

## Organisational guideline

### Responding to Homelessness

Corporate Plan reference	<p><b>A strong community</b></p> <ul style="list-style-type: none"> <li>Vibrant community places and spaces that are inclusive, accessible and adaptable</li> <li>An inclusive community, with opportunities for everyone</li> </ul> <p><b>Service excellence</b></p> <ul style="list-style-type: none"> <li>Respecting and valuing our customers</li> <li>Regular and relevant engagement with our community</li> </ul>	
Endorsed by Chief Executive Officer		November 2020
Manager responsible for policy	Manager, Community Planning and Development	

## Introduction

This organisational guideline provides details about the execution of the Sunshine Coast Council (council) *Responding to Homelessness Policy* and must be read in conjunction with the requirements of the Responding to Homelessness Policy. This guideline has been developed in accordance with council's obligations under the *Human Rights Act 2019 (QLD)*.

## Background

People experience homelessness when they do not have accommodation that is safe, secure and appropriate. Some known causes of homelessness include:

- Domestic and family violence
- Family breakdown
- Financial problems
- Poor physical and mental health
- Substance abuse issues
- Unavailability of crisis and short-term housing options
- Shortage of affordable housing
- Unemployment.

The lack of an official data source and the transient nature of homelessness mean exact demographics are difficult to ascertain for the Sunshine Coast. In March 2018, the Australian Bureau of Statistics released the latest statistics on homelessness in Australia collected at the 2016 Census. The 2016 census data states that 785 people were identified as experiencing homelessness in our region. However, this is not an accurate number due to the difficulty in identifying people to physically provide a census form to, and the reliability of returning a completed form.

As they undertake their duties, council employees may come into contact with people that are experiencing homelessness. People experiencing homelessness may access a council facility or service centre or could be rough sleeping in a council managed public space such as a park, beach or playground. In addition, council continues to receive requests and complaints from residents seeking action from council to manage homelessness in public spaces across the Sunshine Coast.

## Purpose

The primary objectives of this guideline are to:

- Support the implementation of – and compliance with – the Responding to Homelessness Policy
- Clarify the role of council in responding to homelessness
- Ensure people experiencing homelessness are treated sensitively, respectfully and not discriminated against
- Clarify the roles, responsibilities and obligations of council employees in their dealings with people experiencing homelessness
- Support council employees to effectively respond to homelessness by raising awareness of the homelessness response procedure
- Ensure council employees feel confident and supported when connecting with people experiencing homelessness
- Ensure that a consistent and appropriate approach to responding to incidences of homelessness in public space is implemented across the organisation.

## Scope

This guideline applies to public spaces that are managed by council such as parks, beaches, open spaces, road reserves, libraries, council facilities and customer service centres. The guideline does not apply to private property or property which is not accessible to the general public.

This guideline applies to all council employees (including contingent workers and volunteers) who come in contact with people who are experiencing homelessness.

This guideline will be taken into consideration when enforcing local laws and regulations but does not override existing legislation, laws, statutory requirements or regulations (instruments); or detract from the duties and discretions of Council's Response Services (Local Laws) Officers. Should there be any inconsistency between these instruments and this guideline, the provisions of the instruments prevail to the extent of any inconsistency.

This guideline has been developed in accordance with council's obligations under the *Human Rights Act 2019 (QLD)*.

## Procedure

The guiding principles of the *Responding to Homelessness Policy* provide the foundation for how council will respond to homelessness:

### 1. Acknowledge people experiencing homelessness as vulnerable people

*Council recognises that people experiencing homelessness are amongst the most vulnerable and disadvantaged members of the community and have the right to be treated with dignity and respect. Council is committed to ensuring vulnerable people have access to information and are referred to appropriate support services as soon as possible and - where there is a risk to their health and/or safety - as a matter of priority.*

## 1.1 Identification of persons experiencing homelessness

### 1.1.1 Public Space/Council owned and managed land

- a) In the first instance, any internal or community requests received regarding people rough sleeping in a council managed public space should be referred to council's Response Services branch using the customer management request code **CRT109 (illegal camping)**. The customer request should include as much detail as possible to assist Response Services officers with their investigations.
- b) Upon receipt of the request, Council's Response Services officers will undertake the necessary investigations and aim to connect with the people reported as illegally camping. Council's Response Services Officers will report to council's Community Development and Engagement Team on:
  - Any person identified as experiencing homelessness and rough sleeping; and
  - The public spaces that people experiencing homelessness have been frequenting and/or rough sleeping.
- c) Only necessary and appropriate personal information is to be obtained to enable council to connect the person to support services. Verbal consent is to be obtained so that a person's personal information can be recorded. Where verbal consent has been provided, council's Response Services officers should obtain the following information from a person experiencing homelessness:
  - Name
  - Contact Number
  - Age
  - Gender
  - The location where the person is currently rough sleeping/staying
  - Any relevant information relating to the interaction.
- d) This information will be recorded and reported as soon as possible to council's Community Development and Engagement Team by emailing the Internet Mailbox Community Development: [commdevelopment@sunshinecoast.qld.gov.au](mailto:commdevelopment@sunshinecoast.qld.gov.au)
- e) If consent has not been provided, and the person does not wish to provide their contact details, the person should be provided with a copy of the Sunshine Coast Housing and Homelessness Directory and encouraged to contact a local community support service directly. Council employees are still required to report on the location the person has been identified as rough sleeping by emailing the details to the [Internet Mailbox Community Development](#)
- f) If the Response Services officer has a reasonable belief that the health and/or safety of a person experiencing homelessness is at imminent risk, they must report the matter to the Community Development and Engagement Team and the Queensland Police Service as a matter of priority.

### 1.1.2 Council managed facility and service centres

- a) If a person enters a council managed facility or service centre and identifies themselves as experiencing homelessness and in need of assistance, where possible, council employees should obtain the person's contact information. Verbal consent must be obtained so that a person's personal information can be recorded. Personal information is only to be obtained to enable council to connect the person to support services. Where verbal consent has been provided, council employees should obtain the following information from a person experiencing homelessness:

- Name
  - Contact Number
  - Age
  - Gender
  - Any relevant information relating to the interaction
  -
- b) This information will be recorded and reported as soon as possible to council's Community Development and Engagement Team by emailing the [Internet Mailbox Community Development](#)
- c) If consent has not been provided, and the person does not wish to provide their contact details, the person should be provided with a copy of the Sunshine Coast Housing and Homelessness Directory and encouraged to contact a local community support service directly. Council employees are still required to report on the facility or service centre the person has accessed by emailing the details to the [Internet Mailbox Community Development](#)
- d) Council employees can request copies of the Sunshine Coast Housing and Homelessness Directory by emailing a request to the [Internet Mailbox Community Development](#)
- e) If a council employee has a reasonable belief that the health and/or safety of a person experiencing homelessness is at imminent risk, they must report the matter to the Community Development and Engagement Team and the Queensland Police Service as a matter of priority.

## 1.2 Referral to Sunshine Coast Integrating Services Place Based Response Team

Council is a member of the Sunshine Coast Integrating Services Place Based Response Team (PBRT) and works collaboratively with the PBRT members to respond in a timely and effective way to rough sleeping.

- a) With the information reported by council employees, council's Community Development and Engagement Team will:
- Collate and report to the PBRT on rough sleepers and people experiencing homelessness on a weekly basis. Individuals will be de-identified where prior consent has not been provided by an individual or obtained by council; and.
  - Immediately report and liaise with the PBRT if a homeless camp is identified in a council managed public space and assist to coordinate suitable action to be taken.
- b) With the information provided by council, the PBRT will:
- Assist those people reported with access to appropriate housing and other support solutions, including establishing appropriate referral pathways.

## 2. Enable access to council services and use of public spaces

*Council supports an approach of social inclusiveness, the efficacy of human dignity and embraces social justice principles of equity, access, and participation. Council acknowledges the rights of all community members to access council services and use public spaces.*

- a) With respect to homelessness, enforcement will only apply where a law (Local or State) has been or is being breached, for example where there is a breach of the peace, illegal or criminal activity.
- b) Subject to paragraphs (d) and (e) below, Council's Response Service officers may support a person experiencing homelessness to relocate from a public space in the following situations:
- If a person experiencing homelessness is distressed and requires emergency assistance

- If a person's behaviour has breached the peace, threatened their safety, threatened the safety of others – noting that no Council employee is required to place themselves in a situation which is unsafe or poses a risk to their health or safety.
  - If a person's behaviour is likely to result in damage to property or the environment
  - If a person is sheltering in circumstances that threaten their health and safety or the health and/or safety of others
  - If a person or people experiencing homelessness have established camps or entrenched themselves in a public space and this has resulted in the members of the general public being unable to safely use the public space
  - If a person who is rough sleeping is under the age of 18
  - If a person is rough sleeping with children that are under the age of 15 years.
- c)** In each of the above situations, council's Response Services officers must:
- Report the details to their direct Supervisor immediately and seek their advice
  - Work collaboratively with the Queensland Police Service (QPS) when a person experiencing homelessness is being supported to relocate from a public space
- d)** If a council employee connects with a person experiencing homelessness that is distressed and needs emergency assistance, the employee should direct the person to Emergency Services (Call 000) or contact the Emergency Services on behalf of the person to arrange emergency assistance.
- e)** If the behaviour of a person experiencing homelessness breaches the peace, threatens their safety and the safety of others, the matter should be immediately reported to the QPS. The QPS will ordinarily respond when:
- A person/s is behaving in a manner dangerous to themselves or others
  - A breach of the peace is occurring
  - An unlawful act is occurring or has occurred.

Non-urgent reporting to the Queensland Police Service should be done via Policelink on 131 444. In emergencies please call triple zero (000).

### **3. Address community safety concerns and maintain public amenity**

*Council recognises that everyone has the right to live in a safe and peaceful environment. When required, council will respond appropriately and sensitively to incidences of rough sleeping to address safety concerns for people experiencing homelessness, our residents and visitors.*

- a)** Council's Response Services officers will investigate all complaints or concerns raised about a person experiencing homelessness who may be impacting on public amenity.
- b)** When a person that is rough sleeping creates an amenity issue in a public space, council's Response Services officers will investigate and assess the situation.

If a negative impact on public amenity is identified, for instance a matter of public health and /or safety, council's Response Services officers will undertake the necessary actions to remove or reduce the impact on the public amenity.

- c)** If a person rough sleeping has caused an environmental impact through littering or accumulation of rubbish, council's Response Services officers will request the person to clean-up and remove the litter.

- d) If a person has set up a temporary shelter that is determined as unsafe or infringing upon access to a public space, council's Response Services officers may request removal of the shelter. The request will include a timeframe for the shelter to be removed and council will provide assistance, as required, to assist the person to remove the shelter and to relocate.
- e) The belongings of a person who is determined to be experiencing homelessness must be respected and must not be interfered with. However, where a person's belongings cause a threat to public health and safety, council may be required to take appropriate steps to ensure there is no immediate risk to members of the public.
- f) Where the local use of the area or general amenity is being impacted by personal belongings for example, where they cause an obstruction or infringes upon access to a public space, council's Response Services officers will request the items be removed. If the person is not in attendance, an Advisory Notice will be left advising that the items will be removed by Council by a set time and date if not already removed by that date. The Notice must provide a reasonable period of time (depending on the situation) for the person to relocate and/or store their belongings.
- g) Where a person owning or responsible for items/belongings has not responded to a request from council to relocate/store the items, the items may be removed by council staff and stored. Where personal belongings have been removed an Advisory Notice will be placed at the location providing the contact details for council so the person can arrange collection. The Notice must also advise that Council will hold all belongings for twenty-eight (28) days before arranging disposal of the items.

#### **4. Provide supporting capability and capacity to enable council employees to respond effectively to people experiencing homelessness**

*Council is committed to the ongoing capability development of its workforce and to complying with workplace health and safety requirements to enable employees to perform their roles to the best of their abilities and as safely as possible and in a manner that seeks to be responsive to the needs of members of the community.*

- a) Council places great importance on both the safety of its employees and the safety of members of the community. Council recognises that responding to homelessness can be difficult, particularly when there are multiple factors to consider, such as engaging with vulnerable people, managing community expectations and concerns for public safety. Council will ensure that council employees who are connecting with people experiencing homelessness have the appropriate skills, capabilities and capacity to perform their role. This will be achieved by ensuring employees are:
  - Adequately trained in managing interactions with people experiencing homelessness
  - Provided with adequate work health and safety training to deal with public health and safety matters
  - Provided with adequate personal protective equipment to deal with public health and safety matters and
  - Provided with the appropriate support and reporting systems are established to escalate matters, particularly matters of public safety.
- b) Council employees will not approach a person experiencing homelessness who is breaching the peace, threatening their safety and/or the safety of others without the support of QPS.
- c) Council's Response Services officers will work collaboratively with the QPS when supporting a person experiencing homelessness to relocate from a public space.

- d) The Response Services officers will ensure they are adequately prepared and suitably protected with the appropriate personal protective equipment if they are required to relocate the belongings of a person experiencing homelessness from a public space.

## 5. Advocate for safe and healthy communities

*Council will capture quality data about homelessness at a local level. This data will be used for reporting purposes, training and development of Council staff and advocacy endeavours. Council will advocate for improved housing, community support and targeted health services that best address the needs of those residents who are experiencing homelessness. Likewise, Council is committed to advocating for improved social and human services and support mechanisms to meet the needs of the Sunshine Coast community generally.*

With the information reported by council employees, council's Community Development and Engagement Team will:

- Collate and report information on rough sleepers and people experiencing homelessness to the PBRT every week
- Report and liaise with PBRT if a homeless camp is identified on council managed public space and assist to coordinate suitable action to be taken with local community services
- Advocate to the State and Federal Government for crisis and emergency accommodation and affordable housing options that meet local needs
- Advocate for sufficient community health and support services for all members of the community, including those who are experiencing homelessness
- Inform discussions at the Mayoral Roundtable on Homelessness
- Attend regular meetings of Sunshine Coast Housing and Homelessness Network (SCHHN) to discuss homelessness at a local level and promote collective action on homelessness through case collaboration models of working.

With the reported information and data from council, PBRT will:

- Use data to inform future delivery of social housing and crisis/emergency accommodation to address the needs of people experiencing homelessness
- Use data to inform the funding of local community services to address the needs of people experiencing homelessness, including specialist homeless services
- Use data to inform the development of appropriate training modules and advisory support services for Council employees interacting with people experiencing homelessness
- Where possible, report back to Council on what action has been taken to assist the people who have been reported as experiencing homelessness and rough sleeping.

## 6. Form multi-sector partnerships

*Council recognises homelessness as a complex social issue and that singular, stand-alone responses do not generally solve complex social issues. Council is committed to working in partnership with State Government agencies, specialist homelessness services, local housing providers and community support services to address homelessness.*

- a) Council acknowledges that homelessness is a social issue that requires a whole of community response to address. To achieve a whole of community response to homelessness, council will work in partnership with the State Government, specialist homelessness services, local housing providers and community services to address the causes and incidences of homelessness in the region. Council will:

- In partnership with relevant community services, deliver training on this guideline to ensure council staff feel confident and supported when connecting with people experiencing homelessness
- Meet regularly with the State agency responsible for housing and homelessness services to discuss and advocate for suitable social, affordable and specialist housing responses across the region
- Regularly host the Mayoral Roundtable on Homelessness to identify regional advocacy priorities
- Meet regularly with partner organisations through the SCHHN and participate in other relevant local homelessness networks
- Support and participate in the DHPW Integrating Services Initiative such as the Place-Based Response Teams and Care Coordination Groups
- Liaise regularly with other local councils within South East Queensland to improve collaboration opportunities and strengthen advocacy endeavours
- In partnership with SCHHN, publish the Sunshine Coast Housing and Homelessness Directory annually
- Undertake regular social messaging to raise awareness of people experiencing homelessness, the issues they face and the actions needed to address homelessness in our region, and
- Continue to support community-led projects that assist people who are or are at risk of experiencing homelessness.

## Roles and responsibilities

Council employees with a role or responsibility under this guideline are:

- The Chief Executive Officer is responsible for approving this guideline
- The Manager, Community Planning and Development is responsible for implementing and maintaining this guideline. This includes reviewing and reporting on its effectiveness, Council's compliance with State Government directives and recommending changes to improve its effectiveness
- The Manager, Customer Response is responsible for ensuring all Response Service officers are familiar with the policy and guidelines and have had the appropriate training in order to comply with this guideline when undertaking their duties
- The Coordinator, Response Services is responsible for ensuring all Response Service officers are supported in their duties through the provision of ongoing advice and guidance and are provided with adequate personal protective equipment to deal with public health and safety matters
- All Managers are responsible for ensuring all council employees are aware of and comply with this guideline when undertaking their duties
- All council employees are responsible for complying with this guideline when undertaking their duties
- The Community Planning and Development and People and Culture branches are responsible for working collaboratively to coordinate training for council employees concerning this guideline and their responsibilities

- The Coordinator, Partnership and Engagement, Office of the CEO will work collaboratively with Community Planning and Development to promote the guidelines internally within the organisation.

## Definitions

### Breach of the Peace

A breach of the peace is when:

- Harm is done to a person
- Harm is likely to be done to a person
- In a person's presence, harm is done to that person's property
- A person is in fear of being harmed through an assault, affray, a riot, an unlawful assembly or other disturbance.

### Council employee

Means the CEO, senior contract employees, contract employees, award employees, casual employees, part-time employees, contractors, contingent workers, agency casual and volunteers.

### Department of Housing and Public Works (DHPW)

DHPW is currently the State Government department that supports people experiencing homelessness or individuals at risk of becoming homeless through funding specialist homelessness services, the provision of social housing and emergency accommodation. This Guideline has been drafted in such a manner that recognises that the name and function of this department may alter over time as a result of Machinery of Government changes.

### Homelessness

As defined by [Australian Bureau of Statistics \(ABS\) statistical definition of homelessness](#) states that when a person does not have suitable accommodation alternatives they are considered homeless if their current living arrangement:

- is in a dwelling that is inadequate
- has no tenure, or if their initial tenure is short and not extendable; or
- does not allow them to have control of, and access to space for social relations.

Another recognised definition of homelessness is the Mackenzie and Chamberlain's cultural definition of homelessness. Mackenzie and Chamberlain's (1992) definition includes three categories in recognition of the diversity of homelessness:

- **Primary homelessness** is experienced by people without conventional accommodation (e.g. sleeping rough or in improvised dwellings)
- **Secondary homelessness** is experienced by people who frequently move from one temporary shelter to another (e.g. emergency accommodation, youth refuges, "couch surfing"); and
- **Tertiary homelessness** is experienced by people staying in accommodation that falls below minimum community standards (e.g. boarding housing and caravan parks).

This definition was adopted by the Commonwealth Advisory Committee on Homelessness in 2001 and is widely used in the homelessness sector.

### Homeless camp

People experiencing homelessness have established camps or entrenched themselves in a public space. This includes the accumulation of personal items in public space such as beds, cooking equipment, furniture, clothing and bags.

## **Rough Sleeping**

Is defined as living on the streets, sleeping in parks, squatting, staying in cars or in improvised dwellings for shelter. Council does not consider someone unwilling to access a paid campsite or holiday park in their motorhome or campervan to be rough sleeping.

## **Sunshine Coast Housing and Homeless Directory**

The Sunshine Coast Housing and Homelessness Directory contains details for organisations that are providing services to people at risk of or who are currently experiencing homelessness. Council develops the directory with the Sunshine Coast Housing and Homelessness Network. The directory aims to improve access to information and referrals to community services.

## **Sunshine Coast Housing and Homelessness Network (SCHHN)**

SCHHN was established to enhance and facilitate the collaboration of services provided to vulnerable people across the housing continuum on the Sunshine Coast. Membership includes Sunshine Coast Council, Noosa Council, DHPW, local community housing providers, funded homelessness services and local community service providers.

## **Sunshine Coast Integrating Services Place Based Response Team (PBRT).**

The Integrating Services Initiative is delivered by the State Government to better coordinate responses to homelessness and housing need, particularly for people who are sleeping rough. This initiative includes the establishment of Place-Based Response Teams.

Place-Based Response Teams operate in nine locations: Cairns, Townsville, Mackay, Moreton, Brisbane, Redlands, Logan, Gold Coast and the Sunshine Coast.

The Sunshine Coast PBRT is focused on identifying and assisting people who are rough sleeping to access appropriate housing and other support solutions.

The PBRT membership consists of representatives from the DHPW, funded homelessness services, local housing providers and Sunshine Coast Council.