



Appeals Policy (Version 1.0)

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1. Introduction

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

- Register, investigate and record appeals
- Enforce applicant and tenant rights
- Enable applicant and tenant views to influence how we deliver our housing services

This policy applies only to appeals by applicant's or tenants. It does not include disputes and grievances of staff or management, complaints by a tenant about another tenant (or someone else outside the organisation), complaints about the organisation or our tenants by people who are not service users, for example, neighbours, funding body, real estate agents.

2. Aim

The purpose of the CHL appeals policy is to:

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

3. Principles of CHL Appeals Policy

3.1. 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 |
| Client | Generic term used to refer to a tenant or an applicants |
| Complaint | A user of our service tells us they are dissatisfied with our service, standards, practices or policies |

3.2. INFORMATION AND COMMUNICATION

CHL:

- informs our tenants and applicants about the Community Housing Standards and CHL's Code Of Practice
- gives tenant and applicants information about the appeals procedure and how to access it, if they want to appeal a decision we have made
- intends for its appeals procedures to be easy to understand and use for all our tenants and applicants
- provides 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 tenants and applicants information about the complaints procedure and how to access it, if they want to make a complaint.

3.3. FAIR, EQUITABLE AND TRANSPARENT PROCESSES

CHL:

- seeks to resolve any appeal fairly, without fear of recrimination
- encourages tenants and applicants to involve their own advocate or support person at any point in the appeals procedure, making it easy for them to do so
- includes an independent third tier in the appeals procedure to ensure the basic social justice principle of a fair hearing.

3.4. COMMITMENT TO TENANT AND APPLICANT RIGHTS

CHL:

- welcomes appeals, and lets tenants and applicants know this
- deals with appeals in the context of its broader client relations policy
- responds promptly and appropriately to any request for information about our service, or any concern or objection about our rules, practices or tenancy conditions, with the intention of firstly clarifying rules, rights, responsibilities or services provided.

4. How CHL aims to achieve these policy principles

Tenants and applicants have the right to ask us to review decisions they disagree with or think are unfair.

4.1. SORTS OF DECISIONS THAT CAN BE APPEALED

The sorts of decisions that can be appealed are:

- rental rate assessment
- rejection for rehousing
- not eligible for housing
- not selected for housing
- allocated inappropriate property
- request for property improvements rejected
- complaint handled badly

4.2. GROUNDS FOR APPEAL

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

4.3. APPLICANT OR TENANT'S RIGHT TO LODGE AN APPEAL

When an applicant disagrees 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, they may make an appeal if they are not happy with the results of the CHL Complaints process and review.

4.4. PROCESS FOR MAKING AN APPEAL

The steps in the *Appeals Flowchart* are to be followed, 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 *How to Appeal: Information for Tenants and Applicants* and the *CHL Appeals Form*.

5. Related legislation, industry frameworks and standards, CHL policy and procedures

5.1. EXTERNAL LEGISLATION AND FRAMEWORKS

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|---|
| National Community Housing Standards |
| National Regulatory Code |
| Victorian Regulatory Framework |
| Western Australian Community Housing Regulatory Framework |
| NSW Housing Appeals Committee Charter |
| State Residential Tenancy Acts and Regulations |

5.2. CHL RELATED POLICIES AND PROCESSES

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|--|
| CHL Complaints Policy and Procedure |
| CHL National Housing and Homelessness Policies |
| CHL Continuous Improvement Policy and Procedures |
| CHL Customer Promise |
| CHL Appeals Procedure |
| External Agencies: Complaints and Appeals |
| CHL Appeals: Indicative Timeframes |

6. Monitoring and review

This policy should be periodically reviewed and revised. Revisions should be made as and when required. The period between reviews must not exceed two years. The date for review of this policy is on or before October 2019.

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