

Homelessness and Rough Sleeping

Policy Number:	2019/03	Directorate:	Community Services
Approval by:	Council	Responsible Officer:	Manager Community Wellbeing
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1. Purpose

The purpose of this Policy is to provide direction for decision making and management processes in relation to homelessness and rough sleeping in the Knox municipality. This Policy articulates Council's aspirations to increase awareness and community education on the cause of homelessness and where possible, partner with key stakeholders to prevent homelessness and monitor accessibility to key housing providers, and other support services, where homelessness is an issue.

2. Context

Having access to housing is one of our most basic human rights¹ yet 116,000 people were estimated to be homeless on Census night in 2016 in Australia, an increase of 4.6% since 2011². Homelessness is a complex social issue and local government is only one stakeholder amongst many.

The Knox Census homeless figures, in conjunction with local services data, indicates that homelessness, rough sleepers and those at risk of homelessness is increasing. As a community we need to be responsive to this need and work together to address this growing concern. Whilst the rate of homelessness in Knox is lower than Greater Melbourne, Knox now has the highest number of homeless people compared to the other Outer East Local Government areas.³

3. Scope

- 3.1 Knox City Council believes that people who are homeless should be treated with the same dignity and respect as any other members of the public.
- 3.2 This Policy, and accompanying Procedure, provides direction for all Knox City Council staff working with people encountering homelessness, rough sleeping or at risk of homelessness. It also outlines Council's approach to working with other organisations who provide services to people who are homeless, or at risk of homelessness, within Knox.
- 3.3 This Policy is applicable to all Council Staff, Contractors and Councillors.

¹ Australian Human Rights Commission, 2008.

² Australian Bureau of Statistics, 2018, *Census of Population and Housing: Estimating homelessness, 2016*, cat. no. 2049.0.55.001, <http://www.abs.gov.au>.

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- 3.4 This Policy and accompanying Procedure informs Council’s response to homelessness and rough sleeping in all Council owned and managed properties. This Policy does not apply to private property.

4. References

4.1 Knox City Council Community & Council Plan 2017-2021

- Goal 2: We have housing to meet our changing needs.
- Goal 6: We are healthy, happy and well.

4.2 Relevant Legislation

- Charter of Human Rights and Responsibilities Act 2006 (Vic).
- Child Wellbeing and Safety Act 2005 (Vic).
- Children, Youth and Families Act 2005 (Vic).
- Local Government Act 1989 (Vic).
- Privacy and Data Protection Act 2014 (Vic).
- Knox City Council Amenity Local Law 2020.

4.3 Charter of Human Rights

This Policy has been assessed against the rights contained within the Charter of Human Rights and Responsibilities Act 2006 (Vic) and is deemed compatible with the Charter.

4.4 Related Council Policies and Procedures

- Knox Housing Support and Nomination Rights Policy.
- Knox City Council Staff Code of Conduct.
- Knox City Council Child Safe Policy.
- Knox City Council Child Safe Statement of Commitment.
- Knox City Council Homelessness Procedure.

4.5 Related Council Plans and Documents

- Knox Community Access and Equity Implementation Plan 2017-2022.
- Knox City Council Municipal Emergency Management Plan 2019-2022.
- Knox City Council Affordable Housing Action Plan 2015-2020.
- Knox City Council Minimum Supply of Social Housing, Eastern Metropolitan Region (2014-2036).

5. Definitions

At risk of homelessness A person is at risk of homelessness if they are at risk of losing their accommodation.

Child / Young Person Any person aged below 18 years of age.

Contact Officer –
Specialised Access Team
(SAT) A Knox City Council staff member(s) from the Specialised Access Team nominated to refer Homeless Persons and Rough Sleepers to appropriate specialist services.

Council	Knox City Council, whether constituted before or after the commencement of this Policy.
Council People / Person	<p>Staff - Any permanent, part-time, temporary or casual employee of Knox City Council.</p> <p>Contractor/Agency/Labour Hire Worker - Any contractor or agency/labour hire worker who provides services or undertakes work on behalf of Knox City Council.</p> <p>Volunteer/s - A member of the public when contributing directly to a Council program/service/event and who:</p> <ul style="list-style-type: none"> - is registered as a Council volunteer; or - is part of any count with regard to volunteer hours contributed to Council programs/services/events. <p>For the purposes of this Policy, the definition of a volunteer also includes students on work/student placement from an educational institution.</p> <p>Councillor/s An elected representative of the Knox municipality.</p>
Homelessness	A person is homeless if their current living arrangements are in a dwelling that is inadequate; they have no security of tenure; or they do not have control, or access, to space for social relations. This may also include people living in improvised dwellings, tents and sleeping out; those living in supported accommodation for the homeless; those staying temporarily with other households; those living in boarding houses; those in other temporary lodgings; and those living in severely overcrowded buildings.
Location	This document is applicable to Council-owned and managed properties, buildings and land.
Rooming house	A building where one or more rooms are available to rent, and four or more people in total can occupy those rooms. May also be referred to as a boarding house.
Rooming house resident	A person who rents a room in a rooming house as their only or main residence. A resident does not need to have a tenancy agreement to live in a rooming house.
Rough sleeper	Rough sleeper refers to people who live on the streets and who sleep in places that are not designed to be slept in (for example building doorways, bus-shelters, parks, under-passes, cars and carparks, etc.). Rough sleepers do not have a place to live, or a place to call home.
Squatter	A person who is occupying a building, land or property that they do not own, rent or otherwise have permission to use.

6. Council Policy

- 6.1 Knox City Council considers all residents to be equal and therefore treats all citizens fairly and without judgement. The Council acknowledges that like everyone else people who are homeless have the right to be in public places and participate in any public event, providing they do not sleep or set up their living abode in an area that causes an obstruction to the local businesses or surrounding community.
- 6.2 Knox City Council Staff will implement the Homelessness Policy and Procedure and all of its requirements when identifying a homeless person in the course of their work, thus ensuring a consistent response by Council to people who are rough sleeping, homeless or at risk of homelessness. The Policy and Procedure will also ensure that people who are rough sleeping, homeless or at risk of homelessness are connected with appropriate services that can assist in supporting their needs.
- 6.3 Knox City Council will work in partnership with relevant local funded community agencies who have expertise in the area of homelessness, to provide timely assistance where required.
- 6.4 Knox City Council will identify gaps in service provision for people who are homeless and advocate, with community partners, for increased funding for homelessness as required.
- 6.5 Knox City Council will advocate to State and Federal Government for appropriate services and address other underlying issues that people who are homeless may experience, including mental illness, alcohol and other drugs issues.
- 6.6 Knox City Council commits to raising awareness around the issue of homelessness and the rights of homeless people with Council staff and the wider community about homelessness.
- 6.7 Knox City Council will continue to implement the Social and Affordable Housing Action Plan to advocate and deliver (where negotiations succeed) social and affordable outcomes in Knox.
- 6.8 In the course of Council infrastructure upgrading including open space, landscape design, public amenity and public facilities, consideration will be given to community members' access to drinking water, shelter from the elements including rain and shade from the sun.
- 6.9 Knox City Council will work in partnership with local Outreach stakeholders to provide assertive homelessness outreach services to those who are homeless and/or sleeping rough across the Knox municipality.

7. Administrative Updates

From time to time, circumstances may change leading to the need for minor administrative changes to this Policy. Where an update does not materially alter this Policy, such a change may be made administratively. Examples of minor administrative changes include changes to names of Council departments or positions, change to names of Federal or State Government departments or a minor amendment to legislation that does not have material impact. Where any change or update may materially change the intent of this Policy, it must be considered by Council.