

**Policy Number: 33**

Policy Name: Complaints and Appeals Policy (*Previously Complaints, Grievance and Dispute Resolution Policy*)

Version No. 02

Established: 2018

Present Version Passed: 08/06/2021

Next Scheduled Review: 2020

## PURPOSE

This policy establishes the approach of Northern Geelong Rental Housing Co-operative Ltd (NGRHC) to complaints and appeals in respect of housing, social housing applications and related services.

## SCOPE

This policy applies to complaints and appeals made to NGRHC by:

- Renter-members and prospective renter-members of NGRHC in respect of rental housing; and
- Complaints or registration of concern by other members of the community (for example, neighbours).

This policy does not apply to:

- complaints or grievances by employees of NGRHC; and
- complaints by contractors of NGRHC.

## RELEVANT CO-OPERATIVE OBJECTIVES

Housing Registrar Performance Standards for Registered Housing Providers

## POLICY STATEMENT

### Guiding principles

All renter-members and prospective renter-members of NGRHC have the right to:

- complain about the way that NGRHC has gone about delivering housing or related services; and
- appeal a decision made by NGRHC in relation to their housing, application, or services.

NGRHC welcomes complaints as a keyway by which NGRHC receives feedback, responds to needs and improves its service delivery.

Accordingly, NGRHC will:

- provide clear information about how they can make a complaint or lodge an appeal with NGRHC and about any external complaint-handling bodies that are relevant (such as DHHS or the Housing Registrar);
- support complainants to make a complaint or appeal in a way that is accessible to them;
- respond to complaints and appeals promptly, fairly and transparently;
- respect the privacy and confidentiality of any persons who make a complaint or lodge an appeal;
- refrain from taking any adverse action in respect of any person simply because the person has made a complaint or lodged an appeal;
- keep records of complaints made and appeals lodged; and
- use the outcome of complaints and appeals to improve NGRHC's service delivery and minimise future complaints and appeals.

## COMPLAINTS BY RENTER-MEMBERS OR PROSPECTIVE RENTER-MEMBERS ABOUT RENTAL HOUSING

Renter-members or prospective renter-members of NGRHC who are affected by decisions of NGRHC on matters relating to rental housing may ask for their complaint to be dealt with under this complaints and appeals procedure.

This complaint and appeals policy applies to existing renter-members who may be unsuccessful in an application to transfer.

Under this procedure, NGRHC must take all reasonable steps to resolve such complaints within 30 days after the complaint is made to NGRHC.

An individual who is a RENTER-member or prospective renter-member of NGRHC and who has made a complaint to NGRHC may refer the complaint to the Housing Registrar for investigation if the complaint is not resolved within 30 days after the complaint is made.

## COMPLAINTS OR APPEALS ABOUT APPLICATIONS APPROVED UNDER THE VICTORIAN HOUSING REGISTER

NGRHC participates in the VHR by providing applicants with information about applying for social housing under the VHR. Should the applicant feel they have not been given sufficient information to apply for Social Housing under the VHR they may make a complaint.

Where an applicant wishes to:

- make a complaint about the way in which NGRHC has provided a service to them in making an application for social housing; or
- appeal a decision made by NGRHC in relation to the person's application for social housing to:
  - recommend or not recommend an application for approval;
  - approve or not approve an application; and
  - determine if an offer of social housing is a reasonable offer;such applicants should first ask that the complaint be reviewed or decision be reconsidered by NGRHC under the complaints and appeals procedure.

Applicants for social housing who are unhappy with the resolution of a complaint under the complaints and appeals procedure may refer the complaint to the DFFH Housing Appeals Office.

## PROCEDURES

NGRHC will ensure that all renter-members and prospective renter-members have access to the complaints and appeals policy and procedures set out in this policy via the NGRHC website or as a paper version.

A copy of the policy shall be made available to new renter-members at sign up.

Where a person/s forwards a **written** complaint to NGRHC, the complainant, where the name and address is known, shall be sent by mail a copy of the NGRHC Complaints form, along with a copy of this policy and a covering letter detailing the required process.

Where a complainant requests assistance in completing the NGRHC Complaints form, this assistance shall be offered by the Co-operative, OR a non-affiliated party.

NGRHC Rules shall not contravene any other Laws or Regulations prescribed by Community Housing governing bodies.

Complaints are reviewed by the Committee of Management when a written complaint is received by the NGRHC.

NGRHC will regularly monitor the effectiveness of this complaints and appeals procedure.

### RIGHT OF APPEAL

All persons making a complaint have a right of reply whereby, after the Committee of Management has considered a complaint, it is possible to request the Committee of Management to reconsider their decision.

If internal complaints and appeals procedures fail or the complainant is not happy with the outcome they should be advised of their external grievance options.

These may include but not be limited to:

- Housing Registrar
- Commissioner for Privacy & Data Protection
- Human Rights and Equal Opportunity Commission
- Australian Competition and Consumer Commission (ACCC)
- Victorian Civic and Administrative Appeals Tribunal (VCAT)
- Consumer Affairs Victoria
- Victorian Ombudsman

### COMPLAINTS COORDINATION

NGRHC has appointed the Manager to coordinate complaints, which will include to:

- act as the point of contact with the Housing Registrar and Homes Victoria Housing Appeals Office;
- monitor compliance with the policy and this procedure (for example, the requirement to resolve complaints within 30 days);
- ensure that all complaints are included in the Key Performance Measures reported to the Housing Registrar (eg. Number of complaints and number of complaints dealt with in 30 days); and
- maintain the register of complaints and appeals.

### INFORMAL RESOLUTION

NGRHC encourages all persons who are unhappy about their treatment or decisions made by NGRHC to raise the issue with the person who delivered the service or made the decision. This can be a way of getting the matter resolved quickly.

However, if a person does not wish to do this then it is their right to have the matter dealt with under the complaints and appeals policy and this procedure.

### HOW CLIENTS CAN COMPLAIN OR APPEAL

Clients may make complaints or lodge appeals:

- in person;
- via a representative or advocate;
- in writing (hard copy or electronic);

- by telephone.

NGRHC encourages people to make complaints in writing as a way by which the issues can be most effectively identified and then resolved. However, NGRHC recognises that some clients face barriers to doing so and will therefore:

- accept complaints and appeals in a variety of means; and
- take reasonable actions to assist that client to clarify the issues in their complaint or appeal.

### ACKNOWLEDGEMENT OF COMPLAINT

NGRHC will acknowledge receipt of all complaints and appeals within **3** working days. This acknowledgement should advise the person of the process that NGRHC will follow and ensure a complaints form is sent to the person.

### INVESTIGATION OF COMPLAINT OR CONSIDERATION OF THE APPEAL

A staff member will be assigned and be responsible for ensuring that NGRHC responds appropriately to the complaint or appeal by investigating the matter and/or reconsidering any decision made.

This person should not be directly involved in the complaint or appeal – i.e. be the original decision-maker or the person whose conduct has given rise to the complaint.

### OUTCOME OF COMPLAINT OR APPEAL

Responses to complaints and appeals must:

- be in writing;
- explain the outcome of the complaint or appeal and the reasons for NGRHC's decision; and
- advise the person of their right to refer the matter to the Housing Registrar or DFFH Housing Appeals Office (as appropriate).

### INVESTIGATION BY THE HOUSING REGISTRAR

NGRHC staff must co-operate with any such investigation by the Housing Registrar.

### PRIVACY AND CONFIDENTIALITY

NGRHC must comply with the Privacy and Information Sharing Policy when undertaking this process.

### REGISTER OF COMPLAINTS

NGRHC will maintain a register of complaints made and appeals lodged which complies with the requirements of the Housing Registrar. A summary of the complaints shall be submitted to the Housing Registrar on an annual basis.

### REVIEW

NGRHC will use the outcome of complaints and appeals to improve NGRHC's service delivery and minimise future complaints and appeals by the following:

- Consideration of outcomes of complaints at team meetings (on a de-identified and non-judgmental basis);
- Reporting of complaints data to the Committee of Management;

## DEFINITIONS

In this policy:

<b>Appeal</b>	When a person asks for a review of a decision of NGRHC to which this policy applies
<b>Applicant</b>	A person applying for social housing
<b>Client</b>	An applicant or a renter- member or a prospective renter-member of NGRHC
<b>Complaint</b>	A client’s registered expression of dissatisfaction with any service delivered or action taken by NGRHC to which this policy applies.
<b>DFFH</b>	The Victorian Department of Families, Fairness and Housing
<b>Social housing</b>	Both public housing (housing owned and managed by DFFH) and housing owned, controlled or managed by participating registered agencies (that is, registered housing agencies that participate in the Victorian Housing Register)
<b>VHR</b>	The Victorian Housing Register, the state wide common application for people seeking social housing, which can be accessed via NGRHC, DFFH, the mygov portal or designated support providers

## RELATED POLICIES

Privacy and Information Sharing Policy

## LEGISLATION AND STANDARDS

This policy implements [CHO’s] obligations under:

- Housing Act 1983 (Vic) Part VIII Division 5 Subdivision 2 (Dispute Resolution)
- Performance Standards for Registered Housing Agencies
- DFFH Victorian Housing Register Operational Guidelines
- Charter of Human Rights and Responsibilities Act 2006 Act No. 43/2006

## TRANSPARENCY AND ACCESSIBILITY

This policy will be available on the NGRHC website [www.ngrhc.org.au/policy](http://www.ngrhc.org.au/policy)