

Policy name	Registrable Persons
Policy date	February 2024
Authorisation	Executive, Housing
Policy owner	General Manager, Operations
Policy type	Mission Australia Housing Operational Policy
Policy setting	

1 Purpose

1.1 Overview

1.1.1 This policy outlines the principles to be followed in managing Mission Australia Housing (MAH):

- Applications for housing assistance from people who are on a Child Protection Register (registrable persons) and have been convicted of sexual and/or violent offences against children (any person under 18 years);
- Tenants who are identified as registrable persons; and
- Information related to registrable persons as defined by the NSW Departments Communities & Justice (DCJ) Registrable Persons Guidelines.

1.2 Coverage

1.2.1 This document is a national policy and covers Mission Australia Housing (MAH), and its entities. All references to Mission Australia Housing, MAH and Housing means MAH and its entities unless specifically stated otherwise.

1.2.2 This policy applies to all forms of housing services provided by MAH including social, affordable and transitional housing, along with client products and subsidies that MAH facilitates access to. of registrable persons.

1.2.3 This policy applies to housing provided by MAH in the jurisdictions of New South Wales (NSW) only.

1.1 Information on procedures and other related policies

- 1.1.1 This policy focuses on why certain things need to be done. It is supported by procedures that provide more detail on the “what” to do.
- 1.1.2 Other MAH policies also need to be considered in managing Registrable Persons. To assist you, these are identified where relevant in this policy.
- 1.1.3 MAH are required to abide by the NSW DCJ Registrable Persons Guidelines, and use the tools and resources supplied by DCJ for managing registerable persons. These documents are located in the Community Housing and Pathways (CHAP) Portal.

2 Scope

2.1 Parts of Mission Australia that this policy covers

- 2.1.1 This policy applies to MAH staff responsible for working with MAH clients, tenants and properties in NSW.

2.2 Definitions

- 2.2.1 Key terms used in this policy are defined in the following table.

Term	Definition
C&YP(C&P) Act	The New South Wales Children and Young Persons (Care and Protection) Act 1998.
CHAP Portal	The Community Housing and Pathways Portal. This portal is used by community housing providers in NSW to access DCJ policies, procedures, tools and resources.
CHP	Community Housing Provider.
CPOR Act	The New South Wales Child Protection (Offenders Registration) Act 2000.
CSNSW	Corrective Services NSW.
DCJ	Department Communities & Justice (NSW)
DCJ Registercheck	The New South Wales central coordination point for enquiries and assistance in relation to registrable persons.
NSWPF	The NSW Police Force.
Registrable persons	A person who has been sentenced in respect to a registrable offence (certain serious offences against a child/children). The full definition is contained in section 3A of the Child Protection (Offenders Registration) Act 2000.

The registry	Each jurisdiction maintains its own registry. In New South Wales, the Child Protection Register is governed by the Child Protection (Offenders Registration) Act 2000.
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3 Policy

3.1 Guiding principles

- 3.1.1 MAH is focused on the needs of tenants, their families, staff and the community:
- MAH seeks to protect the community, while recognising the rights and needs of registrable persons and their families, including the need for support services.
 - MAH follows documented risk management procedures intended to minimise risks while complying with the obligations placed upon MAH.
- 3.1.2 The MAH approach is fair and transparent:
- MAH explains its policies and procedures to clients, tenants and stakeholders.
 - MAH upholds accountability and transparency through its record keeping practices.
 - Where appropriate, applicants and tenants are given the opportunity to appeal organisational decisions in order to ensure fair and transparent outcomes.
- 3.1.3 MAH respects the right to privacy and the need to respect individual rights:
- MAH ensures that personal and/or sensitive information is kept secure.
- 3.1.4 MAH complies with relevant laws and procedures in each jurisdiction.

3.2 Registrable persons

- 3.2.1 All states and territories maintain registers of those who have been convicted of offences against children. There are some minor differences between jurisdictions, but they all involve reporting periods where the length is linked to the seriousness of the offence.
- 3.2.2 Justice and law enforcement agencies are responsible for the management of registrable persons in the community. Responsibilities include:
- Identifying registrable persons;
 - Assessing the risk of a registrable person to the community, including the risk of reoffending; and
 - Ensuring that appropriate strategies are implemented to manage the potential risk posed by a registrable person. In some cases, this may include requirements in relation to the most appropriate location for them to reside.

3.3 The role of MAH

- 3.3.1 In providing housing options for registrable persons, MAH understands that:
- Integrated housing and support are essential for the successful transition of offenders back into the community; and
 - Poor housing and lack of support services makes it more difficult for police and justice services to monitor offenders and increases the risk to society from reoffending.

- 3.3.2 As a social housing provider, MAH is obligated to provide support to registrable persons in accessing housing to reduce community risk. However, this obligation has to be balanced with the need to recognise and manage other possible risks that might arise for tenants, families, staff and the community.
- 3.3.3 While most registrable persons live in their own homes with the support of family and/or have access to the private rental market, a proportion may face homelessness or need social housing assistance. Research shows that social housing assistance reduces the risk of reoffending and assists justice and law enforcement agencies in managing registration.
- 3.3.4 In New South Wales, MAH has a contractual obligation to undertake certain processes (previously carried out by DCJ) with regard to applications for housing assistance by registrable persons. These are outlined in **3.5**.
- 3.3.5 Outside of New South Wales, state housing authorities are responsible for decisions on all applications for social housing, including those by registrable persons. See the **Housing Applications Policy** for further details. For that reason MAH's involvement is limited, however staff should follow the following guidelines:
- Where an applicant advises MAH that they are a registrable person, staff should inform the relevant state housing authority.
 - Where MAH is asked to house a registrable person, staff should follow the approach set out in the **Registrable Persons Procedure** in allocating a suitable property and managing the tenancy.

3.4 The role of MAH in New South Wales

- 3.4.1 In New South Wales, MAH is required to manage applications by and allocations for housing assistance to registrable persons, including temporary accommodation, access and demand products, and housing.
- 3.4.2 Further information on the role of MAH in New South Wales is set out in the **Registrable Persons Procedure**.
- 3.4.3 Staff should also refer to the Registrable Persons Guidelines and the Social Housing Assistance Policy for Registrable Persons for guidance. These documents and other supporting materials are available on the NSW CHAP Portal.

3.5 Applications and allocations in New South Wales

- 3.5.1 Applications from registrable persons will be assessed according to existing social housing policies and procedures. Registrable persons who are assessed as eligible for social housing assistance may – subject to suitability and advice from the NSWPF and CSNSW – access the full range of housing products and services. These products and services include:
- Public and community housing leases;
 - All private rental assistance products;
 - Temporary accommodation, including emergency temporary accommodation; and

- Private Rental Subsidy assistance.
- 3.5.2 Allocations for housing and temporary accommodation will be considered according to the **Allocation of Housing Policy**. However, prior to making an allocation:
- Advice will be sought through DCJ Registercheck from the NSWPF and CSNSW regarding the appropriateness of the allocation. This includes allocation into the private rental market where the registrable person has sought social housing assistance.
 - Approval will be sought from the relevant staff member as detailed in **3.6**.
- 3.5.3 A similar process will be followed with regards to changes in housing circumstances including transfers, succession of tenancy, additional occupants or recognition as a tenant.
- 3.5.4 Notwithstanding the requirements outlined in other policies including the **Eligibility for Housing Policy, Client Products and Subsidies Policy, Transfers and other Changes to Your Tenancy Policy or Occupancy Policy**, a client may be ineligible for housing assistance (including social housing, temporary accommodation and private rental assistance) if:
- He or she has a history of committing registrable offences; and/or
 - It is likely that the provision of social housing will cause nuisance and annoyance, and/or present an unacceptable risk of harm to the client, other occupants of the building where the client is located, neighbours or the community. MAH will be guided by information provided by the NSWPF and CSNSW as to the likelihood of this occurring.
- 3.5.5 If an allocation is made and the social housing provider subsequently finds out that the person is a registrable person, and there is concern about the risks posed, the offer may be rescinded. Advice will then be sought from the NSWPF and CSNSW about an alternative and more appropriate offer.

3.6 Approvals

- 3.6.1 All requests for housing assistance received from a potential registerable person should be referred to a Team Leader or Regional Manager in the first instance. Team Leaders will be responsible for liaising with the applicant and processing requests for information through DCJ Registercheck.
- 3.6.2 Based on the information provided by the NSWPF and CSNSW, the Team Leader will make a recommendation as to whether to submit an application for housing or other assistance.
- 3.6.3 Temporary accommodation and other housing assistance products will need to be approved by the General Manager, Operations or their delegate.
- 3.6.4 All requests for housing assistance through social or affordable housing within MAH will need to be approved by the Executive, Housing or their delegate.

3.7 Confidentiality

- 3.7.1 All states and territories have stringent legal requirements regarding the release of information about registrable persons. These impose requirements that apply to MAH should MAH receive such information.
- 3.7.2 MAH has strict protocols in place to prevent the release of sensitive information that staff are expected to comply with. These include:
- The exclusion of information identifying a person as a registrable person from the normal tenancy management files. Sensitive information relating to such clients will be stored in secure storage containers on TRIM (managed through DCJ), and a secure SharePoint site for delegated MAH staff.
 - A formal system of delegations regarding decisions and access to information, ensuring that certain information is only available to specific members of senior management.
 - Limiting how information and forms related to registerable persons can be shared.

3.8 Appeals

- 3.8.1 Staff will inform tenants of their right to appeal organisational decisions and to complain about the services of MAH as per the **Appeals and Complaints Policy**.

4 Responsibilities

4.1 Housing staff including Housing Officers and Client Service Officers are responsible for:

- Administering this policy and associated procedures in accordance with the protocols regarding delegations and confidentiality.
- Recommending improvements to this policy and associated procedures.

4.2 Team Leaders/Regional Managers are responsible for:

- Managing this policy and associated procedures in accordance with the protocols regarding delegations and confidentiality.
- Incorporating this policy and associated procedure into staff induction and training.
- Ensuring staff are aware of and have access to this policy and associated procedures.
- Escalating feedback about this policy to the policy owner and/or policy writer.

4.3 The Operations Manager and State Manager is responsible for:

- Ensuring that MAH complies with this policy and associated procedures.
- Authorising any changes to this policy and associated procedures.

4.4 The General Manager, Operations is responsible for:

- Approving applications for temporary accommodation and housing assistance for registrable persons.

4.5 The Executive, Housing is responsible for:

- Approving allocations of housing for registerable persons.