

Tenant Advice and Advocacy Service

Guidelines for Grant Process | March 2024



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Background

Consumer and Business Services (CBS) is a business unit of the Attorney-General's Department. CBS administers more than 35 pieces of legislation, including the *Residential Tenancies Act 1995* (RTA) and the *Residential Parks Act 2007* (RPA).

- Significant amendments to the RTA passed the Parliament in November 2023 and will introduce a wide range of changes to the rental laws. These include:
- requiring a prescribed ground to terminate or not renew a tenancy
- doubling the notice to end a tenancy
- new disclosure and prospective tenant information requirements
- meeting minimum housing standards
- limiting the frequency of rent increases
- blocking additional fees
- routine inspection limits
- renting with pets
- allowing minor alterations or modification to premises
- domestic abuse protections
- sub-letting with no unreasonable costs
- bond lodgements and equal division of refunds to co-tenants
- energy efficiency and water saving standards
- protections for water and electricity billing
- rectifying drug activities in properties
- greater protections for renters living in rooming houses.

On 1 November 2023, the South Australian Government announced its support for a new Tenant Advice and Advocacy Service.

The purpose of this grant process (process) is to establish the successful applicant (service provider) to provide the Tenant Advice and Advocacy Service to tenants (as defined in the RTA) and residential park residents (as defined in the RPA), including in relation to recent reforms.

Through CBS, the process objective is to engage a service provider to develop and implement a Tenant Advice and Advocacy Service for a 4-year timeframe commencing on 1 July 2024.

The process objective fits with the CBS Strategic Plan 2022-25's Goal 3: *Looking after our customers and community*, with strategies to "Empower the public through access to information and high-quality consistent advice and education" and "Protect vulnerable people".



Applications

CBS is now seeking applications for a service provider to provide the Tenant Advice and Advocacy Service to South Australian tenants and residential parks residents. CBS is open to proposals that include, but are not limited to, the provision of a Tenant Advice and Advocacy Service containing the following services:

- educating and informing tenants
- advising and supporting tenants to resolve tenancy issues
- assisting tenants with completing tenancy forms or drafting tenancy related letters
- supporting tenants at hearings before the South Australian Civil and Administrative Tribunal (SACAT)
- providing a financial counselling service for tenants with low financial literacy
- undertaking policy development and advocacy.

The Tenant Advice and Advocacy Service will also provide each of the above services in relation to residents of residential parks.

Applicants are invited to apply via email to Larissa.Chapman2@sa.gov.au.

Applications will be assessed by a panel of representatives from the Attorney-General's Department against the Assessment Criteria established in these Guidelines. The decision to approve the successful applicant is at the discretion of the assessment panel and Commissioner for Consumer Affairs.

Information received in connection with an application may be used and communicated outside of the Government of South Australia for due diligence, monitoring, reporting and evaluation purposes.

Applicants are encouraged to contact CBS at Larissa.Chapman2@sa.gov.au with any questions regarding these Guidelines.

Eligibility and Funding Available

Applications can be made by current service providers or new entities, either jointly or by a single provider, as long as the mandatory requirements are fulfilled. Applications may also refer to additional services that might be valuable to the State and should include supporting evidence to demonstrate the need for the additional services.



The successful applicant will be provided with a one-off grant of \$350,000 (GST Inclusive) per year for 4 years to use in the development and implementation of a Tenant Advice and Advocacy Service. This equates to \$1,400,000 over the 4-year period.

The successful applicant may wish to combine funding from the Government of South Australia with funding from other sources to establish the Tenant Advice and Advocacy Service.

Requirements

Mandatory Service Requirements

The **minimum services** that are required to be provided by the Tenant Advice and Advocacy Service, are:

No.	Service	Description
1	Provide a financial counselling service to tenants/residents	Provide a minimum of 1 FTE qualified and accredited Financial Counsellor to specifically assist tenants and residents who are in dispute with their landlord or who have low financial literacy
2	Provide an advocacy and representation service to tenants/residents	Provide a minimum of 1 FTE Advocate to represent tenants and residents with disputes and who are unable to advocate on their own behalf
3	Provide presence at SACAT	Advocate/s to maintain a minimum presence of 1 FTE onsite at SACAT
4	Provide a conciliation, negotiation and mediation service to tenants and residents	Provide conciliation, negotiation and mediation of disputes and issues between tenants and landlords and between residents and residential park owners, with a view to resolving disputes positively and averting the need for Tribunal action
5	Provide an advice service to tenants/residents	Maintain and provide an advice service on the rights and responsibilities of tenants and residents and on the processes of SACAT, via an in-person office presence and telephone and online service, with the required minimum operating hours of Monday to Friday 9am to 5pm
6	Provide an information and advice service to tenants/residents on their rights and responsibilities	Provide appropriately qualified, accredited and trained staff and/or volunteers to respond to queries (within 1 business day) from tenants and residents and assist with completing forms or drafting tenancy related letters
7	Provide education sessions on tenants/residents' rights and responsibilities	Provide regular in person and online information sessions for tenants and residents on their rights and responsibilities
8	Collaborate with relevant stakeholders, SACAT, CBS	Communicate positively and liaise with relevant stakeholder groups, SACAT and CBS on behalf of

	and other relevant legal entities	tenants and residents to assist them in securing their rights and in relation to disputes or rental issues
9	Collect data and contribute to policy formation	Maintain data records to inform strategic and operational policy formulation at both the agency and sector level and support the provision of advice to the Minister and CBS on emerging issues in relation to matters affecting tenants and residents in S.A.
10	Produce Quarterly and Annual Reports	The Quarterly and Annual Reports must address the Key Performance Indicators listed below in the Performance Requirements. The Quarterly Report must also include a financial acquittal and a declaration signed by the Chief Executive Officer or delegate. The Annual Report must also include the level of any unexpended funding for that reporting period and relevant financial statements in accordance with Australian accounting standards
11	Maintain insurance policies	Effect and maintain all necessary insurance policies and provide proof that the policies have been affected and maintained
12	Comply with Standards for Agencies Employing Financial Counsellors	Compliance with Standards for Agencies Employing Financial Counsellors developed by Financial Counselling Australia Limited
13	Maintain a database of Client Satisfaction Surveys	Tenants and residents are provided with an opportunity to provide feedback on the service provided by way of completing Client Satisfaction Surveys, with the results compiled and produced in the Annual Report
14	Ensure staff/volunteers have up to date criminal history and police checks and are subject to policies regarding acceptable workplace behaviour	All staff and volunteers have undergone the necessary criminal history and police checks. All persons involved in the delivery of services at sites where children, persons with a disability, the aged or other vulnerable people may be present must have agreed to a screening assessment by the Department of Human Services Screening Unit. Policies covering zero tolerance to violence against women in the workplace and the broader community, and acceptable workplace behaviours, must be implemented and adhered to

Performance Requirements

The successful applicant **must** meet the following performance requirements:

Indicator	KPI Target	Measurement
KPI 1: Tenants/residents receive appropriate financial counselling by qualified financial counsellors to assist them manage their income/debts and meet rental expenses	Report on the number of tenants and residents it assists with financial counselling each quarter	Quarterly report and client satisfaction surveys
KPI 2: Tenants/residents are provided with advocacy representation if in dispute with their landlord/park owner	Report on the number of tenants and residents assisted through general advice, formal advocacy support and pre-Tribunal conciliation processes	Quarterly report and client satisfaction surveys
KPI 3: Escalation of the dispute is prevented where possible through advocacy and effective negotiations between tenants/residents and landlords/park owners	Report on the number of tenants and residents who have positive tenancy outcomes from negotiation and conciliation conferences and the percentage of cases resolved without attendance at SACAT	Quarterly report
KPI 4: Represent tenants at SACAT hearings	Report on the outcomes of disputes that progress through SACAT	Quarterly report
KPI 5: Provide oral advice and education over the telephone, online and in person on the rights and responsibilities of tenants/residents, and on the processes of SACAT	All queries must be responded to within 1 business day. Also report on the number of tenants/residents assisted and advised over the telephone, online and in person, and provided education/information sessions	Annual report
KPI 6: Tenants/residents from all communities, including indigenous and migrant groups, have access to the service and are assisted when barriers to communication arises with landlords/park owners or their agents	Report on the number of tenants/residents accessing the services who are Indigenous Australians, from other culturally and linguistically diverse communities, or people with disabilities	Annual report
KPI 7: Maintain positive relationships and collaborate with SACAT, CBS	Communicate and participate in relevant forums and regular meetings	Annual report

and other relevant legal entities and stakeholders		
KPI 8: Contribute to and inform strategic and operational policy formulation at both the agency and sector level	Participation in relevant forums of government and non-government stakeholders and reporting on quantitative data (system data) and qualitative information (case histories)	Annual report

Contracting Requirements

The proposed total engagement term is 4 years. A Grant Agreement (Agreement) will be used for this arrangement.

The successful applicant will be required to formally execute the Agreement with the South Australian Government.

The Agreement will stipulate the obligations of the successful applicant and the conditions under which grant assistance is given and will include all applicable requirements in [Treasurer's Instruction 15](#). The Agreement must be executed by both parties.

Additional Requirements

1. The supplier of the Tenant Advice and Advocacy Service must be exempt from holding an Australian financial services licence in accordance with the Australian Securities and Investments Commission Corporations (Financial Counselling Agencies) Instrument 2017/792.
2. The supplier of the Tenant Advice and Advocacy Service must comply with the Standards for Agencies Employing Financial Counsellors developed by Financial Counselling Australia Limited.
3. The supplier of the Tenant Advice and Advocacy Service must comply with confidentiality requirements, including the South Australian Government Information Privacy Principles available from the [Department of Premier and Cabinet](#) and the [Privacy Act 1988](#) (Cth).
4. The successful applicant must implement policies and processes to ensure the security and confidentiality of data, documents and premises used in the delivery of the Tenant Advice and Advocacy Service.
5. The successful applicant must keep true and accurate records and accounts containing all information relating to the supply of the Tenant Advice and Advocacy Service as required to be kept by law or good management practices.

Assessment Criteria

The assessment panel will consider the merit of applications with reference to the following factors, which must be addressed and substantiated by applicants:

- The capacity and capability of the applicant to deliver the mandatory services and any evidence-based additional services committed to in the application. This includes consideration of the applicant's financial position and prior experience of the applicant.
- Value for money, including proposals to combine funding from other sources.
- The outcomes and level of service for tenants and residents.
- Flow on benefits to the broader South Australian economy or region, including any job creation outcomes.
- The extent to which the application demonstrates support for:
 - tenants or residents living in regional areas
 - First Nations tenants or residents
 - tenants or residents living with a disability and
 - culturally and linguistically diverse tenants or residents.

The assessment panel may also consider other aspects of the application it regards as relevant when assessing applications and may request additional information if required.

Timeframes

Contract starts: 1 July 2024



Contract ends: 30 June 2028

Service Sites/Delivery Locations

The Tenant Advice and Advocacy Service can be located in metropolitan Adelaide and the successful applicant must commit its best endeavours to provide the services to tenants and residents who are on low incomes or unable to advocate on their own behalf or require financial counselling or advocacy in relation to tenancy matters across South Australia.

The successful applicant is expected to deliver the Tenant Advice and Advocacy Service in a location that is external to CBS and may be required to attend on-site meetings at 95 Grenfell Street, Adelaide SA 5000.