



Terms of Reference Community Housing Industry Council

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1. Purpose of the Community Housing Industry Council

The NSW Community Housing Industry Council (the CHIC) advises government on policies and strategies for the development of the community housing industry in NSW and maintaining effective policies and frameworks for managing the relationship between government and industry participants.

It aims to support the growth of the industry and to optimise the contribution the industry can make to meeting government objectives and community needs in order to strengthen the broader NSW housing system.

The CHIC is also responsible for monitoring the implementation of the Community Housing Industry Strategy (CHIS).

2 Overview

The CHIC is to provide a forum for the NSW Government and the community housing industry to develop strategic and operational approaches to the management and delivery of social and affordable housing.

The CHIC has been established as the community housing industry has a significant, and increasing, role in the provision of social and affordable housing. Community housing providers (CHPs) and Aboriginal CHPs manage over one third of social housing in NSW and recent Australian and NSW Government initiatives assume registered CHPs will have a significant role in the delivery and management of new social and affordable housing. The CHIC will identify Government policies and practices that could support CHPs in maximising such contributions and the action the community housing industry can take to ensure high standards in its operations.

While the Department of Communities and Justice (DCJ) convenes the CHIC, government membership is also drawn from across a number of departments and agencies recognising that housing strategy and policy is not the sole preserve of any one of them. The CHIC will include independent housing, economic and planning expertise to facilitate debate and will on occasion invite other stakeholders to contribute to discussion on topics such as:

- the community housing industry's role and potential contribution to helping the NSW Government meet its objectives on social housing outcomes,
- increasing the supply of affordable housing and sustainable communities and
- wider housing affordability issues.

The CHIC will also enable the community housing industry to contribute to the development of NSW housing and homelessness strategies and their programs. The CHIC will have specific responsibility to develop, recommend to government and, if approved, to monitor and/or implement a NSW Community Housing Industry Strategy or strategies regarding the community housing industry.

3 Governance and membership

3.1 Governance

The CHIC is convened by the NSW Government and reports to the Secretary, Department of Communities and Justice.

The CHIC will be supported by an annual work plan which will set the objectives and deliverables for the financial year.

CHIC will seek endorsement of the work plan and key project deliverables from the Secretary.

The Secretary may delegate their roles and responsibilities under CHIC to the Deputy Secretary, Strategy, Policy and Commissioning (SPC) at their discretion.

3.2 Membership

The CHIC has an independent chair and is made up of highly respected, government, industry, and research leaders who each bring the expertise and capacity to contribute innovative solutions to government.

Permanent members are drawn from:

Government ex officio members: (7)

Senior officials from:

- DCJ representing Housing
- The Registrar for Community Housing
- Aboriginal Housing Office
- NSW Land and Housing Corporation
- Landcom
- NSW Treasury
- Department of Planning Industry and Environment

Industry - independents: (4)

- Independent chair
- Three independent expert members, selected by invitation on merit (which could include academia, economists, independent finance, investment bodies)

Industry ex-officio members: (5)

- Community Housing Industry Association (CHIA) Chief Executive Officer
- Two CHIA board members
- Aboriginal CHIA Chief Executive Officer
- Aboriginal CHIA board member

Members unable to attend a meeting can be represented by an alternate if agreed with the Chair in advance.

On occasion the CHIC may invite other government departments / agencies (e.g. DPC, Health), subject matter experts or other industry members (developers, peak organisations, service providers) to attend/ present as appropriate. Meeting attendance will be determined by the activities set out in the work plan.

3.3 Membership terms

Members will be appointed for a term of two years, except for the inaugural year where membership will be subject to a special review (see Section 7). Retiring members are eligible to apply for re-appointment for a further term.

The Secretary may appoint members for shorter terms from time to time.

The length of members' terms of appointment will take into account the desirability of regular turnover of some members each year and of maintaining continuity.

A member shall be deemed to have vacated his/her position on the CHIC if:

- the member dies; or
- the member submits a resignation, in writing, to the Secretary; and/or
- the member is removed from CHIC by the Secretary.

A member may be removed by the Secretary from the CHIC on the following grounds:

- if the conduct of the member is deemed by the Secretary to not be conducive to the aims and objectives of the CHIC; and/or
- if a member is consistently absent from regular CHIC meetings.

Any vacancy occurring during a term of appointment will be deemed a casual vacancy and will be filled for the remainder of that term only, by a person nominated by DCJ and approved by the Secretary.

3.4 Payment to members

Independent industry members shall receive sitting fees at the rate specified in the Public Service Commission's Classification and Remuneration Framework for NSW Government Boards and Committees (April 2021).

In accordance with the Framework, independent members may be paid fees for other official business of the Council, including, but not limited to, activities such as participating in working groups or planning meetings of the Council or meeting with the Minister or Secretary on Council business.

Non-government members shall be entitled to receive sitting fees and out-of-pocket expenses when formally representing CHIC at other meetings and forums, subject to the prior approval of the Chair, and the Deputy Secretary, Strategy, Policy and Commissioning

Ex-officio members including public servants and employees, or representatives of peak organisations will not be paid for their membership.

3.5 Authority to make statements

The Chair of the CHIC acts as spokesperson for and representative of the CHIC, as appropriate.

Where appropriate, the Chair may ask other members of the CHIC to undertake this role.

4 CHIC responsibilities

The CHIC will advise government on policies and strategies related to community housing, and where relevant, will include consideration of how policies and strategies may impact or can contribute to outcomes in the broader NSW housing market and in social policy areas such as homelessness and domestic violence.

The CHIC may also identify other areas of government policy that impact on the community housing industry and make recommendations to government to consider these impacts.

When considering matters of implementation, this will be with a view to informing operational policy where there is an identified need for reform. CHIC work could involve stakeholder engagement and communication, co-design opportunities and future strategic proposals.

The CHIC will provide advice and make recommendations to Government but will not have the ability to bind or make decisions on behalf of government.

Depending on the directions agreed in the CHIC work plan, the council may have formal links to other appropriate NSW Government (including Ministerial) forums so that it can both refer matters for their consideration and also be used by these bodies for consultation purposes.

4.1 Areas of focus

Topics on which the CHIC could focus include:

- a) Facilitating the growth of a strong, viable and well-performing industry. This will encompass the development and oversight of an industry strategy
- b) Delivery of new social and affordable housing. This may include issues around planning policy, program design, design standards, and funding and financing
- c) Management of social and affordable housing in a multi provider system. Given the significant role CHPs will play in managing NSW government owned properties this could include a role in governance and strategic (social housing system-wide) issues and potentially the co-design of some initiatives. This could include but is not limited to:

- contributing to strategic asset management plans for mainstream and Aboriginal housing including decisions about estate renewal and regeneration
 - housing pathways
 - property and service standards across social housing
 - tenant and community engagement
 - tenancy sustainment
 - complaints and appeals systems
- d) Contributions to policy and strategy including the state government's initiatives and feedback and discussion on Commonwealth led proposals.

5 Meetings

An independent member as selected by the Government will chair the CHIC. A vice chair may also be appointed. DCJ will provide secretariat support.

The chairperson will be responsible for drawing up the agenda for each meeting in consultation with the CHIC secretariat and per the work plan.

Members will declare actual, perceived and potential conflicts of interest at the beginning of each meeting and the chair will determine an appropriate course of action. A register of conflicts of interest will be maintained by DCJ.

Meetings will take place on a quarterly basis. Meetings in addition to those scheduled will be arranged as needed.

5.1 Meeting Arrangements

- Meetings will be held four times in a financial year.
- The first meeting will involve the development of a work plan for the upcoming financial year.
- The duration of the meeting will be up to one day.
- The agenda and the meeting papers will be distributed to members two weeks prior to the scheduled meeting.
- Secretariat support will be provided by SPC – Housing, Homelessness and Disability.
- Minutes and actions will be distributed within ten working days and are to be agreed by members.
- A 'For information' brief or 'Approval' brief (as necessary) will be prepared for the Secretary after minutes and actions are agreed by members.

6 Confidentiality

It is noted that to provide full and effective input into CHIC business, CHIC members may need to consult with their organisational colleagues or members on some matters. However, it is also noted that to enable frank discussions to occur in CHIC meetings, confidentiality may sometimes need to be assured.

To achieve the appropriate balance of confidentiality and consultation, the following approach is to be used:

- All discussions conducted during CHIC meetings will be assumed to be confidential
- Where a member wants to seek input from colleagues or its members on an agenda item or matter being discussed, they will seek endorsement of this during the meeting discussion. If endorsed, consultations outside of CHIC should not disclose individual or organisational positions on the matter being discussed without expressed approval to do so
- Members will retain the right to refuse endorsement of the request for broader input but will work with the requesting member to suggest an alternative approach
- It will be assumed that papers tabled at the CHIC are able to be circulated to a member's organisational colleagues or its members unless confidentiality is specifically requested. All papers tabled at the CHIC will be labelled as: Discussion drafts only which do not claim to represent the agreed position of CHIC members nor the endorsed position of government or the industry
- Where confidentiality is required, the member tabling the paper will clearly mark it as confidential and not for distribution outside of CHIC members
- The List of Papers attached to the agenda will show if papers can be circulated outside of CHIC membership
- Confidentiality of each agenda item will be considered as part of the discussion of that item
- Documents are not to be published without the endorsement of CHIC members.

7 Planning and review

The first meeting of the financial year will involve a work planning process as noted in 3.1. The work plan must be endorsed by all CHIC members prior to progressing for final endorsement by the Secretary. An independent facilitator may be engaged for the work planning process as required.

The ToR of the CHIC are to be reviewed each year, commencing in July of a new financial year and are to be finalised prior to the first meeting for the year. The review will be performed by the Chair supported by the CHIC Secretariat.

As noted in Section 3.3; a special review will be conducted after the inaugural year to assess the balance of membership and determine whether there is a need for less, more or different members. This condition is for the inaugural year only and will exclude the role of the Chair.

It is anticipated that the CHIC will be ongoing. The outcomes of the CHIC will be reviewed and reported to the Secretary prior to the end of membership terms on a biennial basis