

Your rights and responsibilities explained

Consumer Charter for community-managed housing and homelessness services

respect
dignity
fairness
participation
flexibility
privacy

Your rights and responsibilities explained

When you are seeking support from any community-managed housing or homelessness assistance service you have certain rights and responsibilities. This Consumer Charter sets out those rights and responsibilities so they are clear to both you and the service provider.

Foreword

The Bracks Government believes all Victorians deserve access to adequate shelter and support. We are committed to improving access to housing and making sure that people get support when they face difficult circumstances.

When people contact a service for assistance at difficult times in their lives, they should be treated fairly, with dignity and respect. To help us understand their needs and develop better services, we have consulted with people who have been homeless.

This Charter is designed to help people accessing services and the organisations providing those services by clearly explaining consumers' rights and responsibilities.

I thank the many people who contributed to the preparation of this Charter, in particular the Peer Education Support Team and the people who generously shared their first-hand experiences of being homeless. Their knowledge and insights have been extremely valuable.

The development of the *Consumer Charter* is an important step in creating a better Victoria for the people and families needing support at critical times in their lives. I am very pleased to support this Charter.



Candy Broad MLC
Minister for Housing

About this Charter

This *Consumer Charter* is for people seeking or receiving assistance from any Victorian community-managed homelessness assistance or social housing service.

It is designed to help individuals and organisations understand their rights and obligations.

This Charter outlines your basic rights and responsibilities, including what you can expect from the organisations providing assistance to you, as well as what you need to do to help organisations provide the right assistance to you.

It also includes information about what to do if you have a complaint.

You can expect the organisations you are dealing with to:

- uphold your rights, as listed in this Charter
- run their organisations and provide you with services based on this Charter, as well as on the *Homelessness Assistance Service Standards* or the *National Community Housing Standards*
- be accountable to you, the community and the government for the way they run their organisations and provide services
- tell you your rights and responsibilities as well as how you can make complaints if you feel you need to.

Organisations will expect that you will meet your responsibilities and treat staff and other service users with respect and dignity.

In Victoria, homelessness assistance and social housing services include:

1. **Crisis supported accommodation services** that provide emergency accommodation and support for short periods of time. These include youth refuges and family violence refuges and other types of crisis services.
2. **Transitional housing services** that provide information about housing options and can refer you to services that are relevant to your needs. They may also be able to offer limited financial assistance for private rental accommodation or provide transitional accommodation and assistance to find long-term housing.
3. **Homelessness support services** that provide support to resolve a housing crisis and assistance to find long-term housing.
4. **Community-managed housing providers** that offer long-term community-managed housing.

Your rights and responsibilities

If you are seeking or receiving homelessness assistance or housing services, you have the **right** to:

- assistance during a crisis or to prevent a crisis
- be considered for accommodation and housing, based on fair policies
- receive help finding and staying in suitable housing on a long-term basis
- feel safe
- be free from discrimination
- respect for your culture
- respect, dignity and privacy
- make choices that will affect your future
- participate in the decision making process of organisations providing services to you
- help applying for income support, employment and health services, educational opportunities and other support services
- make a complaint or appeal a decision you do not agree with and receive an answer that makes sense to you.

You also have the **responsibility** to:

- supply the correct and necessary information about yourself and your situation to organisations providing services to you
- respect the rights of others to feel safe
- respect the cultural backgrounds and privacy of others
- treat others with respect and dignity
- meet your responsibilities as a tenant.

Your rights and responsibilities explained

1. You have the right to assistance during a crisis or to prevent a crisis

If you are homeless or at risk of becoming homeless, you can expect to receive assistance finding and contacting the services that will help you best.

You can expect that:

organisations will give you information about what they can do for you and what other relevant organisations can do for you

► Organisations should provide the information as quickly as possible and clearly explain who is eligible and who gets priority if there is a waiting list. Information should be provided in a way that you can easily understand.

if an organisation cannot assist you, it will help you find the support and services you need

► For example, the organisation may help you make contact with another organisation or it might show you how to get to where you need to go or even assist you to travel there.

2. You have the right to be considered for accommodation and housing, based on fair policies.

Organisations should have policies about fairly allocating beds and accommodation to those people most in need. You can expect a fair and transparent allocation process that considers your particular needs and follows the policies of the organisation.

You can expect that:

you will be given information about who is eligible for accommodation and who gets priority

► This information should be easy to understand and should include who makes the decisions and how you will be informed.

you will be given assistance to understand and complete the housing application process and make your case understood

► An organisation should arrange for you to be assisted if you need it. You should have the opportunity to ask any questions and, if appropriate, visit the property and ask for any reasonable changes and repairs.

It is your responsibility to:

supply the correct and necessary information about yourself and your situation to the organisations providing services to you

► Fair access to accommodation and housing relies on staff making decisions based on accurate information. It is your responsibility to provide this.

3. You have the right to receive help finding and staying in suitable housing on a long-term basis

This includes advice, information and support to help you find long-term housing that suits you, whatever your particular circumstances are.

You can expect that:

an organisation will help you explore all options for appropriate housing

- ▶ This might include public housing, private rental, moving to a different sized property, moving to another location or making reasonable changes to your existing property.

the assistance you receive will be tailored to your individual needs and choices

- ▶ Assistance you receive might include:
 - help completing an application for public housing
 - speaking to a real estate agent on your behalf
 - help arranging income support or negotiating with Centrelink
 - referral to an agency that can provide more assistance
 - support after you have moved to more independent living
 - access to financial advice.

you will be provided with options to help you manage and maintain your tenancy that suit your individual needs

- ▶ These might include:
 - allowing you to make gradual payments of overdue rent
 - making changes to the property because you are frail or have a disability
 - considering a request to move into a larger or smaller property, if available
 - negotiating with your landlord, if appropriate.

As a tenant, it is your responsibility to:

meet your responsibilities as a tenant

- ▶ All tenants have obligations under the *Residential Tenancies Act (1997)*, including paying rent, treating neighbours respectfully and looking after your home.

A full list is available in *Renting a home - a guide for tenants and landlords* (the red book), which you should be given. You should also be provided with additional information when you request it.

If you cannot pay the rent or have another problem, you should contact your housing organisation quickly to discuss a solution that suits your needs and circumstances.

4. You have the right to feel safe

Whether you are a client of a homelessness assistance service, a resident of a crisis accommodation service or a tenant of transitional housing or long-term community-managed housing, you can expect that the organisation assisting you is committed to providing a safe, secure and healthy environment.

You can expect that:

the organisation will assist you if you are living in housing or accommodation that is unsafe

- ▶ You and your children might feel unsafe because of the facilities or because of other people. Staff of any organisation should either be able to arrange to get you assistance or find the best organisation to assist you.

the organisation has appropriate safety procedures and equipment in place

- ▶ Procedures and equipment could include:
 - fire safety
 - safe travel
 - safe storage of medications and chemicals
 - infectious diseases control
 - hygiene
 - storage and handling of food
 - keeping premises, cash and valuables safe.

the organisation tries to prevent you suffering any harm or abuse

▶ For example, the organisation should organise fire drills so you know what to do if there is a fire. It should also make sure staff have appropriate training, such as first aid, managing difficult behaviour, drug and alcohol and mental health awareness, food handling and so on.

an organisation's clients are consulted and participate in the development of a list of rights and responsibilities for that organisation to ensure they are reasonable

▶ In addition to this Charter and to meet and balance the needs of people, organisations may develop a list of rights and responsibilities in consultation with consumers. You have the right to be involved in this process, when it occurs.

There might also be times when an organisation needs to negotiate some **specific** rights and responsibilities with an individual, to help them and other people feel safe and secure. The individual can expect to be involved in this process.

the organisation has fair and effective ways of handling aggressive or potentially violent behaviour

▶ Organisations have policies on managing aggressive and violent behaviour. These policies should be made available to you and explained if you want further information.

It is your responsibility to:

respect the rights of other people to feel safe

▶ You are responsible for ensuring that your actions do not make others feel unsafe.

In addition to this Charter, some organisations have policies on rights and responsibilities that protect the rights of all people to feel safe. These policies should be made available and explained to you. You must respect and adhere to these policies.

5. You have the right to be free from discrimination

When accessing a homelessness assistance or community housing organisation, you should not be discriminated against by that organisation on any of the grounds identified in the *Equal Opportunity Act (1995)*. These include race, gender identity, age, disability, marital status, political or religious beliefs, pregnancy, sex, sexual orientation, parental/carer status and physical features.

You can expect that:

you will be given information about your rights

- ▶ Organisations should provide information about this Charter to you when you first contact them. They may also provide other information about your rights. Wherever possible, the organisation should try to provide information to you in a way you can understand.

you will be assisted if you feel you have been discriminated against

- ▶ This might include discussing rights and responsibilities with you when you first sign-up for the service and holding meetings with all clients from time to time. It may also involve providing information about advocacy services (that is, someone who can speak on your behalf).

6. You have the right to respect for your culture

You can expect the organisation to provide services that are sensitive to identity, heritage and life experience. This includes respect for your age, gender identity, religion, race, language, country and culture of origin and for your important relationships and networks.

You can expect that:

staff will appreciate and be responsive to the uniqueness of Indigenous culture by adapting the services they provide to suit individual circumstances



Organisations will be responsive to the needs of Indigenous service users and provide assistance in finding Indigenous-specific support services, where appropriate.

staff have a good knowledge of the social and cultural groups who are likely to access their service



Organisations should make an effort to ask you about your specific cultural needs and preferences and do what they can to support you. For example, staff working with people who have experienced torture should have developed specialised skills to provide services that are sensitive to the needs of these people.

even if an organisation finds it difficult to respond to your needs in practical ways, all staff are sensitive to and respectful of your culture



For instance, providing information in every language can be difficult to arrange, however, staff should know how to contact interpreters or other organisations that could help, and they should do this as quickly as possible.

It is your responsibility to:

respect the cultural backgrounds of other people

7. You have the right to respect, dignity and privacy

You can expect to be treated respectfully in a way that promotes dignity and protects your privacy. This includes being spoken to with courtesy, in a non-judgemental manner, and being made to feel welcome. Privacy includes that of your body, home and belongings, and of mail and other personal communication and information.

You can expect that:

an organisation should have ethical guidelines



These should be made available to you and should include a procedure if you have any complaints.

you will receive assistance, information or advice if you are not being treated with dignity and respect by other organisations or members of the public



Staff should be able to provide you with information about the support and advocacy available to help you to address these issues. If they cannot provide these services themselves, they should support you to access other services.

the organisation follows the requirements of privacy legislation and there are guidelines to make sure the privacy and dignity of consumers and staff are respected



The organisation's policies and procedures on privacy should be available. Organisations should make sure that:

- private spaces are provided for personal interviews and for telephone conversations and interviews
- you have private sleeping arrangements, where possible, and somewhere to keep your personal property safe
- you are given access to your information file if you ask
- you are only asked to provide necessary information
- you are informed about how your information will be used and asked for your consent before this information is given to other people
- if your information is being given for purposes such as reports or research, your personal information cannot be identified without your consent.

It is your responsibility to:

treat others with respect and dignity and respect their privacy

- ▶ You are responsible for respecting other people and their privacy. This includes respecting others when sharing communal areas, not tampering with mail and not providing personal details on people to anybody without their consent.

8. You have the right to make choices that will affect your future

To do this properly, you need to be fully informed of the options you can choose from and the possible consequences of those options. You can expect that your needs will be responded to in a flexible way that recognises your choices, skills and strengths and aims for long term solutions.

You can expect that:

you will be supported to make your own decisions about the services you access and any plans the organisation develops with you

- ▶ Staff will provide you with the support and information you need to make decisions. This includes advice on the possible consequences of your decisions. All decisions have consequences and it is important to be well informed.

if you choose an option that is likely to put yourself or someone else at risk of harm or injury, an organisation might need to take some action

- ▶ Organisations have a duty of care to you, to their other clients (including children) and to staff and volunteers. This may mean that they cannot support a choice you make or an action you take because they must protect others.

It is your responsibility to:

supply the correct and necessary information about yourself and your situation to organisations providing services to you

- ▶ Staff need to make decisions based on accurate information to ensure they provide the right service to you.

9. You have the right to participate in the decision making process of organisations providing services to you

You are entitled to be given the opportunity to contribute your views about the way services are provided and the way the organisation is managed.

You can expect that:

you are informed about and given opportunities to contribute to the organisation's decision making activities if you are interested

- ▶ Options for participating in decision making might include:
 - filling out a feedback sheet or questionnaire
 - being a member of a working party or group
 - attending house meetings or focus groups
 - attending events such as barbecues or morning teas arranged to hear your views
 - being given information about opportunities to participate in consumer groups and movements.

10. You have the right to help in applying for income support, employment and health services, educational opportunities and other support services

To find and maintain suitable housing, you may require a range of assistance and services. If community housing and homelessness organisations do not provide these services themselves, you can expect them to provide information, advice and assistance about how to access the services you require.

You can expect that:

if you are finding it difficult to manage because of health problems, organisations will support you to find the assistance you require

- ▶ This might include finding services that provide:
 - assistance with preparing meals
 - assistance with taking medication, caring for yourself at home or home nursing
 - assistance with arranging home visits by doctors
 - assistance with transport to appointments.

on request, you will be given information about:

- income support options
- specialist job search programs and placement agencies
- education opportunities

- ▶ This might include information about:
 - rent subsidies or other Centrelink or Veterans Affairs payments
 - Job Network agencies, and Jobs Placement Employment and Training agencies for young people
 - schools, apprenticeships, traineeships, TAFE and university courses
 - community classes and support groups.

11. You have the right to make a complaint or appeal a decision you do not agree with and to receive an answer that makes sense to you

If you feel the rights listed in this Charter have been breached by the organisation or that a decision is unfair, you should be able to deal with the issue through a process that is fair and aims to reach a resolution as quickly as possible. You can expect that an issue, complaint or appeal will be addressed promptly, respectfully and fairly.

You can expect that:

you are given adequate information about the easiest way for you to raise issues, make a complaint or appeal a decision

- ▶ When you contact the organisation about your complaint you will be advised:
 - how to raise your issue
 - who will manage the issue
 - the steps involved in the process
 - how long you can expect it to take.

you are entitled to have an advocate (that is, a person to speak on your behalf) and be given information about advocacy services

- ▶ The organisation should support you to have someone of your choice assisting you throughout the complaints or appeals process, if you wish. The organisation should also provide you with accurate information about advocacy services.

the organisation welcomes complaints and appeals as an opportunity to improve their service

- ▶ You should be able to raise an issue without feeling uncomfortable. Some things are outside an organisation's control and you should be provided with information about other ways to raise issues or make a complaint.

What to do if you don't think your rights have been met

1. **Raise the issue with the organisation.** If you don't think your rights have been met or you disagree with a decision, talk to the organisation's staff first. Tell staff your concerns and ask them to explain why a decision has been made. Organisations should welcome your feedback as an opportunity to review their service.

If you don't agree with, or are not satisfied with, an organisation's explanation, ask how you can make an official complaint or appeal.

2. Contact the **Homelessness Advocacy Service**. If you are currently seeking or getting help from a homelessness service or community-managed rooming house, you can contact the Homelessness Advocacy Service for advice on 1800 066 256 or at www.chp.org.au/has
3. Contact your local **Social Housing Advocacy and Support Provider**. If you are currently living in community housing, you can contact your local Social Housing Advocacy and Support Provider. To find your local service, contact a housing office or call the Office of Housing on 1800 068 860.
4. Contact your local **Office of Housing** and ask for information about how to get your complaint heard and dealt with.
5. Contact the **Department of Human Services Corporate Complaints Unit** on 1300 884 706.

You could also contact the following organisations for help:

The Ombudsman Victoria

Telephone: (03) 9613 6222

Toll Free (non-metropolitan callers): 1800 806 314

Website: www.ombudsman.vic.gov.au

Equal Opportunity Commission Victoria

Telephone: (03) 9281 7111

Toll Free: 1800 134 142

TTY: (03) 9281 7110

Website:

www.equalopportunitycommission.vic.gov.au

Privacy Victoria

Telephone: 1300 666 445

Email: enquiries@privacy.vic.gov.au

VITS LanguageLink

Telephone: (03) 9280 1955

Website: www.vits.com.au

(for assistance with interpreting and translations)

Consumer Affairs Helpline

Telephone: 1300 55 81 81

