

Domestic and Family Violence Policy (Qld)

1. Purpose

To define how HOME in PLACE (Queensland) (HOME in PLACE QLD) will respond to and support tenants or applicants experiencing domestic and family violence.

2. Scope

This policy applies to all HOME in PLACE QLD tenants, household members and applicants for housing assistance.

This is a group policy and applies to HOME in PLACE and the Group of entities it controls (HOME in PLACE Group). References to HOME in PLACE in this policy refer to all HOME in PLACE Group companies unless specified otherwise.

The policy applies to all workers, directors and members of HOME in PLACE decision-making committees and advisory bodies. The policy applies to third parties engaged to carry out activities on behalf of HOME in PLACE if stipulated by agreements.

3. Policy Statement

HOME in PLACE QLD recognises that domestic and family violence has serious and harmful impacts on tenant, applicants and their families. HOME in PLACE QLD is committed to reducing the impact of domestic and family violence through the provision of safe and affordable housing and housing assistance to applicants.

Domestic and family violence affects many people regardless of social background, disability, age, gender, religion, sexuality or ethnicity. HOME in PLACE QLD recognises that domestic and family violence affects both females and males, those in lesbian, gay, bisexual, transgender, queer and intersex relationships. Living with domestic and family violence has a profound impact on survivors, children and young people.

HOME in PLACE QLD acknowledges that domestic and family violence is a whole of community issue that requires a whole of system response.

In determining HOME in PLACE QLD response, HOME in PLACE QLD will take appropriate action that balances the wishes of the victim with the safety and wellbeing of other household member(s) and the rights of the landlord to protect the property. HOME in PLACE QLD will comply with the provisions of the Residential Tenancies and Rooming Accommodation Act 2008 (QLD).

In circumstances where HOME in PLACE QLD determines that children or young people are at risk, a mandatory report will be made in accordance with the Child Protection Act 1999 (Qld).

HOME in PLACE QLD is committed to building staff skills, capacity and practice to identify indicators of domestic and family violence and to work with those affected to manage their housing and support needs.

Guiding Principles

- Domestic & family violence is illegal and unacceptable;
- The safety of the victim and children is our primary concern;
- All reports of domestic & family violence will be treated seriously;
- HOME in PLACE QLD recognises the right of the victim to stay in their home;
- HOME in PLACE QLD's response will depend on the circumstances.

Responding to Domestic & Family Violence

- When responding to clients affected by domestic and family violence, HOME in PLACE QLD will:
- Respect the client's right to privacy and confidentiality and make lawful decisions about disclosure of personal and/or sensitive information;
- Consider the safety and wellbeing of the client and any children and young people (who may be part of the household) when assessing requests for assistance;
- Provide reliable and complete information to the tenant, co-tenant and any household members about their options and entitlements;
- Make appropriate referrals to services and support agencies;
- Ask the victim to provide us with documentation to support their request for assistance. The type of evidence we ask for will depend on the situation but may include police reports.

Changes in the tenancy due to domestic & family violence

Tenant(s) and/or household member(s) experiencing domestic and family violence:

- Can leave immediately (after giving 7 days' notice) but must pay rent until the end of the 7 day notice period;
- The type of notice is "notice ending tenancy interest (domestic and family violence)" (Form 20)
- Will not be liable for property damage caused by domestic and family violence;
- Can change the locks to the property without requiring the landlord's consent to ensure their safety;
- Must provide documentation to support their claim, such as a protection order or domestic and family violence report) HOME in PLACE QLD will not disclose this information (except where permitted);
- Can request the refund of any bond contribution they made by completing a 'bond refund for persons experiencing domestic and family violence (Form 4a);
- If there are other tenants on the same agreement, the agreement will continue on the same terms.

Privacy and Confidentiality

HOME in PLACE QLD respects a person's right to privacy and will follow the law when we handle personal and/or sensitive information. However, where HOME in PLACE QLD believes there is a serious threat to life, health or safety and, where it is unreasonable or impractical to obtain the individual's consent to a disclose, HOME in PLACE QLD may share information to reduce or prevent the threat, as permitted by privacy laws.

Review of decisions

If a tenant is dissatisfied with a decision or service provided by HOME in PLACE QLD, they should first talk to a Tenancy Relations Officer. If they are still dissatisfied, they may seek a review of the decision or service or for disputes relating to access.

4. Responsibilities

All HOME in PLACE workers have an obligation to:

- familiarise themselves with and ensure they have a clear understanding of HOME in PLACE policies and procedures,
- observe and implement such policies, and associated procedures in delivering services to HOME in PLACE clients,
- inform HOME in PLACE's clients of the impact of this policy on them and assist them to understand their rights and obligations, as required,
- identify issues that require amendment to this policy document and complete the relevant documentation to propose any amendments, and
- report breaches of HOME in PLACE's policies or procedures.

The relevant Group Executive Manager is ultimately responsible to:

- ensure all stakeholders within their area of responsibility are informed about HOME in PLACE Policies and Procedures,
- ensure appropriate processes and controls are implemented to enable the correct application of and adherence to relevant policies and procedures, and
- ensure appropriate processes and controls are implemented to enable breaches of approved HOME in PLACE's Policy and Procedures to be reported and managed.

5. Implementation and Review

This policy is listed on HOME in PLACE's Controlled Documents Register and is a controlled document requiring approval of any changes. It may not be amended or shared outside HOME in PLACE without approval. The policy is reviewed regularly and published on HOME in PLACE's SharePoint intranet once approved. Employees receive communications and training on new and reviewed policies and procedures.

HOME in PLACE complies with relevant contractual compliance obligations and jurisdictional laws and regulations when implementing this policy. Confirmation of internal compliance with this policy is undertaken regularly.

It is the responsibility of HOME in PLACE Group Executive Services to maintain and update the HOME in PLACE's Master Policy Document, Policy Directory and the Policy Review Register, administer the review and approval process and inform and distribute new and amended policies and procedures once approved (refer PROC-011 Policy and Procedure Development Approval).

HOME in PLACE Workers should refer to SharePoint Company Documents Policy and Procedure site for the latest version which takes precedent over any uncontrolled version. If this document is printed, downloaded, or saved elsewhere from this site it becomes an uncontrolled version.

For further information contact the Responsible Officer listed under Document Information

6. Resources and related documents

Resources and related documents

- Community Housing Tenancy Management Policy (Government)
- Notice Ending Tenancy Interest (domestic & family violence) Form 20
- HOME in PLACE QLD Ending Tenancies Policy
- HOME in PLACE QLD Transfer Policy

Related legislation/standards

- Residential Tenancies and Rooming Accommodation Act 2008 (QLD)
- Residential Tenancies and Rooming Accommodation Regulations
- Housing Act 2003
- Child Protection 1999
- Privacy Act 1998 (Cth)

7. Definitions

Please refer to HOME in PLACE Glossary of Definitions for Policies and Procedures. Terms and definitions identified below are specific to this policy and are critical to its effectiveness:

Term	Definition
Appeals	A Community housing appeal is defined as ‘any expression of dissatisfaction with a decision made by a social housing provider to provide or not provide a service (such as housing, transfer or priority on the housing register) or, a decision relating to a tenant or service user’s dissatisfaction of a decision made by the organisation.’ An application for a decision to be reversed or overturned. Includes but is not limited to: • Allocation decisions; • Level of rent or rent subsidy; • Eligibility for a housing transfer; • Permission to undertake modifications; • Permission to keep pets; • Calculation of water charges;
Compass	Compass Housing Services Co. Ltd. Trading as HOME in PLACE and includes its related body corporate (as defined by section 9 of the Corporations Act 2001 (Cth)) and as a charity with the Australian Charities and Not-for-profit Commission (ACNC) .
Complainant	Person with a Complaint ongoing with HOME in PLACE.
Complaints	An expression of dissatisfaction with an aspect of the services provided by [Organisation], where the complainant is unhappy with the standard or type of service. Types of Complaint include: Where HOME in PLACE have failed to provide or there has been a delay or problem in providing a service; Where HOME in PLACE have failed to follow or have been unfair or inconsistent in applying our policies or procedures. Where HOME in PLACE have failed to keep Tenants informed, through lack of or insufficient information Where there has been inappropriate behaviour or attitude from a HOME in PLACE Employee or contractor.
Director	Has the same meaning as defined in the Corporations Act 2001 Part 1.2 Division 1 Section 9 Dictionary in Australia and as defined in the Companies Act 1993 Part 1 Section 2 Interpretation.
Employee	A person engaged under an employment agreement or award by any company in the HOME in PLACE Group.
Executive Manager	Many positions within HOME in PLACE include the title “Executive Manager”. Regardless of whether an Executive Manager heads a Business Unit, the delegated authority of each Executive Manager depends on the functions and reporting relationship of the Business Unit for which the Executive Manager is responsible. Executive Managers should refer to the document HOME in PLACE Organisational Chart in Terms of Levels of Delegated Authority for confirmation of the band of authority they hold.
HOME in PLACE	Compass Housing Services Co. Ltd. Trading as HOME in PLACE and includes its related body corporate (as defined by section 9 of the Corporations Act 2001 (Cth)). This includes Compass Housing Services Co (Queensland) Ltd Trading as HOME in PLACE and Compass Housing Services Co (Victoria) Ltd Trading as HOME in PLACE both of which are a wholly owned subsidiary of Compass registered in Australia.
HOME in PLACE (New Zealand)	HOME IN PLACE (NEW ZEALAND) LIMITED (formerly Compass Housing Services (NZ) Co Ltd) is registered in New Zealand under the Companies Act and as a charity registered with Charities NZ under the Charities Act

Term	Definition
HOME in PLACE Group	The corporate structure that includes HOME in PLACE (as the Parent Company) and the boards of Subsidiary Companies, Governance Committees and advisory groups as created from time to time.
Independent contractor	means a party engaged directly by HOME in PLACE pursuant to a contract for services. In the context of workforce engagements, this includes sole traders, companies, or partnerships with whom HOME in PLACE enters into an agreement for the provision of specified individuals to supply specific skills, services, or consultancy arrangements. It does not include individuals engaged through labour hire agencies. Independent contractors are not employees of HOME in PLACE.
Officer	Has the same meaning as defined in the Corporations Act 2001 Part 1.2 Division 1 Section 9 Dictionary in Australia and as defined in the Companies Act 1993 Part 1 Section 2 Interpretation in New Zealand
Parent Board	The current directors of HOME in PLACE.
Parent Company	HOME in PLACE
Stakeholder	person or organisation that can affect, be affected by, or perceive themselves to be affected by a decision or activity, may also be called 'interested party'.
Subsidiary Boards	The appointed board of directors of a Subsidiary Company.
Subsidiary Company	A company in which HOME in PLACE owns all or at least a majority of the shares.
User	any person or entity that use HOME in PLACE Information or ICT Assets.
Worker (HOME in PLACE)	has the same meaning as defined in the NSW Work Health and Safety Act 2011 No 10 Subdivision 2 Part 7 Meaning of 'worker' (1) A person is a worker if the person carries out work in any capacity for a person conducting a business or undertaking, including work as: <ul style="list-style-type: none"> • an employee, or • an independent contractor or subcontractor, or • an employee of a contractor or subcontractor, or • an employee of a labour hire company who has been assigned to work in the person's business or undertaking, or • an outworker, or apprentice or trainee, or • a student gaining work experience, or • a volunteer, or a person of a prescribed class.
Worker (HOME in PLACE QLD)	is 'a person who works under a contract and, in relation to the work, is an employee for the purpose of assessment for PAYG withholding under the Taxation Administration Act 1953 (Cwlth), schedule 1, part 2-5'. This applies to a person for whom PAYG tax instalments are required or would be required to be withheld by their employer.
Worker (HOME in PLACE VIC)	A worker is defined as an individual: <ul style="list-style-type: none"> • who <ul style="list-style-type: none"> - performs work for an employer or - agrees with an employer to perform work • at the employer's direction, instruction or request, whether under a contract of employment (whether express, implied, oral or in writing) or otherwise or • who is deemed to be a worker by the legislation.

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