

Appeals Policy

Version 4.0

This policy has been adopted by:

Name of Company	Adoption Date
Community Housing Ltd (CHL)	13 December 2024
Community Housing (Vic.) Ltd (CHVL)	13 December 2024
Community Housing (TAS) Ltd (CHTL)	13 December 2024
Community Housing (QLD) Ltd (CHQL)	13 December 2024
Community Housing (Homes for Regions) Limited	13 December 2024
Community Housing (Subi East) Limited	13 December 2024

And any other entities within CHL which adopt this policy.

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1. INTRODUCTION

The Community Housing Limited Group of Companies (CHL) Appeals Policy outlines how we will handle dissatisfaction with our decisions, so that we have effective ways to:

- Register, investigate and record appeals
- Uphold customer rights
- Enable customer views to inform how we deliver our housing and other services
- This policy applies only to appeals by customers. It does not include disputes and grievances of staff or management, complaints by a customer regarding another customer (or someone else outside the organisation), complaints about the organisation or our customers by people who are not service users, for example, neighbours, funding bodies, real estate agents.

2. AIM

The purpose of the CHL appeals policy is to:

- Give customers the right to appeal a decision
- Make it easy for customers to exercise that right
- Help us review what is and isn't working well in our organisation.

3. ABBREVIATIONS AND DEFINITIONS

Term/ Abbrev.	Meaning
Appeal	A user of our service asks for a decision we made to be reviewed
CHP	Community Housing Provider
Complaint	A user of our service tells us they are dissatisfied with our service, standards or practices or procedures
Customer	Generic term used to refer to a renter/tenant, applicant or other person receiving services from CHL
Stakeholder	A person or organisation other than a customer that may be impacted on by the services delivered by CHL

4. PRINCIPLES OF CHL APPEALS POLICY

4.1. Information and communication

CHL endeavours to:

- inform our customers about the Community Housing Standards and CHL's Code of Conduct
- give customers information about the Appeals Policy and procedure and how to access it, if they want to appeal a decision we have made
- intend for its Appeals Policy and procedures to be easy to understand and use for all our customers
- provide clear information in its procedures about who is responsible for processing and dealing with an appeal, how long it takes and how records are kept
- give customers information about our Customer Feedback & Complaints Policy and associated procedure and how to access it if they want to make a complaint.

4.2. Fair, equitable and transparent processes

CHL seeks to:

- resolve any appeal fairly, without fear of recrimination
- encourage customers to involve their own advocate or support person at any point in the appeals procedure, making it easy for them to do so
- provide customers with information on how to lodge an appeal with an independent external body to ensure the basic social justice principal of a fair hearing.

4.3. Commitment to customer rights

CHL will:

- welcome appeals, and let customers know this
- deal with appeals in the context of its broader customer relations strategy
- respond promptly and appropriately to any request for information about our service, or any concern or objection about our rules, practices or conditions, with the intention of firstly clarifying the customer rights, responsibilities and/or the services provided.

5. HOW CHL AIMS TO ACHIEVE THESE POLICY PRINCIPLES

Customers have the right to ask us to review decisions they disagree with, or think are unfair.

5.1. Decisions that can be appealed

The types of decisions that can be appealed include (but are not limited to):

- rental rate assessment (following a review of the initial assessment)
- rejection for rehousing
- not eligible for housing
- not selected for housing
- allocated inappropriate property
- request for property improvements rejected
- the way a complaint was dealt with or responded to.

5.2. Grounds for appeal

The grounds for making an appeal are that we have not followed our policies and procedures or an applicable regulation or requirement, that our policies and procedures are not fit for purpose or are unfair, or that we made a decision without the right information.

5.3. Customer right to lodge an appeal

A customer has the right to lodge an appeal if they disagree with a decision, and the decision is believed to breach the law (e.g. The Residential Tenancies Act, or Anti-Discrimination legislation), regulatory requirements and/or CHL's policies and processes.

Customers may also wish to lodge an appeal if they are not happy with the outcome of an investigation conducted under the CHL Customer Feedback Process.

5.4. Process for making an appeal

Customers should complete the CHL Feedback Form to lodge their appeal together with any support documentation or information they have that assists in demonstrating why they believe the original decision made by CHL was incorrect. This can be completed online on the CHL website or can be obtained from any CHL office. Customers are welcome to appoint an advocate or to consent to another third party to act on their behalf to undertake the appeal process. Evidence that consent has been provided by the appellant for the appeal to be lodged on their behalf will be required by CHL.

CHL will follow the steps outlined in its Appeals Flowchart, unless the person making the appeal can give good reason why they are unable to use any part of the process. The Appeals Flowchart forms part of the CHL Appeals Procedure and contains the document How to Appeal: Information for Customers. This document is also available separately for use by customers.

CHL will respond to customers within 2 business days of receipt of their appeal to acknowledge it has been received. Within 14 business days customers will receive either a progress report letter detailing the process so far and what is remaining to be considered and completed, or a closure letter with the determination of the appeal process.

5.5. External avenues of appeal

Customers will also receive information on where to lodge their appeal with an external body if they are dissatisfied with the outcome of the CHL appeal process.

NDIS participants can also contact the NDIS Quality and Safeguards Commission.

CHL will assist all its customers to access external avenues of appeal and exercise their rights to have a decision made by us reviewed.

6. RELATED RESOURCES

6.1. CHL Group References

Customer Feedback and Complaints Policy and Procedure
National Housing and Homelessness Policies
Customer Promise
Appeals Procedure
Other Avenues of Review and Appeals
Appeals: Indicative Timeframes
How to Appeal: Information for Customers

6.2. External References

National Regulatory Community Housing Standards
Victorian Community Housing Regulatory Framework
Western Australian Community Housing Regulatory Framework
Housing Assistance Act 1996 (COM)
State Housing Acts (NSW 2001, NT 1982, QLD 2003, SA 1995, TAS 2022, VIC 1983, WA 1980)
State Residential Tenancy and Rooming Acts (NSW 2010, NT 1999, QLD 2008, SA 1995, TAS 1997, VIC 1997, WA 1987)
Community Housing Providers National Law Acts 2013 (NT, NSW, QLD, SA and TAS)
The National Affordable Housing Agreement
NRSCH National Regulatory Code
Consumer Charter for Community Managed Housing and Homelessness Services (VIC)
NDIS Quality and Safeguarding Framework
National Disability and Insurance Scheme Act 2013
NDIS Code of Conduct and Rules
The Human Rights and Responsibilities Charter Act 2006 (VIC)
Human Rights Act 2019 (QLD)
Privacy Act 1988 (COM)
NSW Housing Appeals Committee Charter

7. MONITORING AND REVIEW

This policy is maintained and managed by the CHL Group's Chief Operations Officer.

This document should be reviewed and revised periodically and/or as required. The period between reviews must not exceed three years. This document remains valid until such time that a new version is published

Review History

Document reference	Date Approved	Version	Reason for review	Review frequency	Owner	Approver(s)
POLHOUAUSNATAPP202404	13 Dec 2024	4.0	Scheduled review	Every two years	Chief Operations Officer	Executive
POLHOUAUSNATAPP202403	March 2024	3.2	Reformat	Existing	Chief Operations Officer	Executive
POLHOUAUSNATAPP202306	June 2023	3.1	NT Inclusion	Existing	National Manager Operations	Managing Director National Manager Operations
POLHOUAUSNATAPP202203	August 2022	3.0	Scheduled review	Every two years	National Manager Operations	Managing Director National Manager Operations
POLHOUAUSNATAPP202002	May 2020	2.0	Scheduled review	Every two years	National Manager Operations	Managing Director National Manager Operations
POLHOUAUSNATAPP201701	October 2017	1.0	New policy	Every two years	National Manager Operations	Managing Director National Manager Operations