



Appeals, Complaints and Feedback Policy

Overview

This policy defines appeals, complaints and feedback and explains how our tenants and stakeholders can appeal a decision, make a complaint or provide feedback, and explains how we manage this.

Scope

This policy applies to appeals, complaints, and feedback we receive from tenants and stakeholders of Adelaide Workers' Homes (AWH)

Definition

Appeal

An appeal is when someone asks us to review a decision we made. We always respond to appeals.

Complaint

A complaint is when a tenant tells us that they are unhappy with our service and the tenant expects a response from us. A tenant can complain about our services, even if the service is being delivered by someone else, such as a third-party.

A complaint is different to an appeal and is not a request for information.

Feedback

Feedback refers to the ways that our tenants and stakeholders can express how they feel about our service, other than appealing a decision or making a complaint.

Types of feedback include:

- Compliments such as positive feedback about our team members or service
- Representations made by government officials on behalf of a tenant. For example, a tenant may ask a government official to help them with a tenancy issue or to support an application for housing assistance.
- General feedback on our service or ways we can improve.

Working days

Working days means days our office is open (e.g. Monday to Friday). It doesn't include weekends and public holidays.

Underpinning principles

- Tenants and stakeholders have the right to appeal a decision that we have made, make a complaint, provide feedback and they will not be disadvantaged for doing this.
- We will be fair and transparent when dealing with appeals, complaints, and feedback.
- We welcome appeals, complaints, and feedback and will always try to use the information and outcomes to improve our service.
- Tenants are encouraged to get help from an advocate or support person when appealing a decision, making a complaint or providing feedback.
- We will allow tenants and stakeholders to remain anonymous when making a complaint or providing feedback.
- We will treat all appeals, complaints and feedback confidentially and we will investigate in line with relevant privacy legislation.

Standards in responding to appeals and complaints

We will acknowledge appeals, complaints and feedback within 3 business days, or sooner if possible.

We will assess and respond to appeals and complaints within 20 working days from the date we receive it. If we think there might be a delay in our response, we will tell the person involved how long we think our response will take and the reasons for the delay.

If the complaint or appeal falls under the jurisdiction of the South Australian Civil and Administrative Tribunal (the tenancy tribunal), we will advise the person they can make an application to them.

Standards in responding to feedback

Not all feedback requires a response. We will respond to feedback if a tenant or stakeholder expects us to do so.

How to appeal a decision or make a complaint

If a tenant or stakeholder wishes to appeal a decision or make a complaint, they should tell us as soon as possible. The timeframe to appeal a decision or make a complaint is generally limited to 3 months from the date of the decision. Feedback can be provided at any time.

People can appeal a decision or make a complaint or provide feedback by email, letter, or telephone.

To make a complaint about the CEO, COO, or property managers, a tenant or stakeholder can write to the Chair by post, addressed to AWH. Any correspondence should be marked as 'confidential'.

The CEO is available to discuss all forms of feedback, to see if the matter can be resolved without the need for a formal response. If the matter can be resolved informally, we will tell the person what action we are going to take to address their concerns.

Appeals

Decisions that can be appealed

Decisions that can be appealed include:

- Decisions relating to eligibility for affordable housing
- Requests to modify properties
- Requests for alterations
- Succession of tenancy
- Tenant charges

Decisions that may not be appealable include:

- Matters which are the responsibility of another organisation or body such as the South Australian Civil and Administrative Tribunal (the tenancy tribunal)
- Decisions that are not directly related to the tenant
- Our policies
- Matters that aren't related to housing (e.g. tenant participation, support and referral services).

The appeals process

We will look at all relevant information on file, submitted by the individual, and any other information that was not available to the original decision maker when reviewing our decision. We will look at the circumstances and to see what decision should be made by applying our policies.

People who can appeal a decision

Only the person or people affected by the decision can lodge an appeal. This includes a person who is authorised to act on behalf of the person affected.

Assessing an appeal

The person who made the original decision will not be involved in an appeal decision. Appeals will be directed to the CEO, who will lodge the appeal and manage the appeals process.

Completing the appeal

Once we have assessed an appeal, we will respond to the person in writing and tell them the outcome of their appeal. Our response will explain the reason for our decision and will explain the options the person has if they still aren't happy with our decision.

Independent appeals

If the person still isn't satisfied with our decision, they have the option of asking the South Australian Civil and Administrative Tribunal (the tenancy tribunal) to review our decision.

For affordable housing, SACAT only review appeals about certain issues. These include eligibility, allocation, or rent setting.

Appeals to SACAT should be lodged within 3 months of our appeal decision.

When SACAT review our decision and make a recommendation, we will consider their recommendation. If we don't support SACAT's recommendation our CEO will advise the Chair of AWH in writing.

Complaints

Investigating complaints

Complaints will be directed to the CEO who will formally lodge the complaint and coordinate the complaints handling process.

Any complaints received about a member of the Executive Management Team will be directed to the CEO. Any complaints received about the CEO will be directed to the Chair. Complaints being handled by the Chair will be monitored via Board of Trustees meetings.

When we investigate a complaint, we will consider all information available when the complaint was made and will be fair and transparent throughout the process.

Responding to complaints

Once we have investigated the complaint, we will respond to the person in writing and tell them the outcome of their complaint. Our response will explain what has been identified during the review and any further actions that we may take in response to the complaint. We will explain options if the person still isn't happy.

Complaints about misconduct

If a complaint concerns serious misconduct, the matter will be referred to the CEO. All such information will be treated in a confidential manner.

Representations from a government official

If we receive representations from a government official and it is considered an appeal or complaint, we will manage the feedback as an appeal or complaint.

Keeping record of appeals, complaints, and feedback

Appeals, complaints, and feedback received will be treated as confidential. However, there may be times when we need to share details of the appeal, complaint, or feedback to manage an issue. For example, information may be shared with our Board of Trustees, Executive Management team, or with external parties when:

- The person providing the information gives us permission to share it.
- We are authorised, or required to, disclose the information by law.
- A complaint has been made, and we need to share details of the complaint to investigate the matter.

Service improvement

After the appeal, complaint or feedback process is finalised, we might ask the person to provide their opinion on their experience of the process. Any comments received will be confidential and used to improve our service.

We will monitor trends in appeals, complaints, and feedback to improve our service, products, and decision-making processes. We will also monitor and report on appeals, complaints and feedback as required by contractual, legal, or regulatory requirements.

Other avenues for our tenants

Appealing a decision, making a complaint, or providing feedback doesn't stop a person from taking other action. For example:

- Seeking support from their local Member of Parliament.
- Contacting the Tenants Advice Service or Community Legal Centre for advice and help.

- Making an application to the tenancy tribunal if they believe we haven't met our legal duties under their tenancy agreement.

Managing unreasonable complainant conduct

We may modify or limit contact with a complainant where a complainant's behaviour has been unreasonable.

Requests for compensation

If a person requests compensation, they must submit the request in writing and provide details of the date of the incident, what happened and what they are claiming. We will acknowledge requests within 3 working days and respond to the person, in writing, within 20 working days from the date we received the request. If there is likely to be a delay, we will tell the person of the delay.

Policy information

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Approval required	Board