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| Offering Residency Practice Manual |
| Department-owned Specialist Disability Accommodation: May 2022 |
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# Overview

The Department of Families, Fairness and Housing (the department) is a registered National Disability Insurance Scheme (NDIS) provider of Specialist Disability Accommodation (SDA) and owns many SDA dwellings across Victoria.

The NDIS Practice Standards and Quality Indicators (as defined in the National Disability Insurance Scheme (Provider Registration and Practice Standards) Rules 2018) require that SDA providers have policies and procedures in place about how the provider will declare, advertise and fill vacancies in shared-living SDA, including how each participant’s views, preferences and needs are documented and considered.

The department supports the right of participants to exercise choice and control over their NDIS supports and for participants views, preferences and needs to be taken into account throughout the Offering residency process.

In most SDA owned by the department, residents share their Supported Independent Living (SIL) supports between two or more housemates. This means decisions about offering residency have a big impact on current residents and their SIL provider. Through consultation about this policy, residents and their support networks have told us that they highly value the input of their SIL provider in the offering residency process. This process of including resident’s SIL providers when supports are shared is outlined in Part One of this policy.

In other cases, vacancies will occur in SDA where SIL supports will not be shared with other residents, or there is no existing SIL provider in place. The process for these vacancies is outlined in Part Two of this policy.

The following table outlines the different scenarios that can occur.

**Vacancy scenarios**

|  |  |
| --- | --- |
| **Support arrangements** | **Process** |
| Multi-bedroom SDA – SIL supports are shared by residents | * Vacancy will be advertised with details of current resident’s SIL provider
* Current resident’s SIL provider will be part of the Offering Residency Panel

Refer to [**Part One**](#_Part_One) of this policy |
| Single-bedroom SDA – SIL supports are shared with residents in nearby/co-located SDA  |
| Multi-bedroom SDA - SIL supports will be shared but all rooms are currently vacant | * Vacancy will be advertised without existing SIL provider
* The Offering Residency Panel includes the department and a person with lived experience of disability
* Successful applicants will need to select their SIL provider and advise the department prior to moving in

Refer to [**Part Two**](#_Part_Two) of this policy |
| Single-person SDA – SIL supports will not be shared |

## Policy scope

### In-scope

This policy applies to the process of offering residency in **department-owned SDA**.

Whilst the department as SDA provider will make the offer of residency to a preferred applicant, the identification, advertisement, and selection of a preferred applicant to fill a vacancy in an SDA where residents share SIL supports is a collaborative process between current SDA residents, their support network and SIL provider and department staff. Roles for each of these parties are outlined in the policy.

This policy should be read in conjunction with other policies and procedures related to the management of department-owned SDA. This policy may be supported by detailed procedural instructions, forms and templates. These are on our website.

### Out-of-scope

This Practice Manual does not apply to SDA that is not owned by the department, or to services provided by resident’s SIL providers. Residents or their nominated contact person can contact those organisations directly if information about their polices is required.

The policy outlines how the department will fill vacancies within a reasonable timeframe and, where a vacancy cannot be filled (for example, where no applications are received), to address any barriers.

The department will not be responsible for:

* costs incurred by the current resident’s SIL provider during the process to advertise, receive and consider applications for residency in respect to any vacancy
* costs or losses incurred by the current resident’s SIL provider where complexities or delays arise in identifying a preferred applicant (including if a participant declines an offer or a decision to place a vacancy on-hold is agreed by the current resident’s SIL provider and the department).

Where the department is building an SDA for a specific person or people (such as the replacement of an existing SDA), the resident/s who the SDA is intended for will not need to apply through this policy. Vacant rooms in these new SDA will be managed through this policy except where the SDA is highly specialised, for example SDA that exceeds the NDIS SDA design criteria due to features required by a very small number of people with disability.

In those circumstances, vacancies will be targeted to individuals with that level of accommodation need rather than being advertised. Residents and their SIL provider will be advised at the time the SDA is established if this exception will apply. Decisions about the vacancy will be made by the department in consultation with current residents, their support network and their SIL provider.

## Policy principles

The following principles underpin the process to offer residency in department-owned SDA:

* **collaboration:** people most impacted by decisions, including current residents and their SIL provider, are included in decision making
* **equity*:*** eligible participants are considered for residency in an SDA in a fair and transparent manner
* **consistency*:*** decision making is undertaken in a reliable manner and enough information is provided to make sound decisions
* **sustainability*:*** SDA offers are part of a long-term and proactive plan that takes into consideration the sustainable operations of the SDA and resident’s SIL providers
* **compatibility*:*** the physical, emotional, social and support needs of current residents are taken into consideration when identifying a participant to offer SDA to
* **safety*:*** support needs of the current and prospective residents are addressed.

## Glossary

The following terms are used in relation to this policy.

| Term | Definition |
| --- | --- |
| Department | Victorian Department of Families, Fairness and Housing |
| NDIA | National Disability Insurance Agency, the Commonwealth statutory agency that implements the NDIS |
| NDIS | National Disability Insurance Scheme  |
| Participant | A person with a disability who has met the access requirements to become an NDIS participant |
| Person with lived experience of disability and SDA | A person with disability or a family member of a person with disability who has experience with SDA |
| Resident’s support network | People who support residents with decision making and could include their nominated contact person, advocate or guardian. |
| Specialist Disability Accommodation (SDA) | Housing provided by an NDIS-registered SDA provider to participants needing specialist housing to help with the delivery of their supports. SDA is the dwelling itself and not the supports provided there. |
| SDA resident | A participant currently residing in an SDA |
| Staff | Employees of the department |
| Supported independent living (SIL) provider | Provider of support to participants, including help with or supervision of the tasks of daily life. |

# Who can apply for a vacancy in department-owned SDA?

NDIS participants who have SDA in their NDIS plan can apply for vacancies in department-owned SDA. The NDIA is responsible for assessing SDA eligibility.

The department may also consider applications from people who:

* are clients of the Disability Support for Older Australians program (formerly called the Commonwealth Continuity of Support program)
* receive disability support funding from the Victorian Government because they are ineligible for the NDIS.

Applicants must be 18 years old by the time they move into SDA; or be over 17 years when the move to SDA is part of a leaving care plan as they transition to adulthood.

At the department’s discretion, applications that do not meet these requirements can be considered on a case-by-case basis where exceptional circumstances exist.

### Movement of residents outside this policy

Residency in department-owned SDA must be managed through this policy.

Current residents, their support networks and SIL providers are not able to offer, arrange or move a new person into an SDA without agreement from the department. This includes moving residents between vacant rooms within an SDA. This is to ensure that the department can:

* meet its obligations as an SDA provider to have SDA service agreements and SDA residency agreements in place (that include the correct room number)
* establish correct rental process with new residents
* ensure that offers of residency take all factors into consideration as described in the Offering Residency Panel process.

If staff become aware of resident movement that has not occurred through this policy, they should inform their manager to resolve the issue with the relevant party.

# Part One

This part of the policy outlines the process when a vacancy occurs in:

* Multi-bedroom SDA – where SIL supports are shared by residents
* Single bedroom SDA – where SIL supports are shared with residents in nearby or co-located SDA.

And

* There is at least one resident in these arrangements who has a SIL provider currently delivering supports to them.

Refer to Part Two for other vacancy scenarios.

# Offering Residency Panel

The decision about who is offered residency in SDA where SIL supports are shared, has significant impact for current SDA residents, their SIL provider and the department.

To ensure current residents and their SIL providers are involved in the decision-making process, decisions about who will be offered residency in an SDA will be made by an Offering Residency Panel whose membership comprises:

* a person with lived experience of disability and SDA (engaged by the department and who has no conflict on interest in relation to the vacancy being considered)
* representatives of the current resident’s SIL provider (usually the operations manager and house supervisor or equivalent positions)
* a representative from the department.

Decisions by the Offering Residency Panel will be informed by an SDA dwelling profile that includes the views, needs and preferences of residents who live at the SDA. This will include communication with residents’ support networks who can also raise matters they would like the panel to consider when making a decision.

# Consideration of current residents’ views, preferences and needs

The following strategies are included in the process to offer residency to ensure that the views, preferences and needs of current residents and applicants are considered in the decision about who residency will be offered to in SDA where SIL supports are shared.

## SDA dwelling profile

The SDA dwelling profile (see **Appendix 1**) is a document that provides information about:

* current residents (such as their age, likes, support needs)
* staffing information (such as the current roster and specialist skills)
* views of residents and their support networks about who they want to live with and other issues that the panel should be aware of.

The SDA dwelling profile may be completed before a vacancy arises and be updated when a vacancy is declared. It is completed by the current resident’s SIL provider, by staff with detailed knowledge of the current resident group – usually the house supervisor or equivalent.

When a vacancy occurs, residents and their support networks will receive information about how they can provide their views, preferences and needs for inclusion in the SDA dwelling profile. There will be options to provide this information directly to department staff or through the resident’s SIL provider, if preferred.

Where residents need support with communication, resident preferences that are assumed based on observations of others should be noted as such. For example: ‘Harry is observed by others to prefer spending time with people who don’t play loud music or vocalise loudly.’

The Offering Residency Panel will refer to the SDA dwelling profile as it considers applications. As the profile contains private and sensitive information about current residents, it will not be shared with prospective applicants or other parties.

## Meet and greet opportunities

Preferred applicants and current residents will have the opportunity to meet each other before an offer of residency is made. The nature of the meeting will be based on the needs of residents with the goal to create a positive experience that provides genuine opportunity for the preferred applicant and current residents to get to know each other. For example, the meet and greet opportunity could occur at the SDA during an activity that is as close to possible to normal routines if that is important to the current residents or applicant or could be a more social occasion at the SDA or coffee shop and involve other people from participants support networks.

Offering Residency Panel members will discuss and agree to the meet and greet arrangements including the nature of the meeting, if participation of other parties can support a positive experience for participants and if more than one meet and greet opportunity is likely to be required.

The current resident’s SIL provider is responsible for documenting the outcome of the meet and greet, including responses of the applicant and current residents, and providing that record to the Offering Residency Panel for consideration. A final decision about whether to offer residency to the preferred applicant will be made after the meet and greet opportunity.

## Role of the residents’ and their support networks

Resident’s and their support networks will be advised when a vacancy occurs at their SDA. Information about the process to identify a new housemate will be provided at that time so that residents support networks are aware of the process and can support the resident to understand and participate in the process of finding a new housemate.

This includes providing input to the Offering Residency Panel. Residents and their support networks will be asked to share their views, preferences and needs for inclusion in the SDA dwelling profile. This input into the decision-making process can be provided to department staff or through the resident’s SIL provider if preferred.

## Screening factors

In addition to considering the views, preferences and needs expressed by current residents, the Offering Residency Panel will consider a range of screening factors that can help determine preferred applicants, including:

* age and gender
* support needs including cultural needs
* behaviours of concern and self-protective skills
* communication skill, style and preference
* personal interests.

**Appendix 2** provides more information about screening factors that will be considered.

## Engagement of a person with lived experience of disability on the Offering Residency Panel

The department will engage a person with lived experience of disability as a regular member of all Offering Residency Panels to ensure the needs and preferences of current residents are considered in the selection of preferred applicants. This person will also have experience of SDA.

Other parties may be asked to contribute information to assist the panel in identifying a preferred applicant, such as behaviour support or allied health professionals and support coordinators.

# Roles

**The department** will coordinate the process to offer residency in department-owned SDA including:

* advertise the vacancy in consultation with the resident’s SIL provider
* coordinate completion of the SDA dwelling profile, including obtaining input from residents and their support networks, if that is their preference
* establish and coordinate the Offering Residency Panel, including collection and distribution of applicant profiles, maintaining records of decisions and management of dispute processes related to decisions of the panel
* engage a person with lived experience of disability to be a member of the Offering Residency Panel
* nominate a department representative to participate on the Offering Residency Panel
* make the offer of residency to the preferred applicant
* work with the SIL provider to identify and manage any issues related to the vacancy.

**Resident’s SIL providers** will:

* inform the department when a vacancy arises
* work with the department to prepare the advertisement
* complete or update the SDA dwelling profile to ensure information about residents and the support model is current, including obtaining input from residents and their support networks, if that is their preference
* coordinate open inspections and respond to queries from applicants about the vacancy
* nominate representatives to be on the Offering Residency Panel
* work with the department to identify and manage any issues related to the vacancy
* work with the successful applicant to develop a SIL quote for submission to NDIA where SIL is not already included in the persons plan.
* coordinate and support a participant’s transition into SDA once the participant has accepted an offer.

**Residents of the SDA** will express their views, preferences and needs (aided by their support networks) to their SIL provider for inclusion in the SDA dwelling profile considered by the Offering Residency Panel.

**A person with lived experience of disability** will:

* be on the Offering Residency Panel
* ensure the panel considers the views, needs and preferences of residents and their support network.

# Information privacy

To ensure effective decision making, the department and resident’s SIL providers will share information about current residents and applicants in the process of determining who residency will be offered to.

Any collection and exchange of personal information is subject to the requirements of the *Privacy and Data Protection Act 2014 (Vic)* and *the Health Records Act 2001 (Vic).* All parties involved must understand their legislative obligations and ensure compliance with them.

Information that is collected about current residents and applicants to inform decisions of the Offering Residency Panel will only be used for that purpose.

# Process to offer residency

This section outlines the process to offer residency in SDA.



## Stage 1: Declare vacancy

A vacancy may arise if:

* a new SDA is enrolled with the NDIA, or will be in the near future
* a resident gives notice of intention to vacate
* the department issues a notice to vacate
* a resident dies.

### Process

1. The current resident’s SIL provider advises the department **within two business days** of a vacancy or pending vacancy using the **vacancy notification form**. Note: This notice is required so the department can meet NDIA reporting timeframes and cease rent collection from the resident who has died or left the SDA, and is required even when an on-hold request is likely to be made.
2. The department notifies the NDIA Chief Executive Officer of the vacancy **within five days** of a resident giving a notice of intention to vacate, a resident having been issued with a notice to vacate or a vacancy arising for any other reason.
3. Immediately upon being advised of a vacancy, staff contact the resident’s SIL provider to request an updated SDA dwelling profile be provided **within five business days** of the vacancy arising (except where an on-hold process is being considered).
4. The department notifies residents and their nominated contact person in writing that a vacancy has been declared and provide information about the offering residency process.
5. The department consults with the resident’s SIL provider to identify maintenance or other works required to prepare the vacant bedroom for a new occupant, including professional cleaning and repair of any damage (such as replacement of carpet due to wear and tear). **Note**: the department will consult with the successful applicant if painting or replacement of curtains or blinds is requested to meet the successful applicant's preferences.

### On-hold process

On occasion, a vacancy may need to be placed on hold for a period of time. This may be due to:

* a request from a resident, their support network or their SIL provider in response to resident needs using an **on-hold request form.**
* the department decides to re-enrol the SDA with fewer bedrooms
* where a long-term vacancy has been advertised multiple times and has attracted no applicants and the department and resident’s SIL provider agree to place the vacancy on hold for a period. Refer to [**Stage 5**](#_Stage_5:_If) for more information about long-term vacancies.
* the need to repair or renovate the vacant room or SDA (**note**: advertising and applicant selection of can happen through the on-hold period, with the new occupant moving in after the work has been completed).

The department will consult with the resident’s SIL provider to confirm:

* why the vacancy needs to be on hold
* the time period it will be on hold
* actions that will be taken to ensure the vacancy is available to be advertised as soon as possible and no later than the end of the approved on-hold period (for example, review of resident support plans, or completion of maintenance work).

Staff will advise the resident’s SIL provider of the outcome of an on-hold request and confirm how the outcome will be communicated to SDA residents.

No later than **four weeks before** the end of the approved on-hold period, the department will notify the resident’s SIL provider that the period is due to expire and confirm readiness to advertise the vacancy.

Where the on-hold period is sought to be extended (by residents, their support network, their SIL provider or department), the department will work with the resident’s SIL provider to review the actions to be taken to ensure the vacancy is available to be advertised as soon as possible and no later than the end of the extended on-hold period.

The resident’s SIL provider and the department **will not be** responsible to each other for costs incurred when a vacancy is placed on hold through this process.

## Stage 2: Advertise vacancy

Vacancies will always be advertised on:

* [Housing Hub website](https://www.housinghub.org.au) <https://www.housinghub.org.au>
* [NDIS SDA finder](https://www.ndis.gov.au/participants/home-and-living/specialist-disability-accommodation-explained/sda-finder) <https://www.ndis.gov.au/participants/home-and-living/specialist-disability-accommodation-explained/sda-finder>

Vacancies may also be advertised through other networks such as the local paper or the current resident’s SIL provider.

The vacancy is advertised for **at least 10 business days**. After a vacancy is declared, the department and current resident’s SIL provider will work together to confirm the best advertising approach for the vacancy.

A vacancy advertisement includes:

* SDA design category, location, property features, floorplans, and photographs
* if there is a specific target group for the vacancy (such as people with a neurological condition)
* high-level information about existing residents (such as age range, gender)
* information on local amenities
* SDA funding requirements and rent charge for the vacancy.

Information for residents and their SIL providers about what to expect and how to prepare for a vacancy to be advertised is available on our website.

### Photos

The department will confirm with current resident’s SIL provider whether existing photos will be used for the advertisement or if new ones need to be taken.

If new photos are needed, the department will organise photography and arrange with the resident’s SIL provider for a convenient time for photos to be taken. Where new photos of shared areas are needed, the SIL provider will support the current residents to ensure these areas are clean and tidy in readiness for photos to be taken.

### Open inspections

Open inspections are an integral feature of advertising SDA and provide a valuable opportunity for prospective applicants to view the SDA and seek more information about the building features and local amenities (such as parks, shops and other services).

As applicants are applying for a vacancy where current residents already have a SIL provider, the open inspection also provides an opportunity for prospective applicants to ask questions about the SIL provider and support model. Department staff may also attend open inspections to provide SDA-related information to prospective applicants.

The resident’s SIL provider will coordinate open inspections including:

* give current residents **at least 48 hours’** notice of the dates for the inspections
* arrange inspections at a time that is convenient and minimises disruptions to current residents
* ensure the inspection does not cause any security or safety issues for current residents
* respect current residents’ privacy by restricting access to their private rooms during inspections
* ensure inspections of the vacant bedroom and common areas are only available to prospective applicants or their support people
* support current residents to have shared areas clean and tidy for the inspection.

On occasion, a vacancy may be advertised before a resident has left the SDA, such as when a resident has given notice to vacate. If the bedroom will be shown during this period, the departing resident and the people who support them must be given **at least 48 hours’ written notice**. Prospective applicants can only be shown the bedroom within the **last 21 days before** a resident moves out. Inspections **cannot occur** more than twice a week or for more than one hour at a time, unless the departing resident has agreed to more.

In some cases, resident’s SIL providers may consider organising private inspections for an applicant. Decisions should be made on a case-by-case basis to ensure the needs and privacy of the current residents are properly considered. Other strategies may also be used, such as virtual tours to maximise opportunities for prospective applicants to consider the vacancy.

### SDA applications

During the advertising period, department staff will respond to enquiries from applicants within **three business days**. Enquiries received directly by SIL providers should also be notified to department staff for record keeping purposes.

Applications should be made to the department using the form and email included in the vacancy advertisement. If a SIL provider receives an application, they should forward it to the department using the advertised email address as soon as possible.

## Stage 3: Identify preferred applicant

Identifying a preferred applicant for a vacancy in SDA where SIL supports are shared is a complex process that needs input from current residents, their support networks and their SIL provider to ensure sustainable and long-term tenancies of all people living in the SDA.

### Offering Residency Panel process

At the end of the advertising period, the department will convene an Offering Residency Panel (the panel) meeting according to the following steps:

1. Staff confirm panel members, including engaging a person with lived experience of disability and SDA and arrange the panel meeting (which could be face to face, online, by email or a combination of methods).
2. Staff review and shortlist applications for consideration by the panel. Applications that do not meet the application criteria or the specific requirements for the vacancy will not go to the panel for consideration. Details of applications that have not been shortlisted and the reason why will be presented to the panel for review. Panel members can ask to see the applications of any non‑shortlisted applicant to confirm the shortlisting decision.
3. Staff forward shortlisted applications and the SDA dwelling profile to panel members for review before the panel meeting.
4. The panel reviews applications, taking into account:
	* + views, preferences and needs of both current residents and the applicants (where residents have not expressed their views, the panel will consider screening factors listed in [**Appendix**](#_Appendix_1:_Factors) **2**)
		+ risks to the health and safety of current residents, applicants and workers, including the extent to which these can be practically mitigated
		+ whether the building fabric is suitable to meet the support requirements of the applicant or if it can be modified with funding identified and approved for this purpose
		+ whether the applicant's SDA and support funding matches the vacancy, unless otherwise agreed by both the department and SIL provider
		+ extent to which the applicant’s support requirements, health management and personal goals can be met by either the existing model of support or a modified or supplemented model of support with funding identified and approved for this purpose
		+ whether applicants are willing to enter a service agreement with the current resident’s SIL provider.
5. The panel identifies a preferred applicant and a next preferred applicant and confirms arrangements for a meet and greet opportunity with current residents, including the consideration of the nature of the meeting, if participation of other parties can support a positive experience for participants and if more than one meet and greet opportunity is likely to be required.
6. If the panel cannot agree on a preferred applicant, the discussion and issues are recorded in meeting minutes and escalated to a senior representative of the department, a senior representative of the current resident’s SIL provider and the panel member with lived experience of disability for decision. This process does not preclude panel members from agreeing that there are no suitable applicants following consideration of factors listed at step 4.
7. If a preferred applicant does not have SDA funding that matches the advertised vacancy (for example, not the same design category), the department seeks internal approval to offer residency to the preferred applicant.
8. The current resident’s SIL provider arranges the meet and greet opportunity for the preferred applicant to meet with current residents (refer to page 8 for more information). The resident’s SIL provider documents the outcome of the meeting, including the applicant’s and current residents’ responses.
9. Following the meet and greet, the panel makes a final decision about whether the offer of residency can proceed or if the panel must meet further to discuss issues, including a possible decision to re‑advertise.
10. The department keeps records that show how decisions have been made – **note:** a record showing an offer of residency was made with due care, skill and diligence may be needed as part of an investigation by the NDIS Quality and Safety Commission, the Disability Services Commissioner or as part of the review of a reportable incident.

## Stage 4: Communicate outcome

The department will make an offer of residency to the preferred applicant. The applicant will have **seven days** to advise if they accept or decline the offer.

If the preferred applicant declines the offer, the department may choose to offer the SDA to the next preferred applicant as determined by the panel or readvertise the vacancy if no other preferred applicants were identified.

The offer of residency will be contingent upon the preferred applicant having sufficient SIL funding. The SIL provider will work with the applicant and their support network to get approval for their SIL funding in a timely manner, if SIL funding is not already included in their plan. If the applicant is not approved for the required SIL funding, the offer of residency may be withdrawn.

If the offer is accepted, the department will notify any unsuccessful applicants of the outcome of their application. Communication will be provided using a method that best suits the applicant’s needs.

The department will also notify the current residents, their support networks and SIL provider that the offer has been accepted.

Following confirmation that the residency will proceed, the department will:

Provide the resident and their support network with:

* the SDA residency agreement information statement to NDIS participants
* easy English materials that explain roles and responsibilities of SDA residents and the department, SDA service agreement, rent collection process, complaint process, house rules and pet request form
* other information about living in department-owned SDA.

Work with the resident and their support network, prior to their move-in date, to:

* establish an SDA service agreement as required by the NDIS Act
* establish an SDA residency agreement as required by the *Residential Tenancies Act 1997*
* establish the rent collection process.

The SIL provider will:

* contact the person to arrange for them to move into the SDA, including developing a ‘Move-in’ plan that includes the planned move-in date and considers the needs of both the successful applicant and current resident group (such as further opportunities to meet and become familiar before the person moves in)
* provide the department with the planned move-in date so the department can issue the SDA residency agreement, start charging rent and collect SDA payments for the person.

### Delays or withdrawal of an offer of residency

If there are issues that will significantly delay the move-in date (such as extended transition arrangements) or issues that may lead to an offer of SDA being withdrawn (such as SIL funding not being approved), the department will consult with the applicant, their support networks and the SIL provider to decide on next steps.

The department and SIL provider will work collaboratively and with commitment to resolve the issues where possible.

If an offer of residency is unable to proceed, the department will notify the resident and their nominated contact person in writing that the offer of residency is withdrawn. The letter will include information about the next steps the person can take to find SDA.

## Stage 5: If no preferred applicants are identified

If no preferred applicants have been identified, or there have been no applications for a vacancy, the vacancy will be immediately readvertised.

The department will consider opportunities to further promote the vacancy in consultation with the current resident’s SIL provider, such as additional marketing platforms or improvements to the advertisement.

### Long-term vacancy

If the vacancy has been advertised for **60 days** with no suitable applications or a suitable applicant has not been identified, it will be considered a long-term vacancy.

The department will arrange a meeting with the SIL provider to:

* confirm all marketing and improvement opportunities have been considered
* consider other strategies that may help the vacancy be filled
* where other options have been exhausted, consider a time-limited reduction in SDA places. The purpose of this time-limited capacity reduction is to enable the current residents SIL provider review their roster according to the current resident’s support needs, allow time for other strategies and to give current residents clarity about when the vacancy may be re-advertised.

Either the department or the current resident’s SIL provider can seek a review of the time-limited reduction in SDA places if there are changed circumstances that are likely to result in a vacancy being filled, such as an increase in demand for vacancies in that area.

# Part Two

This part of the policy outlines the process when a vacancy occurs in:

* Multi-bedroom SDA – where SIL supports will be shared but all rooms are currently vacant
* Single person SDA – the resident’s SIL supports will not be shared with any other resident.

# Process to offer residency

This section outlines the process to offer residency in SDA when SIL supports will not be shared, or where there are no current SIL providers in place.



## Stage 1: Declare vacancy

A vacancy may arise if:

* A resident in an SDA that does not share supports with others gives a notice of intention to vacate, is given a notice to vacate by the department or dies.
* A new SDA is built.

### Process

1. The department notifies the NDIA CEO of the vacancy **within five days** of a resident giving a notice of intention to vacate, a resident having been issued with a notice to vacate or a vacancy arising for any other reason.
2. Immediately upon being advised of a vacancy, staff will prepare the SDA for advertisement (except where an on-hold process is being considered).
3. The department will identify maintenance or other works to be completed before advertising and to prepare the vacant SDA for a new occupant, including professional cleaning and repair of any damage (such as replacement of carpet due to wear and tear). **Note**: the department will consult with the successful applicant if painting or replacement of curtains or blinds is requested to meet the successful applicant's preferences.

### On-hold process

On occasion, a vacancy may need to be placed on hold for a period of time. This may be due to:

* a decision to re-enrol the SDA with fewer bedrooms
* where a long-term vacancy has been advertised multiple times and has attracted no applicants. Refer to [**Stage 5**](#_Stage_5:_If_1) for more information about long-term vacancies.
* the need to repair or renovate the vacant room or SDA (**note**: advertising and applicant selection of can happen through the on-hold period, with the new occupant moving in after the work has been completed)
* the department decides not to advertise a room in an SDA for any other reason.

## Stage 2: Advertise vacancy

Vacancies may be advertised in a variety of ways. Vacancies will be advertised on:

* [Housing Hub website](https://www.housinghub.org.au) <https://www.housinghub.org.au>
* [NDIS SDA finder](https://www.ndis.gov.au/participants/home-and-living/specialist-disability-accommodation-explained/sda-finder) <https://www.ndis.gov.au/participants/home-and-living/specialist-disability-accommodation-explained/sda-finder>

Vacancies may also be advertised through other networks such as the local paper.

The vacancy is advertised for **at least** **10 business days**. A vacancy advertisement includes:

* SDA design category, location, property features, floorplans, and photographs
* if there is a specific target group for the vacancy (such as people with a neurological condition)
* high-level information about existing residents (such as age range, gender)
* information on local amenities
* SDA funding requirements and rent charge for the vacancy.

The advertisement will also include information about finding a SIL provider, including how the department will support residents and their networks in a multi-bedroom SDA to make contact with each other in order to choose their shared SIL provider.

### Photos

Staff should confirm if existing photos of the SDA are available and accurately represent the current state of the SDA. If new photos are needed, staff should discuss with their line manager.

If there are no current residents on site, staff should ensure that the SDA is clean and tidy readiness for any new photos to be taken and in preparation for open inspections.

### Open inspections

Open inspections are an integral feature of advertising SDA and provide a valuable opportunity for prospective applicants to view the SDA and seek more information about the building features and local amenities (such as parks, shops and other services).

Other strategies may also be used, such as virtual tours to maximise opportunities for prospective applicants to consider the vacancy.

Department staff will coordinate the open inspection. In some cases, additional private inspections may be arranged.

A vacancy may be advertised before a resident has left the SDA, such as when a resident has given notice to vacate. If the SDA will be shown during this period, the current resident must be given **at least** **48 hours’** notice of the dates for the inspections and prospective applicants can only be shown the SDA within the **last 21 days before** a resident moves out.

Inspections **cannot occur** more than twice a week or for more than one hour at a time, unless the departing resident has agreed to more. Staff will also consult with the current resident’s SIL provider to:

* arrange inspections at a time that is convenient and minimises disruptions to the current resident
* ensure the inspection does not cause any security or safety issues for current resident
* respect current residents’ privacy by restricting access to their bedroom during inspections
* ensure inspections are only available to prospective applicants or their support people
* support the current resident to have shared areas clean and tidy for the inspection.

### SDA applications

During the advertising period, the department may receive enquiries from applicants interested in living in the SDA. Staff should respond to the enquiries within one business day.

## Stage 3: Identify preferred applicant

### Offering Residency Panel process

At the end of the advertising period, the department will convene an Offering Residency Panel meeting according to the following steps:

1. Confirm panel members (department staff and a person with lived experience of disability) and arrange the panel meeting (which could be face to face, online, by email or a combination of methods).
2. Staff review and shortlist applications for consideration. Applications that do not meet the application criteria or the specific requirements for the vacancy will not be considered by the panel.
3. The panel will consider applications giving consideration to:
	* + views, preferences and needs of the applicants (where applicants have not expressed their views, the panel will consider screening factors listed in [**Appendix**](#_Appendix_1:_Factors) **2**)
		+ risks to the health and safety of the applicants, including the extent to which these can be practically mitigated
		+ whether the building fabric is suitable to meet the support requirements of the applicants or if it can be modified with funding identified and approved for this purpose
		+ whether the applicant's SDA funding matches the vacancy
		+ urgency of housing need.
4. The panel identify a preferred applicant and next preferred applicant.
5. The department keeps records that show how decisions have been made – **note:** a record showing an offer of residency was made with due care, skill and diligence may be needed as part of an investigation by the NDIS Quality and Safety Commission, the Disability Services Commissioner or as part of the review of a reportable incident.

## Stage 4: Communicate outcome

The department will make an offer of residency to the preferred applicant. The applicant will have **seven days** to advise if they accept or decline the offer.

If the preferred applicant declines the offer, the department may choose to offer the SDA to the next preferred applicant or readvertise the vacancy.

If the offer is accepted, the department will notify any unsuccessful applicants of the outcome of their application. Communication will be provided using a method that best suits the applicant’s needs.

On acceptance the successful applicant must immediately commence looking for a SIL provider.

If more than one resident has been identified for a multi-room SDA, staff will facilitate contact between the residents and their support networks so they can jointly find a new SIL provider.

When a successful applicant is identified staff will:

**Provide** residents with:

* SDA residency agreement information statement to NDIS participants
* Easy English materials that explain roles and responsibilities of NDIS participants and the department, SDA service agreement, rent collection process, complaint process, house rules and pet request form
* other information about living in department-owned SDA.

**Establish** (prior to the move-in date):

* an SDA service agreement with NDIS participants or plan nominees as required by the NDIS Act
* an SDA residency agreement as required by the Residential Tenancies Act 1997
* the rent collection process with the resident and their administrator by collecting bank information and signed rent request form
* a Collaboration Agreement with the residents chosen SIL provider

**Develop**

* a ‘move-in’ plan in consultation with the resident and their SIL provider that includes the move-in date (which will trigger rent and SDA payment collection), arrangements for resident’s furniture or equipment to be delivered, arrangements for the SIL provider to be ready for service delivery (such as delivery of furniture or equipment, development of safe working procedures for resident equipment if required, etc).

### Delays or withdrawal of an offer of residency

If there are issues that will significantly delay the move-in date (such as extended transition arrangements or difficulty finding a SIL provider), the department will meet with the resident and their support networks to decide on next steps.

If an offer of residency is unable to proceed, the department will notify the resident and their nominated contact person in writing that the offer of residency is withdrawn. The letter will include information about the next steps the person can take to find SDA.

## Stage 5: If no preferred applicants are identified

If no preferred applicants have been identified, or there have been no applicants for a vacancy, the vacancy will be immediately readvertised.

Staff should consider any opportunities to further promote the vacancy, such as through additional marketing platforms or improvements to the advertisement.

### Long-term vacancy

If the vacancy has been advertised for **60 days** with no suitable applications or a suitable applicant has not been identified, it will be considered a long-term vacancy.

The department will:

* confirm all marketing and improvement opportunities have been considered
* consider other strategies that may help the vacancy be filled.

# Complaints

If an applicant, current resident or their SIL provider has a complaint about how the offering residency process has been managed they should:

1. Discuss the complaint with the department staff they had contact with through the process.
2. If this has not resolved concerns, the person can speak to a senior department manager.
3. If the concern is still not resolved, the person can choose one of the following ways to make a complaint:
	* + submit an online complaint – see the [department’s Making a complaint page](https://www.dffh.vic.gov.au/making-complaint) <https://www.dffh.vic.gov.au/making-complaint>
		+ call the department’s feedback service on 1300 884 706
		+ send a letter to:
		Complaints
		GPO Box 4057
		Melbourne VIC 3000.

Complaints can also be made to the following bodies.

| Who | How |
| --- | --- |
| All residents | Community Visitor program:* Phone: 1300 309 337
* [Public Advocate’s Community Visitors page](https://www.publicadvocate.vic.gov.au/your-rights/in-your-home/community-visitors) <https://www.publicadvocate.vic.gov.au/your-rights/in-your-home/community-visitors>
 |
| NDIS participantsDisability Support for Older Australians Program clients (formerly called the Commonwealth Continuity of Support Program) | NDIS Quality and Safeguards Commission:* Phone: 1800 035 544
* [NDIS Commission’s How to make a complaint about a provider page](https://www.ndiscommission.gov.au/about/complaints) <https://www.ndiscommission.gov.au/about/complaints>
 |
| Residents who are **not** NDIS participants or clients of Disability Support for Older Australians Program | Disability Service Commissioner:* Phone: 1800 677 342
* [Disability Service Commissioner’s Make a complaint page](https://www.odsc.vic.gov.au/making-a-complaint/how-to-make-a-complaint) <https://www.odsc.vic.gov.au/making-a-complaint/how-to-make-a-complaint>
 |
| Where the complaint is about a breach of the SDA residency agreement  | Consumer Affairs Victoria (CAV):* Phone: 1300 558 181
* [CAV’s Complaints in SDA page](https://www.consumer.vic.gov.au/housing/specialist-disability-accommodation/for-residents/complaints-in-sda-residents) <https://www.consumer.vic.gov.au/contact-us/resolve-your-problem-or-complaint>
 |

# Appendix 1: SDA dwelling profile

The SDA dwelling profile collects information about the SDA and current residents, if SIL supports will be shared. The profile assists in the advertising of a vacancy and identification of preferred applicants by the Offering Residency Panel.

**Details of vacancy:**

* SDA provider name
* SIL provider name (if applicable)
* Address of the vacancy
* Bedroom number of the vacancy

**Property features and local area profile**

* Type of SDA e.g., house, apartment, villa
* Nearest public transport for example train, tram stop, bus stop
* Nearest shopping centre
* Nearest park
* Nearest medical practice (General Practitioner) and public hospital with an emergency department

Other information to help the vacancy to be found on advertising platforms (for example key features that people might be looking for in their SDA).

**Current resident information:**

* Age and gender identity
* Disability (physical, intellectual, sensory, psychosocial or neurological)
* Strengths, likes and interests
* Communication skills
* Support requirements – including support needed with activities of daily living and night-time supports
* Health needs
* Behaviours of concern
* Mobility support needs
* Day activities

**Support model information (if applicable):**

* Current roster and staff profile – staff ratios during the week and weekends, overnight support, staff skill and experience (like experience with epilepsy, behaviour support, dual disability)
* Any important dynamics among existing residents that need to be considered
* Other specific issues that need to be considered

**Strengths, interests and preferences the current residents would like in a new housemate (in shared SDA):**

* Resident’s SIL providers will collect the views and preferences of residents and the people who support them (such as a family member or guardian) about the preferred characteristics of applicants.
* If residents are not able to communicate views and preferences themselves and do not have people to support them with decisions, the resident’s SIL provider can include their views based on what they know about the residents likes, dislikes and preferences. The SDA dwelling profile will clearly indicate that this is the staff member’s view based on observation.

# Appendix 2: Factors for consideration in screening

It is important to undertake a thorough resident screening process that considers the factors that may affect the likelihood of a sustainable and long-term residency.

One of the key considerations affecting sustainable and long-term residencies is the extent to which a participant is likely to live harmoniously in the household with the other residents.

Consideration of these factors will take into account the type of SDA and amount of contact that SDA residents have with each other. For example, some factors may be less relevant in SDA where residents do not share living spaces and only have occasional contact with each other compared to group homes where all living spaces are shared and there is repeated daily contact.

Some of the factors that may impact household compatibility are outlined as follows.

Age

Age-related compatibility refers to personal, developmental and support needs as well as chronological age.

People of the same age and stage in life are more likely to share the same interests. Consideration may be given to compatibility based on shared interests. Interests are usually affiliated with age and ability; however, for some people chronological age is not representative of developmental ability. As such, there may be a situation where two people share a common interest and are developmentally similar but may be significantly different in age.

Gender

The gender mix of the household should be considered when assessing compatibility of an applicant. This consideration also applies to the gender mix or profile of the current resident’s SIL provider if applicable.

Factors that may be considered include:

* acknowledgement and understanding of any cultural differences that may affect gender issues
* attitudes towards sexuality
* aspects of a resident’s personal history or background that may affect feelings of safety and wellbeing.

Cultural background

A person’s cultural background and beliefs may mean that adaptations may be needed to routines and procedures.

Similarities and differences between the current residents and applicants should be noted, enabling these factors to be considered as part of deliberations about compatibility and transition planning.

Support needs

Offering an SDA vacancy to an applicant based on having the same disability, similar support needs or similar behaviours of concern is not necessarily advantageous to residents.

Evidence suggests co-housing people with disability who display behaviours of concern in the same residence overwhelms support staff ability to provide individualised care. However, if the SDA offers specialist types of support, applicants with those support needs may be considered as a priority for offering residency in department-owned SDA.

Where SIL supports will be shared with current residents, health related needs may also be considered when screening applicants to ensure that the current resident’s SIL provider, in consultation with relevant health practitioners, can meet the needs of the applicant.

Communication skill, style and preference

Communication and interaction are important not just for meeting daily needs and wants, but also for feeling safe, connected and engaged with those we live with. We recognise and value the communication skills and methods of all residents and applicants but understand that sometimes people who have very different interaction styles may not be well suited to living together (for example, someone who likes to chat or vocalises loudly may not be well matched with someone who has difficulty with loud noise or prefers quiet environments).

Consideration will be given to the interaction styles, abilities and preferences of existing residents and of applicants.

Behaviours of concern

A behaviour of concern is any behaviour that causes harm to the person or another person.

Consideration should be given to the:

* applicant's or other residents’ protective skills and ability to communicate
* ability to implement behaviour support plans within the environment
* the applicant’s access to therapeutic supports (such as behaviour support, psychologist or speech therapy) that could support their accommodation arrangement.

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Authorised and published by the Victorian Government, 1 Treasury Place, Melbourne.

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**ISBN** 978-1-76096-564-8 **(pdf/online/MS word)**