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**Submission to the
Productivity Commission Inquiry
into the National Housing and
Homelessness Agreement**

March 2022

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About Anglicare Australia

Anglicare Australia is a network of independent local, state, national and international organisations that are linked to the Anglican Church and are joined by values of service, innovation, leadership and the Christian faith that every individual has intrinsic value. Our services are delivered in partnership with people, the communities in which they live, and other like-minded organisations in those areas. With a combined income of over \$1.97 billion, a workforce of almost 19,000 staff and 8,000 volunteers, the Network delivers more than 50 service areas in the Australian community. Our services are delivered to over 550,000 people.

Our Network members provide housing and homelessness services to 28,500 clients across Australia. Our homelessness services include early intervention, outreach support, and crisis accommodation. Network members also manage a range of housing types, including social and affordable rental housing.

As part of its mission the Anglicare Australia Network “partners with people, families and communities to provide services and advocacy and build resilience, inclusion and justice.” Our first strategic goal charges us with reaching this by influencing “social and economic policy across Australia with a strong prophetic voice; informed by research and the practical experience of the Network.”

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Contents

| | |
|--|----|
| About Anglicare Australia | 2 |
| Contents | 3 |
| Introduction | 4 |
| Improving the NHHA | 5 |
| A rights-based Agreement..... | 6 |
| A clear purpose..... | 7 |
| A strong governing framework..... | 8 |
| Ending the social and affordable housing shortfall | 9 |
| Waiving historic debt..... | 10 |
| Responding to homelessness..... | 10 |
| Conclusion | 14 |
| References | 15 |

Introduction

Anglicare Australia welcomes the opportunity to make this submission to the Productivity Commission's Inquiry into the National Housing and Homelessness Agreement (NHHA). The NHHA underpins the Australian Government's funding for housing and homelessness services. State and territory governments, who have constitutional responsibility for these areas, provide additional funding. They also directly operate, fund, and regulate the delivery of social and affordable housing and homelessness services.

Too many people in Australia are unable to find or afford a home to live in, and too many people are experiencing or at risk of homelessness. The private rental market is failing people on low and moderate incomes and those with particular housing needs, such as people with disability.

The purpose of the NHHA should be to drive an increase in social and affordable housing dwellings and the capacity of specialist homelessness services (SHS) to support people at risk of or experiencing homelessness. Its funding and outputs should reflect this. Sadly, the current Agreement is not adequately funded, and there is a lack of policy capacity, commitment, and leadership in the Federal Government, both within the Cabinet and the public service.

The Commonwealth is the only level of government that can provide the necessary funding and leadership to help ensure that every Australian has access to a home they can afford, and that nobody is turned away from a homelessness service.

The Productivity Commission has only been tasked with examining the NHHA itself, however the Agreement does not operate in a vacuum. A wide variety of other policy areas affect our housing system. These range from macroeconomic policy, unemployment rates, our tax and transfer systems, and our planning systems, to name but a few. This submission examines the NHHA in this broader context. The recommendations relate both directly to the Agreement, as well as to broader areas of policy that governments have responsibility for.

Improving the NHHA

The NHHA is an agreement between the Commonwealth and the states and territories.ⁱ Currently, the most important function of the NHHA is to act as a vehicle to shift funding from the Commonwealth to the states and territories to help pay for Australia's social housing and homelessness systems.

This has not always been the case, however. This Agreement and its predecessors date back to 1945.ⁱⁱ Early Agreements were responsible for massive investment in post war social housing stock in Australia. They also operated within a context of considerably greater Commonwealth involvement and leadership, including significant resources for policy development and coordination within the Australian Public Service.

However, the level of funding in the Agreement has decreased over time, as has the Commonwealth's policy capacity. This decline in funding, and a new ability from 1996 for state and territory governments to use this source of Commonwealth funding to prop up their existing social housing systems, rather than use it only for capital acquisitions, exacerbated the decline in the proportion of social housing stock in Australia relative to overall housing stock, which is ongoing.

The result of these changes is that the amount of social housing has barely changed in the last decade. In 2012 there were 394,460 social housing dwellings in Australia. The most recent data has this figure at 400,792.ⁱⁱⁱ Four states, Victoria, NSW, Western Australia, and South Australia have announced state-funded programs to build new social housing. Despite this, Professor Hal Pawson from the University of NSW notes that

“even in the states that have initiated post-pandemic social housing programs, build rates at expected levels are only a little above those needed simply to keep pace with growing population (and housing need).”^{iv}

The supply of affordable housing for people on low to moderate incomes is also severely constrained. There has been limited new affordable housing added to Australia's rental stock since the Australian Government axed the National Rental Affordability Scheme (NRAS) in 2014. NRAS was established in 2007, and helped add an additional 38,000 affordable rental dwellings. Payments from the Australian Government to support affordable rentals in the remaining NRAS dwellings will expire in 2026.^v

As a result of this undersupply, waiting lists for social housing are long, leaving many people waiting months or years. Only people in the most immediate crisis are allocated housing. This chronic, long-term underinvestment in social and affordable housing has been combined with the massive failure of the private housing market to respond to housing need or affordability. Anglicare Australia's annual Rental Affordability Snapshot paints an increasingly dire picture of Australia's private rental market. In 2021 our snapshot looked at over 74,000 private listings across Australia. It found just three rentals properties that were affordable for a single person on the JobSeeker payment. Each of these were shared accommodation listings. Only two per cent of rentals were affordable for a couple living on the Age Pension.^{vi}

In its most recent assessment of Australia's future infrastructure needs, Infrastructure Australia included social and affordable housing for the first time, recognising both the crucial role that it plays as social infrastructure as well as the extreme pressure that Australia's social housing systems are under.^{vii}

The estimated national shortfall of social and affordable rental housing stock for low-income households is 437,586 dwellings. This shortfall is growing rapidly. By 2036 it is estimated that there will be a shortfall of nearly 730,000 dwellings.^{viii} Yet the current rate of non-private dwelling construction is the lowest it's ever been since the availability of data in 1955.^{ix} Governments are contributing less than they ever have before to building housing for low-income earners.

Just to maintain the current share of social housing as a proportion of Australia's housing stock will require construction of 15,000 new social housing properties a year.^x Our current rate of new social housing construction is about 3,000 dwellings a year.^{xi}

A rights-based Agreement

Anglicare Australia believes that the NHHA should be redrafted to include rights-based language. This is not without precedent. The National Affordable Housing Agreement, which commenced in 2008, combined the funding from the previous Commonwealth State Housing Agreement (CSHA) and the previous Supported Accommodation Assistance Program (SAAP). The SAAP program provided Commonwealth funding for homelessness services between 1994 and 2008. It was established under the legislative framework of the Supported Accommodation Assistance Act 1994.^{xii} This Act specifically mentions Australia's ratification of the International Covenants on Economic, Social and Cultural Rights and on Civil and Political Rights. The Act's preamble notes that:

“Legislation relating to homeless people should include a focus on the provision of appropriate support to meet the individual needs of the clients of the Supported Accommodation Assistance Program (“SAAP”) and on their right to an equitable share of the community's resources.”

One of the objects of the Act is to:

“promote an image of people who are homeless that emphasises their human dignity and the fact that, irrespective of their current circumstances, they are entitled to opportunities that will enable them to participate fully in community life.”

The list of outcomes, outputs, and roles and responsibilities in the current Agreement is positively anodyne in contrast.

The use of rights-based language in legal documents can play an important role in how services are ultimately delivered. Language sets the tone of a document and the spirit in which programs and services are delivered, and reflects priorities. Most importantly, it ascribes value to what is being

legislated or funded. In the case of the Supported Accommodation Assistance Act 1994, the intrinsic value of people experiencing homelessness, and their right to receive support sat front and centre.

Anglicare Australia believes that the NHHA should be revised to adopt a rights-based framework. It must make clear that access to safe and affordable housing, and support for people at risk of or experiencing homelessness, is a right. The objects of the National Disability Insurance Scheme Act 2013 provide an excellent template for a revised, rights-based, housing and homelessness agreement, or an Act for one to sit under.^{xiii}

Recommendation

Anglicare Australia recommends that the next Commonwealth-State housing and homelessness agreement adopt rights-based language that reflects the intrinsic value of people and their right to access housing that is appropriate and affordable and their right to receive assistance if they are at risk of or experiencing homelessness.

A clear purpose

The purpose of the existing NHHA is not clear. There is a mismatch between the stated goals of the Agreement, which are broad, and what the funding provided through the Agreement is actually used for by state and territory governments, which is to prop up their social housing systems and fund specialist homelessness services.

The issues paper produced by the Productivity Commission for this Inquiry quotes the now disbanded Council of Australian Governments, which observed that “intergovernmental agreements seek to improve the wellbeing of Australians by establishing a framework for government cooperation. This is achieved through shared objectives, coordination of national policy reforms, improved transparency and accountability, clarified roles and responsibilities, and funding arrangements. The paper adds that “co-operation between governments has historically been the purpose of Commonwealth–State housing agreements.”^{xiv} While Commonwealth-State housing agreements have played this role, this is just one function they have had.

Historically, a more important function for these agreements has been to play a crucial role as mechanisms for funding state and territory governments to deliver housing outcomes, and driving a coordinated national policy agenda. They were used to address the vertical fiscal imbalance between the Commonwealth and the states and territories, and funded housing construction and service provision that the states and territories would otherwise have struggled to.

The current NHHA is a weak version of what Commonwealth-State housing agreements once were and what they ought to be. It should not be left to state and territory governments to do the heavy lifting. Housing and homelessness are national problems. Local solutions are important, but need to be delivered in the context of an agreed national policy and funding framework.

Recommendation

Anglicare Australia recommends that the Australian Government work collaboratively with state and territory governments and other key stakeholders to reposition the NHHA as the central policy framework to support the delivery and ongoing funding of social and affordable housing programs and to fund homelessness services.

A strong governing framework

There needs to be additional, and enduring, funding to increase the supply of social and affordable housing. Anglicare Australia does not have a view as to whether this should be built into the NHHA or not. What the NHHA must do, however, is provide an agreed clear policy direction that is designed to improve housing outcomes and better respond to homelessness. We have previously called for a national housing plan to be developed. This still needs to happen, and such a plan could be included in the NHHA or be situated elsewhere. The Housing Ministers Committee, or a similar structure involving all housing ministers and their departments, could be re-established, and take ownership of the plan.

The primary goal of a national housing plan should be to address the shortfall in social and affordable housing supply so that the housing needs of low and moderate-income Australians are met. It should also articulate the need for different types of housing across Australia in the market, to help guide local policy and planning responses, as well as other policy areas, such as immigration. The plan should be revised regularly, and informed by data from a reconstituted National Housing Supply Council.

The NHHA should be the vehicle to operationalise a national housing plan, and provide the necessary detail and accountability structures needed to ensure that state and territory governments do the work within their own jurisdictions. To achieve this, two things must happen. Firstly, a revised NHHA should establish a nationally consistent reporting framework regarding how states and territories expend funds on housing and homelessness infrastructure and services, regardless of the source, and what outcomes are achieved. Current internal reporting arrangements, and therefore the detail that is provided to the Australian Institute of Health and Welfare data collections and the Productivity Commission's Report on Government Services, cannot be compared and contrasted.

Secondly, it should compel states and territories to spend funds appropriately and adhere to the reporting regime. Anglicare Australia does not have a view on how this should be achieved. It could be by tying Commonwealth funding, or funding accessed through Commonwealth supported programs, to direct housing and homelessness expenditure, and to ensure that this contributes to a net increase in housing stock and capacity to respond to homelessness, i.e. that as new housing is built or services funded, the same amount of existing housing or services are not sold or defunded. States and territories could also be required, for example, to increase net housing supply for particular cohorts of people. What is clear is that the very broad outcomes-based approach of the Rudd Government's attempt to reform federal-state funding arrangements was unsatisfactory.

Achieving this will require baseline data that does not exist. A national audit of all social and affordable housing stock, including location, accessibility, condition, maintenance requirements, and whether the land it sits on would be suitable for redevelopment, must be undertaken. This process would take some time, and should be funded by the Commonwealth.

Recommendations

Anglicare Australia recommends

- that the Australian Government lead a process to develop a National Housing Plan that will be operationalised by the NHHA.
- the development of a nationally consistent reporting regime for social and affordable housing programs. State and territory governments housing authorities and community housing providers alike should be compelled to participate in this reporting framework.
- a national audit of all social and affordable housing stock in order to establish baseline data and to assist with identifying gaps and planning for future need.

Ending the social and affordable housing shortfall

Australia is facing major shortfall in social and affordable housing. A 2018 study estimated a national shortfall of 437,586 social and affordable homes.^{xv} It also estimated that by 2036 there will be a shortfall of nearly 730,000 dwellings. However, this shortfall is growing rapidly. A more recent calculation by the National Housing Finance Investment Corporation (NHFIC) identifies the need for an additional 890,000 social and affordable homes over the next two decades, requiring a building program of 45,000 homes per year.^{xvi}

Ending this shortfall is the most important. However, the current rate of non-private construction is the lowest it's ever been.^{xvii} Whilst several state governments have announced building programs, the Federal Government has not taken the opportunity to solve a major social crisis for low-income households. However, the States alone will never be able to meet the scale of housing need alone.^{xviii}

The only way to end this shortfall is with a dedicated, long-term investment from the Australian Government. There are multiple options for raising these funds. For example, Associate Professor Nygaard of Swinburne University has proposed a Housing Boost Aggregator, which has been modelled on the Low Income Housing Tax Credits scheme in the United States and adapted to the Australian market.^{xix}

Anglicare Australia notes that the Federal Opposition has adopted the Grattan Institute's proposal for an "off budget" supply fund similar to the Medical Research Future Fund. Under this proposal, the ALP estimate that earnings from an initial investment of \$10 billion would deliver 20,000 social housing dwellings and 10,000 affordable housing dwellings in the first five years.^{xx} It is important to stress that this level of investment, while welcome, will not come close to meeting the social housing shortfall.

The advantage of an “off budget” approach administered by a statutory authority is that they drive investor confidence, and will help establish an investment class. It is crucial that there is bipartisan support for whatever growth vehicle or vehicles are adopted. An enduring funding commitment from the Federal Government is needed to respond to need and allow state housing authorities, community housing providers, and other stakeholders alike to plan for the future with confidence.

Recommendation

Anglicare Australia recommends a long-term funding commitment from the Federal Government to end the shortfall social and affordable housing, and reach levels determined as part of a National Housing Plan.

Waiving historic debt

Under the previous Commonwealth State Housing Agreements (CSHA), the Commonwealth loaned money to state and territory governments to be used for a variety of housing-related purposes. The loans were provided at a fixed interest rate discounted from the long-term prevailing market rate and the repayments structured so as to allow the loans to be fully repaid over a term of 53 years.^{xxi} These loans cannot be paid off faster by state and territory governments.

In 2013, South Australia negotiated for their debt to be written off. More recently, Senator Jacqui Lambie struck a deal with the Government to waive Tasmania’s housing debt.^{xxii} The remaining jurisdictions continue to have outstanding housing debt. The ACT Government, for example, spends \$6 million of the \$27 million it receives each year through the NHHA to service historic CSHA debt.^{xxiii} Interest is being charged on this debt at 4.5 percent per annum.^{xxiv} This debt will not be discharged until 2045.

The Commonwealth needs to immediately waive all existing housing debts. Doing so would free up state and territory governments to spend the money they currently used to service debt on housing and homelessness programs.

Recommendations

Anglicare Australia recommends that the Australian Government immediately waive all remaining historic debt accrued by state and territory governments under the previous CSHA.

Responding to homelessness

The number of people being turned away from SHS providers, or being unable to access stable accommodation after receiving homelessness support, is unacceptable. Data from the latest Report on Government Services (ROGS) show that in 2020-21, 32.3 percent of people experiencing homelessness with an identified need for accommodation were not provided with accommodation. There is considerable variation across, and presumably within, jurisdictions. In NSW, for instance, has a staggering 48.2 percent proportion of clients experiencing homelessness with unmet need. Put another way, just under half of the people who present at homelessness services who need somewhere to stay are turned away. The Northern Territory, surprisingly, has the lowest, 8.5

percent.^{xxv}

It is a grave mistake to fall into the trap of viewing these figures as an abstraction, a set of numbers in a data report. These figures represent people's lives during one of the worst crises imaginable. They also provide a glimpse into another side of this story, that of workers in SHS providers being unable to help people in crisis, turning them away, and knowing that with proper funding they could provide people the help they need. Although these workers will have somewhere to go home to, it is terribly taxing on them, too.

During the preparation of this submission, one of Anglicare Australia's members, based in a regional area, informed us that since the beginning of 2022 they have been receiving requests for homelessness support from an average of 11 clients per day. There is limited capacity within their own service or others operating in the area to provide the accommodation and other supports to meet this level of demand.

This member told us the story of a client that had presented that week:

Ms X presented to our agency after contacting the homelessness hotline and DV connect requesting support. She is 37 years old, a single mother with five children, and identifies as Aboriginal. Ms X has found herself homeless after having removed herself and her children from a domestically violent home. Ms X has family interstate, however conditions within their homes make it unviable for her to stay with them. She has no local friends or family as supports. Currently, with the family displaced, the children (all school age) have not been enrolled in school this year.

We were able to link Ms X with support services, however her ability to attend appointments and fully engage can be limited due to her parenting responsibilities. Ms X has approached refuges and hostels, and has been advised there are currently no vacancies. As a result of this, and in bid to keep herself and her children from being forced into street sleeping, she has self-funded accommodation stays in various caravan parks and motels, however this is no longer financially sustainable. Ms X has been unsuccessfully submitting private rental applications and has a current approval with the department of housing, however currently, there are no long-term solutions for her and her family.

Specialist homelessness services see clients like Ms X every day, and it is a national tragedy that in a country as wealthy as Australia that we are not able to help put a roof over their heads. This can and must change.

Anglicare Australia supports a housing first approach to responding to homelessness, however we recognise that specialist homelessness services will continue to be the first point of response and support for people at risk of or experiencing homelessness. Their expertise in supporting people in crisis, including working with particular cohorts of vulnerable people, is invaluable, as is the immediate and ongoing support they can offer their clients.

What is required is an immediate, and significant, increase in funding for specialist homelessness services. The turn away rate must be addressed. Further work across both Commonwealth and state and territory governments will need to be conducted to establish what funding quantum is required to close the current gap. The data from the ROGS reporting suggest that an overall increase in the order of 30 percent might be required to achieve this.

In the longer term the reporting and funding regimes for specialist homelessness services need to be reshaped. There is a lack of consistency in the way that data is reported by state and territory governments internally, and this affects the information that is gathered for the national data collections that are overseen by the Australian Institute of Health and Welfare and the Productivity Commission. Because the level of investment, and priorities, of different governments vary considerably, as do the way they report outcomes, it means it is not possible to properly compare policy and funding responses – and more importantly, outcomes – across jurisdictions. Anglicare Australia acknowledges that the current NHHA includes an agreement to improving data collection, but a standardised reporting framework for SHS providers and state and territory governments would be ideal. We appreciate that this will take some time to develop. It should be led by a subcommittee of senior public servants from all state and territory governments, homelessness peak bodies, and SHS providers from all jurisdictions. Secretariate support for this group should be funded by the Australian Government.

Adequate base funding for SHS providers is important for stability within the sector. Many SHS providers have deep and longstanding local connections, and many also specialise in working with particular cohorts. This must not be lost. However, they should also have capacity to fund additional shifts or hotel brokerage as required, so that nobody is turned away from homelessness services, especially back to rough sleeping or an unsafe environment.

The need for homelessness assistance fluctuates across regions and over time. There are peaks in demand. People do not find themselves homeless in a neatly spaced-out fashion. Demand is often inconsistent, and this causes challenges for service delivery agencies.

Other funding programs that the Commonwealth has responsibility for, such as Commonwealth Rent Assistance, childcare rebates, and the Pharmaceutical Benefits Scheme are uncapped. The architecture of the NDIS provides a good example of a program that operates differently to the fixed annual funding for homelessness. People's support packages change depending on their need.

The recent Parliamentary Inquiry into Homelessness in Australia, conducted by the House of Representatives Standing Committee on Social Policy and Legal Affairs, noted that “the allocation of funding under the NHHA is not sufficiently based on need, nor does it reflect the actual costs of providing services in different jurisdictions.” Based on the evidence they heard during the Inquiry, the Committee recommended that the Australian Government, in consultation with state and territory governments, “develop a needs-based funding methodology to be applied to future inter-governmental housing and homelessness funding agreements, to be completed no later than June

2022.”^{xxvi} Anglicare Australia supports this recommendation.

One way to create a more responsive homelessness support system that is based on need would be to allow SHS providers access to a “surge” fund that could allow them to respond to unexpected peaks in demand, or to draw on in the event of a natural disaster or other unexpected event, such as a pandemic.

The most important performance indicator for our homelessness response must be the number of people who are turned away from accommodation support. The goal should be as close to zero as is practicable.

Recommendation

Anglicare Australia recommends:

- that the Australian Government lead a process to develop a nationally consistent reporting regime for specialist homelessness service providers.
- an immediate, and significant, increase in funding for specialist homelessness services to reduce turn away figures for services.
- the development of a needs-based funding methodology for base-level funding in future agreements. This should allow specialist homelessness services to better manage surges in demand.

Conclusion

The housing affordability crisis continues to impact people across Australia, including those living in rural and regional areas. The rate of homelessness also remains stubbornly, and unacceptably, high. This submission has highlighted that housing affordability disproportionately impacts people on low and moderate incomes and marginalised groups, including people with disability and Aboriginal people who suffer discrimination, and struggle to find housing that meets their needs in the private market.

This crisis will not be solved by the invisible hand of the market. Rather, there is a strong role for governments to play in ensuring that every Australian has access to a home they can afford and that suits their needs. Australia's shortfall of social and affordable housing supply needs to be addressed as a social infrastructure priority. This work needs to be led by the Australian Government, and will require a substantial and enduring financial commitment.

The funding for such an investment does not need to be channelled through the NHHA. However, such an intergovernmental agreement should be the mechanism to drive a coordinated national policy agenda that increases the supply and overall proportion of social and affordable housing dwellings.

Likewise, the NHHA should form the framework of a nationally coordinated response to homelessness. That so many people are turned away from homelessness services every night is both a national tragedy and entirely avoidable. There is an urgent need for an immediate boost in funding for specialist homelessness services, with a focus on reducing the rate of people being turned away from services to as close to zero as is practicable.

Australia has a proud history of supporting people in need. The post-war investment in housing by the Menzies government shows that providing housing that meets people's needs when the market will not is possible. Likewise, the current Government's response to the Coronavirus pandemic in 2020 showed that poverty can be eradicated. The most efficient and equitable way to address these pressing social policy and infrastructure requirements is for governments to take the lead. The NHHA can and should sit at the centre of Australia's response to housing affordability and homelessness.

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