

417 Reportable Events – National Regulatory System for Community Housing (NRSCH)

1. Policy

Link Housing will notify its Primary Registrar (Registrar of Community Housing NSW) in a timely manner of:

- Any changes in the affairs of the company which may have an adverse impact on its compliance with the community housing legislation;
- Any incident relating to its operations that may raise public concern;
- Any incident that may adversely affect the reputation of Link Housing and/or the community housing sector as a whole; or
- When required to do so in accordance with section 15(2)(h) of the National Law.

2. Guidelines for Notification

A reportable incident refers to any serious event that compromises the quality of resident or asset services, the good governance or viability of Link Housing, and which may raise public concern about standards of probity. The following events are considered examples of events which Link Housing may report to the Primary Registrar:

- Significant unplanned turnover and/or loss of senior staff or board members;
- Significant operational restructure, corporate mergers, de-mergers or restructure;
- Plans to change corporate entity type;
- New affiliations with other entities or significant changes to existing affiliations;
- Significant system failures, for example unrecoverable data loss;
- Legal action against Link Housing associated with potential financial and/or reputational costs;
- Changes to Link Housing's constitution affecting the wind-up clause that was in place and deemed eligible under the National Law when Link Housing's registration was determined;
- The non-routine investigation of Link Housing by external agencies (such as a funding body, law enforcement bodies or integrity agencies);
- A breach or potential breach of bank covenants;
- Any significant breach by a contractor of tenant privacy or Link's Contractor Code of Conduct;
- Any event that has resulted in serious injury or death; or
- Any adverse media coverage, or potential adverse media coverage, about Link Housing, its tenants, or properties.

In addition, consistent with its conditions of registration under section 15(2)(h) of the National Law, Link Housing will notify the Primary Registrar of the occurrence of any of the following within the time specified, namely:

Occurrence	Time Specified
i. A decision to appoint a voluntary administrator to Link Housing or a decision to wind-up its affairs	As soon as practicable after the decision
ii. The appointment of a receiver to Link Housing	As soon as practicable after Link Housing learns of the appointment
iii. A decision to apply for the cancellation of Link Housing's registration	As soon as practicable after the decision and at least 28 days before the application is made
iv. A change in the affairs of Link Housing that may have an adverse impact on its compliance with the community housing legislation	Before or no later than 72 hours after the change
v. Any other occurrence notified in writing to Link Housing by the Primary Registrar	Within the time specified in that notice

3. Timing

- The Registrar, the Chair (of the Board) and the Chair of the ARMC should be notified of any incident at the earliest practicable opportunity;
- In most cases, this should occur within one business day of Link Housing becoming aware of an incident, but not longer than three business days afterwards;
- In the case of paragraphs 2 (iii) and (iv) above, as per the Registrar's requirements; and
- Notification should not be delayed until after the next scheduled meeting of the Board.

4. Procedure

The CEO or the Chair will notify its primary Registrar of Community Housing in writing (The Registrar's website at www.nrsch.gov.au includes a Notification and Complaints online Form for the reporting of incidents).

- The notification should state that the report is made under Section 15(2)(h) of the National Law and detail:
 - The incident, including when it happened, and the persons involved;
 - The action taken, or planned to be taken, by Link Housing in response to the incident;
 - The contact details of the person responsible for managing Link Housing's response the incident; and
 - Whether the incident has been notified to any other regulators or external agencies.

5. Regulatory Response

The registrar will assess the information contained in any notification to determine what actions or notifications are required under their internal processes.

6. Legislative and Regulatory Framework

- Community Housing Providers (Adoption of National Law) Act 2012 (NSW)
- National Regulatory System for Community Housing
- NRSCH – Provider Notifications to the Registrar: Guidelines
- National Community Housing Standards 5.2 (2010 Ed)

7. Privacy & Confidentiality

Link Housing will comply with its responsibilities under its Privacy Policy. Information released will be on 'a need to know' basis only unless required by law. Where ever possible, special arrangements will be made without informing contractors or external parties of the circumstances.

8. Quality Assurance

The Reportable Events Policy will be formally reviewed every two years or when necessitated through a sufficient change in circumstances and/or legislation.