

Department of Communities and Justice

What we heard

Policy development process for the *Specialist Homelessness Service (SHS) Access, Eviction and Withdrawal of services Policy*

December 2024

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What we heard

Policy development process for the *Specialist Homelessness Service (SHS) Access, Eviction and Withdrawal of services Policy*

1. Introduction

1.1. Purpose

This paper outlines the development of the Department of Communities and Justice (DCJ) **Specialist Homelessness Services (SHS) Access, Eviction and Withdrawal of services policy**. The policy is an appendix to the SHS Program Specifications, which is part of the Human Services Agreement – the contract mechanism between a SHS provider and the Department of Communities and Justice (DCJ).¹ This policy applies to the currently listed programs in the SHS Program Specifications.

1.2. Context

The NSW Ombudsman released the report titled [*Specialist homelessness services: helping people with high or complex needs*](#) on 31 August 2022. The Ombudsman’s inquiry began with the experience of a specific client (‘Anna’), a young person with complex needs, behaviours and disability, and her exclusion from certain SHS and Temporary Accommodation (TA) services. The inquiry then looked more broadly at issues of access across a range of homelessness services in NSW.

The *DCJ SHS Access, Eviction and Withdrawal of services policy* responds to Recommendation 3a. [DCJ’s plan for Recommendation 3](#) was published 30 November 2022². DCJ agreed to publish the notifiable policy and accompanying practice guidance by December 2023. DCJ would then support service providers to implement the policy (Jan-Jun 2024) and embed the policy in the SHS Program Specifications in SHS contracts from July 2024 onwards (Note that these timeframes have been adjusted and reflected in Section 3.3. *Implementation timeframes*).

NSW Ombudsman’s recommendations		
NSW Ombudsman’s recommendations	DCJ response: Accepted with qualification. Actions:	Timeframe
3a) In consultation with the SHS sector, develop comprehensive and consolidated policy and contractual requirements on access, exclusion, eviction, and withdrawal of services for eligible homeless people. The policy and contractual arrangements should clarify the scope and process for allowable conditions of access, exclusion, and eviction, including in relation to: <ul style="list-style-type: none">client risk, characteristics, and circumstancesclient codes of conductparticipation in case management	Work with the homelessness peaks and service providers to: <ul style="list-style-type: none">Review current and previous SHS Program Specifications and any related guidanceIdentify elements of good practiceDraft a policy and accompanying practice guidance	From December 2022
	Publish the notifiable policy and accompanying practice guidance by December 2023. A notifiable policy under the Human Services Agreement requires six months between issuing the policy and implementation.	December 2023
	Support service providers to implement the policy.	January to June 2024

¹ SHS Program Specification - <https://www.facs.nsw.gov.au/download?file=811903>

² <https://www.facs.nsw.gov.au/providers/working-with-us/programs/homelessness/specialist-services/partnerships/nsw-ombudsmans-report-on-specialist-homelessness-services-implementation-plan>

<ul style="list-style-type: none"> commitments to address specified behaviours 	Embed the policy in SHS Program Specifications underpinning SHS contracts from July 2024 onwards (current SHS contracts are in place to 30 June 2024).	July 2024 ³
3b) Undertake regular auditing of SHS policies and practices in relation to access, exclusion, eviction, and withdrawal of service to ensure they do not allow for exclusions, evictions or withdrawal of services that are not supported by Specialist Homelessness Services Program requirements.	In the context of the Funded Contract Management Framework, discuss the implementation of the policy with providers and review any available service level data. Allowing a full year for providers to embed it in practice, include the policy as a key focus area in the Annual Accountability process for 2024/25.	October 2025 ⁴

2. Policy development process

2.1. SHS Access and Withdrawal Working Group

DCJ established the SHS Access and Withdrawal Working Group to guide the policy development. Working Group members included representatives from:

- NSW Government – DCJ, Ministry of Health, NSW Police, NSW Corrective Services
- SHS experts – Homelessness peaks (Homelessness NSW, Yfoundations, DVNSW) and SHS providers representing various service types and locations
- Representatives from Aboriginal Community Controlled Organisations (ACCOs)
- People with Disability Australia (PWDA)
- People with lived experience of homelessness –Public Interest Advocacy Centre’s StreetCare Lived Experience Advisory Group⁵

Refer to **Appendix 1** for the full list of organisations and agencies represented.

The Working Group had a Work Plan. The process included:

- Establishment meeting – May 2023
- Discuss findings from sector consultation and policy needs – July 2023
- Co-design workshops – September 2023
- Discuss draft policy and sector consultation on draft policy – November 2023
- Discuss feedback from sector consultation – December 2023

2.2. Initial desktop research and information gathering process

Between November 2022 – September 2023 key pieces of work helped inform the development of the draft policy version 1.0. The information gathering activities included:

- Review of current and previous DCJ SHS program documents including: SHS Program Specifications 2021, SHS Program Guidelines 2014, SHS Case Management Kit 2012.

³ Note that these timeframes have been adjusted and reflected in Section 3.3. Implementation timeframes

⁴ Note that these timeframes have been adjusted and reflected in Section 3.3. Implementation timeframes

⁵ StreetCare supports people with lived experience of homelessness to be effective advocates to achieve better outcomes for people experiencing or at risk of homelessness. StreetCare members provide training and consultation for government and service providers on how to engage with people disadvantaged by homelessness or housing insecurity, so they are treated with dignity and respect - <https://piac.asn.au/project-highlight/streetcare/>.

- Desktop analysis of any guidance related to access and withdrawal of services including reviewing SHS programs in other jurisdictions, available procedures from SHS providers online, good practice guidelines from DVNSW and Homelessness NSW.
- Discussions with other State jurisdictions involved in SHS programs including: SHS team in Tasmania, Northern Territory and South Australia.
- Discussions in the SHS Access and Withdrawal Working Group meetings 1 (May 2023) and 2 (July 2023).
- Sector consultation with SHS Management and staff including 119 responses for sector survey and 7 interviews (July – August 2023).
- Consultation with people with lived experience through the StreetCare group.

2.3. Policy gaps identified

Following this review, key policy gaps were identified including:

1. The 2021 SHS Program Specifications had limited guidance for SHS providers on:
 - Withdrawal of services
 - Unacceptable and discriminatory exclusions
 - Bans and blacklists
2. The 2021 SHS Program Specifications had limited requirements or guidance on decision-making processes including the use of risk assessments. The SHS Case Management Kit 2012 is the only other document that currently includes some guidance on risk assessment and management.
3. The 2021 SHS Program Specifications did not specify that SHS providers are required to provide accessible information.
4. The 2021 SHS Program Specifications had limited information on client rights. The SHS program currently requires SHS providers to submit evidence through the Homelessness Accreditation process (ASES and equivalencies), including:
 - Requirements for access to services
 - Client rights (e.g. clear information about how to make a complaint)
 - SHS worker rights

2.4. Key questions for co-design

Following the Information Gathering process, key questions were developed to inform the co-design session facilitated by Rooftop Social. The co-design was held face-to-face on 15 September 2023 with the SHS Access and Withdrawal Working Group. Follow up sessions were held online for other group members who could not attend.

The key questions to inform the session included:

1. What is the structure of policy and practice guidance?
2. What do we need to include in the policy and practice guidance on access, withdrawal and eviction?
3. What support should be made available to ensure successful implementation of the policy and practice guidance?

2.5. Considerations for policy development

SHS providers raised in the interviews and surveys, some areas to consider when developing any policy material. These were also raised through the SHS Access and Withdrawal Working Group and the co-design workshops. These include:

1. Defining the line between being prescriptive while allowing discretionary decision making

In the interviews, SHS Management Staff highlighted that when developing policy, DCJ will need to be mindful that anything included in the SHS Program Specification is not too prescriptive. The policy needs to be proportionate to the diversity and capacity in the service system - no two services are the same – including service type, location, cohort of people accessing services.

2. Consider differences between adult sector and youth sector

In the interviews, SHS management raised that ‘what happens in the adult system is very different in the youth sector given the crisis accommodation settings/staffing/nuances’ as well as system resource difference for different age cohorts. DCJ will need to be clear about the context for different cohorts and different service responses.

3. Recognition of capacity of regional services

The interviews highlighted that at every point DCJ will need to be mindful of how different parts of NSW work, from metro locations to regional, remote locations.

4. Consider the language used in the policy

The interviews and surveys stated that DCJ could consider using terms that are trauma informed and also terms that are easy for SHS staff to understand. Some examples of terms used by some providers currently include:

- ‘notice of remedy’ – this term the provider discussed as coming across punitive, but at the same time is understood by operations staff.
- ‘standdown’ – this term is used by one provider to discuss a process used instead of the term ‘ban’

5. Check the overlap with Homelessness Accreditation

The interviews and co-design process raised the need to see if there were links or overlaps with the accreditation process that SHS providers are undertaking including these standards: ASES, QIP, AAA-NZ, EQulP.

2.6. Policy development

Following the sector consultation and co-design process, DCJ developed the first draft of the policy version 1.0. This version was presented to the Working Group for discussion and feedback on 7 November 2023. The Working Group recommended changes as follows:

1. **Revised structure:** feedback was to make it clearer what was ‘required’ and what was guidance. The sections are now split into ‘policy’, ‘policy application’, ‘policy in practice’.
2. **Additional policy in practice detail:** feedback was to keep working on adding more to these sections. This is still a work in progress.
3. **Various changes throughout the document:** from minor inclusions (e.g. legislation addition) to additional paragraphs (e.g. accessibility for people with disability).

Implementation of these changes resulted in approved Draft version 1.1.

2.7. Sector consultation November – December 2023

DCJ sent the draft policy version 1.1 to SHS providers on 27 November 2023 for feedback. Other stakeholders who were sent the policy included people with lived experience, SHS peaks, and the SHS Access and Withdrawal Working Group. The feedback closed 13 December 2023 and DCJ had 32 submissions from service providers. The submissions were representative of the sector including 42%

regional, 29% metro and 19% rural. 61% of responses provided accommodation services and 81% were Community Housing Providers.

The SHS provider feedback was broadly supportive of the current draft policy content and structure. The feedback included some clarification questions and suggested changes in the document. DCJ presented the SHS provider feedback to the SHS Access and Withdrawal Group during Meeting 4 (15 December 2023). Five (5) focus questions were presented to the group to discuss further and make recommendations.

DCJ sent the Draft Version 1.1 to the NSW Ombudsman for noting on 22 December 2023.

2.8. Targeted feedback and conversations: January – December 2024

Discussion on disability – 17 Jan 2024

Focused discussions were held with a range of relevant stakeholders, which led to the following additions and changes:

- a section added in the policy about the Accessibility Checklist for crisis accommodation,
- additional examples related to disability in the 'policy in practice' sections,
- adjustments to sections on bias and discrimination.

StreetCare – discussions January and February 2024

The feedback from Streetcare was that the Voice of Lived Experience woven into the policy 'brings it to life' and grounded the policy (StreetCare meeting minutes 30 January 2024). The group provided further feedback that the stories were captured well, but needed to go further outlining what the next steps were for the SHS provider when working with clients. The group also shared that DCJ should include working with clients in a trauma informed way. An additional example about youth homelessness experience was also provided. This feedback was taken on board and included in 'policy in practice' sections.

Gender diversity – February 2024

The Gender Centre provided feedback for different sections of the policy including conflict of interest and bias.

Internal DCJ teams – February – December 2024

DCJ reached out to internal teams for feedback on reporting, disability and the homelessness strategy.

3. Implementation

3.1. Broader reforms in homelessness

DCJ acknowledges that the recommendations in the NSW Ombudsman's report cannot be addressed in full without service system changes. The introduction of the policy alone will not address the service demand and capacity issues which also impact the barriers to accessing homelessness services.

The NSW Government is developing a new homelessness strategy, which aims to make NSW a place where *homelessness is rare, brief and not repeated because people have a safe home and the support to keep it*. Development of the new strategy will consider the shift in client needs and complexities, and how the system can respond to these changes to ensure services are more accessible for people experiencing or at risk of homelessness.

3.2. Implementation support, tools, resources and training

It is recognised that some SHS providers have processes in place to support policy implementation, while other SHS providers may request more support. DCJ will work in collaboration with SHS providers to identify tools that will support implementation where they are not currently in place.

Current resources include:

- DCJ funded Learning and Development program
- Practice guidance:
 - [DCJ Case Management Kit 2012](#)
 - [DVNSW Good Practice Guidelines \(Second Edition\) Dec 2022](#)⁶
 - [LGBTIQ+ Inclusive Practice Guide Mar 2020](#)⁷
 - [Building Access project - People with Disability Australia](#) (pwd.org.au)

DCJ will work to provide the sector with tools to support implementation of this policy including:

- example client charter, code of conduct – this is for service providers seeking guidance on what to include in a client charter or code of conduct (relevant to section 4.1),
- example risk or vulnerability assessment tools, and structured decision-making tools – this is for service providers seeking guidance on strengths based and trauma-informed assessments for homelessness providers (relevant to section 4.3),
- new training options through the Learning and Development program, identified as supportive for this policy.

3.3. Implementation timeframes

This policy will be implemented gradually and will include the opportunity for further stakeholder input and feedback. The policy will also be subject to a review where DCJ will invite further feedback from the sector.

⁶ DVNSW Good Practice Guidelines (Second Edition) Dec 2022- <https://www.dvnsw.org.au/categories/good-practice-guidelines>

⁷ LGBTIQ+ Inclusive Practice Guide Mar 2020 - <https://lgbtiq.gitbook.io/inclusive-practice-guide/>

Table 2. Implementation timeframes

Timeframe	Consultation and Implementation
January – December 2024	<ul style="list-style-type: none"> • Feedback from stakeholders is reviewed and any proposed changes considered. • Targeted discussion • Policy approval
February – July 2025	<ul style="list-style-type: none"> • Notified policy is distributed to SHS providers • Policy presented at District level meetings with SHS providers (e.g. DHIGS) and other forums (e.g. webinar) • DCJ scope the development of support tools and content recommendations for Learning and Development training • Policy implementation period commences, with providers guided by an Implementation Checklist
August 2025	<ul style="list-style-type: none"> • Interim review - DCJ to check in with SHS providers using a survey tool or equivalent to inform the interim review (6 months from implementation period commencement)
Annual accountability 2024/25	<ul style="list-style-type: none"> • Annual accountability – the policy will be a key focus area in the Annual Accountability process for 2024/25. In the context of the Funded Contract Management Framework, discuss the implementation of the policy with providers (including review of checklist) and review any available service level data (allowing a full year for providers to embed the policy in practice)

Appendix 1: SHS Access and Withdrawal Working Group representatives

The SHS Access and Withdrawal Group was established in May 2023 to guide the policy development process including participating in meetings and a co-design workshop. DCJ appreciates every member's participation and valuable sharing of practice wisdom, experience and knowledge. While the Working Group provided input, insights and content for the policy, DCJ was the author and held responsibility for deciding final content of the policy.

The Working Group representatives include the below organisations and agencies:

Category	Agencies / Organisations
NSW Government	<ul style="list-style-type: none"> • Department of Communities & Justice (DCJ) <ul style="list-style-type: none"> ○ Housing Homelessness Disability & Seniors Branch ○ Partnerships ○ Corrections ○ Youth Justice ○ District Commissioning and Planning WSNBM, HCC, MFWWNSW ○ Transforming Aboriginal Outcomes (TAO) • Ministry of Health <ul style="list-style-type: none"> ○ Mental Health Branch ○ Health & Social Policy Branch • NSW Police Force
Sector Experts	<ul style="list-style-type: none"> • SHS providers <ul style="list-style-type: none"> ○ Youth off the Streets ○ Coast Shelter ○ Salvation Army ○ Tamworth Family Services ○ Uniting ○ St Vincent de Paul Society NSW ○ Momentum Collective ○ Link Wentworth ○ Southern Youth and Family Services (SHS) • Aboriginal Community Controlled Organisations (ACCO) SHS providers <ul style="list-style-type: none"> ○ Bungree Aboriginal Association ○ Murra Mia Aboriginal Corporation • SHS peaks <ul style="list-style-type: none"> ○ Homelessness NSW ○ DVNSW ○ Yfoundations
Other agencies	<ul style="list-style-type: none"> • People with a Disability Australia (PWDA) • Public Interest Advocacy Centre (PIAC) • Lived experience - StreetCare representatives

Appendix 2: Summary Policy Development Process

