



5.5 TENANCY MANAGEMENT PROPERTIES POLICY AND PROCEDURE

1.0 Purpose

To ensure that each participant accessing a specialist disability accommodation dwelling can exercise choice and control and is supported by effective tenancy management.

2.0 Scope

The policy applies to:

- ESG Inclusive Homes employees, whether permanent or casual, contractors, volunteers, and stakeholders
- All participants, their families, carers and/or advocates.

3.0 Definitions

Terminology	Definition
Employee	A permanent, fixed term or casual member of staff, a contractor or volunteer employed or otherwise engaged by ESG Inclusive Homes.
SDA	Specialist disability accommodation.
SDA Dwelling	Specialist disability accommodation (SDA) is a range of housing designed for people with extreme functional impairment or very high support needs. SDA dwellings have accessible features to help residents live more independently and allow other supports to be delivered better or more safely.
Supported Independent Living (SIL)	Supported independent living is for people with higher support needs, who need some level of help at home all the time. Supports can include help or supervision with daily tasks, like personal care or cooking meals and is designed to assist participants to live as independently as possible.

4.0 Policy

ESG Inclusive Homes is committed to ensuring that each participant is supported to understand the terms and conditions that apply to their specialist disability accommodation dwelling and the associated service and/or tenancy agreements.

ESG Inclusive Homes has established systems, policies and procedures, workflows and other strategies to ensure that ESG Inclusive Homes:

- Continuously demonstrates adherence to the requirements established in the National Disability Insurance Scheme (Specialist Disability Accommodation Conditions) Rules 2018
- Implements clear processes regarding how ESG Inclusive Homes declares, advertises, and fills vacancies in shared living environments which consider and document each participant's views, preferences and needs and is available at each ESG Inclusive Homes location in the language, mode of communication and terms which each participant is most likely to understand
- ESG Inclusive Homes implements documented arrangements with each participant and each participant's other NDIS providers that deliver supported independent living supports within a specialist disability accommodation dwelling which outline the party or parties responsible and their roles for:
 - How ESG Inclusive Homes will work with other providers who deliver supported independent living supports in each SDA Dwelling to ensure the shared living arrangement is working for all tenants
 - How potential conflicts involving the participant will be managed
 - How each participant's concerns about the specialist disability accommodation dwelling will be communicated to and addressed by ESG Inclusive Homes
 - How behaviours of concern will be managed
 - How changes to a participant's circumstances or supports will be agreed and communicated
 - Arrangements for continuity of supports for each participant in the event of a natural disaster or other emergency; and
 - How vacancies will be filled in shared living environments including the participant's right to have their needs, wishes, choices and situation considered, and where a participant does not consent to an agreement, ESG Inclusive Homes will document this within the participant's file; and
 - How allegations and incidents of violence, abuse, neglect, exploitation, discrimination, or conflict involving one or more participant which may impact on the condition of the dwelling are acted upon, how each participant affected is supported and assisted, records are made of any details and outcomes of reviews and investigations (where applicable), and action is taken to prevent similar incidents occurring in the future.
- Where a change in participant needs or circumstances occurs, ESG Inclusive Homes will ensure that reasonable adjustments are made to accommodate the changes. If the changed support needs exceed the design category or functionality of the dwelling, work is undertaken to modify the dwelling, following consideration of the impact of the modifications on the other tenants (if applicable). Where the participant's needs or circumstances cannot be accommodated, the participant, and any relevant support providers will be made aware by ESG Inclusive Homes of the need to find alternative accommodation

- Implements a complaints management and resolution system is maintained that meets the requirements of the National Disability Insurance Scheme (Complaints Management and Resolution) Rules 2018 and follows the principles of procedural fairness and natural justice.
- Implements an incident management system that is maintained in accordance with the National Disability Insurance Scheme (Incident Management and Reportable Incidents) Rules 2018.
- Adheres to all state or territory legislative requirements regarding the provision of tenancy-related notices are adhered to and each participant is aware of their right to seek review of a decision, where applicable; and
- Ensures that all policies and procedures, agreements and any other documentation relating to any tenancy management are provided in the language, mode of communication and terms which each participant is most likely to understand.

5.0 Procedure

5.1 Declaring, Advertising and Filling Vacancies

Where an SDA Dwelling becomes vacant, ESG Inclusive Homes follows a procedure for declaring, advertising and filling the SDA Dwelling that:

- Ensures that applicants have a clear understanding of the procedure and criteria used by ESG Inclusive Homes to fill the vacancy
- Fills the vacancy as quickly and efficiently as possible
- Complies with the National Disability Insurance Scheme (Specialist Disability Accommodation Conditions) Rules 2018 and other relevant legislation
- Documents and considers each participants views, preferences and needs
- Regularly monitors and reviews the systems, procedures, workflows, and other strategies used by ESG Inclusive Homes in declaring, advertising, and filling vacancies in ESG Inclusive Homes SDA Dwelling
- Is made available to each participant in the language, mode of communication and using terms which each participant is most likely to understand; and
- In the event where a participant does not consent to an agreement, ESG Inclusive Homes will document this within the participant's file.

5.1.1 Declaring, Advertising and Filling Vacancies Procedure

- When a vacancy occurs in ESG Inclusive Homes SDA Dwelling, ESG Inclusive Homes will:
 - Declare the SDA Dwelling vacant
 - Advertise the vacancy on ESG Inclusive Homes' website
 - Notify any referrers of participants of the vacancy
 - Notify any eligible and suitable applicants who have previously submitted applications to ESG Inclusive Homes of the vacancy
 - Assist applicants to complete ESG Inclusive Homes' application form if they require assistance

- Provide applicants with information about the assessment process, including timelines for decision making
- Give applicants the opportunity to ask questions
- Record applicants' details and notes on ESG Inclusive Homes' system
- Assess each application and the applicant's suitability to the SDA Dwelling considering the criteria set out in this Tenancy Management Policy and Procedure
- Create a shortlist of the top 3 applicants for the SDA Dwelling according to the criteria set out in this *Tenancy Management Policy and Procedure*, ranking the applicants to determine the most suitable applicant for the SDA Dwelling
- Provide each of the top 3 applicants:
 - Notice that they have been shortlisted for the SDA Dwelling
 - An opportunity to inspect the SDA Dwelling; and
 - A copy of the SDA Residency Agreement to be entered into together with any related documents
- Offer the SDA Dwelling to the most suitable applicant and give them the opportunity to make an informed decision about whether they accept the offer
- If the most suitable applicant does not accept the offer of the SDA Dwelling:
 - Offer the SDA enrolled dwelling to the second most suitable applicant and give them the opportunity to make an informed decision about whether they accept the offer; and
 - Advise the most suitable applicant that their refusal of the offer will not negatively affect their application for future dwellings.
- If the second most suitable applicant does not accept the offer of the SDA Dwelling, repeat the process with the third most suitable applicant.

5.1.2 Declaring Applicant Suitability

In determining the suitability of an applicant to occupy the SDA Dwelling, ESG Inclusive Homes will take into consideration:

- The applicant's eligibility in accordance with the National Disability Insurance Scheme (Specialist Disability Accommodation Conditions) Rules 2018 which require the applicant to:
 - Be a current participant under the National disability insurance scheme
 - Be approved to live in the relevant SDA building category; and
 - Have sufficient SDA funds included in their support package
- Whether the applicant is already a resident of another ESG Inclusive Homes SDA Dwelling
- The proximity of the SDA Dwelling to dwellings occupied by the applicant's family
- The proximity of the SDA Dwelling to the applicant's place of employment
- The applicant's age
- The applicants' views, preferences and needs
- Support services required by the applicant
- The suitability of the SDA Dwelling compared to the applicant's needs; and

- Where ESG Inclusive Homes considers it appropriate, references provided by the applicant – unless ESG Inclusive Homes determines otherwise, will be required to provide one each of the following references:
 - Reference from a previous landlord or agent which provides details regarding:
 - Rental payment history
 - Property maintenance
 - Any concerns reported from neighbouring participants
 - Personal character reference from a person who has known the applicant for at least 2 years.

5.2 Communication with Participants

ESG Inclusive Homes will support participants to communicate about the provision of tenancy management by:

- Using respectful, open, clear, and honest communication in all professional interactions
- Ensuring that all documentation provided to each participant is available in the language, mode of communication and terms which each participant is most likely to understand
- Communicating effectively with each participant to promote their understanding of proposed SDA supports and services (e.g., active listening, use of plain language, encouraging questions)
- Identifying potential barriers to effective communication and making a reasonable effort to address these barriers including by providing information and materials on how to access interpreter services, legal and advocacy services
- Working with bilingual assessment staff, interpreters (linguistic and/or sign), communication specialists and relevant advocacy agencies/services that can also assist participant participation, inclusion, informed choice, and control
- Encouraging each participant to engage with their family, friends and chosen community
- Informing each participant of their inherent human rights and legal rights
- Supporting each participant to exercise their rights and responsibilities
- Documenting all material communications accurately, clearly, professionally and each participant's file in a timely manner
- Supporting each participant, their family, carers, and support networks to find, use and access the SDA supports and services they need and work with them to reduce any limitations or barriers where they exist.
- Ensuring that where a change in participant needs or circumstances occurs, ESG Inclusive Homes will ensure that reasonable adjustments are made to accommodate the changes. If the changed support needs exceed the design category or functionality of the dwelling, work is undertaken to modify the dwelling, following consideration of the impact of the modifications on the other tenants (if applicable)

- Ensuring that where a participant's needs or circumstances cannot be accommodated, the participant, and any relevant support providers will be made aware by ESG Inclusive Homes of the need to find alternative accommodation; and
- Ensuring that all state or territory legislative requirements regarding the provision of tenancy-related notices are adhered to and each participant is aware of their right to seek review of a decision and is supported by ESG Inclusive Homes through this process.

5.3 Advocacy

A participant has the right to use an advocate of their choice to represent their interests and speak on their behalf regarding any aspect of the support or services that they receive. In the instance that a participant is not capable of decision making, there are a number of individuals that would be able to be nominated to make decisions on behalf of a participant including but not limited to;

- A nominee
- Appointed advocate
- Family members
- Court-appointed decision makers; and/or
- For children - a parent or guardian

ESG Inclusive Homes encourage the use of an advocate and expect employees to:

- Inform a participant of their right to access an advocate of their choosing any time they are in contact with ESG Inclusive Homes
- Work cooperatively with any nominated advocate chosen by a participant and show the same respect to the advocate, as is shown to a participant
- Respect a participant's right to choose their own advocates, change their advocates or withdraw their advocates authority
- Ensure that if a participant does not have an individual to accept their advocacy, ESG Inclusive Homes will assist a participant in this process
- Provide printed material at each ESG Inclusive Homes location on advocacy and advocacy services
- Maintain local advocacy resource/contact lists; and
- Ensure that all employees receive training specific to advocacy and the role of advocates.

5.4 Service Agreements

Where supported independent living supports are provided to participants in SDA dwellings, documented arrangements must be in place with each participant, each supported independent living provider and ESG Inclusive Homes. At a minimum, the arrangements must be recorded in the participants *Service Agreement* and outline the roles and responsibilities of all parties involved for the following issues:

- How the participant will communicate their concerns about a dwelling
- How potential conflicts involving participant(s) will be managed

- How changes to participant circumstance or support needs will be disclosed, as agreed
- How vacancies are filled in shared living
- The needs, views, preferences, and individual circumstances of each participant
- How behaviours of concern are managed that may put tenancy at risk, if this is relevant to the participant.

With the consent of the participant, ESG Inclusive Homes will collaborate with other service providers involved in the care of each participant to ensure a holistic patient-centred approach to care is delivered.

ESG Inclusive Homes will support the participant to understand their Service Agreement and conditions using the language, mode of communication and terms that the participant is most likely to understand and will supply easy-to-read documents and/or organise interpreter services, should it be required.

Where a Service Agreement is created in writing, ESG Inclusive Homes will provide the participant with a copy of their signed Service Agreement. Where this is not practicable, or the participant chooses not to receive a copy of their Service Agreement, ESG Inclusive Homes must document in the participants file the circumstances under which the participant did not receive a copy of their Service Agreement.

5.5 Continuity of Supports in the Event of an Emergency or Disaster

ESG Inclusive Homes implements *Emergency and Disaster Management Plans* for each participant to ensure each participant has access to timely and appropriate support and living conditions without interruption throughout the period of their service agreement. Effective emergency and disaster planning includes but is not limited to:

- Preparing for, and responding to an emergency or disaster in a way that ensures continuity of supports that are critical to the safety, health and wellbeing of each participant before, during and after an emergency or disaster
- Detailed plans that explain and guide how ESG Inclusive Homes will respond to, and oversee the response to, an emergency or disaster
- Sourcing alternative accommodation options appropriate for each participant's needs
- Making changes to a participant's supports
- Adapting, and rapidly responding, to changes to a participant's supports and to other interruptions
- Actively testing current emergency and disaster management plans in place for each participant and adjusting accordingly in the context of a particular kind of emergency or disaster

- Communicating changes to participant support to workers and to a participant and their support networks
- Consulting with a participant, their family, carer and/or advocate and develop an *Emergency and Disaster Management Plan*
- Bi-annually reviews (or more frequently if required) of each participants *Emergency and Disaster Management Plan* with the support of a participant, their family, carer and/or advocate to ensure ESG Inclusive Homes is actively responding to the changing nature of an emergency or disaster
- Complying with all mandatory disaster and emergency laws, regulations and legislation; and
- Ensure that all ESG Inclusive Homes employees complete mandatory comprehensive induction and annual refresher training on emergency and disaster management.

ESG Inclusive Homes employees are to notify the Director and/or appointed delegate and complete an *Incident Form* in a timely manner. The Director and/or appointed delegate will record the incident in the *Risk Register* and *Quality and Continuous Improvement Register* and where relevant feed into service planning and delivery processes.

5.6 Violence, Abuse, Neglect, Exploitation, or Discrimination

ESG Inclusive Homes is committed to the safety and wellbeing of each participant and recognises the importance of and responsibility for ensuring each work environment is safe and supportive which respects and fosters the dignity and self-esteem of all participants and enables them to thrive.

ESG Inclusive Homes supports implementation and monitoring of a *Violence, Abuse, Neglect, Exploitation and Discrimination Policy and Procedure* and will plan, implement, and monitor current and future arrangements to continually provide inclusive and safe environments.

5.6.1 Acceptable Behaviours

Employees or any other stakeholders involved with participant-related work are responsible for supporting and promoting the safety of participants by:

- Taking all reasonable steps to prevent and respond to all forms of violence, exploitation, neglect, and abuse of people with a disability within a SDA Dwelling
- Taking all reasonable steps to prevent and respond to sexual misconduct
- Treating the participant, their families, and advocates with respect
- Listening and responding to the views and concerns of the participant,
- Promoting the cultural safety, participation, and empowerment of people with culturally and/or linguistically diverse backgrounds through engagement with the community accessing the service
- Promoting the safety, participation, and empowerment of people with disabilities
- Reporting any allegations of abuse or any personal safety concerns to management

- Understanding and complying with all reporting or disclosure obligations (including state mandatory reporting) as they relate to protecting the participant from harm or abuse; and
- Reporting suspected or confirmed abuse to appropriate authorities in a timely manner.

5.6.2 Reporting Violence, Abuse, Neglect, Exploitation and Discrimination

ESG Inclusive Homes employees are to complete an *Incident Form* which is to be promptly sent to the Director and/or appointed delegate.

The Director and/or appointed delegate will undertake a review of the allegation or incident by:

1. Gathering data from relevant ESG Inclusive Homes employees including but not limited to:
 - Participant’s name, age, date of birth, address
 - Description of injury, abuse and/or neglect (current and previous)
 - The participant’s current situation
 - The location of the participant and alleged perpetrator (if known); and
 - Explanation of when and how the abuse was identified.
2. Analyse the data by determining what occurred, how it occurred, and who was involved
3. Determine the effect on the participant
4. Consult with relevant stakeholders such as the police– do not seek information from children (this is a specialist role within the authorities to whom the incident if reported)
5. Inform the participant that they can access an advocate for support
6. Ensure care is made of any details however being mindful of notes written in ESG Inclusive Homes progress notes due to the sensitivity of the information
7. Review the outcome against practices and make a record of the reported incident in the *Incident Register* and *Quality and Continuous Improvement Register*; and
8. Undertake action to prevent the incident from occurring.

5.7 Incident Management Procedure

ESG Inclusive Homes implements a comprehensive and effective incident management system in place to ensure each participant is safeguarded by ESG Inclusive Homes incident management system that complies with the requirements of the *National Disability Insurance Scheme (Incident Management and Reportable Incidents) Rules 2018*.

ESG Inclusive Homes will promote a supportive incident management system where participants are provided with information on incident management including how incidents involving the participant have been managed and to allow for ESG Inclusive Homes to identify areas for improvement, coordinate a consistent approach to incident management, reduce the potential for future incidents to occur and allow for reporting and efficient allocation of resources.

All incidents will be reviewed by the management team monthly to determine if there are any trends or preventive measures that ESG Inclusive Homes can take to prevent future incidents. If trends or measures are identified, these will be tracked in the *Quality and Continuous Improvement Register*.

See the *Incident Management Policy and Procedure* for a detailed process.

5.8 Participants Right to Review a Decision

ESG Inclusive Homes adheres to all state or territory legislative requirements regarding the provision of tenancy-related notices are adhered to and each participant is aware of their right to seek review of a decision, where applicable.

ESG Inclusive Homes will ensure that all agreements, policies, and procedures comply with NSW residential tenancy laws concerning the issuing of notices to a tenant, including for:

- Changes in rent, board, or bond conditions
- Changes to an SDA provider's details
- Changes to an SDA service agreement; and
- The termination by a tenant or an SDA provider of an SDA service agreement.

The SDA agreements includes details about minimum notice periods for the issuing of tenancy notices. ESG Inclusive Homes will ensure each tenant has appropriate information and support to understand the minimum notice periods that must be given when a tenancy notice is issued. ESG Inclusive Homes will ensure a tenant has information about independent advocacy and support available to them if they have concerns about a tenancy notice.

If changes to the SDA Agreement are required, ESG Inclusive Homes will:

- Arrange a date and time to discuss and review the SDA Agreement
- Ensure that the participants support networks such as a family member, carer or other identified person is present at the review to ensure the participant feels supported
- Ensure that any changes to the SDA Agreement will be in writing, signed and dated by both parties.

ESG Inclusive Homes ensures that each participant is given information on their rights at the start of their arrangement with ESG Inclusive Homes. This is delivered through ESG Inclusive Homes Tenant Handbook which outlines the participants rights and their right to a review of a decision. Information regarding a participant's rights can be given to a participant also on request, in the form that the participant is most likely to understand.

If a participant is not satisfied with the outcomes of a decision made by ESG Inclusive Homes, a review of a decision can be requested by the following measures:

- Contacting ESG Inclusive Homes to further discuss the matter by:
 - Phone: 0418 163 945
 - Email: patrick.wilsmore@experiencesocialgrowth.com
- Contact the NDIS directly by:

- a. Completing the [Request for a Review of a Decision form](#) and send it to the NDIS with supporting evidence to enquiries@ndis.gov.au
- b. Phone on 1800 800 110
- c. Visit an [NDIS or partner office](#).
- d. Via mail at:
 - Chief Executive Officer
 - National Disability Insurance Agency
 - GPO Box 700
 - Canberra ACT 2601

5.9 Feedback

ESG Inclusive Homes values feedback and acknowledges that this can include compliments, suggestions of what ESG Inclusive Homes may be able to do better and complaints. There are many ways to provide feedback to ESG Inclusive Homes including:

- Completing a Feedback, Compliments and Complaints Form
- Talking directly to an allocated ESG Inclusive Homes employee
- Contacting ESG Inclusive Homes and asking to speak to a manager; and
- Anonymously providing feedback by calling or writing to ESG Inclusive Homes.

5.9.1 Complaint Resolution Process

ESG Inclusive Homes aims to respond to complaints openly, honestly and in a timely manner. All complaints will be acknowledged and responded to within two business days.

If a complaint is still unable to be resolved, please contact:

- ESG Inclusive Homes on 0416 172 724 to speak with an employee who can assist with the complaint or schedule a call back

OR

- Complete a Feedback, Compliments and Complaints Form and email or post it to:
 - patrick.wilsmore@experiencesocialgrowth.com
 - 8 Sabason Court, Doncaster East, VIC, 3109
- *NDIS Quality and Safeguards Commission*
 - Call 1800 035 544 (free call from landlines)
 - Go to www.ndiscommission.gov.au
- The National Relay Service (NRS) can assist with lodging a complaint for those who may be deaf and/or find it hard to hear or speak with people when using a phone:
 - *National Relay Service (NRS)*
 - Voice Relay Number - 1300 555 727

- Text Telephone Relay (TTY)/ Telecommunications Relay Service (TRS)
Number - 133 677
- SMS Relay Contact Number - 0423 677 767
- *Translating and Interpreting Service (TIS National)*
 - Call 131 450

See the *Feedback, Compliments and Complaints Management Policy and Procedure* for a detailed process.

5.10 Training

On initial engagement with ESG Inclusive Homes, all employees will undergo comprehensive induction training on ESG Inclusive Homes tenancy management processes as well as receive a copy of ESG Inclusive Homes' *Tenancy Management Policy and Procedure* for reference.

Employees will also receive annual feedback, compliments, and complaints refresher training to ensure all workers are aware of, trained in and comply with the required procedures in relation to tenancy management processes and to ensure that best practice outcomes are maintained.

Employees are required to complete an annual performance development review which is designed to assess employee awareness of tenancy management and their roles and responsibilities surrounding these processes. Additional on-the-job and formal training will be provided where required.

6.0 Related Documents, Legislation, Regulations and Standards

- *Service Agreement*
- *Supported Independent Living (SIL) Service Agreement*
- *Specialised Disability Accommodation (SDA) Service Agreement*
- *Feedback and Complaints Form*
- *Feedback, Compliments and Complaints Register*
- *Incident Form*
- *Incident Register*
- *Maintenance Request Form*
- *Participant Emergency and Disaster Plan*
- *Quality and Continuous Improvement Register*
- *Incident Management Policy and Procedure*
- *Feedback, Compliments and Complaints Management Policy and Procedure*
- *Violence, Abuse, Neglect, Exploitation, Or Discrimination Policy and Procedure*
- [National Disability Insurance Scheme Quality Indicators 2021](#)
- [National Disability Insurance Scheme Act 2013](#)
- [National Disability Strategy 2010-2020](#)
- [National Disability Insurance Scheme Terms of Business for Registered Providers](#)

- [Residential Tenancies Act 1997 \(Vic\)](#)
- [National Disability Insurance Scheme \(Specialist Disability Accommodation Conditions\) Rule 2018](#)
- [National Disability Insurance Scheme \(Specialist Disability Accommodation\) Rules 2020](#)

7.0 Policy Review

This *Tenancy Management Policy and Procedure* will be reviewed on an annual basis to ensure that ESG Inclusive Homes operates in accordance with legal, regulatory and company standards. This process will include a review and evaluation of current practices and service delivery types and locations, relevant policies and procedures, forms and registers and will incorporate all ESG Inclusive Homes employee, participant, and other stakeholder feedback.

ESG Inclusive Homes *Quality and Continuous Improvement Register* will be used to record and monitor progress of any improvements identified and where relevant feed into service planning and delivery processes.

ESG Inclusive Homes may make changes to this *Tenancy Management Policy and Procedure* at any time to allow for continual improvement, evaluation, and implementation of best practices to improve the effectiveness of its operation.

By signing this document, I acknowledge that I have read, understand, and must comply with this *Tenancy Management Policy and Procedure*.