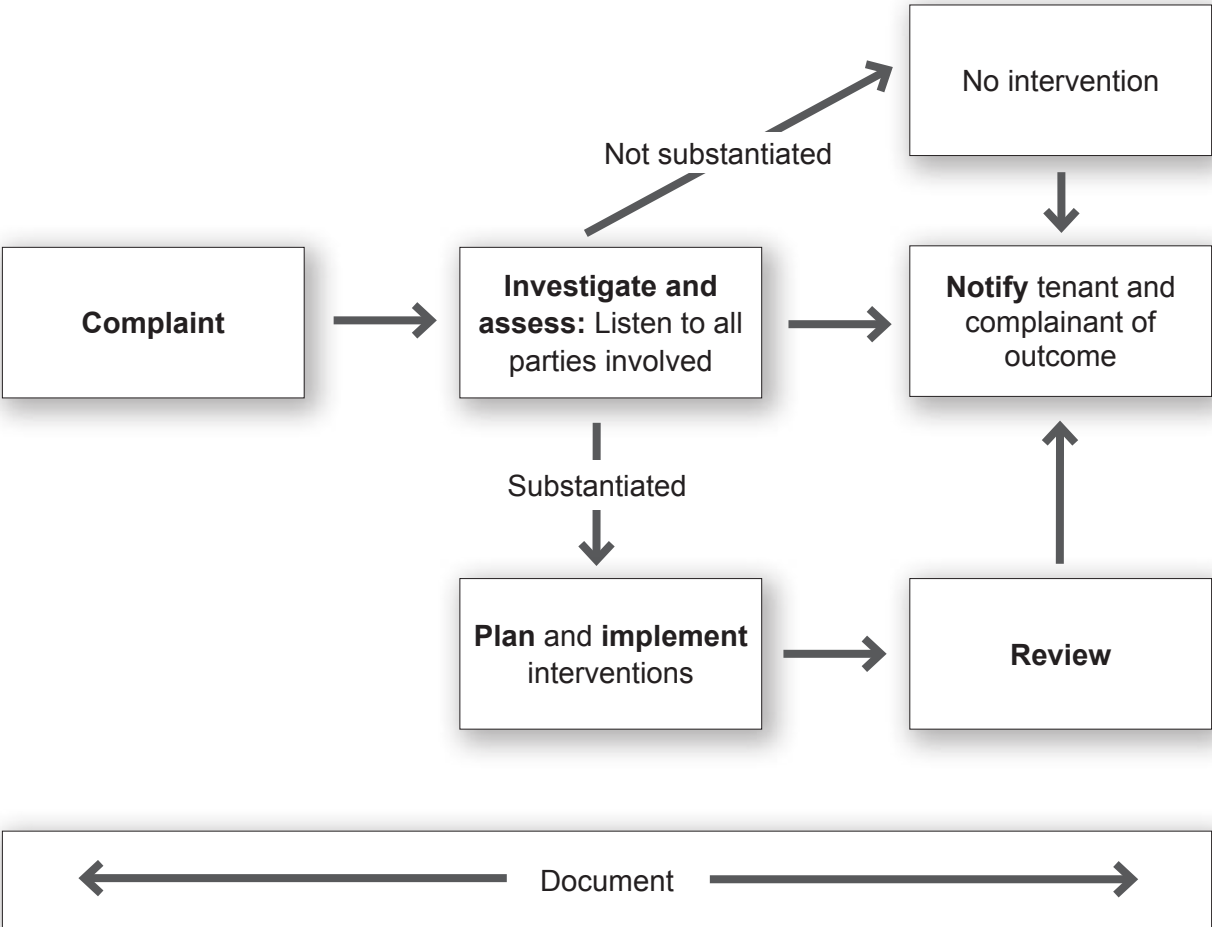
This section is directed at frontline staff responding to neighbour complaints. It is also of some relevance to policy officers and operations managers since the processes described should be reflected in policies and procedures. It describes the process for responding to complaints and provides examples of 'good practice' response timeframes for each stage. It draws on the insights of experienced tenancy and noise and nuisance officers to provide guidance on how to deal with difficult, often tense situations. It emphasises the need to respond to both tenants and complainants in a timely, fair and considered way.

## Responding to Complaints

Although formal complaints about tenants are not the only manifestation of demanding behaviour they are probably the most common. Often they involve claims and counterclaims by neighbours so that the first thing the tenancy officer must do is listen carefully to both sides of the story before assessing whether a complaint has been substantiated. This may mean talking to third parties and, in more serious cases, collecting information through neighbourhood surveys or door knocks.

The stages involved in responding to complaints are identified in Figure 3. Documentation of all actions, contacts and outcomes should take place throughout the process. The section that follows provides more detailed guidance for each of these steps.

Figure 3: Processes for Responding to Complaints



### *Step 1 – Investigate*

Procedures for responding to complaints should reflect the principles of early intervention and the provision of support and information.

- Acknowledge complainant in writing, with copy on file
- Check file for history of complaints (tenant and complainant)
- Identify previous interventions
- Listen to complainant's story
- Determine relevant jurisdiction

If outside SHA jurisdiction:

- Inform
- Encourage self-help
- Support
- Refer

If within SHA jurisdiction:

- Record full details of complaint including:
  - Impact on complainant
  - Their willingness to be identified
  - Their legal rights, including protection of anonymity and confidentiality
  - Third-party involvement: neighbours and other authorities
  - Actions they have taken
- Visit any other parties to the complaint as appropriate
- Visit the tenant:
  - Explain the complaint
  - Listen to their story

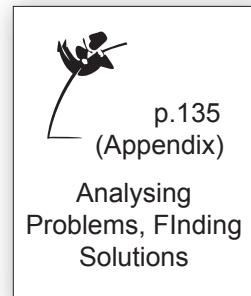
### *Step 2 – Assess the Complaint*

If the complaint is substantiated

### *Step 3 – Plan and Implement the Intervention*

- **Review** the policies on neighbour complaints and demanding behaviour:
  - Notify supervisors and seek advice on how to proceed
  - If support and information sharing arrangements are in place notify and liaise with support workers
  - Advise the tenant of their right to have a support worker present and other representatives as required
- **Visit** the tenant:
  - **Inform**  
Why the complaint is serious, and the consequences of not addressing it
  - **Look**  
For underlying causes, e.g. dementia, non-compliance with psychiatric medication

- **Work** with the tenant to identify:
  - What they must do to remedy the situation
    - Prioritise any changes required
  - How this will be achieved:
    - Their responsibilities
    - SHA responsibilities
  - Seek permission for information sharing



→ **Consult and Negotiate**

- Supervisors
- Other services

→ **Implement the Intervention**

- Liaise with other services
- Visit the tenant regularly
- Inform supervisors

*Step 4 – Notify*

- **Complainants** that the complaint has been substantiated and the measures taken to manage it
- **Tenants** that the complaint has been substantiated, what they must do to sustain the tenancy and the consequences of not doing this

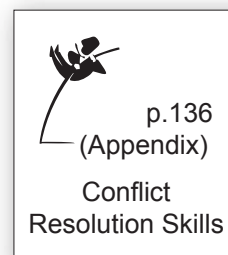
*Step 5 – Review*

- Review the outcome:
  - If unresolved:
    - Assess the reasons for this
    - Consult supervisors
    - Liaise with services
    - Warn services if there is a possibility that the tenancy will fail
    - Inform the tenant in verbal and written form of the consequences of failure to remedy
  - If resolved:
    - Provide positive feedback

*At each step – Document*

## Working with the Tenant: Tips for Success

Producing an outcome that enables the tenant to maintain their tenure while also reducing the demanding behaviour will depend on personal and environmental factors as well as serendipitous events. But the skills of the tenancy officer will also influence the outcome. Good practice advice suggests that personal qualities such as a non-judgemental attitude and a willingness to look for flexible solutions play an important part (Nixon et al 2006). Although these qualities may come naturally to some workers they can be learnt and should form part of the professional approach that the tenancy officer brings to the situation. The following checklist identifies some of the things the tenancy officer can do to maximise the likelihood of success.



- Know the tenant's **background**
- Establish a **rapport**
- Help them to **understand** the effects of their behaviour on others and on themselves
- Establish **realistic goals**, e.g. if property damage is involved work on one room at a time
- Remember they may have **difficulty understanding written information**
- Consider a **joint visit** with a support worker
- Maintain **regular visits** till resolution is established
- **Be assertive** but consider how, why and when
- Look for **flexible solutions**
- **Keep it simple**
- Recognise and **reward** tenants who move towards problem resolution



### Seven Principles for Working with Tenants with Demanding Behaviour

- Treat tenants and family members with respect
- Listen
- Be non-judgemental
- Be accessible
- Be prepared to challenge
- Be consistent
- Be honest

#### *Building Trusting Relationships*

A common thread running through both families' narratives about the problematic behaviour that had led to them being referred and referral agencies' descriptions of families was a reluctance to use the term 'anti-social'. Building relationships of trust was considered to be a vital part of the process of helping family members to change their behaviour. In this context referral agencies both acknowledged that particular behaviours were unacceptable but also felt that labelling families as 'anti-social' was counterproductive in achieving change.

(Nixon et al 2006)





## Keeping it Simple

We can't direct people to particular businesses, but we can suggest ways they can clear up their yard or fix their property, for example, getting cars removed for free or helping to organise repairs. We try to go in with a simple solution.

*SHA Tenancy Support Officer*

## Rewarding Change

Providing incentives for change works every time. If you want something done and they want something, then things get done.

*SHA Tenancy Support Officer*

## Joint Visits

Joint visits can be good for development of a co-ordinated approach and may be essential for safety reasons. But remember that tenants may not be so willing to talk.

*SHA Tenancy Support Officer*

## Working with the Non-responsive Tenant

Despite efforts to engage tenants there may be tenants who resist this. Understanding their reasons for this is a first step towards overcoming this refusal. The respondents in this study suggested that the reasons why some tenants reject engagement include:

- Valuing personal privacy
- Valuing a particular lifestyle
- Fear of the consequences of engagement
- Fear of the demands associated with engagement
- Inability to understand that the problem is real and will have undesirable consequences



## The Non-Responsive Tenant

When somebody says no, they don't want to engage, I have to respect that. But I go out and I meet with the person and get a bit of an understanding about what the issues are and talk to them about supports and if they're sort of saying no, well I might talk to them about some of the benefits of support and try and communicate really clearly to them about the possible impact upon their tenancy. I keep working with them and keeping them informed every step of the process so that they can make an active choice to either engage or not engage.

*SHA Tenancy Officer*



## Sustaining Tenancies: A Flexible Approach

Beverley was causing complaints in her neighbourhood because she was a serious hoarder. What to her were her precious goods, was 'rubbish' to her neighbours who complained, correctly, that it was a health hazard. The Customer Service Officer visited Bev and through close attention to her story realised that her attachment to her belongings was rooted in a deep psychological need. Rather than asking Bev to throw the goods out the Tenancy Officer arranged for them to be placed in a shipping container so that Bev could visit her belongings when she felt depressed. Regular inspections were also arranged to assist Bev to keep on track with keeping her home in a reasonable state.

*SHA Senior Tenancy Officer*

### Do's and Don'ts

- DO check for safety issues before making visits
- DO NOT be over-assertive with the tenant; the SHA is already seen as having all the power
- DO NOT impose your personal values on the tenant, e.g. 'reasonably clean' is fine
- DO NOT act without the tenant's consent
- DO NOT become over-involved

### Keeping Safe

- Arrange for support services and Police Department to notify the SHA if there are safety concerns
- Visit in pairs
- Carry dog spray
- Plan exit: this means sitting close to the door and knowing the way out
- Park for quick departure
- Be alert to any feelings that a situation is unsafe
- If in doubt, do not enter the property

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## 5. FORMS OF INTERVENTION

This section reviews the main forms of intervention for tenants with demanding behaviour. These are the provision of information to enable tenants to help themselves, the use of mediation, and a range of ways of providing longer-term support. The last section considers tenant incentive schemes which use a range of positive strategies and operate at an organisational level to encourage tenants to conform to normative standards of behaviour.

### Information

Providing information to tenants who have been the target of neighbour complaints is the first course of action, and in situations at the 'low' end of the demanding behaviour scale may be sufficient. This is most likely for young people establishing an independent home for the first time. Migrants may also need to understand more about the norms of city living in order to live

harmoniously with neighbours. Referral to self-help groups and community support services are also ways of assisting tenants to understand the requirements of their tenancy. Some examples of how tenants can be assisted through the provision of information are provided below.

- Brochures and web-based information on sustaining tenancy skills
- Advocacy services
- Referral to courses such as:
  - Self-esteem
  - Anger management
  - Parenting skills
  - Assertiveness training
  - Negotiation skills
  - Financial management

Some of the organisations that can provide these services include TAFE, community health centres, Anglicare, Centacare and Relationships Australia.



### Getting the Right Message Across

The language in letters used by the Department can cause problems. We have had people getting letters for rent arrears and they think they have to leave. They are template letters that take no account of the fact that some people's literacy skills are not as good as others.

**SHA Housing Manager**

## Mediation

Mediation services are used by a number of SHAs including Housing Tasmania and Territory Housing. Anecdotal evidence suggests that mediation can be a successful way of sustaining tenancies if the type of disturbance is low-level and both parties agree to engage in the process. In some situations either or both parties may agree to an external person facilitating a negotiated solution but be unwilling to meet the other party face-to-face for various reasons. In this case, **shuttle mediation** can be used. The two parties are in separate rooms and the mediator goes between them. Mediation is also a cost-effective way of solving an issue prior to litigation.

### *Remember*

- Mediation is not possible if a restraint order is in place
- Mediation meetings should always take place in a neutral location away from the Housing office
- Client confidentiality may prevent some mediation services from reporting on the outcome to the SHA



## Mediation

We have had good results with referring people to dispute resolution. A lot of people don't have the skills to resolve an issue themselves. We do not refer people to mediation who have behaviours that might indicate a personality disorder.

*SHA Tenancy Manager*

## Support Plans

Where investigation of complaints or other concerns about a tenant's capacity to sustain their tenancy suggests that a medium to high-level of support is required to assist them, then a support plan should be put in place. Although the support will usually be provided by an external service, the tenancy officer can play a key role in establishing it. The most significant barrier to providing support to tenants is engaging the involvement of external agencies and services. The section that follows considers this and other issues relating to working with other agencies and services.

### *Developing a Support Plan*

Once a support need has been identified the next step is to identify what can be done to address it. This requires the establishment of a trusting relationship with the tenant so they feel confident about sharing personal feelings and history such as how they are coping with events in their life. The steps involved in developing a support plan include:

- Working with the tenant to identify
  - Existing networks and support and how these can best be met
  - How to address any unmet support needs
- Getting written permission for information sharing
- Consulting other services



p.137  
(Appendix)

Support and  
Referral Plan

## GOOD PRACTICE EXAMPLE

### Supported Packages of Care

Anglicare, Tasmania

#### *Objective*

Long-term establishment of support networks to enable tenants with high and complex needs to live independently.

#### *Strategy*

- Referrals for Supported Packages of Care come from the Maximising Recovery Panel (mental health)
- The client may want/need the support for a variety of reasons
- The aim is to support the client in their situation and they must be housed before entering the program
- An Individual Program Plan is worked out with the client
- Client participation, flexibility and partnerships are key principles



#### **Anglicare's Supported Packages of Care: Evelyn**

Evelyn had a diagnosis of schizophrenia and mild intellectual disability. Her husband died and over a number of years her ability to sustain her tenancy declined. She failed to inform the SHA of her husband's death and so overpaid her rent. She didn't clean or maintain the property and had poor self-care. Mental health workers were unable to contact her because she would not answer the phone or door. Persistent attempts eventually led to contact and a Supported Package of Care was offered. Evelyn is now engaged in physiotherapy, physical exercise, shopping, some cleaning, improved personal care, including better nutrition. Home and Community Care Services provide cleaning that she is unable to do, after the SHA had completed a renovation of the property.

**Team Leader, Anglicare**

#### *Benefits*

- Integrated service delivery
- Intensive, effective assistance across a range of needs including living skills
- Maintains motivation
- Reduces homelessness

#### *Ingredients for Success*

- Stable housing
- Matching target group with program (e.g. if substance abuse is the main problem then a program targeting mental illness will be inappropriate)
- Matching client with worker
- Relationship of mutual respect and trust
- Client-centred approach which locates responsibility with client →

- Consulting colleagues and supervisors
- Engaging other services, e.g. case conference
- Developing the support plan including identification of key worker
- Identify the resource implications
- Liaise with services as required
- Review within specified time (e.g. one month)

## *Models of Support*

Models of tenancy support differ according to:

- Housing provision services arrangements (public, community or private rental)
- Housing management service arrangements (public, community or private rental); sub-divisions include housing maintenance and rent collection
- Tenancy support services arrangements (public or community)
- Other service involvement (health, drug and alcohol, disability, employment, etc.)
- Intensity of support
- Target group

The most relevant models for SHAs are:

### **1. In-Service Model**

The SHA provides housing, tenancy management and support through the establishment of specialist positions or divisions.

### **2. External Provider Model**

In this model, the SHA provides housing and tenancy management services and the external organisation provides support.

### **3. Direct Tenancies Model**

Housing management services are split between the SHA and the external organisation and the external organisation provides support.

### **4. Community Tenancies**

The use of Community Tenancies is widespread in the social housing sector. In this arrangement housing is provided by the SHA to the community organisation in a head lease arrangement and the community organisation provides both tenancy management and tenancy support services. These may provide short-term or transitional support or long-term accommodation. See, for instance, <http://www.sacha.sa.gov.au/> for an example of transitional accommodation and <http://hnb.dhs.vic.gov.au/OOH/ne5ninte.nsf/LinkView/0D64548F1A84A7A1CA256E5F0011373ECBB88587C84CDD9BCA25712A00093360> for an example of long-term community tenancies.

### **5. Floating Support Model**

The SHA assists eligible applicants for public housing to find and/or sustain their tenancy in the private sector.

### **6. Multi-agency Partnerships Model**

Multi-agency partnerships involve three or more service partners including the SHA and other government agencies, providing a combination of housing, support and other services, such as health. In these arrangements either the SHA or the external service provider provides tenancy management services.

Little research has been conducted to date on which model works best in which situation. In many cases the range of options will be limited, and it will be more a case of what is available. Even where there is a wide range of services, problems in accessing affordable housing can create bottlenecks in the SAAP transitional housing sector which is the funding source of many of these schemes. Ideally a review of the social housing system in a region will develop an integrated approach which matches the profile of the area with the range of services available.

The next pages provide some examples of some of these models of support.



## GOOD PRACTICE EXAMPLE

### **In-service Model of Support**

Intensive Tenancy Management Team, Coogee Office, NSW Dept of Housing, NSW

#### *Context*

Public housing estate with high levels of anti-social behaviour, rental arrears and requests for housing transfer. A trial of an intensive tenancy management team ran from 2001 to 2005. Since that time, the position of Client Service Officer has continued to receive funding from the Local Area Office.

#### *Objective*

Reduction of anti-social behaviour and tenancy sustainment

#### *Strategy*

- Specialist service comprising Client Service Officers, Senior Client Service Officers and a handyman service
- On-site housing office
- Low worker–property ratios
- Providing support for tenancy groups and community development

#### *Benefits*

- Reduction in nuisance and annoyance
- Department of Housing staff are seen around the estate by tenants and the tenants see the Department as pro-active
- Formation of trusting relationships with tenants

#### *Ingredients for Success*

- Services co-located with properties
- Community room on-site that can be used by tenants groups and service provider
- Maintenance officer on site

## GOOD PRACTICE EXAMPLE

### Direct Tenancies Model

Housing Tasmania, Direct Tenancies Program

#### *Context*

The program commenced as a pilot as part of national initiative for youth under the auspices of a community organisation's supported housing program for young people.

#### *Objective*

The provision of short- to medium-term accommodation to young people with low to medium levels of need and who may have difficulties sustaining their tenancy.

#### *Strategy*

- Housing and support are separated through a three-way partnership between the tenant, the SHA and a support service.
- The tenant is the direct leaseholder of the property but their tenancy is conditional on acceptance of support.
- The SHA is responsible for property management and normal landlord functions while the support service is responsible for tenant advocacy, support and education.
- Tenants gain the skills to live independently in the private or public rental market.
- In some cases rather than moving the tenant, the tenant may remain in the property which reverts to public housing stock. The community organisation is provided with a new Direct Tenancy property.

#### *Benefits<sup>3</sup>*

- Reduces homelessness
- Cost-effective
- Strengthens partnerships with the community housing sector
- The tenant is the lease-holder and so learns 'real life' tenancy skills
- Provides the tenant with a track record for future rental applications

#### *Resource Implications*

- Public housing for the community organisation
- Support from the community organisation

#### *Ingredients for Success*

- Good communication between the community organisation and the SHA
- Relationship of trust between tenant and support worker
- Separation of housing and support

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<sup>3</sup> D. Habibis (2003) *Review of Housing Tasmania's Direct Tenancy Program: Support services and tenant outcomes*, Hobart: Dept of Health and Human Services, State Government of Tasmania.



## GOOD PRACTICE EXAMPLE

### Floating Support Model

Private Rental Liaison Project, Housing SA, South Australia

#### Website

<http://www.familiesandcommunities.sa.gov.au/DesktopModules/SA.LiteSearch/Download/633127978770468750/AHIU-REMArticle11-06PRLO.pdf>

#### Context

Action Plan in response to South Australia's Social Inclusion Board's *Everyone's Responsibility: Homelessness in South Australia* (2003) Report.

#### Objective

The prevention of homelessness by assisting and supporting individuals eligible for public housing to access and maintain private rental accommodation.

#### Strategy

- Appointment of Private Rental Liaison Officers to work with real estate agents and private landlords and individuals and families who face barriers to accessing and sustaining stable housing. The target group includes:
  - Public housing tenants whose tenancy has failed.
  - People with low to medium support needs who are likely to have difficulty accessing and sustaining the private rental market for reasons such as poor English, age or low literacy skills.
- Floating support model of support and assistance in the following areas:
  - Advice, information and support in finding and applying for private rental properties.
  - Tenancy support during the life of the tenancy.

#### Benefits

- Extends support to individuals and households at risk of homelessness beyond the public housing system.
- Flexible service delivery covering both high and low needs tenants as well as different target groups.
- Separates housing and support which is a key principle for a sustaining tenancies approach.
- Since the program was introduced almost 450 people have been housed with an eviction rate of less than 5%

(<http://www.familiesandcommunities.sa.gov.au/DesktopModules/SA.LiteSearch/Download/633127978770468750/AHIU-REMArticle11-06PRLO.pdf>).

#### Resource Implications

- Less resource intensive than providing both housing and support

#### Ingredients for Success

- Knowledge of local rental markets
- Positive relationships and rapport with estate agents
- Acting as an advocate for tenants
- Providing ongoing support and advice to tenants



## GOOD PRACTICE EXAMPLE

### Multi-agency Working

Inter-Agency Support Panels, Tasmania

#### *Context*

- New legislation requiring service collaboration
- Evidence base for benefits of collaborative approach to offending
- Concerns about young offenders identified as having multiple needs which are inadequately met

#### *Objectives*

The establishment of partnerships that bring together State government agencies and local government councils to provide integrated support to 'at risk' children, young people and their families with the aims of:

- Improving support for children at risk
- Reducing crime and anti-social behaviour
- Improving relationships between services
- Improved relationships between families, local councils and government agencies



A family was at risk of losing a tenancy because of the challenging behaviour of a child. The Customer Service Officer spoke to the father and he agreed that the problem would be brought to the Inter-Agency Support Panel. As a result support was provided that enabled the child to resolve some of the issues and the tenancy was sustained.

#### *Strategy*

Community based model of service integration operating with the following principles:

- Early intervention
- Whole-of-government approach
- 'Bottom-up' method of policy development
- Permission is obtained from parents or guardian to refer a child or young person to the Panel and to share information about them
- The Panel develops a plan for early intervention and support
- The plan is monitored and reviewed at successive meetings

#### *Benefits*

- Facilitates inter-agency understanding and networking
- Each agency gets a broader picture of what's going on for that family
- Greater efficiencies
- Monitors and supports young people reducing the likelihood of involvement in crime ⇒

- Innovative practice
- Housing, e.g., may decide to move a family in the knowledge that they will be supported and that the outcome is likely to be positive for them

### *Resource Implications*

Three senior positions to facilitate the collaborative process

### *Ingredients for Success*

- Involvement from people at the management level so that decisions can be made
- Once an Inter-Agency Support Panel has been set up, terms of reference and consistent attendance are key requirements for its continual success
- Such programs need commitment, as without constant attendance they will not be successful

## Tenant Incentive Schemes

Historically, negative sanctions have been used to control the behaviour of demanding tenants. More recently attention overseas has shifted to the use of positive sanctions to encourage tenants to meet community standards of behaviour and home maintenance. In Australia research suggests that although the net benefits are perceived by Housing Managers to be marginal, small-scale schemes that are straightforward and not expensive or ambitious can be beneficial (Jacobs xxx). Examples of these schemes in Australia are gardening schemes and the 'Reward and Recognition' Scheme operated by Housing SA.

## Tenancy Transfer

Tenancy transfers are not regarded as good practice if they simply move the problem from one location to another. Nonetheless, some SHAs use them as a one-off strategy, accompanied by a case management plan, support and monitoring, in the hope that it will assist resolution of the problem.

Criteria for transferring tenants with demanding behaviour should include:

- Voluntary
- Once only
- Significant environmental factor behind the anti-social behaviour
- Conditional on acceptance and availability of support



### The Transfer

If it appears to be a personality clash between neighbours – which it sometimes is – and there is a feeling that the problems could be resolved by transferring one of them to another location then this can occur. However, if it's transferring the problem, the problem will still exist and therefore a transfer would not be used as an option. But if there were suggestions that a different street, a different environment and different people living nearby, and the issue may desist, then there would be a temptation to go down the transfer route.

#### **SHA Housing Manager**

There was a neighbourhood where there were a lot of problems. We eventually moved a few of the tenancies. They are all still housed. Relocation kept them housed and provided respite for the other people in the area. A couple of the tenancies were close to failure before the relocation.

#### **SHA Tenancy Manager**

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## 6. WORKING WITH OTHER SERVICES

This section reviews the 'how to' strategies for working with other agencies and services. It starts with the understanding that most services are overstretched and operate with tight service criteria. This can be problematic for housing staff working with tenants whose needs are not clearly defined. In this case, an in-depth knowledge of your service's formal agreements and of other local services, as well as strong networks will strengthen your capacity to resolve the issues. Over time in-depth understanding of local service cultures and strong negotiation and liaison skills should become routine components of practice.

### Engaging Services

This checklist summarises some of the strategies recommended by the literature and experienced tenancy officers on how to engage services:

- ✓ Be familiar with your organisation's policies and practices on sustaining tenancies and multi-agency working
- ✓ Be familiar with the support services in your region, including eligibility criteria and referral processes
- ✓ Develop your personal networks
- ✓ Negotiate with services to identify which one is most appropriate for particular issues
- ✓ If support is difficult to establish, arrange a case conference
- ✓ Consult senior staff

### Developing Personal Networks

Techniques for developing personal networks can operate at both an organisational and personal level. They include:

- Inviting yourself round to the service's socials and staff meetings and vice versa
- Having an open day for other services
- Joint seminars and training programs
- Shadowing arrangements

### Case Plans, Case Co-ordination, Case Conferences and Case Management

Terms such as 'case plans' and 'case management' are increasingly used in the housing sector. Although they refer to quite distinct types of support and service provision their exact meaning is not always well understood.

#### *Case Plan*

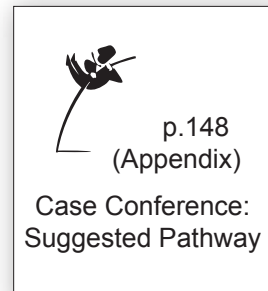
This identifies the roles and responsibilities of the services supporting a tenant or tenancy. It may or may not involve inter-agency co-operation.

#### *Case Co-ordination*

This is a role taken on by a service provider. It means being identified as the responsible worker for implementation of a management strategy in relation to a tenant or tenancy. It often involves inter-agency co-ordination. The checklist below identifies a series of questions that can be used to direct work in this area.

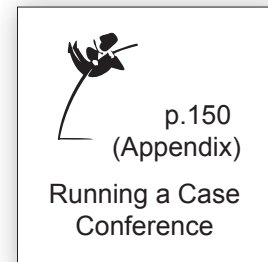
### *A Framework for Case Co-ordination*

- What's the problem?
- What changes need to happen?
- What steps are needed to do that?
- Who needs to be engaged?
- How are they going to be engaged?
- What is the timeframe?
- What are the indicators of success?



### *Case Conference*

A case conference is a meeting attended by key players, including other agencies or community workers, to discuss and exchange information about a situation or tenancy, and to identify an appropriate management strategy. It is especially valuable in situations of service gaps and also reduces service duplication. Tenants sometimes participate in case conferences since they are the greatest 'expert' on the combination of support mechanisms that will work best and can provide information about informal supports that might otherwise be missed.



### **Case Conferences**

Say we have a customer who has got Mental Health, Community Care, Families and Children, Anglicare, Disabilities Services and the Richmond Fellowship working with them – six agencies – plus the SHA, so that's seven agencies working with them. So, case conferences are about getting to know what each agency and person does – who is the primary case manager. In this case it's Disabilities. If something goes wrong with that tenancy we will ring that worker at Disabilities.

**SHA Housing Manager**

### *Case Management*

Case management involves case co-ordination, case planning, and advocacy on behalf of a client. The term is often used by housing personnel but in practice it is usually case co-ordination that is involved since they rarely advocate for tenants.



### **We're Not Case Managers**

We are not case managers but we do adhere to the principles of case management, accept a role in case co-ordination and being part of a case management plan.

**SHA Tenancy Officer**

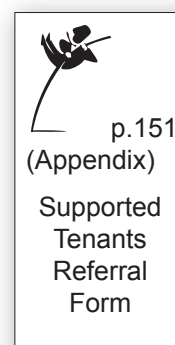
## Working with Community Organisations and NGOs

Working with community organisations and NGOs is a routine component of frontline housing practice. Changes in the profile of public housing tenants means there is some overlap between their role and that of SHAs. But while the core business of SHAs is housing, that community organisations and NGOs is support. Tenants with medium to high needs will frequently be receiving services from these organisations, so maintaining good communication with their workers has many benefits. Tenancy maintenance work is demanding and sometimes stressful so ensuring that interactions operate smoothly can be of great benefit. Agreeing on what each service or agency can expect of the other is one of the ways of achieving this.

## What You Can Reasonably Expect from the Community Organisation

You can reasonably expect a community organisation offering tenancy support services to:

- Develop an empathetic and trusting relationship with the tenant
- Work with the tenant to own the issue and redress the situation
- Develop a case plan
- Act as case managers and key workers
- Maintain contact appropriate for the level of need; for high needs clients this should be no less than once a week, and may sometimes be daily
- Monitor change
- Reward progress
- Keep you informed
- Maintain the relationship until the tenancy is stabilised



## What Community Organisations Can Reasonably Expect from the SHA

- Referrals based on clear and consistent criteria
- Formal tenant consent for the service to contact all relevant services
- Consistency in your advice
- Honesty about potential outcomes
- Timely responses

## Effective Meetings

Regular meetings with service partners are necessary to keep agreements on track, exchange information, establish new strategies and review existing ones. They are also time consuming and, unless they are run efficiently, can feel ineffective. One of the keys to maintaining successful partnerships is therefore to use meetings effectively. Some of the ways that can assist with achieving this are to:

- Include only key stakeholders
- Get people there by:
  - Annual diarising of meetings
  - Reminders and agenda call
  - Agenda-based attendance
  - Developing a culture of commitment
- Establish Information-sharing protocols
- Be prepared to use telephone and video conferencing
- Stay focused on the agenda items but allow everyone to contribute
- Keep within the time allocated

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## 7. MANAGING TENANCY FAILURE

This section of the Guide is relevant for staff working in areas of policy since it considers general principles of housing management. It considers what to do if efforts to sustain the tenancy fail and proceedings for eviction commence. There are a number of important actions that can be taken to keep the door open to tenancy sustainment or to reduce the likelihood of homelessness on those rare occasions when proceedings for eviction may be unavoidable. Sustaining tenancy principles can still be employed to promote the most positive outcomes for the tenant and their household.

### Eviction Proceedings

If a tenancy is heading towards failure there are two essential actions that should always be taken by housing officers to minimise the risk of homelessness:

- **Fair warning** should be given to the tenant both in writing and through a face-to-face visit. The visit should ensure that tenants understand:
  - that the threat of eviction is real
  - the process by which it will take place
  - how long it is likely to take
  - what they can do to avoid it
  - any supports to assist them
- **Support agencies should be notified** as early as possible that eviction proceedings are likely to commence, especially if children are involved.

Undertaking these actions will increase the possibility that the tenancy will be sustained and, if eviction does occur, that the tenant will at the very least exit to some kind of shelter.

### After Eviction

The evicted tenant should be:

- Informed about future eligibility for public housing by the SHA
- Referred to appropriate services such as financial management

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## 8. KEY POINTS

- Much can be done to support tenancies and reduce the potential for demanding behaviour through pre-tenancy work. Providing applicants with clear information about what is expected of tenants as well as the SHA's policies on disruptive behaviour and 'Good Neighbours' should be a routine part of housing management practice. Leaflets, brochures and induction packages are important ways of communicating expectations to tenants. They should also form part of a community education strategy which informs neighbours and other stakeholders of the areas for which the SHA can and cannot accept responsibility and which aims to promote community harmony and the reduction of vexatious complaints.
- Written information should be in clear, accessible language. It should also be recognised that these methods should never be the sole means of communication since not all tenants will actually read it.



- Encouraging increased involvement in local activities and contact between neighbours is another preventative measure. It builds social capital by encouraging residents to develop personal relations with one another and so reduces stereotyping and distance between potentially supportive neighbours. This also assists neighbourhoods to develop self-help approaches to difficulties in their area.
- The allocations process presents one of the most important opportunities for maximising the potential for stable tenancies. Permitting sensitive allocations which ensure a good match between tenant and property is one important technique. Ensuring that the tenant and their household commence their lease with the understanding, skills and supports necessary to sustain their tenancy will also set the scene for a more stable tenancy.
- The allocations interview should be used to screen for support needs as well as for risk factors for tenancy failure. Where these are identified housing staff should work with the applicant to develop an appropriate plan which reduces the likelihood that the tenancy will fail.
- Early intervention is critical to a sustaining tenancies approach and involves establishing early warning systems to indicators of potential problems as well as early response to complaints. Maintenance staff can play a valuable role in being the informal ears and eyes for issues affecting tenancies. On-site offices are valuable for this reason. Regular visits to tenants identified as having high needs or at critical times, such as when they first move in or if a support worker leaves, can also do much to troubleshoot problems before they become resource intensive and difficult to manage.
- Responding to complaints can be understood in terms of a seven-stage process:
  1. Investigate
  2. Assess
  3. Plan
  4. Implement
  5. Review
  6. Notify
  7. Document

At the investigation stage, skilful listening to all parties involved in the complaint is critical.

At the planning stage, developing a trusting relationship with tenants will make an important difference to whether or not they understand and accept that the behaviour that is threatening the sustainment of their tenancy needs to change.

At the implementation stage, networking skills and knowledge of other services will make an important contribution to success.

- Forms of intervention include:
  - Providing information
  - Using mediation services
  - Developing support plans
  - Using tenant incentive schemes
  - Transferring the tenant or the complainant



- Models of support vary according to which organisation meets the different functions of housing provision, housing management (maintenance and rent), tenancy support and other service involvement. The models most relevant to SHAs are:
  - The in-service model
  - The external service provider model
  - The direct tenancies model
  - The community services model
  - The floating support model
  - Multi-agency partnerships
- The use of tenancy transfers as a response to demanding behaviour should be used with caution as they can merely shift the 'problem' from one area to another. They should only be used when an environmental factor has been identified as a significant contributor to demanding behaviour.
- Strong relationships with other services and agencies facilitate the capacity of the SHA to sustain tenancies. It is important for frontline workers to develop their personal networks with other services and agencies and to be familiar with their referral criteria and processes.
- If eviction is inevitable, any external services or agencies involved with the tenant must be warned of this and steps taken to reduce the potential for homelessness following eviction.

# Part Four

## Sustaining Indigenous Tenancies

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The CSHA identifies improving Indigenous housing outcomes as a priority, and commits the Commonwealth and States to implementing the policy adopted in May 2001 by the Commonwealth, State and Territory Housing Ministers. This policy, Building a Better Future: Indigenous Housing to 2010 (BBF) ([http://www.facs.gov.au/internet/facsinternet.nsf/aboutfacs/programs/community-indig\\_housing\\_2010.htm](http://www.facs.gov.au/internet/facsinternet.nsf/aboutfacs/programs/community-indig_housing_2010.htm)), aims to provide 'safe, healthy and sustainable housing for Indigenous Australians', to provide better housing and housing-related infrastructure and to secure improved environmental health outcomes for Indigenous people. For this reason this Guide pays special attention to the needs of Indigenous people.

The first section of this Part of the Guide is directed at housing staff who have little knowledge of Indigenous housing issues. It identifies the dimensions of Indigenous disadvantage and social exclusion, locating this in its historical and social context. It examines the reasons behind the high level of Indigenous homelessness, and explains why housing policy and practice needs to be conceptualised when responding to this.

The second and third sections are aimed at senior housing staff working in policy and operations. These suggest the policies and strategies SHAs can employ to reduce Indigenous homelessness. This includes providing housing that is designed and maintained in culturally appropriate ways for Indigenous households and the development of culturally sensitive policies designed to improve Indigenous access to public housing and improve the rate of successful Indigenous tenancies.

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# 1. UNDERSTANDING INDIGENOUS ISSUES

The need to sustain the tenancies of Indigenous people is more urgent than for any other group of Australians because of their extreme vulnerability to homelessness. Indigenous families face severe barriers to accessing and sustaining safe, stable and affordable housing. They are sixteen times more likely to be homeless than non-Indigenous families (Jones 1994). Of special concern are the high numbers of children affected by Indigenous homelessness. A study in Western Australia suggested that children constitute half of all homeless Indigenous persons (Pendergast 2004: 5).

In its latest review of the position of Indigenous Australians the Human Rights and Equal Opportunity Commission makes the point that the crisis situation that Indigenous peoples face is highly likely to worsen substantially over the next decade due to the faster growth rate of the Indigenous population (Human Rights and Equal Opportunity Commission 2003). Given the centrality of housing to well-being, improving the sustainability of Indigenous housing is therefore a vital policy goal for all levels of government.

This section provides background information on the issues which account for the high rate of Indigenous homelessness and the difficulties some Indigenous people face in sustaining a stable home. It describes the extreme nature of Indigenous social exclusion from the lifestyle and living standards which most people take for granted. It locates this within the experience of economic, social and cultural dislocation that occurred as a result of colonisation by European settlers over two hundred years ago. It explains some of the reasons why some Indigenous Australians, especially those migrating from country, have difficulty sustaining tenancies in urban areas. It is followed by sections covering Indigenous housing policy and practice.

## **Indigenous Australians, Homelessness and Social Exclusion**

In 2004-5 Indigenous Australians comprised 16% of all clients of the Supported Accommodation Assistance Program (SAAP) although they comprise only 2.3% of the Australian population (AIHW 2006). The total number of Aboriginal and Torres Strait Islander SAAP clients for 2002-3 was 16,456 people. This comprised 11% of SAAP clients in urban areas; 22% in rural areas and 68% in remote areas (Commonwealth Advisory Committee on Homelessness 2006: xv).

This level of homelessness must be located within the context of the extreme marginalisation and social exclusion of Indigenous people in Australia. Cultural differences, together with a history of dislocation from country and culture, have located them in a position of structural disadvantage. Many of the categories employed in the field of housing take on different meanings when applied to Indigenous Australians. Terms such as 'housing' and 'homelessness' need to be reconceptualised to be meaningful in the Indigenous context. Memmott et al argue that Indigenous homelessness should not necessarily be defined as lack of accommodation but as 'losing one's sense of control over, or legitimacy in the place where one lives' (2003: i). They identify three broad types of homelessness, comprising, firstly, public place dwelling (being without a house, however temporary that might be), secondly, having a house but being at risk of losing it or its amenity and, thirdly, spiritual homelessness (p. ii).

However defined, improving the housing of Indigenous people is a national priority. Reducing Indigenous disadvantage has been a resolution of successive Councils of Australian Governments (<http://www.coag.gov.au/meetings/archive.htm>). The CSHA are concerned with improvements to Indigenous housing, especially in rural and remote areas.

Indigenous homelessness is due to a multiplicity of interrelated factors. Low income is compounded by an absence of affordable housing, which is especially acute in rural and remote regions (CSHA 2003; Cooper & Morris 2005). Indigenous families are twice as likely as non-Indigenous families to be living in poverty after paying housing costs (Jones 1994). Where housing is available it is often sub-standard, and this together with lifestyle patterns such as overcrowding, leads to significant health problems (Flatau 2004; Pholeros, Rainow & Torzillo 1994).

Cultural factors such as limited experience in the requirements of urban living and experiences of discrimination are intertwined with poverty, low education and poor health so that even if appropriate accommodation is available many Indigenous people have difficulty sustaining it. A lack of services in rural and regional Australia means that the supports Indigenous people need to respond to these problems are often not available. These problems are compounded by the sense of powerlessness created by generations of state control (Human Rights and Equal Opportunity Commission 2003) and difficulties caused by substance use and experiences of violence and incarceration (Cooper & Morris 2005) which impede the capacity of Indigenous people to move forward.

### *Understanding Indigenous Homelessness*

The extraordinarily high rate of homelessness amongst Indigenous populations is due to a complex combination of factors including:

- The effects of colonisation and the legacy of severe disadvantage and social exclusion
- The lack of affordable housing
- The lack of culturally appropriate housing
- Discrimination in housing markets
- Poor service provision

### *Colonisation and Social Exclusion*

Colonisation shattered traditional Indigenous culture, separating Indigenous people from their land and livelihood. This was followed by decades as a 'protected' people during which time every aspect of their lives was controlled by white missionaries and administrators and they were denied all citizenship rights. But even after Indigenous Australians were granted formal citizenship in the mid-1960s many were still subject to white control through the welfare and criminal justice systems. Although Indigenous Australians today have opportunities for self-advancement, the legacy of practices such as the removal of children and their exclusion from education and employment makes achieving this an ongoing challenge.

On every social indicator, Indigenous people lag far behind the non-Indigenous population of Australia. Compared to non-Indigenous Australians they have:

- Higher rates of poverty
- Poorer health outcomes
- Higher rates of premature ageing
- Higher rates of substance abuse
- Higher incarceration rates
- More severe educational disadvantage
- More limited employment opportunities
- Higher rates of welfare dependency

Table 6 provides some insight into the extent of difference between the two groups.

**Table 6: Socio-Economic Comparison of Indigenous and Non-Indigenous Population**

	Indigenous	Non-Indigenous
Male Employment Rate (aged over 15 years)	42%	58%
Male Unemployment Rate	22%	8%
Female Employment Rate (aged over 15 years)	36%	52%
Female Unemployment Rate	18%	7%
Apparent Year 12 Retention Rate	36%	75%
Hold Bachelor Degree	2%	13%
Hold Post School Qualifications (male)	19%	46%
Equivalised Household Weekly Income	\$364	\$585
Average household size	3.5 people	2.6 people
Live in rental accommodation	63%	27%
Proportion of prison inmates*	20%	80%
Proportion of juvenile justice inmates**	42%	58%
Average life expectancy (male)	56	77
Average life expectancy (female)	63	82.4

Sources: ABS 2003; HREOC 2003

\* Imprisonment rate 16 times higher than for the non-Aboriginal population

\*\* As opposed to being 4% of population in juvenile age groups

Poverty, ill health, unemployment, low educational achievement and contact with the criminal justice system make accessing the rental market extremely difficult for many Indigenous people

#### *Lack of Culturally Appropriate, Affordable Housing*

Anyone living on a low income in Australia faces significant barriers to the establishment of an affordable and stable home. But the problem is especially acute for Indigenous Australians. In 2001, just under one-third of households which include Indigenous people either owned or were purchasing their own home, compared with two-thirds of non-Indigenous households (HREOC 2007). Most Indigenous Australians therefore depend on the rental market for accommodation, making them vulnerable to eviction. Many live in rural and regional Australia where the affordable housing shortage is greatest. Many areas with a high Indigenous population are characterised by poor service provision and inadequate housing stock creating serious housing problems of access and sustainment. In some regions, there are no alternatives to public housing for safe, affordable accommodation. In these settings if the tenancy is not sustained, the absence of transitional or crisis housing, and limited support services create a serious risk of homelessness (Stracey 2003; Roberts et al 2006).

European style housing may also be unsuitable for many Indigenous people some of whom lack the living skills for urban living, and whose large families and communal lifestyles make overcrowding a serious problem.

#### LIVING SKILLS

Indigenous people have traditionally lived a migratory lifestyle, circulating between locations for food and cultural reasons (Flatau 2004). More recently there has been an urban drift as

Indigenous populations migrate from rural and regional areas to the cities as a result of factors such as a decline in services in their homelands and other pressures such as health and social problems (Cooper & Morris 2005). For these Indigenous Australians, living in the city presents major challenges as their former home may have had few facilities and what was acceptable there may not be acceptable in the town (Flatau 2004).

These households may lack the household management and living skills necessary to sustain their tenancy. They may:

- Have never paid rent
- Not know how to use a stove
- Have never used urban cleaning techniques; even a flushing toilet may be a new experience
- Have little experience of shopping and have never managed a food budget
- Face language barriers if English is not their first language<sup>4</sup>

Without appropriate support there is a high likelihood that Indigenous Australians from these backgrounds will be unable to sustain their tenancy (Keys Young 1998).

#### OVERCROWDING

Overcrowding is one of the most common reasons for tenancy failure in Indigenous households. The Steering Committee for Government Service Provision found that Indigenous people were 5.6 times more likely to live in overcrowded houses than the non-Indigenous population, rising to 18.8 times the non-Indigenous rate in very remote areas (HREOC 2007). Overcrowding can lead to tenancy failure because of its association with:

- Property damage as a result of overuse of fittings and fixtures
- Neighbour complaints about the behaviour of visitors and children

Understanding the causes of overcrowding in Indigenous households is an important first step for developing approaches to reduce homelessness amongst Indigenous households (Jones 1994; Flatau 2004).

The causes of overcrowding in Indigenous households are rooted in cultural factors including:

- Higher Indigenous birthrates leading to larger families
- Communal lifestyles and extended family relations
- Mobility for cultural, health and social events
- Tribal obligations which make it difficult for families to ask visitors to leave even if their behaviour leads to neighbour complaints and therefore threatens the tenancy

A lack of affordable hostel accommodation also means that country family members may have no alternative but to stay with relatives when visiting the town or city (Berry et al 2001; Durkay et al 2003; Commonwealth Advisory Committee on Homelessness 2001; Flatau 2004).

Most Australian houses are built for families that meet the norms of the nuclear family consisting of parents plus one or two children. However, Indigenous households tend to be larger, partly because of the higher Indigenous birthrate but also because the family unit is more likely to be extended. This translates into increased use of fittings such as doors and door handles, toilets

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<sup>4</sup> There is a great diversity of dialect and language amongst Indigenous people living outside of the major cities. Some Indigenous Australians living in remote parts of Australia may be more familiar with the language of neighbouring tribal groups than with English.



and work surfaces and therefore higher rates of wear and tear. What appears to the landlord to be property damage may be the results of strain due to constant usage and low quality construction and fittings (Martin et al 2002).

Although the diverse living patterns of Indigenous people mean that generalisations should be made with caution, they tend to have communal lifestyles. There is an emphasis on hospitality and shared living arrangements so that at any one time households may include additional family members and visitors whose length of stay may be open-ended.

Prolonged visits from extended family members and others is partly due to the geographical mobility that characterises Indigenous lifestyles, especially in rural and regional areas. Strong family and community ties also create cultural obligations to visit relatives who have moved to the city to be near services such as health, employment and education (Flatau et al 2004).

Some country visitors stay for prolonged periods with town family members because they lack the resources to find alternative accommodation or to return home. The lack of affordable alternative accommodation means that staying with relatives may be their only option. Ill health and cultural expectations of hospitality may make it difficult for the leaseholder to ask visitors to leave even if they are causing problems. They become caught between the conflicting pressures of the demands of the landlord to meet the requirements of their lease and those of family members. According to some of our respondents, in some situations their solution is to leave the property rather than insist their visitors leave even though this may have serious health consequences for them or other family members.

#### RENAL HEALTH ISSUES

One of the most common reasons for Indigenous people travelling from regional and remote areas is to undergo treatment for kidney failure. The rate of kidney failure amongst Indigenous populations is far higher than the national average, with figures ranging from twelve to thirty times higher, depending on the region (ABS 2005).

Dialysis becomes a necessity and this means living in the city or regional centre, where treatment is available. The combination of low income and high health needs gives these Indigenous people priority for public housing. However, limited urban living and household management skills, together with cultural practices that differ from those of their neighbours, create tensions with adjacent households. Their presence in the city also attracts country visitors and this may lead to further problems of overcrowding and disruptive behaviour. Even though our informants suggested that the tenant is rarely the cause of the problem they become vulnerable to tenancy failure if they are unwilling to ask these visitors to leave. Yet poor health and cultural expectations of hospitality make it difficult for them to do this. Instead some prefer to walk away from the tenancy despite the serious health consequences that may result. Lacking a stable home their capacity to maintain hospital appointments and to receive the treatment they need is compromised. If they return to country they will receive no treatment and become seriously ill. If they leave without terminating the tenancy they may also risk accruing a debt to the SHA or landlord for unpaid rent and/or damage to property creating a further barrier to establishing stable accommodation.

This indicates an urgent need for culturally appropriate housing which acknowledges the different lifestyle of Indigenous people while also making provisions to ensure neighbourhood peace, such as the use of Night Patrols (Memmott et al 2003).



## Unwanted Visitors and Tenancy Failure

An Indigenous woman who had two children with very serious health problems had many visitors who engaged in disruptive and sometimes violent behaviour which caused ongoing complaints and neighbour disturbance. Complaints to MHAs and negative media reporting increased the pressure on the SHA to 'deal with the problem'. The tenancy officer was very concerned because of the children's condition and explained to the tenant that eviction would result if she didn't ask her relatives to leave. But the tenant was unwilling to do this and was eventually evicted. It is not known what happened to her or her children.

**SHA Housing Manager**

### *Discrimination in Housing Markets*

For all forms of rental tenure, discrimination is a barrier to accessing and sustaining housing for Indigenous Australians (Berry et al 2001; Gordon et al 2002; Burke 2004). In the public housing sector non-discriminatory policies and strategies exist which specifically target inclusion of Indigenous people. However, indirect discrimination may still occur at various levels in State and Territory housing no matter what policies are in place, including programs and policies that may also be unintentionally discriminatory by failing to adequately account for the impact of such factors as limited income, past housing histories or an inability to provide a reference on Indigenous access to public housing.





## GOOD PRACTICE EXAMPLE

### Multi-agency Working with Indigenous Tenants

Support for Renal Patients, Western Desert, NT

#### *Website*

[http://www.healthinonet.ecu.edu.au/html/html\\_bulletin/bull\\_31/finalwoncap.pdf](http://www.healthinonet.ecu.edu.au/html/html_bulletin/bull_31/finalwoncap.pdf)

#### *Context*

The level of kidney disease in the Western Desert is thirty times higher than the national average and increasing every year. In some families there are three generations with kidney failure. Finding accommodation for patients while they receive treatment in town has been recognised as a state priority. The service was initiated through funds raised from a Western Desert art auction in 2001; created an opportunity to buy a dialysis machine for Kintore in the NT.

#### *Objective*

- Improvement of the health care and health outcomes of Indigenous people in the Western Desert through provision and co-ordination of dialysis treatment, accommodation and support.
- Facilitation of self-care and treatment in the desert so that fewer patients have to be removed from their family and country in order to receive treatment.

#### *Strategy*

- The WDNWPT Aboriginal Corporation (which means 'making all our families well' in Pintupi/Lurtija) owns and operates a dialysis machine in Kintore, NT and also runs 'Dialysis House' in Alice Springs, where renal patients receive dialysis training and are helped to keep their connection with country.
- Funding is provided from the sale of artworks, and donations and through a Joint Responsibility Agreement between the Western Desert Nganampa Walytja Palyantjaku Aboriginal Corporation, the Northern Territory of Australia, the Northern Territory Government, the Yanangu Aboriginal Community and the Alice Springs Indigenous Coordination Centre.
- The community, through WDNWPT, maintains 'Dialysis House' and funds the services that it provides.
- Renal patients and their families attend scheduled treatments and take part in training and education on treating kidney disease, with the aim of being able to manage community-based dialysis.
- The Commonwealth Government is assisting with the purchase of 'Dialysis House', and provides a vehicle.
- The Northern Territory Government funds two health-worker positions to help support patients and their families, and provide information on how to manage kidney disease.
- There are 32 clients in Kintore and a waiting list of a further 120. The service also assists services in Alice Springs responsible for 51 remote Aboriginal communities (across NT, SA and WA).
- The service employs two part-time workers. ⇨

- Some of their clients live in Territory Housing and the service assists them to sustain their tenancy by providing furniture and assistance with general maintenance.
- Clients receiving treatment in Alice Springs are offered six visits per year for themselves or family members in either direction between town and country. This enables them to visit family in the desert and return to Alice Springs for treatment and for family members to visit them and return to the desert. This prevents patients 'just taking off' and disappearing into community, with negative health outcomes and high health costs since the return often involves the Flying Doctor service and a period in intensive care. It also prevents overcrowding in Alice from relatives lacking the resources to return to country.

### *Benefits*

- Improved health and tenancy sustainability outcomes for clients
- Community development
- Strengthened partnerships across government and NGOs

### *Resource Implications*

High

### *Ingredients for Success*

- Shared responsibilities
- Flexibility
- Community empowerment
- Local knowledge and participation



## **The Demands of Public Housing Tenancies**

I had one client who said he had heard so much about how hard it was to meet the requirements of living in public housing that when he was finally offered a tenancy he refused it preferring the instability of a hostel arrangement.

***Indigenous Community Organisation Worker***

While Indigenous and homeless people are both target groups for SHAs, Indigenous people have difficulty establishing eligibility for public housing. Eligibility requirements for SHAs include:

- Established rent history of some months
- References from previous landlord
- Bond
- Evidence of identity
- Clean public housing history

In some circumstances these may be very difficult for them to provide as they may not:

- Pay rent in townships or rural and regional communities
- Have a landlord if living on Indigenous land, or are itinerant

- Have the money for a bond
- Have documentary evidence of identity
- Have a successful history of meeting their rental payments

Housing application procedures rarely take account of the mobile lifestyles of many Indigenous people and the difficulty some will have negotiating housing bureaucracies. These assume applicants will receive letters, attend appointments and respond within specified timeframes but itinerant lifestyles, language and literacy barriers may make these requirements inappropriate. Suspicion, distrust and feelings of powerlessness are further barriers preventing Indigenous people from accessing public services (Flatau 2004).



### **The Need for Culturally Sensitive Practice**

An Indigenous man with renal failure moved from his remote homeland to an urban centre because he required dialysis treatment three times a week. He stayed with relatives who suggested he might be a priority for public housing. He spoke a local Indigenous language and had difficulty reading forms so his relative helped him to fill in the application form and was with him for the allocation interview. While he was waiting to hear what happened he had to return to his community for Sorry Business (funeral and mourning practices). When he returned he found the SHA had offered him a unit a few weeks previously but as he hadn't replied it had been given to someone else. There was also a further letter asking him to indicate if he was interested in public housing and because he did not respond in the timeframe he was taken off the list and therefore had to commence the application all over again. As he had nowhere to go he returned to his relative in the hope that he would let him stay with him despite the number of people already living there.

#### *Poor Service Provision*

An absence or lack of services is a further barrier to sustainable tenancies for Indigenous people. The multidimensional nature of Indigenous disadvantage requires a holistic approach to support yet in many regions services are seriously under-resourced or entirely absent.

In rural and regional Australia services face serious difficulties in attracting and retaining qualified staff and a low tax base means services have to be stretched beyond their capacity (AIHW 2005). In some regions vast distances and low populations make service provision of any kind challenging. This can result in significant gaps in service provision so that what might elsewhere be seen as a minimum level of service provision may be regarded as normal and appropriate.

These gaps are magnified by the intensive nature of working with Indigenous populations because of the level of high and complex need as well as additional factors such as language barriers. In an environment of scarce resources services can be reluctant to interpret their responsibilities broadly even though a shared approach to resolving shared problems is one of the most productive ways of creating service efficiencies.

## *Risk Factors for Homelessness*

The risk factors for homelessness amongst Indigenous Australians have been identified as:

- Poverty
- Domestic and family violence
- Incarceration (with particular risks immediately after release from prison)
- Drug and alcohol use
- Mental illness

Young Indigenous people, single Indigenous men, Indigenous women and Indigenous ex-prisoners face special difficulties in finding long-term housing.

The high level of family violence in Indigenous households means that many Indigenous women have to leave their home in order to escape it. Often they and their children end up in crisis accommodation followed by prolonged periods of housing instability. Personal and structural barriers make moving off the cycle of homelessness extremely difficult. Breaching income support conditions by, for example, failing to notify Centrelink about custody of children can result in a loss of income which makes it impossible for them to pay rent arrears or advances on new accommodation. Loss of income may also mean they are unable to obtain health and welfare support necessary to sustain them in their new housing (Cooper & Morris 2005).

Indigenous men and women exiting prison face the double barrier of ethnicity and being an ex-prisoner. These difficulties are further exacerbated by the tendency for episodes of anti-social behaviour which may follow incarceration.

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## **2. DEVELOPING A POLICY FOR SUSTAINING INDIGENOUS PUBLIC HOUSING TENANCIES**

This section of the Guide is primarily directed at housing staff working in areas of policy. It identifies current Commonwealth, State and Territory policy frameworks to improve Indigenous housing outcomes, focusing especially on the BBF. This emphasises the principles of respect for Indigenous cultures, access, well-designed housing, partnerships with Indigenous community organisations and consultation and co-operation with Indigenous communities.

To reduce Indigenous homelessness SHAs must employ culturally sensitive policies and practices. This means starting from where Indigenous people are by providing, for example, housing that recognises the communal living arrangements of many Indigenous populations. It means improving Indigenous access to housing services by recognising how such things as a mobile lifestyle impacts on their capacity to meet the requirements of housing bureaucracies. It means working with Indigenous organisations and employing Indigenous workers to improve service provision.

### **Government Policies to Improve Indigenous Housing Outcomes**

In 1996, Commonwealth, State and Territory housing ministers established the Commonwealth State Working Group on Indigenous housing to develop practical strategies to improve housing outcomes for Indigenous Australians. This commitment was further developed at the 2001 Housing Ministers Conference through the BBF with the CSHA (2003) committing Commonwealth, State and Territory governments to its implementation.

- The policy framework provided by the BBF includes the following goals:

- Aboriginal and Torres Strait Islander peoples throughout Australia will have:
- access to affordable and appropriate housing which contributes to their health and well-being;
- access to housing which is safe, well-designed and appropriately maintained
- There will be a vigorous and sustainable Indigenous community housing sector, operating in partnership with the Commonwealth and State, Territory and Local governments
- Indigenous housing policies and programs will be developed and administered in consultation and co-operation with Indigenous communities and with respect for Aboriginal and Torres Strait Islander cultures.

Federal government policy also specifically targets funding and program assistance to Indigenous people in rural and remote regions.

Other Federal government initiatives that address Indigenous housing disadvantage include:

→ **The Aboriginal Rental Housing Program**

<http://www.facs.gov.au/internet/facsinternet.nsf/indigenous/programs-arhp.htm>. Its priority is to ensure that houses are well maintained and managed to achieve health-related outcomes for Indigenous people

→ **The Community Housing and Infrastructure Program**

<http://www.facs.gov.au/internet/facsinternet.nsf/indigenous/programs-chip.htm>  
This seeks to improve the living environment of Indigenous Australians by providing people in need with housing and associated infrastructure. It provides funding for capital construction, maintenance and improvement, amongst other things.

→ **The National Framework for the Design, Construction and Maintenance of Indigenous Housing**

[http://www.facs.gov.au/internet/facsinternet.nsf/indigenous/indigenous\\_housing\\_framework.htm](http://www.facs.gov.au/internet/facsinternet.nsf/indigenous/indigenous_housing_framework.htm)

This provides guidelines to ensure that principles of safety, health, quality control and sustainability in the construction and maintenance of Indigenous housing.

→ **The National Indigenous Housing Guide**

[http://www.facs.gov.au/internet/facsinternet.nsf/indigenous/indigenous\\_housing\\_guide.htm](http://www.facs.gov.au/internet/facsinternet.nsf/indigenous/indigenous_housing_guide.htm)  
This is a practical tool to help ensure that housing health hardware is safe, functional and sustainable.

## Planning to Respect Cultural Difference

The sustainment of Indigenous tenancies requires policies that recognise and respect cultural difference. Policies should be flexible and holistic. They should provide mechanisms to improve Indigenous access to social housing provision through the removal of barriers resulting from cultural difference.

→ **Flexible**

They should:

- Recognise that one size does not fit all and that rigid bureaucratic procedures can undermine the objectives they set out to achieve.
- Requirements such as timeframes for responses to housing offers and for occupancy rates should take account of factors such as high levels of mobility and extended family living arrangements

- Provision of a continuum of living and support arrangements from short- to long-term term and for varying levels and types of need
- Planning that is sensitive to the effects of cultural difference within the community and designed to minimise tensions
- Funding and staffing arrangements that recognise that working with Indigenous populations is resource intensive



## Partnerships

Joined-up problems require joined-up solutions.

*Indigenous Community Worker*

### → Holistic

The multidimensional nature of Indigenous disadvantage means a holistic approach is a key policy principle. Essential features include:

- Co-location of key services
- **Service partnerships** to enable integrated service delivery
- **Housing for Health**
  - Co-location of housing and health services since health services without houses severely limits Indigenous accessibility. There is little point in locating an expensive Drug and Alcohol clinic in an area where there is no affordable accommodation.
  - Designing, planning, constructing and maintaining houses in a way that recognises the relationship between housing and health. The principle of Housing for Health (<http://www.healthabitat.com/>) has been implemented in the Federal government's Fixing Houses for Better Health projects in four States (Queensland, WA, SA, and NT).<sup>5</sup> These projects target the improvement of houses and household living conditions in remote and rural Indigenous communities.
- **Community Development and Education**  
Working with the community to improve tolerance and dialogue between Indigenous and non-Indigenous communities. This can include information in local newspapers about public housing issues, distribution of leaflets in areas where Indigenous housing is to be introduced and visits by housing officers to nearby residents when allocations are made to Indigenous tenants. New tenants can be introduced to their neighbours to build initial contacts and empathy. Information sheets to local schools can also provide information on how public housing works and the kind of difficulties some tenants face.

### → Accessible Services

- Avenues for Indigenous consultation and participation in service development and delivery
- Recognition and provision for language barriers and lifestyle factors such as high levels of mobility

<sup>5</sup> See <http://www.facsia.gov.au/internet/facsinternet.nsf/research/ops-ops14.htm> for an evaluation report of these projects.



## GOOD PRACTICE EXAMPLE

### Culturally Sensitive Housing

#### Indigenous Housing for Health Projects

##### *Website*

<http://www.healthabitat.com/>

<http://www.health.nsw.gov.au/public-health/ehb/aborig/hfh.html>

##### *Context*

Housing for Health is a copyrighted methodology for improving living conditions in Indigenous communities; methodology devised by Healthabitat. Its principles and methodology were initially formulated in a report (the Uwankara Palyanku Kanyintjaku Report) prepared by Paul Torzillo, Stephan Rainow and Paul Pholeros for the Nganampa Health Council in far north-west SA. This drew on the observation of the Nganampa Health Council Director, Yami Lester, that medical services and a healthy living environment were both required to achieve health gain. Research has shown that improving essential health hardware (fixing a leaking toilet, electrical repairs, having sufficient hot water, having somewhere to wash a baby, etc.) can lead to improvements in health status and reduce the risk of disease and injury.

##### *Objective*

The improvement of living conditions in Indigenous communities through the assessment, repair or replacement of health hardware so that houses are safe and the occupants have the ability to carry out healthy living practices. The target groups are Indigenous communities, especially those communities with children aged up to five years.

##### *Strategy*

- A set of six principles
  - Holistic
  - Community development
  - Evidence based
  - Service partnerships
  - Flexible service delivery
  - Sustainable principles and practice
- A methodology that focuses on environmental changes that will lead to maximum health gain. This involves the prioritisation of building works in terms of health benefit through the identification of Safety and Nine Healthy Living Practices. These are the basic requirements for people to appropriately and safely occupy and use their houses and living environment, care for their health and safety of their children and families.
- Safety and Nine Healthy Living Practices
  - Washing people
  - Washing clothes and bedding
  - Removing waste safely ⇨



- Improving nutrition
- Reducing overcrowding
- Reducing the impact of animals, vermin and insects
- Reducing dust
- Controlling temperature
- Reducing trauma

→ The Housing for Health process involves six main stages:

1. Community consultation
2. Feasibility study
3. First survey and fix (including training for local community people)
4. Capital upgrade
5. Second survey and fix
6. Reporting and closure

At every stage local people are consulted and employed.

### *Benefits*

- Community engagement
- Individual and community capacity building
- Individual and community understanding of how living conditions can impact on health and how local people can participate in addressing this
- Real improvements in the conditions of the living environment
- Completion of outstanding maintenance needs
- Improved relations between Indigenous and non-Indigenous populations

### *Resource Implications*

Resource intensive

### *Ingredients for Success*

- Community participation to ensure successful implementation and sustainment
- Liaison with local community organisations
- Formal partnership between government agencies, NGOs and Healthabitat
- Simultaneous survey and fix
- Maximising use of local resources
- Flexible project design



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### **3. PRACTICES FOR SUSTAINING INDIGENOUS PUBLIC HOUSING TENANCIES**

This section of the Guide is relevant for senior housing management in policy and operations working in areas with a large Indigenous population. It describes some of the practical strategies that can be employed to sustain Indigenous tenancies, locating these within a broader framework of Indigenous social inclusion and support. As in the area of policy, the key message is the need for culturally sensitive practices as well as an emphasis on the promotion of community harmony through community development and education.

#### **Community Development and Education**

The history of race relations in Australia has resulted in enduring racial tensions which can manifest in a climate of mutual hostility and intolerance (Berry et al 2001). The limited social and economic resources of many Indigenous people make them especially vulnerable to discrimination. In addition to the kind of activities that should be a routine part of a sustaining tenancies approach, more targeted initiatives in areas with high numbers of Indigenous tenants could include a media campaign to promote a positive image of Indigenous culture and the employment of tenancy officers with community development training.

#### **Staffing**

There are many benefits from employing Indigenous workers within the SHA. Whether working at the level of senior management or in face-to-face contact with Indigenous tenants, their understanding of Indigenous issues and integration into Indigenous networks offers the organisation an invaluable resource. At the frontline, an Indigenous worker can assist communication between the SHA and Indigenous tenants. It should also facilitate working with local Indigenous services.

At more senior levels, an understanding of Indigenous lifestyles and issues is vital for successful policy development and implementation. The employment of Indigenous personnel also empowers Indigenous communities by providing an important avenue for employment and professional development. It also improves the credibility of the SHA when it comes to relating to Indigenous community organisations and NGOs.

## GOOD PRACTICE EXAMPLE

### Employing Indigenous Workers

Intensive Intervention Project, Housing SA, South Australia

#### *Context*

This project has been introduced into the Adelaide area of Housing SA and was developed as a result of the high concentration of Indigenous people in the north-west suburbs and the involvement of a local MHA.

#### *Objective*

Tenancy support for Indigenous Australians with high and complex needs.

#### *Strategy*

- A Service Agreement with a community organisation to provide intensive support to up to fifteen families in the Port Adelaide/Parks area.
- Case management of multi-agency intervention.
- High frequency contact (almost daily) because of the complexity of the problems faced by the families involved in this project.

#### *Benefits*

- Employs Indigenous workers
- Culturally sensitive to needs of Indigenous tenants
- Inter-agency approach to service delivery ensures strategic co-ordination
- Case management approach enables intensive one-to-one service delivery to households

## Recognising the Needs of Special Groups

There are a number of Indigenous groups who require specialised programs. These include:

- Those relocating from rural and regional areas to the city
- Women and children escaping domestic violence and sexual abuse
- Those leaving prison or custody
- Older groups
- Children and youth
- Those with specific health needs, including renal failure
- Those with drug and alcohol use problems



### Indigenous Renal Patients and Housing

People live in hostels, in town camps and are often homeless while they wait for treatment. They have trouble negotiating public housing, and go from being important members of their community to people who have few social contacts or reasons to be there other than the machines.

*Indigenous Community Worker*

## Accessible Services

Some of the practical ways in which services can be made more accessible to Indigenous populations include:

- Literature that is written in an accessible way including local languages, as appropriate
- Co-location of housing and translation services
- Use of consumer advocates
- Accessible support and advocacy services
- Increased funding for SAAP service providers to meet the high level of Indigenous need



## GOOD PRACTICE EXAMPLE

### Personal Development Programs for Indigenous Tenants

Happy Homes Life Skills Program, Yilli Rreung Housing Aboriginal Corporation, Darwin, NT

#### *Website*

[http://www.yillihousing.com.au/programs\\_happy.htm](http://www.yillihousing.com.au/programs_happy.htm)

#### *Context*

High failure rate of Indigenous tenancies in public and community housing

#### *Objectives*

To improve the capacity of YRHAC tenants and their Communities by:

- increasing the capacity of Aboriginal tenants and local community organisations to sustain their tenancies through
  - maintaining safe and healthy homes
  - addressing issues that may affect the household
- extending the life of dwellings

#### *Strategy*

- YRHAC is the peak Indigenous Housing Organisation that provides housing, municipal and infrastructure services to Indigenous people living in the Darwin area and its surrounding communities. It is a legally constituted Aboriginal Corporation registered with the Commonwealth's Office of the Registrar of Aboriginal Corporations (ORAC) under the Aboriginal Councils & Associations Act 1976. The Happy Homes Program is YRHAC's Life Skills Program. It is currently being trialled within the 15 Aboriginal Communities managed by Yilli Rreung.
- Holistic, client-centred, community development approach
- Action learning strategy to:
  - assist the tenant, their family and community to make an informed decision about the issues ⇨

- encourage group processes for problem resolution
- encourage personal capacity building and empowerment
- Compulsory learning package for new tenants and their communities
- Employment of Life Skills Officers to work with tenants in a respectful, culturally appropriate manner and in an individually paced timeframe
- The establishment of measures and goals agreed with the tenant and their family. Action learning cycles for personal learning, understanding of their issues and assistance to follow through with action.
- Establishment of a network of 'Referring Agencies' to ensure the best service and outcomes possible. The co-ordination includes:
  - Happy Homes Program Awareness training for participating agencies
  - Community workshops and learning activities
  - Case management and liaison with other service providers
  - Co-ordination of volunteer assistance
- A Home Care Program that works with the tenant to sustain their tenancy. This includes providing information about:
  - Leases
  - Home induction
  - Healthy and safe care of the home
  - Tenant responsibility
- A Case Management Program looks at the areas that may impact on a tenant's capacity to sustain the tenancy. This relates to support needs in areas such as:
  - Alcohol and drug use
  - Domestic violence
  - Educational needs
  - History of unemployment
  - Child abuse
  - Managing finances
- The Happy Homes Program is available for purchase as a package for use by other services

### *Benefits*

- Reduction in homelessness amongst Indigenous populations
- Improved health outcomes for Indigenous individuals, families and communities
- Capacity building for Indigenous individuals and communities
- Extended life of housing stock
- Reduced housing management costs
- Improved service co-ordination and delivery
- Greater service efficiency through elimination of duplication
- Improved understanding of Indigenous needs by services
- Improved relationships with Indigenous communities

## Prevention

Preventative mechanisms for reducing the likelihood of tenancy failure amongst Indigenous populations are largely focused on issues of planning, design and maintenance. Providing housing that reflects Indigenous lifestyles can make an important contribution to designing out problems related to demanding behaviour and assisting Indigenous populations to make the transition from country to town. The existence of prejudice against Indigenous populations can create problems even where there are none, so reducing the visibility of Indigenous housing is a first step towards preventing neighbour complaints. It should be recognised that fittings and fixtures are likely to receive higher use in Indigenous households.

Some of the principles for **planning, design and maintenance** identified by Indigenous community workers and public housing policy and operational officers include:

- **Low visibility** is an important planning principle and reduces the likelihood that Indigenous households will draw negative attention from nearby white neighbours.
- **Building to last**. Fixtures and fittings which are strong enough to sustain the high levels of use that follow from more communal living styles.
- **Housing arrangements** such as cluster housing, that recognise community living and a more mobile population.
- **Frequent maintenance checks** which recognise the effects of overcrowding on wear and tear.
- **A program of early repair and replacement** of damaged fittings and fixtures that does not depend on up-front payment by the tenant.

## Allocations

Just as allocations serve as an important way of catching problems before they occur in general housing management, so they are relevant in areas of high Indigenous population. Allocations procedures should respect the reality of Indigenous lifestyles. They should:

- Provide mechanisms to ensure that Indigenous people understand what is required of them to make a successful application
- Ensure that strict timelines do not result in Indigenous people missing out or delaying access to offers of accommodation or support
- Facilitate the provision of support for Indigenous tenants whose past history suggests they may lack the living skills necessary to sustain their tenancies
- Provide processes which avoid long-term exclusion through strategies that provide for Indigenous applicants with a poor tenancy history to meet eligibility requirements

## Support

Although the kind of support necessary to sustain Indigenous populations is broadly similar to that provided to non-Indigenous populations, there are some specific practice points. These include assisting Indigenous people to access living skills and other personal development programs and ways of building strong working relationships with Indigenous community organisations.

## Personal Development Programs

Programs such as Life Skills and Parenting Skills can do much to assist Indigenous tenants to sustain their tenancies. These need to be developed and delivered with the close involvement and co-operation of Indigenous organisations to ensure they are culturally sensitive and that

they have the support of local Indigenous communities. Life Skills Programs should follow action research and community empowerment principles to avoid deepening the Indigenous/ non-Indigenous rift.

It should also be understood by those promoting and developing them that no amount of life skills is going to bridge the gap between some Indigenous populations and the white 'model' of urban living and that this may not be desired or desirable. Rather, the model should aim to work as a bridge between the two cultures.

## Partnerships

Establishing a good relationship with community organisations can provide enormous benefits.

- Employment services that assist Indigenous people to maintain jobs has clear housing benefits.
- Positive relations with local Indigenous community organisations assist Indigenous tenants through provision of a range of support and advocacy services. Conversely, a lack of trust and co-operation will obstruct policy initiatives however well intended. In this case, opening communication channels and establishing what needs to be done to develop a constructive working relationship is the first requirement.

## Housing for Health

The practice principles associated with Housing for Health include:

- Investing in fittings designed to last
- Replacing damaged items immediately and then back-charging the tenant, rather than waiting till the tenant has paid for the item
- Acknowledging language barriers (translation services co-located with Housing)



### Housing and Health

These people actually require housing support to stay in town after going through rehabilitation otherwise they have no choice but to go back home to heavy peer pressure to start the behaviour again. They need financial support and a living skills program. People are willing to learn. With a fair bit of support people can achieve a lot.

*Indigenous Health Worker*

## Staff Support and Development

Staff working in areas with high Indigenous populations require positive support and training to deal with the complex problems they are likely to face. This means:

- Providing training in understanding Indigenous culture, and how best to support Indigenous tenancies
- Ensuring staff safety



## GOOD PRACTICE EXAMPLE

### Multi-agency Working with Indigenous Tenants

Larrakia Intervention and Transport Service, Larrakia Nation, Darwin, NT

#### *Website*

<http://www.larrakia.com/Projects.html>

#### *Context*

One of the most common reasons for tenancy failure amongst Indigenous populations is overcrowding as a result of visitors who stay for prolonged periods. One of the reasons for their prolonged stay is because they lack the resources to return home. Visitors may also threaten the tenancy because of behavioural problems. The Larrakia Intervention and Transport Service developed out of the Community Day Patrols provided by the Community Harmony Program.

#### *Objective*

Transport services provided to clients to enable them to return home to country

#### *Strategy*

Provision of financial support to enable rural visitors to return home

#### *Benefits*

- Reduction of overcrowding in rented accommodation and of neighbour complaints

#### *Resource Implications*

Funding for transport and worker time

#### *Ingredients for Success*

- Indigenous service provider
- Local knowledge of networks and relationships
- Partnerships with other services including Police and NT Housing

## 4. KEY POINTS

- The rate of homelessness amongst Indigenous households in Australia is sixteen times higher than that of non-Indigenous households. It is one of a number of indicators of severe disadvantage and social exclusion resulting from a long history of colonisation and marginalisation. The need to sustain the tenancies of Indigenous households is greater than for any other group.
- The reasons for the high rate of Indigenous homelessness are complex but include the lack of affordable housing, the use of European-style housing which is not well adapted to the lifestyles of some Indigenous Australians who may have characteristics such as large household sizes and experience discrimination in housing markets.

- Specific problems such as overcrowding, health issues such as renal failure and a lack of urban living skills are some of the factors that contribute to the high rate of tenancy failure amongst Indigenous populations.
- Limited service provision in many areas with a high Indigenous population combine with cultural barriers to limit Indigenous access to the services and supports they need.
- Culturally sensitive policies and practices should be introduced as a routine part of housing management, especially in areas with a high Indigenous population. These should recognise the barriers Indigenous people face in meeting the requirements of housing bureaucracies and provide mechanisms to overcome these. This requires both policies and services to be flexible, holistic and accessible.
- Community education and development programs can reduce the social distance between Indigenous and non-Indigenous Australians and help in the promotion of mutual understanding.
- The employment of Indigenous staff at every level of the SHA has many benefits to the organisation and to Indigenous clients.
- Programs should be developed which target the needs of especially vulnerable Indigenous groups including women and children escaping domestic violence, Indigenous people exiting prison, older and younger people, those with specific health problems including kidney failure and substance use and those moving to urban areas for the first time.
- The physical infrastructure of housing for Indigenous Australians should follow the principles of Housing for Health with strong fixtures and fittings designed to withstand the intensive use associated with large household size. There should be frequent maintenance checks and a repair program that does not depend on up-front payment by the tenant.
- Improving access to personal development programs such as Life Skills programs and Parenting Skills can do much to reduce demanding behaviour in Indigenous households and improve tenancy sustainability. These programs should follow community development and action research principles so that participants are empowered. These programs should also recognise that their goal is to provide a bridge between Indigenous and white Australian culture rather than expecting Indigenous people to accept the white 'model' of urban living.
- Establishing strong partnerships with Indigenous community organisations and NGOs is essential for improving the rate of successful public housing tenancies amongst Indigenous households. Conversely, a lack of trust and co-operation will obstruct policy initiatives however well intended. Establishing good communication channels and identifying what needs to be done to develop trusting relationships is an important first step to good working relationships.
- Staff development programs should include programs on sustaining Indigenous tenancies.





Part Five

**Resources for Good  
Practice**

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## WEB RESOURCES

### SHA Policies and Fact Sheets

**ACT:** <http://www.dhcs.act.gov.au/hcs/Policy/Policy.html>

**NSW:** <http://www.housing.nsw.gov.au/Policies+and+Fact+Sheets>

**NT:** [http://www.territoryhousing.nt.gov.au/corporate/policies/operational\\_manual](http://www.territoryhousing.nt.gov.au/corporate/policies/operational_manual)

**QLD:** <http://www.housing.qld.gov.au/renting/public/factsheets/index.htm>

**SA:** <http://www.housingtrust.sa.gov.au/site/page.asp?swld=1&pgld=5>

**TAS:** <http://www.dhhs.tas.gov.au/services/view.php?id=942>

**VIC:** <http://hnb.dhs.vic.gov.au/OOH/oe5ninte.nsf/Home+Page/OOHInternet~OOH-Internet-HomePage?open>

**WA:** [http://www.dhw.wa.gov.au/404\\_458.asp](http://www.dhw.wa.gov.au/404_458.asp)

### The Australian Housing and Urban Research Institute

This is Australia's national research organisation for housing and urban research and policy. Its publications library is a key resource for research on sustaining tenancies and includes numerous studies of relevance. Most research projects produce three reports: A Positioning Paper which provides a literature review of the area, a Final Report which is an extended report of the research including its findings and conclusions, and a Research and Policy Bulletin which provides a four-page briefing of the key findings.

<http://www.ahuri.edu.au>

### The Agency Collaboration Strategy, Department of Health and Human Services, Tasmania

This website provides a copy of the State Government of Tasmania's Agency Collaboration Strategy for Improvement to Services for People with Complex and Exceptional Needs. It sets out the context, objectives, principles and strategy for the implementation of the Strategy which commenced in January 2003. A summary of the program is provided in Part 4.

<http://www.dhhs.tas.gov.au/agency/publications/documents/PolicyforAgencyCollaborationStrategyFeb04.pdf>

### The Building Codes of Australia

The Building Code of Australia (BCA) is the national technical document which sets the standards for building work in Australia.

[www.abcb.gov.au](http://www.abcb.gov.au)

### Housing Corporation

*Housing Associations and Anti-social Behaviour: Protecting our communities*

This booklet describes how housing associations have a vital role in tackling anti-social behaviour and creating sustainable communities. It states how they need to look beyond the management and maintenance of homes and think about what improvements they can make across the whole community.

<http://www.crimereduction.gov.uk/antisocialbehaviour/antisocialbehaviour47.htm>

## **Healthabitat**

This is the website of the organisation founded to implement the principles of Housing for Health developed by Paul Pholeros, Stephan Rainow and Paul Torzillo in north-west SA in the 1980s and since then being slowly implemented in various projects across Australia. The site explains the origins of the framework, its principles, processes and past and current projects. A summary of the program is provided in Part 4.

<http://www.healthabitat.com>

## **Living in Harmony Toolkit**

This is a suite of resources for ideas and methods that can be used by social landlords to help prevent, manage and resolve neighbour disputes. It provides sections on:

1. What communities and tenants can do to help themselves
2. Checklists and policy and strategy advice for landlords
3. Guidelines and references for multi-agency working and a framework for information sharing with the Police and other organisations
4. Checklists for training for tenants, residents, community organisations and landlords as well as joint training

Keeble, M., Hughes, K., & Stirling, T. (2004). *Living in harmony toolkit: A guide to preventing, managing and resolving neighbour disputes*. Cardiff: Welsh Assembly Government, Housing Management and Homelessness Branch

<http://new.wales.gov.uk/topics/housingandcommunity/housing/publications/livinginharmony?lang=en>

## **Commonwealth and State Privacy Legislation**

This is the website for the Office of the Privacy Commissioner. It provides links to the privacy legislation with which Government agencies must comply, as well as individuals, businesses and health services providers.

[http://www.privacy.gov.au/privacy\\_rights/laws/index.html](http://www.privacy.gov.au/privacy_rights/laws/index.html)

## **Social Exclusion Task Force Website, Cabinet Office, UK Government**

This provides information on the initiatives of the British Government's Social Exclusion Unit which includes an emphasis on the role of housing and community development to tackle anti-social behaviour and social exclusion. Strategies include measures to create both sustainable tenancies and sustainable communities.

[http://www.cabinetoffice.gov.uk/social\\_exclusion\\_task\\_force/](http://www.cabinetoffice.gov.uk/social_exclusion_task_force/)

## **Social Inclusion Initiative, Dept of Premier and Cabinet, Government of South Australia**

The Social Inclusion Initiative has been instigated by the Government of South Australia to find ways to ensure everyone who lives in SA has the opportunity to access all that our society offers. It includes a homelessness program which includes a focus on sustaining tenancies.

<http://www.socialinclusion.sa.gov.au/site/page.cfm?u=34>

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## KEY LITERATURE SUMMARIES

Below are brief summaries and a list of relevant documents which may be of use to practitioners and policy managers who are looking for more detailed and relevant information to inform their own strategies and daily practice.

**Baker, I. (2005) *Phase One Report for the Sustaining Tenancies in Community Housing Project*, Toowoomba, Qld.: Shelter.**

This report addresses the causes of tenancy failure in the Toowoomba community housing sector as well as factors that aid the support of tenancies. It proposes a simple communication program designed for community housing staff to work with tenants to help them resolve disputes before eviction occurs along with the development of a 'tenancy health check' – a list of factors that make people more vulnerable to housing instability, to enable early detection of problems and the use of preventative strategies.

**Bisset, H., Campbell, S. & Goodall, J. (1999) *Appropriate Responses for Homeless People Whose Needs Require a High Level and Complexity of Service Provision: Final report*, Melbourne: Ecumenical Housing and Thomson Goodall Associates.**

<http://www.facs.gov.au/internet/facsinternet.nsf/aboutfacs/programs/house-SAAPreport.htm>

This research report was commissioned by the Supported Accommodation Assistance Program to look into ways to provide appropriate support to people who are homeless and have high-level and complex needs. The report focuses on the importance of linkages to other programs, particularly in relation to clients with a psychiatric illness, intellectual disability, or drug or alcohol problem. It provides a typology of need as well as comprehensive advice on what needs to be done at the regional, state and national levels to improve the support offered to 'high need' housing clients.

**Cooper, L. & Morris, M. (2005) *Sustainable Tenancy For Indigenous Families: What services and policy supports are needed? Final report*, Melbourne: Australian Housing and Urban Research Institute. Retrieved from**

<http://www.ahuri.edu.au/global/docs/doc786.pdf?CFID=25863&CFTOKEN=73080004>.

This is an AHURI funded study into sustaining the tenancies of Indigenous families. It points out that homelessness amongst Indigenous families is often hidden and goes unrecognised. It suggests that as well as increasing the supply of culturally appropriate crisis, temporary and long-term affordable housing it is essential to provide outreach services to Indigenous women and their children. As well as the Final Report a four-page Research and Policy Bulletin is also available from the AHURI website: <http://www.ahuri.edu.au/publications/search.asp?Search>

**Hunter, C., Nixon, J. & Slatter, M. (2005) 'Neighbours Behaving Badly: Anti-social behaviour, property rights and exclusion in England and Australia, *Macquarie Law Journal*, 5, pp. 149-175.**

This article reviews legislative responses to anti-social behaviour in England and Australia, focusing especially on the centrality of tenure-based responses in recent years. It describes the history of legal responses, from traditional legislation within criminal and civil law, to the emergence of tenure-based responses in the 1980s in England and the more recent changes in Residential Tenancy Acts in several Australian States to include a specific 'behaviour' ground for termination of the tenancy. It highlights the relative vulnerability of tenants to behavioural control through tenure, compared with that of property owners.

**Gale, A. (2003) *Successful Tenancies: Stopping the revolving door*, paper presented at the 3<sup>rd</sup> National Homelessness Conference 'Beyond the Divide' convened by the Australian Federation of Homelessness Organisations, Brisbane 6–8 April. Retrieved from**

<http://www.afho.org.au/conference/2003conference/2003conferencepapers.htm>

A useful summary of the issues and initiatives taken by the South Australian Housing Trust (now Housing SA) in relation to high levels of tenancy failure. It provides data on the changing profile of public housing tenants in SA, evaluates the initiatives and describes the lessons learned from the Agency's strategies to improve tenancy sustainment.

**Hall, J. & Berry, M. (2006) *The Cost of Housing in Diverse Indigenous Communities in Australia*, Research and Policy Bulletin No. 72, Canberra: Australian Housing and Urban Research Institute.**

This study analyses the real costs for governments and non-government organisations providing long-term Indigenous housing. It finds that these are significantly higher than for mainstream housing with variations between jurisdictions. The national shortfall of revenue to costs is estimated to be \$44 million per year. For Indigenous community housing organisations, the total operating deficit in remote and very remote Australia is estimated to be \$52.6 million, annually, or an average of \$2,400 and \$3,800 per dwelling per annum respectively.

**Hulse, K., Philips, R. & Burke, T. (2007) *Improving Access to Social Housing: Paradigms, Principles and Reforms*, Canberra: Australian Housing and Urban Research Institute,**

<http://www.ahuri.edu.au/publications/projects/p50297>

This Report examines in detail some options to improve access to social housing within three separate but interrelated policy paradigms. Common housing registers are considered as an example of housing reforms within a welfare service delivery paradigm which aim to achieve greater integration of services. Secondly, choice-based lettings are considered as an example of a paradigm of consumer choice. Thirdly, local allocations policies are considered as an example of a paradigm of sustainable communities aimed at improving place management.

**Jones, A., Seelig, T. & Phillips, R. (2006) 'Sustaining tenancies', *Housing Works*, Special Issue, 4(2).**

This issue of the Journal of the Australasian Housing Institute takes 'Sustaining Tenancies' as its theme. It provides excellent coverage on a wide range of issues relating to sustaining tenancies, including both targeted tenancy support programs as well as community development and tenant participation approaches. There is a useful article on definitions, directions and debates on sustaining tenancies and specific examples of a wide range of programs in various settings in Australia and New Zealand.

**Memmott, P., Long, S., Chambers, C. & Spring, F. (2003) *Final Report: Categories of Indigenous 'homeless' people and good practice responses to their needs*. Melbourne: Australian Housing and Urban Research Institute. Retrieved from**

<http://www.ahuri.edu.au/general/document/index.cfm>

This AHURI funded study considers the application of definitions of homelessness to Indigenous people and argues that they need to be re-thought in order to adequately understand and respond to their needs. It identifies a number of good practice responses to this group of people.

<http://www.ahuri.edu.au/publications/projects/p20168>

### **National Housing Conference**

This is the website for the National Housing Conference organised by AHURI and held annually in Australia. The Conference aims to bring together all stakeholders in Australia's housing system for lively debate on the broad range of issues facing Australia's housing system. Selected Conference papers are available for download.

<http://www.nationalhousingconference.org.au/>

### **National Indigenous Housing Guide, 2<sup>nd</sup> ed.**

The National Indigenous Housing Guide 2nd Edition was developed by the Federal Department of Families, Community Services and Indigenous Affairs. It aims to provide a useful, technical manual to assist in the delivery of healthy housing to Indigenous people. The guide is a practical tool to have on hand when maintaining, building or designing Indigenous houses, and can be utilised by everybody who is involved in the field of community housing.

[http://www.facsia.gov.au/internet/facsinternet.nsf/indigenous/indigenous\\_housing\\_guide.htm](http://www.facsia.gov.au/internet/facsinternet.nsf/indigenous/indigenous_housing_guide.htm)

### **Newman, T. & Samoiloff, J. (2005) *Sustaining tenancies*, paper presented at the National Housing Conference.**

This paper presented at the National Housing Conference in 2005 provides an overview of the Victorian government's strategy for sustaining tenancies. It reviews the successes and failures of the actions taken to improve housing outcomes in Victoria and identifies the next steps that will be taken to implement new approaches to establish successful long-term tenancies as well as comprehensive early intervention strategies when tenancies start to fail.

<http://72.14.253.104/search?q=cache:bK2wEB0jWzQJ:www.nationalhousingconference.org.au/downloads/nhc/2005/NewmanT.pdf+sustaining+tenancies+au&hl=en&ct=clnk&cd=4&client=safari>

### **Nixon, J., Hunter, C., Parr, S., Myers, S. & Sanderson, D. (2006) *Interim Evaluation of Rehabilitation Projects for Families at Risk of Losing their Homes as a Result of Anti-Social Behavior*, London: Office of the Deputy Prime Minister. Retrieved 2 January 2006, from**

[http://www.shu.ac.uk/research/csi/publications06\\_0001.html](http://www.shu.ac.uk/research/csi/publications06_0001.html)

This is an evaluation of the Dundee Intensive Family Support Program which was concluded in 2005. An Executive Summary provides a quick reference review of the main findings. The program has generated considerable interest in the UK because it has been so successful in sustaining the tenancies of difficult tenants and their families through behavioural change.

### **Parkinson, P. & Pierpoint, D. (2000) *Preventive Approaches in Housing: An exploration of good practice*, Oxford: Anchor Trust.**

This research considers the needs of people with high levels of disability and frailty and finds that low-level services such as timely advice and access to home improvements can do much to sustain their tenancies. It looks at effective approaches in 16 housing settings from public housing to owner occupiers and private tenants.

### **Pettitt, G. (1999) *On My Way: Helping young people to retain their tenancies*, London: Children's Society, Metropolitan Housing Trust, London Research Centre.**

This report evaluates the effectiveness of a housing and support scheme (the Young Tenants Support Project) to help young people who are at risk of homelessness to sustain their tenancies. The report makes extensive best practice recommendations relating to referrals, needs assessment and selection processes; procedural issues; setting the parameters of the



project; reviewing needs; providing support around Housing Benefit and housing management issues; and providing support more generally in partnership with other agencies.

**Randall, G. & Brown, S. (1999) *Prevention is Better Than Cure*, London: Crisis.**

Retrieved from <http://www.crisis.org.uk/pdf/Prevention.pdf>

This report addresses the prevention of homelessness, focusing not on the provision of housing for homeless people, but on intervention before the point of homelessness. It provides a summary of risk factors contributing to homelessness as well as an overview of some of the common features of projects that are successful in supporting tenants.

**Scott, S. and Parkey, H. (1998) 'Myths and reality: Anti-social behaviour in Scotland', *Housing Studies*, 13(3), pp. 325-345.**

This influential study offers a critical analysis of the discourse of welfare conditionality. It identifies three approaches to anti-social behaviour: Minimalist (negligible – referring complaints to other agencies); Traditional (reactive: legal action considered following a complaint. Weak partnerships with their agencies); Innovative (holistic – pro-active. Well-developed partnerships with other agencies. Dealing with underlying causes of anti-social behaviour as well as immediate consequences. Includes legal action). It also reviews evidence that certain personality types are more likely than others to complain about the behaviour of their neighbours.

**Seelig, T. & Jones, A. (2004) 'Sustaining tenancies in public housing: Motives, issues and options', *Parity*, 17(10) and *Housing Works*, 2(2).**

This is a two-page summary of some 'motives, issues and options' for sustaining tenancies in public housing in Australia. It points to the need to better understand the factors that make tenancies vulnerable to failure, a more systematic and reliable process for early identification of vulnerable tenancies, and individually tailored interventions.

**Slatter, M. & Crearie, M. (2003) 'Sustainable tenancies: From public to private?' *Flinders Journal of Law Reform*, 7(1), pp. 15-26.**

This paper describes some strategies being trialled in SA to sustain tenancies among Housing Trust tenants, focused on 'successful tenancies, sustainable communities and service integration'. It then considers whether these strategies could be utilised in the private rental market.



Schedule 1 Form of agreement

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**Schedule 1 Form of agreement**

**2003**

**Commonwealth State  
Housing Agreement**

**2003 Commonwealth State Housing Agreement**

AN AGREEMENT made on the \_\_\_\_\_ day of \_\_\_\_\_ 2003

**RECITALS**

- A. This Agreement is designed to provide strategic direction and funding certainty for the provision of housing assistance across Australia over the five years from 1 July 2003.
- B. In developing this Agreement it is recognised that the States are implementing wide ranging reforms to the management and delivery of housing assistance, and that these reforms will continue.
- C. In entering into this Agreement the Commonwealth and the States recognise that the provision of housing assistance to people requiring access to affordable and Appropriate Housing is essential to reduce poverty and its effects on individuals and on the community as a whole. The aim of this Agreement is therefore to provide appropriate, affordable and secure housing assistance for those who most need it, for the duration of their need.
- D. This Agreement recognises the financial contribution that the Commonwealth makes to the provision of housing by States and Territories under this Agreement.
- E. It is also recognised that the Commonwealth and the States must work together to improve housing outcomes for those in need through better linkages between programs under this Agreement and other relevant Commonwealth and State programs, including

Form of agreement Schedule 1

those relating to income support, health and community services. In implementing this Agreement, both the Commonwealth and the States will seek opportunities for coordination of programs within each level of Government and between Governments in order to improve outcomes for those assisted under this Agreement. In delivering assistance, improved linkages with the non-government sector will also be sought.

- F. To inform the provision of housing assistance provided under this Agreement, the Commonwealth and the States will support research and analysis of housing and related issues.
- G. It is proposed that in order to implement this Agreement, the Commonwealth will grant to States Financial Assistance under section 96 of the Commonwealth of Australia Constitution, and like assistance to both Territories. The terms and conditions under which the Financial Assistance is granted are set out in this Agreement, and in Subsidiary Agreements giving effect to this Agreement, including a Bilateral Agreement under subclause 6(1) of this Agreement, made pursuant to subsection 6(3) of the *Housing Assistance Act 1996*.
- H. The Commonwealth will by 1 January 2007 commence discussions with States and Territories over any funding arrangements after this Agreement finishes in June 2008.
- I. The Commonwealth and States acknowledge that States will have different priorities for housing assistance provided under this Agreement, according to the different circumstances in each State. Bilateral Agreements will specify these priorities, and the outcomes to be achieved over the life of this Agreement.
- J. Under this Agreement, and in accordance with the Council of Australian Governments' resolution to reduce Indigenous disadvantage by improving program performance, the Commonwealth and the States commit to improving housing outcomes for Indigenous people by implementing Building a Better Future: Indigenous Housing to 2010.
- K. The Commonwealth and the States acknowledge that the Commonwealth's policy is to target Aboriginal Rental Housing Program (ARHP) funds to rural and remote areas where there is high need and where mainstream public housing and private housing are unavailable. For this Agreement, the priority for the ARHP is to ensure that houses are well maintained and managed to achieve health related outcomes for Indigenous people.
- L. Through this Agreement, the Commonwealth and the States will work together to improve access to mainstream housing options (public housing, community housing, private rental and home ownership) for Indigenous people living in urban and regional centres.

Schedule 1      Form of agreement

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**IT IS AGREED** as follows:

**1. GUIDING PRINCIPLES**

1(1) The principles guiding the Commonwealth and the States in the development of this Agreement are:

- to maintain a core Social Housing sector to assist people unable to access alternative suitable housing options.
- 2. to develop and deliver affordable, appropriate, flexible and diverse housing assistance responses that provide people with choice and are tailored to their needs, local conditions and opportunities.
- 3. to provide assistance in a manner that is non-discriminatory and has regard to consumer rights and responsibilities, including consumer participation.
- 4. to commit to improving housing outcomes for Indigenous people in urban, rural and remote areas, through specific initiatives that strengthen the Indigenous housing sector and the responsiveness and appropriateness of the full range of mainstream housing options.
- 5. to ensure housing assistance links effectively with other programs and provides better support for people with complex needs, and has a role in preventing homelessness.
- 6. to promote innovative approaches to leverage additional resources into Social Housing, through community, private sector and other partnerships.
- 7. to ensure that housing assistance supports access to employment and promotes social and economic participation.
- 8. to establish greater consistency between housing assistance provision and outcomes, and other social and economic objectives of government, such as welfare reform, urban regeneration, and community capacity-building.
- 9. to undertake efficient and cost-effective management which provides best value to governments.
- 10. to adopt a co-operative partnership approach between levels of government towards creating a sustainable and more certain future for housing assistance.
- 11. to promote a national, strategic, integrated and long term vision for affordable housing in Australia through a comprehensive approach by all levels of government.

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