

Homelessness Protocol



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Maribyrnong
CITY COUNCIL

Homelessness Protocol

We acknowledge the Australian Aboriginal and Torres Strait Islander peoples of this nation.

We acknowledge the people of the Kulin nation as traditional custodians of the lands on which Maribyrnong City Council is located and where we conduct our business.

We pay our respects to ancestors and Elders, past and present.

We are committed to honoring Australian Aboriginal and Torres Strait Islander peoples' unique cultural and spiritual relationships to the land, waters and seas and their rich contribution to society.

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Mayor’s message

Homelessness is a significant issue across metropolitan Melbourne, with growing numbers of people presenting to homelessness services.

The Maribyrnong Homelessness Protocol reflects Council’s commitment to preventing homelessness, and improving social justice and health and wellbeing outcomes for our community.

It further reflects our commitment to advocate for increased funding for homelessness services, and social and affordable housing development.



What is homelessness?

For the purposes of this protocol, the following cultural definition of homelessness will be used:

Primary homelessness

People without conventional accommodation including sleeping rough on the streets or under bridges, camping in parks, squatting in derelict buildings, living in cars or railway carriages, or living in improvised dwellings, such as sheds, garages or cabins.



Secondary homelessness

People moving between temporary accommodation such as friends or relative's houses, otherwise known as 'couch surfing'. People staying in refuges, hostels or boarding houses on a temporary basis (for less than 12 weeks).



Tertiary homelessness

People who live in a single room in a rooming house without their own bathroom, kitchen or security of tenure.



Marginally housed

People in housing situations close to the minimum standard.



The causes and impacts of homelessness

The primary causes of homelessness are structural factors including poverty, housing affordability and housing insecurity and other cost of living impacts, such as food, health care, and utility costs.

Tony Nicholson's report found that people sleeping rough reported a significant increase in mental health problems and alcohol and drug dependency issues as a result of homelessness (Nicholson, 2017).

The other key causes of homelessness are individual factors including family violence, mental health problems, alcohol and other drugs and prisoner release (i.e. former prisoners experiencing homelessness or at risk of homelessness).

This impacts significantly on chronic homelessness and people cycling in and out of homelessness and continuing to experience poverty and social isolation (Nicholson, 2017).

Homelessness can often involve an interrelationship between different causes and impacts.

The prevention of homelessness

The prevention of homelessness refers to policies, practices and interventions that reduce the likelihood of someone experiencing homelessness.

housing security, reduce social isolation and encourage community participation and social inclusion (Gaetz and DeJ, 2017, p 35).

It means providing people who are experiencing homelessness or at risk of homelessness with the resources and supports to create the opportunity for

Council's approach to homelessness

Council's approach to homelessness is based on the principles of social justice and harm minimisation or prevention.

Social justice is the pursuit of equal rights and equal opportunity for all people in our community.

Social justice seeks to redress the impact that social and economic inequalities have on both the people experiencing it and the wider community.

The harm minimisation or prevention approach to managing the causes and impacts of homelessness, is based on the key determinants of the health model for harm minimisation.

The determinants of health include gender, income and social status, education, physical environment, social support networks and access to health services. (World Health Organisation 2019).

This model states that the context of people's lives determine their health, and so blaming individuals for having poor health or crediting them for good health is inappropriate.

Individuals are unlikely to be able to directly control many of the determinants of health (World Health Organisation 2019).

Council's approach aligns with the Council Plan 2017-2021, which incorporates the Health and Wellbeing Plan, and the Human Rights and Social Justice Framework 2017-2021.

This framework provides a foundation for Council's commitment and actions to protect human rights and promote social justice in the City of Maribyrnong.

Council's approach to homelessness also aligns with Gender Equity Strategy – Towards Gender Equity 2030.

The objectives of this strategy include:

- Strengthen Council's response to family violence and violence against women.
- Ensure the development of policy, programs and services considers the specific impacts of gender inequity on health, wellbeing and safety.
- Increase the number of safe and gender equitable facilities and public environments.

Family violence is the number one cause of homelessness for women in Australia.

40 percent of women who are clients of specialist homelessness services cite family violence as the main reason for seeking assistance (Council of Homeless Persons 2019).

Council's approach to homelessness further aligns with the following legislation:

- Local Government Act 1989.
- Public Health and Wellbeing Act 2008.

- Victorian Charter for Human Rights and Responsibilities 2006.
- Maribyrnong City Council General Purpose Local Law 2015.
- Child Safety Standards and Maribyrnong Youth Services
- Statement of Commitment to Child Safety.

Further information on the policy and legislative alignment is contained in Appendix 1.

In addition, Council's approach reflects the work of the Inner Melbourne Action Plan (IMAP) on homelessness. This includes improving service coordination across the five IMAP Councils and advocating to the State Government for further funding for homelessness services.

Purpose of the Homelessness Protocol

The purpose of the Homelessness Protocol is to provide a framework for Council to respond to people who are experiencing or at risk of homelessness in the City of Maribyrnong and encourage the implementation of prevention strategies.

Objectives

- People experiencing or at risk of homelessness request information from Council about where to go for assistance.
- Improve service coordination between Council and the Assertive Outreach Network for the provision of homelessness services and support.
- Highlight the level and complexity of homelessness in the municipality by monitoring the extent and type of homelessness in Maribyrnong and the western region.
- Advocate for increased investment in homelessness services and social housing in the City of Maribyrnong and the western region.

When will the protocol be applied?

The protocol will be applied when:

- Persons experiencing or at risk of homelessness requests information from Council about where to go for assistance.
- Members of the community request support from Council for a person who is experiencing or at risk of homelessness.
- Council officers become aware of a person who is homelessness who is sleeping in a public place.

Where the protocol will be applied?

The protocol applies to public places such as parks, open spaces and community facilities which are accessible to the public and which are Council owned, controlled or managed.

The protocol does not apply to private property.

Housing and emergency relief services in the City of Maribyrnong

The Housing and Emergency Relief Services resource provides a guide to key services in the City of Maribyrnong.

These services help to address the immediate basic needs in times of crisis and can act as a safety net for people experiencing financial distress.

They can also assist with referral to more intensive support services such as financial counselling, mental health, family violence or alcohol and other drugs support.

Assertive Outreach Network

The Assertive Outreach Network (AON) was established in the western region of Melbourne in 2002.

The purpose of the network is to support people who present at the services who are homeless or at risk of homelessness (AON, 2017).

The agencies participating in the AON include homelessness support and local, State and Federal Government agencies.

The participating agencies include: cohealth, Unison, Salvation Army, Saltwater Mercy Health, Wintringham Housing and Support, Maribyrnong City Council, Department of Health and Human Services and Centrelink (AON, 2017).

Unison Intake Assessment and Planning service

The Unison Intake Assessment and Planning (IAP) service provides support for people who are homeless or at risk of homelessness.

This includes providing assessment, referral, advocacy and financial assistance to help people access crisis and transitional housing, support

services, private rental, public and community housing.

The Unison IAP service operates out of a central location in Seddon and an outpost in Werribee (Unison, 2019, p 10).

Principles and actions of Council's response to homelessness.

The following principles provide a basis for how Council will respond to people who are homeless or at risk of homelessness in the City of Maribyrnong.

Principle 1

Provide a consistent and informed response to requests for assistance.



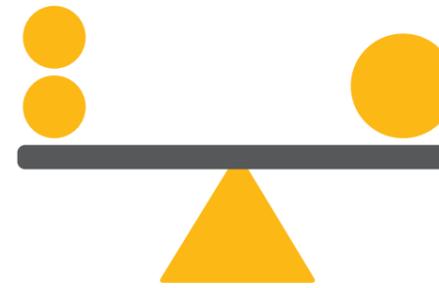
Actions:

- A copy of the Housing and Emergency Relief in Maribyrnong resource will be provided to all Council officers and people requesting assistance.
- Council officers may refer a person to the Unison IAP Service and other services outlined in the Housing and Emergency Relief in Maribyrnong resource if:
 1. Customer Services or other Council services or facilities receive a phone call, email or social media message from a member of the public or a person who is homeless or at risk.

This includes Community Centres, Neighbourhood Houses, Libraries, Phoenix Youth Services and the Maribyrnong Aquatic Centre.
 2. A person who is homeless or at risk presents at Customer Service or other Council service or facility.
- If Council officers decide to contact Unison IAP Service directly, they may request personal information to assist with the referral.
- All requests related to homelessness will be logged in Council's Customer Request Management (CRM).
- Training and education will be provided to relevant Council officers in partnership with local homeless service providers.

This includes Council officers who are in Customer Service and other Council owned facilities or services.

Principle 2



Balance the rights of all people to be in public places, while respecting public safety, when responding to people sleeping rough or in an improvised dwelling in a public space*.

Actions:

- If Council officers become aware of a person sleeping rough or in an improvised dwelling in a public place, they will contact cohealth First Response or Unison IAP Service which are listed in Housing and Emergency Relief in Maribyrnong.
- Council officers should not approach a person who is sleeping in a public place directly.
- Council officers will contact 000 if the person is unwell or at risk of harming themselves or others.
- If the person is under 16, Council officers will report to Police 000, even if the person is accompanied by an adult.
- Council Local Laws officers will undertake an inspection to determine if the person is camping under the General Purpose Local Law 2015.
- Under the General Purpose Local Law, a notice to comply will be issued if the inspection determines that it is camping. Local Laws officers may request personal information to issue a notice to comply.
- A person receiving a notice to comply needs to contact Council after receiving the notice, to acknowledge the notice and request time to remove personal items. The belongings of a person who is determined to be camping will be respected and will not be arbitrarily interfered with.
- All requests relating to sleeping in public places will be logged in CRM for investigation and referral.
- Training and education will be provided to Council officers who become aware of person sleeping in public place, in partnership with local homeless service providers. This includes Council officers in Local Laws and other Council owned facilities or services.

*(Public space includes a park, street, Council or community facility or car).

Principle 3



Actions:

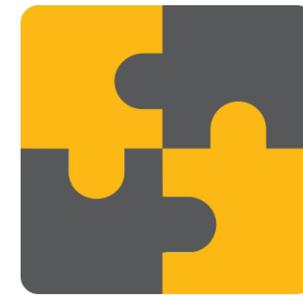
- Council will ensure that its programs and services are welcoming and inclusive.

This reflects the Human Rights and Social Justice Framework Pillar 4 Practice, which promotes equity of access to the municipality's services and public places.

**Maintain
commitment to
equity of access to
services and public
places.**

Principle 4

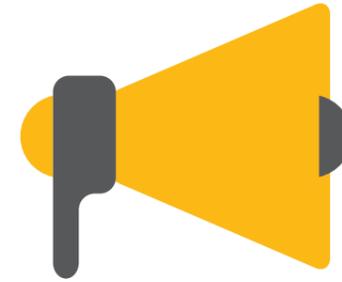
Maintain collaborative partnerships between Council, homelessness services, and local police and emergency services.



Actions:

- Council officers from the Community Services Division will regularly attend Assertive Outreach Network (AON) meetings.
- Council officers from Community Services and Regulatory Services will liaise with homelessness services, local police and emergency services.
- Council will provide information on its website and through the AON.

Principle 5



Actions:

- CRM data and data from AON agencies will be used to help monitor homelessness in the City of Maribyrnong to inform advocacy.
- Council will work collaboratively with the Inner Melbourne Action Plan (IMAP) councils and western region Councils' to advocate for increased investment in homelessness services and social housing.

Use information about homelessness in the City of Maribyrnong, to advocate for increased investment in homeless services and social housing.

Principle 6

Encourage local communities to treat people experiencing homelessness with care, dignity, safety and respect.



Actions:

- Council will promote awareness of the causes and impacts of homelessness through its advocacy and publications.
- Council will refer people who make contact in relation to homelessness, to information on the Council website.

Appendix 1: policy and legislative context

Council Plan 2017-2021 (Incorporating the Municipal Public Health and Wellbeing Plan)

The Council Plan 2017-2021 is a legislative requirement under the Local Government Act 1989 and the Public Health and Wellbeing Act 2008. The Council Plan incorporates the Municipal Public Health and Wellbeing Plan which outlines Council's commitment and approach to health and wellbeing in the municipality.

The Wellbeing Commitment states that Council is committed to promoting and protecting the wellbeing of our community across all stages.

Council will achieve this through working to create and improve the physical, social, natural, cultural and economic environments that promote health and wellbeing.

The Strategic Objectives of the Council Plan include:

- **Objective 1: Strong leadership**
Council will proactively lead our City using strategic foresight, innovation, transparent decision making and well-planned, effective collaboration.

- **Objective 2: Health and inclusive communities**
Council will provide and advocate for services and facilities that support people's wellbeing, health and safe living, connection to community, cultural engagement and whole of life learning.
- **Objective 3: Quality places and spaces**
Council will lead the development of integrated built and natural environments that are well maintained, accessible and respectful of the community and neighbourhoods.
- **Objective 4: Growth and prosperity**
Council will support diverse, well-planned neighbourhoods and a strong local economy.
- **Objective 5: Mobile and connected city**
Council will plan and advocate for a safe, sustainable and effective transport network and smart, innovative city.
- **Objective 6: Clean and green**
Council will strive for clean, healthy city for people to access open spaces, cleaner air and water and respond to climate change challenges.

Local Government Act 2020

The Local Government Act 2020 outlines overarching governance principles and supporting principles, which are follows:

1. A Council must in the performance of its role give effect to the overarching governance principles.
2. The following are the overarching governance principles —
 - a. Council decisions are to be made and actions taken in accordance with the relevant law;
 - b. priority is to be given to achieving the best outcomes for the municipal community, including future generations;
 - c. the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted;
 - d. the municipal community is to be engaged in strategic planning and strategic decision making;
 - e. innovation and continuous improvement is to be pursued;
 - f. collaboration with other Councils and Governments and statutory bodies is to be sought;
 - g. the ongoing financial viability of the Council is to be ensured;

- h. regional, state and national plans and policies are to be taken into account in strategic planning and decision making;
- i. the transparency of Council decisions, actions and information is to be ensured.

Public Health and Wellbeing Act 2008

Under this Act, the function of a Council is to seek to protect, improve and promote public health and wellbeing within the municipal district and to apply the 'precautionary principle' to preventing and controlling public health risk.

General Purpose Local Law 2015

The purpose of this Local Law is to regulate activities and uses on any land in the municipality. This includes activities or behaviour which may be dangerous, or detrimental to the quality of life and the environment of the municipal district or which could compromise public safety, Council land or assets.

Part 6 of the General Purpose Local Law states that the owner or occupier of land must not allow any person to occupy land without a planning permit. This includes occupation of a person with a caravan or motor home, shipping container, tent or vehicle.

Maribyrnong Housing Strategy

The Maribyrnong Housing Strategy is the key strategic document for future residential development in the City of Maribyrnong.

It provides guidance on the types of development that are allowed in the City of Maribyrnong.

A key objective of the Housing Strategy is to increase the supply of affordable, public and social housing in the City of Maribyrnong.

Human Rights and Social Justice Framework 2017-2021

The purpose of the Human Rights and Social Justice Framework is to provide a foundation for Council's commitment and actions to protect human rights and promote social justice in the City of Maribyrnong community. It aligns with the vision, principles and values of the Council Plan 2017-2021 and will apply to all of Council's laws, policies, programs and services.

The framework has four key pillars:

1. Compliance

Upholding the Charter of Human Rights and Responsibilities Act 2006 and other legislation relating to human rights.

2. Culture

Developing a culture of understanding of human rights and social justice across Council to support local communities.

3. Advocacy

Advocating to reduce discrimination and disadvantage, and improve health and wellbeing in the municipality.

4. Practice

Promoting equity of access to the municipality's services and public places.

Charter of Human Rights and Responsibilities Act 2006

The Charter of Human Rights and Responsibilities Act 2006 (the Charter) is a law that sets out the basic rights, freedoms and responsibilities of all people in Victoria. It is about the relationship between government and the people it serves.

The Charter lets the Victorian community know about which rights the Victorian Government will protect, how it intends to do this, and what the consequences are for failing to do so. It gives public authorities rules and a framework within which to operate, and the community a language and principles with which to engage public authorities.

Public authorities such as Councils, police, hospitals and public schools must consider these rights when making decisions, creating laws, setting policies and providing services.

The Charter provides a framework to assess actions by a public authority that may limit human rights.

Gender Equity Strategy – Towards Gender Equity 2030

The vision of Towards Gender Equity 2030 is that all people in Maribyrnong flourish and live free from violence and discrimination and have equal status, rights, opportunities, representation and respect regardless of their gender.

The strategy has six objectives:

1. Ensure that our services are equipped to respond effectively to violence against women and family violence.
2. Work alongside the community to prevent gender based violence and normalise gender equality in public and private life.
3. Increase women's independence and role in decision making.
4. Ensure that the development of policy and programs and services considers the specific impacts of gender inequity on health, wellbeing and safety.

5. Increase the number of safe-equitable facilities and public environments to facilitate equal participation in community and civic life.

6. Take steps to be a safer and more gender equitable organisation.

Family Violence Protection Act 2008

The Act includes a range of initiatives to better protect those subject to family violence, usually women and children, and to make perpetrators accountable for their actions.

Child Safe Standards

In Victoria, all organisations that provide services or facilities for children and young people under 18 must implement Child Safe Standards to protect them from physical violence, sexual offences, emotional or psychological abuse and/or neglect.

The standards were introduced by the Victorian Government in response to the Betrayal of Trust Inquiry (the 2013 Parliamentary Inquiry into the Handling of Child Abuse by Religious and Other Non-Government Organisations).

Maribyrnong Youth Services' statement of commitment to child safety

Maribyrnong Youth Services and the City of Maribyrnong has zero tolerance for the abuse of young people.

All Maribyrnong Youth Services staff and volunteers are responsible for the care and protection of young people who participate in our programs, activities, and events. We commit to:

- Preventing the abuse of young people by identifying risks early and removing and reducing these risks.
- Taking all allegations and concerns about abuse very seriously and responding to them consistently, in line with our policies and procedures.
- Complying with all legal requirements, including reporting suspicions of abuse to police and/or child protection.

We celebrate diversity across our organisation. In particular, we promote the equal participation and cultural, emotional and physical safety of young people who are often marginalised.

This includes children and young people who are Aboriginal, from refugee or migrant backgrounds, who are same-sex attracted or gender diverse, and/or have a disability.

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