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| Department-owned Specialist Disability Accommodation Practice Manuals |
| Consultation summary report – March 2022 |
| OFFICIAL |

# Introduction

The Department of Families, Fairness and Housing (the department) is an NDIS registered Specialist Disability Accommodation (SDA) provider and owns 844 SDA dwellings in Victoria.

The department has reviewed its processes for managing the SDA it owns. These processes, arranged into four SDA Practice Manuals, reflect the department’s role as an SDA provider only (rather than its previous role as both the accommodation and support provider) and ensures the department is meeting its legislative and regulatory obligations as an SDA provider.

The review took into account findings of consultation that commenced in 2020 and concluded in December 2021, outlined in the table below.

The SDA Practice Manuals apply to department-owned SDA only and how department staff do their work.

About this report

The purpose of this report is to summarise the phases of consultation undertaken to date, with a particular focus on the most recent round of consultation which occurred between September and December 2021. **Attachment 1** provides an overview of stages 1 and 2.

It includes a summary of the consultation approach, the engagement process and the key insights and messages received that have been used to inform the development and refinement of the four SDA Practice Manuals covering:

1. Business practice
2. Offering residency
3. Residency management
4. Maintenance and property management.

Summary of findings

Our recent consultation process has given us some great feedback and suggestions to make the SDA Practice Manuals for department-owned SDA even better. We are grateful to everyone who took the time to make a submission or complete a survey, and for those who participated in workshops through the earlier stages.

Below is a summary of what we heard from the consultation process, and how we have responded.

### What we heard and how we have responded

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| General | What we heard:  We heard that people found the manuals clear and easy to understand. Residents appreciated the Easy English overviews.  We heard that residents and families value the involvement of their Supported Independent Living (SIL) providers to assist in coordinating things that need to happen in the SDA and to contribute to important decisions like who a new resident should be.  But we also heard that residents’ support networks sometimes want to talk directly to the department about SDA matters; and for residents and their supports to be involved in decisions and processes that affect them.  We heard that people want different kinds of SDA in the future, including choice to live in smaller homes with more private space.  We heard there is a lack of clarity about the department’s role in setting policy requirements for other NDIS providers. |
| How we have responded:  We have added additional steps across all manuals to ensure that **residents and their support networks can contact us directly** when needed and revised wording to be clearer about why and when we will engage directly with resident’s SIL providers.  We are excited about **opportunities to deliver a wider range of SDA** options to current and future residents. As we redevelop or replace SDA that is no longer suitable or is causing risk to residents and their support staff, we are focused on delivering more contemporary homes in consultation with the residents and their support networks that will better meet people’s needs and preferences.  Information has been added to the start of every manual to clearly outline that these manuals reflect how the department will manage the SDA it owns and meet its obligations as an NDIS provider. Other SDA providers, residents’ SIL providers and other NDIS providers will each have their own policies and procedures to ensure they too meet NDIA and NDIS Quality and Safeguards Commission requirements. |
| **Business Practice Manual** | What we heard:  We heard that people valued the inclusion of commitments to the Client Services Charter and Human Rights Charter.  We heard that communicating with residents and their support networks in a way they are most likely to understand is critical to including people more in decisions and processes that affect them.  We heard that residents’ support networks wanted clearer acknowledgement of the important role they have in representing residents’ best interests and supporting residents with decision-making.  We heard that more information was needed about how residents could access and involve advocacy support when needed.  We heard that more information was needed about who the department will share information with in different circumstances. |
| How we have responded:  We have included the full list (rather than a summary) of commitments from the department’s **Client Services Charter**. An Easy English version of the charter will be provided to all residents. The charter reiterates the department’s commitment to communicate with residents and their support networks in ways that best suit them, including provision of interpreting services when required and plain and Easy English translations of important information. The department also has a single phone number and email contact for SDA residents and their support networks to ensure contacting the department is easy.  All manuals have more detail about the role of the **resident’s nominated contact person** and when they will be engaged.  Information has been added about how **advocacy services** can be accessed by residents when needed.  The manual is clearer about who the department will **share information** with, including when we will communicate with residents’ SIL providers to ensure that issues relating to quality of life, safety, continued accommodation, and independence for residents are known and addressed. Additional information has been added about the limits of information sharing. |
| **Offering Residency Practice Manual** | What we heard:  We heard support for the policy principles and factors that the Offering Residency Panel consider when deciding who a preferred applicant is.  We heard that residents’ support networks highly value the input of residents’ SIL providers in the decisions about vacancies in shared-living SDA and support the inclusion of a person with lived experience of disability on the Offering Residency Panel. We heard that neither of those things should replace the direct input of current residents and their support networks. This includes residents and their support networks being included on the Offering Residency Panel.  We also heard concern that the policy assumes there will always be an existing SIL provider, and that where this isn’t the case, successful applicants should be able to choose their SIL provider after accepting a place in SDA.  We heard that some stakeholder groups would like the department to consider applications from people who are not eligible for SDA and to prioritise applicants based on the urgency of their housing need.  We heard that people want systems and procedures that support new and current residents through the moving-in process and to identify if things are not working well, such as conflict arising between residents. |
| How we have responded:  The department’s SDA portfolio is predominantly made up of shared-living SDA where current residents will already be receiving support from a SIL provider when a vacancy is advertised. In these scenarios, the manual includes opportunities for applicants to meet and ask questions of the current resident’s SIL provider. In addition to consideration of the views, preferences and needs of current residents and their support networks in decisions about who will be offered the vacancy, the **input of the SIL provider** is critical to ensure supports can be delivered to all residents of the SDA in a safe and effective way. This process is reflected in Part One of the Offering Residency Practice Manual.  There may be some occasions however where there is a vacancy in SDA where:   * SIL supports will be shared but the whole SDA is currently vacant and there are no residents currently receiving SIL supports, or * the vacancy is in a single person SDA where SIL supports will not be shared with any other resident.   In these circumstances, the successful applicants will be able to choose their own SIL provider. A new Part Two has been added to the manual to outline the process for deciding who will be offered residency in these circumstances.  The **membership of the panel** has not changed in the final manual. The panel includes a person with lived experience of disability, the current residents SIL provider and the department. The views, preferences and needs of current residents and their support networks will be collected ahead of the panel meeting and will inform the panel’s decision making, alongside considerations of any risks to health and safety, ability for the support needs of applicants and current residents to be met, along with other matters outlined in the manual.  The department believes the inclusion of a person with lived experience of disability whose role is to ensure the views, preferences and needs of applicants, residents and their support networks are represented in the decision making process, is the best way to ensure decisions made by the panel have taken these matters into account, while also ensuring the privacy of sensitive resident information is maintained; all residents in the SDA are equally represented and; complex decisions are made in a consistent and efficient way.  Revisions have been made to **strengthen the input of residents and their support network** into the panel’s decision-making. This includes increased ability for residents and their support networks to share their views with either their SIL provider or department staff, as they prefer; and discussion within the panel about the format of ‘meet and greet’ opportunities which is the final step in confirming if the preferred applicant will be offered residency. This includes whether the presence of other parties such as a family member would support a positive outcome.  The department’s focus for its SDA portfolio is to ensure that people who require specialist disability accommodation options are able to access them. The department continues to advocate for the need for **improved accommodation options for all NDIS participants** with the NDIA and Commonwealth government. This includes people who are not eligible for SDA and those who are unable to exit other service settings, such as people who are unable to be discharged from hospital until a long-term accommodation option is found. The manual contains provision for other applicants to be considered when exceptional circumstances exist, and prioritisation of people with urgent housing need is considered for SDA that is covered in Part Two of the *Offering Residency Practice Manual*.  We agree that **strong systems are required to ensure that the transition of a resident to their new home is positive**. The department and resident’s SIL provider must work together to ensure that accommodation concerns are identified early and assist each other in resolving issues that affect resident outcomes. The Collaboration Agreement the department has with residents’ SIL providers includes how we work together to achieve this and is discussed in the *Residency Management Practice Manual*. The *Residency Management Practice Manual* also describes the process for issuing a notice of temporary relocation or a notice to vacate if accommodation concerns are not able to be resolved.  Further, additional clarification has been added to the manual to confirm that more than one **meet and greet opportunity** can be arranged if needed between the preferred applicant and current residents before a decision to offer residency to an applicant is confirmed. The development of a ‘move-in plan’ that considers the needs of the new and current residents can also include a staged transition if required. |

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| **Residency Management Practice Manual** | What we heard:  We heard that the manual needs to include more information about the Collaboration Agreements the department has with residents’ SIL providers, including how residents and their support networks are able to participate in the review of those arrangements and get a copy of the agreement.  We heard concern from some stakeholder groups that residents and their support networks needed confirmation about their ability to change their SIL provider, and the process to do that.  We heard the manual needed to be clearer that the issues and incident management section outlines how the department is meeting its own incident reporting obligations, and that it does not require duplicate reporting from residents’ SIL providers.  We heard that residents’ support networks are concerned about the ability of the department to issue notices to residents such as a notice of temporary relocation or a notice to vacate, or breach of duty notices where a resident is not meeting their responsibilities under the SDA residency agreement, such as paying their rent. |
| How we have responded:  The manual has been updated to include information about how residents can request to attend a meeting to **review the operation of the Collaboration Agreement**, and to request a copy of the agreement.  The manual provides additional clarification that residents of all department-managed SDA are able to **change their SIL provider**, and what will happen when this decision is made by a resident – or residents where SIL supports are shared – and their support networks.  Additional wording has been added to clarify that the processes relating to **incident reporting** applies to department staff only and where an incident relates specifically to the delivery of SDA services, such as a building failure that results in serious harm. Information has also been added to this section to ensure that residents and their support network can report issues or incidents related to their SDA directly to the department if they prefer. The manual also outlines the issues that the department and resident’s SIL provider will work together on to resolve in order to achieve the common goal of improved quality of life, safety, continued accommodation and independence for residents.  We understand the concern that residents’ support networks have about the **notices that can be issued** under the *Residential Tenancies Act 19*9*7*. The department’s position is that a resident’s continued accommodation will be supported where possible and that reasonable efforts will be made to resolve the issue before a notice is considered. The Collaboration Agreement the department has with residents’ SIL providers outlines how we will work together to identify accommodation concerns early and try to resolve issues impacting resident outcomes.  Where a notice must be issued, for example when the health and safety of other residents is at risk, the resident’s nominated contact person, or guardian if applicable, will be informed, including how the notice can be appealed. The department will work with the resident and their SIL provider to identify suitable temporary accommodation if this is required and to support the resident find alternate long-term accommodation if they are unable to return to the SDA. The manual has been updated with additional information about how residents can be supported to access advocacy support if required. While most of the information in the notices section are legislative requirements that cannot be changed, wording has been revised to improve clarity where possible.  A number of other wording changes have been made to improve clarity when feedback indicated a section was unclear. |
| **Maintenance and Property Management Practice Manual** | What we heard:  We heard that residents’ support networks want to know about the systems and processes to identify the need for preventative maintenance and property improvement, as well as how things will be fixed quickly and professionally when they break.  We heard that people are concerned about how some things such as the maintenance and replacement of whitegoods and ceiling hoists are paid for.  We heard that communication with residents and their support networks about works that are happening to their home is important. |
| How we have responded:  The manual has been updated to include an overview of the **systems and processes** the department uses to ensure that SDA properties are maintained in a good state of repair and that we are meeting the standards that apply to that property.  Additional information has been added to the manual about **maintenance, repair and replacement of items that the department is not responsible for**. Residents, or their SIL provider if a charge is collected for this purpose, are responsible for meeting the costs of household items that are not fixtures or fittings. If an item is required due to a disability related support need, residents may be able to seek and use their NDIA funding to assist with this cost. The manual is also clearer about historical leasing arrangements that assign different responsibilities and where alternative approaches will be determined in consultation with those residents, their support networks and their SIL provider.  The manual has been reviewed to include information about how residents and their supports can raise maintenance and property issues. We are also ensuring that consultation with residents and their support networks is central to major SDA works when they are required. For example, we are currently redeveloping a small number of SDA that are no longer suitable for use or pose a risk to residents and their support staff. In developing the replacement SDA, we are:   * **Engaging early** with residents and their nominated contact person to get a better understanding of their living preferences and preferred location and to respond to any questions * **Providing ongoing support** for residents, for example to seek an NDIS plan review if required, and responding to issues or concerns as they arise * **Seeking input** into the design of the new homes from residents, their nominated contact person, their SIL providers and industry professionals * **Keeping residents informed** with up-to-date feedback on the project and construction status and timelines.   A variety of resources are being used such as easy read English, mail, email and information sessions to ensure that communication is clear and consistent and gives residents and their nominated contact persons direct avenues to communicate with us. |

# Next Steps

The SDA Practice Manuals will be available on the department’s website.

Communication to support awareness of the manuals, including where to find them on the department’s website, will be sent to residents and their support networks once finalised. Information about the manuals will be provided to new residents when they first move into SDA.

While much of the practice reflected in the manuals is currently in place, some additional work is required to be able to implement changes committed to in the manuals. This work will be completed by **30 June 2022** and includes:

1. Engagement of a person with lived experience of disability and SDA to participate in Offering Residency Panels when there is a vacancy in SDA
2. Finalisation of tools and templates referred to in the manuals
3. Development of communication materials, including Easy English and other resources, to support awareness and understanding of the manuals.

Attachment 1

Summary of Stage 1 and 2 consultation

#### Stage 1 - Vacancy Coordination and Tenancy Management (VCTM) Review

The review of policies and procedures commenced with the Vacancy Coordination and Tenancy Management (VCTM) Review in February and ended in March 2020. EY was engaged through the department’s strategic alliance arrangement to perform an independent assessment of the current state of vacancy coordination and tenancy management processes and operating model, and provide recommendations for an enhanced and client-centric future state.

EY conducted a large consultation process of 22 workshops with 280 residents and families, and 44 SIL providers. Six key themes emerged from those consultations. These were the need for:

1. Greater consistency and transparency in vacancy coordination for residents
2. Clearer definition of the department’s role and mission
3. Stronger collaboration with SIL providers with clear roles, relationships and processes
4. Stronger engagement with residents and families to increase the focus on residents
5. Increased awareness about the vacancy process
6. Greater flexibility in decision making processes

These themes informed the review of the department’s SDA processes, which underpin the VCTM process and operating model. These were divided into four manuals:

1. Business Practice – how the department does its work
2. Offering Residency – how vacancies in department owned SDA are declared, advertised and filled
3. Residency Management – how SDA tenancies are managed
4. Maintenance and Property Management – how SDA properties are maintained.

#### Stage 2 – Workshops with residents, their support networks and SIL providers

In Stage 2, the department commissioned 13 consultation workshops conducted in August 2021:

1. Six workshops with 32 residents
2. Two workshops with 66 SIL providers
3. Five workshops with 16 family members and one workshop with 17 members of the Supportive Families and Friends Association.

The focus of the workshops was a ‘pulse check’ of the draft Practice Manual content – targeting particular areas of interest identified by the workshop participants. In total, six processes were considered in this stage; Offering Residency, Collaboration Agreements between the department and residents SIL providers; Communication about SDA; Notice of Temporary Relocation and Notice to Vacate; Absence from an SDA; and the Maintenance and Property Management Practice Manual.

The Victorian Advocacy League for Individuals with Disability (VALID) facilitated the workshops with residents and five of the family sessions. Catherine Santo of Santo & Williams Pty Ltd was engaged to facilitate the SIL provider workshops and a workshop with the Supportive Families and Friends Association.

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