



PROCEDURE:	COMPLAINTS AND APPEAL
DOCUMENT NUMBER:	HGS-PR- 4091
BUSINESS UNIT:	HOUSING SERVICES
ENDORSED BY THE CEO:	31.08.2020
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1. STATEMENT OF PURPOSE

- 1.1. This procedure is intended to give clear and concise guidance to staff and tenants/lodgers and other relevant stakeholders on the lodgment of complaint and appeals and timely and appropriate response and management of complaint and appeals within the Housing Service.

2. SCOPE

- 2.1. This procedure is applicable to all staff, volunteers, tenants/lodgers and other relevant stakeholders residing within or accessing the following SCS services;
- Housing Services

3. DEFINITIONS

- 3.1. **Appeal** means is a request for a review of a decision relating to the complainant's tenancy this includes the issue of a breach or termination, offer of accommodation, modifications, transfer, pets or tenant liability.
(Complaint Management Framework for Community Housing Providers, Definitions, Page 10 NSW Federation of Housing Associations Inc and Registrar Community Housing, 2016).
- 3.2. **CO** means the designated Vinnies staff member who receives and responds to complaints relating Vinnies Housing Service.
- 3.3. **Complaint** means a formal expression of dissatisfaction made to HGS with the standard or the type of it's services, staff, contractors or the handling of an informal complaint where a response or resolution is explicitly or implicitly expected or legally required.
(Guidelines for Complaint Management in organizations, Appendix H Standard AS/NZS 10002:2014)
- 3.4. **Complainant** means the tenant/lodgers or other relevant stakeholder who lodged the complaint or appeal.
- 3.5. **EM** means Executive Manager Specialist Community Services
- 3.6. **Feedback** means opinions both positive and negative given to HGS about its services Negative feedback is not considered a complaint and does not require a response unless at the discretion of management
(Complaint Management Framework for Community Housing Providers, Definitions, Page 10 NSW Federation of Housing Associations Inc and Registrar Community Housing, 2016).
- 3.7. **MHGS** means Manager Housing Services
- 3.8. **Tenancy Complaint** means a complaint or issue raised by tenants/lodgers, neighbors, community members, housemates about HGS tenants/lodgers.



These issues can include noise, anti-social behavior and vandalism and are not considered complaints as they do not relate to dissatisfaction of HGS services. They can however become complaints if the complainant is not satisfied with how HGS manages the issue

(Complaint Management Framework for Community Housing Providers, Definitions, Page 10 NSW Federation of Housing Associations Inc and Registrar Community Housing, 2016).

- 3.9. **Unreasonable Complaint Conduct** means “aggressive, threatening or verbally abusive behavior towards staff, contacting Vinnies excessively, making inappropriate demands on time and resources. refusing or refusing to accept decisions and recommendation about the complaint”.

(Complaint Management Framework for Community Housing Providers, Definitions, Page 9 NSW Federation of Housing Associations Inc and Registrar Community Housing, 2016).

4. PROCEDURE

- 4.1. HGS ensures that tenants/lodgers are made aware of their rights and responsibilities at move in and that additional information and guidance is available on request at all times.
- 4.2. If the complainant has any concerns or issues relating to their tenancy they will be directed to speak to the MHGS in the first instance. If they are not able to remedy the issue to the satisfaction of the complainant they are welcome to follow the formal complaint/appeal procedure outlined below.
- 4.3. If the complainant has a complaint about their neighbor or housemate they will be directed to contact HGS at housing.services@svdpwa.org.au. This process is managed separately under our Tenancy Complaint Procedure. If HGS are not able to remedy the issue to the complainant's satisfaction they are welcome to follow the formal complaint/appeal procedure outlined below.

Principles

- 4.4. HGS recognizes and respects the rights of tenants/lodgers, their support services and all other relevant stakeholders to lodge a complaint or appeal.
- 4.5. HGS endeavors to treat tenants/lodgers fairly and respectfully at all times and supports the process of finding a resolution for complaints and appeal rather than solely providing a response.
- 4.6. HGS believes complaints and appeal give us the opportunity for learning, to review our practices and make improvements and changes to our services where applicable.
- 4.7. HGS ensures all complaints and appeals are dealt with promptly and fairly.
- 4.8. HGS promotes open and assessable access to our complaints and appeals policy and procedure for tenants/lodgers and makes them aware of their right to appeal any decisions made or to lodge a complaint during their tenancy. For tenants/lodgers who face barriers to making complaints/appeals HGS will support them to access assistance as required.



- 4.9. HGS promotes clear and transparent communication throughout the complaint and appeals review process.

Lodging a Complaint/Appeal

- 4.10. To lodge a complaint or Appeal email the CO at SCSComplaints.Appeals@svdpwa.org.au and request a copy of HGS Complaints and Appeal Form.
- 4.11. All appeals must be lodged within 30 days of being notified of a decision to which the appeal relates.
- 4.12. Complete the form and return to the CO SCSComplaints.Appeals@svdpwa.org.au or by mail to SCS Complaints/Appeals Officer, Vinnies Specialist Community Services, 2 Bayley St, Woodbridge, WA 6056. If the complainant requires assistance with completing the form please ask your support worker or the CO for assistance.
- 4.13. The CO may need to follow up with the complainant for additional details or to clarify information about the complaints/appeal they submitted.
- 4.14. The complainant will receive a letter/email 2 days after the receipt of the complaint/appeal acknowledging its receipt.
- 4.15. The Complaints and Appeals Process commences within ten (10) working days of receipt of the complaint and/or appeal, and will be reviewed in line with the matrix below and may be referred to CEO at management discretion.
- 4.16. If the complaint is related to a staff member the complaint will not be managed by the staff member the complaint is about. Equally any appeal will not be managed by the person who made the decision.

Complaint Type	Reviewed by
Complaint about HGS service provision or staff member	MHGS
Complaint about MHGS	EM
Appeal about decision made by HGS	EM

- 4.17. Details of the complaint/appeal is recorded and may be stored in the client file (if applicable) and HGS Complaints and Appeals Register which is managed confidently by SCS' CO. The complainant can request access to these records at any time.
- 4.18. EM will inform CEO and media team of any serious complaint within 48hours of receipt.



Review of a Complaint/Appeal

- 4.19. The person reviewing the complaint/appeal will review all information available relating to the complaint/decision including the complainant's tenancy file documentation as applicable.
- 4.20. The person conducting the review may invite the complainant to a meeting for further information. Throughout the complaint/appeal process the complainant will be entitled to bring a support person for any meeting requested and/or ask for a translator.
- 4.21. HGS aims to resolve complaints/appeals as quickly as possible, generally within 20 working days. Should additional time be required, we will inform the complainant in writing, detailing the reasons why additional time is required.
- 4.22. During the complaint/appeal review the person reviewing the complaint/appeal will identify the events that took place, the causes of the complaint/appeal, what remedial action if any needs to be taken, the complaints desired outcome and if service improvements need to be made.
- 4.23. The complaint/appeal will be reviewed under the principle of natural justice.
- 4.24. For complaints made about a particular staff member the staff member involved will be given an opportunity to respond to the complaint.

Decision and response to a Complaint/Appeal

- 4.25. Once a decision has been reached, the complainant will be informed about the outcome of the complaint/appeal, in a written statement which will include details of the reasons for the outcome, any recommendation and next steps as applicable.
- 4.26. The outcome of the complaint/appeal will be recorded on the HGS Complaint and Appeal Register.

Continuous Improvement

- 4.27. All complaints are referred and reviewed at bi-monthly Clinical Governance meetings.
- 4.28. Clinical Governance Committee undertakes a review of the complaint/appeal that is fair, unbiased and provides recommendations following the outcome that are effective and manageable within the constraints of the service. A full review shall include understanding:
 - 4.28.1. What happened
 - 4.28.2. How and why it happened
 - 4.28.3. What can be done to reduce the risk of recurrence and make care safer



4.28.4. What was learned

- 4.29. Clinical Governance Committee to reviews the implications of the incident for ongoing service delivery and update policy and procedure as indicated.

5. BREACH OF POLICY

- 5.1. Failure to comply with this policy may be considered a breach of our policies and may result in disciplinary action.

6. REVIEW

- 6.1. This procedure will be reviewed at least every 2 years, after consultation. Some circumstances may trigger an early review; this includes but is not limited to legislative changes, organisational changes, incident outcomes and other matters deemed appropriate by the State Council and/or CEO.

7. REFERENCES

- 7.1. HGS Complaint and Appeal Form
7.2. HGS Complaints and Appeals Register
7.3. HGS Tenancy Complaints Procedure

8. RELATED DOCUMENTS AND LEGISLATION

- 8.1. Complaint Management Framework for Community Housing Providers 2016, NSW Federation of Housing Associations Inc and Registrar Community Housing
8.2. Freedom of Information Act 1992, Office of the Attorney General, Government of Western Australia.
8.3. Guidelines for Complaint Management in organizations, Appendix H Standard AS/NZS 10002:2014
8.4. Privacy Act 1998, Office of the Australian Information Commissioner, Federal Government of Australia
8.5. Residential Tenancies Act 1987, Department of Mines, Industry, Regulation and Safety, Western Australia
8.6. Residential Tenancies (COVID-19 Response) Bill 2020, Department of Mines, Industry, Regulation and Safety, Western Australia
8.7. SCS-PP-4004 SCS Compliments, Complaints & Appeals Policy
8.8. SCS-PP-4018 SCS Privacy and Confidentiality Policy