



Community housing disability access and inclusion policy

Community housing providers will ensure people living with disability enjoy the same rights and opportunities, appropriate living conditions, and choice provided to other people in community housing. Affordable and stable housing is pivotal to enabling people living with disability to fully participate in, and be connected to, the communities in which they live and work. Community housing providers can lead the way in valuing people with disability and providing safe and appropriate accommodation.

Policy Detail

This policy applies:

- to community housing providers subject to or bound by a Master Community Housing Agreement with the South Australian Housing Trust (SAHT)
- to any other agreement or lease which specifically states this policy is to be applied and
- in the review process of all policies in relation to community housing.

With regards to disability modifications, this policy does not apply to:

- properties subject to the Housing Transfer Management Deeds (for both BPSC and ROSAS programs) between SAHT and a community housing provider (which are required to have a policy that aligns with [the relevant SAHT policy](#))
- [Specialised Lease Housing program](#) properties
- any redevelopment resulting in a change in the number of properties at a site, or the composition (number of bedrooms) or value of a property, or that otherwise require SA Housing Authority's written consent under Section 24 of the [Community Housing Providers \(National Law\) \(South Australia\) Act 2013](#). Such redevelopments are to be conducted under the [Community Housing Property Transaction Policy](#).

Background

A disability is one or more long-term impairments that affect a person's ability to participate in society. Impairments may be:

- physical
- psychosocial
- intellectual
- cognitive
- neurological
- sensory

The [Disability Inclusion Act 2018 \(SA\)](#) (the Act) has a vision for an inclusive Australian society that enables people with disability to fulfil their potential as equal citizens. The Act sets the expectations for the treatment of people with disabilities throughout South Australia, including by:

- a) acknowledging that people with disability have the same human rights as other members of the community and that the State and the community have a responsibility to facilitate the exercise of those rights; and
- b) promoting the independence and social and economic inclusion of people with disability; and

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- c) providing safeguards in relation to the delivery of all supports and services for people with disability; and
- d) providing a framework to support a whole of Government approach to improving the inclusion of all South Australians with disability in all areas of life in this State.

The [SA Housing Authority Disability Inclusion Plan](#), prepared pursuant to the [Disability Inclusion Act 2018 \(SA\)](#), sets out the measures that the Authority intends to put in place to ensure that people with disability can access the mainstream supports and services provided by or on behalf of the State Authority.

Community housing providers have an integral role in providing social housing in South Australia, and in alignment with the aims of the [State Disability Inclusion Plan](#) (State plan), and the [SA Housing Authority Disability Inclusion Plan](#), are required to:

- prioritise access to housing for people living with disability and minimise disadvantage
- actively work to ensure there is no exclusion of people with disability based on their disability
- give customers on the Disability Support Pension automatic access to 'Category 2' on the Single Housing Register
- develop their own disability procedure to support the objectives of the Act, the State plan and this policy, including details of how providers will implement disability modifications
- improve provider staff knowledge of local disability services and referral pathways to facilitate tenant connection to disability services
- appropriately refer customers to, and advocate for customers with the NDIS and other mainstream supports, based on the customer's individual circumstances
- undertake requested reasonable modifications to enable community housing customers to remain living independently and within the community
- work with Aboriginal Health Services in regional locations to understand and support the needs of Aboriginal people living with disability so that they can remain in their community
- increase the availability of Specialist Disability Accommodation
- effectively manage Disability Housing Program properties, and
- make every effort to incorporate universal design principles and Liveable Housing Australia design guidelines into all new-builds, upgrades and redevelopments. This will be achieved by applying universal design criteria to at least 75% of all new social housing construction.

Key stakeholders

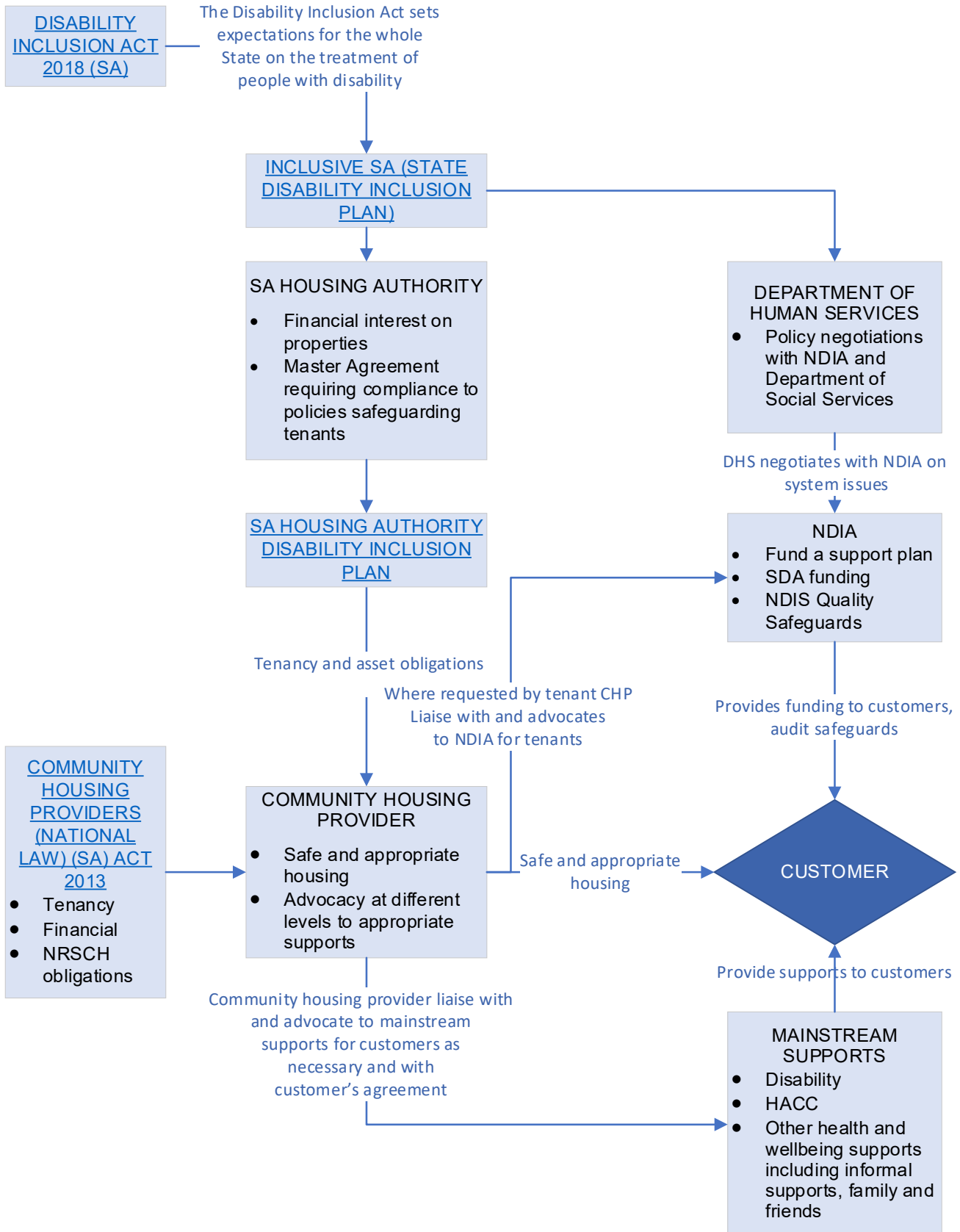
In implementing this policy, the community housing provider must consider whether any or all the following stakeholders need to be consulted on a case-by-case basis:

- People with disability
- Carers and advocates
- Specialised support services
- National Disability Insurance Agency (NDIA)
- Minister for Human Services
- Builders/developers (including with regards to design guidelines)
- Community housing providers maintenance contractors (including with regards to disability modifications)
- Other community housing providers
- SA Housing Authority

The diagram overpage gives an overview of the relationships between some of the stakeholders involved in supporting people with disability in South Australia, including government departments, key documents such as the [Disability Inclusion Act 2018 \(SA\)](#), the [State Disability Inclusion Plan](#), the [SA Housing Authority Disability Inclusion Plan](#), the National Disability Insurance Agency (NDIA) which administers the National Disability Insurance Scheme (NDIS), community housing providers,

mainstream supports for people with disability (including the health system, education and training, and informal supports), and pictures the customer with disability at the centre.

Stakeholders Diagram



Streams of housing provision

So that people living with disability can be provided with appropriate housing and supports, community housing providers should consider the two streams of housing services to people with disability:

- a) Reasonably simple: many customers with disability or the frail aged can live independently with relatively minor disability modifications such as grab rails and ramps. All community housing providers should house these kinds of customers and be able to facilitate these kinds of modifications to properties. Generally, these types of customers will not have a Specialist Disability Accommodation (SDA) package and community housing providers will not be required to be an SDA provider to meet the customer's requirements.
- b) More complex: some customers with more complex disability and health needs require more intensive support from both support providers and community housing providers.

Community housing providers deciding to house these customers need to ensure they are equipped with:

- trained staff with the knowledge, expertise, and skills to understand and support the customers appropriately
- the necessary systems in place, and
- well-developed networks and connections to service providers including the NDIA and the Commonwealth Government.

A number of these customers will be eligible for an SDA package and in order for the community housing provider to access these funds they will need to be an SDA provider which places a more complex regulatory burden on the community housing provider.

Community housing providers should consider which stream of housing provision they will set up their business and equip their staff to provide, as this may impact on the type of customer that can be accommodated and the funding source for specific accommodation requirements.

Disability modifications

With regards to disability modifications, this policy does not apply to:

- properties subject to the Housing Transfer Management Deeds (for both BPSC and ROSAS programs) between SAHT and a community housing provider (which are required to have a policy that aligns with [the relevant SAHT policy](#))
- [Specialised Lease Housing program](#) properties
- any redevelopment resulting in a change in the number of properties at a site, or the composition (number of bedrooms) or value of a property, or that otherwise require the Authority's written consent under Section 24 of the [Community Housing Providers \(National Law\) \(South Australia\) Act 2013](#). Such redevelopments are to be conducted under the [Community Housing Property Transaction Policy](#).

Community housing providers are responsible for implementing all disability modifications within the scope of this policy to meet the needs of people living with disability.

The Authority is not responsible for considering, scoping, approving, facilitating and/or funding disability modifications for properties within the scope of this policy.

Community housing providers will establish their own procedures to implement this whole policy (including the provision of disability modifications), which must:

- align with this policy for assessing and implementing requests for disability modifications
- require that prior to allocation, properties must be assessed to determine if they are suitable for persons with disability and/or suitable for modifications

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- detail where and how records of disability modifications will be kept electronically by the community housing provider, in accordance with relevant professional record keeping standards, and able to be provided to customers on request (for example in the instance of an appeal), and
- include reasonable and accessible options and processes for customers to [appeal](#) against community housing provider decisions regarding disability modifications, including making known to the customer their options to contact:
 - the nominated position/area for the community housing provider to review the decision internally
 - the [South Australian Civil and Administrative Tribunal](#)
 - [the Office of Housing Regulation](#).

Modification examples

Disability modifications may include aids that improve independence and accessibility, for example clothes-lines, grab rails, handles, lever taps, paving, re-new toilet pan, reverse a door, install a half-step, or sensor lights.

Some disability modifications may involve structural changes to a property, such as ramps, widening doorways, bath removals, kitchen or bathroom modifications, fencing.

These are examples only. Customers may request other items not listed here.

Assessment

In implementing disability modifications, the community housing provider must understand directly from the customer what their disability modification needs are. This will require the community housing provider to liaise with the customer, their family and carers, as well as the [NDIA](#) and specialist support services where funding is available (subject to tenant consent).

Information about NDIA assessments for Home Modifications is available at:

<https://www.ndis.gov.au/providers/housing-and-living-supports-and-services/providing-home-modifications> (see Home Modifications Assessment Template).

Community housing providers should ensure that they undertake appropriate risk assessment and due diligence in relation to the customer's request, including ensuring the customer chooses a qualified Occupational Therapist (OT) or other relevant medical professional to assess their needs.

If the customer has an NDIS plan, they can ask for funding to be included for an OT assessment. If this is denied, the customer can ask for a review of this decision however note that this is a time-consuming process with uncertain results for the entirety of the customer's NDIS plan. Further information is available at <https://www.ndis.gov.au/participants/how-review-planning-decision>

Where the customer has an NDIS plan with Assistive Technology (AT) approved in the plan, there will normally also be funding available in their NDIS Capacity Building Improved Daily Living budget to seek advice from an independent advisor about AT requirements.

NOTE: Not all customers are eligible for NDIS funding.

Where the customer does not have NDIS funding or other funding for an OT assessment, the community housing provider is responsible for paying for an assessment of a community housing property. The customer can choose the OT or relevant medical professional.

If the Authority receives reports of system issues with the NDIS from community housing providers, the Authority will facilitate information provision to the Department of Human Services which is the lead on communications and negotiations with the NDIA.

Eligibility for disability modifications funded by the community housing provider

Disability modifications are required based on the impact on the health, safety and/or wellbeing of the customer. If modifications cannot occur at that property, the community housing provider will identify options to transfer the customer to a suitable social housing property in agreement with the customer, where the required modifications can be provided.

Community housing customers are eligible for modifications funded by the community housing provider if they meet the below conditions:

- the modifications are for the customer or a member of the customer's household who is approved to live in the community housing property
- the modifications are essential and there's no other reasonable alternative
- the disability impacts on the customer's ability to access and use the property, or their independence would be compromised without the modifications
- the property is suitable for the modifications (for example, it can be structurally modified, and it isn't listed for a future redevelopment)
- the need for the modifications is verified by an appropriately qualified, registered, and relevant health professional, for example a physiotherapist, occupational therapist or general practitioner
- the funding for the modifications is not the clear responsibility of another agency, for example National Disability Insurance Agency, Commonwealth funded aged care services.

Funding

It is an expectation that in the first instance community housing providers will negotiate with the customer to access the NDIS funding where the customer has an NDIS plan with approval for and sufficient funding for the necessary disability item/s to be provided in a timely fashion.

The National Disability Insurance Agency (NDIA) is responsible for managing certain types of funding from the National Disability Insurance Scheme (NDIS) for modifications, including:

- 1) Funding under the [Operational Guidelines of the National Disability Insurance Agency](#) - where a customer receives this type of funding, the community housing provider will be responsible for arranging the installation of the disability modifications using qualified tradespersons with the consent of the customer; and
- 2) Funding under the SDA program. SDA funding is for some participants with extreme functional impairment and/or very high support needs. SDA funding may include specialist modifications or housing designs which reduce the need for person-to-person supports or may have a location or features that make it feasible to provide complex or costly supports for independent living. Community housing providers accessing SDA funding from the NDIS must be registered in accordance with the requirements in the latest version of the [NDIS Price guide 2020-21 for Specialist Disability Accommodation](#). For further information about SDA see <https://www.ndis.gov.au/providers/housing-and-living-supports-and-services/specialist-disability-accommodation>

Where funding is not readily available from other sources it is an expectation that community housing providers will fund disability modifications for eligible customers.

Other than with respect to any compensation funds received by a customer specifically for disability modifications, the community housing provider will not require customers to contribute towards the costs of providing, installing, or maintaining disability modifications.

In circumstances where the customer has received compensation funds specifically for disability modifications, the community housing provider is required to complete the modifications at its own cost and may subsequently recover such costs against the relevant compensation funds.

Installation, maintenance and removal

Prior to any modifications the community housing provider will negotiate clear written terms of agreement with the customer, their support worker (if required), and any support agencies such as the NDIS on who will be responsible for installing, maintaining and making good the property on vacating. Note that modifications funded by the NDIS are the property of the tenant.

Community housing providers will arrange all disability modifications to be provided:

- by a qualified tradesperson or builder (including the customer/carer/family member where appropriately qualified);
- in accordance with the relevant Australian Standard, and such other specifications as applicable; and
- to a standard and within the timelines outlined in the [Community Housing Maintenance Accommodation Standards](#).

If another organisation provides equipment (such as a renal dialysis machine, for example) the community housing provider must determine:

- if the necessary structural and strengthening modifications needed to fit and use the equipment can be undertaken at the property; and
- whether such modifications would be cost effective.

If a property can't be modified, the community housing provider will, in consultation with the customer propose another suitable social housing property and transfer the customer where the customer agrees.

If a customer needs a climate control appliance because they have low tolerance to temperature change (as verified by a health professional), then the community housing provider is responsible for the costs of installing and maintaining such climate control appliance, even where the appliance is arranged and paid for by a disability service provider.

Community housing providers are responsible for the ongoing maintenance of all modifications, including where these modifications were initially paid for by the customer (or the customer's NDIS funding etc), unless the community housing provider is specifically exempted from maintaining the modification under the [Residential Tenancies Regulations \(General\) 1995, Regulation 11, exemption list](#).

Fixtures, Home modifications and Assistive Technology funded by the NDIS belong to the customer (that is, they can take them with them when they leave a property). Other modifications or non-standard items funded by the community housing provider, including climate control devices (not funded by the NDIS) will remain at the property on vacancy if they are in good working condition and they comply with the [Community Housing Maintenance Accommodation Standards](#).

Adherence to this Policy

The Authority will employ a variety of approaches to ensure ongoing compliance with this policy, which may include:

- regular reviews including as a part of asset property inspections
- regular process and outcome reviews as part of audit processes
- request for data or information by the Authority, as per the Master Agreement section 27.1.2.

Accessibility

Accessible formats will be made available on request. If you require this policy in an alternative format such as, large font, electronic format (emailed), or audio, please contact 131 299 or Email housingfeedback@sa.gov.au

National Relay Service: 1800 555 660

TTY (teletypewriter): 1800 555 630

Related Information

Controlling Documents

This policy is based on and complies with:

- [Disability Inclusion Act 2018 \(SA\)](#)
- [State Disability Inclusion Plan \(SA\)](#)
- [SA Housing Authority Disability Inclusion Plan](#)
- [Community Housing Providers \(National Law\) \(South Australia\) Act 2013.](#)
- Community Housing Agreement

Related Documents and Resources

- [Residential Tenancies Regulations \(General\) 1995, Regulation 11](#)
- [Community Housing Maintenance Accommodation Standards](#)
- [SAHT Housing modifications for people with a disability policy](#)
- Australian Standards AS 1428.1
- <https://www.ndis.gov.au/participants/home-and-living>
- <https://www.ndis.gov.au/participants/home-and-living/home-modifications-explained>
- <https://www.ndis.gov.au/providers/housing-and-living-supports-and-services/providing-home-modifications> (see Home Modifications Assessment Template)
- <https://www.ndis.gov.au/understanding/ndis-and-other-government-services/health>
- <https://www.ndis.gov.au/participants/assistive-technology-explained>
- <http://www.livablehousingaustralia.org.au/>