Aboriginal Housing in NSW - Doing Things Differently

26 September 2017
Today’s Agenda

• Role of the Registrar
• Registering under NRSCH/NSW Local Scheme
• Importance of what is involved when registering under NRSCH/NSW Local Scheme
• What is the benefit of National Registration
• Next steps for the Registrar
Role of the Registrar

• Provide a consistent regulatory environment to support the growth and development of the community housing sector
• Pave the way for future housing product development
• Reduce the regulatory burden on housing providers working across jurisdictions
• Provide a level playing field for providers seeking to enter new jurisdictions.
Objects of National Law

• The object of the National Law is to provide a national system of registration, monitoring and regulation of community housing providers:
  • to encourage the development, viability and quality of community housing,
  • to promote confidence in the good governance of registered community housing providers so as to facilitate greater investment in that sector
  • to make it easier for community housing providers to operate in more than one participating jurisdiction.
Purpose of Registration

• The purpose of registration is to identify appropriate entities to which government funding for community housing might be provided under other legislation or policies of a jurisdiction.
NRSCH Registration

• Registration is open to any provider that meets the requirements of the National Law including having:
  • an appropriate corporate structure for their proposed tier of registration.
  • mandatory arrangements in place to ensure in the event of wind-up and/or deregistration, that surplus assets remaining after the payment of liabilities continue to be available for social housing
  • a demonstrated capacity to meet at registration and achieve ongoing compliance with the National Regulatory Code
NSW Local Scheme Registration

• Minister for Family and Community Services directed Registrar to enact the NSW Local Scheme (Aug 2017)

• The NSW Local Scheme will address the issue of Community Housing Providers being able to apply in the absence of a specific wind clause (in accordance with National Law)

• The NSW Local Scheme will mirror the National Regulatory System:
  • Tier guidelines
  • Evidence guidelines
  • Maintenance standards
  • Financial measures
  • Governance requirements
  • Enforcement guidelines/actions
## NSW Local Scheme - Timeframe

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<thead>
<tr>
<th>Date</th>
<th>Action</th>
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<tbody>
<tr>
<td>Sep – Oct 2017</td>
<td>Establish guidance and information</td>
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<tr>
<td></td>
<td>Design IT system</td>
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<td>Develop and test IT system</td>
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<tr>
<td>Jan – June 2018</td>
<td>Registration activity for four providers</td>
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<td>June 2018 (and beyond)</td>
<td>Other new applicants progressed</td>
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Compliance

• The Registrar is responsible for promoting both a culture of compliance and detecting and addressing non-compliance at the earliest opportunity in order to protect the integrity of the community housing sector.

• The Registrar proactively engages with providers on an ongoing basis to foster compliance. The engagement is risk-based and common risk profiling methods will be used to assess the risk of non compliance in the future and for ongoing compliance assessment.

• All registered community housing providers must periodically demonstrate that they are achieving relevant performance requirements under the National Regulatory Code (NRC), and otherwise complying with the National Law.
Enforcement Powers

• Under the National Law (including the NSW Local Scheme), the Registrar has a range of enforcement powers:
  • Notice of non-compliance
  • Binding instructions to rectify compliance
  • Notice of intent to cancel
  • Appointment of Statutory Manager
    • Other related provisions to the appointment of Statutory Manager

Why:
Truth
Compliance
Reputation
Next Steps for Providers

• Preparation work for the organisation:
  • Review the NRSCH website: www.nrsch.gov.au
  • Undertake a review of your internal practices and policies/documents to ensure they can meet the National standards, including asset and financial planning
  • Attend NRSCH workshops offered by the AHO
  • Contact the Registrar’s office and speak with analysts
  • Seek to build the capacity of your organisation through the Registrar or other agencies
Questions