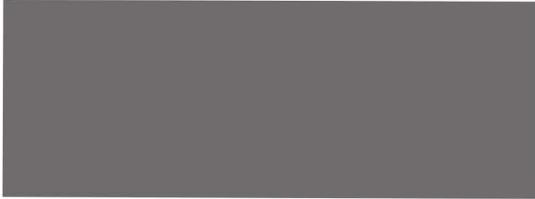




30 May 2018



Your Ref: [REDACTED]  
Our Ref: GIPA18/[REDACTED]  
Matter No: [REDACTED]

Dear [REDACTED]

**Formal Access Application - Notice of Decision**

I refer to your Formal Access Application under the *Government Information (Public Access) Act 2009* (the GIPA Act), that you lodged with the Department of Family and Community Services (FACS). In your revised access application dated 16 February 2018, you requested access to the following information:

- *“The 30 most recent Ministerial Briefings with attachments, up to the date of application, provided to the Minister, that are not related to:
  1. Administrative duties, ie. approving someone's holiday, catering expense or other internal staffing requirement
  2. Invitation or event or awards proceedings that the Minister has been invited to and needs to respond to
  3. Documents that have been designed specifically and used in Cabinet or Parliament
  4. Overseas travel reports - ie. reports by people who have travelled overseas discussing the trip
  5. Proforma letters or correspondence with members of the public
  6. Requests for extensions in time and funding.
  7. Annual reports.
  8. Meeting dates or attendance.”*
- *I also request that briefings and submissions be on different subjects, ie. if there is more than one briefing or submission on the same issue, please only include the most recent.*
- *Please exclude duplicates, documents that have already been publicly released, media statements/reports/articles and correspondence with media.*
- *Please exclude any briefs or attachments larger than 15 pages.*
- *Please exclude drafts except where there is no final report.*
- *Please exclude staff contact details, and names below SES level, as irrelevant.”*

As you are aware, I liaised with Ministerial and Parliamentary Support (MPS) within FACS, which was able to locate information that falls within the scope of the request. I have paginated the information, 1 to 224 inclusive.

I have carefully considered your request in view of the objectives of the GIPA Act where you have a legally enforceable right to obtain information, unless there is an overriding public interest against disclosure of the subject information. Further, I have also considered the requirements of section 74 of the GIPA Act, which provides that an agency may delete information from a record to which access is provided if the deleted information is not relevant, or within the scope of the information applied for, or an agency has decided to refuse access to that information.

In deciding which information to withhold in full or in part, I was required to conduct a "public interest test" where the public interest considerations favouring disclosure of government information were weighed against those factors that do not favour disclosure. The following are a number of public interest factors I considered which favour disclosure of the information requested:

- Disclosure of the information could reasonably be expected to promote open discussion of public affairs, enhance Government accountability or contribute to positive and informed debate on issues of public importance.
- Disclosure of the information could reasonably be expected to inform the public about the operations of agencies and, in particular, their policies and practices for dealing with members of the public.
- Disclosure of the information could reasonably be expected to ensure effective oversight of the expenditure of public funds.
- The information is personal information of the person to whom it is to be disclosed.
- Disclosure of the information could reasonably be expected to reveal or substantiate that an agency (or a member of an agency) has engaged in misconduct or negligent, improper or unlawful conduct.
- Disclosure of the information could reasonably be expected to advance the fair treatment of individuals in accordance with the law in their dealings with agencies.
- Disclosure of the information could reasonably be expected to reveal the reason for a government decision and any background or contextual information that informed the decision.
- Disclosure of the information could reasonably be expected to contribute to the administration of justice generally, including procedural fairness.

However, a number of documents have been withheld from disclosure as they contain information where a public interest factor against disclosure, outweighs the factors in favour of disclosure.

Information that has been withheld from disclosure under clause 2(1)(e) of Schedule 1 of the GIPA Act relates to Cabinet information. There is a conclusive presumption of an overriding public interest against disclosure of information contained in a document prepared before Cabinet's deliberation or decision on a matter that a particular Minister is considering taking, or has been recommended to take, on the matter in Cabinet.

Information that has been withheld from disclosure under clause 3(1)(c) of Schedule 1 of the GIPA Act relates to Executive Council information. There is a conclusive presumption of an overriding public interest against disclosure of information that discloses advice on a matter for the Executive Council.

Information that has been withheld from disclosure under clause 5 of Schedule 1 of the GIPA Act relates to information subject to legal professional privilege. There is a conclusive presumption of an overriding public interest against disclosure of information that would be privileged from production in legal proceedings on the grounds of client legal privilege. I can confirm that the Right to Information Unit has liaised with the subject client in whose favour the privilege exists, and the client has decided that it is not appropriate to waive their privilege in the present circumstances.

Information that has been withheld from disclosure under clause 10 of Schedule 1 of the GIPA Act relates to the care and protection of children. There is a conclusive presumption of an overriding public interest against disclosure of information contained in a report to which section 29 of the *Children and Young Persons (Care and Protection) Act 1998* applies.

Information that has been withheld from disclosure under clause 1(c) of the table to section 14 of the GIPA Act is information, the disclosure of which would prejudice relations with another government. The information withheld under clause 1(c) reflects ongoing negotiations between the Commonwealth and all states and territories, to transfer the responsibility and administration of a particular program from the Commonwealth, to state and territory governments. These negotiations have not been completed, therefore, the release of this information would, on balance, be contrary to the public interest.

Information that has been withheld from disclosure under clause 1(e) of the table to section 14 of the GIPA Act is information that "*reveals a deliberation or consultation conducted, or an opinion, advice or recommendation given, in such a way as to prejudice a deliberative process of government or an agency*". I have decided that the release of this information would, on balance, be contrary to the public interest, as it would militate against the community's interest in the frank and candid exchange of views between departmental officers.

Information that has been withheld from disclosure under clauses 1(f) and 1(g) of the table to section 14 of the GIPA Act is information that would:

- Prejudice the effective exercise by an agency of the agency's functions.
- Found an action against an agency for breach of confidence or otherwise result in the disclosure of information provided to an agency in confidence.

FACS regularly receives information from a variety of sources in relation to allegations of child abuse or neglect. It is a function of FACS to conduct investigations into such allegations to help determine whether child abuse or neglect has been substantiated. As FACS relies on people to provide information to the Department, FACS will keep such information confidential.

I am satisfied that releasing the source and content of the information received by FACS would disclose information provided to FACS in confidence. FACS relies on mandatory reporters and members of the public to alert this Department to children who may be at risk. Divulging the identity of such reporters would place them at risk, as well as jeopardise the future flow of information. Without the assistance of such reporters, FACS would be unable to fulfil its child protection obligations, which is why reporter confidentiality must be maintained.

Information that has been withheld from disclosure under clause 1(h) of the table to section 14 of the GIPA Act is information that reveals the results of a Serious Case Review conducted by FACS. Clause 1(h) provides that there is a public interest consideration against the disclosure of any information which may prejudice a review by revealing its results. I am of the view that disclosure of the information could deter contributors from engaging with investigators in similar investigations conducted in the future. Therefore, the public interest in maintaining the integrity of FACS' ability to conduct these reviews outweighs the public interest in disclosing the results, and accordingly I determine that there is an overriding public interest against disclosure of such information.

Information that has been withheld from disclosure under clause 2(b) of the table to section 14 of the GIPA Act is information that if revealed, could reasonably be expected to prejudice the investigation of a contravention of the law and/or prejudice the enforcement of the law. The disclosure of such information would present a reasonable risk to public safety and to the effective operation of the core police function of law enforcement, particularly as the information being withheld from disclosure is still under investigation, and releasing the information could jeopardise further enquiries.

Information that has been withheld from disclosure under clause 3(a) of the table to section 14 of the GIPA Act is information that would reveal an individual's personal information. An individual's personal information may include their identity, their residential address, contact telephone number, information relating to their interactions with FACS, etc. I am of the view that there is an overwhelming public interest against disclosing information that reveals an individual's personal information.

Information that has been withheld from disclosure under clause 3(g) of the table to section 14 of the GIPA Act is information which pertains to a child, and which would not be in the best interests of the child to disclose. I am of the view that releasing this information is contrary to the interests of children who are subject to current child protection matters, therefore there is an overriding public interest against the disclosure of this information.

Information that has been withheld from disclosure under clause 3(e) of the table to section 14 of the GIPA Act is information that may reveal false or unsubstantiated allegations about a person that are defamatory. The information withheld under clause 3(e) contains unsubstantiated allegations against board members of a non-government organisation, which in the absence of qualified privilege (and subject to available defences) may be alleged to be defamatory. Therefore, I am of the view that there is an overwhelming public interest against disclosing information that may reveal false or unsubstantiated allegations about a person that are defamatory.

Information that has been withheld from disclosure under clause 4(d) of the table to section 14 of the GIPA Act is information that if disclosed, would prejudice any person's legitimate business, commercial, professional or financial interests. As previously mentioned, this information reflects ongoing negotiations between the Commonwealth and all states and territories, to transfer the responsibility and administration of a particular program from the Commonwealth to state and territory governments. These negotiations contain sensitive information pertaining to the proposed funding amounts to be allocated to each state and territory. These funding amounts have not been finalised, and remain subject to negotiation. Therefore, the disclosure of this information could reasonably prejudice all parties' legitimate business, and financial interests.

If you are aggrieved by any of the reviewable decisions in this notice of decision, you may seek a review under Part 5 of the GIPA Act, by requesting any one of the following:

- An Internal Review which must be lodged with the Right to Information Unit within 20 working days of this notice of decision. You must lodge your Internal Review at the address shown at the bottom of the first page and must be accompanied by the appropriate application fee of \$40.
- Alternatively, a request for an External Review may be lodged with either the Information and Privacy Commission, or the NSW Civil and Administrative Tribunal. Please note that you must lodge your request for an external review within 8 weeks of this notice of decision.

Further attached are receipts for the amount of \$30, \$375 and \$585 which represent the charges for processing your Formal Access Application.

If you have any questions regarding this notice, please contact me on telephone (02) 8753 8386.

Yours sincerely



Rita Peci  
**Manager**  
**Right to Information Unit**  
**Department of Family and Community Services, Legal**

# Decision Schedule

ACCESS APPLICANT'S NAME	[REDACTED]	DECIDING OFFICER	<b>Rita Peci</b>
FACS REFERENCE	<b>GIPA18/104</b>	INTERNAL REVIEW OFFICER	

## INFORMATION THAT WAS NOT DISCLOSED

PAGE NUMBER	PUBLIC INTEREST CONSIDERATIONS AGAINST DISCLOSURE						DESCRIPTION OF FOLIO / REASON FOR NON-DISCLOSURE
	Schedule 1 information		Table to Section 14 of the GIPA Act 2009				
	Clause 2(1)(e)	Clause 3(1)(c)	Clause 3(a)	Clause 3(e)	Clause 3(g)	Clause 4(d)	
4 – 5, 7			F	F		F	Briefing note that contains information the disclosure of which would: <ul style="list-style-type: none"> <li>• reveal another individual's personal information.</li> <li>• reveal false or unsubstantiated allegations about a person that are defamatory.</li> <li>• prejudice any person's legitimate business, commercial, professional or financial interests.</li> </ul>
6, 8				P		P	Briefing note that contains information the disclosure of which would: <ul style="list-style-type: none"> <li>• reveal false or unsubstantiated allegations about a person that are defamatory.</li> <li>• prejudice any person's legitimate business, commercial, professional or financial interests.</li> </ul>
20 – 23	F						Briefing note which contains information that reveals the position that a Minister is considering taking on a matter in Cabinet.
24 – 30		F					Briefing note which contains advice on a matter that would reveal information concerning advice to the Executive Council.

# Decision Schedule

ACCESS APPLICANT'S NAME		DECIDING OFFICER	<b>Rita Peci</b>
FACS REFERENCE	<b>GIPA18/104</b>	INTERNAL REVIEW OFFICER	

PAGE NUMBER	PUBLIC INTEREST CONSIDERATIONS AGAINST DISCLOSURE						DESCRIPTION OF FOLIO / REASON FOR NON-DISCLOSURE
	Schedule 1 information		Table to Section 14 of the GIPA Act 2009				
	Clause 2(1)(e)	Clause 5	Clause 1(f)	Clause 1(g)	Clause 3(a)	Clause 3(g)	
31 – 33					P	P	Briefing note that contains information which: <ul style="list-style-type: none"> <li>• reveals another individual's personal information.</li> <li>• would disclose information about a child, which would not be in the child's best interest to have disclosed.</li> </ul>
34					F	F	Briefing note that contains information which: <ul style="list-style-type: none"> <li>• reveals another individual's personal information.</li> <li>• would disclose information about a child, which would not be in the child's best interest to have disclosed.</li> </ul>
36 – 37					F		Letter that reveals another individual's personal information.

# Decision Schedule

ACCESS APPLICANT'S NAME	[REDACTED]	DECIDING OFFICER	Rita Peci
FACS REFERENCE	GIPA18/104	INTERNAL REVIEW OFFICER	

PAGE NUMBER	PUBLIC INTEREST CONSIDERATIONS AGAINST DISCLOSURE						DESCRIPTION OF FOLIO / REASON FOR NON-DISCLOSURE
	Schedule 1 information		Table to Section 14 of the GIPA Act 2009				
	Clause 2(1)(e)	Clause 5	Clause 1(f)	Clause 1(g)	Clause 3(a)	Clause 3(g)	
52			F	F	F	F	Briefing note which contains information that: <ul style="list-style-type: none"> <li>if disclosed, would prejudice the effective exercise of the Department of Family and Community Services' (FACS) functions.</li> <li>was provided and obtained in confidence.</li> <li>reveals an individual's personal information.</li> <li>would disclose information about a child, which would not be in the child's best interest to have disclosed.</li> </ul>
53 – 54					F	F	Briefing note that contains information which: <ul style="list-style-type: none"> <li>reveals another individual's personal information.</li> <li>would disclose information about a child, which would not be in the child's best interest to have disclosed.</li> </ul>
55					P	P	Briefing note that contains information which: <ul style="list-style-type: none"> <li>reveals another individual's personal information.</li> <li>would disclose information about a child, which would not be in the child's best interest to have disclosed.</li> </ul>

# Decision Schedule

ACCESS APPLICANT'S NAME	[REDACTED]	DECIDING OFFICER	Rita Peci
FACS REFERENCE	GIPA18/104	INTERNAL REVIEW OFFICER	

PAGE NUMBER	PUBLIC INTEREST CONSIDERATIONS AGAINST DISCLOSURE						DESCRIPTION OF FOLIO / REASON FOR NON-DISCLOSURE
	Schedule 1 information		Table to Section 14 of the GIPA Act 2009				
	Clause 2(1)(e)	Clause 5	Clause 1(f)	Clause 1(g)	Clause 3(a)	Clause 3(g)	
56					F	F	Letter that contains information which: <ul style="list-style-type: none"> <li>reveals another individual's personal information.</li> <li>would disclose information about a child, which would not be in the child's best interest to have disclosed.</li> </ul>
57 – 58			F	F	F	F	Email transmission which contains information that: <ul style="list-style-type: none"> <li>if disclosed, would prejudice the effective exercise of FACS' functions.</li> <li>was provided and obtained in confidence.</li> <li>reveals an individual's personal information.</li> <li>would disclose information about a child, which would not be in the child's best interest to have disclosed.</li> </ul>

# Decision Schedule

ACCESS APPLICANT'S NAME		DECIDING OFFICER	<b>Rita Peci</b>
FACS REFERENCE	<b>GIPA18/104</b>	INTERNAL REVIEW OFFICER	

PAGE NUMBER	PUBLIC INTEREST CONSIDERATIONS AGAINST DISCLOSURE						DESCRIPTION OF FOLIO / REASON FOR NON-DISCLOSURE
	Schedule 1 information		Table to Section 14 of the GIPA Act 2009				
	Clause 2(1)(e)	Clause 5	Clause 1(c)	Clause 1(e)	Clause 3(a)	Clause 4(d)	
76	P						Briefing note which contains information that reveals the position that a Minister is considering taking on a matter in Cabinet.
81				P			Briefing note which contains information that discloses advice/opinions and recommendations that were exchanged, which relate to the decision-making functions of FACS.
80, 82						P	Briefing note which contains information, the disclosure of which, would prejudice any person's legitimate business, commercial, professional or financial interests.
84 – 90			F	F		F	Briefing note which contains information, the disclosure of which would: <ul style="list-style-type: none"> <li>prejudice relations with, or the obtaining of confidential information from, another government.</li> <li>advice/opinions and recommendations that were exchanged, which relate to the decision-making functions of FACS.</li> <li>prejudice any person's legitimate business, commercial, professional or financial interests.</li> </ul>
91 – 97			F	F		F	Project Agreement where I have consulted a third party in accordance

# Decision Schedule

ACCESS APPLICANT'S NAME		DECIDING OFFICER	Rita Peci
FACS REFERENCE	GIPA18/104	INTERNAL REVIEW OFFICER	

PAGE NUMBER	PUBLIC INTEREST CONSIDERATIONS AGAINST DISCLOSURE						DESCRIPTION OF FOLIO / REASON FOR NON-DISCLOSURE
	Schedule 1 information		Table to Section 14 of the GIPA Act 2009				
	Clause 2(1)(e)	Clause 5	Clause 1(c)	Clause 1(e)	Clause 3(a)	Clause 4(d)	
							with section 54 of the GIPA Act, and they have objected to the disclosure of this information, as disclosure would: <ul style="list-style-type: none"> <li>prejudice relations with, or the obtaining of confidential information from, another government.</li> <li>advice/opinions and recommendations that were exchanged, which relate to the decision-making functions of FACS.</li> <li>prejudice any person's legitimate business, commercial, professional or financial interests.</li> </ul>
98			F	F		F	Letter which contains information, the disclosure of which would: <ul style="list-style-type: none"> <li>prejudice relations with, or the obtaining of confidential information from, another government.</li> <li>advice/opinions and recommendations that were exchanged, which relate to the decision-making functions of FACS.</li> <li>prejudice any person's legitimate business, commercial, professional or financial interests.</li> </ul>
99 – 100			F	F		F	Letter where I have consulted a third party in accordance with section 54 of the GIPA Act, and they have objected to the disclosure of this information, as disclosure would:

# Decision Schedule

ACCESS APPLICANT'S NAME	[REDACTED]	DECIDING OFFICER	Rita Peci
FACS REFERENCE	GIPA18/104	INTERNAL REVIEW OFFICER	

PAGE NUMBER	PUBLIC INTEREST CONSIDERATIONS AGAINST DISCLOSURE						DESCRIPTION OF FOLIO / REASON FOR NON-DISCLOSURE
	Schedule 1 information		Table to Section 14 of the GIPA Act 2009				
	Clause 2(1)(e)	Clause 5	Clause 1(c)	Clause 1(e)	Clause 3(a)	Clause 4(d)	
							<ul style="list-style-type: none"> <li>prejudice relations with, or the obtaining of confidential information from, another government.</li> <li>advice/opinions and recommendations that were exchanged, which relate to the decision-making functions of FACS.</li> <li>prejudice any person's legitimate business, commercial, professional or financial interests.</li> </ul>
101 – 102			F	F		F	Letter which contains information, the disclosure of which would: <ul style="list-style-type: none"> <li>prejudice relations with, or the obtaining of confidential information from, another government.</li> <li>advice/opinions and recommendations that were exchanged, which relate to the decision-making functions of the FACS.</li> <li>prejudice any person's legitimate business, commercial, professional or financial interests.</li> </ul>
103 – 107			F	F		F	Data Reporting under a Project Agreement where I have consulted a third party in accordance with section 54 of the GIPA Act, and they have objected to the disclosure of this information, as disclosure would: <ul style="list-style-type: none"> <li>prejudice relations with, or the obtaining of confidential information from, another government.</li> </ul>

# Decision Schedule

ACCESS APPLICANT'S NAME		DECIDING OFFICER	Rita Peci
FACS REFERENCE	GIPA18/104	INTERNAL REVIEW OFFICER	

PAGE NUMBER	PUBLIC INTEREST CONSIDERATIONS AGAINST DISCLOSURE						DESCRIPTION OF FOLIO / REASON FOR NON-DISCLOSURE
	Schedule 1 information		Table to Section 14 of the GIPA Act 2009				
	Clause 2(1)(e)	Clause 5	Clause 1(c)	Clause 1(e)	Clause 3(a)	Clause 4(d)	
							<ul style="list-style-type: none"> <li>advice/opinions and recommendations that were exchanged, which relate to the decision-making functions of the Department of Family and Community Services (FACS).</li> <li>prejudice any person's legitimate business, commercial, professional or financial interests.</li> </ul>
108 – 111			F	F		F	Internal modelling which contains information, the disclosure of which would: <ul style="list-style-type: none"> <li>prejudice relations with, or the obtaining of confidential information from, another government.</li> <li>advice/opinions and recommendations that were exchanged, which relate to the decision-making functions of the FACS.</li> <li>prejudice any person's legitimate business, commercial, professional or financial interests.</li> </ul>
112 – 122			F	F		F	Discussion Paper which contains information, the disclosure of which would: <ul style="list-style-type: none"> <li>prejudice relations with, or the obtaining of confidential information from, another government.</li> <li>advice/opinions and recommendations that were exchanged,</li> </ul>

# Decision Schedule

ACCESS APPLICANT'S NAME		DECIDING OFFICER	Rita Peci
FACS REFERENCE	GIPA18/104	INTERNAL REVIEW OFFICER	

PAGE NUMBER	PUBLIC INTEREST CONSIDERATIONS AGAINST DISCLOSURE						DESCRIPTION OF FOLIO / REASON FOR NON-DISCLOSURE
	Schedule 1 information		Table to Section 14 of the GIPA Act 2009				
	Clause 2(1)(e)	Clause 5	Clause 1(c)	Clause 1(e)	Clause 3(a)	Clause 4(d)	
							<p>which relate to the decision-making functions of the FACS.</p> <ul style="list-style-type: none"> <li>prejudice any person's legitimate business, commercial, professional or financial interests.</li> </ul>
123 – 125	F						Briefing note which contains information that reveals the position that a Minister is considering taking on a matter in Cabinet.
140						P	Briefing note which contains information, the disclosure of which, would prejudice any person's legitimate business, commercial, professional or financial interests.
145 – 147, 149 – 158	F						Briefing note which contains information that reveals the position that a Minister is considering taking on a matter in Cabinet.
164	P						Briefing note which contains information that reveals the position that a Minister is considering taking on a matter in Cabinet.
166 – 173		F					Briefing note that contains legal advice for which there is an overriding public interest against disclosure on the ground of legal professional privilege.

# Decision Schedule

ACCESS APPLICANT'S NAME		DECIDING OFFICER	Rita Peci
FACS REFERENCE	GIPA18/104	INTERNAL REVIEW OFFICER	

PAGE NUMBER	PUBLIC INTEREST CONSIDERATIONS AGAINST DISCLOSURE						DESCRIPTION OF FOLIO / REASON FOR NON-DISCLOSURE
	Schedule 1 information		Table to Section 14 of the GIPA Act 2009				
	Clause 2(1)(e)	Clause 10	Clause 1(f)	Clause 2(b)	Clause 3(a)	Clause 3(g)	
175 – 177					F	F	Briefing note that contains information which: <ul style="list-style-type: none"> <li>reveals another individual's personal information.</li> <li>would disclose information about a child, which would not be in the child's best interest to have disclosed.</li> </ul>
184					F	F	Briefing note that contains information which: <ul style="list-style-type: none"> <li>reveals another individual's personal information.</li> <li>would disclose information about a child, which would not be in the child's best interest to have disclosed.</li> </ul>
185 – 186		F			F	F	Briefing note that contains information which: <ul style="list-style-type: none"> <li>reveals another individual's personal information.</li> <li>would disclose information about a child, which would not be in the child's best interest to have disclosed.</li> <li>there is a conclusive presumption that there is an overriding public interest against disclosure of information contained in a report to which section 29 of the <i>Children and Young Persons (Care and Protection) Act 1998</i> applies.</li> </ul>

# Decision Schedule

ACCESS APPLICANT'S NAME	[REDACTED]	DECIDING OFFICER	<b>Rita Peci</b>
FACS REFERENCE	<b>GIPA18/104</b>	INTERNAL REVIEW OFFICER	

PAGE NUMBER	PUBLIC INTEREST CONSIDERATIONS AGAINST DISCLOSURE						DESCRIPTION OF FOLIO / REASON FOR NON-DISCLOSURE
	Schedule 1 information		Table to Section 14 of the GIPA Act 2009				
	Clause 2(1)(e)	Clause 10	Clause 1(f)	Clause 2(b)	Clause 3(a)	Clause 3(g)	
187					F	F	Briefing note that contains information which: <ul style="list-style-type: none"> <li>• reveals another individual's personal information.</li> <li>• would disclose information about a child, which would not be in the child's best interest to have disclosed.</li> </ul>
189 – 190, 192				F	F	F	Briefing note that contains information, the disclosure of which: <ul style="list-style-type: none"> <li>• would prejudice the prevention, detection or investigation of a contravention or possible contravention of the law or prejudice the enforcement of the law.</li> <li>• reveals another individual's personal information.</li> <li>• would disclose information about a child, which would not be in the child's best interest to have disclosed.</li> </ul>
191					F	F	Briefing note that contains information which: <ul style="list-style-type: none"> <li>• reveals another individual's personal information.</li> <li>• would disclose information about a child, which would not be in the child's best interest to have disclosed.</li> </ul>

# Decision Schedule

ACCESS APPLICANT'S NAME		DECIDING OFFICER	Rita Peci
FACS REFERENCE	GIPA18/104	INTERNAL REVIEW OFFICER	

PAGE NUMBER	PUBLIC INTEREST CONSIDERATIONS AGAINST DISCLOSURE						DESCRIPTION OF FOLIO / REASON FOR NON-DISCLOSURE
	Schedule 1 information		Table to Section 14 of the GIPA Act 2009				
	Clause 2(1)(e)	Clause 10	Clause 1(h)	Clause 1(g)	Clause 3(a)	Clause 3(g)	
194	N/A	N/A	N/A	N/A	N/A	N/A	Document which contains information that does not fall within the scope of your request. Therefore, I have not considered the disclosure of this page in accordance with the <i>Government Information (Public Access) Act 2009</i> .
195 – 197			F		F	F	Briefing note that contains information, the disclosure of which: <ul style="list-style-type: none"> <li>• would prejudice the conduct, effectiveness or integrity of an investigation conducted by FACS by revealing its conduct and results.</li> <li>• reveals another individual's personal information.</li> <li>• would disclose information about a child, which would not be in the child's best interest to have disclosed.</li> </ul>

**Sensitive****Briefing for Minister Goward: for information**Commissioning  
Partnerships

EAP18/1085 (EMN18/840)

## Social and Affordable Housing Fund Phase 2 EOI Process

- Topic** Social and Affordable Housing Fund (SAHF) Phase 2 – Release of the Expression of Interest (EOI) and next steps.
- Analysis** The FACS Secretary has approved the release of the SAHF Phase 2 EOI to the market on 7 February 2018 following endorsement by the SAHF Program Advisory Board. The EOI will be open for 6 weeks.
- To note by** 6 February 2018

Minister's signature



Date

6/2/18

### Recommendation: for information only

---

### Key issues

---

The Invitation for Expression of Interest (EOI) marks the formal commencement of the procurement process for SAHF Phase 2 in accordance with the timeline detailed at the Phase 2 Market Briefing by Government on 18 October 2017.

This Invitation for SAHF Phase 2 (SAHF Phase 2) EOI will be issued by FACS on behalf of the NSW Government on 7 February 2018 subject to the FACS Secretary approval.

The implementation of SAHF Phase 2 is a major NSW Government initiative seeking innovative proposals from the private and non-government sectors targeting 1,200 additional social and affordable housing dwellings linked to coordinated support. The SAHF Phase 2 was approved in the ERC decision No SC0024-2016, dated 29 August 2017 as the next phase for the SAHF Program, and will contribute to the outcomes and goals set out in *'Future Directions for Social Housing in NSW'*.

In compiling the SAHF Phase 2 EOI, FACS with the support of Treasury NSW and SAHF Phase 2 external advisors have:

1. Undertaken a market engagement process with SAHF Phase 1 participants, financiers and institutional investors. Additionally FACS delivered presentations to peak bodies and associations that are relevant to the Social and Affordable Housing sector during December 2017.
2. Reviewed the SAHF Phase 1 Commercial Principles and lessons learnt for SAHF Phase 1 with the view to improving the SAHF Phase 2 process by reducing bid costs and broadening participation in SAHF Phase 2;

**Sensitive**

**Briefing for Minister Goward: for information**

3. Amended the rationale under Section 8 of the SAHF Phase 1 Commercial Principles which allows FACS the right to terminate a Service Agreement at its convenience (i.e. not for cause). The change in the Voluntary Termination Payment calculation will allow coverage of the Service Co's financial obligations to the extent that they are not able to be discharged via the residual value of any SAHF Phase 2 assets. This change has been approved by the PAB and the Secretary of the Treasury.

The SAHF PAB has endorsed the EOI to the Secretary in an out of session meeting on 2 February 2018.

**SAHF Phase 2 Program**

The program for the SAHF Phase 2 procurement is detailed below. It is anticipated that SAHF Phase 2 will seek ERC approval in Sept-Oct 2018 for preferred proponents to enter contract negotiations. Additional ERC approval may be required prior to contract award if, in accordance with Section 3.2 of the NSW PPP Guidelines, any material aspect of the negotiation parameters previously approved by Cabinet cannot be met.

Phase	Program announced 18 October 2017	Actual/Forecast Program date	Current Status
Market Engagement	Oct 2017 to Late Jan early Feb 2018	Dec 17 to Jan 2018.	Complete – Market Briefing 13/2/18
EOI	February to May 2018	F/cast - 7 February 2018.	On Track - 6 week EOI period.
RFP	May to Oct 2018	Late May to end of July 2018	Preparing RFP documents.
Contract Finalisation & Completion	Oct to Dec 2018	Oct to early Dec 2018.	Yet to commence.

**Risks**

The PAB will be briefed monthly on SAHF Program risks and associated risk mitigation strategies. Three key risks are detailed below.

**Reputational Risk** - SAHF Phase 1 drew some criticism for the complexity and amount of material requested in the procurement process which resulted in high bid costs.

SAHF Phase 2 EOI asks entities to demonstrate their capacity and capability in meeting the program objectives, the indicative size of their response and location(s) where known or at least the Local Government Areas they wish to deliver a Service Package.

This has significantly reduced the size and complexity of the EOI and reduced the number of returnable schedules that require a response from respondents from 10 in Phase 1 to 5 in SAHF Phase 2.

Similarly, the level of detail for each schedule has been reduced to information that is strictly required for evaluation to reduce the need for respondents to pay for specialist advice.

**Delivery Risk** – some financiers have indicated during the market sounding process that they will not be able to close financially in December 2018 due to the amount of expected work in the market in late 2018. The SAHF Phase 2 program will endeavour to identify proposals that can be closed by the December 2018 program date set by Government.

**Procurement and Probity Risk** – A Procurement Plan with Probity Plan has been approved by the SAHF PAB which will be reviewed throughout the procurement. OCM has been appointed as Probity Advisors to the SAHF Phase 2. Additionally Probity advice has been provided to the Minister's Office and DPC for other relevant Offices.

**Briefing for Minister Goward: for information****Next Steps**

1. FACS will hold a Market Briefing on 13 February at the PwC Office to signal the end of the SAHF Phase 2 Market Sounding phase;
2. The EOI will be open for 6 weeks from its release date;
3. Late registration to the SAHF Phase 2 EOI is available until 1 March 2018;
4. EOI evaluation will commence from EOI close with shortlisted respondents identified by 30 April 2018.

**Attachments**

Tab	Title
A	SAHF Phase 2 EOI

**Approval**

Role	Electronic approval by	Date
Director – SAHF Phase 2 Project	Timothy Hall	05/02/2018
Director SAHF	Marcus Devenish	05/02/2018
Executive Director, Partnerships	Eleri Morgan-Thomas	06/02/2018
Deputy Secretary, Commissioning	Deidre Mulkerin	06/02/2018
Secretary FACS	Michael Coutts-Trotter	

Pages 4 through 5 redacted for the following reasons:

-----  
Withheld in full - refer to schedule

## Further analysis

---

### Section 5 Performance Audit and Review

Subject to the onsite information to be reviewed, the review is expected to be completed within 45 days from the Review start date. See TAB B for timeline estimate.

The Funding Deed allows for the provider to respond to the review. FACS will then either issue a notice closing the review or require the provider to remedy any breaches of the funding deed. An update will be provided to the Minister once the review is completed.

### Financial impact

To be determined in the Review.

### Risks / contentious issues

There is a low reputational risk to the NSW Premier regarding improper references in ██████████ communication.

There is a low risk of FACS funds being used inappropriately.

### Consultation and communication strategy

Nil

## Attachments

---

Tab	Title
A	Copy of complaint
B	Review timeline (estimate)

## Approval

---

Role	Electronic approval by	Date
Manager Prudential Oversight	David Whyte	31/01/2018
Executive Director Partnerships	Eleri Morgan-Thomas	31/01/2018
Deputy Secretary Commissioning	Deidre Mulkerin	05/02/2018
Secretary	Michael Coutts-Trotter	For Information Only

Page 7 redacted for the following reason:

-----  
Withheld in full - refer to schedule

**Tab B [REDACTED] Performance Audit and Review Timeline**

Please note the timeline below is an estimate only and may be reduced or increased depending on the quantity and availability of information available in the onsite review, follow up questions by FACS and or [REDACTED]

**Review timeline**

Review Action	Estimated timeline
Onsite review	3-5 days
Analysis of on site review information (off site)	5 days
Draft of report	5 days
Service Provider Review of Report	10 days
FACS review of service provider response	5 days
FACS decision	3 days
Remedy negotiations	5 days
Negotiation of a Performance Improvement Plan if required	5 days
<b>Total estimated time</b>	<b>43 days</b>



## Waterloo Redevelopment – Overview from Visioning

**Topic** Waterloo Redevelopment - providing the community with a broad overview of the feedback from the visioning engagement program.

**Analysis** FACS recently completed the visioning engagement program with approximately 1,570 participants engaging in over 40 visioning events and activities.

The feedback received from the visioning engagement program, along with findings from the technical studies will guide the formation of the master plan.

FACS will provide high level feedback from the visioning engagement program to residents and other stakeholders in the form of a newsletter (see TAB A) ahead of the visioning report, which is expected to be finalised in February 2018.

**To note by** Priority. To be noted by Friday, 9 February for distribution week commencing 12 February.

Minister's signature

Noted also

TOM WATSON

Date

13/2/18

### Recommendation: for information only

### Key issues

#### Background

In May 2017, the Minister for Planning announced Waterloo as an SSP. The SSP area includes 2,102 social housing dwellings on the Waterloo social housing estate; the development above and around the Sydney metro station at Waterloo (known as the metro quarter) and 110 private properties within the SSP area.

Plans for the development of the metro quarter are being prepared as an integral part of the plans to redevelop the Waterloo estate to ensure an integrated and well connected community that meets the needs of new and existing residents. Sydney Metro is building the new metro station underground and they are handling community engagement about the metro line and the construction works for the metro station.

FACS has been engaging with the community since the plan to redevelop Waterloo was announced in December 2015. The objective of this engagement was to prepare the community for the master planning consultation program.

In announcing Waterloo as a potential SSP, the Department of Planning and Environment (DPE) issued study requirements including consultation requirements that FACS had to

**Briefing for Minister Goward: for information**

complete to inform the master plan (TAB B). The master planning consultation program consists of:

- Visioning – that articulates community expectations, needs, hopes and aspirations for the future of the SSP area including the design options
- Announcement of the Principles of Redeveloping Waterloo
- Options testing – that involves community feedback on design options to determine a preferred master plan for the SSP area
- Presentation of the preferred master plan to the community prior to formal lodgement with DPE

**The visioning engagement program**

In early October 2017, FACS issued a newsletter to the consultation area (TAB C), inviting residents and stakeholders to a series of events and activities from October 2017 – December 2017. The aim of the visioning engagement program was to seek resident and stakeholder feedback, input and views on their needs, hopes and aspirations for the future to inform the design options. Advertisements were also placed in the South Sydney Herald and Koori mail and posters and reminder cards were also distributed throughout the program. The Communities Plus website was also a source of information.

The visioning engagement program saw approximately 1,570 participants attend activities and events from across the Redfern/Waterloo area. This included:

- A Community day (approx. 400 people)
- 5 pop up information stalls (approx. 330 people)
- 22 Workshops (approx. 222 people)
- 455 surveys completed
- 13 targeted community conversations with youth, the elderly, CALD communities and local Aboriginal NGOs (approx. 148 people)
- Engagement postcards completed (15)

Engagement activities were targeted at social housing residents, private residents in the SSP and the broader community, the large Russian and Chinese speaking communities, and younger and older people to ensure all voices were heard. A separate Aboriginal community engagement program was also undertaken to seek input from local Aboriginal people and organisations.

Themes emerging from participants that will help shape the master plan include:

- Celebrating and recognising the diversity of community life in Waterloo
- Recognising the importance of Aboriginal culture and heritage across built and natural environments
- Achieving high quality modern urban design providing a range of housing for people at various life stages
- Prioritising public transport and creating a safe, walkable community with good access within the precinct and to surrounding areas
- Providing a diversity of open green spaces to accommodate the varied needs of the community
- Improving access to community and retail services and providing wrap-around support services for the more vulnerable social housing residents.

### Briefing for Minister Goward: for information

Throughout the engagement program, consistent feedback from social housing residents focussed on how the staging of the redevelopment will be managed. Details about the staging will align with options testing.

Also throughout the engagement program, FACS has emphasised the following key facts to social housing residents:

- The redevelopment of Waterloo will be staged over 15-20 years.
- The master planning process will take approximately 12 months and will help determine the mix of social, affordable and private housing.
- There will be no loss of social housing. All current social housing residents have the right to return to the Waterloo estate.
- FACS will contact each resident 6 months before relocating and will work with residents throughout the relocation process. There will be no relocations in 2018.
- The intention is for the majority of residents to be able to move from their current homes straight into new social housing as buildings are completed.
- A human services plan will be developed in parallel with the master planning process to support residents particularly the more 'vulnerable' health, safety and wellbeing.

### The visioning communications program

A newsletter (TAB A) has been prepared for distribution to the consultation area (refer to TAB C). LAHC indicated during the consultation sessions that it would issue a newsletter providing a high level summary of feedback we received during the visioning engagement program. It was also communicated this newsletter would be distributed ahead of the visioning report. The visioning report is expected to be completed in February 2018.

The newsletter outlines the following:

- Infographics showing how many people participated in the visioning program and the types of engagement events and activities that were held across the Waterloo area
- A snapshot of what people said based on the five master planning themes
- The next steps in the master planning process including further engagement opportunities in 2018, and
- Details on where the community can access further information.

The visioning report will summarise feedback and outcomes from the events and activities and provide a detailed analysis of the survey. It will provide a framework to inform the master plan and reflect the community's priorities and aspirations for the future.

It is anticipated that a summary report/brochure be produced from the visioning report and both this brochure and the visioning report be posted on the Communities Plus/Waterloo website.

### Next steps

The next phase of community engagement is *options testing* of design plans. This will involve a more targeted community engagement approach by way of focus groups and drop in sessions during April 2018. This will be the subject of a separate briefing note outlining the options testing engagement program and communication strategies.

### Other communication methods

The main non-English speaking communities in Waterloo are Russian and Chinese, therefore the newsletter will be translated in these languages. The newsletter will also be posted on the Communities Plus/Waterloo website and emailed to local NGO groups.

**Briefing for Minister Goward: for information****Further analysis**

---

**Stakeholders**

The City of Sydney has provided funding to the Waterloo Public Housing Action Group (WPHAG) Future Planning Centre to conduct a series of community engagement workshops.

On 21 December 2017, WPHAG launched it's #20/20VisionWaterloo project. This project is a tenant led, 'peer to peer' project in partnership with the City of Sydney and TAFE NSW where tenants engage with other tenants regarding the redevelopment. This program of workshops has been developed in consultation with LAHC. WPHAG will provide a report to LAHC of the workshop outputs and this will be incorporated into the master planning process.

**Financial impact**

Nil impact

**Risks / contentious issues**

Nil

**Attachments**

---

Tab	Title
A	Waterloo redevelopment newsletter – February edition
B	Consultation Study Requirements
C	Newsletter distribution area

**Approval**

---

Role	Electronic approval by	Date
Executive Director, Communities Plus	Peter Anderson	On file
Director, ODS	Rodney Hodder	On file
Deputy Secretary	Anne Skewes	On file

### Thank you to everyone who has provided their views on the future of Waterloo



#### Let's Talk Waterloo - Overview of the visioning community engagement program

The level of engagement has been strong, highlighting what people value and how much they care about their local community. This newsletter provides a broad overview of the feedback, with the report on the visioning process, currently being prepared.

#### The community engagement program

Land and Housing Corporation, part of the Department of Family and Community Services (FACS), is working with UrbanGrowth NSW Development Corporation (UGDC) to prepare the master plan for the Waterloo Redevelopment Precinct. The master planning process will be guided by input from the community, starting with the development of a vision for Waterloo.



The visioning engagement program, conducted over October, November and December 2017, was about understanding the views and aspirations of people living in the area, and what they would like to see for Waterloo over the next 15–20 years.

This also included engaging with the local Aboriginal community to understand the specific views and needs for Aboriginal people.

The next stage of the community engagement program is testing options of plans with the community in the first half of 2018. From this, FACS will have a better indication of the staging of the redevelopment.

The community engagement program is designed to provide residents and the community with a range of ways of getting involved, making sure as many people as possible are able to have their say.



# A quick snapshot

As part of the visioning phase, we engaged with:



over 50% of participants were social housing residents living on the Waterloo social housing estate

The ways that people engaged were:



Newsletters distributed inviting the Waterloo community to visioning events and activities including the **2,012** social housing properties on the Waterloo estate

# Ways people could have their say

The visioning engagement program was structured around the five themes, as outlined on the next page.

Over 40 events and activities were held across the Waterloo area ranging from:

<b>Workshops</b>	<b>Community day</b>	<b>Pop-up stalls</b>	<b>Community conversations</b>	<b>Survey and postcard</b>
				
- conversations about the future of Waterloo and what is working in the community now.	- a day for the family to have their say and get involved.	- a quick chat about the redevelopment and to have a say on the future of Waterloo.	- focused conversations with specific community groups of interest.	- a series of questions that captured peoples views about Waterloo.

## Community Day on Waterloo Green

Waterloo's community spirit was on display at the Community Day held on 28 October which was a lively, vibrant and positive gathering. Approximately 400 people joined together - with children participating in different activities, others enjoying the food and entertainment on offer and many taking the opportunity to find out more, express their views and discuss the future of Waterloo.

## What did people say?



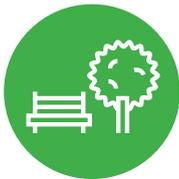
### Culture and community life

Waterloo's diversity, inclusiveness and community spirit make it unique and people want to retain and strengthen these elements for the future. The feedback from the consultations has emphasised the importance of culture and community life in Waterloo, particularly recognising the Aboriginal culture and heritage across the built and natural environments.



### Housing and neighbourhood design

There is support for a mix of social, affordable and private housing, and high quality urban design providing a range of housing for people at different life stages. The community also want accessible and safe green spaces and a place that people of all ages and abilities can move around safely and easily.



### Environment and open spaces

Safe green open spaces, trees and sunlight are essential to community wellbeing. Feedback included recognising Waterloo's green spaces and trees as well as designing open spaces to accommodate active and passive activities, such as community gardens, playgrounds, resting areas and off-leash dog areas.



### Community services, facilities, and shops

Participants value the support they get from existing community services. Some things that were highlighted for the future redevelopment was improved access to government services, financial, health and retail facilities located around the new metro station. The need for wrap around services and better support for people with complex needs was a consistent theme.



### Transport, streets and connections

The central location and public transport options, including the new metro station are key elements that make Waterloo a great place to live. Improvements suggested including community transport options connecting to services and amenities; safer walking paths; separate cycleways and overpasses and improved parking, especially for community support and emergency services.

**This is just a quick snapshot of some of the things people said.**

## Key facts

The master planning process, to be completed by late 2018, will lay the groundwork for the staged creation of a community of private, affordable and social homes over the next 15-20 years. Community consultation will continue through every phase of the project.

Throughout the engagement program, FACS has emphasised the following key facts to social housing residents:



The redevelopment of Waterloo will be staged over 15-20 years.



The master planning process will take approximately 12 months and will help determine the mix of social, affordable and private housing.



There will be no loss of social housing. The NSW Government has stated that all current social housing residents have the right to return to the Waterloo estate.



FACS will contact each resident 6 months before relocating and FACS will work with residents throughout the relocation process. There will be no relocations in 2018.



The intention is for the majority of residents to be able to move from their current homes straight into the new social housing as buildings are completed.



A human services plan will be developed in parallel with the master planning process to support residents' health, safety and wellbeing.

## Next steps

- The report on the visioning process is currently being prepared. From this will come the principles to guide the development of the master plan.
- This will then lead us to testing of plans which will be discussed with the community in the first half of 2018.
- Following this, a preferred master plan will be prepared and there will be further community engagement, highlighting how feedback on the options has been considered.
- The preferred master plan will then be finalised in late 2018 and will be submitted to Department of Planning and Environment (DPE) who, along with the City of Sydney, will review the plan.
- DPE will put the plan on public exhibition, inviting comments from everyone and then assessing the plan with the City of Sydney before making a recommendation to the Minister for Planning.

A human services plan to support residents' health, safety and wellbeing is also being developed in collaboration with residents, non-government organisations and with whole of government involvement.

Staff at Waterloo Connect are also available to provide information and support – see contact details below.



To get the right information please go to [www.communitiesplus.com.au/waterloo](http://www.communitiesplus.com.au/waterloo) or contact **Waterloo Connect**, Shop 2, 95 Wellington Street, Waterloo

Monday to Friday 10am-4pm

**Email:** [waterlooconnect@facs.nsw.gov.au](mailto:waterlooconnect@facs.nsw.gov.au)

**Phone:** 1800 738 718

## STUDY REQUIREMENTS:

### 27. Consultation

27.1. During the preparation of the study undertake an appropriate and justified level of consultation with Council, other relevant State and Federal government agencies, non-government service providers and community stakeholders.

27.2. Align consultation with IAP2 core values and demonstrate guiding principles of community engagement including integrity, clarity, scope and purpose, inclusiveness, accessibility to all those affected, genuine dialogue and open discussion and opportunity for influence.

27.3. Consultation is to be evaluated against its appropriateness, reach and achievement of intended consultation outcomes.

27.4. Consultation is to address key aspects of the proposal including spatial arrangement of development, staging, open space, amenity, transport, community facilities and community resilience to manage change.

27.5. Include a capacity building and education process to prepare communities and community groups to participate in the planning process.

27.6. Engage with relevant target groups including housing tenants, tenants with complex needs, Aboriginal and Torres Strait Islander community, linguistically and culturally diverse communities, neighbouring residents, landowners, workers and students, local businesses, local community organisations and local service providers through appropriate, independent, safe and culturally respectful channels.

27.7. Host at least 2 (two) workshops, to be professionally facilitated, which involve private landowners, the Department and Council with the intent of understanding private landowner aspirations and how they will be considered as part of the proposal. The timing of workshops is to be agreed at the earliest opportunity with the Department and Council in order to allow workshop outcomes to inform the Vision and Options for the project.

27.8. Adequate and ongoing consultation with the local Aboriginal and Torres Strait Islander community is recommended, particularly for heritage assessments and Social Sustainability Assessment and Economic Development, Local Retail and Services Study.

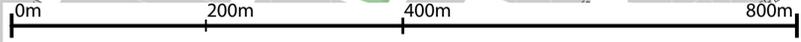
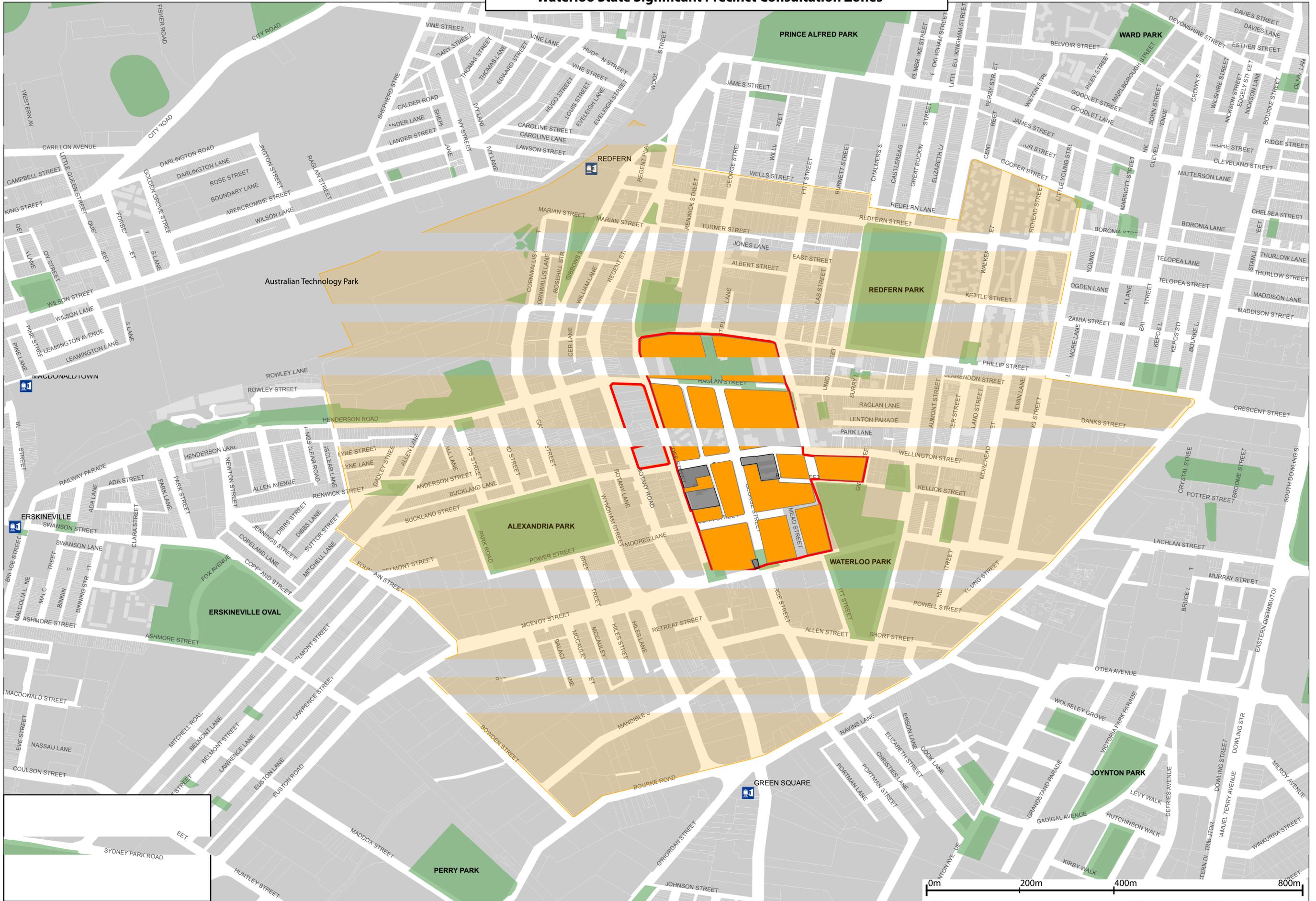
27.9. Provide a summary report of the general outcomes of early consultation and how the outcomes have been incorporated into the proposal (or justification where outcomes have not been incorporated into the proposal). The report should contain a specific section summarising the outcomes of private landowner workshops, demonstrating how the findings from these workshops have been considered as part of the proposal, and how the proposal

results in a fair and impartial distribution of development potential between private and government-owned land.

27.10. Provide evidence of consultation (including letters, minutes of meetings, charrette/drop in event summaries and formal advice) with Council, government agencies and adjoining landowners.

-----

### Waterloo State Significant Precinct Consultation Zones



Pages 20 through 30 redacted for the following reasons:

-----  
Withheld in full - refer to schedule

Sensitive



Family & Community Services

Briefing for Minister Goward: for information

Cross Cluster Issues Management  
Operations and Business Support

EAP18/1098

[Redacted] of child by mother - [Redacted]

Topic

[Redacted]

Analysis

[Redacted]

[Redacted]

[Redacted]

A review of the circumstances leading to the [Redacted] and action to prevent future similar incidents has occurred.

To note by 2 February 2018

Minister's signature

Date

5/2/18

Recommendation: for information only

Key issues

Summary of Incident

[Large redacted area]

Sensitive



**Further analysis**

**Actions taken by FACS to analyse the incident and review procedures.**

Given the gravity of the incident, [redacted] undertook a review around this incident to determine risk points and identify better security measures. The review was led by the Manager Client Services and included various specialist and casework staff.

A Client Context Risk Management Tool (CCRM) tool is used to identify and prevent client initiated violence during birth family contact. In this particular situation the CCRM was developed soon after [redacted]

Blocking the exit doorway was considered as a potential strategy by the contact staff, however there were also concerns that this may cause [redacted] to feel trapped, which may have heightened [redacted]. This strategy was not employed.

There are no security guards at the CSC and this will be considered as a matter of course where there is a history or threats made of a [redacted]. Security will be positioned outside the exit door of the family room, in the foyer; and would be briefed about what to do should the mother exit with a child.

With the introduction of Child Story the CCRM tool is now known as the Client Context Risk Assessment. The change from KIDS to Child Story was not a significant factor in this matter.

**Future actions to mitigate against similar incidents**

As well as the possible use of security guards for contact visits involving a parent that is a risk of [redacted] there are a number of local and statewide actions being taken to inform all staff in order to mitigate risks of similar incidents.

Within the District,

- 1. Policy and guidelines have been re-distributed to all [redacted]

**Briefing for Minister Goward: for information**

- 2. The incident, and policy and procedures around contact visits will also be discussed at the next district managers meeting
- 3. Managers will review the CCRM protocol which requires distribution to relevant personnel when risk is identified. There will also be a tracking process introduced at weekly management meetings to ensure risk is reviewed as required. Refresher training will be offered to clarify what staff are to do when a similar incident occurs. Pursuing an [redacted] was not advised as it was a potential further risk to staff

**Statewide**

- 1 CCRM's will be provided to the WHS Coordinator for review for any suggestions that could assist and this would then be of value to the rest of the state
- 2 It is proposed that the incident and procedures and policy for these situations will be discussed at the next Director Community Services Forum

**Contact Arrangements**

[redacted]

**Staff Support**

On [redacted] staff at [redacted] were sent an email encouraging them to contact the Employee Assistance Program (EAP) if they were distressed, overwhelmed or would like to discuss the incident.

**Background**

Child	DOB	Aboriginal	Mother	Father	Legal status	Current carer
-------	-----	------------	--------	--------	--------------	---------------

[redacted]

**Entry into care**

[redacted]

[redacted]

[redacted]

Chronology of Legal matters:

Date	Action
------	--------

[redacted]

Page 34 redacted for the following reason:

-----  
Withheld in full - refer to schedule

Briefing for Minister Goward: for information

## Approval

---

Role	Electronic approval by	Date
Senior Project Officer	Peggy Armstrong	1/2/2018
Executive Director / District Director	Susan Priivald	1/2/2018
Deputy Secretary Northern	Simone Walker	02/02/2018
Secretary	Michael Coutts-Trotter	02/02/2018

Pages 36 through 37 redacted for the following reasons:

-----  
Withheld in full - refer to schedule

## Community Housing Complaints Management

<b>Topic</b>	This briefing note provides information on the management of community housing complaints to Members of Parliament (MPs) and their electorate offices in areas where Whole of Location transfers are being implemented under the Social Housing Management Transfer Program.
<b>Analysis</b>	<p>This briefing note and attached communication explains the avenues of complaints available to community housing tenants. Most importantly it encourages MPs to directly liaise with community housing providers in their areas and try to resolve constituent's complaints locally before writing to the Minister.</p> <p>Content once approved by the Minister will be customised for each MP so printable versions are ready for distribution by the Minister's Office.</p>
<b>Approval by</b>	N/A.

### Recommendations

- Note** the proposed approach to community housing complaints management due to the Social Housing Management Transfers (SHMT) Program.
- Approve** content of the attached letter and frequently asked questions

Minister's approval	Date

### Key reasons

As a result of the implementation of the SHMT Program the number of properties managed by community housing will increase significantly. This will result in a corresponding increase in the number of complaints and Ministerial correspondence received against community housing providers (CHPs). Unlike complaints received for services delivered by FACS where direct control can be exercised on the outcome, responses to community housing complaints usually ask the MP to refer the client to the relevant CHP as they are the tenancy manager and can take appropriate action. Most of the operational matters can be resolved through better communication between the MP and the CHP at a local level without escalation to the Minister.

The attached letter (**Tab A**) encourages Members of Parliament to direct community housing complaints to the relevant CHP as these are independent organisations who respond to complaints regarding service, standards, practices or policies. CHPs welcome all feedback, including complaints, as it helps them to improve services and be accountable to applicants and tenants. The Frequently Asked Questions (**Tab B**) provides useful information on community housing complaint management processes.

### CHP Obligations

As with public and Aboriginal housing, community housing offers secure, affordable rental housing for people on very low to moderate incomes, with a housing need.

A CHP, as a landlord, is responsible for all tenancy management issues including meeting obligations under the Residential Tenancies Agreement. CHPs manage their tenancies and

**Briefing for Minister Goward: for approval**

client entitlements in accordance with the Residential Tenancies Act 2010 and their own individual policies. Part of a CHP's role is to deal with complaints in relation to housing under its management.

CHP tenants have multiple avenues of complaint resolution available to them including contacting their provider, requesting a review by a senior officer or Chief Executive Officer, review by HAC (in case of an appeal of decision made by the provider) and lodging an application with NSW Civil and Administrative Tribunal (NCAT).

CHP tenants can also lodge feedback/complaints by writing to the CHP Board, FACS, the Minister for Family and Community Services, the Tenancy and Advocacy Service, local Members of Parliament and Community Justice Centres. Certain complaints can also be sent to Australian Investment and Securities Commission (ASIC) or the Australian Charities and Not-for-profits Commission (ACNC), NSW Registrar of Community Housing and the NSW Federation of Housing Associations.

**Current complaint pathway for CHP tenants as per the '3 level model'**

A complaint is an expression of dissatisfaction with a housing service which requires resolution or response. The Standard (AS/NZS10002:2014) defines complaints as "expressions of dissatisfaction made to or about an organisation related to its products, services, staff, or the handling of a complaint, where a response or resolution is explicitly or implicitly expected or legally required."

All registered CHPs are required to make information about complaints processes accessible to community housing clients in addition to providing information to applicants and tenants about external avenues for making a complaint.

As CHPs are independent organisations, the internal complaints procedures will slightly differ from organisation to organisation, but the fundamental principle and practice is required to be consistent.

The current complaint management system in use by community housing providers includes three levels of review in accordance with the Australian and New Zealand Standard 'Guidelines for complaint handling in organisations' (AS/NZS ISO 10002:2014) including:

- **Level 1** - Community housing tenants and applicants must first seek to resolve any issues regarding tenancy management, access and applications management and service complaints directly with their CHP. They can do this in person, in writing, by telephone or by completing an online complaint form with their CHP.
- **Level 2** - Community housing clients can also write to the Chief Executive Officer or the Board of the CHP if they are not happy with the response received from the administrative staff (second level).
- **Level 3** – the Community Housing Complaints Escalation Map (**TAB C**) provides details of external review options as per the Australian and New Zealand Standard Guidelines for complaint handling in organisations advocated by the Ombudsman. The main ones are:
  - Tenants have rights under the terms of their Residential Tenancy Agreement and if they consider that the provider has not acted within the terms of the agreement, they are able to take their matter to the NCAT. FACS has no part in the decision making of NCAT.
  - The Registrar of Community Housing may be able to investigate the complaint/issue if it relates to the legislative requirements in the Registrar's jurisdiction. The Registrar will consider all complaints they receive to examine whether, if substantiated, the issues raised may indicate non compliance by the registered community housing provider with national legislation. The Registrar does not have the power to resolve individual disputes.

It is important to note that community housing providers already operate based on a three tiered system in case of an appeal of a decision. Appeals are defined by the Housing

**Briefing for Minister Goward: for approval**

Appeals Committee (HAC) as: “requests for a merits review of a decision to provide or not provide a housing service.”

A merits review means that the person conducting the review puts themselves in the position of the original decision maker and considers the evidence from a fresh perspective. The person conducting the review will then decide whether the correct decision was made in the first place, or whether a preferable decision should be made.

In short, an appeal is a request for a review of a decision made about a client’s housing. This includes decisions relating to eligibility, rent assessment, transfers, pets, or tenant charges.

Appeals may be made by community housing clients, or guardians or advocates on their behalf. The list of HAC appealable issues can be found on the HAC website.

**Further analysis**

---

**Number of CHP tenant complaints and the estimated impact of the Social Housing Management Transfer Program**

The Community Housing and Pathways Unit within FACS is responsible for responding to complaints, raised from whatever source, regarding issues with community housing. The unit will investigate issues presented to it to ensure providers are operating within the terms of the lease of the property and the Community Housing Assistance Agreement. If the unit considers that the provider is not operating within its agreements, it can initiate compliance action or direct the CHP to address the situation. FACS is also able to refer matters for further investigation to the Registrar of Community Housing.

Complaints are received through various sources. This can include Members of Parliament on behalf of a constituent addressed to the Minister for FACS, tenants, advocates or private individuals writing directly to the Minister or to FACS.

The Community and Pathways Unit received 93 complaints regarding community housing between January and August 2017. The majority of these related to transfers, housing applications, antisocial behaviour and rent calculation.

This number is low considering there are more than approximately 32,000 social and affordable housing properties currently under management by 83 community housing providers registered under the National Regulatory System for Community Housing.

The Community Housing and Pathways Unit, through its relationships with providers, is able to negotiate with providers where it is considered that a provider has not been timely in their actions or where a decision could be reviewed in the best interests of the tenant, without compromising the terms of the lease agreement.

The amount of complaints received by the Community Housing and Pathways Unit is expected to rise by approximately 50% with the transfer of the management of approximately 14,000 properties to CHPs as part of the Social Housing Management Transfers Program.

**Financial impact**

Nil impact.

**Risks / contentious issues**

Nil risks.

**Background**

---

On 6 October 2016 the Minister for Social Housing announced that FACS would transfer, on a long term leasehold basis, management of approximately 18,000 properties to the community housing sector under the *Future Directions for Social Housing in NSW* strategy.

**Briefing for Minister Goward: for approval**

The majority of these properties (approximately 14,000) will be transferred to organisations who have won this business through an open competitive tender process conducted by FACS, as part of the Social Housing Management Transfers (SHMT) Program in 2017.

The number of complaints received by the Community Housing and Pathways Unit is expected to rise by approximately 50% with the transfer of the management of approximately 14,000 properties to CHPs as part of the Social Housing Management Transfers Program.

**The Registrar of Community Housing**

The Registrar for Community Housing is responsible for registering and regulating CHPs in NSW under the National Regulatory System for Community Housing. The Registrar reports directly to the Minister for Family and Community Services.

To achieve registration, a CHP must satisfy the Registrar that they have complied with the requirements of the National Regulatory Code. The Regulatory Code requires the CHP to be “fair, transparent and responsive in delivering housing”, including in relation to: “managing and addressing complaints relating to the provision of housing services” (performance requirement 1f).

The performance indicators for this outcome include that the CHP:

- ensures information on making complaints is readily available and promoted to tenants;
- manages complaints promptly and fairly;
- regularly monitors the effectiveness of its complaints system.

The Registrar assesses whether complaints are managed so that there are no significant and ongoing or repeated failures in promptness and fairness.

**Consultation and communication strategy**

Input previously received from the Registrar for Community Housing on this topic has been used in finalising this brief.

**Attachments**


---

Tab	Title
A	Letter – Advice to Members of Parliament
B	Frequently Asked Questions – Community Housing Complaints Management
C	Diagram - Complaints Escalation Pathway

---

Briefing for Minister Goward: for approval

## Approval

---

Role	Electronic approval by	Date
Program officer	Jessica Bayley	23/01/2018
Project Manager	Darren Saint updated	23/01/2018 30/01/2018
Director	Humair Ahmad updated	29/01/2018 30/01/2018
Deputy Secretary	Paul Vevers	31/01/2018



## The Hon Pru Goward MP

Minister for Family and Community Services

Minister for Social Housing

Minister for the Prevention of Domestic Violence and Sexual Assault

EAP18/810

Name  
Address  
SUBURB NSW Postcode

Dear Mr/Ms Name

I am writing about the community housing complaints management process within the context of the Social Housing Management Transfers (SHMT) Program.

On 6 October 2016 the Minister for Social Housing announced that FACS would transfer, on a long term leasehold basis, management of approximately 14,000 properties to the community housing sector. An open competitive tender process was conducted by FACS (in May 2017), as part of the SHMT Program. I announced the successful proponents on 17 October 2017. Transition of business from FACS to the community housing providers is expected to complete before December 2019.

In your electorate, the incoming SHMT Program provider/s are: <CHP name> and properties will transfer to them in Quarter <x> of <year>.

<CHP name> can be contacted at <telephone number> and <website>.

Whilst satisfaction levels among community housing tenants are high, there will be some tenants who will wish to raise matters with your office.

I encourage you to direct your constituents' community housing complaints to their relevant community housing provider (CHP) in the first instance to resolve issues at a local level if possible. Unresolved issues can consequently be escalated to my office as required.

CHPs are independent organisations who respond to complaints regarding service, standards, practices or policies. CHPs welcome all feedback, including complaints, as it helps them to improve services and remain accountable to applicants and tenants.

The attached Frequently Asked Question (FAQ) document outlines the Community Housing Complaints Management Process to assist you and your electorate staff in answering questions or queries.

Further information on the community housing appeals process can be found at <http://www.housingpathways.nsw.gov.au/additional-information/fact-sheets/appeals-and-reviewing-community-housing-provider-decisions>

If you would like more information, please contact Humair Ahmad, Director  
Community Housing and Pathways on 8753 8288 or  
[humair.ahmad@fac.s.nsw.gov.au](mailto:humair.ahmad@fac.s.nsw.gov.au).

Yours sincerely

Pru Goward MP

## Community Housing Complaints Management - FAQ

### What is changing?

The Department of Family and Community Services is transferring the management of around 14,000 social housing properties in parts of Hunter, New England, Shoalhaven, Mid North Coast regions and North Sydney to community housing providers.

### How does this impact MPs' Offices?

After the transfer process is complete the community housing provider will become responsible for all tenancy management issues and applications for social housing in that location. Complaints against CHPs will be received by the Electorate Offices where previously they were complaints about FACS Districts.

Members of Parliament are encouraged to direct community housing tenancy and application matters, inquiries or complaints to the relevant community housing provider in the first instance. Community housing providers (CHPs) are independent organisations who respond to complaints regarding service, standards, practices or policies. Community housing providers welcome all feedback, including complaints, as it helps them to improve services and be accountable to applicants and tenants.

All registered community housing providers are required (under the National Regulatory System for Community Housing) to provide robust complaints processes.

The Minister for Family and Community Services can be contacted if matters need to be escalated or cannot be resolved at a local level through direct liaison with the CHP.

### What are the community housing provider obligations for complaints management?

A CHP, as a landlord, is responsible for all tenancy management issues including meeting obligations under the Residential Tenancies Agreement. CHPs manage their tenancies and client entitlements in accordance with the Residential Tenancies Act 2010 and their own individual policies. Part of a CHP's role is to deal with complaints and appeals in relation to housing under its management.

CHP tenants have multiple avenues of complaints resolution available to them including contacting their provider, requesting a review by a senior officer or Chief Executive Officer, review by Housing Appeals Committee (HAC) (in case of an appeal of decision made by the provider) and lodging an application with the NSW Consumer and Administrative Tribunal (NCAT).

CHP tenants can also lodge feedback/complaints by writing to the CHP Board, FACS, the Minister for Family and Community Services, the Tenancy and Advocacy Service, local Members of Parliament and Community Justice Centres.

Certain complaints can be lodged with Australian Investment and Securities Commission or the Australian Charities and Not-for-profits Commission, the NSW Registrar of Community Housing and the NSW Federation of Housing Associations.

### **Who can complain?**

A complaint is an expression of dissatisfaction with a housing service which requires resolution or response. Complaints may be made by applicants or tenants, or by guardians or advocates on their behalf. Complaints may also be made by neighbours and private owners.

### **How does the current three-level complaint pathway for CHP tenants work?**

All registered CHPs are required to make information about complaints processes accessible to community housing clients in addition to providing information to applicants and tenants about external avenues for making a complaint.

As CHPs are independent organisations, the internal complaints procedures will slightly differ from organisation to organisation, but the fundamental principle and practice is required to be consistent.

### **Three Level Model**

**Level 1:** Community housing tenants and applicants must first seek to resolve any issues regarding tenancy management, access and applications management and service complaints directly with their CHP. They can do this in person, in writing, by telephone or by completing an online complaint form with their CHP.

**Level 2:** Community housing clients can also write to the Chief Executive Officer or the Board of the CHP if they are not happy with the response received from the administrative staff.

**Level 3:** Tenants have rights under the terms of their Residential Tenancy Agreement and if they consider that the provider has not acted within the terms of the agreement, they are able to take their matter to NCAT. FACS has no part in the decision making of NCAT (third level).

### **What is the community housing appeals process?**

Community housing providers already operate based on a three tiered system of complaint handling in case of an appeal of a decision. (Appeals are defined by the HAC as: “requests for a merits review of a decision to provide or not provide a housing service.”)

A merits review means that the person conducting the review puts themselves in the position of the original decision maker and considers the evidence from a fresh perspective. The person conducting the review will then decide whether the correct decision was made in the first place, or whether a preferable decision should be made.

In short, an appeal is a request for a review of a decision made about a client’s housing. This includes decisions relating to eligibility, rent assessment, transfers, pets, or tenant charges.

### **What is the role of the Housing Appeals Committee?**

The Housing Appeals Committee is an independent body that deals with appeals about Family and Community Services and community housing provider decisions in NSW. The Housing Appeals Committee will review the application and provide a recommendation to

the social housing provider. The Housing Appeals Committee website provides more detailed information, visit [www.hac.nsw.gov.au](http://www.hac.nsw.gov.au).

### **What is the role of the NSW Civil and Administrative Tribunal?**

NCAT is an independent body where tenants can refer matters relating to the terms of their Residential Tenancy Agreement if they believe that the provider has not acted within the terms of the agreement. The NSW Civil and Administrative Tribunal website provides more detailed information, visit [www.ncat.nsw.gov.au](http://www.ncat.nsw.gov.au).

### **Further information**

The attached **Community Housing Complaints Escalation Map** provides details of the escalation pathways for community housing related complaints, issues or appeals, as per the Australian and New Zealand Standard 'Guidelines for complaint handling in organisations. The Complaints Policies or factsheets for the Social Housing Management Transfers Program Providers can be found at the links:

Package 1, covering the electorates of Maitland and Port Stephens Electorates - Hume Community Housing Association Ltd:

<https://www.humecha.com.au/documents/PolicyComplaints.pdf>

Package 2, covering the electorates of Cessnock, Myall Lakes, Port Stephens and Upper Hunter - Compass Housing Services Co Ltd

<https://www.compasshousing.org/contact/complaints-feedback>

Package 3, covering the electorates of Barwon, Lismore, Northern Tablelands, Tamworth and Upper Hunter - Homes North Community Housing Ltd

[http://homesnorth.org/wp-content/uploads/2017/11/HNCH\\_Factsheet\\_Complaints-1.pdf](http://homesnorth.org/wp-content/uploads/2017/11/HNCH_Factsheet_Complaints-1.pdf)

Package 4, covering the electorates of Kiama and South Coast - Southern Cross Community Housing

<https://www.scch.org.au/wp-content/uploads/Tenant-Complaints-Appeals-Brochure.pdf>

Package 5, covering the electorates of Coffs Harbour and Oxley- Mission Australia Housing

<https://www.missionaustralia.com.au/housing/who-we-are/stakeholders/policy-research-and-advocacy>

Package 6, covering the electorates of Oxley and Port Macquarie– Community Housing Limited

<http://chl.org.au/complaints-compliments-and-appeals/>

Package 7, covering the electorates of Epping, Hornsby, Ku-ring-gai, Lane Cove and Ryde - Link Housing Ltd

[https://www.linkhousing.org.au/files/106\\_complaints\\_policy.pdf](https://www.linkhousing.org.au/files/106_complaints_policy.pdf)

Package 8, covering the electorates of Davidson, Manly, North Shore, Pittwater and Wakehurst - Bridge Housing Ltd

<https://www.bridgehousing.org.au/pages/complaints-appeals.html#info>

Package 9, covering the electorates of Lane Cove, North Shore and Willoughby - St George Community Housing Limited

<http://www.sgch.com.au/wp-content/uploads/2015/07/AppealsComplaintsFactSheet-Jun-2015.pdf>

## How does a CHP tenant's complaint rights differ from a public housing tenant or private tenant?

The following table provides a comparative analysis of avenues of complaint available to tenants in community, public and private rental housing.

Community Housing tenant	Public Housing tenant	Private tenant
Contact Community Housing Provider (CHP) to resolve complaint	Contact FACS to resolve complaint	Contact real estate or landlord to resolve complaint
<p>Other feedback channels:</p> <ul style="list-style-type: none"> <li>• CHP Board – Tenants can write to the Board to complain about the CEO or Director.</li> <li>• Tenancy and Advocacy Service - provides free, independent information, advice and advocacy to tenants (including community housing tenants) throughout NSW. Further information can be found at <a href="https://www.tenants.org.au/resources/all">https://www.tenants.org.au/resources/all</a></li> <li>• FACS - will liaise with the CHP to investigate and provide information on the complaint and the Department will respond.</li> <li>• Local Member of Parliament – will write to the CHP or Minister on behalf of the tenant and the CHP or Minister will respond.</li> <li>• The Minister for Family and Community Services – FACS will liaise with the CHP to investigate and provide information on the complaint and the Minister or department will respond.</li> <li>• Community Justice Centre – provides free mediation sessions for neighbour disputes. Assists people to reach agreement through mediation. Further information can be found at <a href="http://www.cjc.justice.nsw.gov.au">http://www.cjc.justice.nsw.gov.au</a></li> <li>• ASIC and ACNC ASIC deals with organisations that are registered as companies and can investigate complaints about governance, misconduct or illegal activity such as: how company directors and officers manage their companies, misleading or deceptive conduct to do</li> </ul>	<p>Other appeal/ feedback channels:</p> <ul style="list-style-type: none"> <li>• Tenancy and Advocacy Service - provides free, independent information, advice and advocacy to tenants throughout NSW. Further information can be found at <a href="https://www.tenants.org.au/resources/all">https://www.tenants.org.au/resources/all</a></li> <li>• Local Member of Parliament - will write to FACS or the Minister on behalf of the tenant and the Minister or FACS will respond.</li> <li>• The Minister for Family and Community Services - FACS will investigate and provide information on the complaint and the Minister or Department will respond.</li> <li>• The NSW Ombudsman – complaints can be made about government agencies including FACS about conduct that is illegal, unreasonable, unjust or oppressive, improperly discriminatory, based on improper or irrelevant grounds, based on a mistake of law or fact, or otherwise wrong. Further information can be found at <a href="https://www.ombo.nsw.gov.au/complaints/making-a-complaint/what-you-can-complain-about-to-us">https://www.ombo.nsw.gov.au/complaints/making-a-complaint/what-you-can-complain-about-to-us</a></li> <li>• Community Justice Centre - provides free mediation sessions for neighbour disputes.</li> </ul>	<p>Other appeal/ feedback channels:</p> <ul style="list-style-type: none"> <li>• Tenancy and Advocacy Service - provides free, independent information, advice and advocacy to tenants throughout NSW. Further information can be found at <a href="https://www.tenants.org.au/resources/all">https://www.tenants.org.au/resources/all</a></li> <li>• Community Justice Centre - provides free mediation sessions for neighbour disputes. Assists people to reach agreement through mediation. Further information can be found at <a href="http://www.cjc.justice.nsw.gov.au">http://www.cjc.justice.nsw.gov.au</a></li> </ul>

<p>with borrowing money, and a takeover or company restructure. Further information can be found at <a href="http://asic.gov.au/about-asic/contact-us/how-can-we-help-you">http://asic.gov.au/about-asic/contact-us/how-can-we-help-you</a></p> <p>The Australian Charities and Not-for-profits Commission (ACNC) is the independent national regulator of charities and registers organisations as charities. More detail including complaints handling is available at <a href="http://www.acnc.gov.au">www.acnc.gov.au</a></p> <ul style="list-style-type: none"> <li>• NSW Registrar of Community Housing- (details of complaints that can and can't be made are listed above in pages 2 and 3).</li> <li>• NSW Federation of Housing Associations - investigates complaints if the Housing Association is a signatory to the Housing Providers Code of Practice <a href="http://www.communityhousing.org.au/C5_regulatory.html">http://www.communityhousing.org.au/C5_regulatory.html</a></li> </ul>	<p>Assists people to reach agreement through mediation. Further information can be found at <a href="http://www.cjc.justice.nsw.gov.au/">http://www.cjc.justice.nsw.gov.au/</a></p> <ul style="list-style-type: none"> <li>• The Information and Privacy Commission NSW - privacy complaints where a NSW public sector agency or organisation has misused the tenant's personal information. Further information can be found at <a href="http://www.ipc.nsw.gov.au/how-do-i-make-complaint">http://www.ipc.nsw.gov.au/how-do-i-make-complaint</a></li> </ul>	
---	---	--

## Complaints, Issues and Appeals Management Referral Map, Dec 2016

## Escalation Pathways individual community housing related complaints, issues or appeals

All registered community housing providers are required to make information about internal complaints and appeals processes accessible to community housing clients

First point of contact for resolution –CH Provider Management if tenant wants to complain

Community Housing Provider Board Review – If a tenant is unsatisfied with the response

Housing Appeals Committee	NSW Civil and Administrative Appeals Tribunal	NSW Department of Family and Community Services (FACS)	Australian Investment and Securities Commission (ASIC)	NSW Registrar of Community Housing	Tenants Advice and Advocacy Services	NSW Federation of Housing Associations	Community Justice Centres
<p>On application, provides an independent review of social housing provider decisions and makes recommendations to a social housing provider based upon that review.</p> <p>Appealable issues for social housing applicants and tenants of a community housing provider include: housing eligibility, housing entitlement, succession of tenancy, minors, assistance for the elderly, offers of a property, transfers, relocations, rental subsidy, modification to a property, absence from dwelling, tenant charges, headleasing, joint tenancies, Aboriginality, antisocial behavior etc.</p>	<p>Resolves disputes between tenants (including community housing tenants) and landlords. Tries to assist parties to solve the problem themselves.</p> <p>Can make enforceable orders that are legally binding and must be obeyed.</p> <p>Under the <i>Residential Tenancies Act 2010</i>, NCAT can make legally binding and enforceable decisions on a wide range of tenancy disputes such as rental bond, rent increases, unpaid rent, termination of tenancy agreements, compensation, repairs and other breaches of the residential tenancy agreement.</p>	<p>On application investigates matters that represent a breach in contract between FACS and the community housing provider.</p>	<p>Deals with organisations that are registered as companies and can investigate complaints about governance, misconduct or illegal activity such as: how company directors and officers manage their companies, misleading or deceptive conduct to do with borrowing money, and a takeover or company restructure.</p>	<p>If the community housing provider is registered with the Registry as an incorporated association or a co-operative, the Registry may be able to investigate the complaint/issue if it relates to the legislative requirements regulated by the Registry.</p> <p>Registrars can investigate complaints of dissatisfaction with a registered provider's compliance with the national law and regulatory code. Complaints can be made to the Registry around concerns such as governance, misconduct or illegal activity of a registered organisation.</p> <p>Examples of the kind of complaints the Registrar may investigate include allegations of: systemic or serious business failures; systemic or serious failures to implement policies and procedures or comply with legal obligations; misallocation of government funding, fraud, corruption or criminal conduct; a dysfunctional governing body; systemic problem with the provider's management of assets or tenancy issues that indicate a systemic failure to deliver fair, transparent and responsive housing assistance to tenants.</p> <p>It does not have the power to resolve individual disputes.</p>	<p>Provides free, independent information, advice and advocacy to tenants (including community housing tenants) throughout New South Wales.</p> <p>Assists tenants in navigating the resolution pathways in relation to tenancy issues and complaints.</p>	<p>The Peak industry body for Housing Associations in NSW.</p> <p>Investigates complaints if the Housing Association is a signatory to the Housing Providers Code of Practice.</p>	<p>Provides free mediation and conflict management services for people in dispute.</p> <p>Assists people to reach agreement through mediation. This service is available to people in dispute relating to community housing issues or complaints.</p>
<p>Free call: 1800 629 794</p> <p>For further information and other contact details see <a href="http://www.hac.nsw.gov.au">www.hac.nsw.gov.au</a></p>	<p>Information and enquiries – 1300 135 399 (cost of a local call)</p> <p>For further information and other contact details see <a href="http://www.ncat.nsw.gov.au">www.ncat.nsw.gov.au</a></p>	<p>For information and enquiries; Free call; 1800 422 322</p> <p>For further information and other contact details see <a href="http://www.housing.nsw.gov.au/contact-us">www.housing.nsw.gov.au/contact-us</a></p>	<p>Search the ASIC register to see if the community housing provider organisation is registered with ASIC - see <a href="http://www.asic.gov.au">www.asic.gov.au</a>. If the organisation is not listed then it is likely to fall within the regulatory responsibility of the <a href="http://www.registry.nsw.gov.au">Registry of NSW Co-operatives and Associations</a>.</p> <p>ASIC telephone: 1300 300 630 (cost of a local call)</p>	<p>Free Call: 1800 330 940</p> <p>For further information and other contact details see <a href="http://www.rch.nsw.gov.au">www.rch.nsw.gov.au</a> and follow the links to the Registry</p>	<p>For your local Tenants Advice and Advocacy Service go to <a href="http://www.tenants.org.au">www.tenants.org.au</a> and use the 'Find your local service' search engine on the home page.</p>	<p>Phone: 02 9281 7144</p> <p>For further information and other contact details see <a href="http://www.communityhousing.org.au">www.communityhousing.org.au</a></p>	<p>Free call: 1800 990 777</p> <p>For further information and other contact details see <a href="http://www.cjc.nsw.gov.au">www.cjc.nsw.gov.au</a></p>

Pages 52 through 54 redacted for the following reasons:

-----  
Withheld in full - refer to schedule

Briefing for Secretary: for information



### Approval

Role	Electronic approval by	Date
A/Manager Client Services	Jacqueline Richardson	29/11/2017 Update 15/12/2017
A/Director Community Services	Janet Melvin Brett Thomas	30/11/2017 Update 18/12/2017
A/Executive District Director	Brett Thomas Lisa Charet	30/11/2017 Update 19/12/2017, 29/1/18
Deputy Secretary Northern Cluster	Simone Walker	1/12/2017 Update 31/01/2018

cc Secretary

Pages 56 through 58 redacted for the following reasons:

-----  
Withheld in full - refer to schedule

## New FACS co-funded Women's Community Shelters refuge to open in Penrith

<b>Topic</b>	Women's Community Shelters ( <b>WCS</b> ) has advised a new WCS refuge, co-funded by the Department of Family and Community Services (FACS), is due to open in Penrith in February 2018.
<b>Analysis</b>	<ul style="list-style-type: none"> <li>• WCS is engaged under a FACS co-funding agreement to establish and operate three to four new shelters by mid 2018 in locations agreed to by FACS and WCS.</li> <li>• WCS has advised that a new shelter in Penrith (The Haven) is scheduled to open in February 2018.</li> <li>• WCS is unable to provide a specific launch date as several key service delivery details are still being finalised.</li> <li>• The new shelter represents a potential media opportunity, with the Minister to be invited to participate in the launch.</li> <li>• Subject to the Minister's availability and once the launch date has been confirmed, FACS will work with WCS to prepare an event brief for the Minister.</li> <li>• The Penrith LGA is included within FACS' endorsed shortlist of 30 potential new shelter locations.</li> <li>• WCS is also working with local communities in Parramatta, Randwick and Blacktown to establish new shelters in these locations.</li> </ul>
<b>To note by</b>	Early February – noting a new shelter is expected to open in February but at 29/1/18 no date has yet been advised to FACS.

Minister's signature

*noted.*

Date

### Recommendation: for information only

### Key issues

#### WCS has advised a new refuge in Penrith (The Haven) is likely to be operational in February

- WCS has advised that a new refuge in Penrith is likely to open in February 2018.
- FACS has received confirmation from WCS that the Minister will be invited to participate in a launch of the new shelter, should the Minister choose to do so.
- WCS has advised that a firm date of establishment can not be provided as yet, as a number of 'key dependencies' are still to be finalised before the shelter can open.
- FACS has requested this advice be provided when known, and FACS will advise the Minister accordingly via an event brief outlining key details including the launch date and location.
- WCS has advised of the following details associated with The Haven:

**Briefing for Minister Goward: for information**

- the refuge will have the capacity to provide crisis accommodation to six women and up to 20 children at any given time;
- the property was assigned group home status in November 2017;
- staff recruitment for the shelter is underway.

**FACS supports the establishment of a new WCS shelter in Penrith**

- Penrith is one of the 30 shortlisted local government areas (LGAs) WCS and FACS have agreed on as preferred locations for new FACS co-funded WCS shelters (TAB A).
- The list enables WCS to engage communities with a level of assurance of FACS support, given the WCS model is reliant on building community capacity to match FACS funding.
- The shortlist was endorsed by the former Deputy Secretary, Programs and Service Design (HOGI6/105096) and noted by the former Minister's Office (EAP17/188).

**Further analysis****WCS is funded by FACS to deliver up to four new shelters by 30 June 2018**

- In 2016, WCS was approved to receive funding totaling \$2.8 million over two years, until 30 June 2018, to be matched by WCS through financial and physical resources and in-kind donations.
- WCS has been advised that funding is not recurrent or ongoing past 30 June 2018.
- Funding has been provided to WCS to support the operation of its existing four shelters (Manly, Great Lakes, Kuring-gai, The Hills), assist with the establishment of up to four new shelters, and evaluate the viability and sustainability of the WCS funding model.
- The WCS model aims to provide crisis accommodation for women, with or without children, escaping domestic and family violence at a lower cost to government.
- To deliver the model at a lower cost, WCS has committed to raising 50 per cent of required operational funding through the private sector and local communities, including philanthropic donations and utilising the skills and resources of community members to support clients and services.
- WCS advised in late 2017 that efforts to establish a new shelter in Randwick were also progressing (in addition to Penrith), and there is community interest for a new shelter in Blacktown and Parramatta.
- Based on WCS' progress to date and the timeframes evidenced during the period WCS has been funded by FACS, four new shelters will not be operational prior to the end of the FACS contract on 30 June 2018.
- An evaluation of the WCS model is currently scheduled for completion in March 2018.

**Financial impact**

Nil.

**Risks / contentious issues**

- With WCS' contract scheduled to end on 30 June 2018, WCS may advocate to the Minister as part of the launch of the new shelter for additional or continued funding from NSW Government.
- It is recommended that any decision to extend WCS funding take into account findings from the WCS evaluation (due for completion in March) and WCS' acquittal of 2016-17 FACS funding which is yet to be finalised, with additional acquittal information sought from WCS.
- Until National Housing and Homelessness Agreement negotiations are finalised, FACS is unable to commit funding for new initiatives in 2018-19 and beyond.

**Consultation and communication strategy**

**Briefing for Minister Goward: for information**

The Western Sydney District where Penrith is located has been advised of the developments pertaining to a new WCS shelter opening in the area.

**Attachments**

Tab	Title
A	Shortlist of preferred locations

**Approval**

Role	Electronic approval by	Date
Senior Program Officer, Homelessness	Maria Sarelas	23/01/2018
Manager, Homelessness	Stephen DeRieve	23/01/2018
A/ Executive Director, Housing	Emma Nicholson	29/1/2018

**Shortlist of preferred locations for WCS shelters**

LGA	FACS District
Bankstown	South Western Sydney
Blacktown	Western Sydney
Blue Mountains	Nepean Blue Mountains
Campbelltown	South Western Sydney
Canterbury	Sydney
Coffs Harbour	Mid North Coast
Dubbo	Western NSW
Fairfield	South Western Sydney
Gosford	Central Coast
Holroyd	Western Sydney
Lake Macquarie	Hunter New England
Liverpool	South Western Sydney
Maitland	Hunter New England
Marrickville	Sydney
Newcastle	Hunter New England
Orange	Western NSW
Parramatta	Western Sydney
Penrith	Nepean Blue Mountains
Port Macquarie-Hastings	Mid North Coast
Randwick	South Eastern Sydney
Rockdale	South Eastern Sydney
Shellharbour	Illawarra Shoalhaven
Shoalhaven	Illawarra Shoalhaven
Sutherland Shire	South Eastern Sydney
Sydney (Inner & East)	South Eastern Sydney
Sydney (South & West)	Sydney
The Hills Shire	Western Sydney
Tweed	Northern NSW
Wollongong	Illawarra Shoalhaven
Wyang	Central Coast

## Positive Parenting Program (Triple P)

<b>Topic</b>	Positive Parenting Program (Triple P).
<b>Analysis</b>	Triple P International is advocating for a state-wide rollout of Triple P in NSW. Triple P is currently a key Targeted Earlier Intervention (TEI) program in NSW, with a state-wide reach. Under the TEI reform currently underway, Triple P will continue to be an important TEI component of parenting support in the new TEI program, with state-wide reach.
<b>To note by</b>	N/A

<b>Minister's signature</b>		<b>Date</b>	
-----------------------------	--	-------------	--

### Recommendation: for information only

### Key issues

#### Triple P

The Triple P - Positive Parenting Program®, developed in Australia by the University of Queensland, is designed to improve the health and wellbeing of entire communities by building strong and nurturing families. It does this by taking a community-wide approach to improving parents' skills and confidence so that all children can gain the benefits of being raised in a safe, warm and loving family home.

The evidence shows that children who grow up with positive parenting in a low-conflict home are likely to develop the emotional, behavioural and social skills necessary for lifelong success, develop the resilience to cope with adversity and to feel good about themselves.

The Triple P system of programs has been designed to support a whole-of-government approach in the delivery of evidence-based parenting support and to deliver benefits across a range of policy priorities.

#### Triple P under the Targeted Earlier Intervention Reform

FACS currently funds the Triple P program across NSW. Under the new TEI program, commencing July 2018, Triple P will continue to form an important component of earlier intervention parenting, and will continue to be funded in the new program.

Throughout local TEI planning, FACS Districts and the sector have continued to recognise and support the ongoing role of Triple P in the TEI service system.

One of the key TEI reform directions is to move towards the commissioning of evidence-informed service provision. In regards to the commissioning of parenting supports, this will be undertaken in two ways:

- through the identification of evidenced based parenting programs that align to the outcomes sought through the TEI program

### Briefing for Minister Goward: for information

- through the development of a framework for embedding evidence informed practice within parenting supports throughout the TEI program.

FACS has identified fifty-seven evidence based parenting programs that contribute to the outcomes sought through the new TEI program. In combination, these programs cover the spectrum of vulnerability tiers and human service outcomes of the TEI program. These fifty-seven parenting programs will comprise the first part of a pool of parenting programs available for commissioning in the new TEI program. Triple P forms part of this list as a very well evidenced parenting program and will continue to be supported and promoted by FACS.

## Further analysis

---

### Financial impact

The TEI reform is being undertaken within existing resources. Triple P will continue to be funded in the new TEI program.

### Risks / contentious issues

Nil risks

## Background

---

The NSW Government allocated \$5.2 million to Families NSW to provide free Triple P Positive Parenting Programs across NSW. Families NSW is a whole of government prevention and early intervention strategy to enhance the health and wellbeing of children aged up to eight years old and their families.

The rollout commenced in 2008 and concluded in June 2011. Post 2011 funding allocated towards the Triple P program was utilised to address natural attrition and provide workshops, conferences and resource material. Implementation through Families NSW provided the opportunity to deliver Triple P in close partnership with the non-government sector and other government agencies. An extensive network of non-government and government practitioners were trained providing a variety of opportunities for families to access the program in their community.

The Department was also co-host in the 2015 *International Helping Families Change* Conference which was held in Sydney. The primary focus of the roll out was to equip practitioners to deliver free parenting programs in their local community. This involved providing training, materials and resources to support practitioners in delivering the program.

Approximately 1500 health, welfare and education practitioners from across NSW have been trained and accredited in Level 2, 4 and 5 including Level 4 Online Triple P.

### Triple P Evaluation

The Triple P program has an extensive evidence base as an efficient and effective early intervention program to improve child and parenting behaviours.

An independent evaluation was conducted by Nexus Management Consulting in 2009 to conduct an evaluation of the initial rollout of Triple P in NSW. The results of the evaluation found significant improvements on pre and post tests of Triple P participants in: children's behaviours (emotional symptoms, conduct problems, hyperactivity, peer problems) and parenting behaviours (over-reactivity, laxness, hostility). **(TAB D)**

Within Australia and internationally, various components of the Triple P positive parenting program have been subjected to a series of controlled evaluations, and have consistently shown positive effects on observed and parent-reported child behaviour problems and

**Briefing for Minister Goward: for information**

parenting practices. A literature review conducted as part of the evaluation of Triple P in NSW found a substantial evidence base supporting Triple P including 43 controlled trials as well as 22 service-based field evaluations.

Triple P has been shown to strengthen parenting and reduce the prevalence of conduct problems in preschool aged children from high-risk neighbourhoods, and to reduce coercive parenting practices.

**Attachments**

Tab	Title
A	Improving lives in NSW: A WHOLE-OF-GOVERNMENT APPROACH
B	The Triple P-Positive Parenting Program: A systematic review and meta-analysis of a multi-level system of parenting support
C	Email Correspondence between DCP, Ministers Advisors and Primary Communications
D	Triple P Evaluation Summary Report

**Approval**

Role	Electronic approval by	Date
Assistant Program Officer	Annalisa Hedger	19/01/2018
Manager	Xanthe Foster	19/01/2018
Director Implementation & Performance, Inclusion & Early Intervention	Anthony Shannon	29/01/2018

**Peter Bazzo**

---

**From:** Simon Fontana <Simon.Fontana@minister.nsw.gov.au>  
**Sent:** Tuesday, 9 January 2018 10:15 AM  
**To:** Public Goward's Office Email  
**Subject:** FW: Triple P follow up info  
**Attachments:** Triple P Overview\_NSW\_Follow Up.pdf; 2014Sanders, Kirby, Tellegen & Day Meta analysis.pdf

---

**From:** Chris Hall [<mailto:chall@primary-pr.com>]  
**Sent:** Monday, 8 January 2018 4:24 PM  
**To:** Simon Fontana ; Jaimi Greenspan  
**Subject:** Triple P follow up info

Hi Simon & Jaimi

Happy New Year. I hope you had a good break!

Once again thanks for meeting with Prof Sanders and the team from Triple P at the end of last year.

As follow up from that meeting please find attached a briefing document that provides a comprehensive overview of the Triple P program.

At the meeting you requested information about potential savings from cost-avoidance of children entering the system and reports on effectiveness of Triple P. You will find these topics and more in the attachment.

Also attached is The Triple P-Positive Parenting Program: A systematic review and meta-analysis of a multi-level system of parenting support. This document provides further comprehensive evidence of the effectiveness of Triple P.

You also mentioned that you are interested in online version of the program. The Department of Family and Community Services has 550 codes for online programs that have not been distributed. By using one of these codes you and your office are able to see the program first hand.

We look forward to continue to work with your office and DPC under Armine's direction with a view to funding a state-wide roll out of this important program for the benefits it will bring to NSW families.

Cheers  
 Chris

Chris Hall  
 Chief Executive Officer



T [+61 2 9212 3888](tel:+61292123888) | M +61 419 607 909 | F +61 2 9212 3990

-----  
 Suite 1/63 Foveaux Street Surry Hills, NSW 2010  
 -----

Proud to be a part of



 Please consider the environment before printing this e-mail

\*\*\*\*\*

This email message and any attachments may be confidential information. If you are not the intended recipient, any use or disclosure of this material is prohibited. If you have received this email in error, please immediately advise the sender by return email and delete the message from your system. If you would like to access or correct any information we hold about you, make a complaint or opt-out of future communication please contact our Privacy Officer on T: (02) 9212 3888 or via email: [privacy@primary-pr.com](mailto:privacy@primary-pr.com). To view our privacy and security policy, please click [here](#)



## Tenants' Union Annual Report 2016-17

**Topic** Minister Goward's office has requested a briefing note on issues raised in the Tenants' Union Annual Report 2016-17, regarding the Aboriginal Housing Office (AHO) and water charges.

**Analysis** The Tenants' Union Annual Report references an AHO tenant dispute where the tenants' rent account was subject to different Commonwealth Rent Assistance (CRA) amounts calculated by Centrelink and FACS. The Report states that:

- This situation has resulted in FACS seeking eviction from time to time since 2009
- The Housing Appeals Committee (HAC) is considering what recommendations can be made after a hearing held in late 2017.

The Appeals Committee has since made its decision on 15 January 2018, confirming FACS's original decision to decline the client's request for a CRA credit adjustment as her circumstances are considered not to be applicable.

The Tenants' Union Annual Report also references the Minto Residents Action Group (MRAG) that became aware that tenants in newly built multi-unit buildings were being charged for water as a percentage of their rent, despite each unit having its own water meter.

LAHC advised that it has arranged with Sydney Water to allow 5,200 tenants, where individual water meters were provided to each unit, who were paying shared water charges, to pay actual water charges from January 2018.

**To note by** 6 February 2018

Minister's signature	<i>Mo notes Den Turner Adrian</i>	<i>BT</i>	Date	<i>27/3/17</i>
----------------------	---	-----------	------	----------------

**Recommendation:** for information only

### Key issues

Ms Julie Foreman, Executive Officer of the Tenants' Union of New South Wales, has written to the Minister providing a copy of the Tenants' Union Annual Report.

The Report sets out issues regarding the AHO and water charging policy as follows:

- An AHO tenant dispute where the tenants' rent account was subject to different CRA amounts calculated by Centrelink and FACS, resulting in FACS seeking eviction from time to time since 2009. The Report states that the HAC is considering what recommendations can be made after a hearing held in late 2017.
- A tenancy dispute concerning payment for water usage as a percentage of their rent, where the premises are individually metered. The Tenants' Union asserts that thousands of tenants have been affected.

**Briefing for Minister Goward: for information**

### **HAC upheld FACS's original decision**

The Appeals Committee has since made its decision on 15 January 2018, confirming FACS's original decision to decline the client's request for a CRA credit adjustment as her circumstances under which she was appealing the matter are considered not to be applicable.

### **Centrelink may pay a different amount of CRA to the amount imputed by FACS**

Under the Tenancy Charges and Account Management Policy Supplement, if the tenant informs FACS that their CRA payments paid by Centrelink are different to those imputed by FACS, then FACS will undertake a review and, if applicable, may make an adjustment to the rent payable.

There are a number of reasons why a Centrelink CRA amount may differ from a FACS imputed amount.

For clients on casual wages where the income amounts fluctuate, FACS will set the tenant's assessable income amount from the date of the change in income and the resulting change in rent would affect the amount of CRA calculated by Centrelink. Rent amounts, including imputed CRA, are set retrospectively where the tenant does not inform FACS of the changes until some time after the income changes were effective.

Clients that are subject to a mutual obligation review by Centrelink may not actually be receiving CRA. In this case, the client must inform FACS and their rent would be adjusted, otherwise CRA is imputed into their rent.

Centrelink may be aware of changes in household circumstances that FACS is not. For example, the birth of a child or a change in the percentage care for dependant children. These factors can affect the amount of CRA paid by Centrelink and are considered when FACS is calculating a maximised CRA rent amount for the client. Tenants must inform FACS when there is a change in circumstances.

### **Actions taken by FACS when a tenant falls into arrears**

The Tenants' Union of NSW Annual Report did not provide details of individual tenant disputes about CRA rent.

However, where a tenant falls into rent arrears, FACS may take one or more of the following actions:

- Reassess the tenant's rent subsidy, including the imputed CRA amount, from the date the change occurred and negotiate a repayment plan for any resulting arrears.
- Cancel the tenant's rent subsidy from the date the change occurred and negotiate a repayment plan for any resulting arrears

FACS is able to pursue any debt resulting from a rent subsidy cancellation or re-assessment in accordance with the provisions of the Residential Tenancies Act 2010 and may take action to terminate the tenancy.

### **Water charging policy dispute**

Reference is made in the Report to Minto Residents Action Group (MRAG) that became aware that tenants in newly built multi-unit buildings were being charged for water as a percentage of their rent despite each unit having its own water meter.

In May and June 2016, LAHC engaged Sydney Water to inspect 5,200 water meters in public housing complexes to confirm unit numbers and create individual water accounts.

LAHC has advised that it has arranged with Sydney Water to allow 5,200 tenants, where individual water meters were provided to each unit, who were paying shared water charges, to pay actual water charges from January 2018.

**Briefing for Minister Goward: for information**

In January 2018, FACS and LAHC will confirm water meter IDs at approximately 140 properties that Sydney Water had not been able to access.

All new public housing developments built since 1 July 2015 provide for individual water metering and charging.

**Background****Tenants' Union of New South Wales**

The Tenants' Union of New South Wales aims to make a positive difference to the lives of residential tenants in NSW, and particularly tenants who are economically and socially disadvantaged.

The Tenants' Union of New South Wales is:

- An independent, secular not-for-profit membership based cooperative under the *Co-operatives (Adoption of National Law) Act 2012 (NSW)*.
- A community legal centre specialising in NSW residential tenancies law and accredited by the National Association of Community Legal Centres.
- The main resourcing body for Tenants' Advice and Advocacy Services.

**Assessing CRA for AHO tenancies**

In accordance with the FACS Charging Rent Policy, AHO tenants may be eligible to receive CRA as they do not pay government rent according to Centrelink criteria.

Under this criteria, where the tenant receives a rent subsidy, AHO household members who are over 18 years of age are eligible to receive CRA and FACS uses this income as part of their rent assessment.

Clients eligible for CRA have their rents set by FACS, this is manual process. The tenant's income is verified, and, using a CRA calculator, the rent is then set which:

- Imputes the CRA entitlements for AHO households so as to maximise the CRA received by those households
- Assesses the CRA at 100% for all household members treated as paying rent.

and

- Does not disadvantage the tenant, as they would pay exactly the same, if they were not receiving CRA.

Once the optimum rental level is set, the tenant is then able to arrange for CRA a payment with Centrelink. This process is not able to be automated, as it involves a manual calculation and setting of the rent level, which will then dictate what the level of CRA will be.

**Appealing decisions regarding rents**

In accordance with the Client Service Delivery and Appeals Policy, if a tenant or applicant disagrees with a decision of FACS they can request a review of that decision. Tenants can lodge an appeal in relation to the calculation of rent subsidies.

The objective of the appeals process is to ensure that:

- There is a fair mechanism for decisions to be reviewed if those decisions cannot be considered by other bodies, such as the NSW Civil and Administrative Tribunal; and
- The correct decision has been made in each individual case under appeal.

**Water charging policy**

Generally, FACS requires all tenants living in properties owned or managed by FACS to pay water usage charges. FACS applies a water usage charge on a weekly basis.

**Briefing for Minister Goward: for information**

Tenants pay either a percentage water charge or an actual water charge. FACS determines this according to whether:

- The property where the tenant lives has a separate or a shared water meter, and
- The local water authority provides FACS with sufficient usage information to determine the tenant's water usage.

Separate water bills enable:

- FACS to pass on the correct water charges for each dwelling and recover full costs
- the early detection of unusually high water consumption, permitting prompt investigation and repair of leaks.

**Consultation and communication strategy**

Aboriginal Housing Office (EAP17/12455)

Land and Housing Corporation (EAP18/409)

**Attachments**

Tab	Title
A	Correspondence from Ms Julie Foreman, Executive Officer, Tenants' Union of NSW
B	Tenants' Union of NSW Annual Report

**Approval**

Role	Electronic approval by	Date
Manager Housing Payments Systems and Process Improvement	Les Grainger	25/01/18 (revised 29/01/18)
A/ Director Housing Statewide Services	Lynne Beven	29/1/18 Updated 16/03/18
Deputy Secretary Southern and Western Cluster	Paul Vevers	19/03/18

28 November 2017

The Hon. Pru Goward, MP  
Minister for Family and Community Services & Minister for Social Housing  
GPO Box 5341  
Sydney NSW 2001

Dear Minister,

### Annual Report 2016-17

On behalf of the Tenants' Union of NSW (TU) I am writing to thank you for your support this year and provide you with a copy of our annual report.

Highlights of the year include:

- Over 3,200 advices, information and referrals provided
- 144,524 visits to the online *Tenants' Rights Manual* – a 61% increase
- Over 841,000 sessions on [tenants.org.au](http://tenants.org.au) – a 13% increase
- Updating of all 20 factsheets produced for residents and tenants in Land Lease Communities (previously residential parks)
- Strategic litigation preventing landlords from circumventing tenancy & land lease community law; preventing no grounds evictions by community housing providers and collaborating in advocacy to see water charging in public housing inline with policy
- Transitioned our Certificate IV students to the new qualification CHC42015 Certificate IV in Community Services
- Contributed to the design and distribution of the *Unsettled* report - a landmark collaboration with the National Association of Tenants Organisations, Choice and National Shelter
- Launched our Reconciliation Action Plan (RAP) on 13<sup>th</sup> September – the 10<sup>th</sup> anniversary of the UN Declaration on the Rights of Indigenous Peoples.
- Continued advocacy for stable, livable and affordable renting including weekly coverage in mainstream media.

The continued use of our services and resources by tenants and their advocates across NSW demonstrate the importance and relevance of the TU.

A key focus this year has been the facilitation of the **Make Renting Fair** campaign to work towards legislative reform for the over two million people who rent in NSW. We feel we are on the right track, as over 90 organisations across community, faith-based and union sectors have joined us in the call to end unfair evictions. You can learn more about this campaign at [rentingfair.org.au](http://rentingfair.org.au).

You can continue to keep up with all things tenancy through our newsletter – *Tenant News*, twitter, Facebook, our e-bulletins and the Tenants Union website [www.tenants.org.au/tu](http://www.tenants.org.au/tu).

We would also like to take this opportunity to wish you all the best for the festive season and we look forward to working with you to make renting fair in 2018.

Once again thank you for your ongoing support.

Yours sincerely,

A handwritten signature in black ink that reads "Julie Foreman". The signature is written in a cursive, flowing style.

Julie Foreman  
Executive Officer



## Aboriginal pre-employment campaign

<b>Topic</b>	Contributing to better employment outcomes for Aboriginal people through an Aboriginal led literacy campaign in South Western Sydney as a pre-employment activity associated with Opportunity Pathways, a service improvement initiative under Future Directions to commence in October 2018.
<b>Analysis</b>	Literacy remains a significant barrier to employment for the opportunity cohort identified under Future Directions. To ensure engagement in Opportunity Pathways it is proposed an Aboriginal led literacy campaign as a pre-employment activity will achieve higher levels of engagement and deliver real benefit to Aboriginal social housing families and their children in South Western Sydney. This approach driven by community will impact and change the life outcomes on the current and future generations of Aboriginal families.
<b>Approval by</b>	18 December 2017 to enable negotiations to commence in January 2018

## Recommendations

1. **Approve** the establishment of a literacy program in South Western Sydney to engage Aboriginal tenants of Social Housing as a precursor to Opportunity Pathways

Minister's approval

*R. Oly*

Date

1/2/18

## Opportunity Pathways

### An Aboriginal led Literacy campaign as a pre-employment activity for Opportunity Pathways

Opportunity Pathways is a Future Directions service improvement initiative to be rolled out from 2018/19, providing economic and housing independence pathways to social housing clients in selected locations.

To support the roll out of Opportunity Pathways, a community-mobilising approach to working with Aboriginal social housing tenants, led by social housing tenants, could provide an opportunity to raise literacy levels and engagement with employment activities.

To facilitate appropriate and tailored assistance to support the aspirations of social housing clients, FACS Opportunity Pathways comprises three streams, including the "Pre-employment" stream. The Pre-employment stream is for people who are not currently job ready due to significant barriers to employment including literacy. It provides case management and referral to specialist support and services to deliver better employment outcomes.

Literacy is an essential prerequisite for employment and an enabler to create intergenerational change to education and employment outcomes for Aboriginal people. The Literacy for Life Foundation estimates that 40% of Aboriginal adults are operating at the lowest levels of literacy. This approach will impact and target adults and young people who

**Briefing for Minister Goward: for approval**

often experience shame when considering a lack of literacy. This leads to a lack of engagement with Education systems and is reflected in low levels of engagement with foundation numeracy and literacy classes (as discussed in the Literacy for Life section of this brief).

To ensure voluntary engagement with Opportunity Pathways, and to address program readiness, it is recommended that a community development activity led by the Aboriginal community in company with the Literacy for Life Campaign be held in South Western Sydney, focused on the Campbelltown area. Almost half of Aboriginal tenants in public and AHO housing are included in the opportunity cohort.

Campbelltown in South Western Sydney is an agreed Opportunity Pathways site, building on the market engagement for Personal Support Plans which occurred there in 2016/17.

Commencing a literacy program targeting Aboriginal clients in South Western Sydney now will give participants an option to transition to the Opportunity Pathways program when it commences later in 2018 in any of the proposed streams. Conversely Aboriginal clients from Opportunity Pathways may also be referred to the Literacy for Life Program if faced with literacy as a barrier to employment.

The Campaign model sets out to raise underlying education levels of the community. Through this process it consolidates and strengthens everyone's understanding of the value of education as essential for individual, social and economic development. While adults are the focus, boosting literacy levels across an entire community creates a flow-on effect into other areas, including health, employment, justice and school education. It is the most effective way to enlarge the pool of people available to take on further education and training so that over time, a community's human and social capital is sufficient to 'take-off'.

This is a campaign that cannot be implemented without the Aboriginal community accepting, embracing and wanting a change in literacy and opportunity for their families. It is a collective community development activity driven and implemented by Aboriginal people. All employment associated with the campaign will be Aboriginal people in social housing.

**Literacy for Life Foundation**

Pre-employment readiness programs have been accepted as an essential component to a successful transition for those entering the labour force. The benefit of combining literacy with pre-employment readiness is that the activities and training outcomes are combined to provide life examples that are used as part of the in class activities.

The Literacy for Life Foundation advises the AHO that it is often the case that Aboriginal people with low literacy are among the most marginalised and disenfranchised people in the community, many of whom are unemployed jobseekers or disengaged from the labor market. They are almost always disengaged and alienated from mainstream service provision. Their children and grandchildren are at greatest risk of poor school attendance, below benchmark performance of literacy and numeracy tests, and leaving school before Year 12. Each campaign is led by local Aboriginal leaders and their organisations, supported by a small team from the Literacy for Life Foundation. So far, it has run in five western NSW communities, with completion rates over 65%. This is five times higher than Aboriginal students' completion rates for formal, accredited Foundations Skills courses run through the national vocational education and training (VET) system, which aim to get students to a similar level on the Australian Core Skills Framework.

**A Pilot approach in Campbelltown**

Aboriginal households make up 13.3% of all social housing households (excluding those households in Aboriginal community housing). There are currently 995 Aboriginal people in South Western Sydney identified under the Future Directions Opportunity Cohort, including over 533 in the Campbelltown LGA. ✓

**Briefing for Minister Goward: for approval**

Campbelltown provides the opportunity for a number of existing Government initiatives to partner and support the roll out of the campaign. For example Campbelltown is the location of two complementary programs under OCHRE, the NSW community based plan for Aboriginal Affairs (Connected Communities Schools and an Opportunity Hub – supporting young people into employment). The Tharawal Aboriginal Medical Service is also an innovative and agile Aboriginal controlled health service able to add significant relational value to this proposition. Additionally South Western Sydney District has strong links with the local Aboriginal community with an establishing Local Advisory Group that provides support and advice on FACS issues including Housing. This group, which consists of local Elders, community members and Aboriginal organisations, could be used to advocate and support the implementation of the program. Further to this, funding this pre-employment approach aligns with the

As a Future Directions funded initiatives, the Literacy for Life program in South Western Sydney would be integrated into the Future Directions evaluation. A program logic will be developed, identifying output and outcome measures to be collected. These will be incorporated into the contract with the Literacy for Life Foundation. ✓

**Further analysis****What is the Literacy for Life Foundation**

The Literacy for Life Foundation (LFLF) was established to address the issue of very low literacy levels in Aboriginal Adults. Originating in Cuba and applied in Australia to meet the needs of indigenous communities, the 'Yes I Can' model has taught more than 6 million people in 28 countries to read. Unlike other literacy programs, it focuses on helping to build a community culture that values and supports learning. Professor Jack Beetson is the Literacy for Life Project Leader. FACS has a long association with partner funding a number of Intakes in remote communities of NSW. An urban program will be the first of its kind.

**Next steps**

- The AHO to enter into direct negotiation with FACS and the Literacy For Life Foundation to discuss the community readiness for the campaign and develop a program logic.
- A working group to be established with community members, Aboriginal organisations and FACS to determine the best governance structures to monitor the program establishment and agree the data to be collected and outcomes achieved.
- A kick off community event will be held with the Minister the Aboriginal community and Aboriginal organisations in the area in mid 2018. ✓

**Financial impact**

The Director, Homes Branch in the Commissioning Division advised that funds are available under the Service Improvement Initiatives budget in 2017/18 to support the first intake of the Strategy and community development phase (\$500,000).

A proposal will be developed for consideration by the Social Housing Steering Committee regarding the available Opportunity Pathways budget and secure a fourth year of funding. ✓

**Risks / contentious issues**

Direct procurement of Literacy for Life Foundation is recommended due to the specialist, culturally appropriate model. Literacy for Life Foundation is uniquely placed to trial this proven program model in an urban Aboriginal community. FACS procurement have been consulted and provided probity advice to engage in direct negotiation.

**Briefing for Minister Goward: for approval**

Engagement with the community and other associated Aboriginal organisations across social policy clusters is essential to the success of the program. Further funding may need to be found where the program demand exceeds capacity and further literacy intakes are required.

**Communication Strategy**

This briefing note has been developed with input from the Manager, Opportunity Pathways, and informed by the CEO AHO and Director, Future Directions

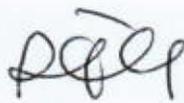
**Approval**

Role	Electronic approval by	Date
Director Policy AHO	On file	13/12/2017
CEO AHO	On file	14/12/2017
Executive District Director, South Western Sydney	On file	15/12/200
A/Executive Director, Housing, Commissioning	On file	18/12/2017

## DFV Innovation Fund Round 2: January 2018 update

<b>Topic</b>	Update on Round 2 of the DFV Innovation Fund
<b>Analysis</b>	The Innovation Fund process is currently at Co-Lab stage, with applicants due to submit their proposals to Women NSW by 9 February 2017. Recommendations for funding are expected to be submitted to Minister Goward by early March.
<b>To note by</b>	N/A

Minister's signature


Date  
30/1/18

**Recommendation:** for information only

---

### Key issues

---

#### Expression of interest (EOI) process

EOIs for Round 2 of the Innovation Fund were open from 22 September to 20 October 2017. A total of 129 EOIs were received, totalling \$107,414,826. The majority of EOIs (n=112) were for the General stream, with 17 EOIs submitted for the Prevention Stream.

##### *Focus area*

Of the 112 projects submitted for the General stream, 76 were in the area of prevention, 86 were early intervention and 39 were crisis (NB: projects could select more than one focus area, therefore numbers exceed 112).

##### *High-risk target groups*

Of the 129 EOIs submitted:

- 70 indicated they targeted Aboriginal communities
- 72 indicated they targeted CALD communities
- 60 indicated they engaged rural/regional communities
- 33 indicated they worked with LGBTIQ communities
- 32 indicated they worked with older people and 36 worked with people with a disability.

(NB: projects could select more than one target group, therefore numbers exceed 129).

It should be noted that many of the projects that indicated they targeted particular groups were more 'mainstream', and not specifically designed to directly meet the needs of these communities.

##### *EOI appraisal process*

EOIs were appraised by a panel comprised of representatives from NSW Treasury, Premier's Implementation Unit, Women NSW and Family and Community Services Twenty seven (27) EOIs were selected to progress to participate in the Innovation Co-Lab and submit a proposal.

**Briefing for Minister Goward: for information****Innovation Co-Lab**

The Innovation Co-Lab is a multi-stage collaborative design process that helps applicants refine their ideas and prepare a high quality, robust project proposal. Women NSW engaged the Australian Centre for Social Innovation (TACSI) to support the Innovation Co-Lab through the design and delivery of two Co-Lab workshops.

The first Co-Lab workshop was held on 6 December 2017, with representatives from 25 of the 27 EOIs in attendance. The workshop covered content including using and building an evidence base, prototyping ideas, program logic, and assumptions. FACS Analysis and Research (FACSAR) also attended to present on evidence-informed interventions, the evidence hierarchy, and the use of evidence to define program outcomes. Attendees also had an opportunity to pitch their ideas to each other to get feedback. The feedback from participants was positive.

**Next steps***Co-Lab workshop 2*

Women NSW is currently working with TACSI to design the second Co-Lab workshop, which will be held on 31 January 2018. To inform the design of this second workshop, applicants have been invited to submit a draft EOI by 17 January 2018.

*Proposal appraisal process*

Final proposals are due by midnight 9 February 2018. The submitted proposals will be appraised by the Innovation Fund Technical Appraisal Panel (TAP), which will also recommend projects for funding to Minister Goward.

Women NSW is in the process of finalising membership of the TAP, which will comprise senior representatives from Women NSW, FACSAR, NSW Treasury, as well as an independent representative and relevant subject matter experts.

The TAP will meet in mid-February, with a view to finalising their recommendations by early March.

**Approval**

Role	Electronic approval by	Date
Senior Policy Officer	Emily Ofner	17/01/2018
Principal Officer	Anne Freestone	18/01/2018
Director	Melinda Norton	18/01/2018
Deputy Secretary Commissioning	Deidre Mulkerin	24/01/2018

## TPRS Review, HCP consolidation and retender

**Topic** FACS Tenant Participation Resource Services (TPRS) program review, consolidation with HCP and retender

**Analysis** The Minister was briefed in October 2017 on the TPRS review (EAP17/7227). The final report from the ARTD TPRS program review is at **TAB A**. The review has made seven recommendations, which include that FACS:

- continue to invest in supporting tenant participation to help meet its legislative obligations
- redesign the TPRS program model
- deliver the program through non-government organisations selected through an open-tender process
- consider consolidating TPRS with the Housing Communities Program (HCP).

In response to the last point, FACS will consolidate the TPRS program [redacted] with the HCP [redacted] before retendering.

A six month funding extension to TPRS and HCP existing providers (to 30 December 2018) is proposed to support the inclusion of HCP and resulting retender timeframes. This would be funded from the 2018/19 TPRS / HCP budget.

The findings of the review will be circulated to TPRS and HCP providers to inform discussions about amalgamating the two programs and finalising a new program framework.

**Approval by** 25 January 2018

**For information**

*The more effort we can make in providing supports to tenants that enable them to live better, the happier we will all be.*

*[Signature]* **Date** 15/2/18 *fly*

### Key reasons

#### The review recommends FACS continue to invest in a redesigned TPRS, with NGO providers procured by open tender

The review found FACS investment in tenant participation is important to meet the obligations of the Housing Act and to contribute to the policy outcomes of Future Directions – specifically to improve the experiences and outcomes of people living in social housing.

It identified TPRS providers deliver a broad range of activities consistent with the program guidelines and these activities are valued by tenants and stakeholders. In the last two years, this includes activities such as: facilitating tenant groups (over 100 across NSW); coordinating a range of tenant-initiated community projects (40) which included community safety projects, maintenance pop-ups and community gardens; and providing opportunities for tenants to volunteer in a range of ways.

**Briefing for Minister Goward: for information**

The review has made seven recommendations, which include that FACS:

- continue to invest in supporting tenant participation, to meet legislative obligations and Future Directions goals
- redesign the program model to strengthen links to FACS housing teams, better focus activities and improve measurability of outcomes
- deliver the program through non-government organisations selected through an open tender process, with a three year contract for successful proponents
- Consolidate TPRS with other community engagement programs (HCP and Community Greening) into a single Tenant Participation and Community Engagement program.

**Consolidating TPRS and HCP**

The review found there was considerable overlap between TPRS and HCP and a need to consolidate these.

FACS has determined this consolidation should be done before a retender takes place to create economies of scale in the program.

To achieve this, the following will occur:

- A brief desktop review of the HCP program budget, service plans and deliverables of the current program guidelines
- Preparing an industry sounding paper outlining a possible model for a combined TPRS-HCP program — drawing on the TPRS program model proposed in the final review report and the HCP desktop review
- Facilitating an industry sounding workshop with industry peak bodies and providers interested in delivering tenant participation and community engagement services
- Preparing revised program model and tender specifications.

Community Greening will be consolidated into the Program as a whole with regard to its management but will not be retendered as it is delivered by one specialist organisation, Royal Botanic Gardens and Domain Trust.

**A six month funding extension to current providers will better support the procurement and transition timeframe**

TPRS and HCP contracts currently end 30 June 2018.

FACS will extend these to 30 December 2018 to allow time for the consolidation and retender to take place.

TPRS providers are already aware of the retender to occur but will be advised during January 2018 the program will consolidate HCP. HCP providers will be advised during January and advised of the industry sounding to take place.

**Further analysis****Next steps**

- Advise TPRS and HCP providers of the consolidation and of the contract extension period (January)

**Briefing for Minister Goward: for information**

- Conduct the consolidation of TPRS and HCP via industry sounding (March)
- Revise the program framework (April)
- Conduct tender (May/June)
- Finalise tender outcomes (July)
- Advise of outcomes and give notice of end of funding to unsuccessful providers (August)
- Sign new contracts to commence 1 January 2019 (September).

**Financial impact**

The TPRS is funded on a recurrent basis, with a budget of [REDACTED].

HCP is funded on a recurrent basis with a budget of [REDACTED].

**Risks / contentious issues**

Current TPRS and HCP NGO providers have been delivering this service for over seven years.

Two of the TPRS NGOs are small and exist only to deliver the TPRS.

A change in approach for delivering FACS tenant participation activities, and a competitive tender process, may result in current providers not being competitive. If this is the outcome, it may generate some negative media attention.

In July 2017, the Minister responded to a concern raised by one TPRS provider, Northern Links NSW, about a two day delay in receiving its funds. (Refer **EAP17/6286**).

**Background****TPRS**

The TPRS program provides funds to non-government organisations so they can give public housing tenants better access and advice to information about their housing, and improve opportunities for social housing tenants to engage with their communities.

The specific TPRS program goals are that social housing tenants:

- are engaged in communities
- have their needs and priorities identified and considered in planning and service delivery
- are informed about their rights and responsibilities and are supported with their housing needs
- have skills and resources to participate in community life
- receive services that are coordinated, flexible and responsive to their needs.

Eight NGOs receive funding under TPRS, and they provide services across most FACS districts. Regional providers receive slightly more than metro providers in recognition of the travel requirements. The amount of funding received by each provider ranges from \$158k to \$168k excl. GST.

**HCP**

HCP is a FACS initiative aiming to enhance social cohesion and community wellbeing within key NSW locations that are affected by significant social, economic, environmental and/or housing change.

HCP is a community development program, which began in 1993 and was fine-tuned in 2009 by changing the program name and introducing service specifications for each project location to capture measurable activity.

HCP providers are expected to deliver measurable outcomes under each of the following core activities:

- Undertake or support inclusive stakeholder consultations and community mapping

**Briefing for Minister Goward: for information**

- Support community liaison processes and structures
- Build stakeholder capacity and facilitate training
- Establish or sustain partnerships and service networks
- Support the implementation of community driven projects and initiatives
- Develop and implement ways to sustain HCP processes, projects and initiatives.

Eight providers are funded to deliver HCP services across NSW.

In 2017/18 seven providers were funded \$117k, and one provider was funded \$72k (GST inclusive).

Funds provided to service providers are primary used to employ staff to work with social housing communities to address priority needs in the selected locations.

In 2016/17 the location focus for the Ambarvale/Rosemeadow project changed to the current location of Claymore.

In 2015 the Minister formally approved the extension of the program to end June 2017, as part of the Targeted Earlier Intervention (TEI) service extensions.

In advising service providers of the contract extension a commitment was made to work in partnership with service providers, peaks and key stakeholders to review the program in alignment with other reforms to ultimately design a cohesive, contemporary and client focused service system.

In 2016/17, service providers were again advised of a contract extension to end June 2018, to allow for 2017/18 to be a transition year to continue program delivery, whilst exploring opportunities to integrate the program or to align the program with other reforms.

There are linkages between some HCP project locations and Place Plans e.g. Claymore, Warrawong and Dubbo. There is an opportunity to strengthen these linkages to ensure coordination and integration and avoid duplication.

**Consultation and communication strategy**

The TPRS review consulted with FACS district TPRS staff, FACS central office stakeholders including LAHC, current NGO TPRS service providers, other interested NGOs identified through the NGO Reference Group and TAAP service program managers.

It has been conducted in collaboration with Housing Statewide Services and Commissioning.

**Attachments**

Tab	Title
A	TPRS Review Final Report 301117

**Approval**

Role	Electronic approval by	Date
Director, Housing Statewide Services	Sharon Gudu	16/1/18
A/ED, Commissioning	Emma Nicholson	19/1/18
Deputy Secretary, S&W Cluster	Paul Vevers	24/1/18

Pages 84 through 125 redacted for the following reasons:

-----  
Withheld in full - refer to schedule



## DVDS Update– December 2017

**Topic** To monitor implementation, Women NSW provide monthly updates on the uptake of the Domestic Violence Disclosure Scheme (DVDS) and crisis assistance service.

**Analysis** As of 31 December 2017, there have been a total of 130 primary and third party applications across the four participating local area commands (LACs).

**To note by** N/A – no critical date.

Minister's signature

Date

23/1/18

### Recommendation: for information only

### Key issues

To track implementation, Minister Goward's office has requested monthly updates on the uptake of the Domestic Violence Disclosure Scheme (DVDS).

**TAB A** provides for both individual monthly summaries for December 2017 and the cumulative total of primary and third party applications and crisis responses since the launch of the DVDS in April 2016.

The statistics are based on monthly updates from the three non-government organisations providing specialist domestic and family violence support in the four NSW Police Force local area commands (LACs) piloting the DVDS: YWCA NSW (Shoalhaven LAC), Sutherland Shire Family Services (Sutherland and St George LACs) and Tamworth Family Support Service (Oxley LAC).

As of 31 December 2017, there have been a total of 130 primary and third party applications across all four LACs. Of the applications, 104 were made by primary applicants (80.0 per cent), while 26 were made by third party applicants (20.0 per cent). There were 48 disclosures in total (36.9 per cent), 58 non-disclosures (44.6 per cent) and 24 applications where the meeting is still pending the meeting has been postponed or cancelled; or the application was denied by police (18.5 per cent).

### Further analysis

Urbis is currently undertaking an evaluation of the DVDS that will provide a comprehensive overview of implementation, demand and utilisation, impacts and outcomes for people applying for and receiving disclosures, and lessons learned for future rollout. The final report will be available in February 2018.

Briefing for Minister Goward: for information

## Attachments

---

Tab	Title
A	Domestic Violence Disclosure Scheme Statistics

## Approval

---

Role	Electronic approval by	Date
Data Analyst	Francy Bulic	17/01/2018
Principal, Women NSW	Tania Matruglio	17/01/2018
Director, Women NSW	Melinda Norton	19/01/2018
Deputy Secretary, Commissioning	Deidre Mulkerin	22/01/2018

**Domestic Violence Disclosure Scheme Statistics**  
**13 April 2016 – 31 December 2017**

From 1 December 2017 to 31 December 2017, the uptake of the scheme and crisis assistance was:

Provider	Primary Person Applications			Third Party Applications			Crisis Assistance
	Total	Disclosure	Non-disclosure	Total	Disclosure	Non-disclosure	
St George							7
Sutherland	1	1					4
Tamworth	1		1				13
Shoalhaven	1 <sup>i</sup>						6
Total	3	1	1	0	0	0	30

From 13 April 2016 to 31 December 2017, the uptake of the scheme and crisis assistance was:

Provider	Primary Person Applications			Third Party Applications			Crisis Assistance
	Total	Disclosure	Non-disclosure	Total	Disclosure	Non-disclosure	
St George	18 <sup>i</sup>	9	7	2	1	1	96
Sutherland	10 <sup>i</sup>	4	5	2		2	51
Tamworth	42 <sup>i</sup>	12	21	9 <sup>i</sup>	3	1	121
Shoalhaven	34 <sup>i</sup>	13	15	13 <sup>i</sup>	6	6	61
Total	104	38	48	26	10	10	329

<sup>i</sup>There is a difference between the sum of disclosure and non-disclosures and the total in each column because the application meeting/s are pending; abandoned/postponed; or the application was denied by police.



## Update on AHO redevelopment of 8 Hart Crescent, Bega.

<b>Issue</b>	Bega community consultation and electorate visit.
<b>Analysis</b>	<p>The Aboriginal Housing Office (AHO) is sub dividing and developing a property located in Bega, Lot87, DP261767.</p> <p>Community consultation was held on December 11<sup>th</sup> 2017 to speak with neighbouring residents and local council. Council recommendation analysis was held and local resident concerns were expressed.</p>
<b>Due date</b>	N/A

### Recommendation

Note the information in this brief.

Minister's signature

Date

23/1/18

### Key issues

#### Site History

- The AHO property at 8 Hart Crescent, Bega extends to approximately 1,400sqm in size and is zoned R2 Low Density Residential. The site has been vacant since a 4-bed house that occupied the site was destroyed by a fire in June 2011.
- The AHO engaged Land and Housing Corporation (LAHC) in 2016/17 to undertake development feasibility works for the site. Given the significant scale of the site, this included investigating opportunities to increase yield to help meet increasing Aboriginal housing demand in the Bega LGA. A scheme comprising four 2-bed dwellings on the site was proposed by LAHC to the AHO. Subsequently LAHC were engaged to take the proposals to DA stage.

#### Aboriginal Housing Demand in the Bega LGA

- The AHO's Demand and Supply Model indicates that in 2017 the Bega LGA has an Aboriginal social housing (income Band A) supply gap of 51 dwellings. This represents a 22% shortage of Aboriginal social housing in the LGA. The 'Band A' supply gap is forecast to increase to 159 dwellings by 2031.
- The Demand and Supply Model also considers the availability of affordable housing (income Band B) for Aboriginal people across NSW. The Model again shows a significant housing supply gap in the Bega LGA. As at 2017 there was an undersupply of 42 affordable housing dwellings within the LGA. And again this is forecast to increase sharply, reaching 125 dwellings by 2031.
- It is worth noting that if the AHO is to help address the significant, and growing, Aboriginal housing supply gap across NSW, the redevelopment of existing AHO sites for an increased yield must be important principle. The AHO has an ongoing program of portfolio analysis to review properties in the AHO portfolio and assess their suitability for small-scale, multi-unit redevelopment.

**Briefing for Minister Goward: reply to correspondence****DA Submission**

- A Development Application was lodged with Bega Valley Shire Council on behalf of the AHO on 31 October 2017.
- The development proposal currently with Council for DA approval would see the AHO develop a total of 4 dwellings on the site (3 x 2-bed and 1 x 3-bed). These dwellings would be split across 2 single-storey duplexes.
- The dwellings would be of brick veneer construction with colorbond roof. In line with the AHO's new asset standards, the dwellings each would have built in garages. The proposal also sees the 4 dwellings accessed from a common, landscaped driveway.

**Meeting with Bega Valley Shire Council**

- On 11 December 2017 the AHO and LAHC met with the representatives from Bega Valley Shire Council and from the Electoral Office of the State Member for Bega. The meeting was intended to discuss any concerns or queries raised during the course of the DA's public notification period.
- The meeting was attended by: Simon Newport, AHO Director Strategic Finance & Asset Management; Naef Qassis, AHO Senior Project Officer; and Daniel Ouma-Machio, LAHC Director Development Services.
- In the course of the meeting Bega Valley Shire Council made a number of recommendations and offered guidance on the site's development parameters. This advice will be applied through minor amendments to the design. *Good*
- The Council advised that the development proposal meets and has complied with all other DCP requirements including Setbacks, Heights, Landscaping and Solar Orientation. ✓
- It was also recognised that the proposal complies with Floor to Space Ratio (FSR) requirements. The proposed development's FSR is 0.26:1. This is significantly below the site's allowable FSR of 0.5:1, as set out in the Council DCP.

**Community Consultation**

- Following the meeting with the Council, a community consultation session was held on site with residents of Hart Crescent. The meeting allowed those living in properties neighbouring the site to raise and discuss their concerns, and ask the AHO questions about the proposed development. An architectural colour render of the proposed development was also shown to the residents to help inform discussions. ✓
- The following matters were raised during the consultation session:
  - There was concern that the garbage bin collection area was not of an adequate size for the development. It was agreed that a redesign will be applied to capture this concern.
  - Residents expressed a preference for the height of the screening/fence along the western boundary of the site. The preferred fence height would be 1.8m high from the top of the retaining wall. Again, it was felt that a mutually agreeable solution can be reached on this matter. ✓
  - The local residents expressed concern that the development was too large. However, residents were informed that the proposed 4 dwelling development is approximately half the permissible development quantum allowed on that site by Bega Valley Shire Council. ✓
  - The Architectural colour renders which showed the development and its impact on the streetscape were met with optimism and there was agreement that the development was not as imposing as they had initially feared. ✓
  - The residents raised concerns about the possible impact of AHO tenants moving into a quiet residential street and discussed the demographics of likely tenants. ✓

**Briefing for Minister Goward: reply to correspondence**

- There was discussion about the AHO's Demand and Supply data and the need for a significant increase in both social and affordable Aboriginal housing in the Bega LGA.
- Site maintenance in advance of any development works commencing was discussed. The AHO agreed to ensure regular grounds maintenance.
- All concerns raised at the community consultation meeting were noted and documented for future reference.
- While some residents continue to harbour concerns about the AHO's proposed development, the meeting was seen to be successful with the Electorate Office staff expressing their appreciation for the effort put into the community consultation process and the AHO's willingness to engage.
- A commitment was made to both the Electoral Office staff and to the residents of Hart Crescent that a follow up consultation meeting will be held once the plans have been revised and the agreed changes incorporated. The Electoral Office has agreed to host any further meetings.

**Current Actions**

- The AHO is currently working with a new design team to revise the development proposal and apply the minor amendments agreed with both Bega Valley Shire Council and the residents group.
- It is currently anticipated that the reworked concept design will be completed by early March 2018. Following this a pre-DA meeting will be held with Bega Valley Shire Council to confirm that all Council guidelines are met.
- As per the commitment made to the community in Bega, a further community consultation session will be held once the designs have been revised. This is likely to take place in mid-March 2018.
- The AHO is happy to keep the Ministers Office updated as the project is revised and progresses through the DA process.

**Attachments**

Tab	Title
A	8 Hart Crescent Bega-Grounds Maintenance Reference - Photo

**Approval**

Role	Electronic approval by	Date
Senior Project Officer	Naef Qassis, Author	21/12/2017
Director, Strategic Finance and Asset Management	Simon Newport	22/12/2017
Chief Executive	Shane Hamilton	22/1/2018





## Place Plan Program Expansion Update

<b>Topic</b>	Expansion of the Future Directions Place Plan program to seven new sites
<b>Analysis</b>	<p>The Minister's Office has requested further information about the expansion of Place Plan sites, progress with the Place Plan program evaluation and draft outcome measures, lessons learned and information on associated programs such as Barbed Wire, Love Bites and the Bellambi Family Partnerships.</p> <p>In December 2017 the Place Plan program was approved to expand to seven new sites – Albury, Cessnock, Goonellabah, Goulburn, Northcott (Surry Hills), Miller and Lithgow-Prospect.</p> <p>Project delivery will start from January 2018.</p> <p>There are nine existing sites at Eden, Moree, Kempsey, Griffith, Claymore, Redfern, Wagga Wagga, Bellambi and Dubbo/Bathurst/Orange.</p> <p>In each location project staff engage local stakeholders including government and non-government agencies to assist in the delivery of identified needs and priorities.</p> <p>A Place Plan evaluation framework and program logic have been approved with the Place Plans to be evaluated against outcomes, administration and economic components.</p> <p>An internal process to agree on a set of common outcome measures, performance indicators and data collection is in development.</p>
<b>To note by</b>	N/A (advice proposed to be with the Minister's Office by 22 January 2018)

Minister's signature

*Mo noted  
Ben Turner  
Adm*

Date

*27/3/18*

### Recommendation: for information only

### Key issues

#### Place Plan program expanded to seven new sites – total sixteen

In December 2017, the Deputy Secretary Commissioning approved the expansion of the Place Plan program.

The new sites to roll out are: Albury, Cessnock, Goonellabah, Goulburn, Northcott (Surry Hills), Miller and Lithgow-Prospect.

A summary of the new sites' initiatives is at **TAB A**.

There are now sixteen Place Plan sites; all FACS districts have one or more sites. Nine existing sites are at Eden, Moree, Kempsey, Griffith, Claymore, Redfern, Wagga Wagga, Bellambi and Dubbo/Bathurst/Orange.

**Briefing for the Minister: for information**

As requested by the Minister's Office, information on three existing program initiatives, Barbed Wire, Love Bites and Bellambi Family Partnerships is at **TAB B**.

**New site selection informed by data and lessons learned**

FACS districts were invited to submit resourcing bids for new Place Plan sites.

Estate demographic and key indicator data (such as crime, ROSH and tenancy management) was provided to assist districts with the selection of new sites, augmented by local knowledge and expertise. Lessons learned from existing Place Plan delivery also informed district bidding.

The timeframe to deliver the 'place-making' approach across new sites is now restricted to 2.5 years instead of the 4-5 years that was initially provided for the existing sites.

To meet the required timelines districts will need to ensure timely recruitment of project staff; set clear and realistic goals; establish effective governance and develop a communication plan for ongoing management of local expectations.

The approach must also incorporate adequate flexibility to enable the testing, refinement and where required refocussing of initiatives.

**Outcome measures, indicators and data collection are in development**

The Place Plan program is a Future Directions Service Improvement Initiative focused on improving client outcomes in social housing estates taking into consideration local needs of individual estates.

The initiative is based on an Estates Framework developed by FACS to address the entrenched disadvantage faced by people living in social housing estates.

The Place Plan initiative has five core objectives:

1. improve access to education, training and employment
2. improve access to effective and coordinated services
3. build stronger and safer communities
4. support Aboriginal community healing and fostering community pride
5. improve the physical environment of social housing areas.

The Social Outcomes Lab (SOULAB) was engaged in September 2017 to inform the Place Plan evaluation by recommending a set of common outcome measures, performance indicators and data collection to be included as part of the evaluation.

A challenge is that every Place Plan is different and identifying a consistent set of measures is complex. There is considerable variation by site based on localised priorities, opportunities, different contexts, start-times and delivery models.

To address this challenge, a 'bottom up' approach was taken to identify detailed measures for each Place Plan and then commonalities were assessed across existing Place Plans to arrive at a set of draft common measures.

It is proposed the evaluation start by conducting a local survey to establish and compare baseline data in May 2018, 2019 and 2020 across each existing and new Place Plan location.

Data derived from various sources will be collected to evaluate outcomes, administration and economic deliverables.

Data collected will roll up to inform the broader Future Directions evaluation plan.

**TAB C** provides a set of proposed common measures, indicators and data collection sources.

**Briefing for the Minister: for information****Place Making Network will ensure lessons learned are shared across locations**

A Place Making Network (PMN) will be established to support FACS district staff in the implementation and delivery of the Place Plan program.

It is intended the PMN will facilitate better links between district staff across project sites, support sharing of best practice approaches, sharing of operational advice and facilitating capacity building and partnerships.

'Place-making' is an evidenced based approach, which is informed by lessons learned from previous programs such as the Neighbourhood Improvement Program, the Community Renewal Program, Building Better Communities and others.

Delivery of the Place Plan program commenced in 2016/17 across initial sites (Eden, Griffith, Kempsey and Moree), with an additional five sites implementing a placed based approach successfully bidding for Place Plan funds to support existing effort in Redfern, Claymore, Bellambi, Bathurst/Orange/Dubbo and Wagga Wagga.

Lessons learned from the delivery of the program to date include:

- Project start up takes time and requires appropriate leadership and staff with demonstrated community development capability and experience to build trust, momentum and buy-in to work with residents and stakeholders locally. This takes time and needs persistent effort.
- The establishment of local governance Project Control Groups (PCGs) in each project site is crucial to support implementation and progress. PCGs are essential to get the project started and to drive local engagement and positive progress. This is a key deliverable in each Place Plan location.
- Recruitment and retention of appropriately skilled staff can be difficult; it can take time and delay project delivery, particularly in some regional areas. Some districts have built funds into their budget bids to offer incentives to recruit and retain staff e.g. Moree.
- Program monitoring and reporting through the Estate Advisory Group (EAG) and cluster Deputy Secretaries needs to be strengthened and streamlined to improve accountability, provide timely strategic guidance and advice to continually fine-tune the program and support local district staff.
- Initially it was envisaged a greater proportion of project delivery would be outsourced to local non-government organisations. Currently, outsourced delivery is minimal. In Moree for example project delivery was changed from a local provider to FACS in-house. There was concern the chosen provider would not be wholly embraced by the local Aboriginal community due to perceptions of divisions that could potentially impede project delivery.
- FACS adopted a flexible approach to the evidence-based framework, to allow strategies to be suited to local context and issues. This has resulted in:
  - reduced program fidelity, with some key elements minimised (e.g. community involvement in identifying priorities, co-design)
  - a focus on delivering 'quick win' projects identified with minimal community involvement to build buy-in and momentum.
- Sites are seeking greater support, program documentation and opportunities to share and learn. The PMN will offer a great opportunity for shared learning and cross-fertilisation to build practice capacity across Place Plan sites.

**Further analysis****Financial impact**

A budget of \$34.89 million has been allocated for the Place Plan program to enable the strengthening of social housing communities in disadvantaged estates across five years to 2019/20.

**Briefing for the Minister: for information**

A budget of \$9.965 million is available in 2017/18 of which \$8.9m is the forecast expenditure. Nine existing sites received 2017/18 delivery and project funds.

Districts have been allocated approved funds for start up costs and project delivery from January to June 2018 across seven new sites.

Subject to satisfactory performance and delivery (yearly assessment) funding for new sites is available until June 2020.

**Risks / contentious issues**

Central staffing changes within Commissioning will impact the continuity of program management and support to districts. Detailed handover and transition must occur in early 2018 to new staff dealing with this program. Resources earmarked within Commissioning Housing for Place Plan program management will help to mitigate this risk.

Districts are responsible for procurement, contracting and payment of outsourced providers in compliance with NSW Procurement Guidelines. Mechanisms are required to ensure central oversight and district support to implement required procurement standards and guidelines. This will be an agenda item at the next Estate Advisory Group meeting in February 2018.

**Consultation and Communication Strategy**

An approved Communication Framework guides the Place Plan program and district communication plans. The Place Plan program is yet to be announced externally.

Districts are continuing to lead communication at the local level with funded service providers and the community.

Place Plan district staff are working with Strategic Communications to assess their communications readiness across existing sites and to develop tailored communication plans.

The development of a communication plan will be a deliverable for all new approved sites.

**Background**

A meeting with the Minister's Office (MO) and the A/Executive Director, Housing, Commissioning was held on 19 December 2017 to discuss a briefing submitted to the MO on the Place Plan program (AF17/40691).

This briefing responds to a request for further information by the MO at that meeting.

**Attachments**

Tab	Title
A	Summary of new Place Plan sites initiatives
B	Specific program information: Barbed Wire, Love Bites and Bellambi Family Partnerships
C	Draft Place Plan evaluation outcome measures and indicators

**Approval**

Role	Electronic approval by	Date
Manager, Future Directions		
A/Executive Director, Housing	Emma Nicholson	19/1/18

Briefing for the Minister: for information

## Place Plans New Sites - Summary of Initiatives and Activities

Approved Sites	Summary of initiatives and activities
<b>Albury</b>	40 residents assisted into job readiness
	5 young people assisted to attain and retain employment
	60 community members participate in 3 community events to raise awareness and reduce Domestic Family Violence (DFV)
<b>Cessnock</b>	30-40 Aboriginal estate residents assisted to access localised healing strategies
	10 Aboriginal young people receive intensive mentoring focused on education and employment outcomes, with family support and engagement
	Engagement of sporting bodies with young people to build confidence, and resilience and a sense of belonging
	Create opportunities for employment through the expansion of the Cessnock Correctional Centre for estate residents
	Delivery of physical improvements to a local community park to increase usage of open spaces by estate residents
<b>Goonellabah</b>	5 young families (head of household under 25 years) assisted to sustain tenancies through access to education and employment options, in the first 6 months of the project
	Engagement of estate residents in community clean up events to improve the physical amenity and liveability of the estate
	Deliver activities during school holidays, after-school and on weekends for young people to increase engagement in sporting and cultural events
	Offer brokerage funds to support at least 15 youth into the above activities
<b>Goulburn</b>	Engage young estate residents in Bradfordville and Mary's Mount into work ready activities and job placements
	Facilitate estate residents to discharge SDRO fines through Work Development Orders (WDO) to overcome barriers to education and employment
	Create opportunities for local employment by leveraging on the Goulburn 'property boom'
	Improve children's wellbeing by increasing parental involvement and participation in early childhood

Approved Sites	Summary of initiatives and activities
	centres and services
	Improve the provision of wrap around support services for families with complex needs
<b>Northcott (Surry Hills)</b>	Establish a Shopfront Hub to service over 800 estate households to provide outreach services such as financial assistance, legal, drug & alcohol, mental health and gambling
	Provide estate residents with triage and referral services to wrap around, tailored services to meet individual needs
	Increase the number of estate residents engagement with more than one service provider, activity and community event, with a focus on Aboriginal and CALD (e.g. Chinese and Russian) people wellbeing
	Deliver educational awareness and support programs to estate residents such as Mental Health First Aid, Drug Awareness, Neighbourhood Policing and Anti-Social Behaviours
<b>Miller (Green Valley)</b>	Deliver the Hot Spot Safety program to make small physical improvements to estate homes, streets and community facilities to improve safety and to reduce anti-social behaviour and vandalism. About 70 estate residents living in hot spot areas will benefit
	Get 100 young unemployed residents into jobs by linking and supporting them into job opportunities created through the Badgerys Creek airport and new rail freight line large scale urban developments
	Deliver Mate, a train the trainer anti-violence program, initially to 15 estate residents
	Capture, document and publish a local Aboriginal history, recorded and written in language to support Aboriginal estate communities to heal
<b>Lithgow/Prospect</b>	Complete four local engagement forums with estate residents, in the first 6 months, to identify local needs and priorities in the set up of the Connecting Lithgow and Connecting Prospect projects
	650 Lithgow residents and 450 Prospect residents will benefit from better access to specialised health services, education, recreation and employment support services
	Initial focus on quick wins in Lithgow, aligned to local needs and priorities through collective brokerage to respond flexibly to immediate service gaps
	Initial focus on delivery of outreach programs and activities in Prospect

TAB B

## **Additional Information Specified Programs (Ministerial Request)**

---

### **Barbed Wire**

In 2016/17 the Dubbo Place Plan provided [REDACTED] to fund Barnardos to co-ordinate and deliver the Beyond Barbed Wires Program (BBW) in Wellington Correctional Centre (Dubbo Local Government Area) over 3 years. This model is focussed on strengthening and providing stability to families through parenting skills and other supports, which aligns to FACS mandate rather than the Department of Corrections, which is to change criminal behaviour.

This project contributes to reducing domestic violence by creating safety and stability in the Estate community. It is a targeted approach to women exiting the Wellington Correctional Centre that will be housed in social housing. The model provides parenting skills and keeps mothers and children connected with their children. BBW aims to reduce the numbers of women returning to prison by providing support to mothers during incarceration at Wellington Jail and 12 months after release.

Program description:

- Develop individualised case plans for 20 eligible women
- Provide case management support to 20 women at the Centre
- Provide ongoing post release mentoring and referral to a case management support service as required to 20 women exiting the Centre
- Deliver parenting programs to 20 women in the Centre, including, for example : Feed the Family, Out of the Dark, Helping Your Child with Early Learning
- Provide post release linkages to services
- Support transitional accommodation as required
- Support all post release participants by providing access to 12 months mentoring
- Provide post release participants with work placement opportunities.

Significant positive progress has been made to date including:

- 11 current participants (3 identify as Aboriginal); 2 are undertaking work placement at an approved work release site and 3 are currently in custody
- 1 participant is undertaking TAFE studies
- 8 children have been returned to the care of their mother post release( 3 participants are the primary carers of (some) of their children/grandchildren post release)
- 1 reported case of re-offending resulting in incarceration after 18 months release.

### **LOVE BITES**

LOVE BiTES (LBP) is a school based Domestic and Family Violence and Sexual Assault prevention program based on best practice standards for educational programs. LBP promotes an integrated partnership approach to prevention and generates local ownership of the program.

The Wagga and Griffith Place Plans provide funds for logistical support (database) and co-ordination of the program. However, costs associated with the actual delivery of the program are the responsibility of the schools involved.

LBP consists of two interactive education workshops followed by creative workshops that consolidate the information. Male and female facilitators present the program as a team and consistently model respectful relationships between male and female students, teachers and workers. The artworks and other work created in the creative sessions are the basis for local campaigns to challenge violence against women in their community. This campaign is led by and delivered by young people.

FACS Western NSW district has formed a partnership with the Department of Education, Police and members of the Southern Region Domestic and Family Violence Reference Group to carry out the following:

- Conduct an audit of trained LBP practitioners
- Identify those practitioners that require refresher training
- Identify locational gaps for trained practitioners
- Seek funding to train appropriate participants for those locations
- Support an NGO to develop a data base of trained practitioners
- Coordinate delivery of the LBP program into schools and other relevant organisations

### **Bellambi Family Partnerships**

The Bellambi Family Partnerships model was developed by the FACS Illawarra Shoalhaven District (ISD). This partnership is an interagency, intersector group that works to improve outcomes for complex families living in social housing estates by coordinating case management across agencies. It ensures that identified families are not over or under serviced.

Key members of the partnership model are from a range of community organisations and government agencies. It includes a member of the Early Intervention and Placement Prevention (Youth Worker) team from the Bellambi Neighbourhood Centre as well as FACS, the Department of Education, Barnardos, the Illawarra Aboriginal Medical Service, Bellambi Neighbourhood Centre, Illawarra Shoalhaven Local Health District, Life without Barriers, Juvenile Justice, Uniting Church and Family Services Illawarra.

Led by FACS ISD, the model was piloted in Bellambi (2016-2017) as it was identified that complex families were poorly serviced and agencies/services required assistance to rectify this issue. The pilot was subsequently reviewed for its effectiveness by the Illawarra Shoalhaven Social Investment Trust (ASIT), in partnership with FACS ISD. This evaluation identified that there was significant value in the model's ability to co-ordinate services and identify case management services for complex families. The outcomes of the model created improved and positive service system interactions for these clients.

A process was developed to streamline the system and the application of the model in Bellambi and potentially other locations. The improvement of the model also sought to build on the identified value and overcome some of the challenges identified by the review. The review has been completed and an updated structure and membership model will be presented to the District Director of Illawarra, Shoalhaven and Southern in February 2018 for consideration, in particular noting resource requirements to ensure model sustainability.

## Place Plans draft measures

Key indicators of success as identified through District feedback and activities

### Opportunities and Pathways

- Increase employment opportunities
- Improve job-readiness
- Improved educational performance
- Improved school readiness
- Improved school attendance
- More empowered

### Service co-ordination and access

- Improve collaboration between service providers, agencies, community

### Strengthening and healing Aboriginal communities

- Improved wellbeing of Aboriginal community members
- Access to appropriate services

### A better physical environment

- Community residents increase usage of parks and community hubs

### A safer and stronger community

- Increased social capital and sense of belonging
- Regular social events
- Improved community safety and wellbeing

**Future Directions  
Reform Measures**

**EDUCATION**

% of clients who have improved educational outcomes over time

% of clients who have a qualification

**EMPLOYMENT**

% of tenants who report some form of employment

% tenants who report stable employment over time

**PERSONAL WELLBEING**

% improvement in client subjective wellbeing (PWI - Personal Wellbeing Index)

The PWI has 7 questions: How satisfied are you with your...Standard of Living/Personal Health/ Achieving in Life/ Personal Relationships/ Personal Safety/ Community Connectedness/ Future Security?

**Place Plans  
Initiative specific  
Outcome  
Measures**

**EDUCATION**

- % of children that are school ready (AEDC score)

- Absenteeism rates

**EMPLOYMENT**

% of clients who are unemployed and currently enrolled in some form of education or training

**EMPOWERMENT**

- % of clients that report feeling motivated to take action to improve their circumstances

- % of clients that have a mentor or someone to talk to about the future

- % clients reporting involvement in decision-making

**SOCIAL AND COMMUNITY**

- % of people that report feeling a sense of belonging in the place and community where they live

- The proportion of people who had some involvement in social and community groups in the last 12 months

- % community residents using parks and community hubs

**SAFETY**

- Safety incidences by offence type (rate per 100,000) (including DFV related incidences)

- % of children re-reported at ROSH

**OTHER**

- % of clients that have access to services they need when they need them

- % of clients who report trust and positive relationships with government agencies

- % of clients that feel that the Place Plans initiative has had a positive impact on their lives and the place that they live in

- Improved collaboration between service providers, agencies, community

The following table shows the data sources associated with the measures shown on the previous page. The measures where the data source is 'survey' are included in a client or service provider survey.

Measure	Data source	Key HSOF Domain
• % of clients who have improved educational outcomes over time	FD data collection	Education
• % of clients who have a qualification	FD data collection	Education
• % of children that are school ready (AEDC score)	FACS/DEC data linkage	Education
• Absenteeism rates	FACS/DEC data linkage	Education
• % of tenants who report some form of employment	FD data collection	Employment
• % tenants who report stable employment over time	FD data collection	Employment
• % of clients who are unemployed and currently enrolled in some form of education or training	Survey	Employment
• % improvement in client subjective wellbeing (PWI - Personal Wellbeing Index)	FD data collection	All
• % of clients that report feeling motivated to take action to improve their circumstances	Survey	Empowerment
• % of clients that have a mentor or someone to talk to about the future	Survey	Empowerment
• % clients reporting involvement in decision-making	Survey	Empowerment
• % of people that report feeling a sense of belonging in the place and community where they live	Survey	Social and community
• The proportion of people who had some involvement in social and community groups in the last 12 months	Survey	Social and community
• % community residents using parks and community hubs	Survey and hubs	Social and community
• Safety incidences by offence type (rate per 100,000) (including DFV related incidences)	BOCSAR	Safety
• % of children re-reported at ROSH	FACS admin	Safety
• % of clients that have access to services they need when they need them	Survey	All
• % of clients who report trust and positive relationships with government agencies	Survey	All
• % of clients that feel that the Place Plans initiative has had a positive impact on their lives and the place that they live in	Survey	All
• Improved collaboration between service providers, agencies, community	Survey	All

Pages 145 through 147 redacted for the following reasons:

-----  
Withheld in full - refer to schedule

**Briefing for Minister Goward: for information**

- B Briefing note on the finalisation of the Child Protection Services Interim Schedule, noted by the Minister on 26 July 2017 (EAP17/6466).

**Approval**

Role	Electronic approval by	Date
Senior Policy Officer, Child and Family, Commissioning	Elizabeth O'Mahony	16/01/2018
Manager, Child and Family	Gavin Peek	17/01/2018
Director, Design and Stewardship	Daniel Barakate – Accountable officer	17/01/2017
Executive Director, Child and Family	Simone Czech	Not available
Deputy Secretary, Commissioning	Deidre Mulkerin	19/01/2018

Pages 149 through 158 redacted for the following reasons:

-----  
Withheld in full - refer to schedule

## Briefing for Minister Goward: for information

## Approval

Role	Electronic approval by	Date
Senior Policy Officer Children, Youth and Families Policy	Blake Cansdale	03/07/2017
Director Strategic Policy	Tim O'Connor	05/07/2017
Executive Director; Strategic Policy 2	Tahn O'Brien	07/07/2017
Deputy Secretary, Commissioning	Deidre Mulkerin	12/07/2017
Secretary	Michael Coutts-Trotter	<i>MCT</i> 17.7.17



## Considerations and the process for granting leave in s. 90 applications in the Children's Court

**Topic** The Minister has requested a response to four questions in relation to the consideration of and process for leave being granted to an applicant parent who files an Application for Rescission and Variation of a Care Order under s. 90 of the *Children and Young Persons (Care and Protection) Act 1998* (Care Act), in the Children's Court.

**Analysis** **In response to question 1** – In determining whether to provide consent for leave in s. 90 applications, FACS will consider:

- whether there has been any significant change in relevant circumstances since the care order was made ✓✓
- the nature of the application and evidence filed in support of the application ✓✓
- relevant records and information held by FACS ✓
- any legal advice provided by FACS Legal ✓
- the age of the child or young person ✓
- the length of time the child or young person has been in care of the present carer ✓
- the plans for the child, and ✓
- whether the applicant has an arguable case. ✓

**In response to question 2** - Once a s. 90 application has been filed, the matter is usually listed before the Children's Court within seven days. Where FACS or any other party requires further time to determine its position as to leave, the Court will make procedural directions and list the matter on a future date where parties can indicate their position and make submissions to the Court on the question of leave.

FACS will consult with its legal representative regarding how much time FACS needs to determine its position on leave. This information will be provided to the Court for it to consider when setting the next Court date.

**In response to question 3** - Permanency issues are at the forefront of FACS' decision on leave as well as the Children's Court's determination of leave. FACS and the Children's Court are both required to consider permanency when considering a s. 90 application and making any decisions in relation to that application, including decisions on leave.

**In response to question 4** - It always appropriate to engage in alternative dispute resolution (ADR), such as Family Group Conferences, in an attempt to resolve any issues or concerns a birth parent may have and avoid the need for contested litigation. Parties can engage in ADR prior to any s.90 application being filed or during the s. 90 proceedings.

**To note by** 19 January 2018

Minister's signature

Date

24/1/18

Briefing for Minister Goward: for information

## Recommendation: for information only

---

### Key issues

---

We, at FACS Legal, have been asked to provide a response to the following questions:

1. How is FACS currently determining whether to provide consent for leave in s. 90 applications?
2. What timeframes are given to FACS by the court to allow FACS to make an assessment of the parents' situation?
3. How is permanency being considered in this decision making?
4. What options are there to improve this process and prevent unnecessary s. 90 applications from going through the Court e.g. Family Group Conferencing?

The above questions have been asked in the context of a birth parent filing a s. 90 application. Our responses to these questions are therefore limited to those types of applications.

We have previously prepared a detailed Briefing Note (EAP17/282) on s.90 applications in the Children's Court (**TAB A**). That Briefing Note set out, amongst other things, the considerations and process for granting leave in s. 90 applications in the Children's Court. That previous Briefing Note provides further information and context to this Briefing Note.

### FACS Legal's response to the questions

#### Question 1: How is FACS currently determining whether to provide consent for leave in Section 90 applications?

There is no requirement for FACS, as a respondent to a s. 90 application filed by a birth parent, to consent to leave being granted for that application. This is because the decision to grant leave to an applicant who files a s. 90 application is a matter for the Children's Court to determine under s. 90 (2) of the Care Act.

However, as FACS is a respondent to the application, it is usual for the Children's Court to seek FACS' views on the application. FACS, through its legal representative, will therefore indicate its position on whether or not the Court should grant leave in respect of the s. 90 application.

Sections 90 (2) and (2A) of the Care Act provide that, before the Children's Court can grant leave to vary or rescind a care order, it must take certain matters into consideration. Those matters include:

1. whether there has been any significant change in relevant circumstances since the care order was last made or varied (s.90(2))
2. the nature of the application
3. the age of the child or young person
4. the length of time for which the child or young person has been in the care of the present carer
5. the plans for the child
6. whether the applicant has an arguable case, and
7. matters concerning the care and protection of the child or young person that are identified in:
  - (i) a report under s. 82, or

**Briefing for Minister Goward: for information**

- (ii) a report that has been prepared in relation to a review directed by the Children's Guardian under s. 85A or in accordance with s.150 (s.90(2A)).

FACS will also consider the above matters when determining its position on the application and will usually indicate to the Court that:

1. FACS does not oppose leave being granted, or
2. FACS opposes leave being granted by the Court.

If FACS opposes leave, it will usually ask for an opportunity to make submissions to the Court on the question of leave.

FACS' position on the question of leave is a casework decision and each decision will be made on a case by case basis, taking into account any legal advice that has been provided. This means that the way in which FACS determines its position on any s.90 application, including whether FACS opposes leave, will vary depending on the facts and circumstances of each particular case.

In considering its position on leave, FACS will take into consideration the matters set out in s. 90 (2A) of the Care Act, and will undertake some or all of the following actions:

1. Review the s. 90 application and any affidavit/s filed in support
2. Review FACS' records in relation to the subject child/young person as well as any progress the applicant parent/parents have made
3. Liaise with any NGO who has case management for the child or young person to discuss the application and review any relevant records held by that NGO
4. Attend interviews with the carers and/or children and young people (where appropriate), and
5. Seek legal advice on the application and the merits of the applicant's case.

FACS is bound by the NSW Government's Model Litigant Policy. Therefore, if FACS is of the view that the applicant parent has established that there has been a significant change in relevant circumstances since the last care order was made and that she or he has an arguable case, it is likely to be contrary to that policy for FACS to oppose leave being granted, irrespective of whether it supports the orders sought by the applicant parent (for example, where the parent is seeking restoration but FACS does not support this).

Even in circumstances where FACS opposes leave being granted for a parent to bring a s. 90 application, the Court may still find that there has been a significant change in relevant circumstances and grant leave. This is because the decision to grant leave is a decision solely for the Children's Court. However, as indicated above, it will take into account any submissions made by a party in relation to leave.

**Question 2: What timeframes are given to FACS by the court to allow FACS to make an assessment of the parents' situation?**

When a parent files a s. 90 application in the Children's Court, the Court will usually list the matter for a first mention within 7 days. On that occasion, the Children's Court may ask FACS what its position is on the question of leave or ask FACS to indicate a reasonable timeframe for it to review and assess the application and provide the Court with its position.

There is no timeframe set out in the Care Act or the Children's Court Rules as to how long this process should take, however the Children's Court will expect FACS to make a determination as to its position on leave within a reasonable timeframe.

**Briefing for Minister Goward: for information**

The Children's Court is required to determine applications as expeditiously as possible in order to minimise the effect of the proceedings on the child or young person and his or her family and to finalise decisions concerning the long-term placement of the child or young person (s. 94).

In most cases, the relevant FACS casework officers will consult with their legal representative in relation to an appropriate timeframe for FACS to determine its position on leave. The Court will then make procedural directions and list the matter for mention on a future date so that FACS can indicate its position. The Court may also list the matter for an interim hearing so that the parties may make submissions to the Court on the question of leave.

As indicated above, when determining whether or not to oppose leave being granted by the Children's Court, FACS will take into account the matters set out in s. 90 (2) and s. 90 (2A) of the Care Act as well as reviewing relevant records, information and evidence and any legal advice obtained. These matters may affect the time that FACS requires to make a decision on the question of leave. For instance, if there has been a voluminous amount of evidence filed or if FACS needs time to make enquiries or obtain further information to assess claims of a change in circumstances such as an applicant parent's rehabilitation, FACS may require a longer period of time to determine its position.

Other factors such as whether FACS has had prior notice of the application may also affect this timeframe. For instance, in some cases, FACS or the relevant NGO, may have been put on notice about a prospective s. 90 application and may have undertaken casework in relation to the applicant parent's progress and have a preliminary view on the application. In other cases, the service of the s.90 application may be the first time that a parent's intention to seek restoration is made known, and time may be required to undertake relevant casework, review material and liaise with relevant stakeholders.

**Question 3: How is permanency being considered in this decision making?**

When making any decision in relation to a child or young person, the Care Act requires that permanency be considered (see ss. 8 (a1), 9 (e) and (g) and 10A). This means that FACS and the Children's Court are both required to consider permanency when reviewing a s. 90 application and making any subsequent decisions in relation to that application. Permanency issues are therefore at the forefront of FACS' position on leave as well as the Children's Court's determination of leave.

As indicated above, FACS and the Children's Court will consider the matters set out in ss. 90(2) and (2A) when considering leave.

In respect of permanency, s. 90 (2A) requires consideration of "the plans for the child", which will often include a review and analysis of the child's case plan and permanency goals as well as the applicant's plans for the child.

Section 90 (2A) also requires consideration of "matters concerning the care and protection of the child or young person that are identified in a report under s. 82" (when available). A s. 82 report is a report on the suitability of the arrangements for the care and protection of the child or young person. The Court often makes an order that a s.82 report be filed within 12 months of the making of a final order. The s.82 report is required to include an assessment of progress in implementing the care plan for the child or young person, including the progress that has been made towards the achievement of a permanent placement.

The objects and principles of the Care Act that require permanency to be taken into account when making all decisions in relation to a child or young person, coupled with the statutory requirements set out in ss. 90 (2) and (2A), means that permanency must be considered by both FACS and the Court in making a decision in relation to a s. 90 application.

Briefing for Minister Goward: for information

**Question 4: What options are there to improve this process and prevent unnecessary s. 90s from going through the Court e.g. Family Group Conferencing?**

It is always appropriate to consider ADR, such as family group conferences or contact mediations, in an attempt to resolve any issues or concerns a birth parent may have and to avoid the need for contested litigation.

If FACS is made aware of a parent's issues or concerns prior to a s. 90 application being filed, engaging in ADR can be an effective way to attempt to address those issues or concerns and reduce the likelihood that a parent will file a s. 90 application.

ADR can also be an effective tool that can be used during the course of the s. 90 proceedings. The Children's Court can refer parties to ADR at any time. The parties may also agree to participate in ADR in an attempt to resolve or narrow any issues in dispute in the proceedings. For example, the Children's Court may be satisfied that a parent has demonstrated a significant change in relevant circumstances and grant leave, however that parent may have limited prospects of success on having the child restored to his or her care, given the length of time the child has been in the care of his or her authorised carers and the child's attachment with those carers. In such a case, during ADR, a parent may accept this and agree not to seek restoration and instead agree to increased contact with the child.

## Further analysis

---

### Consultation and input

Input for this Briefing Note was provided by the FACS Commissioning, Child and Family unit with reference to the Discussion Paper *Shaping a Better Child Protection System*. That paper considered, amongst other things, whether s. 90 applications should be limited to support a child's or young person's permanency.

Commissioning advised that a number of submissions have been received by various stakeholders on s.90 applications and that the majority of those submissions opposed limiting a parent's ability to bring a s. 90 application, as outlined in the Discussion Paper. We

Input was also provided by the Child Safety and Permanency Team.

### Financial impact

Nil impact.

### Risks / contentious issues

Nil risks.

## Background

---

### Legislative framework

A s. 90 application is an application made to the Children's Court to rescind or vary a care order. A s. 90 application may only be made with the leave of the Children's Court.

A s. 90 application may be made by FACS, a birth parent (or parents jointly), the child or young person subject to a care order, and any person who considers himself or herself to have a sufficient interest in the welfare of the child or young person.

**Briefing for Minister Goward: for information**

The Children's Court may grant leave only if it appears that there has been a significant change in any relevant circumstances since the care order was made or last varied. This is effectively a threshold test that must be met before the application can proceed.

A significant change in circumstances is not limited to a change made by a birth parent or parents and may include a significant change in the child's or young person's circumstances.

The Care Act sets out the matters that the Children's Court is required to consider in determining whether or not to grant leave to an applicant.

When making a determination on leave, the Children's Court will also seek the views of the respondent and any other relevant party, including the child or young person's legal representative.

**Attachments**

Tab	Title
A	Briefing Note EAP17/282

**Approval**

Role	Electronic approval by	Date
Senior Legal Officer	Nicholas Martin – On file	15/01/2018
Director, Child Protection	Catherine Samuels – On file	17/01/2018
General Counsel	Alana Starke	17/01/2018

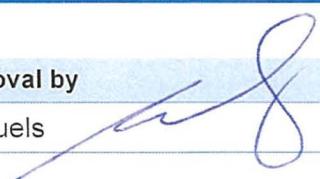
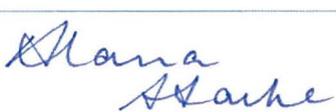
cc: John Hubby, Deputy Secretary Corporate Services  
 Simone Walker, Deputy Secretary Northern Cluster

Pages 166 through 173 redacted for the following reasons:

-----  
Withheld in full - refer to schedule

Briefing for Minister Goward: for information

## Approval

Role	Electronic approval by	Date
Director, Child Protection	Catherine Samuels 	1/5/17
Executive Director, Design Innovation Safety & Permanency	Simone Czech	11 April 2017
General Counsel, FACS Legal	Alana Starke 	2.5.17

### Copies to:

John Hubby, Deputy Secretary, Corporate Services  
 Simone Walker, A/Deputy Secretary, Northern Cluster  
 Michael Coutts-Trotter, Secretary

Pages 175 through 177 redacted for the following reasons:

-----  
Withheld in full - refer to schedule

**Briefing for Minister Goward: for information**

Information relating to the provision of 'Child-Related Costs – Long-term guardian costs' payments by QLD Child Safety is attached at **Tab A**.

Briefing for Minister Goward: for information

## Approval

---

Role	Electronic approval by	Date
Manager Client Services, Raymond Terrace Community Services Centre	Sonia Baxter	6/12/2017 Updated 11/01/2018
Director Community Services, Hunter	Silvia Lopic	8/12/2017 Updated 12/01/2018
Executive District Director, Hunter and Central Coast	Marie New	11/12/2017 Updated 18/01/2018

# POLICY STATEMENT

---

<b>Title:</b>	Child Related Costs – Long-term guardian support
<b>Policy No.</b>	CPD608-2

---

## Policy Statement:

The Department of Communities (Child Safety Services), may provide financial support to approved foster and kinship carers who are subsequently granted the long-term guardianship of a child or young person under the *Child Protection Act 1999*, sections 61(f)(i) and (ii), and the child or young person in their guardianship. In addition, financial support will be in accordance with the following criteria:

- Child related cost (CRC) reimbursement is approved for significant and/or ongoing costs that are specific to the child or young person's individual needs over and above the financial support provided in the fortnightly caring allowance and the high support needs allowance if this is also provided. However, all other avenues of financial support must be explored first, for example, other government allowances and benefits.
- decisions regarding access to CRC must be in accordance with the *Financial Accountability Act 2009* and all goods and services purchased must be considered reasonable by the relevant financial delegate
- all CRC expenditure is in accordance with the appropriate financial delegations and standards
- all transactions are to be substantiated (i.e. receipts) and all reimbursement documentation is to be maintained to ensure an adequate audit trail
- all items purchased under this category belong to the child or young person
- when the necessary services are not publicly available, approved foster and kinship carers who are subsequently granted the long-term guardianship of a child or young person under the Act will have access to financial support for services to meet the health, educational, therapeutic, transition into adulthood and cultural needs of children and young people.

## Principles:

- The safety, wellbeing and best interests, of the child or young person are paramount.
- The child or young person has a right to be placed in a care environment that best meets their needs for permanency and stability.
- Approved foster and kinship carers who are subsequently granted the long-term guardianship of a child or young person under the Act, and the child or young person in their guardianship, have the right to receive support that will contribute towards the stability and permanency of the care arrangement.

- The department recognises that unforeseen circumstances may arise, and/or the needs of the child or young person subject to the long-term guardianship order may change significantly at any time following the making of a long-term guardianship order to a suitable person.

### **Objectives:**

This policy aims to support the stability and permanency of long-term guardianship care arrangements, by enabling eligible guardians or the child in their guardianship to seek reimbursement of child related costs that are considered to be significant and/or ongoing in relation to the child subject to the long-term guardianship order.

### **Scope:**

This policy relates to approved foster and kinship carers who are subsequently granted the long-term guardianship of a child under the *Child Protection Act 1999*, and the child in their guardianship.

### **Roles and Responsibilities:**

The child safety officer for the child is responsible for responding to requests for support, by a child or young person or their long-term guardian.

The CSSC team leader is responsible for ensuring that the support needs of a child or young person or their guardian are appropriately responded to in a timely manner.

Following the making of a long-term guardianship order, an eligible guardian is responsible for providing information or evidence to support the application for CRCs that are not endorsed within the child or young person's existing case plan.

The financial delegate is responsible for approving all child related costs on behalf of the child or an eligible guardian.

### **Authority:**

*Child Protection Act 1999*, section 159

*Financial Accountability Act 2009*

### **Delegations:**

Premier

Minister

Director-General

Deputy Director-General, Communities, Child Safety, Youth and Families

Associate Director-General, Regional Service Delivery Operations

Director, Statewide Services Branch

Regional Executive Director

Regional Director, Child Safety, Youth and Families

Manager, Child Safety Service Centre

Manager, Child Safety After Hours Service Centre

---

**Records File No.:****Date of approval:** 15 December 2011**Date of operation:** 11 January 2012**Date to be reviewed:** December 2014

---

**Office:** Communities, Child Safety, Youth and Families**Help Contact:** Child Protection Development – 3235 9411

---

**Links:****Related Legislation or Standards:***Financial Accountability Act 2009**Child Protection Act 1999***Related Government Guidelines:**

Statement of Commitment between the Department of Child Safety, foster care services and the carers of Queensland

Procedure – Child Related Costs – Long-term guardian support

**Related Departmental Policy:**

Child Related Costs – Travel (595)

Child Related Costs – Education support (599)

Child Related Costs – Outfitting (600)

Child Related Costs – Client support and family contact (598)

Child Related Costs – Carer support (597)

Child Related Costs – Medical (596)

Supporting children in the care of long-term guardians (607)

Expenses - Fortnightly caring allowance and inter-state foster payments (365)

Regional/Remote loading for carers (379)

Dual payment of carer allowances (289)

High Support Needs Allowance (296)

Complex Support Needs Allowance (612)

Expenses – General (FSE001)

Expenses – Payment Methods (FSE008)

Financial Delegations

**Forms:**

Child Related Costs Approval Form

**Rescinded Policy:**

608-1 Child Related Costs – Long-term guardian support

---

Linda A Apelt

Director-General

Pages 184 through 187 redacted for the following reasons:

-----  
Withheld in full - refer to schedule

**Briefing for Minister Goward: for information**

**Approval**

<b>Role</b>	<b>Electronic approval</b>	<b>Date</b>
Emma O'Brien, Legal Officer, General Litigation & Dispute Resolution	On file	17/1/2018
Andrea Nesbitt, A/Manager, General Litigation & Dispute Resolution	On file	17/1/2018
Tracey Emanuel, A/Director, General Litigation & Dispute Resolution	On file	17/1/2018
Alana Starke, General Counsel, FACS Legal	On file	18/1/2018
Michael Coutts-Trotter, Secretary		

copy to: Mr John Hubby, Deputy Secretary, Corporate Services  
 Ms Donna Mapledoram, Director, Serious Case Review Unit  
 Ms Jo Lawrence, Executive District Director, Murrumbidgee, Far West and Western  
 NSW districts

Pages 189 through 192 redacted for the following reasons:

-----  
Withheld in full - refer to schedule

Briefing for Minister Goward: for information

## Approval

---

Role	Electronic approval by	Date
Principle Project Officer	Craig Warwicker	12/10/2017
Senior Practitioner	Kate Alexander	11/10/2017
A/Deputy Secretary Northern Cluster	Simone Walker	
Secretary	Michael Coutts-Trotter	

Cc: FACS Media

Pages 194 through 197 redacted for the following reasons:

-----  
Withheld in full - refer to schedule

Briefing for Minister Goward: for information

Approval

Role	Electronic approval by	Date
Manager, Serious Case Review	Lisa Pedersen	12/07/2017
A/Director, Serious Case Review	Sophie Woods 	12/07/2017
Senior Practitioner, Office of the Senior Practitioner	Kate Alexander 	12/07/2017
Secretary	Michael Coutts-Trotter (cc'd Obs) 18/01/2018	

## Northern NSW Flood Funding

<b>Topic</b>	Update on flood funding in Northern NSW, as at 12 January 2018.
<b>Analysis</b>	<p>Early in 2017, the NSW Government allocated \$12 million to Northern NSW to increase the supply of social and affordable housing for flood affected communities in Northern NSW.</p> <p>The allocation included \$10 million for the acquisition of properties to let as social housing and \$2 million for rental subsidies.</p> <p>Of the \$10 million allocated for property acquisitions, in 2017, \$4.33 million was used by Land and Housing Corporation (LAHC) to acquire eight social housing dwellings in Tweed Heads, Tweed Heads South and Ballina. The remaining \$5.67 million is being used to increase the supply of social housing in the Murwillumbah and Lismore areas, as suitable properties become available. LAHC is undertaking due diligence on 11 suitable dwellings in Goonellabah and is considering a further 2 dwellings in Goonellabah for their suitability.</p> <p>LAHC remains in close contact with real estate agents in Lismore and Murwillumbah seeking properties, with a focus on Murwillumbah.</p> <p>The \$2 million allocated for rental subsidies is enabling community housing provider, North Coast Community Housing (NCCH) to head lease at least 30 private rental properties for up to three years. As at 12 January 2018, 17 dwellings have been head leased by NCCH in Lismore (5), Murwillumbah (6), Tweed Heads (4), Wardell (1) and Eungella (1). NCCH continues to liaise with real estate agents and private landlords, in the aim of securing further rental properties.</p>
<b>To note by</b>	N/A

Minister's signature

Date

### Recommendation: for information only

### Key issues

Land and Housing Corporation (LAHC) is actively searching for properties suitable for social housing in the Murwillumbah and Lismore areas.

Dwellings for acquisition need to meet the needs of social housing residents in terms of accessibility and proximity to shops, medical services and schools. Importantly, properties must not be affected by flooding or be in a flood prone area.

LAHC has been in contact with the majority of real estate agents in the area to find out whether they are aware of properties that meet the selection criteria, but are not publicly listed for sale or auction. This approach will continue with all agents in the area, as well as

**Briefing for Minister Goward: for information**

reviewing properties publically listed for sale. LAHC has had also contact with a number of developers of potential properties.

Council has provided LAHC advice regarding properties with development approval, which LAHC is considering.

**Approval**

---

<b>Role</b>	<b>Electronic approval by</b>	<b>Date</b>
Director, ODS	Rodney Hodder	On file
A/Deputy Secretary	Greg South	On file



## Institute of Open Adoption Studies - update

<b>Issue</b>	The Minister requested a comprehensive description of the activities of the Institute of Open Adoption Studies (IOAS).
<b>Key facts</b>	<ul style="list-style-type: none"> <li>• The Minister met with the IOAS on 12 October 2017.</li> <li>• On 11 October 2017, the Minister read the briefing for the meeting of 12 October and requested a more comprehensive update on the activities of the IOAS.</li> </ul>
<b>Analysis</b>	The NSW Government funds the activities of the Institute of Open Adoption Studies and detailed progress of activities is attached for the Minister's information ( <b>TAB A</b> ).
<b>Due to MO</b>	N/A

### Recommendation: for information only

Information only

Minister's approval

Date

24/1/18

### Activities of the Institute of Open Adoption Studies

The following activities of the Institute of Open Adoption Studies are currently underway and progress is detailed further in **TAB A**:

1. Institute Newsletter ARC Linkage Grant: Fostering lifelong connections in the best interest of children
2. Measuring the return on investment of permanency pathways: A scoping study
3. Exploring motivations and barriers to adoption through surveys
4. Sydney Policy Lab Fellowship Program
5. Best interests of the child – interpretation by courts
6. Developing a practice model to promote timely family restoration and other pathways to permanency
7. Evaluation of post-adoption support.

### Background

#### Funding and governance of the Institute of Open Adoption Studies

The Institute of Open Adoption Studies is an independent research centre funded by the NSW Government and the University of Sydney to ensure our state's open adoption practices are best practice and deliver positive outcomes

The Institute is self-directed and reports on its program via its dedicated website [IOAS website](#). The Governance Committee is chaired by Professor Diane Mayer, Head of School and Dean and an Advisory Committee includes FACS representation.

#### Consultation and communication strategy

This Briefing Note was prepared in collaboration with the Institute of Open Adoption Studies who provided a summary of their progress and activities attached at **TAB A**.

## Attachments

---

Tab	Title
A	Institute of Open Adoption Studies Status Report December 2017

## Approval

---

Role	Electronic approval by	Date
Senior Project Officer	Tracey Webb	19/12/2017
A/Director	Caron Bowen	21/12/2017
Executive Director, Child and Family	Daniel Barakate (OBO Simone Czech)	15/01/2017

---

## Institute of Open Adoption Studies - Status Report

December 2017

---

### Director's Up-date:

As we approach the end of 2017, it is a good opportunity to reflect on our accomplishments to date and plan for the coming year. We've done a lot of the invisible work of research, in terms of building relationships and capacity of the Institute, which we will be set to deliver on next year as we initiate research projects. Consultations with the government, the nongovernmental sector and judiciary have clarified the focus as we move forward.

The guidance of the advisory group continues to be essential as we plot our course with the aim of contributing to the permanency reforms underway through basic research, evidence-building and diversifying into training. During the final meeting of the advisory group on the 11 December, members provided very positive feedback about their participation and affirmed their continued commitment in 2018. We also look forward to the advisory group welcoming some new members in 2018, including young people who have exited from care, to benefit from their views and experience.

---

### Research Agenda:

The Institute research agenda will pursue a collaborative active practice-research partnership model. The Institute is founded on partnership between a non-government agency with direct practice experience of open adoption, and an academic centre.

This partnership will generate a research platform spanning a range of methodologies to attract the relevant knowledge and experience to contribute to the body of evidence about open adoption best practice. The Institute's program of applied research will focus primarily on understanding open adoption practice and the barriers to open adoption in NSW.

The timely and effective translation of research to inform policy and practice decision making will be a core deliverable for the Institutes' research agenda. Priority will be given to applied and action research that connects government and non-government agency practitioners. The Institute will work as a critical change agent to directly motivate cultural, attitudinal and practice change, moving the conversation away from ideology and towards the research evidence.

### Major Goals of the Institute research agenda:

It is anticipated that as a result of the Institute's activities a number of outcomes will be measured including:

1. Recruit a team with the requisite expertise in research, knowledge translation and communication
2. Build a track record of competitive research grant funding
3. Foster national and international collaborations with other academics, non-government agencies and government policy makers to generate multidisciplinary responses to critical gaps in the evidence and practice challenges
4. Establish the Institute as the credible authority on open adoption evidence for government, practitioners, and media
5. Produce a steady stream of publications spanning peer review academic journals; practice notes and

resources; and general public opinion pieces

6. Maintain a website which is regularly updated and that is designed to meet the information needs of a broad range of stake holders
7. Engage with a broad wide range of stakeholders with diverse views to encourage dialogue between ideology and the research evidence.
8. Raise awareness of the evidence underpinning open adoption through presentation at forums, conferences, and media.

### Summary of progress and developments

#### ***Institute Newsletter – Spring 17***

The Institute has established a subscription portal on our website so that people who are interested in the Institute research program can receive regular up-dates via an e-newsletter. The Spring edition was launch in October 2017 and has been disseminated to academics; practitioners from FACS and non-government organisations; community groups and interested individuals.

**Funding**                      Resourced by the Institute

**Timeframe**                 To be issued each quarter

#### ***ARC Linkage Grant: Fostering lifelong connections in the best interest of children***

The Institute is in the process of developing our first Australian Research Council (ARC) Linkage application, and will submit the proposal early in the new year. There has been considerable learning for our team about the workings of ARC and University of Sydney in terms of procedures and support for grant preparation. The focus of the proposal is practices to promote positive relationships in the best interests of children between their birth and permanency families (in guardianship, kinship care, open adoption or long-term foster care). This project is a partnership with FACS and NGO partners: Barnardos, Care South, Catholic Care Wollongong, Catholic Care Newcastle, Key Assets, Uniting and Wesley Dalmar. If funded, the project will be implemented in four sites: Newcastle, Sydney, Illawarra and Dubbo. All organisation have provided letters of support, including an in-kind and financial commitment to the project.

This project uses an action research model developed in the U.S. by the Casey Family Foundation called *Breakthrough Series Collaborative*, which involves bringing together child protection practitioners, experts and experts-by-experience, to trial and evaluate practice changes. Professor Peter Pecora, from the University of Washington, will provide technical expertise in the BSC approach, as well as extensive experience working to refine foster care programs. The model involves development of a ‘framework for change’ document identifying principles and potential practices to guide the process, and a series of four learning sessions where teams meet together across the sites and share learning. To inform the action research, and all our work at the Institute, we are planning a program of qualitative research on the experiences of children, birth families and caring families on contact and relationships post-final orders.

FACS and NGOs have welcomed the opportunity to take part in this project because they recognised that the OOHC sector needs to embrace new ways of engaging with caregivers and birth relatives so that they are able to forge constructive and sustainable relationships in the interests of children. The outcome of the project will be a co-design approach to achieving practice changes in the areas of contact and communication that are evidence-informed and support best interests of children.

**Funding**                      The Institute will be seeking funding in the vicinity of \$200,000 per annum over three

years from the ARC Linkage Projects scheme.

Applications for Linkage Grants require match funding that includes financial and in-kind contributions. The commitment from the University, FACS and partner seven NGO partners totals more than \$1.2M over the three years of the study.

<b>Timeframe</b>	If successful the project will commence in late 2018 and be conducted over 3 years.
<b>Next Steps</b>	The Institute is aiming to prepare the final draft of ARC Linkage application for submission in early 2018

### ***Measuring the return on investment of permanency pathways: A scoping study***

This scoping study will establish the groundwork for a longitudinal study used linked data, with a qualitative component, to observe outcomes associated with permanency reforms. The project will define the core questions, test the methodology and negotiate access to the relevant government and agency data to develop a dataset on outcomes for children with different placements. This project will build upon the Pathways of Care Longitudinal Study as a comparison cohort of children to study effects of the permanency reforms for a cohort of children who first entered care after 2014.

The Institute plans to develop a research proposal modelled on the NSW FACS *Pathways of Care* (POCLS) study, and incorporate that data as a comparison cohort to enable us to better understand the impacts of the current permanency reforms on a cohort of children who first entered care after the 2014 legislative changes. Associate Professor Amy Conley Wright has been invited to join the POCLS study advisory group, which is helping the Institute to learn more about the study procedures to inform our planned research. In collaboration with our co-investigators on the project (including Prof Cashmore and A/Prof Stefanie Schurer), we continue to develop the groundwork for a proposed longitudinal study, with funding for the scoping work from the University of Sydney Policy Labs. The Institute will also investigate the potential to conduct a study of the linked data on 40 children in the POCLS cohort who have been adopted since they entered the study, including the 10 children who have been interviewed.

The outcomes of this initial project will be to conduct a proof-of-concept for a Category 1 grant application (for submission January 2019) for a longitudinal study following a cohort of children through administrative data and yearly interviews with members of adoption triad (adopted child when viable, birth parent, adoptive parent), drawing on learning from Barnardos study and modelled on Pathways of Care instruments.

<b>Funding</b>	\$22,500 – University of Sydney Policy Lab
<b>Timeframe</b>	July 2017 – September 2018 ARC Discovery Grant application September 2018
<b>Next Steps</b>	The study team are waiting for the finalisation of the POCLS data dictionary and is preparing an ethics modification application to access the POCLS data in the SURE repository.  An application has been submitted to SURE to establish the virtual workspaces for the study team.

### ***Exploring motivations and barriers to adoption through surveys***

The Institute is in the process of completing data collection our first piece of research, on perceptions and barriers for open adoption from out-of-home care. In this project, we are conducting a series of focus groups with foster carers, as well as online surveys with carers, the general public, and people on the list who are approved for

intercountry adoption. Four focus groups have been completed, with about 30 carer participants, in Parramatta, Shellharbour, Newcastle and Sutherland. Our general public survey has been completed by 1,000 people who are representative of the general public of New South Wales (oversampling people of typical child rearing ages). The other surveys remain open until 15 December. We will be producing two reports early next year, on perceptions by the general public and of foster carers. To date, our response rate for people approved for intercountry adoption appears too low to report.

<b>Funding</b>	Funded by the Institute
<b>Timeframe</b>	Focus groups and surveys conducted between October 17 – December 17
<b>Next Steps</b>	Focus groups and surveys have been completed. Analysis is currently underway. Disseminated in March 2018

### ***Sydney Policy Lab Fellowship Program***

In March, our first Sydney Policy Lab fellow, Jenny Norderyd of Barnardos, will be joining us for a three month full-time research secondment. Jenny's project will focus on siblings placed by the Find a Family program. Research clearly emphasises the importance of placing siblings together in out-of-home care and adoption, and Barnardos' policies are also clearly in support of the co-placement of siblings. However, often newborns cannot be placed with siblings due the inability of their sibling's carers/adoptive parents to take another child into their family.

This project intend to look at the following questions:

1. What are the reasons why new-born siblings are placed separately from their siblings?
2. When placing very young children for adoption, are we adequately exploring options and preparing carers/adoptive parents for the possible placement of future siblings?
3. What are the characteristics of carers/ adoptive parents who are able to take on a subsequent placement of a newborn sibling? Of those who cannot? Of those where the placement disrupts for the subsequent sibling? What other factors are involved and what are the implications for recruitment of carers/ adoptive parents?
4. What is the rationale for decisions? What is the process and who is involved?

To address these questions, data will be collected from electronic and hard copy files about the referral and placement process of newborn siblings of children currently placed within the program or where an adoption order has been finalised. Interviews will also be undertaken with current Barnardos' Find-a-Family staff in Recruitment, Adoption and Permanent Care teams, in direct service and senior management positions.

<b>Funding</b>	University of Sydney (infrastructure support) and host organisations (salary support)
<b>Timeframe</b>	Fellowships will commence 5 March
<b>Next Steps</b>	The Institute is working with Jenny to develop an ethics application for her project so that she can hit the ground running.

### ***Best interests of the child – interpretation by courts***

The Institute is collaborating with Professor Judy Cashmore to explore interpretation of the best interest principle in the context of open adoption. This research examines the way in which justices of the Supreme Court have applied the 'best interests' principle in deciding whether an adoption order should be made for a child who is currently in out-of-home care. It also examines the orders relating to children's contact with their birth family post-

adoption. Research questions include:

- What types of arrangements are made for contact with birth family after adoption?
- What considerations are included in the adoption plan to maintain a child's cultural identity in the context of an adoption of a child from a different cultural background?

The analysis is based on judgments of the Supreme Court of New South Wales between 2007 and 2016 relating to adoption applications for children who had been removed from the care of their parents as a result of action by FACS under the *NSW Children and Young Persons (Care and Protection) Act 1998*.

<b>Funding</b>	Funded by the Institute
<b>Timeframe</b>	Work has commenced and is due for completion by the end of 2018
<b>Next Steps</b>	Ethics approval has been granted for this project. Justice Brereton has given permission to access Supreme Court records for analysis. Research team will meet with Justice Brereton to review case file examples to develop our data extraction template, and collect data from a subset of adoption court records since 2015.

***Developing a practice model to promote timely family restoration, when safe to do so, and pathways to permanency when restoration is not viable***

An action research proposal has been developed to trial and evaluate a service model integrating restoration with other permanency pathways open adoption practices, and implement these in collaboration with one or more NGOs. Expected outcomes:

- A planned process of how to design and implement an integrated service model including how to measure and track outcomes, that can be documented for broader implementation
- Support for the participating NGO(s) to move toward accreditation as an adoption provider and toward dual-authorisation of carers for foster care and adoption, including development of internal processes and developing new work capacity in casework and reporting to meet court standards
- A model that could be implemented by other NGOs as they moved toward ensuring their practice is compliant with *Their Futures Matter* reforms, with a complement of training materials, coaching and other supports, such as mentoring through the accreditation process.

If the project proceeds, the Institute will support the: evaluation of the trial implementation; data monitoring and continuous quality improvement; data analysis and reporting on findings.

<b>Funding</b>	The Parenting Research Centre has submitted a funding proposal for the consideration of FACS
<b>Timeframe</b>	Pending the approval from FACS
<b>Next Steps</b>	Currently under review

### ***Evaluation of post-adoption support***

Initial discussions have been held with service provider(s) to document requests for post-adoption support and evaluate models of service delivery. Questions for consideration include:

- What post-adoption support needs do foster carers and adoptive families identify?
- How can birth relatives be supported post-permanency?
- What models of post-adoption support can be developed in the Australian context?

Preliminary evaluation design has been prepared for trial of post-adoption support services (Benevolent Society). A literature review has been prepared on post-adoption support and shared with Minister and FACS.

<b>Funding</b>	To be determined
<b>Timeframe</b>	To be determined
<b>Next Steps</b>	The Institute is in discussion with Richard Rose about formal affiliation with University of Sydney and conducting training and research on his model of Therapeutic Life Story Work.

### **Developing Collaborations**

#### ***Therapeutic Life Story Work***

The Institute is continuing to build strategic relationships related to the goals of the Institute. This includes discussion with Richard Rose regarding his Therapeutic Life Story Work model. Richard was recently featured as a keynote speaker at the FACS NSW practice conference, and has been conducting training on his model through a graduate certificate program in Melbourne and Sydney, in association with Berry Street. Discussions are underway with Richard around delivering training on his model, with Dr Jodie Park, who has been delivering training in Therapeutic Life Story Work to CareSouth and Barnardos in the Illawarra. We are also looking into research to build the evidence base on Therapeutic Life Story Work. We have nominated Richard for an honorary affiliation with the University of Sydney.

#### ***Breakthrough Collaborative Series***

The Institute participated in an 'external engagement incubator' workshop series sponsored by the Faculty of Arts and Social Sciences in August. This program concluded with an opportunity to 'pitch' for funding to a panel (think Shark Tank). Dr Susan Collings made a pitch on behalf of the Linkage project, which was awarded \$8,000 to support our outreach and relationship building with NGO partners and to sponsor a visit by Professor Peter Pecora from the University of Washington, Seattle, research director of Casey Family Foundations, to build our understanding of the Breakthrough Collaborative Series action research model.

## Capacity Building

### ***Shaping a better child protection system - Discussion paper***

In collaboration with Professor Judy Cashmore, the Institute has submitted a response to Minister Goward's discussion paper released in October 2017, *Shaping a better child protection system*. In our submission, we have drawn on the available literature and research evidence that may help to inform the consultation. In particular, we have made points about the need for support for all parties to open adoption and other permanency placements: children, their caring families and their birth families. We have included comments and themes that have emerged from our recent focus groups.

### ***Presentations***

As part of Adoption Awareness week, the Director was invited to make two presentations on behalf of the Institute. This included the provision of an academic response to the presentation of the Barnardos *Australian Open Adoption Outcomes* study Report 1 launch. Associate Professor Amy Conley Wright has joined the advisory group for this research, which will foster the opportunity to work closely with Barnardos on this important study.

Associate Professor Amy Conley Wright also presented on '*Research Gaps and Critical Areas of Enquiry in Open Adoption Studies*' at the Adopt Change Connections for Life, National Permanency conference.

The Institute has been approached by the Supreme Court to provide discussion sessions on the topic of open adoption. Discussions have been held with the Hon. Justice Kunc in relation to hosting some events that could bring together magistrates from the Children's Court; District Court Magistrates who preside over child protection matters; and the judiciary from the Supreme Court. The Institute is currently preparing an outline of a potential information exchange session to be held in March/April 2018. It has been suggested that this could become a biannual event and an opportunity to canvass views on other issues that the judiciary has an interest in.

### ***Publications***

The Institute has had other research outputs that continue to build our track records and competitiveness for external funding. Dr Susan Collings was awarded 'Best Australian paper' in *the Journal of Intellectual & Developmental Disability*. The Director has co-authored a chapter on assessing the outcomes of alternative care, with Melissa Kaltner from FACS, that is in press for a collected edition called *Re-Visioning Public Health Approaches for Protecting Children* and has another article in press with the *Journal of Sociology and Social Welfare* on social investment in adoption from out-of-home care for a special edition of the journal on social investment.

## Domestic violence initiatives – data update

**Topic** An update on the implementation of the domestic violence initiatives data collection strategy.

**Analysis** The domestic and family violence initiatives data collection strategy was presented to the Domestic and Family Violence Reforms Delivery Board on 14 December. The collection of quarterly data and budget information will commence in Q1 2018.

**To note by** N/A

Minister's signature



Date

23/1/18

### Recommendation: for information only

### Key issues

#### Data collection strategy

The domestic and family violence initiatives data collection strategy was presented to the Domestic and Family Violence Reforms Delivery Board on 14 December 2017.

The strategy facilitates the collection of data on domestic and family violence initiatives from key partner agencies (Education, Health, Justice and DPC), for reporting to the Domestic and Family Violence Reforms Delivery Board and the Minister for the Prevention of Domestic Violence and Sexual Assault.

Information on what program level data will be collected under the strategy and how frequently it is currently reported is provided at **TAB A**. Financial information will also be collected.

*\* I'm surprised this hasn't occurred earlier.*

#### Consultation

During November 2017, the Deputy Secretary Commissioning and Director Women NSW held a series of meetings with executive level representatives from with key partner agencies. The aim of these meetings was to gain executive level commitment to support the development and implementation of the data collection strategy.

Women NSW also consulted with partner agencies at the officer level to identify the data that could be collected. Women NSW will continue to consult with agencies to refine relevant variables, and collect data.

#### Next steps

Women NSW has begun to collect data from the relevant agencies for inclusion in the preliminary report that will be presented to the board in February 2018. This report will contain the most recently available data that agencies have been able to gather in the timeframe. It is expected this preliminary report will not be comprehensive, as agencies will still be identifying relevant indicators, and their current reporting timeframes may not align with the request.

**Briefing for Minister Goward: for information**

Once the board has considered this report, including whether any additional data variables can be included, it will be submitted to the Minister for noting.

**Approval**

---

Role	Electronic approval by	Date
Senior Policy Officer	Emily Ofner	10/01/2018
Director	Melinda Norton	11/01/2018
Deputy Secretary, Commissioning	Deidre Mulkerin	12/01/2018

**Tab A: Indicative list of DFV program data for reporting**

<b>Program</b>	<b>Variables<sup>1</sup></b>	<b>Frequency of current reporting</b>
<b>Women NSW</b>		
Police-NGO Partnerships - Domestic Violence Disclosure Scheme (DVDS)	Count by gender; age; ATSI; disability; children	Monthly data reporting
Police-NGO Partnerships - Crisis Assistance Service	Count by gender; age; children	Monthly data reporting
Men's Telephone Counselling and Referral Service	Total calls; missed calls; engaged calls	Six monthly data reporting
Tackling Violence	Country Rugby League (CRL) Local clubs engaged; by region; by ATSI; advertising and communications; workshop numbers; attendance; promotional materials	Six monthly data reporting
Men's Behaviour Change Program	Number of locations; number of men engaged in; number of men completing programs	Annual data reporting
<b>Department of Justice</b>		
Reduce ADVO breaches – What's Your Plan	Number and percentage of eligible persons who accept the intervention	Monthly data reporting
Reduce ADVO breaches – ENGAGE brief intervention	Number and percentage of eligible persons who participate in ENGAGE	Monthly data reporting
Reduce ADVO breaches – DV SMS trial	Number of persons who receive an SMS message reminder	Monthly data reporting
GPS tracking trial	Number of offenders monitored	Monthly data reporting
EQUIPS program	Number of eligible DV offenders who commence EQUIPS (above 2015 baseline)	Monthly data reporting
Practice Guide for Intervention (PGI) model	Number of supervised DV offenders who complete (non-mandatory) PGI exercises	Monthly data reporting
<b>Department of Justice – Victims Services</b>		
Safer Pathway – CRP data	Total referrals; by gender; % serious threat; ATSI; intimate relationships; non-safer pathways; incident types; age; region	Monthly data reporting
<b>Department of Justice – BOCSAR</b>		
DV Reoffending	Reoffending rates; revictimisation rates	Monthly data reporting
DV Recorded crime statistics	Number of DV incidents by offence	Quarterly data reporting
<b>Department of Family and Community Services</b>		
Staying Home Leaving Violence	Number referrals; by referrer; by ATSI; CALD;	Annual data reporting

<sup>1</sup> Variables are indicative only

Program	Variables <sup>1</sup>	Frequency of current reporting
	Disability; clients exiting; support type received; results	
Integrated DFV Service Program	Number referrals; by referrer; by ATSI; CALD; Disability; clients exiting; results	Annual data reporting
DV Assistance Line	Total calls received; calls engaged; average waiting time	Quarterly data reporting
Start Safely Program	Client numbers	Bi-monthly data reporting
Perpetrator accommodation pilot	Number of men; by ethnicity; age; education level; employment status; AOD dependencies; children; number referrals; ongoing accommodation; number repeat offenders	Monthly data reporting
<b>NSW Health</b>		
Routine Screening data <sup>2</sup>	Number of women identified as experiencing DFV; Number of women accepting assistance	Quarterly from June 2018
Child Wellbeing Unit	TBC	TBC
<b>NSW Police</b>		
DV High Risk Offender Teams <sup>3</sup>	Offence type; Number of people	Monthly data reporting
DV Suspect Target Management Plan (STMP)	Number of STMPs per region; new STMPs; closed STMPs; Number of people offending on STMP by DV offences and non-DV offences	Monthly data reporting
DV Evidence in Chief (DVEC)	Legal action rate; Number of DV assaults with DVEC; Finalisation rates with and without DVEC; Success rate	Monthly data reporting
Domestic Violence Safety Assessment Tool (DVSAT)	Number of completed DVSATs; Number of DVSATs by serious risk	TBC
<b>Legal Aid NSW</b>		
Safer Pathway – CRP data	TBC	TBC
Safer Pathway – Safety Action Meeting	Total referrals; new referrals; existing referrals; downgraded prior to SAM; by gender; by region;	Monthly data reporting
Women's Domestic Violence Court Advocacy Program (WDVCAP)	No. of clients; AVOs taken out on the client's behalf; Referrals to and from the service, including referrals to SAMs	TBC
Service use (limited availability) <sup>4</sup>	Number of people accessing service with DV flag	Six monthly data reporting

<sup>2</sup> Electronic system currently being implemented in 3 out of 4 services: Early Childhood; Mental Health (over 16 years old), Alcohol and Other Drugs (over 16 years)

<sup>3</sup> Currently only in 3 regions

<sup>4</sup> Data is not collected by private practitioners or LawAccess NSW acting on behalf of Legal Aid NSW, nor by Information and Community Legal Education services

Program	Variables <sup>1</sup>	Frequency of current reporting
<b><i>Department of Premier and Cabinet</i></b>		
Premiers Priority data	Perpetrator reoffending rates; DFV assault rates; Court and conviction data	Monthly data reporting
<b><i>Department of Education</i></b>		
Child Wellbeing Unit	Number of appraisals with DFV flag; outcome of appraisal; by LGA; Aboriginality; disability; chronic health issues; age	Data will be aligned to match other child wellbeing unit data from Health and Police



## Indigenous employment outcomes under Asset Maintenance Services (AMS) contract

<b>Topic</b>	Information on Indigenous employment outcomes under AMS contract.
<b>Key Facts</b>	<ul style="list-style-type: none"> <li>• OCHRE (2013) is the community-focused plan for Aboriginal affairs in NSW. OCHRE supports (amongst other aspects) industry based agreements – partnerships with peak industry bodies to support Aboriginal employment and enterprise.</li> <li>• The NSW Government policy on Aboriginal Participation in Construction (2015) is a key government policy to align with OCHRE and mandates minimum amounts that employers must spend on Aboriginal participation on head contracts.</li> <li>• The Land and Housing Corporation (LAHC) complies with the policy within the social obligations component of the Asset Maintenance Services (AMS) contract which prescribes opportunities for Indigenous skills and economic development.</li> <li>• The AMS contract stipulates that 1.5 per cent of the total contract value is to be allocated to work provision resulting in direct and/or indirect Indigenous employment. It applies to all contractors delivering maintenance services under the AMS contract.</li> <li>• Through achievement of its social obligation targets, FACS is a key contributor to meeting the NSW Government commitment to increasing Aboriginal employment and Aboriginal owned enterprise opportunities.</li> </ul>
<b>Analysis</b>	<p>The Indigenous participation target has been achieved from July 2016 to present.</p> <p>As at August 2017, participation of Indigenous Australians in delivering maintenance services exceeds the 1.5 per cent target at 3.26 per cent of the AMS contract value, including seven small to medium enterprises and sole traders registered as maintenance contractors.</p> <p>As a result of the AMS contract, more Indigenous people are being provided with employment and opportunities to grow their enterprises.</p> <p>As at October 2017, 125 Indigenous Australians are employed by maintenance contractors, including office based staff. Indigenous employees can be engaged by contractors in both trade and non-trade roles.</p>
<b>To note by</b>	N/A

<b>Minister's signature</b>	<p>Mo noted Ben Turner Adverse</p> <p>BT</p>	<b>Date</b>	15/1/18
-----------------------------	--	-------------	---------

Briefing for Minister Goward: for information

**Recommendation:** for information only

## Key objectives/achievements

### Indigenous employment outcomes

- Across NSW, the five (5) AMS contractors, Spotless, Broadspectrum, Lake Maintenance, O'Donnell & Hanlon, and Colin Joss contribute towards social outcomes through their procurement policies in supporting Indigenous skills and economic development.
- The contractors continuously seek to meet the Indigenous engagement targets set by the NSW Government in the NSW Government Policy on Aboriginal Participation in Construction, and to increase the engagement of Indigenous subcontractors to deliver various maintenance services on an ongoing basis.
- FACS, through the AMS contract, provides increased opportunities for Indigenous Australians to secure employment and to grow their enterprises.
- At present, Indigenous sole traders or local small and medium enterprises ranging from tree loppers, electricians, plumbers, painters and other trades are benefitting from providing services under the AMS contract.
- Maintenance contractors are also working with Supply Nation, the national directory of Indigenous businesses, to assist with the engagement of Indigenous businesses and services that fit within the requirements of the AMS contract.

### AMS Contract- Indigenous Participation – Specific Requirements

- The contractors were required to prepare an Aboriginal participation plan complying with the *Aboriginal participation in construction* guidelines within 60 days of the date of contract. The plan is periodically reviewed and updated to reflect the strategies and activities being employed by the contractor.
- The contractor must implement the Aboriginal participation plan and report on its performance in implementing the plan in accordance with the AMS Reporting and Communication's Framework. Information is not recorded by location or in a way which could identify individuals. However just over half of all work allocated under Aboriginal participation plans is managed by regionally-based contractors (some of which deliver maintenance services in metropolitan Sydney).
- A regional breakdown of Indigenous employees is as follows:

Contractor	Contract areas covered	Number of Indigenous employees
Spotless	Inner West, Illawarra and Central Coast	27
Joss	Central West South, Central West North and Riverina	14
O'Donnell & Hanlon	North Coast and New England	20
Lake Maintenance	Macarthur and South	8
Broadspectrum	Parramatta, Blacktown/Penrith, Bankstown, Newcastle/Hunter, Northern Suburbs, Inner City, Eastern and Southern Suburbs	56

Note: LAHC contractors only undertake work in contracted areas. Most of the Far West is under the management of community housing providers and therefore not part of the AMS contract.

Briefing for Minister Goward: for information

### AMS Contract – General Social Obligations

- The AMS contract incorporates specific requirements for the contractors to comply to support the social inclusion objectives of FACS; persons who are unemployed and/or persons with physical, mental or social limitations which hinder their active participation in community.
- The AMS contract encourages employment by the contractor from the categories of local industry and community, small to medium enterprises, community service organisations (including Australian Disability Enterprises, Australian Charities and Not-For-Profits organisations and tenant employment).
- Indigenous persons can also be engaged through these social obligation requirements within the AMS contract.

### Attachments

---

Nil

### Approval

---

Role	Electronic approval by	Date
Executive Director	George Carvin	On file
Director ODS	Rodney Hodder	On file
Deputy Secretary	Anne Skewes	On file

**Sensitive**

**Family &  
Community  
Services**

**Briefing for Minister Goward: for approval**

Land and Housing Corporation

TRIM EAP17/11662

## Riverwood North handover announcement

<b>Issue</b>	Management handover of 27 social housing units to St George Community Housing (SGCH).
<b>Key facts</b>	<p>Riverwood North (Washington Park) is being delivered through a Project Delivery Agreement (PDA) with Payce Consolidated Limited (Payce).</p> <p>The <u>final 27</u> of 150 social housing units will be handed over to SGCH for management on 20 December 2017. LAHC will retain ownership of the social housing units. Washington Park will deliver 675 private new homes, with the last homes to be completed in early 2018. The site previously contained 176 public housing dwellings.</p>
<b>Analysis</b>	The Department of Family and Community Services has a Project Delivery Agreement with Payce to develop Washington Park, with SGCH as the community housing provider.
<b>Approval by</b>	ASAP

### Recommendation

Note the information and approve the attached media release (TAB A).

Minister's approval

Noted ok 

Date

25/1/18

### Key issues

Riverwood North, also known as Washington Park is nearing completion with the last 27 social housing units to be handed over on 20 December 2017. Resident will commence moving into the social housing units in mid January 2018.

To date, 123 social housing units have been completed and handed over to LAHC with SGCH undertaking tenancy and asset management.

### Background

In 2010, Land and Housing Corporation (LAHC) entered into a PDA with Payce under the former Major Projects banner, which partnered with SGCH as the Community Housing Provider (CHP) for the ongoing management of the social dwellings.

The PDA provides Payce access to the land, with Payce funding and delivering social and private dwellings with SHU's returned to LAHC upon completion. The development will be completed by April 2018.

Renewal of the remaining 30 hectares of Riverwood renewal is being planned and considered as a State Significant Precinct (SSP). This SSP process is well advanced with the submission being lodged to the Department of Planning and Environment (DPE) in November 2017.

**Sensitive**

Briefing for Minister Goward: for approval

## Attachments

Tab	Title
A	Media release
B	Riverwood North map showing social and private housing

## Approval

Role	Electronic approval by	Date
A/Executive Director	Richard Wood	On file
Director, ODS	Rodney Hodder	On file
Deputy Secretary, LAHC	Anne Skewes	On file

## **SOCIAL HOUSING BOOST IN RIVERWOOD**

The renewal of social housing estates for NSW's most vulnerable people achieved a special milestone today with the handover of the final 27 units in a new development at Riverwood.

Family and Community Services Minister Pru Goward welcomed the completion of the social housing package within the Washington Park estate.

She said it was a tangible demonstration of the results of collaboration between the government, the private sector and community housing providers to deliver real housing solutions both for the most vulnerable and for the wider community.

"This is a leading example of diverse, healthy and sustainable urban renewal in a former social housing estate in a growth area of Sydney," Ms Goward said.

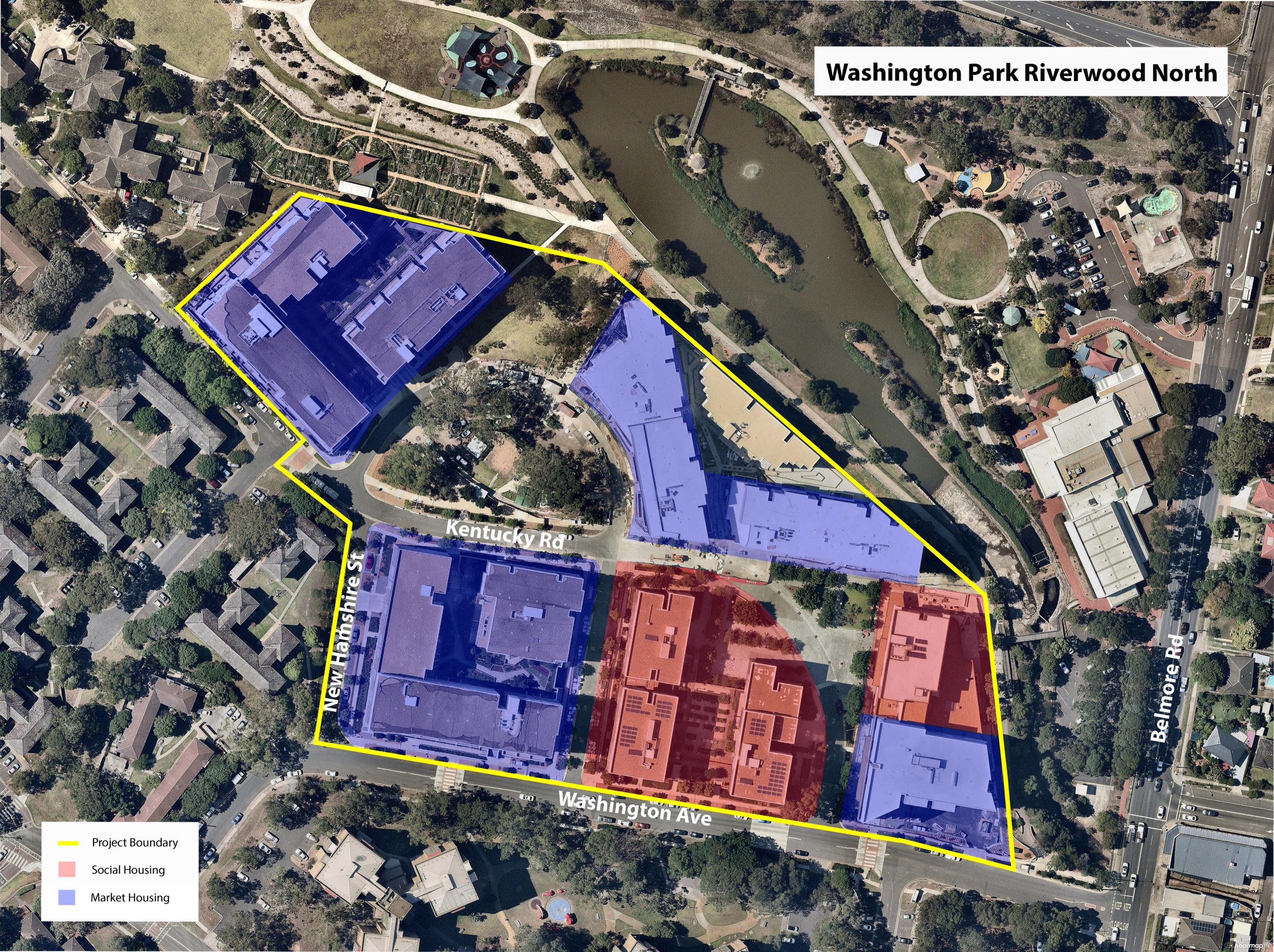
Developers Payce handed over the last 27 units out of 150 new homes built for social housing clients. Washington Park also delivered 600 new homes for the private market.

St George Community Housing are managing the social housing properties.

Ms Goward said planning was well advanced for the renewal of the remaining 30 hectares of Riverwood, forecast to generate investment of up to \$2 billion and around 500 construction jobs. This is part of the Communities Plus program that will deliver 23,000 new social housing dwellings as well as more dedicated affordable housing and 40,000 new private dwellings over the next 10-15 years.

"It is Australia's largest social housing reform program and will mean more social housing and better social housing, with more opportunities and incentives for vulnerable people to avoid or move beyond social housing," Ms Goward said.

# Washington Park Riverwood North



-  Project Boundary
-  Social Housing
-  Market Housing

New Hampshire St

Kentucky Rd

Washington Ave

Belmore Rd

## NSW Local Scheme Update

<b>Topic</b>	Update the Minister for Family and Community Services regarding the direction to the Registrar to establish the NSW Local Scheme under community housing law.
<b>Analysis</b>	<p>The systems functionality enabling the NSW Local Scheme will be active on 1 January 2018. This includes a registration portal and various procedure and guidance material available through the Registrar's website.</p> <p>As at 19 December 2017, no provider has presented for registration under the NSW Local Scheme.</p> <p>The Registrar of Community Housing is currently undertaking community engagement activities with four local Aboriginal land councils and the NSW Aboriginal Land Council to encourage registration to offer pre-registration capacity building support to potential applicants.</p> <p>The Registrar's Office is currently engaged in pre-capacity building assessment assistance with two Aboriginal housing providers seeking entry to the NRSCH. In 2018 this number will increase to approximately six – within existing Office resources.</p>

**To note by** N/A

**Minister's signature**



**Date**

24/1/18  
wogaw

**Recommendation:** for information only

### Key issues

In October 2016, amendment was made to the Community Housing Providers (Adoption of the National Law) Act 2012 (NSW) (the Act). The amendments imposed functions on the Registrar to establish a NSW Local Registration Scheme to register, monitor and regulate entities that provide Community Housing and/or receive other resourcing from the NSW Government such as funding or land, but are unable to register under the National Regulatory System for Community Housing (NRSCH).

In August 2017, the Minister for Family and Community Services directed the NSW Registrar of Community Housing to enact the NSW Local Registration Scheme (NSWLS). The Registrar commenced a systems build to facilitate ease of entry and regulation under the scheme; mirroring the national IT infrastructure but tailored for NSW purposes.

Sensitive

**Briefing for Minister Goward: for information**

The NSWLS now has in place core guidelines, factsheets, letter templates and guidance notes. The supporting IT infrastructure for the NSWLS has been updated and tested for user friendly functionality and consistency with the NRSCH. Currently the project is at the stage of implementing all changes that were identified and will be completed by the "go live" date of 1 January 2018.

**Engagement with Local Aboriginal Land Councils**

The Registrar is currently engaging with four local Aboriginal land councils who are community housing providers that currently receive resources from NSW Government and were previously registered under the NSW Regulatory Code.

Currently three of these local Aboriginal land councils (LALC) have responded to initial engagement:

- One LALC has informed the Registrar that they will be seeking registration under the NSWLS but can not commit to starting this until after January 2018. This land council manages housing (does not have title to the housing) on behalf of NSW Land and Housing Corporation through contract management. ✓
- One LALC has asked to be recontacted in 2018. ✓
- One LALC has stated that they will "more than likely" go through the NSWLS and has informed the Registrar that they will be in contact the week of 18 December 2017 to confirm. ✓
- One LALC has not responded to contact from the Registrar or the NSW Aboriginal Housing Office. ✓

Separately, another LALC has engaged to register with the NRSCH. Registrar staff discussed with the LALC the process of the NSWLS and capacity building. Registrar staff will re-contact the LALC in early 2018 to discuss their intent.

The Registrar will continue to engage with land councils to encourage registration where appropriate and with the view of commencing registration of four providers in the next six months. Where the council requires assistance to improve their governance and management arrangements, the Registrar has some capacity and a number of tools to assist them pre-registration.

**Liaison with NSW Aboriginal Land Council (NSWALC)**

The Registrar has had continuous engagement with the peak body of local Aboriginal land councils, NSW Aboriginal Land Council (NSWALC). NSWALC and the Registrar are currently working on a joint communication to the land council network informing the network of the NSWLS and NSWALC's support of the local scheme. //

In early 2018, the Registrar's office and NSWALC will be meeting to discuss delivering joint information sessions to the land council network. The working relationship between NSWALC and the Registrar is positive and collaborative. ✓ excellent

Sensitive

**Briefing for Minister Goward: for information**

## **Aboriginal provider registration under the NRSCH and the transition from PARS performance assessments**

The Registrar monitors the performance of four aboriginal housing providers under the NRSCH.

Currently three other providers are pursuing registration processes for the NRSCH with:

- One being engaged directly by Registrar staff in capacity building programs to enable them to seek registration.
- One currently being assessed for registration, this was after engagement through the capacity building program by Registrar staff.
- One provider has indicated that they will defer considering engaging in registration until later in 2018. This occurred after Registrar staff engaged with this provider regarding capacity building. The provider subsequently stated that they are going through organisational change and cannot upgrade their capacity for some time.

Separately, the Registrar is currently finalising an assessment program under PARS for the AHO. The Registrar is using this assessment program to inform providers of their gaps or strengths relative to the compliance requirements of the NRSCH. Five aboriginal housing providers, who have indicated an interest in entry to the NRSCH, are scheduled for PARS assessment in 2017/18. Of these:

- Two have not presented for PARS assessment.
- Two providers have been assessed as not meeting PARS standards at final report stage.
- One provider is currently in draft report phase and has been assessed as not meeting the PARS standards (however this may change once a response to the draft report has been received, this is due by 29 January 2018). This provider has indicated to Registrar staff and has it as one of its strategic goals, they wish to undertake NRSCH registration, however has not formally contacted the Registrar's office to seek to be placed on the registration schedule.

The common assessed deficiency in recent PARS reviews impacting eligibility for NRSCH registration relates to financial viability.

## **Approval**

<b>Role</b>	<b>Electronic approval by</b>	<b>Date</b>
Manager	Stacey Broadbent	19/12/2017
Registrar of Community Housing	Neil Quarmby	20/12/2017
Executive Director	Caryn Kakas	20/12/2017
Deputy Secretary Commissioning	Deidre Mulkerin	09/01/2018