**Commissioner for Residential Tenancies**

**Stakeholder Engagement Strategy 2019-2022**

## 1 What is the context for this strategy?

The role of the Commissioner for Residential Tenancies (the Commissioner) is to champion the rights of renters in Victoria and to be their voice to influence change to rental policies, laws and programs. To facilitate this role, the Commissioner will consult widely with renters, advocates and other stakeholders across the private rental sector[[1]](#footnote-1) to identify and act on systemic and community-wide issues.

The Commissioner is open to the different views, needs and expectations of stakeholders and to building relationships based on trust and respect. She is committed to working with the broad range of stakeholders to understand all aspects of the issues facing renters and to using co-operation and collaboration to find practical and shared solutions to issues.

The Commissioner values the expertise, knowledge and experience that stakeholders contribute and will harness this to make informed decisions on her strategic priorities.

In this context, this Stakeholder Engagement Strategy (the Strategy) acknowledges that engagement with stakeholders is a core business function for the Commissioner and the office that supports her.

## 2 What is the purpose of the strategy?

This Strategy sets out the approach to stakeholder engagement over the next four years. It identifies the relevant stakeholders and outlines the:

* objectives of engagement
* guiding principles for engagement
* mechanisms that will be used to engage with different stakeholder groups
* risks and mitigation strategies, and
* approach to evaluation.

The Strategy draws on the experience gained from the stakeholder engagement undertaken by the Commissioner during the establishment phase of her office in late 2018. This involved separate face-to-face meetings with over 30 stakeholders to introduce and explore her role.

## 3 Who are the stakeholders?

The Commissioner and her office interact with a broad range of stakeholders including:

* renters and the public generally
* community stakeholders supporting vulnerable and disadvantaged renters including advocacy groups and housing and legal service agencies
* residential rental providers (landlords and property owners)
* property managers (estate agents) and property industry associations
* government departments and agencies, and
* other experts in tenancy law and the rental sector such as academics and research organisations.

This Strategy sets out the approach to engaging with each of these stakeholder groups and includes both formal and informal mechanisms.

## 4 What are the objectives of engagement?

The primary objectives of this Strategy are to:

* assist in delivering the Commissioner’s four year Strategic Work Plan (the Work Plan)
* enable the Commissioner’s commitment to engage and consult with stakeholders
* provide a framework to foster the development of trusted and productive relationships with key stakeholders that deliver benefits for all involved
* detail engagement mechanisms tailored for particular stakeholder groups that provide forums to raise issues and concerns, share knowledge and experiences, collaborate on possible solutions and provide feedback
* support the management of stakeholder expectations through transparent and consistent processes that are clear about how stakeholders’ contributions will be used, and
* develop knowledge of the issues, priorities for stakeholders and strategies to resolve problems.

## 5 What are the guiding principles of engagement?

The Commissioner’s Work Plan sets out three overarching principles that underpin her approach to her role. These are to:

* be a distinct voice for renters
* have impact, and
* be well-informed.

Building on these principles, the following five operating principles have been identified to guide the approach to stakeholder engagement. The principles set standards to frame consistent, open and respectful working relationships, and are in line with those used across the public and private sectors.

| **Principle** | **Application** |
| --- | --- |
| Purposeful and effective | The Commissioner will:   * be aware of stakeholders’ interests, expertise and the environments in which they operate * conduct targeted engagement to find shared solutions to renters’ issues and to make better decisions that consider the interests of those affected, and * measure the success of engagement activities and apply learnings in designing and developing future engagements. |
| Transparent | The Commissioner will:   * be open and honest and seek to build trust and credibility for the process * provide stakeholders with the information they need to participate in a meaningful way * communicate how their input will inform outcomes, and * foster a culture of sharing ideas. |
| Inclusive | The Commissioner will:   * provide fair access to engagement processes by enabling participation by stakeholders who face barriers due to language, culture, age or disability, and * invite stakeholders’ views, where appropriate, on the design of engagement to promote accessibility. |
| Timely and responsive | The Commissioner will:   * engage early and ensure engagement is prioritised and tailored, and * consider and respond to concerns, providing prompt and clear feedback. |
| Respectful | The Commissioner will:   * be open to alternative views and listen as well as speak in recognition that engagement is a two-way process * maintain the right to disagree * respect stakeholders’ expertise and appreciate the benefits of mutual learning, and * recognise the different communication needs and preferences of stakeholders and endeavour to meet those wherever possible. |

## 6 How will the Commissioner engage with stakeholders?

Stakeholders will be engaged through a range of mechanisms including formal advisory groups, which have structured agendas and meet regularly, and also through informal ad hoc meetings and attendance at events.

### 6.1 Formal engagement mechanisms

As different mechanisms of engagement are appropriate for different groups of stakeholders, this Strategy sets out three formal advisory groups that are tailored to particular stakeholder and interest groups and are intended to operate on an ongoing basis. These groups are:

* an Inter-departmental Committee for government agencies
* a Stakeholder Reference Group for community stakeholders and industry associations, and
* an advisory group for people renting in the private rental sector in Victoria.

These advisory groups will enable the Commissioner to work directly with stakeholders to ensure that issues and concerns are understood and considered, and to partner with stakeholders to develop mutually agreed solutions and joint plans of action, where possible.

In addition to these advisory groups, it is proposed to convene communities of practice on a needs basis. Each Community of Practice (CoP) will operate for a limited duration and will bring together government, community and/or industry stakeholders with expertise in a particular field to interact and collaborate to consider and advise on a specific issue. The first CoP is proposed for government and community stakeholders that provide information and resources to educate renters.

The figure below shows the roles of, and the relationships between these advisory groups.

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As an executive position within the Department of Justice and Community Safety (DJCS)[[2]](#footnote-2), it is essential that the Commissioner has access to accurate and timely information on the policies, initiatives and programs for the private rental sector being led by DJCS and other Victorian government departments to effectively perform her role. Similarly, it is important that senior officers from DJCS and other departments are updated on the work of the Commissioner, the issues being raised with her and the matters she is considering to assist them to confirm that their policies, initiatives and programs are appropriately targeted and operating effectively.

The Residential Tenancies Inter-departmental Committee (RT-IDC) aims to meet these needs by providing a forum to enable the exchange of information and collaboration between the Commissioner and relevant senior officers.

The RT-IDC will comprise executive officers from DJCS, the Department of Health and Human Services, the Department of Environment, Land, Water and Planning and the Department of Premier and Cabinet. Executive officers from other government departments and agencies will be invited to attend RT-IDC meetings on an ad hoc needs basis as particular issues arise. The RT-IDC will meet up to three times a year and will be chaired by the Commissioner.

The Terms of Reference (ToR) for the RT-IDC will be settled by its members when it first meets in 2019.

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The purpose of the Residential Tenancies Stakeholder Reference Group (RT-SRG) is to provide a forum for the Commissioner to meet collectively with a range of rental sectors stakeholders to learn about and explore the issues and concerns they have identified for renters. The RT-SRG also provides a forum for the Commissioner to work with stakeholders, and for stakeholders to work together, to find solutions to issues and problems they have identified.

The RT-SRG supports the Commissioner in her role to consult widely with stakeholders to identify and act on systemic and community-wide issues, and demonstrates her commitment to stakeholder engagement.

The target audience for the RT-SRG are advocacy groups, community agencies and industry associations whose interests and influence need to be recognised. A number of stakeholders have been identified for membership of the RT-SRG. The criteria used to select those stakeholders include:

* those with experience, involvement or specialist knowledge of the broad range of matters concerning the Victorian private rental sector
* industry associations whose constituency and/or members deal directly with renters
* politically influential stakeholders
* stakeholders who represent or reflect the views of other stakeholders through formal and informal affiliation networks, and
* stakeholders who will contribute to the RT-SRG through a range of views including on behalf of renters, rental providers and property managers to ensure comprehensive and robust discussion of issues.

Therefore, the following stakeholders have been selected for membership of the RT-SRG.

|  |  |
| --- | --- |
| * Tenants Victoria | * Peninsula Community Legal Centre\* |
| * Housing for the Aged Action Group | * Ethnic Communities Council of Victoria |
| * Victoria Legal Aid | * Victorian Council of Social Service |
| * Justice Connect | * Victorian Aboriginal Legal Service |
| * Brotherhood of St Laurence | * Community Housing Industry Association Victoria |
| * Council to Homeless Persons | * Real Estate Institute of Victoria |
| * WEstJustice Community Legal Centre\* | * Registered Accommodation Association of Victoria |
| * Tenancy Working Group | * Victorian Caravan Parks Association |
| * BeyondHousing\* | * Uniting (Victoria & Tasmania) Limited |

\* These stakeholders are providers under the Tenancy Assistance and Advocacy Program funded by Consumer Affairs Victoria.

The Commissioner will chair the RT-SRG, which will meet quarterly and is expected to have a number of working groups responsible for considering and reporting on particular issues.

The ToR for the RT-SRG will be settled by its members when it first meets in 2019.

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The Renters’ Advisory Group (RAG) will be a key source of information for the Commissioner on the issues facing renters, however, it is important for her to hear first-hand from renters about their experiences and concerns.

While renters are invited to directly contact the Commissioner to share their stories, a mechanism for them to do this on a regular basis and in a more structured way is needed to ensure the early identification of emerging issues. However, unlike other states and territories Victoria does not have an association of renters that the Commissioner could regularly consult. The Renters Advisory Group (RAG) is being established to fill this gap.

Membership of the RAG will comprise renters who are willing to meet with the Commissioner and will be selected based on their capacity to represent the views of particular groups of renters such as:

* older renters
* young renters
* single women including those with children
* renters living with a disability
* residents of rooming houses
* residents of caravan and residential parks
* vulnerable and disadvantaged renters who are not eligible for financial assistance from the government
* metropolitan and regional renters, and
* mainstream renters.

Up to 10 renters will be invited to join the RAG. The assistance of advocacy groups and interstate renter associations will be enlisted to develop a strategy to recruit renters for the RAG. This is expected to involve an expression of interest process to promote participants’ commitment.

The RAG will meet quarterly and will be chaired by the Commissioner. While face-to-face meetings are desirable, alternative meeting arrangements will be used where needed.

The ToR for the RAG will be settled by its members when it first meets in 2019.

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Communities of practice will be convened as the need arises to explore and advise on particular issues. The communities of practice will allow stakeholders with expertise in particular fields to strengthen their working relationships, share information and work on common issues.

The first CoP will be the Residential Tenancies Information and Education Community of Practice (RTIE-CoP). The establishment of the RTIE-CoP is consistent with the Commissioner’s strategic priorities that renters know, understand and exercise their rights, and is timely in the context of the provision of information needed to support the introduction of the new rental laws.

A number of government agencies and community stakeholders have expertise in communicating information to renters to assist them to understand and exercise their rights. However, while this information is provided through a wide variety of channels and, where needed, targeted to particular groups of renters, these stakeholders face similar challenges to deliver information and resources in a form, and at the times and places that provide the most benefit for renters.

The purpose of the (RTIE-CoP) is to provide a forum for these stakeholders to share their experiences and challenges, develop complementary strategies and partnerships, collectively identify and respond to any gaps in the provision of information, receive feedback on the effectiveness of their strategies and leverage the successes of their peers.

Membership of the RTIE-CoP will include representatives from the following stakeholder groups:

* government – Consumer Affairs Victoria and the Victorian Civil and Administrative Tribunal, and
* community agencies – Tenants Victoria, Justice Connect, Victoria Legal Aid and the Public Housing Tenants Association.

As industry associations also provide information to renters, and their members are a visible point of contact for renters, representatives of relevant associations will be invited to attend RTIE-CoP meetings to discuss particular matters. Details of the work of the RTIE-CoP will also be circulated to industry associations, where relevant and appropriate.

The RTIE-CoP will meet quarterly with the chair rotating among the members.

The ToR for the RTIE-CoP will be settled by its members when it first meets in 2019.

#### 6.2 Informal stakeholder engagement

Face-to-face meetings will continue to be held with individual stakeholders to explore particular matters, and as requested. Where invited, the Commissioner will also attend stakeholder conferences, board meetings, and network and working group meetings, such as the Tenancy Working Group.

Additionally, the Commissioner will receive intelligence on the private rental sector through incoming advice and details of renter experiences provided by phone, email and social media, and through her website.

These meetings and events will complement the formal engagement forums and will ensure the timely flow of information to the Commissioner on market practices and emerging issues.

### 7 What are the risks and mitigation strategies?

A number of risks arise with this Strategy.

| **Risk** | **Mitigation and Treatment** |
| --- | --- |
| The purpose and relevance of the formal advisory groups is unclear thereby reducing the benefits of engagement for stakeholders and eroding their perception of the value of the role of the Commissioner. | * Give stakeholders an opportunity to provide input into and feedback on the ToR for each advisory group. * Invite stakeholders to contribute to meeting agendas. * Clearly communicate meeting outcomes. |
| Stakeholders not invited to the various advisory groups are displeased and potentially complain to the Minister or within the sector. | * Assess stakeholder relationships and affiliations to ensure that the selection of members for advisory groups is representative of the private rental sector. * Fully consider any approaches by stakeholders to join particular advisory groups and clearly communicate and explain decisions on membership. |
| Dominant stakeholders overshadow other stakeholders and monopolise discussions. | * Develop draft guidelines and principles for participation at meetings and settle these with stakeholders to promote their buy in and compliance. * The Chair will proactively manage discussions at meetings to ensure balanced participation. |
| Stakeholders have unrealistic expectations from discussions at meetings about the possible outcomes. | * Outline and discuss the scope and role of the advisory group at the first meeting of the group. * Ensure that the scopes of advisory groups are clear to stakeholders by providing Terms of Reference and periodically recirculating and reviewing those. * Ensure meeting records are timely and clearly set out meeting outcomes. |
| Industry stakeholders feel underrepresented and there is no representation from rental providers. | * The Chair will proactively manage discussions at meetings to ensure balanced participation. * Separate face-to-face meetings will be held with these stakeholders, as needed, to complement their participation in advisory groups. |
| Differing capacity (skill and experience) and levels of engagement of stakeholders. | * The formal mechanisms will be supported by informal engagements that will include face-to-face meetings with such stakeholder groups. |

### 8 How will this strategy be evaluated?

This strategy will be reviewed annually and updated as required.

The annual review of the Strategy will draw on the results of the annual reviews conducted by the RT-IDC, RT-SRG, RTIE-CoP and RAG of their operations, and any other feedback provided by stakeholders.

1. The private rental sector includes premises that are privately leased by a rental provider (landlord or property owner) to a renter (tenant or resident). While the private rental sector excludes public housing it includes community housing, and specialist disability accommodation to the extent that it is captured under the *Residential Tenancies Act 1997*. [↑](#footnote-ref-1)
2. Prior to 1 January 2019 the department was known as the Department of Justice and Regulation. [↑](#footnote-ref-2)