

GUIDANCE NOTE

Reportable Events guidance

These guidelines explain the requirement that registered agencies notify the Registrar of certain events, and how and when to do this.

What is a reportable event?

A reportable event is any event that has or may have an adverse impact on a registered agency's compliance with Performance Standards and/or other regulatory obligations under the *Housing Act 1983*.

Why report events and what will the Housing Registrar do with the information provided?

Registered agencies must comply with the requirements of the *Housing Act 1983* (the Act), including gazetted Performance Standards under Section 95 of the Act.

Registered agencies across Victoria vary greatly in the size, scope and complexity of their operations. It is therefore the responsibility of each agency to decide whether a change in its affairs may have an adverse impact on its compliance, and therefore whether it should notify the Registrar. Changes in affairs also include significant and ongoing or repeated instances of incidents that damage or may damage the reputation of the community housing sector (consistent with the requirements of the Probity Performance Standard 5d in the Housing Registrar's guidance – Performance Standards for Registered Housing Agencies).

Registered agencies are responsible for notifying the Housing Registrar **as soon as practicable** of any reportable event that may impact an agency's capacity to comply with the Act and Performance. Serious issues which are reportable events should be reported to the Housing Registrar within 72 hours. Failure to notify the Housing Registrar within 72 hours of becoming aware of the issue or of the event occurring where these subsequently come to the attention of the Registrar, will be considered in compliance assessments of the registered agency.

The Housing Registrar will assess the reportable event to determine the impact and will contact the agency as necessary for further information or take further action if appropriate. Further action may include requiring the registered agency to supply updates on action it is taking in relation to the event. In some situations, the Registrar may plan a targeted assessment to check ongoing compliance under a Performance Standard.

If a registered agency is uncertain about whether an event is reportable, it should contact its lead regulator to discuss the matter.

All reportable events are considered in subsequent annual compliance assessments.

How to report an event

Registered agencies are required to submit reportable events online via the Housing Registrar's Community Housing Information Management and Engagement System (CHiMES).

Creating or updating reportable events in CHiMES is accessible from the reportable events link on a registered agency's homepage. More details on how to submit a reportable event are explained in the *CHiMES user guide* (located in the top right corner of an agency's CHiMES homepage).

Examples of reportable events

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

Tenant and housing services

- Significant incident that impacts on service delivery
- Death or serious injury to a tenant in a community housing property managed by the provider, in circumstances where the standard of community housing services may potentially be a contributing factor

Housing assets

- Significant property damage that may affect a significant number of tenants
- New development project initiated
- Major delays or financial issues with housing projects

Governance

- Significant unplanned turnover and/or loss of senior staff or board members
- Major new business ventures or segments
- Corporate alliances, joint ventures, mergers, de-mergers or restructures
- Execution of new leases, funding deeds or agreements
- Adverse findings from reviews of governance or operations
- Government authority-initiated breach, formal warning or investigation
- Failed accreditation that may impact the delivery of housing services or financial viability of the business

Probity

- Undeclared conflict of interest identified
- Related party transactions that affect or are likely to affect the financial statements of the registered entity
- Alleged fraud, corruption, criminal behaviour or misconduct by board members or employees
- Probable or actual adverse media coverage

Management

- Plans to change corporate entity type
- Legal action against the provider associated with potential financial and/or reputational costs
- Significant organisational restructure
- Significant system failures, e.g. unrecoverable data loss
- Events impacting agency risk profile
- Investigation by a government authority

Examples of reportable events

Financial viability

- Significant new funding from government or other sources
- Liquidity issues in the current financial year
- Breach of loan covenants
- Changes in borrowings and new loans taken
- Major investment strategy changes.

Note: Complaints are not reportable events for this guidance. Other guidance on complaints is available on the Housing Registrar website.

For more information

For further information please see the:

- *Housing Act 1983*; and
- Housing Registrar website at www.housingregistrar.vic.gov.au to access the:
 - Regulatory Framework;
 - Performance Standards for Registered Housing Agencies;
 - Evidence Guidelines; and
 - Intervention Guidelines for Registrar of Housing Agencies.