

Policy Statement

The National Regulatory System for Community Housing (NRSCH) aims to ensure that as part of good governance, Community Housing Providers comply with mandatory notification requirements and maintain high standards of probity in the organisation and operation of their business.

Pacific Link Housing will take a proactive approach in reviewing, disclosing and addressing issues of non-compliance as they arise. Notifications will be made in writing to the Registrar by the Manager, Governance & Compliance, on consultation with the CEO and the Board.

All employees and volunteers will be regularly made aware of what constitutes a notifiable incident and the company's reporting policy.

Purpose

The purpose of this Policy is to adopt the NRSCH Notification Guidelines to comply with the conditions of registration set out in Section 15 (2) (h) of the National Law. The Law requires that Pacific Link Housing notifies the Registrar, within the time specified, of the occurrence of any of the specified notifiable events that may have an adverse impact on its compliance with community housing legislation.

The Policy also requires Pacific Link Housing to maintain high standards of probity which includes maintaining the reputation of the community housing sector and making appropriate and timely notifications to the Registrar of certain types of incidents.

Scope

Pacific Link Housing must notify the NSW Registrar of Community Housing of:

- (i) a decision to appoint an voluntary administrator to the company or a decision to wind up the company – as soon as practicable after the decision,
- (ii) the appointment of a receiver to the company – as soon as practicable after the company learns of the appointment,
- (iii) a decision to apply for the cancellation of the company's registration - as soon as practicable after the decision and at least 28 days before the application is made,
- (iv) a change in the affairs of the company that may have an adverse impact on its compliance with the community housing legislation – before or no later than 72 hours after the change.
- (v) any other occurrence notified in writing to the company by the Registrar – within the time specified in that notice.

Change in affairs (item iv)

Changes in the company's affairs may have an adverse impact on its compliance with the community housing legislation. As registered community housing providers across Australia vary greatly in the size, scope and complexity of their operations ***it is the responsibility of the company to decide*** whether a change in its affairs may have an adverse impact on its compliance, and therefore whether it should notify the Registrar.

Some examples of changes in affairs that may impact on compliance:

- significant unplanned turnover and/or loss of senior staff or board members
- significant operational restructure
- corporate mergers, de-mergers or restructure
- plans to change corporate entity type

- new affiliations with other entities or significant change to existing affiliations
- significant system failures, for example unrecoverable data loss
- legal action against the company associated with potential financial and/or reputational costs
- changes to the company's constitution affecting the wind up clause that was in place and deemed eligible under the National Law when the company's registration was determined.

These examples are provided as a guide only and are not exhaustive.

Maintaining the reputation of the sector

Pacific Link Housing must notify the NSW Registrar of Community Housing of any incident involving the company that damages or may damage the reputation of the community housing sector within 72 hours of the event occurring. Some examples are:

- proven serious or repeated breaches of the provider's own code of conduct
- substantiated fraudulent or other criminal behaviour by staff, board members or volunteers
- death or serious injury to a tenant in a community housing property managed by the company, in circumstances where the standard of community housing services may potentially be seen as a contributing factor.

These examples are provided as a guide only and are not exhaustive.

Craig Brennan

Craig Brennan, CEO 21 September 2018