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Ideal bureaucracy? The application and assessment process for social housing in three Australian states

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ABSTRACT

Social housing in Australia is an extremely scarce resource in high demand. This scarcity makes how applicants are prioritised for this resource a crucially important process with significant consequences. We examine the assessment process in three Australian states, New South Wales, Queensland and Tasmania. In all three, the processes in place are premised on the assumption that they allow for the fair assessment and allocation of social housing to those most in need. Drawing on interviews with 40 informants with expert knowledge of the application process, we examine the three different approaches. We use Weber's concept of ideal type bureaucracy to assist and frame the analysis. A central premise of Weber's analysis is that to avoid corruption, discretion in the making of decisions should not be a feature of a bureaucracy. We conclude that although the assessment processes in place are rule-bound, in many instances discretion is essential and beneficial for the applicant. Further, we demonstrate (in line with Weber's analysis), that the expertise of assessment workers is key. However, there is limited transparency and appealing a decision is possible but can be a challenging task.

KEYWORDS Social housing assessment process: prioritisation; ideal type bureaucracy; Weber

Introduction

Like many other countries, social housing¹ in Australia as a proportion of the housing stock has been in continuous decline and is now extremely difficult to access (Pawson et al., 2020; Scanlon et al., 2015; Watt, 2017). This paper, drawing on Weber's concept of ideal type bureaucracy, examines the assessment process and allocation of this scarce resource in three Australian states²—New South Wales (NSW), Tasmania and Queensland. The intense

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demand for and shortage of social housing means that the assessment process for social housing has become a challenging terrain, yet little is known about the bureaucratic processes involved and whether they are fair and/or efficient. Weber argues that an ideal type bureaucracy, in order to ensure that its processes and allocation of resources are fair, removes discretion on the part of the bureaucrat, has skilled professional staff with the requisite expertise and an appeals procedure. Further, although he does not explicitly highlight the importance of transparency, implicit in his analysis is that the rules governing the bureaucracy are transparent. Certainly, it is now recognised that transparency is an essential component of an effective and legitimate bureaucracy (Bulgaric, 2004; Hollyer et al., 2019). What we argue, drawing on 40 interviews with informants who have expert knowledge of the assessment process, is that although the state governments under review have created a rule-based system for deciding whether an applicant is entitled to be prioritised for social housing, the intense scarcity of the resource has ensured that the bureaucratic procedures do have limitations and a central premise of Weber's analysis, that discretion be eliminated, is often not tenable when assessing applicants. The scarcity of social housing means that decisions constantly have to be made by the assessment worker as to whether the applicant they are dealing with is a priority applicant and, stemming from this, how much effort they need to expend to endeavour to ensure that the applicant is prioritised. We contend that the weakest feature of the application process follows the assessment - while there is a ranking of applicants within the housing register (also called the waiting list), applicants are not told what their position is or if and when they may receive a social housing property offer.

We examine the process of prioritising or not prioritising applicants. In order to understand this phenomenon of intense scarcity of social housing and resultant struggles around assessment and allocation, we argue that we need to situate policy around social housing in the context of a neoliberal political economy and the financialisation of housing. Next, we briefly map the situation with respect to social housing in Australia and contextualise it by drawing on neoliberal political economy and the financialisation of housing. We then discuss applying for social housing in a context of increasing scarcity. Weber's analysis of an ideal type bureaucracy is then sketched and its continuing relevance, despite its limitations, is mapped. The methodology is then outlined. The application process in the three states is then reviewed. Drawing on Weber's framework, the bureaucratic processes involved in applying for social housing are then analysed.

Social housing in a context of a neoliberal political economy and the financialisation of housing

Social housing has never been a substantial part of Australia's housing profile. In the early 1990s it reached a high point of around 6% of the housing stock (Pawson et al., 2020). Recent data indicate that it now

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constitutes around 4% (Australian Bureau of Statistics [ABS], 2019; Australian Institute of Health and Welfare [AIHW], 2022). The decline is not as a result of a lack of demand. Rather, it is a function of the federal and state governments refusing to allocate the financial resources necessary to grow the sector and ensure it keeps pace with population growth (Pawson et al., 2020). So as to understand the reluctance to fund social housing we need to take into account the neoliberal political economy and the related financialisation of housing which have shaped the way social housing is viewed and resultant government expenditure in Australia and many other advanced economies (Aalbers, 2016; Jacobs, 2019; Jacobs et al., 2022; Madden & Marcuse, 2016; Morris, 2018). A key feature of neoliberalism is privatisation, premised on the notion that the market is more efficient than the state. In his seminal analysis of neoliberalism Harvey (2007, p. 65) comments, 'Neoliberals are particularly assiduous in seeking the privatisation of assets ... Sectors formerly run or regulated by the state must be turned over to the private sphere and be deregulated (freed from any state interference)'. In this context, which Peck (2012) has labelled 'austerity urbanism', social housing is increasingly viewed as anachronistic, as a burden to the government, and the financialisation of housing takes hold. Housing is increasingly viewed as an investment and individuals have to make their own way in the housing market with minimal or no government support. The support that is provided is overwhelmingly for the private housing market. For an increasing proportion of the population, home ownership is not possible. Jacobs (2019, p. 2) succinctly summarise the impacts of this neoliberal political economy with respect to the financialisation of housing:

As prices have risen this investment activity has spurred further price rises, thus undermining the role of housing as a means of addressing core human needs. Rather than seeing the state address the growth of housing need and tackling forms of housing stress in a concerted way, we have seen measures to develop further opportunities for asset-based wealth and private landlordism – expanding wealth inequalities dramatically

In Australia, the failure to allocate resources to social housing has occurred in a context where increases in residential property prices have far outstripped increases in household income. In the three decades prior to 2020, house prices trebled, while real earnings increased by only 50% (see Pawson et al., 2020). In the year to September 2021, wages increased by 2.2%, whilst house prices increased by 21.7% in capital cities (ABS, 2021a, 2021b). Not surprisingly this has resulted in an increasing proportion of the population being shut out of home ownership; it has dropped from a high point of 70% in 1997–1998 to 66% in 2021 (ABS, 2022). Around 27% of Australian households were dependent on the expensive and insecure private rental sector in 2021, up from 20% in 1998 (ABS, 2019, 2022; Morris et al., 2021). It has been estimated that two thirds of the estimated one million low-income private renter households are in rental stress, i.e., they use more than

30% of their income to pay the rent (Productivity Commission, 2019). The context outlined has ensured that the waiting list for social housing is extensive, with demand far exceeding supply. Across Australia, in June 2020, there were 155,141 households on the waiting list for social housing (Productivity Commission, 2022). However, in 2019–2020 nation-wide, there were only 17,907 newly allocated social housing households (AIHW, 2021a, 2021b).

Australia is not alone. In many advanced economies social housing as a safety net for low-income households is no longer a policy priority (Blessing, 2016; Jonkman, 2021; van Gent & Hochstenbach, 2020; Watt, 2017). This has led to the decline of the social housing stock as a proportion of all housing and its increasing residualisation (Angel, 2021; Jacobs, 2019; Morris, 2015). In tandem with these changes has been a tightening of eligibility criteria for accessing social housing. For example, in the Netherlands, the 2015 Housing Act introduced income eligibility rules for housing association stock that had not existed previously (van Gent & Hochstenbach, 2020). This has been accompanied by an increased emphasis on diversionary products. Increasingly people in housing need are now steered towards the private market (Blessing, 2016).

Although the three Australian states under review have different application systems in place, a common feature is that applicants must be in 'greatest need' in order to be prioritised for social housing. In Australia social housing is managed by state and territory governments. They receive funding from the Commonwealth Government via multi-year agreements. This has resulted in social housing systems of a broadly similar nature nationally, though with slight variations in eligibility and prioritisation requirements (Powell et al., 2019). In contrast to the UK, which is increasingly targeting allocations towards self-reliant tenants (Flint, 2003; Humphry, 2020), each jurisdiction currently has an allocations policy that prioritises those with the greatest needs. This is consistent with the national performance criteria in the current multi-year agreement, which includes 'an increase in the number of social housing occupants with greatest need as a proportion of all new allocations' (Australian Government, 2018, p. 8), and is reflected in over 80% of social housing allocations across Australia being greatest need applicants in 2020-2021 (Pawson & Lilley, 2022, p. 92). The limited Australian research that has been conducted on the application process has demonstrated that accessing social housing is exceptionally difficult due to demand far exceeding supply (Flanagan et al., 2020; Lawson et al., 2018; Powell et al., 2019). To be placed on the priority or high needs waiting list and thus 'fast-tracked', invariably requires that the applicant has to be in 'greatest need'.

Bureaucracy and the distribution of scarce resources by government

Although there is talk of a post-bureaucracy age (see Child & McGrath, 2001; Heckscher, 1994), bureaucratic organisation remains a central and

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pervasive feature of governments and corporations (Gordon et al., 2009). A well-functioning bureaucracy allows for the smooth running of government and potentially encourages legitimacy by ensuring that government largesse is fairly distributed (Cho et al., 2013; Olsen, 2006). Of course, an effective bureaucracy can also be a crucial mechanism for facilitating repression and even genocide (Arendt, 1994; Bauman, 1989). The allocation of scarce resources by government in a fair and efficient fashion is challenging (Cho et al., 2013). It requires a non-corrupt bureaucracy that has effective systems in place to ensure, as far as possible, that the limited resources available find their way to the right claimants.

Weber's seminal analysis of bureaucracy, although it has limitations, remains salient in the contemporary context (Byrkjeflot & Engelstad, 2018; Drechsler, 2020). A fundamental feature of Weber's ideal type bureaucracy is governance by formal, impersonal rules so as to ensure all claimants are treated equally. This requires that decisions 'are ordered by rules, that is, by laws or administrative regulations' (Weber, 1974, p. 196). Ideally this ensures that discretion in the making of decisions is minimised. Rather decisions are made 'according to calculable rules and without regard for persons' (Weber, 1974, p. 215). Of course removing all discretion, especially in the distribution of scarce resources, in many instances is an impossible task. However rigorous the rules, including the ruling logics of algorithms, they have to be created and interpreted by bureaucrats, and this leaves room for both ideology and subjectivity. As Galbreath and Rose (2008, p. 54) conclude, 'While entitlement to services is governed by laws, an element of discretion is usually available to bureaucrats in their encounters with claimants'. However, Weber's premise that impartial implementation of rules rather than discretion should dictate decision-making as much as possible remains central. What is essential is that the discretion applied is necessary and reasonable.

For Weber, a key element of a well-functioning bureaucracy is that 'only persons who have the generally regulated qualifications to serve are employed'. This is intended to reduce the possibility of nepotism, incompetence and corruption. In addition, citizens should have the possibility of appealing decisions: '... the governed [should have] the possibility of appealing the decision of a lower office to its highest authority, in a definitely regulated manner' (Weber, 1974, p. 197). The background and profession of the allocators are also potentially significant. Galbreath and Rose (2008, p. 56) make the important point that 'members of caring professions may treat people differently than employees of strictly bureaucratic services'

Although Weber did not use the term transparency, it is perhaps implicit in his argument. He argues,

Precision, speed, unambiguity, knowledge of the files, continuity, discretion, unity, strict subordination, reduction of friction and of material and personal costs – these are raised to the optimum point in strictly bureaucratic administration (Weber, 1974, p. 214).

'Unambiguity' does suggest that the rules and procedures should be clear. However, it appears that Weber was referring to the bureaucracy itself, rather than the public having this knowledge. The importance of bureaucracy being transparent and thus accountable is now well-recognised (Bulgaric, 2004; Hollyer et al., 2019; UNESCAP, 2007) and we have included transparency as an essential component of our analysis.

Weber's analysis of bureaucracy has been much maligned in the contemporary period, particularly by New Public Management (NPM) and public-value approaches to public administration (Bartels, 2009; Byrkjeflot & Engelstad, 2018; Drechsler, 2020). These approaches have been accompanied by the argument that Weber's ideal type of bureaucracy is no longer relevant. What is claimed is that government bureaucracy itself is an outdated and rigid mode of organisation that is not fit to deal with the complexities of contemporary society (Bartels, 2009; Drechsler, 2020; Osborne & Gaebler, 1992). Linked to this perspective is the argument 'that privatisation leads to better performance, higher efficiency, and more reduction of waste than bureaucracies' (Bartels, 2009, p. 455). Another critique is that Weber's ideal type bureaucracy does not allow for the involvement of citizens in decision-making. Certainly, citizen participation is an important innovation of the contemporary state. However, NPM has weakened the role of government and civil servants, particularly in countries that Esping-Andersen labelled liberal welfare regimes. In these contexts a range of services is subject to competitive tendering and outsourcing to the market and in the process transparency and accountability have been weakened (Bartels, 2009).

An aspect of Weber's analysis that remains central in the contemporary context is his emphasis on the need for a well-trained and stable professional bureaucracy. As Drechsler (2020, p. 2) argues '... sometimes central coordination is necessary, as is a cadre of well-motivated, competent civil servants ...'. He uses the example of the need to transition to zero emissions—'that process will have to be implemented by competent, motivated, and yes, Weberian civil servants' (Drechsler, 2020, p. 2). Further, in all organisations there is hierarchy and the need for formal rules (Byrkjeflot & Engelstad, 2018). The latter is crucial to avoid corruption.

Methodology

Our analysis of the application process draws on 40 qualitative semi-structured interviews conducted with actors who have intimate knowledge of the application process for social housing in the three Australian states focussed on.³ People working in government housing departments, Community Housing Providers (CHPs), homelessness and domestic violence support services, Tenants' Unions and organisations mandated to assist applicants with their applications were interviewed. Although the application process is in many ways a co-creation between assessment workers and applicants, for this article we concluded that focussing solely on

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interviewing a range of professionals with hands-on experience of the application process and or with detailed knowledge thereof, was crucial in developing an in-depth understanding of the application process and how decisions are made. Interviews were conducted in person and via the Zoom videoconferencing platform.

Recruitment was facilitated by several organisations that the researchers have partnered with in this study. The interviews focussed on developing an understanding of the administrative pathways to accessing social housing for people in each of the three states. We were particularly interested in the procedures involved in the application process and the mechanisms used to determine where applicants were placed on the social housing waiting-list. One limitation is that Queensland Government did not authorise the interviewing of Housing Service Centre staff. These workers play a key role in the assessment process. This limitation was largely overcome by interviews with non-government informants who had expert knowledge of the assessment process in Queensland.

Interviews were recorded and professionally transcribed. Researchers conducted thematic analysis of the data with specific attention to any state-based differences and similarities of the processes, procedures and guidelines in applying for social housing, placing applicants on the housing register (waiting list) and the allocation of this scarce resource. In addition to the interviews, our analysis of the application policies and processes drew on a systematic review of the websites of the relevant government departments of the three states focussed on.

The application process in the three states under review

The systems in place for applying for social housing vary across state jurisdictions. In NSW applicants can apply online, in-person at a government housing office, at a community housing provider (CHP) office or by phone. In addition, some support services, for example services working with women escaping domestic violence, assist their clients with their application before it finds its way to the state government housing authority or a CHP. In NSW, the assessment worker has the power to decline an application for priority status if they conclude the requirements have not been met, though this decision can be appealed by the applicant. If the assessment worker believes that the requirements have been met, they provide a recommendation to their manager who then reviews the documentation and recommendation and makes a decision. Once an applicant is approved for priority housing, an algorithm controlled by the Department of Communities and Justice (DCJ) Housing (the NSW State government housing Department) determines their position on the waiting list/Housing Register. The use of the term housing register rather than waiting list is perhaps an attempt to dissipate expectations that there is a defined queue and that an applicant just has to wait their turn. Applicants who are placed on the general waiting-list could wait for a very extended period or may

never be allocated a public housing dwelling (New South Wales Government [NSW Government], 2021b).

In Tasmania, the most common way for applicants to apply is through undertaking a social housing assessment via the phone or at a front door service (Housing Connect) operated by one of two not for profit organisations contracted by the state government (Tasmanian Government, 2022). All social housing application forms are completed in the Specialist Homelessness Information Platform by an experienced assessment worker whose primary job is assisting applicants. Information generated through the application process is then assessed through the Housing Assistance Prioritisation System (HAPS), an in-built algorithm which determines the assessment outcome across three different categories of need: exiting priority (exiting Specialist Homelessness Services, institutions or care), priority and general.

In Queensland, applications can be completed in one of 43 government run Housing Service Centres (HSCs) across the state (Queensland Government, 2021a). Alternatively, an applicant can fill in a form themselves and send it to an HSC. Ultimately every applicant is contacted and interviewed in person or on the phone and 'pathway planning' is used to assess 'an applicants' eligibility, circumstances, and the nature and urgency of their housing needs' (Queensland Audit Office, 2022). Applicants are placed on the housing register or given assistance that will help them access and or reside in the private rental sector. If their situation is particularly desperate they may be offered housing immediately. Before 2019, applicants were classified 'very high needs, high needs, moderate need and lower need'. Since 2019, applicants can only be placed on the register if they are very high needs (Queensland Audit Office, 2022). An audit of the assessment process was critical of the needs assessment approach concluding that that around 1 in 5 applications it examined did not accurately record an applicant's needs (Queensland Audit Office, 2022). A CHP or a specialist homelessness services worker may advise an applicant and help them complete the form and obtain the requisite documentation, but cannot make a recommendation. They can send the application to an HSC on behalf of an applicant. In addition to the official application form, some organisations assisting applicants also use tools like the Service Prioritisation Decision Assistance Tool (VI-SPDAT) to measure vulnerability. Once applicants are on the waiting list, the tool results are used to advocate for applicants found to be particularly vulnerable.

In all three states applicants have to complete an extensive application form. For example, in NSW the application form has 31 questions and depending on an applicant's responses up to 18 supporting documents are required. The complexity of the form means that a 'a high degree ... of system knowledge' is required and it is usually beneficial for an applicant to be assisted by an experienced assessment worker (Flanagan et al., 2020, p. 39). This is officially recognised in Tasmania, where professional

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assistance from the outset is mandatory. Documentation to substantiate eligibility and need are similar in each state. Applicants must demonstrate housing need and meet criteria about residency, income (the financial threshold ranges across states), health, disability, domestic violence, homelessness, among other factors (Powell et al., 2019). Other factors that may impact on an application in all states are where you want to live (location) and in what kind of housing, along with any rental or housing history such as debts owing or a poor tenant history (Communities Tasmania, 2021; NSW Government, 2021a; Queensland Government, 2020). There is little doubt that for a proportion of potential applicants the application form and evidence required discourages them from applying for housing. The application process is used to determine whether the applicant is in 'greatest need', and should therefore be prioritised for social housing. In NSW, in 2020, there were 46,982 households on the waiting list of whom 5,770 had priority status (Productivity Commission, 2021). In Queensland in 2022, there were 30,922 households on the register of which 19,025 (61%) were in the very high need category and contactable (Queensland Audit Office, 2022) and in Tasmania, in June 2021, there were 3,103 applicants on the priority waiting list and 1,028 on the general waiting list (Communities Tasmania, 2022).

Is it a fair and effective process? The application and assessment process utilising Weber's ideal type analysis

Our analysis, drawing on the interviews conducted and utilising Weber's ideal type bureaucracy to investigate the application and assessment process in the three subject states, first discusses the degree to which rules and discretion play a role and whether the latter is an issue. Secondly, the expertise of the staff making the decisions is examined. The issue of transparency is then discussed and finally we review the appeals procedures in place. Although these bureaucratic elements are discussed separately, there is a good deal of overlap, particularly around calculable rules/lack of discretion and the importance of expertise.

To what extent is the application and assessment process premised on 'calculable rules and without regard for persons'?

The application form that applicants complete is supposed to demonstrate in an objective fashion who is most entitled to social housing and thus needs to be given priority or very high needs status. The application form does give assessment workers and state government housing authorities the evidence base to make informed and fair decisions as to whether to place applicants on the general or priority waiting list. However, there is certainly a subjective element and room for discretion. Tanya, who worked for the NSW government's housing authority before becoming a senior

manager at a CHP, noted that despite the rigid rules in place, subjective factors are almost always at play:

There are strict guidelines and policies and procedures for assessment workers to adhere to and these are monitored and audited. However, there is always a level of subjectivity as well in any assessment process. Policy discretion can be applied and 'out of policy decisions' are sometimes made, as the applicant's situation, ... may not quite fit into the exact policy for general or priority, and there may be certain factors which require policy discretion, which could influence the decision of priority or general waitlist.

Holly, a manager in a CHP in NSW, also spoke about assessment workers having to use their judgement to assess the complexity of an applicant's needs:

And when they apply for housing they're [assessment workers are] basically doing an assessment that's looking at your immediate needs. Like are you actually homeless at the moment and require emergency assistance ... But then, as part of the application process, it starts looking at what your needs are and you know primarily I suppose, the application process is based on income, that's the first criterion. But then after that ... it's also based on the complexity of your need, where you get ranked on the housing register. And the housing providers, like us, do that process.

A key bureaucratic weakness of the system in NSW is that how a person goes about applying for social housing is potentially a crucial determinant of whether they are or are not placed on the priority list. There is a significant risk that an applicant who applies by themselves through the internet will have limited knowledge of how to pitch their needs. Holly explained:

It's very rule based, ... the application system ... It's quite complex unless you know the system and the rules and everything ... Yeah, it's not easy ... I think the issue is you have to know what's going to rank you as higher on the list. So the [housing] register is you know stratified in terms of urgency. Like income's your base level ... and then it's about how you're ranked in terms of the urgency of your need and the complexity of your need. So you really have to prove a lot of things to get on the priority list ... Otherwise you'll just go on the [general] waiting list and really you're never going to get housed on the waiting list in most of the city. In the regional areas it might be different.

The issue of scarcity is potentially a major factor determining the level of discretion. As Skitka and Tetlock (1992, p. 497) argue, 'scarcity may promote attributional analysis of responsibility as allocators search for reasons to deny some claims, but not others'. Noteworthy is that Tanya was of the view that a person who applied at a NSW government housing office could also be at a disadvantage. There is a possibility that there would be a reluctance to place a person on the priority list:

There is an underlying political agenda about priority list and wait list data and performance, especially from social housing authorities who would want to publish positive data about movement off the list and the time it takes to house a priority applicant, so there could be implicit policy happening internally which influences the decision-making process.

As noted, in Tasmania the government contracted NGOs do all of the applications so this does make the application process a more level playing field. The assessment workers interviewed in Tasmania spoke of discretion as a positive factor in the application process so as to ensure an optimal ranking for the applicant. Lauren, an operations manager at Housing Connect, spoke about how the state government (Housing Tasmania) encourages the use of discretion when assessing applicants and how she encouraged her employees to use discretion:

We are still bound by like I guess the Department [Housing Tasmania] and its policy around eligibility. [However] there is flexibility around discretion and it's very interesting because when we've met with the Department to talk about that KPI (key performance indicator) around discretion cos we do have a KPI around discretion they said, '... Can't you get that [KPI] up'. So that's something which I've been talking to my teams about ... If someone is eligible for discretion, let's use it to, you know, get them on the waitlist [For example] ... around DV (domestic violence) where someone may ... jointly own property with a partner, owning a property would generally make them ineligible [for social housing]. [Another example] ... we have discretion ... to back date applications so ... someone who is facing a mental health issue will sometimes find it challenging to get things done in a timely manner so we may ... back date the application.

Another operations manager in Tasmania also spoke about how the application process often involves her using discretion:

So my role involves ... managing discretion requests. So while we operate under particular guidelines that are set down by the government, there is quite a bit of room there, depending on people's needs or circumstances. ... So they'll [an assessment worker] be with the client. They'll be submitting the application and they'll go, 'Oh, that's only come out as general. I don't know why'. They might go back through some of the answers to make sure they've inputted everything properly. If they feel, and if the client feels, that it probably should be in priority, then they'll send a request to me. So if it does need to have discretion applied, that's got to be approved by a manager. We do have quite a wide scope for that.

In Queensland the 'pathway planning' approach means that discretion is inevitable. A good deal of interpreting and questioning is required.

Karen, a senior employee in Queensland housing, the state government department responsible for determining policy around social housing, commented,

Over the last couple of years we've shifted our response, and our service response, to be about being person-centred and about doing holistic intake and assessment. So, principally trying to understand in a broader sense, in a holistic sense, a person or their household's needs as they present in a range of areas. Domains, we have been calling them. So, connecting in health and financial well-being, connecting in particular housing needs, connecting in a whole range of their whole picture, I guess.

The criteria for qualifying for the 'very high needs' list do not appear to be clear. Belinda, a manager at a CHP in Queensland, voiced her frustration at the lack of clarity.

There have been changes that have kind of flown under the radar. [Thus] being under financial stress is no longer enough. There's been some subtle changes, even though when I speak to the [Housing] Department about it and I'll say, 'Have you changed how you're assessing people?' They'll say, 'No'. But there's people who would have previously been eligible, that are no longer.

We can conclude that in all three states although assessment workers have to adhere to the rules and a sound knowledge of these rules is crucial, they also often have to exercise discretion and use their own judgements as to how to optimise an application. This requires a high level of expertise which we examine below.

'Only persons who have the generally regulated qualifications to serve are employed'?

As noted, Weber emphasised that people in the bureaucracy should have the requisite skills to perform their tasks efficiently. The requirements of the application process mean that successful applications (success measured by the applicant being placed on the priority or very high needs list) frequently rely on the expertise of professional assessment workers (see Morris et al., 2022). This is particularly apparent in Tasmania, where applicants are required to complete an application form with an assessment worker. Ashley, a coordinator at Housing Connect in Tasmania, highlighted the professionalism and expertise of the assessment workers she has contact with:

We have almost all social work qualified staff doing those interviews ... We have people who are very skilled at asking what can be quite, not invasive, but they're really personal questions ... so for me, the blessing and the curse is that you have very experienced, very qualified workers taking those applications. They know how to ask questions. They know how to make sure they're doing, presenting the best application they

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can on the information that the person shares with them. So that's an incredible work scene because they do prompt and they've got a series of questions that they go through and they can give very qualified detailed advice about getting the strongest application possible.

Marita, a manager of a support service in Queensland, had a similar view about the importance of expertise:

It's more common that they [applicants] won't know how to do the process, and so I'll go through it with them. I assist them with identifying wellbeing barriers, complete the application with them, get it, and then when it's approved, also do community housing applications with them if they wish.

In Queensland, assessment workers are expected to ask a range of questions to assess need. This requires a good deal of skill and interpretation. The expertise of the assessment worker can make a substantial difference to an applicant's trajectory. Jacqui, a manager in the Queensland government's housing authority, explained:

The previous process was very transactional. So tick the boxes on the form, 'Are you homeless? Have you got this? What's your bank balance?', etcetera ... We moved across in the end of October to the wellbeing conversation, pathway planning conversation, which is, 'So, you are homeless. What's been happening for you over the last couple of years? Have you been able to sustain any tenancy? What does this look like?' So those deeper, inquiring questions.

Often an effective application requires that assessment workers elicit intimate and even traumatic details of a person's life, which in itself can be retraumatising. Getting applicants to reveal these intimate details, requires a good deal of skill on the part of the assessment worker. Belinda, a manager at a CHP in Queensland, noted the difficulty of applying for social housing and the intimate nature thereof:

It's not easy. It's not an easy process and it's a time-consuming invasive process, and there's also a bit of a stigma attached to it as well ... It's quite a bureaucratic, difficult process for people and it's not easy for people to go through that, all of the information that they need to provide to fill in an application.

In order for an applicant to obtain the requisite documentation a range of skilled professionals are often involved, however it needs a skilled person to guide the applicant through the system:

I think absolutely for people who are rough sleeping and for all people who have complicated [lives], whether it's our case workers or a different support service, it's really invaluable having that person who can navigate the system for you and yeah, sort of help you get what you need to get. (Claire, a manager at a CHP in NSW)

Interviewees agreed that although many assessment workers are highly skilled, there is certainly unevenness. Tanya highlighted the variability in competence and its potentially significant negative implications for applicants:

As in any organisation there will be different levels of motivation, capacity, capability, training and interest in the outcome. Some staff will go the extra mile to gather all of the evidence required to demonstrate that an applicant should be priority ... There is also staff that have been in this type of role for a long time and are experts and committed to a good outcome for applicants, and there may be some who are disengaged or bored.

Transparency

Transparency can dissipate a sense of being treated unfairly (Kosack & Fung, 2014). In the case of applicants for social housing it would require that they have a clear understanding of why they have or have not been prioritised. Further, if they have been prioritised, a transparent process would allow them to have some knowledge of where they are on the priority list. In NSW because the assessment worker makes the decision, it is possible for them to explain any decision made to the applicant. Tanya described how this worked in practice:

The reality is, that some applicants are relieved having gone through the process and finally have been included on the waiting list or register ... For those who do seek explanation, the responses and explanations from staff may focus on the 'greatest need' definition and it's like they're reassuring the applicant that there are people out there whose needs are far worse ...

The capacity to clarify a decision does vary. If an applicant is on the cusp of being on the priority list, but is placed on the general waiting list, this can be challenging to explain. For example, an applicant may be in dire straits, but a conclusion is reached by the assessment worker that they will be able to remedy their situation over time in which case they would not be prioritised. Rachel, a manager at a CHP in NSW, explained:

I think for some [applicants] priority it's very clear ... I won't say it's easy to provide information, but the sorts of evidence [required] are quite clear. Whereas there's some things we've really got to be really open to the client's circumstances and what is actually feasible for them to provide. Because when somebody is being assessed for priority, you have to confirm they're eligible. You have to confirm they're in urgent need, but also confirm that they can't rectify the situation on their own.

In Tasmania, whilst there is considerable transparency, discretion and dialogue applied in the assessment process handled by the

non-government operated Housing Connect services, the allocations process and short-listing and ranking of individual applications for vacancies are not transparent outside of Housing Tasmania (the Tasmanian government's social housing department), either to Housing Connect staff or individual applicants. Rosa, an operations manager in Housing Connect, commented:

We're in charge of admin and then everything else goes there [to Housing Tasmania] and that's pretty hard for people to understand ... Like they're here. They've told us their life story and then we say, 'Sorry we can't tell you where you are on the register. We can't tell you how long you'll be waiting. I'm sorry, I don't know where these properties are in that suburb'. We know nothing else and it's really hard for a person to understand and I really empathise because if I heard that, I'd be like, 'What the hell is wrong with you?' Yeah, it's really difficult.

In all three states there is minimal transparency with respect to when a person will be housed. Dominica, a frontline worker in Tasmania, noted the frustration:

It's very frustrating because we know there's a long wait and we tell them that there's a long wait and you know they'll ring us back and go ... 'How's my application going?' and it's like, 'It is submitted, it's on priority'. There's nothing else we can say. Yeah, it's very hard.

Belinda noted that in Queensland 'it can several weeks for someone's application to be assessed' and even the CHPs have minimal knowledge of the workings of the waitlist:

We don't actually even get access to the waitlist, which has always been something that's been lobbied for us, that we should be able to go into the waitlist and pull down data from it. We have to go to the [government housing] Department and they have, I think, three days to supply us with nominations [for housing]. They're supposed to give us three nominations. Sometimes that does happen, not always ... We don't even know if someone has support needs unless they share that. So very often it's not until someone's housed that you become aware that they might have some mental health issues or some other issues.

In NSW, once an applicant is ranked priority an algorithm controlled by the NSW government department responsible for social housing (DCJ Housing), determines their position on the priority list. Implicit in the use of algorithms is the notion that they are neutral and free of any human interference and bias. It has been argued that these qualities mean that digital technologies such as algorithms have the potential to enhance Weber's ideal type bureaucracy (Newman et al., 2021). Of course the algorithm is created by persons and there will be bias, however, the crucial concern with the use of algorithms in the assessment/allocation process of social housing is that the applicant is in the dark; there is no way of knowing if and when an offer of social housing will be made. In NSW

there is priority within priority, as explained by a senior NSW state government housing employee:

Like the algorithms and everything else is all set up in Homes⁴ to do that ranking system. The majority of our priority codes sit at a number 2 ranking, but there are a couple that will sit at the number 1 ranking.⁵

Appealing

Weber was clear that a well-functioning bureaucracy should have a framework in place that allows claimants to appeal against decisions that they consider unjust. In NSW, applicants whose applications for priority housing are rejected can appeal the decision and the assessment can change if the applicant is able to provide more relevant information. The bureaucracy allows for 'first tier' and 'second tier' appeals (NSW Government, 2021c). First tier appeals involve appealing to the organisation that did the initial assessment. A person not involved in the initial assessment checks that the proper procedures have been followed. If the applicant still feels that they have been unfairly assessed they can appeal to the second tier - the Housing Appeals Committee (HAC), a review body set up by DCJ Housing. The HAC has no directive capacity and can only make recommendations. Successful appeals, in which it is found that assessment staff have misinterpreted or misapplied policy, are relatively rare. However, providing new information when they appeal, thus triggering a reassessment of their application, is more likely to overturn a previous decision. The appeals process has a time limit (three months after the initial decision) and this can be a major limitation. For some applicants appealing is fairly straightforward if they have the necessary documents at hand and are on top of the process. However, for most applicants it is not easy. Tanya commented, 'The applicant can appeal a decision, but ... many applicants would not have agency to appeal a decision'. Holly (NSW) felt that without a support person, it was highly unlikely that an applicant would appeal.

If they say. 'No, you don't have a priority need' ... you can appeal as well. But once again, I don't think many people would be appealing if they didn't have a support person to help them appeal and go through that appeals process ... I would say the vast majority of people that are going to the Housing Appeals Committee ... they must, they're supported by somebody.

In Queensland an applicant can only appeal against a decision that they are not eligible for social housing, or the location or type of property they are offered. Appeals have to be made within 28 days of the applicant being notified that they have failed to access the waiting list (Queensland Government, 2021b). Applicants can also contact their local state government Member of Parliament (MP). In Tasmania there are processes in place for applicants to appeal a decision. As Vanessa, an operations manager at Housing Connect explained, 'Housing Connect can advise on the supporting documents that applicants can provide to help move an application into priority, for example health assessments or evidence of extenuating circumstances'. There is also room to appeal to the coordinator of the Housing Connect service who will review the documentation and contact Housing Tasmania if they feel the applicant has a case. If all else fails, applicants can also appeal directly to the housing Minister, via their local state MP or advocacy support. Tessa explained that on receipt of the correspondence, government staff reviewed the person's situation, consulting Specialist Homelessness Information Platform (SHIP) records and Housing Connect. They were responsible for collating information for the Ministerial response, which she saw as a process that is

... really a way of checking that Housing Connect has done all it can ... Everyone has the right and opportunity to go to the minister's office and probably what we've seen over the last 18 months is that ... I've had three ministerials⁶ today for instance [average of around 10 a week].

Discussion and conclusion

Using Weber's ideal type model of bureaucracy as a guide, we have endeavoured to show that although the application process for social housing in three Australian states is portrayed as systematic and bound by tight rules and regulations, discretion and unevenness is common. Further, with the introduction of algorithms to assessment and allocation processes, whilst the *application* of algorithms is routinised, the ideological and interpretive bases for their construction remain less transparent and less publicly explored.

Three key conclusions can be drawn. First, it is evident that the notion that the bureaucracy should be entirely rule based and devoid of discretion is not feasible. The intense scarcity of social housing means that the rules pertaining to accessing the waiting list are necessarily onerous. They are designed to exclude any applicant who cannot show that they are deeply disadvantaged and thus in 'greatest need'. What we illustrate is that in order for assessment workers to ensure that applicants are properly assessed the use of discretion is essential in many cases.

Secondly, and in line with Weber's analysis, there is no doubt that an optimum application often requires that the assessment worker has a high level of expertise. Besides having the capacity to draw out intimate and often traumatic details from an applicant, they need to know what is required to ensure an applicant is placed on the priority or very high needs list. More experienced assessment workers are (perversely) able to present worthy applicants' situations as dire so as to optimise their place on the priority list.

Thirdly, whilst we can conclude that the bureaucracy around assessment is working well to target those most in need, the intense shortage of social housing potentially encourages a lack of transparency about how the bureaucratic management of *allocation* occurs. Indeed neither

assessment workers nor applicants have visibility of the allocation process. A lack of understanding of how allocation is driven by property vacancies rather than by simple date order of applications prevails. Research is needed about how allocation is achieved in different Australian jurisdictions. Further, consideration should be given as to how providing more transparent detail on the allocation process may help manage the misplaced hopes and frustrations of applicants and assessment workers. Once on the waiting list, waitees have to wait an indeterminate period of time. This total lack of power and transparency over the allocation process is a form of 'temporal domination' (Koppelman, 2018).

An examination of how algorithms, posing as 'ideal bureaucracy', are in fact both ideologically and practically working to reset the provision of social housing to those in extreme need, is required to open conversation about social housing policy settings more broadly. Opening the black box of assessment and allocation algorithms would enable more transparent discussion of how social housing is currently being positioned as a crisis homelessness response in Australia. Exposing the drive behind algorithms may work to inform public debate about why a priority-based system has evolved and would also help to manage understanding and expectation of the social housing register as an information database rather than a mechanism which in itself orders allocation. Ultimately though, the creation of a more transparent system is probably dependent on a massive expansion of social housing in Australia.

Notes

- Social housing refers to public housing which is owned and managed by state governments and community housing which is managed by non-profit organisations.
- 2. Australia has a federal system. There are six state and two territory governments. The Constitution gave the federal Parliament the power to make laws for the territories, but in 1978 the Northern Territory was given self-government and in 1988 the Australian Capital Territory (ACT) was given similar status.
- 3. The project had ethics clearance from the respective universities.
- 4. HOMES is the system used by the NSW government to rank applicants for social housing.
- 5. In addition to social housing applicants, the register also includes people who have been approved for Emergency Temporary Accommodation. This is where social housing is used to accommodate people who do not meet standard social housing criteria, but have a temporary urgent need, for example due to their home being rendered uninhabitable due to a natural disaster. While such cases are relatively rare they receive the highest possible priority, that is, higher than priority social housing applicants. These are labelled Priority 1 applicants. Ordinarily the most needy social housing applicant cannot be higher than a number 2.
- 6. A ministerial is a request from a government minister to provide a reply or information regarding government department actions. The request from the minister is made following correspondence or questions from constituents or the general public.

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