

Complaints and Appeals Procedure

Housing Services

Purpose

Westside Housing Company Ltd (Westside) is committed to maintaining natural justice principles and we believe that people have the right to lodge a complaint.

This purpose of this procedure is to ensure that we handle complaints and appeals fairly, efficiently and effectively so we can:

- Respond to issues raised in complaints and appeals in a timely, fair and equitable way
- Use information provided through complaints to deliver service improvements
- Have an accessible and consistent complaint handling procedure
- Maintain a register of complaints and appeals,
- Take all reasonable steps to investigate and resolve complaints within 14 days and appeals within 30 days.

Scope

This procedure applies to all customers with a legitimate interest in the matter related to the complaint or appeal. Complaints and appeals can be lodged by:

- A person on their own behalf
- A person who is responsible for the person wishing to lodge a complaint or appeal
- A support person or advocate of the person, as long as they have the consent of the person wishing to lodge a complaint or appeal.

This procedure does not cover:

- Disputes between tenants and/or neighbours. This are dealt with under Westside's Neighbour Dispute Resolution procedure
- Matters not directly related to the customer
- Staff or management grievances or disputes
- Matters that are the responsibility of other tribunals, courts or the police

Principles

Westside respects and values the views of customers and welcomes their feedback as part of our continuous improvement processes. If a customer is unhappy with our services, we want to know so that we can attempt to resolve the matter and to improve our services.

Westside expect all staff to understand the complaints and appeals process and inform customers who disagree with a decision made by Westside.

We will:

- Promote our complaints, feedback and appeals processes to customers; verbally, via our website and via brochures
- Treat all complaints and appeals fairly in line with the principles of natural justice and ensure that customers can complain or withdraw complaints or appeals without fear of discrimination or recrimination
- Encourage customers to use an advocate, support person or interpreter if they need it throughout the process

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- Respond to complaints and appeals in a timely manner, in line with the timeframes in this procedure
- Keep customers informed throughout the process, including informing them of any potential delays
- Provide decisions in writing
- Maintain a record of complaints on the Complaints Register
- Use the outcome of complaints when reviewing our practices.

Use of interpreters

Where the customer has limited English, Westside will access the services of a support person or advocate or where this is not suitable or appropriate, the Translating and Interpreting Service (TIS) on 13 14 50.

Confidentiality

We will protect the identity of people making complaints and appeals where this is practical and appropriate. Personal information that identified individuals will only be disclosed or used by Westside as permitted under the relevant privacy laws.

Definitions

Appeal: when a customer using our services asks for a decision to be reviewed

Appellant: person lodging the appeal

Complaint: when a customer using our services advises us that they are not satisfied with our service, standards or policies

Customer: Westside applicant, tenant, stakeholder (i.e. members of the local community with a legitimate interest in the matter).

Procedure

We will deal with complaints and appeals within the following timeframes. Please refer to Attachment One for detailed information on options.

Initial Complaints	Initial complaints will be: <ul style="list-style-type: none">- acknowledged within 14 days (2 weeks) unless the person reviewing the case is unable to speak to the parties involved.
Escalated Complaints	Escalated complaints will be: <ul style="list-style-type: none">- acknowledged within three (3) working days- responded to within 21 days (3 weeks) unless the person reviewing the case is unable to speak to the parties involved.
External Complaints	Made to an external body: Office of the Housing Regulator in relation to Westside services

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Appeal (Internal)	<p>Appeals (internal) will be:</p> <ul style="list-style-type: none"> - acknowledged within (3) working days - responded to within 30 days unless the person reviewing the case is unable to speak to the parties involved.
Appeal (External)	SACAT - for most tenancy matters

There are five main steps in the process. This process aims to be simple and straightforward for both customers and staff to follow.



When a complaint or appeal is received, an acknowledgement is provided to the complainant together with a copy of the *Westside Complaints and Appeals Procedure*.

What is a complaint?

A complaint is a concern that something about our, services, standards or policies is not satisfactory to a customer.

Examples of complaints

Complaint Type	Example
Rude or inappropriate staff behaviour	Not returning a phone call or email
Lateness	Staff member late for an agreed appointment without notifying tenant
Providing an inconsistent or inaccurate service	Responding differently in the same circumstances Providing incorrect advice on Westside Policy Receiving inconsistent information from different Westside staff
Complaints about tenant charges	A tenant being charged for water when their lease states no charges apply
Incorrect use of personal information	Disclosing customers' personal information to a third party without the customers' consent
Delays to or no services provided	Not completing a repair Not conducting tenant inspections as advised
Poor administration of a service	Not recording changes in circumstance Not sending appropriate forms, as requested

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We understand that making a complaint can be difficult and will work with complainants to try to resolve the issue in the most comfortable way possible for the complainant.

What is an external complaint

If a customer remains unhappy with the outcome of their complaint, they can make a complaint to an external agency.

External complaints relating to Westside service can be addressed to:

Office of the Housing Regulator

Web: <https://www.sa.gov.au/topics/housing/public-and-community-housing>

Email: OHRcommunityhousing@sa.gov.au

Ph: 08 7424 7206

Mail: GPO Box 292
ADELAIDE SA 5001

What is an appeal?

An appeal is a request from a customer using our services for a decision to be reviewed.

The grounds for making an appeal are that we have not followed our policies or procedure, that our policies and procedures are not fair or that we made a decision without the all the information.

It is important to Westside that any issue with our service, conduct, staff and complaint handling be addressed and resolved as promptly and satisfactorily as possible.

Examples of what can be appealed

Example
Rental rate assessment
Rejections for rehousing
Not eligible for housing
Not selected for housing
Allocated inappropriate property
Request for property improvements rejected
Complaint handled badly

Time to lodge an appeal

An appeal must be lodged within 30 days of the customer being informed of the decision in question.

In exceptional circumstances, and where the decision in question resulted in an ongoing, binding agreement without pre-determined review points, an appeal may be lodged after the 30 day period.

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What is an external appeal?

If a customer is unhappy with the outcome they can make an appeal to an external agency.

If the appeal relates to the occupation, (or potential occupation) of one of Westside's properties under the Residential Tenancies Act 1995:

South Australian Civil and Administrative Tribunal (SACAT)

Web: <http://www.sacat.sa.gov.au>

Ph: 1800 723 767

Mail: GPO Box 2361
ADELAIDE SA 5001

How to lodge an internal complaint or appeal

Customers wishing to lodge a complaint or appeal will be required to:

- Complete a Feedback Form. The form is available via:
 - o Our website
 - o At our office, in person or via telephone or email request

- Return the completed form:
 - o Via Westside's website
 - o Via email to: feedback@westsidehousing.org.au
 - o Via post to :
Complaints and Appeals Officer
Westside Housing Company
478 Port Road
WEST HINDMARSH SA 5007

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Withdrawing a complaint or appeal

A customer can withdraw a complaint or appeal at any time. Westside would prefer the withdrawal of a complaint in writing. Customers will not be discriminated against should they wish to withdraw their complaint or appeal. A record of the withdrawal will be made on the complaints and/or appeals register.

Responsibilities

Position	Responsibility
All staff	<ul style="list-style-type: none">- Receiving and acknowledging complaints and appeals, where applicable- Helping complainants who are unable to lodge their complaint or appeal in writing- Keeping complaints and appeals confidential- Provide a copy of the completed Feedback Form or complaint or appeal to the customer- Record the complaint or appeal, on the same day it was received, in the Complaints and/or Appeals Register and Chintaro, if it is a tenancy issue- Respond to the customer's complaint in line with the timeframes in this procedure- Respectfully and promptly- Maintain confidentiality- If relevant, inform the customer immediately of any time limits that apply to making an application to have their matter heard by SACAT- Observe the principles of natural justice- Respond to the customer's complaint or appeal in line with the timeframes in this procedure
Complaints and Appeals Officer (Manager, Housing Services)	<ul style="list-style-type: none">- Receiving and providing written acknowledgment of complaints and appeals lodged within the timeframes outlined in this procedure- Recording and updating details of the complaint and/or appeal on the Complaints and/or Appeals Registers- Referring any appeals received to the CEO
Investigator	<ul style="list-style-type: none">- Investigating and reviewing the decision within the timeframes outlined in this procedure- Notifying the complainant of the outcome the timeframes outlined in this procedure- Updating the Complaints and/or Appeals Register with details of the outcome of the investigation
Chief Executive Officer	<ul style="list-style-type: none">- Appointing investigator- Ensuring the Complaints and Appeals process is followed- Ensure unidentifiable data is maintained for service improvement

Associated Documentation

Feedback Form

Neighbour Dispute Resolution

Community Housing Providers (National Law) (SA) Act 2013

Feedback, Complaints and Appeals Brochure

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Document History

Date approved: 20 March 2020	Date amended: 20 March 2020
Version 1.0	Next review due: 20 March 2023

Endorsement



Chief Executive Officer

20 March 2020

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Attachment One

Options

Initial Complaints	Initial complaints will be: <ul style="list-style-type: none">- acknowledged within 14 days (2 weeks) unless the person reviewing the case is unable to speak to the parties involved.
Escalated Complaints	Escalated complaints will be: <ul style="list-style-type: none">- acknowledged within three (3) working days- responded to within 21 days (3 weeks) unless the person reviewing the case is unable to speak to the parties involved.
External Complaints	Made to an external body: Office of the Housing Regulator in relation to Westside services
Appeal (Internal)	Appeals (internal) will be: <ul style="list-style-type: none">- acknowledged within (3) working days- responded to within 30 days unless the person reviewing the case in unable to speak to the parties involved.
Appeal (External)	SACAT - for most tenancy matters

Initial complaint

In the first instance Westside encourages customers to discuss issues or concerns directly with the person involved to see if the matter can be resolved. The staff member will listen to the matter presented and consider the issues raised to determine if the matter is a complaint, neighbour dispute or appeal. The staff member will endeavour to resolve the matter at this point, if possible. However, the staff member may need to investigate the matter further.

The staff member will discuss the resolution and provide a copy of the written confirmation of the resolution to their Manager prior to responding to the complaint. A response will be provided to the complainant providing confirmation of the resolution within 14 days' of receipt of the complaint.

Staff are required to keep a record of the complaint or other feedback in the Complaints - Register and, if appropriate, in the tenancy management system (Chintaro). Complaints are to be entered into Chintaro as below. Any further detail is to be entered into the Complaints Register using the following structure:

“Complaint received by <<Name>> on <<Date>>” include brief details of the nature of the complaint, i.e. Service/staff/product.

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Any changes to record keeping processes must be approved by the Chief Executive Officer (CEO) prior to the documentation occurring.

Escalated complaint

If a complainant is unhappy with the outcome of the initial complaint, they may escalate the matter to the relevant Manager.

The complaint will be reviewed by the relevant Manager who will record and investigate the details of the case. This may include contacting the complainant for further information.

Having investigated the complaint, the Manager may either decide that no further action will be taken or they may propose a resolution. The response will be given both verbally and in writing via letter or email clearly outlining the outcome.

The response may include one or more of the following as a resolution:

- apology
- explanation
- assurance regarding further actions
- details of changes to processes and how things will be changed/improved

Details of any options available to the customer if they remain unsatisfied with the outcome will be included in the response. Options are also available in the Feedback, Complaints and Appeals brochure.

External complaint

If a customer remains unhappy with the outcome of their complaint, they can make a complaint to an external agency.

External complaints relating to Westside service can be addressed to:

Office of the Housing Regulator

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Appeal (internal)

If a customer remains unhappy after the completion of the escalated complaint process, they may request that their complaint be dealt with as an appeal.

Appeals will be formally acknowledged in writing within two (2) working days of receipt by the Complaints and Appeals Officer who will also record details of the appeal on the Appeals Register.

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The Complaints and Appeals Officer will discuss the matter with the Chief Executive Officer (CEO) who will appoint an internal investigator (the Investigator) immediately upon notification of the appeal.

The Investigator will conduct the investigation and review of the decision within 15 working days from the date the appeal was lodged and update the Appeals Register with details of the outcome. The Investigator will ensure the appellant is notified in writing of the outcome within five (5) working days of completing the investigation.

The appeal process should be completed within 30 working days of the date the appeal was lodged.

Any hard copy records generated throughout the investigation stored, confidentially with the Complaints and Appeals Officer.

Having investigated the complaint, the reviewer may either decide that no further action will be taken or they may propose a resolution. The response will be given in writing clearly outlining the outcome of the complaint.

The response may include one or more of the following as a resolution:

- apology
- explanation
- assurance regarding further actions
- arrangement of mediation
- details of changes to processes and how things are improved/changed

Appeal (External)

If a customer is unhappy with the outcome they can make an appeal to an external agency.

If the appeal relates to the occupation, (or potential occupation) of one of Westside's properties under the Residential Tenancies Act 1995:

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