



Do you provide a Residential Service?

You **may** be providing a Residential Service if you provide:

- Individual rooms, where there are some shared facilities (for example a bathroom or kitchen) and there are at least 4 rooms available for rent. You may also be providing a food or a personal care service.
- At least 4 self-contained units with a food or personal care service.
- Self-contained units within an Aged Rental Scheme with a food or personal care service. The service must be provided to at least 2 units and 4 people. A third party might provide the food or personal care service.

You are **not** providing a Residential Service if:

- You receive State funding to provide temporary supported accommodation and case management to transition people from, or avoid, homelessness.

This is not an exhaustive list and there are many other exclusions in the Act, so if you are unsure please get advice.

Do any Residents also work at the Service?

The amendments make it clearer that a person living at the service can do some work within the premises and still be a Resident. This work may include collecting rent from other Residents and/or cleaning and maintenance.

An employee is still a Resident if their room is their primary place of residence.

History checks when applying for Service Registration

If you have previously had a Residential Service cancelled, you will now need to include details of this cancellation in any future applications you make to run a Residential Service.

You will need to include details of any cancellations, the reasons for those cancellations, and an explanation of why the service should be registered despite the reasons for those previous cancellations.

New time frames for Service Accreditation

You must now apply for accreditation within 3 months of the date you started providing that Residential Service, or level of Residential Service

Service Renewal now subject to Conditions

Yes, the Chief Executive can now make the decision to renew your Residential Service accreditation subject to conditions.

You may apply for a review of this decision.

What happens if a Sole Provider Passes Away?

If you are a sole Provider and you die, your personal representative will be temporarily employed. If that person is not suitable, a substitute Provider may be appointed instead.

Amendments to the Residential Services (Accreditation) Act 2002 (QLD)

The *Residential Services (Accreditation) Act 2002 (QLD)*

governs the registration and accreditation of Residential Services in Queensland.

There have been some recent changes to this legislation which may affect you and your Service.

Funded by



What happens if a Resident passes away?

If you run a service that provides accommodation and personal care (i.e. a Level 3 residential service) and there is a death of a Resident, you must now notify the Chief Executive within 7 days.

What are the changes to the Fire Safety Management Plan?

You were previously required to have a fire safety management plan in place at the start of when the Residential Service began.

You must now have a fire safety management plan in place at all times.

What are the changes to the Public Register?

The Public Register must now include Service or Provider contact details.

However sensitive information may be withheld, such as street address and phone number, for privately funded refuges and residential services that provide assistance to people escaping domestic violence, or if it is in the interest of the wellbeing and safety of Residents not to publish that information. Other details may be recorded instead, for example a business address other than the refuge address.

Domestic Violence is defined in the *Domestic and Family Violence Protection Act 2012*.

Rightwherelive.org.au

Are Compliance Guidelines being produced?

The Chief Executive may develop guidelines for how it administers the legislation. It may also develop guidelines on compliance. If guidelines are made they must be published online and as a hard copy.

Where is the Public Register?

You can find the register at <https://data.qld.gov.au/dataset/residential-services-registered-with-the-department-of-housing-and-public-works>

Have an inquiry about accreditation?

If you have an inquiry about service registration or accreditation you can contact

Regulatory Services at the
Department of Housing and Public Works.

07 3008 3450

regulatoryservices@hpw.qld.gov.au

www.hpw.qld.gov.au

Do you have a hearing or speech impairment?

If you are deaf, or have a hearing or speech impairment, contact us through the National Relay Service. For more information visit:

www.relayservice.gov.au

Do you speak a language other than English?

If you need an interpreter, please contact the Translating and Interpreting Service (TIS) on **131 450** and provide them with the number you want to call

Disclaimer: This fact sheet provides information only and is not intended to provide legal advice.