



Welcome Home Webinar 1

Facilitation Notes

Introduction

Welcome Home is a package of compliance education resources for registered providers of specialist disability accommodation (SDA). The resources are designed to help providers understand their service obligations under the [NDIS Practice Standards for SDA](#) and explore a rights-based approach to service delivery.

Who should use this package?

- Registered providers of SDA who are required under their terms of registration to comply with the SDA Practice Standards
 - Tenancy management staff, agents and subcontractors
 - Executive teams and Board members
- SDA-eligible participants and self-providers
- Registered providers of support working with SDA tenants
- SDA tenant supporters (informal and formal)

How does it work?

The Welcome Home Package includes 6 training modules designed for self-paced learning. A user can access the modules in any order and work through them at their own pace.

Module 1: A rights-based approach to SDA

Module 2: Rights and Responsibilities

Module 3: Conflict of Interest

Module 4: Service Agreements

Module 5: Enrolment of SDA Properties

Module 6: Tenancy Management

Module 1 introduces the concept of rights-based service delivery as a key objective of the NDIS Quality and Safeguarding Framework.

Modules 2 - 6 provide a comprehensive guide to the 5 performance areas in the SDA Practice Standards to help providers meet the performance outcomes.

Each module also contains management tools and resources including database templates, policy guides, fact sheets, infographics, videos and podcasts, designed to support good practice and continuous improvement.

The Welcome Home Executive Resource includes a self-assessment tool to help providers monitor their management systems and procedures against SDA Practice Standards requirements. The resource also includes 3 podcasts from the Summer Foundation's *Reasonable and Necessary* podcast series:

- Talking to SDA providers
- Talking to SDA tenants
- Talking to the NDIS Commission about SDA

Webinars

The Welcome Home webinar series contains 3 training sessions that take a closer look at a rights-based approach to SDA within the context of common service scenarios and challenges. Each webinar should run for approximately 2.5 hours and follow a standard format:

Part 1: an introduction to different aspects of the SDA service environment and associated issues and challenges for compliance.

Part 2: A set of case studies featuring common SDA practice scenarios and compliance challenges. Participant polls and a chat facility can be used to explore service response options and good practices.

Each webinar comes with a set of resources including:

- A Power Point slide pack
- Facilitation notes (see below)
- A selection of case studies, activity sheets and FAQs

Webinar 1: Understanding the SDA provider role

This webinar introduces participants to the SDA provider role and its key compliance obligations. The first half of the session looks at the complex regulatory environment for SDA and responsibilities of an SDA provider to uphold a tenant's legal rights. The case studies focus on 3 areas of responsibility:

- Initial information exchange with a prospective tenant
- Developing an SDA agreement to support informed consent
- Delivering responsive tenancy management services

Webinar 1 – Slide Guide and Facilitation Notes

Slide	Facilitation Notes
<div data-bbox="141 419 271 555"></div> <div data-bbox="293 419 831 523"><h3>Welcome Home</h3><p>Webinar 1: Understanding the SDA provider role</p></div>	<p>This is the first of 3 Welcome Home training webinars</p> <p>This webinar introduces participants to the SDA provider role and its key compliance obligations.</p> <p>The material in this webinar draws on Welcome Home Module 2: Rights and Responsibilities and Module 4: Service Agreements.</p>
<div data-bbox="264 794 707 823"><h3>Welcome Home Education Package</h3></div> <div data-bbox="792 804 853 863"></div> <p>Compliance education resources for registered SDA providers</p> <ul style="list-style-type: none">• Understand the SDA Practice Standards (Module 5)• Explore a rights-based approach to service delivery• Online self-paced learning – walkthrough the SDA Practice Standards (policies, procedures, practice principles)• Tools and resources – good practices for rights-based service delivery	<ul style="list-style-type: none">• The package has been designed for use by registered providers of SDA. The resources may also be useful for anyone who would like to understand an SDA provider's service obligations e.g. support coordinators, self-providers, SDA-eligible participants and their supporters.• The resources are designed to strengthen a provider's understanding of the NDIS Practice Standards for SDA. This is one of the supplementary modules attached to the NDIS Core Practice Standards. An SDA provider must comply with the NDIS Core Practice Standards and supplementary Module 5. A provider should check the NDIS Commission website to confirm if they have any additional service obligations. Module 1 explains the SDA Practice Standards in more detail and links to NDIS Commission information.• The SDA Practice Standards establish a framework for developing the policies, procedures and practices that meet an SDA provider's conditions of registration as outlined in the NDIS (Specialist Disability Accommodation Conditions) Rule 2018 and the 5 (tenant focused) performance outcomes outlined in the NDIS (Provider Registration and Practice Standards) Rules 2018.• The SDA Practice Standards build on the key principles and objectives of the NDIS Quality and Safeguarding Framework that are the basis for a 'rights-based approach to service

delivery'. Welcome Home places a strong focus on a rights-based approach to delivering SDA services and the obligation of an SDA provider to uphold the legal rights of an SDA tenant. This includes supporting a person to make informed decisions throughout their tenancy and adopting a person-centred approach to delivering tenancy management services.

- It is important at this point to distinguish the conditions for SDA registration, as outlined in the SDA Conditions Rule, from the conditions for SDA eligibility outlined in the [SDA Rules 2020](#). The conditions of registration set the service standards that an SDA provider must meet. The conditions of eligibility set the criteria for a participant to receive SDA funding and for a provider to claim SDA payments. While the 2 areas intersect, the policies and decisions the NDIA makes about SDA eligibility do not alter the basic objectives and obligations that an SDA provider has to uphold tenant rights. SDA providers often confuse these 2 areas when discussing compliance issues. Keep an eye out for that confusion in discussions especially if funding or pricing issues are used to excuse non-conformance.
- The 6 Welcome Home training modules provide a comprehensive guide to the SDA Practice Standards and include 60 management tools and resources designed to support good practice and continual improvement.
- NOTE: The Welcome Home package is not designed to get individual service providers 'audit-ready'. The package will strengthen a provider's understanding of their compliance obligations and give a solid grounding for establishing good practices and a rights-based approach to service delivery.

Welcome Home webinar series



Webinar 1: The essentials of the SDA provider role - responsibilities, priorities, and challenges

Webinar 2: The roles that support SDA service delivery and how an SDA provider should engage and coordinate with those roles

Webinar 3: The perspective of the SDA tenant. What does good and bad service delivery look like to a tenant?

The Welcome Home webinar series is designed to further explore some of the key themes and challenges related to a rights-based approach to service delivery.

- The webinars complement the online training material. They are not a 'live' alternative to the training modules.
- Suggested pre-reading is Module 1: A rights-based approach to service delivery and Module 2: Rights and Responsibilities. These modules outline the basics of a rights-based approach to service delivery.

Webinar 1 looks at the key practice principles and service objectives that shape the SDA provider role. This webinar draws on material from Module 2: Rights and Responsibilities and Module 4: Service Agreements.

Webinar 2 looks at the roles that support SDA service delivery and how they intersect with the SDA provider role. This webinar draws on material from Module 3: Conflict of Interest and Module 6: Tenancy Management.

Webinar 3 explores a rights-based approach to service delivery from the perspective of an SDA tenant. This webinar has been co-designed and should ideally be co-facilitated by SDA tenants and people with lived experience.

What we will discuss today



Introduction to SDA

- The regulatory environment
- The SDA Practice Standards
- The 'musts' and the 'shoulds' of the SDA provider role

Case studies

- Getting to know a prospective tenant - pre-tenancy information exchange
- Supporting informed decision-making - SDA agreements
- Responsive tenancy management

Introduction to SDA:

The first part of the session provides an introduction to the SDA sector as a regulatory environment, including:

- The key compliance documents an SDA provider should become familiar with
- A summary of the legal rights of an SDA tenant
- The service objectives and good practice principles that underpin the SDA provider role

Case studies and good practices:

The second part of the session takes participants through 3 case studies that explore common service scenarios and compliance challenges. Participant polls can be used to discuss participant experiences and good practice tips. A trainer can select from a broader collection of case studies or create their own case studies with the template and tenant profiles included in the webinar resource pack. Example below:

Case study 1: Getting to know a prospective tenant

- Why is it important to get to know a person before you make them a tenancy offer and what information do you need to exchange?

Case study 2: Supporting informed decision-making

- What are the practice principles and service objectives that support a tenant to give informed consent to their SDA service agreement?
- What is the role of supported decision-making in the process?

Case study 3: Responsive tenancy management

- What are the key tenancy management responsibilities of an SDA provider and what does 'responsive' tenancy management look like?

Poll results and final discussion: End the training session with a review and discussion about results from the participant poll (next slide) concerning the nature of the SDA provider role.

Participant Poll



Question: What is the main purpose of the SDA provider role?

- Different perspectives across the SDA sector
- Supports good practice to emerge
- Review results at the end for discussion



- This is the first of several participant polls. It is designed to canvass views about the nature of the SDA provider role.
- The responses highlight different aspects of the role (see SDA Provider Role Activity Sheet for commentary).
- Review results at the end of the session as the basis for final discussion. Would anyone change their answer?

Participant Poll



What is the main purpose of the SDA provider role?

- A. To offer mainstream tenancies to people who would otherwise have to rely on institutional care
- B. To provide accessible housing to people with extreme physical impairments and complex support needs
- C. To support a person to have the most independent home life possible

Zoom has a poll function that you can use to run participant polls. If you have a small group, you could use the polls to begin discussion based activities.

Poll question: What is the main purpose of the SDA provider role? (pick one answer only)

- A. Offer mainstream tenancies to people who would otherwise have to rely on institutional care
- B. Provide accessible housing to people with extreme physical impairments and complex support needs
- C. To support a person to have the most independent home life possible

SDA: The regulatory environment



SDA regulatory environment

- International, Commonwealth, state/territory, local area laws
- Laws governing housing & tenancy support services
- NDIS rules and regulations



SDA key compliance documents

- NDIS Quality & Safeguarding Framework
- SDA Pricing & Payments Framework
- SDA Conditions Rule 2018
- SDA Rules 2020
- SDA Operational Guidelines
- SDA Design Standard – July 2021
- SDA Pricing Arrangements 2021 - 2022

This slide looks at the complexity of the regulatory environment for SDA:

- Multiple areas of law to comply with including NDIS rules and regulations
- Key compliance documents are regularly revised
- Need to invest in systems to monitor your obligations to ensure you remain compliant

Talk through purpose of documents and any recent or scheduled revisions:

- Q&S Framework is a constant reference for rights-based service delivery. Note: While the framework forms the basis for the SDA Practice Standards, these have yet to be tested in tribunals and courts where legal precedents for compliance and good practice will be set. This will give providers more certainty.
- SDA Pricing & Payments Framework will be reviewed in 2023 (every 5 years)
- SDA Conditions Rule and SDA Rules were amended in 2020
- SDA Operational Guidelines amended in 2020 to align with Rule changes. Good point to reinforce the difference between conditions of eligibility (SDA Conditions Rule) and conditions of eligibility (SDA Rules)
- SDA Design Standard applies from July 2021 (replacing Liveable Housing Australia Guidelines)

- SDA Pricing Arrangements and Limits 2021 – 22 (replaces SDA Price Guide). Now includes SDA Terms of Business that update practice standards for Conflict of Interest and Service Agreements

Module 2: Rights and Responsibilities includes a legislative schedule for SDA

Module 4: Service Agreements discusses the challenges of working with state/territory residential tenancy laws that are varied and do not always align with the minimum tenancy terms outlined in the SDA Practice Standards.

Module 5: Enrolling SDA Properties includes a property register tool to help monitor compliance with enrolment conditions.

Module 6: Tenancy Management includes a number of policy guides that reference key legislation that SDA policies must comply with.

Staying up to date with your legal obligations



- Media releases and government announcements
 - Ministers for Disability
 - NDIS Commission
 - NDIA
- NDIS reviews, reports, discussion papers
 - NDIS Public Consultation – Home and Living
- Professional networks, communities of practice
- Social media
- Summer Foundation resources - Welcome Home compliance register and property enrolment register
- DSC blogs

Provides a list of websites and information sources for monitoring changes to SDA policies, rules and regulations.

SDA: A challenging environment



- SDA is an evolving service area
- Complex regulatory environment
- Laws do not always align
- Good practices are emerging



The regulatory environment for SDA will remain volatile for a while as policies and rules are revised, state laws come into alignment with the NDIS and good practices emerge and establish.

An SDA provider will make a worthwhile investment in developing systems to document and monitor their compliance obligations, including in different jurisdictions.

SDA Practice Standards: Constant reference point



- SDA Practice Standards are a guide to rights-based approach
- Quality & Safeguarding Framework is positive and necessary change
- Principles and practices should be applied in all SDA service setting



An SDA provider should view the SDA Practice Standards as a resource to support their compliance.

- The Practice Standards will need to be updated from time to time but they provide a constant reference point to the key principles and service objectives that support a rights-based approach to service delivery.
- The rights-based approach pioneered by the NDIS represents a positive and necessary change in the way we deliver housing to PWD. At its core, the approach simply requires an SDA provider to uphold the rights of a tenant under existing Australian and international law.
- While the mechanics of SDA (NDIS policies, rules etc) are evolving, the principles and objectives of the NDIS Q&S Framework remain constant and can be applied in any service setting, with any tenant cohort, and will improve the quality of service delivery.

SDA Tenant Rights



Legal Rights

- Residential tenancy law
- Building & construction law
- Health and safety law
- NDIS conditions for SDA registration & property enrolment

Human Rights

- Convention on the Rights of Persons with Disability - independent living, dignity & safety, decision-making
- NDIS Quality & Safeguarding Framework

Consumer Rights

- Australian consumer law
- NDIS participant right to choice and control

The SDA Practice Standards require an SDA provider to uphold a participant's 'legal and human rights' and support 'choice and control'.

Welcome Home has reinterpreted this statement for greater clarity, identifying all tenant rights as legal rights that can be arranged into 3 categories.

Legal rights: All commonwealth, state/territory or local area laws governing the delivery of housing and tenancy support services.

- The conditions of SDA dwelling enrolment and SDA provider registration require a provider to comply with these areas of law

Human rights: Outlined in the Convention on the Rights of Persons with Disability

- Include rights that support personal autonomy
- The right to live independently in the community
- The right to the same legal status as others to make decisions

Consumer rights: An SDA tenant who engages commercial service providers has the same rights as any consumer under Australian consumer law, such as the right to receive services that are fit for purpose and fair contract terms.

An SDA tenant also has rights as an NDIS participant to be supported to make informed decisions and exercise choice and control over the delivery of their NDIS services.

SDA Performance Outcomes



Performance Areas	Performance Outcome
Rights and Responsibilities	Access to SDA dwelling is consistent with legal and human rights and supported to exercise informed choice and control
Conflict of Interest	Right to exercise choice and control over NDIS supports is not limited by choice of SDA dwelling
Service Agreements	Support to understand terms and conditions that apply to SDA dwelling and associated service and/or tenancy agreement
Enrolment of SDA Properties	SDA dwelling meets the conditions for property enrolment
Tenancy Management	Tenant can exercise choice and control and is supported by effective tenancy management

The SDA Practice Standards outline Performance Outcomes for 5 areas of management. These outcomes require an SDA provider to achieve rights-focused service outcomes for tenants.

Rights & Responsibilities: Uphold tenant rights in the way you deliver services (rights discussed in previous slide).

Conflict of Interest: Uphold a tenant's right to exercise choice and control over their in-home support services. The SDA Terms of Business now included in the [SDA Pricing Arrangements & Limits 2021 – 22](#) updates this outcome by requiring an SDA provider to specifically declare any arrangements with SIL providers that may limit a tenant's choice and control.

Service Agreements: Provide appropriate information and ensure a person has access to adequate (communication and decision-making) support to understand the terms and conditions of their tenancy and give their informed consent to the SDA agreement.

Enrolment of SDA Properties: Ensures the SDA dwelling continues to meet the conditions under which it was enrolled including maximum number of residents, SDA design category and building type.

Tenancy Management: Provides 'effective' tenancy management that supports choice and control.

- This is a vague requirement that needs further explanation.
- Welcome Home interprets this Performance Outcome as the responsibility to establish policies and procedures that ensure tenancy management services are accessible to a tenant and responsive to their support needs.

Module 6: Tenancy Management includes a set of policy guides that provide additional information about the specific tenancy management responsibilities of an SDA provider.

SDA Service Objectives and Practices



Establish rights-based policies and procedures

- Policies define tenant rights and reference applicable laws
- Performance outcomes align with SDA Practice Standards
- Procedures detail person-centred approach

Support informed decision-making

- Establish a tenant's communication and decision-making support needs and resources
- Provide clear, accurate information on terms and conditions, rights and responsibilities

Tenancy management is flexible and responsive

- Comprehensive tenant records - expectations, preferences, support, capacity, risks
- Clear, accurate information about procedures, roles and responsibilities

This slide translates the SDA Performance Outcomes into key service objectives and management practices.

Define your commitment to tenant rights in your policy and procedure documents:

- Name the rights you will uphold and reference the applicable laws that must be complied with i.e. building standards, tenancy laws
- Use the SDA Practice Standards performance outcomes and indicators as a guide to developing your policies and procedure documents
- Establish and clearly outline person-centred procedures for staff to follow
- If you don't provide this detail, your commitment to rights can become a token gesture. Auditors look for detail

Establish procedures to support a tenant to make informed decisions about all tenancy matters:

- Establish and document a person's communication support needs and decision-making support needs
- Establish and document a person's preferences for how they receive support i.e. who in their support network can support them and what that support role looks like
- Regularly review a tenant's support needs and preferences with them – things change

Establish policies and procedures to guide tenancy management practices that can be adapted to meet a tenant's communication and decision-making needs:

- Keep comprehensive records about a tenant's communication and decision-making support needs and preferences
- Ensure staff have access to these records to ensure a consistent approach to support
- Provide tenants and staff with clear accurate information about tenancy management procedures – clarify the roles and responsibilities of the SDA provider and other support providers you choose to involve in tenancy matters, how can a tenant access a procedure, who do they contact?
- It's important to reinforce the SDA provider's responsibility to define all service provider involvement in tenancy management matters. This is not the responsibility of a SIL or other support service although they may have some involvement

The 'musts' and the 'shoulds' of SDA provider role



!!!

- Uphold tenant's legal rights
- Support tenant right to choose support service providers
- Ensure a tenant understands rights and tenancy conditions
- Maintain enrolment conditions of SDA dwelling
- Establish and ensure compliance with responsive tenancy management policies and procedures



☆☆☆

- Know a tenant
- Know and monitor the law
- Communicate and consult directly with a tenant
- Provide easy to understand information
- Establish approach to service delivery

This slide summarises the mandatory service obligations (the 'musts') and the good practices (the 'shoulds') that support an SDA provider to comply with the SDA Practice Standards and adopt a rights-based approach to service delivery.

The SDA provider role: It's different. It's unusual.



- Combines mainstream tenancy conditions with support for independent living
- Less oppressive duty of care – have capacity to respond
- Facilitate autonomy – respect, dignity, privacy, choice



The SDA provider role represents a new way of delivering housing to people who need support to live independently in their communities.

It applies a standard residential tenancy framework to service delivery but includes provisions to support individuals and protections for vulnerable people:

- It combines responsibilities of a mainstream landlord such as rent collection and property maintenance with responsibilities for housing supports such as provision of accessible design features in dwellings and responsive, flexible tenancy support
- An SDA provider must know more about their tenants than a standard landlord in order to deliver responsive tenancy support services

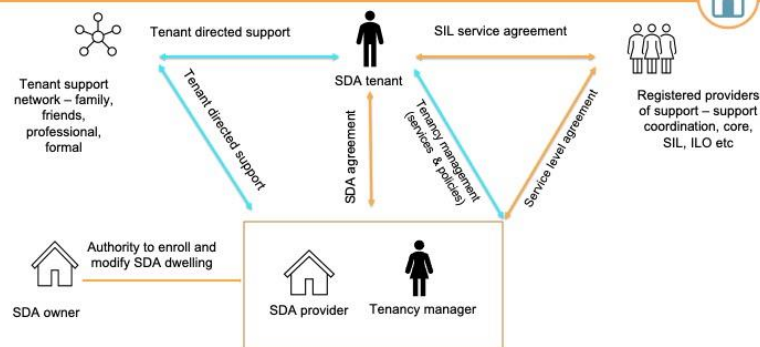
The SDA provider role is also different from the traditional supported accommodation provider:

- Accommodation and support is no longer a standardised service that provides shelter and care but very little individual freedom. The focus is now on the individual and their rights
- An SDA provider must establish policies and procedures to guide a person-centred approach to delivering housing and tenancy support and ensure compliance by staff, agents and subcontractors

The key service objective that defines the SDA provider role is to facilitate a tenant's autonomy.

- Some service providers challenge the practicality of a rights-based approach on the grounds that people with very high support needs can only achieve a limited degree of independence and the service objectives for supporting informed decision-making and independent living are unrealistic.
- An SDA provider should not confuse independence with autonomy. Every individual should have their personal autonomy upheld through respect for their dignity, personal freedoms and privacy. This forms the basis for them to then realise the greatest degree of independence that they can in their home lives. This is a very realistic goal for SDA providers to set.

SDA provider relationships



This slide positions the SDA provider and their key service obligations within the network of roles supporting SDA service delivery (also used in Webinar 2).



Case studies and good practices

The remainder of the training works with case studies and participant polls about common service scenarios and good practice options.

Read through each case study and run the participant poll. Then review poll results using commentary and good practice tips for each answer. Commentary can be found in the case study documents included in the resource pack.

Trainers are free to choose their own selection of case studies or develop their own material using the case study template and tenant profiles. This is useful if you want to discuss local market conditions or challenges related to particular tenant cohorts or service models.

Trainers may want to provide case study documents with responses to poll questions and good practice tips after the training session. You may also want to provide a summary of any questions or comments (and any responses) posted in the chat as a Q&A document.



Getting to know a tenant

An SDA provider should not make a tenancy offer to a person unless they are confident they can meet their housing support needs and preferences.

A comprehensive pre-tenancy assessment by both the SDA provider and the prospective tenant can help to avoid problems down the track that might jeopardise the sustainability of a tenancy.

Why do I need to get to know a tenant?



An SDA provider has responsibilities that require knowledge about a tenant

- To deliver secure, long-term housing
- Ensure housing and tenancy support services remain fit for purpose
- Tenancy terms and conditions are appropriate for the individual
- Tenant has appropriate support to make informed decisions about their housing and tenancy matters

An SDA provider has a range of responsibilities that require them to have knowledge about a person's background, lifestyle expectations and support needs. These are:

- Delivering secure, long-term housing
- Ensuring housing and tenancy support services are responsive to changes in a tenant's needs and remain fit for purpose over the long term
- Tenancy terms and conditions are appropriate for the individual and do not set unrealistic expectations
- Supporting a tenant to communicate any issues and make informed decisions about their tenancy

What do I need to know about a tenant?



1. Understand expectations for independent home life
2. Establish housing support needs
3. Establish capacity and risks related to independent living

Three things you must know and exchange information about are:

- Their expectations for an independent home life
- Their housing support needs
- Any risks or issues that may impact the delivery of housing and tenancy support or jeopardise the sustainability of the tenancy

1. Understanding expectations



Lifestyle preferences

- Maintain previous lifestyle
- Increase independence
- Live a different type of life

How does a tenant want to use their home and property?

- Access
- Use of property

Do you have compatible expectations about access and use of dwelling?

An SDA provider should learn about a person's expectations for their tenancy by understanding their background and previous living circumstances:

- To what extent do they want to maintain their lifestyle or make changes?
- It is possible a person will not have well developed expectations about their future home life and may need some support to consider relevant issues and questions to ask themselves

An SDA provider is responsible for establishing the terms and conditions for access to and use of an SDA dwelling:

- Understand how a person wants to access a dwelling (including providing access to others such as family members and friends) and how they want to use the property
- Are your expectations for how the property will be accessed and used compatible with those of the prospective tenant?

Now is the time to establish if the expectations of both parties are compatible and if there are any 'deal breakers':

2. Establish housing support needs



How can the home environment support a tenant's independence?

- Dwelling design and customisable features
- Additional supports and aids e.g. personal equipment, AT
- What level of on-site support is needed?
- What happens if these features are not available or support needs change?

- Understand how an SDA dwelling design, configuration and customisable features can support a tenant to live independently i.e. is there enough space to move and store support equipment?
- What features and fixtures are provided with the dwelling and what else does the tenant need in the home to live independently?
- What level of on-site support is needed? If that support is shared are the needs of all tenants for support compatible?
- What happens if these features are not available or they fail or a person's support needs change?

3. Identify issues and risks



Do a person's circumstances present risks or issues?

- Any risks to tenant safety, security or privacy?
- Previous independent living experiences
- Capacity to adapt, manage change
- Compatibility in shared housing

Explore with the person whether their circumstances may create any issues for them meeting their responsibilities as a tenant:

- An SDA provider should be confident they can ensure a person's safety, security and privacy
- What is the person's previous experience with living independently? A lack of experience can create challenges once a tenancy begins but it is not a risk that should disqualify a person from a tenant offer
- How well can the person adapt to new living circumstances and manage change?
- Are there any compatibility issues with other tenants they will be required to live with?

Case study 1: Getting to know a tenant



"One of my support workers recently ran into a non-verbal tenant and his support worker in the lift. The support worker mentioned the tenant was having trouble remembering how to get out of the building. The tenant also seemed very frustrated and the support worker was constantly ramming his arms into the wall. This tenant has since moved back into his earlier group home to get the care he needs.

On the other hand, I have a non-verbal friend who has recently moved into SDA housing. She has no issues with it, but she also has a strong support network of advocates around her.

The SDA provider needs to get to know their tenants and their individual needs before they move in." (SDA tenant)

This case study is a statement made by an SDA tenant, talking about another SDA tenant in her apartment building. She was making the point that even if people have similar characteristics such as the same communication support needs or types of disability, everyone is different.

There is no way around the need for an SDA provider to get to know an individual before they offer them a tenancy.

Poll and chat



Poll question: In getting to know a prospective tenant, what should an SDA provider's top priority be?

(Choose one answer only)

- A. Making direct contact with the person as early as possible
- B. Collecting information from as many sources about a person's support needs
- C. Developing procedures for identifying issues and risks
- D. Other – put comment in the chat

See case study document with good practice tips for commentary.

Getting to know a tenant: Good practices



- Establish expectations
- Consider long-term needs
- Identify risks and 'deal breakers'
- Consider compatibility
- Have more than one conversation



Summarise good practice tips for getting to know a tenant.



Support informed decision-making

An SDA provider has a responsibility to ensure a tenant has appropriate information and an adequate amount of support to understand their tenancy terms and conditions and make informed decisions throughout their tenancy.

Module 4: Service Agreements provides additional information and resources about good practices to support this process.

What is supported decision-making?



- Helping someone have control over what is important to them
- Built on **relationships**, practices, arrangements and agreements
- Different for each person
- Works best when there are multiple decision supporters in a person's life
- SDM relies on decision supporters who know the person well
- Decision supporters are people who can assist a person to understand information, consider the consequences of different options, make choices, communicate these choices and support the person to implement those choices

Supported decision-making enables an SDA tenant to make informed decisions about their tenancy.

The process will look different for each individual and relies on a number of elements including:

- The relationships a tenant has with informal and formal supporters
- The policies and procedures an SDA provider has in place for supported decision-making
- Service arrangements the SDA provider has in place with other registered providers of support

Challenges include the presence of multiple decision-makers and hearing the voice of the tenant over their supporters.

SDA and supported decision-making



- The SDA Agreement – typically this is a vital tool to assist people make decisions
- Must be in a form that best supports a person to understand the agreement
- Avoid overly legal terminology and employ different methods and formats for different people

The SDA Agreement is necessarily a complex document. It needs to record the rights and responsibilities of the SDA tenant and the SDA provider as well as the terms and conditions of the tenancy.

The SDA provider should provide supporting material that:

- Translates the agreement into easy to understand language
- Clearly summarises rights and responsibilities
- Identifies different roles and responsibilities for tenancy management procedures
- Includes practical examples of tenancy scenarios i.e. when a notice to vacate can be issued
- Links to other information i.e. NDIA or NDIS Commission resources

NDIS requirements



- The supports that will be provided
- The cost of the supports
- How, when and where the participant requires supports to be delivered
- How long the participant requires supports
- When and how agreement will be reviewed
- How problems/issues will be addressed
- Provider and participant responsibilities under the Service Agreement
- Notice periods and procedures for changing or ending Service Agreement
- Complaint handling and dispute resolution processes

SDA service agreements must be in writing and contain information summarised on this slide. Also see the [NDIA web page](#) on service agreements.

NDIS Commission requirements



- Each participant has a clear understanding of the supports they have chosen and how they will be provided
- Collaboration with participant establishes expectations, **explains supports to be delivered, and specifies any conditions including why** these conditions are attached
- Participant is supported to understand their service agreement using **language, mode of communication** and **terms** that the **participant** is most likely to **understand**
- Participant **receives a copy of their written agreement signed by the participant and the provider**. If not practicable **a record is made** of the circumstances

The NDIS Commission requirements concern the responsibilities an SDA provider has to support informed decision-making. This slide paraphrases the content of the SDA Practice Standard.

SDA agreement: Supports informed consent



SDA Conditions Rule 2018 & SDA Terms of Business)

- Agreement in writing
- Document rights and responsibilities
- Enter signed agreement
- Establish unsigned agreement (document evidence)

Residential Tenancy Law

- Ensure terms and conditions comply with applicable laws

SDA Practice Standards

- Satisfy and document minimum terms
- Support tenant to understand terms and conditions
- Establish expectations for access and use of dwelling
- Signed copy to tenant (document if not)

If an SDA provider meets all legal obligations under NDIS rules, state/territory law and the SDA Practice Standards, they will create an SDA agreement that supports a tenant to make informed decisions and give informed consent to their tenancy conditions.

Case study 2: Support informed decision-making



Danny was moving out of home for the first time to live in a 1-bedroom SDA apartment. He went through his SDA agreement with the SDA provider and confirmed he understood all the terms and conditions.

After only 4 months, Danny suddenly announced that he was moving back home because living on his own was not what he had imagined. Within 2 weeks he had left the apartment. The SDA provider was taken completely by surprise. They told Danny they felt they had "bent over backwards" to make sure everything would be right for him.

The SDA provider was unsure what compensation they could seek from Danny. The SDA agreement included information about the 90 days' notice the provider must give Danny if they wanted him to leave the dwelling but it did not say anything about the conditions for a tenant to terminate the agreement or details about penalties.

The SDA provider tried to discuss the situation with Danny but when the conversation broke down, the provider threatened to charge Danny rent until the vacancy was filled, which could take months. Danny complained he had never seen or agreed to that condition and accused the SDA provider of bullying.

This case study is about a tenant who was not provided with adequate details about their tenancy rights and responsibilities.

Poll and chat



Poll question: What did Danny need from the SDA provider in this situation
(Choose one answer only)

- A. An easy to understand factsheet about the relevant residential tenancy laws
- B. A detailed information statement covering all terms and conditions in the SDA agreement
- C. An opportunity, after discussing the SDA agreement, to come back with questions or issues
- D. Other – put a comment in the chat

Q. What did Danny need from the SDA provider in this situation?

A. An easy to understand factsheet about the relevant residential tenancy laws

- Tenancy rights and responsibilities is a complex area for anyone to understand so easy to understand material should be available to all tenants
- Provide information that builds on the minimum tenancy terms outlined in the SDA Practice Standards
- Aim to provide a range of information resources that include useful details and practical advice

- Many people will refer to this material rather than their agreement so it is worthwhile committing time to these resources

B. A detailed information statement covering all terms and conditions in the SDA agreement

- An information statement providing additional details about all terms and conditions should be provided alongside an SDA agreement
- For an example, have a look at the [Victorian information statements](#) that accompany the SDA tenancy agreement and the SDA residency agreement
- These are likely to be long documents with lots of details but a tenant and their supporters have a right to have this information

C. An opportunity, after discussing the SDA agreement, to come back with questions or issues

- Face-to-face or direct discussion in combination with written information (or information in another appropriate format) will strengthen a tenant's understanding of their tenancy conditions and their legal rights and responsibilities
- Make sure you provide enough time for a tenant to consider all the information you have provided
- Encourage and suggest questions or issues a tenant should consider before you next meet – always aim to have more than one conversation about the SDA agreement

Support informed decision-making



- Know the law, explain the law
- Explain options and risks
- Put it in writing
- Make it easy to understand
- Be clear and transparent



Summarise good practices for supporting informed decision-making by a tenant.



Responsive Tenancy Management

An SDA provider is responsible for establishing the policies and procedures that guide tenancy management practices. This includes outlining the roles and responsibilities of the SDA provider and any other support roles in addressing tenancy matters.

SDA tenancy management responsibilities



All SDA

- Ensure dwelling access to service providers
- Maintain dwelling in a good state of repair
- Respond to a tenant's changing housing support needs
- Manage and report serious incidents and complaints
- Issue tenancy notices



Shared accommodation

- Manage vacancies in consultation with existing tenants
- Work with tenants and SIL provider to ensure shared support arrangements work well
- Establish procedures to manage conflicts, behaviours of concern or serious incidents that involve tenants or impact dwelling
- Establish emergency management procedures that ensure continuity of support

The SDA Practice Standards for Tenancy Management set out the responsibilities of an SDA provider.

A provider has additional tenancy management responsibilities if they deliver shared housing. These additional responsibilities require specialist knowledge and skills for working with people with complex needs.

- Regularly review dwelling suitability to ensure it is safe and supports a person to live as independently as possible
- Vacancy management is the responsibility of the SDA provider – you are the one offering the tenancy and you must ensure tenants are compatible and existing tenant's needs and views are prioritised. This process is always strengthened through consultation with 'experts' including the tenant, appropriate supporters and specialist roles such as allied health professionals and positive behaviour support specialists
- All service arrangements coordinated with other support providers, such as SIL access to dwelling, must be made in consultation with each tenant and documented
- Tenant should be clear on how to access procedures and who to contact. Review regularly with a tenant
- Ensure you establish procedures that comply with NDIS legislation concerning reporting of serious incidents and managing complaints

What does effective tenancy management look like?



An SDA tenant has a right to receive tenancy support services that allow them to:

- Access housing that is safe, secure and fit for purpose
- Participate in decisions about who they live with
- Participate in decisions about service delivery arrangements
- Understand all tenancy management procedures, roles and responsibilities
- Live free from violence, abuse, neglect and exploitation

The SDA Practice Standards require an SDA provider to deliver 'effective tenancy management'. This can be measured by the tenant outcomes you achieve.

Case study 3: Responsive tenancy management



Sally loves living alone in her High Physical Support SDA apartment. With an advanced cerebral palsy, she can use the assistive technology features to have a level of independence she has never experienced before.

One night, when the on-site support provider visits Sally's apartment to respond to a call, they accidentally drop her iPad. The support worker assures Sally the iPad is fine. The next day, Sally finds the iPad is not working well and she cannot properly control her home environment, including activating the automatic doors and windows.

Sally rings the on-site support provider to tell them the iPad is broken but the worker denies doing any damage and tells Sally she will need to get it fixed. Sally is at a loss to know what to do. She needs her iPad to support her daily life but she is scared to call her tenancy manager because she doesn't want to start an argument about who broke the iPad.

This case study is about a tenant who does not have a clear understanding of the roles and responsibilities related to a property damage issue.

Poll and chat



Poll question: What did Sally need from the SDA provider in this situation?
(Choose one answer only)

- A. An easy to understand factsheet about getting repair work done with information about her rights and responsibilities
- B. A relationship with her tenancy manager that makes her feel safe and confident about reporting the accident
- C. CCTV cameras throughout her apartment
- D. Other – put a comment in the chat

Q. What did Sally need from the SDA provider in this situation?

- A. An easy to understand factsheet about getting repair work done with information about her rights and responsibilities
 - The SDA provider has a key role to play in managing this situation. They should provide both the tenant and the support provider with information about rights and responsibilities (for all parties) related to property damage. This information should be outlined in the SDA agreement (with the tenant) and the service-level agreement with the support service provider and should be available to Sally in an easy to understand format as well
 - The SDA provider should respond to the broken iPad as an urgent repair and details about this process should also be included in the SDA agreement or supporting material, such as an information statement. The SDA provider should then lead any consultation with Sally and the support provider to establish liability for the damage
- B. A relationship with her tenancy manager that makes her feel safe and confident about reporting the accident
 - An SDA tenant should be clear about their SDA provider's responsibilities to uphold their legal rights including their rights as a tenant and a consumer. This should be communicated clearly to a tenant by the SDA provider before a tenancy begins. Sally should always feel confident that the SDA provider will act fairly and in her best interests and not have any concerns about providing negative feedback or making a complaint about a tenancy matter

- Sally should be clear about the different roles and responsibilities that the SDA provider and support provider play in dealing with tenancy matters and be aware that all communication about the broken iPad should occur with the SDA provider (in their tenancy management role)
- C. CCTV cameras throughout her apartment**
- An SDA provider can support a tenant to understand what opportunities are available to modify their dwelling to meet their personal preferences. The SDA provider may not be responsible for providing these features but they can support a person with information about who to contact to discuss their options

Responsive tenancy management: Good practice



- Establish person-centred policies and procedures
- Ensure compliance by employees, agents, subcontractors
- Ensure tenant understands roles and responsibilities
- Ensure everyone is on the same page
- Set the tone for all service providers



Summarise good practices for responsive tenancy management.

Participant Poll



What is the main purpose of the SDA provider role?

- A. To offer mainstream tenancies to people who would otherwise have to rely on institutional care
- B. To provide accessible housing to people with extreme physical impairments and complex support needs
- C. To support a person to have the most independent home life possible

Finish the training session with a review of the first participant poll results. Would anyone change their answer?

Poll question: What is the main purpose of the SDA provider role? (pick one answer only)

A. Offer mainstream tenancies to people who would otherwise have to rely on institutional care

This is probably the least common perspective held by SDA providers however it demonstrates an awareness of the context in which the SDA market has emerged.

One of the most important end goals for SDA is to offer eligible NDIS participants the same housing options that all Australians enjoy and support a tenant's right to live independently in their community with full social and economic participation.

Institutional living is still a reality in Australia with more than 5,000 younger Australians (under 65 years) with extreme physical impairments and complex support needs living in residential and aged care settings. One third¹ of the SDA market continues to offer large congregate living settings, with 36% of SDA dwellings enrolled to house a maximum of 4 or more residents.

B. Provide accessible housing to people with extreme physical impairments and complex support needs

This statement reflects the basic NDIS definition of SDA and represents a 'bare bones' interpretation of the SDA provider role. We hope that the information provided in the webinar has increased your awareness of the interactive nature of the role and the importance of connecting directly with a tenant and maintaining an active relationship with them throughout their tenancy. SDA is definitely about more than the 'bricks and mortar'.

C. To support a person to have the most independent home life possible

This statement represents the most complex and ambitious interpretation of the SDA provider role with capacity building as a key service objective. A growing number of SDA providers are recognising the tenancy management role offers a unique opportunity to build a person's understanding of themselves as an autonomous tenant, making independent decisions about their tenancy and home life.