



**Government
of South Australia**

Minister for Human Services

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Our ref: MCOR/0061 & MCOR/0055

Your ref: 7124799 & 7125706

Ms Nat Cook MP
Member for Hurtle Vale
PO Box 158
WOODCROFT SA 5162

Sent by email: tristan.rust@parliament.sa.gov.au

Dear Ms Cook

Freedom of information application

I refer to your applications under the *Freedom of Information Act 1991* (the Act), received by the Office of the Minister for Human Services on 12 October 2018 seeking access to:

Copies of any and all documents (including but not limited to physical and electronic material) regarding DHS or Ministerial Paper 18TDHS/020.

and

Copies of any and all documents (including but not limited to physical and electronic material) regarding DHS Housing Election Commitments.

On the 15th October, your office confirmed that these applications could be combined after being advised that they were requesting the same information.

Unfortunately, the Minister's Office was unable to make a determination on your application within the 30 days, therefore it is considered to be a 'deemed refusal' under section 19(2)(b) of the Act. However, our office has continued to process your application outside of this timeframe. Section 19(2)(a) of the Act provides that an agency can release documents outside of the thirty-day timeframe, and this is still taken to be a determination under the Act.

One document falls within the scope of your application, and I have determined that this document to be released in part.

The document contains mobile phone details of a third party. I consider that the release of this information would be an unreasonable disclosure of information

related to the personal affairs of the third party concerned and I have therefore determined it to be exempt pursuant to clause 6(1) of Schedule 1 of the Act.

Please find enclosed a copy of the document, and a document schedule containing a brief description of the document.

If you are dissatisfied with my determination, you can seek an internal review by writing to the Minister for Human Services as the Principal Officer of the agency. Your request should be sent within 30 days of your receipt of this letter.

In accordance with the requirements of Premier and Cabinet Circular PC045, details of your FOI application, and the documents to which you are given access, may/will be published on the agency's disclosure log. A copy of PC045 can be found at <http://dpc.sa.gov.au/what-we-do/services-for-government/premier-and-cabinet-circulars>.

If you have any questions in relation to this matter, please contact Amanda Hockings, Office Manager, on telephone 8463 3388 or by email at amanda.hockings2@sa.gov.au. If you disagree with publication, you will need to advise the Office Manager within two weeks of the date of this determination.

Yours sincerely



Amanda Hockings
Accredited FOI Officer

14 / 11 / 2018

SCHEDULE OF DOCUMENTS – MCOR/0055

Freedom of information application from the Ms Nat Cook seeking access to *Copies of any and all documents (including but not limited to physical and electronic material) regarding DHS or Ministerial Paper 18TDHS/020.*

No	Author	Addressee	Date	Description of document	Determination	Reason
1.	DHS – Housing Authority	Minister for Human Services	6 April 2018	Briefing: SA Housing Trust Governance Changes	Released in part	Clause 6(1) – personal affairs

18TDHS/020



Government of South Australia
Department of Human Services

TO MINISTER FOR HUMAN SERVICES

RE: SOUTH AUSTRALIAN HOUSING TRUST GOVERNANCE CHANGES

Decision/action required by:...../...../.....
Reason:.....

Recommendation	Response
1. That you approve the Department's proposed implementation timeframe and approach for the Machinery of Government changes relating to the <i>South Australian Housing Trust Act 1995</i> .	Approved / Not Approved / Noted

<p>Comments: <i>To minimise disruption, please maintain status quo until further advised.</i></p>	<p><i>[Signature]</i> Hon Michelle Lensink MLC 6/4/2018</p>
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KEY POINTS

- As per the Marshall Government's Machinery of Government instructions issued on 22 March 2018, the *South Australian Housing Trust Act 1995* and *Community Housing Providers (National Law) (South Australia) Act 2013* now falls under the responsibility of the Minister for Human Services and responsibility for housing has returned to the Department of Human Services, from Renewal SA.
- Your guidance is sought regarding the timeframes and staffing arrangements you would like the Department to pursue in order to give effect to these changes.

DISCUSSION

On 22 March 2018, the Premier issued various Machinery of Government instructions to the Senior Management Council including the following matters relevant to the Human Services portfolio:

The Department for Communities and Social Inclusion will be renamed the Department of Human Services. In addition to its current functions, responsibilities for housing will be returned to this Department, from Renewal SA

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Renewal SA will no longer have responsibility for housing stock. This will transfer to the Minister for Human Services and the Minister's designated Department.

The Premier further instructed that Senior Management Council members immediately undertake steps to implement changes, including that Chief Executives will only report to one Minister.

The Gazette Notice, also dated 22 March 2018, further instructed that 'the assets, rights and liabilities of the former body corporate known as the Minister for Housing and Urban Development (as they relate to SAHT) are vested in and attached to the Minister for Human Services ... so that assets, rights and liabilities appropriate to particular responsibilities or functions vest in, or attach to, the appropriate body corporate'.

Accordingly, your portfolio responsibilities include homelessness services, state recovery services, emergency relief, and the following functions under the SAHT Act 1995 and Community Housing Providers (National Law) (South Australia) Act 2013 (staffing for those functions marked with an asterisk currently sit within Renewal SA):

- *Community Housing Sector Development and Contract Management
- *SAHT Governance (including finance)
- *SAHT Capital Programs
- Private Rental Assistance
- Public Housing Tenancy Management
- Public Housing Maintenance
- Housing Regulation (including Community Housing and Housing Safety)
- Regional and Remote Aboriginal Housing

In line with the Premier's instructions that responsibilities for housing return to Department of Human Services and that the changes are fully implemented before 1 July 2018, the Department proposes that:

- The transfer of staff will occur in advance of the parameters for the new housing authority being established.
- A transition plan for SAHT functions and associated staff to move from Renewal SA to Housing SA be finalised by 27 April 2018. This timeframe will ensure there is sufficient time available to gain requisite approvals and effect the staff transfer prior to 1 July 2018.

Your confirmation of this approach and proposed timeframe is sought.

We also note that you are yet to be provided with Incoming Government Briefings in relation to housing matters as prepared by Renewal SA. The Department has requested that these be forwarded to your office and we will notify you once this has occurred.

BUDGET

Are there financial implications

No

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Is there an FTE impact

Yes

Chief Financial Officer noted:.....

ad int

27/3/18

MEDIA/SENSITIVE:

No

Division	Housing SA		
Executive Director	Phil Fagan-Schmidt	<i>[Signature]</i>	27/03/2018
		signature	
Chief Executive	Tony Harrison	<i>[Signature]</i>	27.3.18
		signature	date

Contact Officer:	Phil Fagan-Schmidt, Executive Director Housing SA
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