



# Complaints and Appeals Policy

August 2023

Women's Housing Limited acknowledges the Traditional Aboriginal Owners and Custodians of the land on which we work. We pay our respects to Elders past, present and emerging. We acknowledge the diversity of Aboriginal Victorians, their communities and cultures, and the intrinsic connection of Traditional Owners to Country.

## Document information

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## Revision History

Issue date	Version	Revision description
Sep 2012	1	Reviewed as part of larger P&P doc
Sep 2014	2	Draft only of standalone policy
May 2017	3	Redraft in new policy template format.
July 2019	4	Reviewed as part of the biennial review. Changes made in relation to updated position titles.
Oct 2020	5	Redrafted to incorporate reference to Victims of Crime Charter
May 2021	6	Redrafted to reflect terminology changes arising from amendments to the Residential Tenancies Act 1997 (Vic)
August 2023	7	Biennial review with removal of internal procedural information

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## 1. Purpose

This policy guides renters and clients on WHL's complaints and appeals framework and ensures compliance with the Housing Act 1983 and Housing Performance Standards.

WHL acknowledges that all renters and clients are entitled to make a complaint. WHL will ensure that renters and clients can access a transparent and responsive complaint resolution system that is timely, fair and equitable.

Feedback provides valuable information to WHL in identifying areas for improvement, coordinating a consistent approach for resolution, reducing the potential for future complaints and allow for reporting and efficient allocation of resources.

## 2. Scope

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

- Renters and prospective renters, their advocates and other stakeholders; and
- People whom WHL has assisted to make an application for social housing through the Victorian Housing Register

However, this policy does not cover:

- Complaints or grievances by employees of WHL
- Complaints by contractors of WHL
- Disputes that are subject to the Residential Tenancies Act to be resolved by VCAT
- Complaints relating to the behaviour of neighbours (see *Renter Dispute Policy*);
- Complaints relating to matters beyond WHL's control, such as the lack of available housing

## 3. Overview

WHL accepts and treats complaints and appeals as a form of constructive feedback and an opportunity to improve the quality of our service.

WHL recognises that its renters and clients often will feel insecure and vulnerable and will sometimes be reluctant to exercise their rights and/or make complaints.

WHL will:

- provide clear information about how to lodge a complaint or appeal and how to escalate a complaint to the Housing Registrar
- provide support to the complainant to make a complaint or appeal to ensure the process is accessible
- make referrals to appropriate advocacy and legal services to assist complainants (renters can also refer to the renter support information sheet)
- respond to the complaint or appeal promptly, fairly and transparently
- respect the complainant's privacy and confidentiality when making a complaint or applying for an internal review
- treat the complainant in a way that is objective, respectful, and fair including consideration of human rights
- be accountable for decisions as a service provider
- not take any adverse action against the complainant simply because a complaint or lodgment of any appeal; and

- use the outcome of complaints to improve service delivery

#### **4. What is a complaint / appeal ?**

##### **Complaint**

An expression of dissatisfaction made to or about an organisation (either written or verbal), related to its products, services, staff or the handling of a complaint, where a response or resolution is explicitly or implicitly expected. The subject of the complaint may include:

- a policy or decision made by WHL staff about a rental housing matter;
- the quality of an action, decision or service provided by WHL staff
- a delay by WHL staff in taking an action, making a decision or delivering a service

##### **Appeal**

An appeal is an expression of disagreement or dissatisfaction with a decision that has been made by WHL.

#### **5. Who can make a complaint?**

A renter or prospective renter may make a complaint to WHL about its products, services, staff or the handling of a complaint. A representative of a renter or prospective renter (such as an advocate or family member) may also make a complaint on a complainant's behalf. The term 'complainant' is used to refer to the individual or organisation that makes the complaint.

WHL is committed to being accessible and responsive to all complainants regardless of ethnic identity, national origin, religion, linguistic background, sex, gender expression, sexual orientation, physical ability or other cultural or personal factors.

#### **6. How to make a complaint**

Complainants may raise a complaint informally with their Tenancy Officer, Asset Officer or a Line Manager in the first instance. This may occur where complaints are more straightforward and can be resolved by the appropriate party. Complainants can request their complaint be handled under the formal policy at any time.

Alternatively, some complaints will be escalated immediately to the Complaints Officer for resolution. This might include where:

- The complaint is about a WHL staff member or policy
- A previous complaint was not solved to the complainant's satisfaction
- The complaint involves allegations of criminal or corrupt conduct
- The complainant has requested that it be handled formally at this level

Appeals will always be escalated to the Complaints Officer immediately. Complainants should request a copy of the Complaints & Appeals Form from their Tenancy Officer or download the form from the WHL website: <https://womenshousing.com.au/tenants/tenants-factsheets-forms/>

If you are unable to complete a written form, you are able to request to speak with the Complaints Officer directly about your complaint / appeal.

## **7. How a complaint will be handled**

WHL will acknowledge a complaint within 3 business days of receiving the complaint. The Complaints Officer will contact the complainant to discuss the complaint and take necessary steps to try to resolve the complaint. This may include:

- taking direct action to resolve the complaint; and
- referring the complaint to the relevant team or manager for investigation

WHL will try to resolve the complaint as quickly as possible. Where this is not possible, WHL will inform the complainant of the outcome of the complaint and provide reasons in writing within 30 calendar days of receiving the complaint. If there is any reason for a delay, WHL will contact the complainant and advise when a response can be expected, and the reason for the delay.

A complainant can check the status of the complaint by contacting the Complaints Officer.

### **7.1 Complainant conduct**

The success of the complaints process depends on:

- WHL's ability to work effectively and efficiently
- the health, safety and security of WHL staff
- WHL's ability to allocate resources fairly across all complaints received

WHL requires staff to be respectful and responsive in all of their communications. Where a complainant's behaviour or conduct raises health, safety, resource or equity issues, this may significantly affect the complaint handling process. WHL will act proactively and decisively to manage unreasonable complainant conduct and will support staff to do the same in accordance with this policy. WHL may adjust its communication method to minimise any adverse impacts for staff and complainants.

### **7.2 The outcome of a complaint**

WHL will contact the complainant to advise the outcome of the complaint and provide details of:

- actions taken in response to the complaint;
- the reasons for the decision made;
- where WHL has made an error, the steps that will be taken to redress the situation; and
- information on options for internal or external review if the complainant is not satisfied with the decision

A complaint outcome will be made in writing with written reasons to the complainant. Once a decision is made in relation to the complain, the details of the complaint will be recorded on the WHL Complaints Register and closed. It is a regulatory requirement for WHL to record the complaint on a Complaints Register and provide it to the Housing Registrar or on an annual basis for regulatory purposes.

### **7.3 Requesting a review of the outcome of the complaint**

The complainant can request that a decision or outcome of the complaint be reviewed by WHL where the complainant believes it to be incorrect.

The review will be conducted by the Operational Management Group as a team. WHL will inform the complainant of the outcome of the internal review.

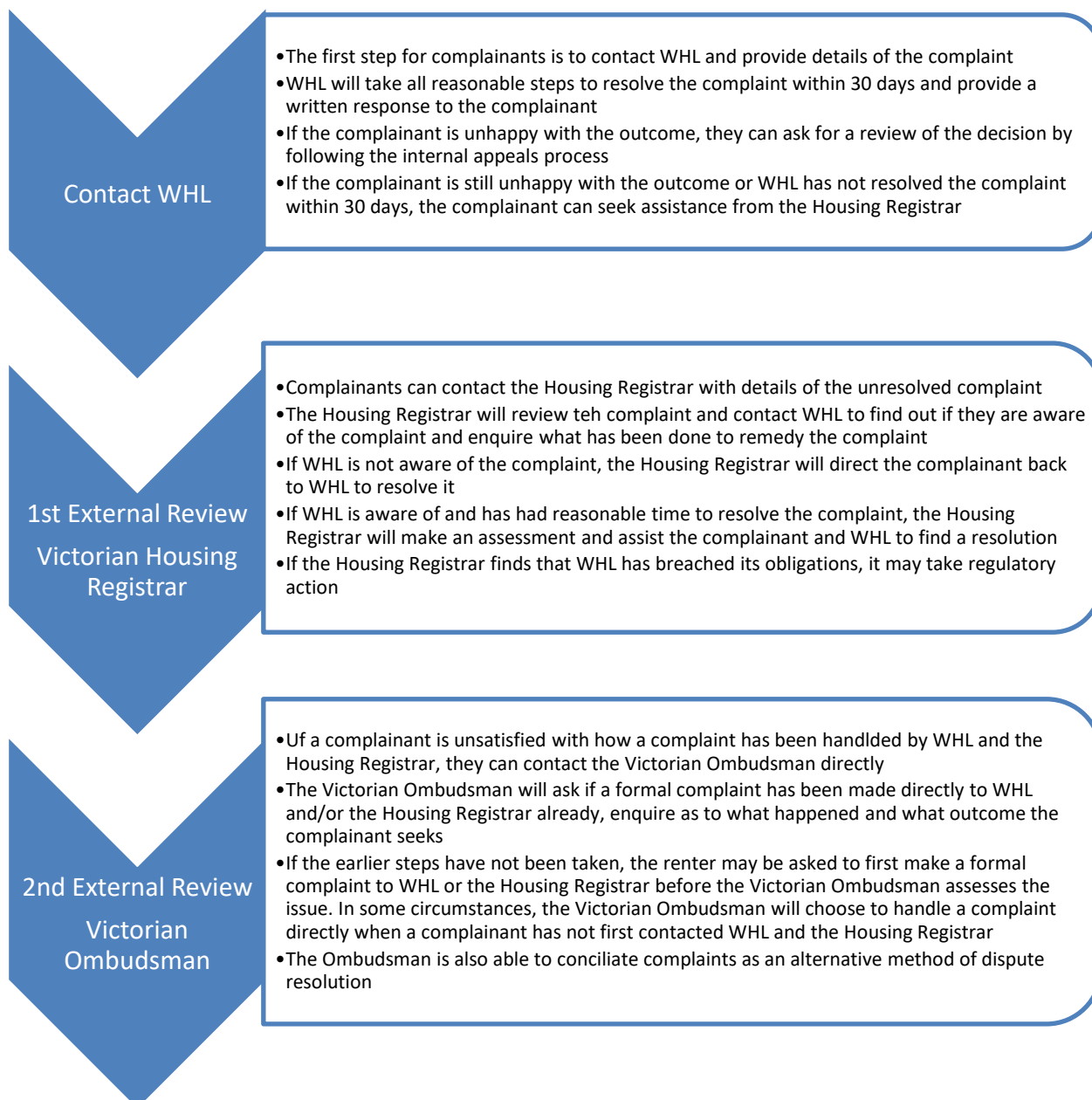
#### **7.4 Agents and advocates**

An agent or advocate may assist a client during the Complaints /Appeal process. This may be a friend, relative, a support worker or any other person. The client will be required to advise WHL in writing that they wish to authorise a person to act on their behalf. The authority will include the advocate's name, contact number and relationship to the client.

Information about relevant advocacy services, such as Housing Advocacy Service and Tenants Victoria, is provided to all renters.

## 8. External Complaint Bodies

There may be times where a complainant is dissatisfied with the outcome of their complaint after an internal review by WHL. In these circumstances, there are external bodies that can deal with different types of complaints about WHL. The following infographic shows how a complainant can escalate a complaint where they are not satisfied with the process by WHL.





### 8.1 Housing Registrar Details

If WHL has not resolved the complaint within 30 days, or the complainant is unsatisfied by the decision made about the complaint, the complainant may contact the Victorian Housing Registrar:

- Telephone: 03 7005 8984
- Online: <https://www.vic.gov.au/making-complaint-about-community-housing>
- Post: Housing Registrar, GPO Box 4379, Melbourne, Victoria 3001

### 8.2 Victorian Ombudsman Details

If a complainant continues to be dissatisfied after discussing an issue with WHL and the Housing Registrar, they can contact the Victorian Ombudsman:

- Telephone: 1800 806 314
- Online: <https://www.ombudsman.vic.gov.au/complaints/make-complaint/>
- Post: Level 2, 570 Bourke Street Melbourne Vic 3000

### 8.3 Victorian Civil and Administrative Tribunal

A complainant may also have statutory rights of appeal which should be directed to the Victorian Civil and Administrative Tribunal:

- Telephone: 1300 01 8228
- Online: <https://www.vcat.vic.gov.au/>
- Email: [renting@vcat.vic.gov.au](mailto:renting@vcat.vic.gov.au)

### 8.4 Relevant agencies

The CO will maintain an up to date contact list of relevant agencies that may be able to assist complainants including:

- DFFH / Office of Housing
- Central Complaints Unit
- Victims of Crime Helpline
- Victorian Victims of Crime Commissioner
- Justice Connect
- Legal Aid
- Tenants Victoria
- Australian Human Rights and Equal Opportunity Commission
- Disability Services Commissioner
- Equal Opportunity Commission (Vic)
- Privacy Commissioner (Vic)
- Health Service Commissioner (Vic)
- Independent Broad-based Anti-corruption Commission (IBAC)
- Consumer Affairs Victoria

This list will be offered to all clients who are dissatisfied with the outcome of their complaint or appeal to WHL.

## 9. Relevant Legislation

- Residential Tenancies Act 1997
- Charter of Human Rights and Responsibilities 2006
- Housing Act 1983
- Information Privacy Act 2000
- Protected Disclosures Act 2012
- Victims' Charter Act 2006

## 10. Related Documents

- Housing Registrar Performance Standards (section 93)
- WHL Victims of Crime Charter Policy
- WHL Renter Dispute Policy
- WHL Privacy Policy
- WHL Inclusive Communities Policy
- Complaints Register
- Complaints and Appeals forms

## 11. Definitions

<b>Appeal</b>	An expression of disagreement or dissatisfaction with a decision that has been made by WHL.
<b>Applicant</b>	A person who WHL assists to apply for social housing
<b>Complainant</b>	The individual or organisation that makes a complaint
<b>Complaint</b>	An expression of dissatisfaction made to or about an organisation, related to its products, services, staff or the handling of a complaint, where a response or resolution is explicitly or implicitly expected
<b>Complaint outcome or decision</b>	The response provided by WHL about a complaint
<b>Review of a complaint outcome or decision</b>	A request by a complainant for review of a complaint outcome or decision
<b>VCAT</b>	Victorian Civil and Administrative Tribunal
<b>VHR</b>	The Victorian Housing Registrar, the state-wide common application for people seeking social housing, which can be accessed via WHL, Homes Vic, the MyGov portal, or designated support providers