



**SUBMISSION IN RESPONSE TO DEPARTMENT OF
HOUSING DISCUSSION PAPER: TENANT SUPPORT
PROGRAM**

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PO BOX 6057
Perth WA 6892
Website: www.taswa.org
Ph: (08) 9221 9499
Fax: (08) 9221 9609

TENANT'S ADVICE SERVICE (WA)

The Tenant's Advice Service (TAS) is a not for profit community legal centre funded to assist residential tenants. Established in 1979, TAS remains the only specialist legal service for tenants in Western Australia and is the central resource for a state-wide tenancy network which links 15 community legal centres and agencies (the Network) that engage in tenancy work. TAS provides legal advice and information to tenants and community workers to assist tenants in both metropolitan and regional WA and engages in test case legal representation and policy and law reform to advance the legal and social position of tenants. TAS also provides community legal education to tenants, the Network and the wider community.

INTRODUCTION

TAS appreciates the opportunity to respond to the Department of Housing's (DoH) (the Department) discussion paper regarding the proposed changes to DoH delivery of tenant support. DoH recognition that reform of the current model of program delivery is necessary to meet the State Government's reform agenda to better support public housing tenants in sustaining and retaining their tenancies is encouraging. TAS welcomes and supports a program the mission of which is to "...resolve issues placing tenancies at risk and increase the capacity to successfully manage and sustain tenancies" and broadly supports the key goals identified for the proposed program. The client outcomes, along with the longer term social benefits, anticipated from an effective tenant support program are desirable for tenants and their families, the DoH and the community generally. A note of caution is made however in creating unrealistic expectations in relation to the program. Many tenants will have complex needs and improvement against the Department's objectives may be slow and uneven.

TAILORED SERVICE AGREEMENTS

Consolidation of the current mix of programs under an overarching program framework is desirable and TAS supports a consistent approach that ensures that all public housing tenants have the same access to services regardless of location (to the degree that this is possible given the specific needs of rural and remote areas). This does not mean that services should necessarily be provided in the same manner or by the same organisation/s to all tenants and tailored service agreements will be essential. A service delivery model which allows for flexibility to meet the needs of different demographics and encourage locally designed solutions will be required. TAS supports the DoH proposal for tailored service agreements which will encourage innovation and provide the flexibility needed to deliver services effectively to meet the varying and often complex needs of tenants.

A program framework that has a robust and transparent governance regime will improve outcomes as will a measurement and evaluation framework which is based on sound data collection and analysis. TAS recognises however the complications in data collection and analysis across regions and within organisations which may have limited access to technology and staff with appropriate skills. It is submitted the DoH will need to factor these issues into service agreements and if data collection is a priority, consideration should be given to providing appropriate funding and training to assist service providers in meeting the DoH requirements.

TAS emphasises the importance of ensuring that service agreements are flexible to allow for renegotiation of service outputs in response to changed needs or where more effective service approaches are identified.

CLIENT ELIGIBILITY

The assumption is made that the DoH is anticipating clients will primarily access the Tenant Support Program (TSP) on 3 bases:

- Previous tenants who are seeking to re-enter the public housing system and have a problematic tenancy history;
- Current tenants who have been identified as experiencing difficulties managing their tenancy; and
- New tenants who do not have the general life skills or are experiencing other difficulties which will impact upon their ability to manage their tenancy appropriately.

TAS notes that reference is made to the potential for public housing applicants to be assessed for access to the TSP and a support plan developed prior to housing allocation. It is not clear when the DoH would intend carrying out such an assessment nor whether all applicants would undergo assessment. Such a process would be consistent with the DoH objective to ensure that the TSP is not merely reactive but provides an early intervention preventative response. TAS is supportive of an early intervention approach bearing in mind that assessment of all applicants prior to housing allocation would be resource intensive, possibly unnecessarily intrusive and risks redirecting limited resources away from existing tenants at risk of losing their tenancies. A process that targets specific risk factors, such as prior homelessness and previous problematic tenancies, may be appropriate to identify prospective tenants to be offered access to the TSP.

It is submitted caution should be exercised in relation to mandatory support for tenants who are seeking to re-enter public housing and have a problematic tenancy history for the following reasons:

- Support programs (like therapeutic programs) are often not effective if clients are not committed to developing the skills and making the changes sought;
- Mandated programs are coercive which tends to create resentment and rebellion which is not conducive to a learning or therapeutic environment. The client may attend meetings, workshops etc. but this does not necessarily translate into changed behaviours;
- Mandated programs tend to have a stigma attached which works against both commitment and empowerment of clients which are essential in building client social and economic capacity and strengthening their ability to manage their tenancy;
- The stigma surrounding programs that are mandated may reduce the willingness of other clients to self-refer; and
- A broadly applied mandated system may capture tenants who do not require, or due to changed circumstances no longer require support. Referral under these circumstances may create resentment and again divert limited resources.

It is submitted that rather than mandatory referral to the TSP, the use of assertive engagement techniques by Housing Services Officers may be more successful in obtaining the outcomes sought. Persuasion rather than coercion is the key.

TENANT SERVICES

It is submitted the following elements are essential in relation to a successful TSP:

- Easy to use, professionally developed assessment tools which ensure comprehensive needs and risk assessment;
- Flexible, responsive referrals and brokerage;
- Effective, holistic case management, including genuine client engagement;
- Broad and flexible service provision to meet the complex needs of clients from a range of backgrounds and in varying locations; and
- Sound governance including the ability to effectively evaluate outcomes and the success of service provision without negatively impacting on the ability of service providers to provide front-line core services.

TAS supports the submission of Shelter WA on the need for the TSP to take a broad approach in the provision of support and skills enhancement. Programs which address basic living and parenting skills, provide assistance in overcoming situational difficulties and ensure access to counselling and health care will lead to improvements in the successful maintenance of tenancies. Many tenants who experience difficulties with their tenancies have complex needs, including co-occurring disorders. TAS supports the proposition that services should be aimed at empowering tenants to manage their own tenancies through the provision of information, improved skills, access to specialist services (including specialist health services) and support.

In order to determine the services to be provided it is submitted the DoH needs to have a clear understanding of the vulnerability (risk) factors that lead to poor tenancy outcomes, as well as the primary precipitating life events that turn vulnerabilities into failed tenancies. While many of these factors apply across tenant demographics some factors will have more impact within specific tenant populations eg. Indigenous, Culturally and Linguistically Diverse (CaLD), Youth. The service model must ensure that specific tenant demographics have access to services that address those factors.

TAS recognises that this can be problematic with tenants in remote locations however innovative service provision such as the use of telehealth style services and visiting service providers may alleviate some of the existing problems. Adequate service provision in remote locations is expensive and if government is committed to making the TSP available to all at risk tenants then a greater commitment of funds will be necessary.

Many tenants seeking support have physical and/or mental health issues, often as co-occurring disorders, which complicate other risk factors and make case management difficult. To further complicate matters at risk tenants may be involved with a number of different state government agencies with overlapping programs. It is essential there is significant collaboration, both interagency and with service providers, to prevent duplication and fragmentation of service provision to tenants. This must be undertaken at the individual

service provision level and also in the planning and development of government assistance programs.

TAS recognises that it is not always possible for individual service providers to provide for all of a tenant's needs. A strong and holistic case management system utilising well designed assessment tools and a comprehensive referral/brokerage system, should allow tenants to receive the information, skills enhancement and support they require. From time to time tenants will be referred to services (particularly community services) outside of the program's provider network. While this is inevitable it is important to ensure that referrals are made where the organisation has the capacity to provide the service within an appropriate timeframe and where there is ability to evaluate the effectiveness of the service provided.

In relation to the specific key goals of the proposed TSP we take particular note of the final 2 goals:

- Make tenants aware of their rights and obligations under the *Residential Tenancies Act 1987*; and
- Make tenants aware of the Department's Disruptive Behaviour Management Policy (DBMP) and its implications.

The above goals are critical to the success of the TSP. The provision of information and education to tenants and community support workers is a significant component of TAS' services. It is vital that tenants and community workers have an understanding of the rights and obligations of landlord and tenant when entering into a residential tenancy agreement. It is equally important they are able to access clear and comprehensive information on the DBMP and its consequences. Given that tenants at risk may come from a CaLD background or may have limited literacy skills it is essential that information and education is provided in a way which meets the needs of the client groups. For example, TAS in collaboration with the Network has identified a number of issues related to the DBMP including concerns that DBMP procedures are not clearly explained nor easily comprehended by tenants. This has led to considerable confusion regarding decision making and appeal rights. It is submitted tenants cannot be expected to meet their obligations if they do not fully understand them.

An example of the way in which education can be tailored to groups with specific needs is reflected by the education program which TAS developed in collaboration with Mercy Care to meet the needs of recent humanitarian entrants to Australia. The five, four-day sessions conducted to date confirms that the program is one which empowers tenants and prepares them to enter into a tenancy with an enhanced prospect of success. It is submitted similar programs structured to specific DoH demographics would assist prospective tenants who may have little or no understanding of the rights and obligations of the residential landlord and tenant to maintain their tenancy.

It is recommended that consideration is given to the provision of a pre-tenancy course or seminar. While not mandatory, such a seminar may empower clients and clearly explain as follows:

- Tenants' rights and obligations;
- DoH expectations, processes and procedures;

- TSP services and processes; and
- Provide prospective tenants with the opportunity to apply for access to the TSP prior to housing allocation.

TAS stages an event each year to celebrate International Tenant's Day. In 2011 a forum was held for tenancy support workers, advocates from the Network and community housing workers to discuss concerns arising from the DoH processes in relation to the DBMP. The forum recommended that the DoH provide a written guide and workshops on the application of DBMP for community workers in tenancy support roles and that additional training is provided to Housing Support Workers. Forum participants also identified the importance of providing comprehensive information on support services available to tenants.

Client Engagement and Case Management

Effective client engagement and case management are the cornerstones of any successful support program. If a case worker does not actively engage their client it adversely affects their ability to identify relevant issues and significantly diminishes the likelihood of the client successfully completing the program. Simply attending meetings etc. does not constitute successful completion if it does not result in behavioural change or improved outcomes. Current research suggests that an assertive engagement model is most effective with clients who might be categorized as difficult to engage, although the reasons for this appear somewhat complex. It may be beneficial that the DoH provide information and resources to service providers to support this approach and encourage best practice, particularly to assist smaller and remotely located providers.

It is submitted that consideration is given to the collaborative development of a standardized case management model to be used by all service providers. This should not be too prescriptive, recognise the differing needs of specific client demographics and encourage evidence based best practice in case management whilst also providing a framework for sound and consistent record keeping.

COMMUNITY EDUCATION

TAS supports the concept of increased community education as a part of providing a more inclusive and supportive environment for tenants. Tenants will develop a greater sense of belonging if they are able to engage with their local community and if members of that community are able to view them as contributing and interacting in a positive manner. Support to identify and access community facilities and services, such as recreational, educational and childcare facilities will not only embed the tenant into the community but may also open up additional support mechanisms.

Similarly, community awareness programs which promote tolerance, cultural understanding and an awareness of the difficulties which some public housing tenants may face together with information about the TSP may lead to a less confrontational environment.

In addition to extending direct support from service providers in providing community information, attending meetings and advocating on behalf of tenants TAS provides the following suggestions:

- DoH institute public forums to discuss community concerns and issues and to provide information in locations where there is significant public housing stock or where concerns have been raised from the community or neighbours. This should occur well before community problems become manifest and include input from relevant service providers and organisations;
- Provision of information through local newspapers, both in the form of large scale advertisements and possibly a regular housing column;
- Dissemination of information across a community through brochures, pamphlets etc. provided this information does not focus on the DBMP;
- A campaign that focusses solely on the DBMP and complaint procedures is likely to lead to greater community conflict and to undermine the objectives of the TSP; and
- Co-ordination and funding of workshops and seminars on tenancy rights, obligations and supports within communities including information presentations by local community organisations. This will inform tenants, promote community welcome and encourage community organisations to engage with tenants and tenancy issues.

MEASUREMENT FRAMEWORK

TAS supports consistent and comprehensive data collection, both quantitative and qualitative, to support effective program evaluation and continuous improvement of services. The collection of unit record data allows the department to measure achievements against objectives and will facilitate research and analysis that may lead to improved program structures and service delivery models. TAS supports periodic roundtable case reviews to improve immediate tenant outcomes and the conduct of exit interviews and the collection of case studies to better inform program design and service delivery and ultimately to ensure better outcomes for tenants.

TAS recognises however the obligations that complex record keeping can place on the delivery of frontline services and therefore proposes that prior to implementation the DoH give consideration to undertaking the following project:

- Identify existing deficiencies in data collection across service providers ensuring that the DoH is not requesting data that is not needed or that can be obtained from other sources;
- Identify where service provider information systems will require replacement or significant upgrading to meet DoH data capture requirements and the funding implications;
- Identify what additional resources and training services providers will require and the funding implications; and
- Assess likely impacts on service delivery to tenants.

It may be that the DoH will need to provide additional funding and training to service providers, particularly smaller and/or regional providers. Development and provision of a software package to facilitate standardized data capture and presentation together with the provision of appropriate training to service providers would be a positive step in gaining sector support.

In terms of evaluation tools, there are many tools and frameworks available, particularly within the health and community services sectors. Without recommending a specific evaluation tool/s TAS recommends using a tool or methodology with the following features:

- A participatory evaluation process involving all stakeholders;
- Evaluation plans which match local evaluation capacity and resources;
- Is both selective and strategic in what is evaluated; and
- Is cognisant that “not everything that can be counted counts and not everything that counts can be counted” - *Albert Einstein*.

COLLABORATION & ACCOUNTABILITY

TAS supports the implementation of processes to improve collaboration between all stakeholders. Tenants are very much stakeholders and need a strong voice in relation to the provision of services which are designed to benefit them in maintaining tenancies. While funded service providers have the express role of identifying and meeting tenant needs the nature of the funder/provider model also means that they have a vested interest in the outcomes of program evaluation and review. Therefore it is submitted they cannot provide an independent voice for tenants in this process. TAS supports the committee structure proposed with the proviso that tenants have an independent voice within this structure.

In relation to the development of key performance indicators and their attendant targets TAS emphasises the need to take a consultative approach and to recognise that effectiveness cannot always be measured using simple quantified targets.

TAS agrees with the Shelter WA response in relation to the desirability of direct consultation with tenants to ascertain their views on the effectiveness of the TSP. The advantage of surveys being conducted face to face is that it assists in overcoming language and literacy difficulties which tenants may have and does not rely on tenants completing and returning survey forms. TAS also agrees that these interviews and processes should be conducted independently of service providers and the Department.

CONCLUSION

TAS welcomes the review of the Department’s current range of tenant support programs and broadly supports the restructure and consolidation of programs under a single umbrella evaluation framework program. A program which improves the supports provided to public housing tenants, particularly those who are most vulnerable and at risk of homelessness can only benefit tenants and the community at large.