

**Public Housing
Customer Council**

Terms of Reference

**Version 2.4
January 2006**

Table of Contents

| | |
|---|----|
| Preamble..... | 2 |
| 1. Role of the Public Housing Customer Council | 3 |
| 2. Responsibilities of Members | 4 |
| 3. Membership of the Public Housing Customer Council..... | 4 |
| a). Number of Members | 4 |
| b). Criteria for Membership of the Customer Council..... | 5 |
| c). Selection Process | 5 |
| d). Selection Panel..... | 6 |
| e). Term of Membership..... | 6 |
| f). Replacement of Members Mid-Term | 7 |
| 4. Meetings..... | 7 |
| a). Frequency..... | 7 |
| b). Attendance | 7 |
| c). Content | 7 |
| d). Recommendations from Meetings | 7 |
| e). Submissions to Meetings..... | 8 |
| 5. Sub-Committees | 8 |
| 6. Confidentiality..... | 8 |
| 7. Conflicts of Interest | 8 |
| 8. Resourcing | 8 |
| a). General Operation | 8 |
| b). Communication Resourcing..... | 9 |
| c). Meeting Minutes | 9 |
| d). Reimbursement of Out-of-Pocket Expenses | 9 |
| e). Provision of Training..... | 10 |
| 9. Advisers | 10 |
| 10. Resolution of Internal Conflicts | 11 |
| a). Conflict Resolution Procedure | 11 |
| b). Censure Motion | 11 |

PREAMBLE

The Public Housing Customer Council represents a partnership between the Department of Housing and its tenants, where each works to achieve goals of mutual benefit. The Council is:

A forum to provide the Department of Housing with:

- **Advice on priorities for improvement in Public Housing service delivery,**
- **Feedback on policy and business rules and**
- **Advice on ways the Department can strengthen communication with tenants.**

The Customer Council has input into the Public Housing Business Plan and considers matters referred to it by regional or local forums. It also consults on Statewide issues being considered by central public housing staff. The Public Housing Customer Council is not a forum for discussing situations of specific individuals.

The Public Housing Customer Council provides advice to the Director-General, Department of Housing, through the Chair, General Manager, Operational Programs. Members of the Customer Council report to the Minister for Housing on a regular basis on their activities and achievements.

Members of the Customer Council are tenants who live in a range of locations and are representative of the tenant population in public housing.

In order to ensure wide representation of tenants across the public housing sector, the Council has been required to forge and maintain good communication links with all other tenant participation groups, including:

- Public Tenant Councils (PTCs)
- Regional Tenant Resource Services (RTRSSs)
- Neighbourhood Advisory Boards (NABs)
- NSW Housing Strategy Advisory Group (HSAG)

as well as those groups who have had limited access to Tenant and Community Initiatives Program, such as:

- Aboriginal people
- People from Non-English Speaking Backgrounds (NESB)
- Young people (18-25 years)
- People with disabilities.

Public Housing manages the portfolio owned by the Aboriginal Housing Office (AHO). As part of the management of AHO properties, the Department of Housing is required to provide opportunities for AHO tenants to participate on the Public Housing Customer Council. However, Public Housing also provides housing for Aboriginal people within mainstream housing. To ensure that Aboriginal people from both AHO properties and

mainstream properties are afforded every opportunity to participate, both are represented on the Customer Council.

The Public Housing Customer Council meets quarterly. It receives submissions from individual tenants, tenant groups and other stakeholders on issues relating to operational and strategic policy. To ensure the interests of all groups are considered, the Chair of the Customer Council can invite tenant representatives and advocacy groups to one-off meetings, as required.

The Public Housing Customer Council is a forum where:

- Members value diversity by recognising that we come from different cultures, communities and ethnic origins, and therefore have different perspectives and interpretations of what is most appropriate.
- The diversity of cultures, communities and ethnic origins will be acknowledged and respected as these reflect the diversity that exists in public and Aboriginal housing.
- The members will listen with patience and respect to all ideas and thoughts from the diverse perspectives that exist within the Council.
- The members will actively foster an environment where members will feel free to provide honest opinions and feedback is welcomed.
- The members will work at maintaining a positive relationship between tenants and the Department that will continue to be developed over time, including the involvement of new tenants, applicants and specialised groups

1. ROLE OF THE PUBLIC HOUSING CUSTOMER COUNCIL

The Public Housing Customer Council is a tenant group and comprises members who represent the interests of the broad range of tenants in public housing. Members bring a variety of expertise and stakeholder views to the Customer Council, but are not seen as the sole "advocate" for a particular group. They are expected to draw on established links they have with stakeholder groups.

The role of members of the Customer Council is to:

- a) Provide input to, comment on, and to help develop or improve policies and initiatives to benefit Public Housing customers
- b) Draw information, ideas and responses from public housing (ie. Tenants and applicants) through their networks in relation to key issues of concern.
- c) Broadly represent the interests of tenants and applicants, but not act as representatives of any particular stakeholder groups. This does not prevent members from raising local issues that may have broader implications for State-wide policies or that may be helpful for organisational learning.
- d) To provide feedback to tenants in relation to the issues raised at Council meetings.

It is expected that members will be committed to achieving a consensus view on issues being considered. However, where consensus cannot be reached, all members will have voting rights with the Chair holding the deciding vote. Varying views will be recorded.

2. RESPONSIBILITIES OF MEMBERS.

Members are expected to demonstrate that they are facilitating effective two-way communication between the Customer Council, Department of Housing and tenants they come in contact with. That is, that they are presenting tenant views at Customer Council meetings and communicating the outcomes of those meetings back to the tenants.

PHCC members are expected to:

- a) Participate constructively at Quarterly Customer Council meetings.
- b) Provide advice on relevant state-wide policy issues and to work with other Customer Council members, and the Department to improve services and policies affecting public housing customers.
- c) Respond in a timely fashion to email or postal correspondence relating to urgent matters arising between meetings.
- d) Provide constructive comment and advice on matters sent to members for comment between meetings.
- e) Utilise tenant and community networks to identify relevant issues for the Customer Council and to gain feedback on initiatives in between meetings.
- f) Provide feedback to the general tenant population by actively participating in the compiling of the quarterly newsletter to tenants.

3. MEMBERSHIP OF THE PUBLIC HOUSING CUSTOMER COUNCIL

a). Number of Members

The Public Housing Customer Council will comprise a total of 17 tenant members plus the Chair. The General Manager, Operational Programs, will chair the Customer Council.

The 17 tenant members will be comprised of:

- a) Four tenant members from each Division with a range of cultural and special interest backgrounds, including one representative who is strongly connected with a Regional Tenant Council.
- b) Included in the 16, at least 2 members will be sufficiently familiar with the customer issues of applicants that they can contribute to policy and operational matters concerning applicant customers. An applicant may be recruited if applicant's issues cannot be sufficiently represented by the tenant members.
- c) One tenant representative from Aboriginal housing who will be nominated by the Aboriginal Housing Office.
- d) The following special interest groups must be represented among the membership of the Customer Council.
 - i. Aboriginal
 - ii. Disability
 - iii. NESB
 - iv. Youth (18-25 years)
 - v. Applicants
 - vi. Aged
 - vii. Mental Health

b). Criteria for Membership of the Customer Council

In order to fulfil their role, Customer Council members will need to possess a range of skills and expertise.

Essential Criteria.

To be a member of the Customer Council the person must:

- a) Live in public housing or in an AHO dwelling.
- b) Possess good interpersonal communication skills, including listening skills.
- c) Posses the ability to communicate effectively in a formal meeting setting.
- d) Demonstrate respect for diverse points of view.
- e) Be willing to channel information between tenants, applicants and relevant groups.
- f) Have the ability and willingness to work constructively with the Department of Housing.
- g) Be able to demonstrate established structures for communication and consultation with tenants in the local area.
- h) Members supporting the interests of special interest groups must demonstrate that they have sound knowledge of issues related to the particular groups that they are supporting.

Desirable Criteria.

It is desirable that members be willing to use, or learn to use, email for communication purposes.

c). Selection Process

Aboriginal Housing Representative:

The Chief Executive Officer of the Aboriginal Housing Office will be asked to submit the names of at least three suitable nominees to the Minister for Housing, who will make the final selection.

Tenant Members.

Expression of Interest.

Advertisements for expressions of interest for selection to the Customer Council will be placed in various regional newspapers and the "Your Home" newsletter. The advertisements will also be distributed to RTRSs, PTCs and other tenant groups to be placed in local papers, displayed on community notice boards or otherwise distributed by these groups as widely as they are able.

Tenants interested in being considered for selection for the Council can be nominated by one of the following methods:

- a) Self –nomination
- b) Nomination by a tenant representative or advocacy group
- c) Nomination by a DoH staff member
- d) Nomination by an advocacy group or organisation that represents any of the essential interest groups. They are:
 - i. Aboriginal
 - ii. Disability

- iii. NESB
- iv. Youth (18-25 years)
- v. Applicants
- vi. Aged
- vii. Mental Health

Where a person is not self-nominated, the nominated person must be fully aware of and in full agreement with the nomination.

People interested in applying will be invited to call the PHCC Secretariat to receive an information package and nomination form. The nomination form will request information about the nominee such as how long they have lived in public housing or been an applicant, what links they have to community and/or tenant groups and what experience they have had in tenant participation or similar forums. The person will be invited to nominate a number of people who can act as referees to attest to their ability to fulfil the selection criteria. The Selection Panel will compare this information to the selection criteria to determine the person's suitability for appointment to the Customer Council. The Selection Panel may also contact Team Leaders, Area Managers, or other senior staff members to request information regarding their experience with the nominated person's ability to fulfil the selection criteria.

The nomination forms will be culled and divided into representative groups by a Selection Panel. The Selection panel will conduct interviews with the short listed nominees and make recommendations for appointment to the Customer Council of suitable candidates. In the event that there are more suitable nominations than vacant positions on the Customer Council, an eligibility list will be formed which may be used to fill any casual vacancies that may occur during the term of the Council.

The final decision on membership of the Public Housing Customer Council will rest with the Minister for Housing.

d). Selection Panel

The selection panel will consist of

- i. One senior Department of Housing representative.
- ii. One senior Aboriginal Housing Office representative
- iii. One independent who has had experience with customer participation ideals and activities.

e). Term Of Membership

The Term of membership of the Customer Council is 2 years. At the end of their Term, the member can renominate, or be renominated, for a second term. At the end of a second term of membership the person becomes ineligible for nomination for at least 2 years. While existing members can re-nominate at the end of their first term, preference for membership to the Council will be given to new participants provided they can demonstrate that they have the necessary skills and capacities and that those skills and capacities are equivalent to or exceed those possessed by the renominating outgoing member.

The positions of half the Customer Council will be declared vacant each year. This will mean that half of the Customer Council membership will be rotated each year, providing for continuity while introducing new members.

f). Replacement of Members Mid-term

If it becomes necessary to replace a member of the Customer Council before their term has ended, the following method will be used:

Member Appointed by the Aboriginal Housing Office

The Aboriginal Housing Office will be asked to nominate a suitable replacement.

Tenant Member

An eligibility list will be created from the recruitment process. If it becomes necessary to replace a selected member, the eligibility list will be activated and the position offered to the next most suitable person on the list from the same Division as the vacating member.

4. MEETINGS

a). Frequency

The Public Housing Customer Council will meet quarterly.

b). Attendance

If a member is absent from two meetings within a twelve-month period their membership on the Council will be subject to review. Extenuating circumstances such as illness, will be taken into account in this review. (See Section on "Term of Public Housing Customer Council" for details of how a member may be replaced mid-term.)

c). Content

The Public Housing Customer Council is not a forum for discussing situations of specific individuals. However, time will be included on the Agenda of Council meetings during which Council members can discuss, in camera, issues of concern. Once agreed on, the issues of concern will be put to the Department during an Open Forum Session. The Department will endeavour to address these issues at the meeting. Where necessary issues of concern may be deferred for attention at the next meeting allowing the Department to research the matter and provide necessary material and staff for constructive discussion at that next meeting.

d). Recommendations from Meetings.

The Council may make recommendations to the Department. These recommendations will be sent in the form of a memorandum to the relevant section within the Department, by the Secretariat, through the Chair.

The Council may, from time to time, make recommendations to the Aboriginal Housing Office. The Chair will send these recommendations to the Executive Officer of the Aboriginal Housing Office in the form of a memorandum.

e). Submissions to meeting.

The Customer Council will receive submissions from individual tenants, tenant groups and other stakeholders on issues relating to operational and strategic policy.

Submissions to the Customer Council are required to be made in writing addressed to the Secretariat and must set out clearly the issue for consideration by the Council. The matter for consideration must relate to operational and strategic policy, however, the writer may use local or regional events to illustrate the issue. All matters that are of an individual, local or regional concern will be referred to the General Manager of the relevant Division.

The Council, through the Chair, may invite tenant representatives or advocacy groups to one-off meetings as required, to ensure that the interests of all groups are considered.

5. SUB-COMMITTEES

The Council may establish sub-committees of its members if the need arises, based on priorities identified by the Department and the Council. These sub-committees would report back to the Council and would be supported by Public Housing within the limits defined in the Section on "Resourcing".

6. CONFIDENTIALITY

The same laws and regulations that bind Department of Housing staff apply to members of the Customer Council. At the beginning of their Term of Office, members will be required to sign a Confidentiality Agreement, outlining clearly when confidentiality provisions apply.

7. CONFLICTS OF INTEREST

Members will be expected to declare conflicts of interest. Where a declaration is made the meeting will determine whether the member will abstain from the discussion, voting on recommendations, or absent themselves from the meeting.

8. RESOURCING

a). General Operation

Public Housing will resource the Council by arranging meetings, taking and disseminating minutes and coordinating the development of papers for agenda items. Public Housing will also ensure regular reporting and information flow-on to other groups within the TP Framework.

Public Housing will allocate the following resources:

- General Manager, Operational Programs, to chair quarterly Council meetings
- Manager, Client Service Strategy Unit to provide technical advice and attend Council meetings, as required
- Manager Housing Contact Centre to provide technical advice and attend Council meetings, as required
- Area Managers to provide advice and attend Council meetings, as required

- Senior Policy Officer to advise on Aboriginal issues and attend meetings, as required
- Project Officer to work on Tenants Participation activities related to the public housing Customer Council and attend quarterly Council meetings.

The Department of Housing will provide a budget each year to adequately provide for the operation of the Customer Council. This budget will cover the accommodation and travel costs associated with bringing regional members to Sydney for the quarterly meetings. Metropolitan members are expected to pay their travel costs out of their monthly allowance.

b). Communication Resourcing.

Communication to tenants in general about the Council meetings will be by way of:

- a) A dedicated insert in the "Your Home" newsletter
- b) Placement of information about the Customer Council on the Department's Internet Website

c). Meeting Minutes.

The Department will provide a minute taker for each meeting. The draft minutes will be distributed to members as soon as possible after each meeting. After minutes have been ratified at the next meeting, the minutes will be published on the internet.

Opinions or comments expressed by individual members will not be attributed to that person in the minutes, unless the Secretariat is specifically asked to do so by the member(s) concerned, e.g. to record strong dissent or abstinence from a vote.

Members who move and second the motion to accept the minutes of the previous meeting will be named in the minutes. Members who move and second any other motions will not be named in the minutes.

Questions on Notice put forward by individual members will be attributed to that member in the minutes.

In the event of a censure motion the minutes will only reflect the outcome of the censure motion and will not name the member censured or details of the reason for the censure motion. Details of the censure motion will be kept in a confidential file and only referred to in the event of the Department needing to review a member's membership of the Council.

d). Reimbursement for Out-of-Pocket Expenses:

The Department will make reasonable provision for covering the tenant members' costs associated with their duties as Customer Council members.

- a) Council members will receive \$40 per month to cover out-of-pocket expenses such as telephone and travel costs associated with Council business. Any expenses over this amount will require receipts before reimbursement will be made.

- b) Council members who live in the Sydney Metropolitan area are expected to pay their travel costs to PHCC meeting from this allowance. The Department will cover flight, long distance taxi or car travel and overnight accommodation costs.
- c) Council members with Internet connection at home, or those who demonstrate that they pay to access the Internet for Council business, will be paid \$10 per month to supplement their Internet access.
- d) To receive this payment, members must have made a reasonable effort to responded to email correspondence related to Council matters during that month.
- e) Before each meeting, Council members will provide brief reports to the Secretariat and Chair in relation to their networking activities.
- f) Payment of their monthly allowance will be on the provision that these reports indicate that they have made reasonable efforts to network with other tenants and/or relevant special interest organisations.
- g) Members will be given access to Department of Housing offices for photocopying, when required. Arrangements can be made by contacting the PHCC Secretariat.

e). Provision of Training.

In recognition of the expectations that are placed on Customer Council members, the Department acknowledges training in the following areas may need to occur:

- a) Meetings skills
- b) Communication skills
- c) Decision-making skills
- d) Understanding the structure and business of the Department of Housing
- e) Using PC's and Email

This training may be provided through workshop style training conducted by Department of Housing staff or consultants or by the provision of the resources for the Council member to attend a suitable approved course at an accredited training institution.

Provision of training in using the Internet and Email is conditional on the commitment by the Council member to use these skills in fulfilling their role as a Customer Council member.

9. ADVISERS

Advisers may be invited to attend the Customer Council for special issues and to strengthen links with stakeholders and interest groups. The Chair may invite appropriate individuals to attend in this capacity. Any requests by Customer Council members or external requests for advisers to attend must be directed to and approved by the Chair. Advisers will not have voting rights on the Council.

Some suggested advisers include representatives from:

- Housing Contact Centre
- Client Feedback Unit
- Client Service Strategy – Housing Systems
- Client Service staff
- Office of Community Housing
- Aboriginal Housing Office
- Policy and Strategy Directorate
- Housing Appeals Committee

Advisers from other groups may be invited to attend Council meetings, as appropriate.

10. RESOLUTION OF INTERNAL CONFLICTS

a). Conflict Resolution Procedure.

Conflicts between members (in their capacity as members) of the Council will be dealt with in 2 stages.

State 1. Informal mediation. The Department will utilise the skills of suitably qualified staff members to conduct an informal mediation session with the members in conflict.

Stage 2. Formal mediation. If the informal mediation does not resolve the conflict the matter will be referred to a Community Justice Centre for mediation in accordance with the Community Justice Act 1983.

At least 7 days before a mediation session is to commence, the parties are to exchange statements of the issues that are in dispute between them and supply copies to the mediator.

Where the conflict involves the majority of members of the Council, a group mediation session may be required.

b). Censure Motion.

Members may choose to censure a Council member or members for inappropriate behaviour or comments that are determined by majority vote to be in breach of the Terms of Reference or are discriminatory in any form. Examples of inappropriate behaviour or comments could be racist remarks, derogatory comments, about other tenants, Departmental staff members, Council members or any other person, group or organisations, or physical or verbal abuse of another Council member or Departmental staff member.

In the event that a Council member finds another member's comments or behaviour to be offensive, the offended member may ask for a verbal apology through the Chair. The Chair, at his/her discretion, can request the offending party to apologise. Alternatively the offending member, once the offence is brought to their attention, may offer an apology. If no apology is offered or the offended member finds the apology unacceptable, or the offending member refuses to apologise, the offended member may move a censure motion to either:

- Note in the minutes that the offending members' comments or behaviour is deemed inconsistent with the spirit of cooperation, tolerance and partnership indicated in these Terms of Reference;
- Request that the offending member remain in the meeting room, however, without any active role in the meeting for a period to be determined by the members as part of the Censure motion;
- Request that the offending member apologise or be excluded from the current meeting until such apology is given; or
- Request that the offending member removes himself or herself from the meeting for the duration or a specified period of time of that meeting, and apologise for the offensive behaviour or comments.

The censure motion must be moved by a Council member and seconded by a second member. The motion will then be put to the vote by secret ballot. The motion is passed if the majority of votes are in favour.

At any time while the member is excluded from the meeting, the excluded member may offer an apology to the Council. If this apology is acceptable to the council then the excluded member may be readmitted prior to the end of the exclusion period. Should a censured member continue to engage in unacceptable behaviour or continue to make unacceptable comments the censured member's position on the Council may be subject to review by the Department. This review will determine if there are alternative courses of action that can be followed to effect reconciliation or if the offending member's membership should be terminated.