

Complaints and Appeals Policy



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1. Purpose

This policy guides renters and clients on WHL's complaints and appeals framework and ensures compliance with relevant Performance Standards and best practice.

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 (VHR).

This policy does not apply to complaints or feedback received from people who are not renters, prospective renters, or applicants for social housing. This includes:

- Complaints or grievances by employees of WHL
- Complaints by contractors of WHL or
- Complaints relating to the behaviour of neighbours (see WHL's Anti-Social or Dangerous Behaviour Policy).

WHL recognises that where complaints and/or feedback fall outside of the scope of this policy, it will be handled in accordance with the 'no wrong door' principle and will be resolved by referring the complainant to the correct complaint and/or feedback pathway.

3. Statement of commitment

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 to identify areas for improvement and development.

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 ensure the process is accessible and culturally safe
- Provide information to complainants about appropriate legal and advocacy services to assist complainants
- Respond to complaints or appeals promptly, fairly and transparently
- Respect the complainant's privacy and confidentiality as far as reasonably practicable

- Treat the complainant in a way that is respectful, fair and considers their human rights
- Be accountable for decisions as a service provider
- Not take any adverse action against a complainant simply because they have submitted a complaint or appeal

4. What is a complaint / appeal?

4.1 Complaint

An expression of dissatisfaction about an organisation that relates to its staff, services or failure to follow correct policies or laws.

Examples of a complaint might include:

- A complaint that a staff member has not followed WHL's policies or the law
- A complaint that WHL's service was delayed
- A complaint that WHL's staff have behaved in an unprofessional manner

4.2 Appeal

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

Examples of an appeal might include:

- Appealing a decision to deny a building modification request
- Appealing a decision to issue a Breach Notice under the Residential Tenancies Act 1997

5. Who can make a complaint?

A client, renter or prospective renter may make a complaint to WHL about its services, policies or staff. A representative may make the complaint on the complainant's behalf with their consent.

WHL is committed to being accessible and safe for all complainants regardless of ethnicity, race, religion, language, sexual orientation, gender, physical ability or other personal factors. WHL can arrange interpreters as required and can facilitate meeting in physically accessible space where relevant.

6. How to make a complaint?

6.1 Grievances about tenancy matters, other renters or maintenance

Some types of grievances must be handled in the first instance by the relevant Tenancy Officer or Asset Officer. This may include grievances of the following nature:

- Grievances about other renters or neighbours, including noise or behaviour
- Issues regarding rental charges
- Grievances regarding rental matters such as car parking or lease agreements
- Issues with the facilities, cleanliness or maintenance of the property

Renters can resolve these issues by:

1. Speaking directly with the other party to try to resolve the complaint, especially if it regarding another neighbour and it is safe to do so

2. Contacting their Tenancy Officer or Asset Officer depending on the nature of the issue to inform them of the grievance. The Tenancy Officer or Asset Officer may direct the renter to another policy that is more relevant in the circumstance, such as the Anti-Social or Dangerous Behaviour Policy.
3. Working with their Tenancy Officer or Asset Officer to identify possible solutions to the issue that involves other relevant parties
4. Implementing agreed solutions and resolve the grievance
5. Escalating to the relevant Line Manager to discuss WHL's response to the grievance.

6.2 Complaints from clients of the Statewide Entry Service, Women's Justice Diversion Program or Housing Pathways Program

Complaints pertaining to the above programs can be made by phone or by emailing reception@womenshousing.com.au. The complaint will be allocated to the appropriate staff member to manage.

Where the complaint remains unresolved by the initial staff member, it will be escalated to the Line Manager for resolution. If the complaint is still unresolved, it will be handled by the Complaints Officer as a formal complaint as per paragraph 6.3.

6.3 Formal complaints about WHL's service

Some complaints will be escalated immediately to WHL's Complaints Officer for resolution. This might include where:

- The complaint is about WHL not following policy or law
- The complaint involves allegations of criminal or corrupt conduct
- A previous complaint was not resolved following review by the relevant Line Manager, and the complainant would like to escalate it further
- The complaint is about a WHL staff member
 - NOTE: complaints about Tenancy Officers should be directed to the Tenancy Services Manager in the first instance
 - NOTE: complaints about Asset Officers should be directed to the Asset and Development Manager in the first instance

Renters can submit a formal complaint by:

1. Submitting a Complaints & Appeals Form by accessing it on WHL's website or contacting their Tenancy Officer to obtain a copy
2. Emailing this form to the Line Manager who will provide a copy to the Complaints Officer and save a record on file

Renters can email the Complaints Officer directly, but this may be redirected to the Line Manager to resolve where relevant and appropriate. Where the Line Manager is unable to resolve the complaint, this will be escalated to the Complaints Officer.

Renters are encouraged to submit this form via email, but this can also be mailed in to 1/21 Cremorne St, Cremorne 3121 (Vic). Renters who need assistance to complete the form should contact their Tenancy Officer who can provide advice to ensure this is accessible.

6.4 Appeals

Appeals will 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 WHL's website.

7. How a complaint will be handled

The response to a complaint will depend on the nature, severity and impact of the incident on the renter.

Grievances about tenancy matters, other renters or maintenance will be handled in the first instance by the relevant Tenancy Officer or Asset Officer. All outcomes and communications will be recorded as a file note on Chintaro, and a final response will be provided to the renter to 'close out' the complaint.

The final response to the renter should include:

- Confirmation about what the initial concern was
- Action taken (with consideration of privacy and confidentiality)
- Final resolution

Where this does not result in an adequate solution, complainants may submit a more formal complaint about WHL's service.

See *Appendix 1* for more detail of how WHL investigate and respond to complaints.

7.1 Complainant conduct

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 Outcomes of complaints

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
- 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 complaint, 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 Appealing a decision

Renters may submit an appeal as per paragraph 6.3. This will be reviewed by the Complaints Officer in consultation with the Operational Management Group.

WHL will inform the outcome of the internal review in writing.

8. Agents and advocates

An agent or advocate may assist a client during the complaints and appeals 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. WHL will need to confirm consent from the complainant before communicating with an advocate.

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

9. Privacy and confidentiality

WHL will attempt to maintain privacy and confidentiality wherever possible during a complaints and appeals process.

Where a complaint is made about another renter, WHL may not be able to resolve this without providing information to the other renter about the nature and source of the complaint. Complainants will be advised of whether it is possible to resolve complaints while maintaining confidentiality, or where this is not possible or reasonable.

10. External 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.

10.1 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

10.2 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

10.3 Victorian Civil and Administrative Tribunal

A complainant may also have statutory rights 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

10.4 Other agencies

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

11. Relevant legislation

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

12. Related documents

- Housing Registrar Performance Standards
- WHL Victims of Crime Charter Policy
- WHL Antisocial or Dangerous Behaviour Policy
- WHL Privacy and Confidentiality Policy
- WHL Renters Rights and Participation Policy
- WHL Diversity and Inclusion Policy
- Complaints Register
- Complaints and Appeals forms

13. Transparency and reviewing

This policy will be reviewed every two years or when best practice frameworks evolve. It is available on WHL's website at: <https://womenshousing.com.au/>

Appendix 1: Process for Handling Complaints

Stage 1 – Acknowledgment and information gathering

The person who has received the complaint will forward onto the relevant team in consultation with the Complaints Officer.

The WHL employee who is handling the complaint will acknowledge a complaint within 3 business days of receiving the complaint.

The renter will be contacted to:

- Gather as much information as possible on the issue the renter is experiencing
- Ascertain the nature of the complaint
- Understand what outcome the renter is hoping for

The WHL employee will acknowledge the issues, thank the renter for raising the issue, apologise if necessary and agree to investigate the issue. The details of this conversation will be recorded on the renter's file.

Stage 2 – Assess the complaint

Once the person investigating the complaint has gathered all necessary information, the staff member will undertake the following steps:

- Check the facts of the complaint, including looking at previous correspondence, interviewing witnesses, reviewing CCTV footage, or speaking with other team members
- Determine the relevant policy that the complaint relates to
- Seek further information as necessary
- Determine the next steps to resolve the complaint

Step 3 – Responding to the complaint

Once the above has occurred, the staff member handling the complaint should consider ways to resolve the complaint. This may include:

- Providing information about the steps taken to resolve the complaint
- Providing information and education to the complainant about WHL policies and the reason for these
- Apologising if the issue has been the result of a lack of action on behalf of WHL and explain the steps to address the concerns raised
- Consider if there are other avenues or supports that could be put into place to address the concern that has been raised.

WHL will try to resolve the complaint as quickly as possible. Where delays may occur, WHL will inform the complainant of the outcome of the complaint and provide reasons in writing within 30 days of receiving the complaint. If there are further delays, WHL will contact the complainant and advise when a response can be expected, and the reason for the delay.