

Complaints and Appeals

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1. Purpose

To provide an effective Complaints and Appeals policy and procedure that is compliant with the Victorian *Housing Act 1983* and the associated Housing Performance Standards.

Under Section 97 of the Housing Act 1983, as a registered housing agency, Women's Housing Ltd (WHL) is required to:

- establish a complaints procedure
- maintain a register of complaints
- take all reasonable steps to resolve a complaint within 30 days

Having regard to the essential requirements of the Act, this policy aims to offer WHL tenants and clients, and other parties with a direct interest to an accessible and responsive complaint resolution system that is timely, fair and equitable.

WHL aims to resolve complaints at the earliest opportunity in a way that respects and values the person's feedback.

2. Scope

This policy is aimed primarily at clients of WHL services including tenants, applicants for WHL housing, neighbours of WHL tenants.

Nevertheless, no member of the public shall be prohibited from lodging a complaint about a service provided by WHL

However, this policy does not cover:

- Disputes that are outside the jurisdiction of WHL (e.g. a dispute that comes under the jurisdiction of the Residential Tenancy Act and would be dealt with by the Victorian Civil Administrative Tribunal);
- Neighbourhood disputes and disputes between tenants in WHL shared housing or rooming houses (which are dealt with under the WHL Tenancy Disputes policy)
- Complaints relating to matters beyond WHL's control, such as the lack of available housing.

3. Policy

3.1 Definitions

A **complaint** is an expression of dissatisfaction with a service or policy that is the responsibility of WHL.

For a matter to be considered a complaint it must relate to a specific matter or occurrence that has had an impact on the individual complainant.

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

3.2 Essential Features of Complaints & Appeals Process

Women's Housing Limited accepts and treats complaints and appeals as a form of constructive feedback and an opportunity to improve the quality of our service.

A fundamental feature of the WHL's approach will be to ensure that firstly tenants and clients understand their rights; and secondly that they are encouraged and enabled to raise issues and matters of complaints with WHL staff

WHL will endeavour to ensure a sympathetic response that allows the client's issues and concerns to be openly discussed and every effort is made to resolve issues in a mutually agreed and timely manner.

The essential features of the complaints and appeals process will be:

- Provision of information to clients and tenants about their rights and how to make complaints and appeals;
- fair, speedy and effective resolution of complaints and appeals;
- acknowledgment of the rights of tenants and other members of the public to lodge a complaint or appeal with or about WHL, free from any threat of retribution or adverse consequences;
- sympathetic and positive assistance from WHL staff.

4. Victorian Housing Register

WHL participates in the Victorian Housing Register (VHR). As part of this process, WHL provides applicants with information about how to apply for social housing. WHL also source applicants for vacancies from the VHR.

Should an applicant wish to make a complaint about the way in which WHL provided this service or wish to appeal a decision made by WHL in terms of a housing vacancy, applicants may appeal decision or lodge a complaint to WHL. Applicants for social housing who are unhappy with the resolution of a complaint under the complaints and appeals procedure may then refer the complaint to the DHHS Housing Appeals Office.

WHL will ensure that all clients are made aware of alternative avenues for complaint. Including:

- Housing Registrar
- DHHS Central Complaints Unit
- Victims of Crime Helpline
- Victorian Victims of Crime Commissioner.
- Tenancy Advice and Community Legal Services
- Tenants Union of Victoria
- Victorian Civil and Administrative Tribunal (VCAT)
- Australian Human Rights and Equal Opportunity Commission
- Disability Services Commissioner
- The Victorian Equal Opportunity Commission
- The Victorian Privacy Commissioner
- The Victorian Health Services Commissioner
- The Victorian Independent Broad-based Anti-Corruption Commission (IBAC)
- The Victorian Ombudsman
- Office of Housing
- Consumer Affairs Victoria

5. Relevant Legislation

- Residential Tenancies Act 1997
- Charter of Human Rights and Responsibilities 2006
- Housing Act 1983 (including amendments 2007)
- Commonwealth Privacy (Private Sector) Amendment Act 2000 (Federal Act)
- Information Privacy Act 2000 (Victorian State Act)

- Protected Disclosures Act 2012
- The Victorian Victims' Charter Act 2006
- The Victims of Crime Commissioner Act 2015
- The Victims of Crime Commissioner Regulations 2020

6. Related Documents

- Housing Registrar Performance Standards 2014
- WHL Tenancy Disputes policy

7. Review

This policy will be reviewed every two years.