

Policy Name: Complaints and Appeals

Approved by: Chief Executive Officer

Date effective: May 2019

Due to be reviewed: May 2022

Section 1 - Introduction

Purpose

This policy establishes the approach of VincentCare Community Housing (VCCH) to complaints and appeals in respect of housing, social housing applications and related services.

The purpose of this policy and procedure is to articulate the processes through which tenants may lodge complaints and also appeal any complaint decision. This policy also ensures that internal actions related to complaints and appeals are managed efficiently and appropriately.

For the purpose of this policy the term 'tenant' is inclusive of the term resident.

VincentCare Community Housing Victoria operates a diverse range of accommodation and support services for people experiencing disadvantage, and is committed to applying an appropriate duty of care to all people in contact with VincentCare Community Housing services. This includes protecting people's personal and cultural safety regardless of ability, cultural background, ethnicity, gender identity, sexual orientation or religion.

Scope

This policy applies to complaints and appeals made to VincentCare Community Housing by:

- tenants and prospective tenants of VincentCare Community Housing in respect of rental housing; and
- people whom VincentCare Community Housing has assisted to make an application for social housing under the Victorian Housing Register (VHR).

This policy does not apply to complaints or feedback received from people who are not tenants, prospective tenants or applicants for social housing. This includes:

- complaints or grievances by employees of VincentCare Community Housing;
- complaints by contractors of VincentCare Community Housing; and
- complaints or registration of concern by other member of the community (for example, neighbours).

REVIEW CYCLE

This policy will be reviewed every three years. It will be modified or replaced whenever VincentCare becomes aware that this policy no longer complies with the requirements of the organisation.



Section 2 - Policy Statement

GUIDING PRINCIPLES – COMPLAINTS AND APPEALS

All tenants and prospective tenants of VincentCare Community Housing and applicants (**clients**) have the right to:

- complain about the way that VincentCare Community Housing has gone about delivering housing or related services; and
- appeal a decision made by VincentCare Community Housing in relation to their housing, application or services.

This policy promotes adherence with the following key principles:

- A tenant or prospective tenant has the right to lodge a complaint about the way VincentCare Community Housing has gone about delivering housing services at any time;
- All tenants will be appraised of their rights to lodge a complaint through being provided with a Client Complaint Form brochure upon commencement of their tenancy and through the provision of a copy of this policy;
- Complaints may be conveyed verbally by tenants to the Team Leader/Manager of their service;
- Tenants may request an envelope and lodge their complaint in writing in a confidential manner to the Team Leader/Manager of their service;
- Upon receipt of a complaint the Team Leader/Manager will arrange a meeting with the tenant as soon as possible after lodgement of the complaint and at a time convenient to the tenant.
- Tenants may also raise and lodge their complaint with external bodies including relevant government departments.
- Tenants have the right to remain anonymous when lodging a complaint in writing;
- Complaints will be initially addressed within five working days after lodgement.
- VincentCare Community Housing will make every effort to resolve complaints within 30 days.
- VincentCare Community Housing welcomes complaints from clients as a key way by which it receives feedback, responds to the needs of clients and improves its service delivery.
- VincentCare Community Housing encourages all clients who are unhappy about the way that they have been treated by VincentCare Community Housing or decisions made by VincentCare Community Housing to take up the issue with the person who delivered the service or made the decision. This can be a way of getting the matter resolved quickly. However, if a client does not wish to do this then it is their right to have the matter dealt with under the complaints and appeals policy.
- A tenant or prospective tenant has the right to lodge an appeal about a related VincentCare Community Housing decision at any time;
- VincentCare Community Housing welcomes appeals from clients as a key way by which it receives feedback, responds to the needs of clients and improves its service delivery

Accordingly, VincentCare Community Housing will:

- provide clients with clear information about how they can make a complaint or lodge an appeal with VincentCare Community Housing and about any external complaint-handling bodies that are relevant (such as DHHS or the Housing Registrar);
- support clients to make a complaint or appeal in a way that is accessible to them;

- respond to complaints and appeals promptly, fairly and transparently;
- respect the privacy and confidentiality of clients who make a complaint or lodge an appeal;
- not take any adverse action in respect of a client simply because the client has made a complaint or lodged an appeal; and
- keep records of complaints made and appeals lodged; and
- use the outcome of complaints and appeals to improve VincentCare Community Housing's service delivery and minimise future complaints and appeals

Complaints by tenants or prospective tenants about rental housing

Tenants or prospective tenants of VincentCare Community Housing who are affected by decisions of VincentCare Community Housing on matters relating to rental housing may ask for their complaint to be dealt with under the complaints and appeals procedure.

Under this procedure, VincentCare Community Housing must take all reasonable steps to resolve such complaints within 30 days after the complaint is received.

An individual who is a tenant or prospective tenant of VincentCare Community Housing and who has made a complaint to VincentCare Community Housing may refer the complaint to the Housing Registrar for investigation if the complaint is not resolved within 30 days after it is made.

Complaints or appeals about applications for social housing under the Victorian Housing Register

VincentCare Community Housing participates in the VHR by:

- providing applicants with information about applying for social housing under the VHR;
- assisting applicants to make an application for social housing;
- submitting applications to DHHS with a recommended outcome based on the VHR's eligibility criteria.

Where an applicant wishes to:

- make a complaint about the way in which VincentCare Community Housing has provided service to them in making an application for social housing; or
- appeal any of the following decisions made by VincentCare Community Housing in relation to the person's application for social housing:
 - recommend or not recommend an application for approval;
 - approve or not approve an application;
 - remove an application from the register; and
 - determine if an offer of social housing is a reasonable offer,

then such applicants should first should ask that the complaint be reviewed or decision be reconsidered by VincentCare Community Housing under the complaints and appeals procedure. Applicants for social housing who are unhappy with the resolution of a complaint under the complaints and appeals procedure may refer the complaint to the DHHS Housing Appeals Office.

Section 3 - Procedures

VincentCare Community Housing will establish a complaints and appeals procedure to support this policy. The procedures will at a minimum incorporate the following matters:

Complaints coordination

VincentCare Community Housing will appoint a person to coordinate complaints. The coordination of complaints will include the following:

- act as the point of contact with the Housing Registrar and DHHS Housing Appeals Office;

- monitor compliance with the policy and this procedure (for example, the requirement to resolve complaints within 30 days); and
- maintain the register of complaints and appeals

Informal resolution

VincentCare Community Housing encourages all clients who are unhappy about the way that they have been treated by it or decisions made by VincentCare Community Housing to take up the issue with the person who delivered the service or made the decision. This can be a way of getting the matter resolved quickly.

However, if a client does not wish to do this then it is their right to have the matter dealt with under the complaints and appeals policy and this procedure.

How clients can complain or appeal

- Clients may make complaints or lodge appeals:
 - in person;
 - via a representative or advocate;
 - in writing (hard copy or electronic);
 - by telephone.

VincentCare Community Housing encourages clients to make complaints in writing as a way by which the issues can be most effectively identified and then resolved. However, VincentCare Community Housing recognises that some clients face barriers to doing so and will therefore:

- accept complaints and appeals in a variety of means; and
- take reasonable actions to assist that client to clarify the issues in their complaint or appeal.

Acknowledgement of complaint

VincentCare Community Housing will acknowledge receipt of all complaints and appeals within 2 working days. This acknowledgement should advise the client of the process that VincentCare Community Housing will follow.

Investigation of complaint or consideration of the appeal

The procedure should assign a manager responsible for ensuring that VincentCare Community Housing responds appropriately to the complaint or appeal by investigating the matter and/or reconsidering any decision made.

This person should not be directly involved in the complaint or appeal – i.e. be the original decision-maker or the person whose conduct has given rise to the complaint.

Investigation of complaint or consideration of the appeal

Program managers are responsible for ensuring that VincentCare Community Housing responds appropriately to the complaint or appeal by investigating the matter and/or reconsidering any decision made. The person should not be directly involved in the complaint or appeal, i.e. be the original decision maker or the person whose conduct has given rise to the complaint.

Outcome of complaint or appeal

Responses to complaints and appeals must:

- be in writing;
- explain the outcome of the complaint or appeal and the reasons for VincentCare Community Housing's decision; and
- advise the client of their right to refer the matter to the Housing Registrar or DHHS Housing Appeals Office (as appropriate).

Investigation by the Housing Registrar

VincentCare Community Housing staff must co-operate with any such investigation by the Housing Registrar.

Privacy and confidentiality

VincentCare Community Housing must comply with its Privacy and Confidentiality Policy when undertaking this process.

Register of complaints

VincentCare Community Housing will maintain a register of complaints made and appeals lodged which complies with the requirements of the Housing Registrar.

Review

VincentCare Community Housing will use the outcome of complaints and appeals to improve its service delivery and minimise future complaints and appeals by the following:

- Consideration of outcomes of complaints at team meetings (on a de-identified basis, with the goal of learning and identifying continuous quality improvement opportunities);
- Quarterly reporting of complaints data to the Quality Committee;
- Reporting to the Executive by exception
- Regular consideration of complaints data by the Client Advisory Committee

VincentCare Community Housing will appoint a person to coordinate complaints, which will include:

- act as the point of contact with the Housing Registrar and DHHS Housing Appeals Office;
- monitor compliance with the policy and this procedure (for example, the requirement to resolve complaints within 30 days); and
- maintain the register of complaints and appeals.

Section 4 – Related Documents

Definitions

In this policy:

Appeal	When a person asks for a review of a decision of VincentCare Community Housing to which this policy applies
Applicant	A person who VincentCare Community Housing assists to apply for social housing
Client	An applicant or a tenant or prospective tenant of VincentCare Community Housing
Complaint	A complaint is a client's registered expression of dissatisfaction with any service delivered or action taken by VincentCare Community Housing to which this policy applies.
DHHS	The Victorian Department of Health and Human Services
Social housing	Both public housing (housing owned and managed by DHHS) and housing owned, controlled or managed by participating registered agencies (that is, registered housing agencies that participate in the VHR)

VHR	The Victorian Housing Register, the state wide common application for people seeking social housing, which can be accessed via VincentCare Community Housing, DHHS, the mygov portal or designated support providers
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Links to supporting documentation	
Client/resident complaints, feedback and appeals	https://vincentcare.org.au/
VincentCare Community Housing Complaints and Appeals Brochure	https://vincentcare.org.au/
VincentCare Community Housing Tenant Complaints Policy	https://vincentcare.org.au/
VincentCare Community Housing Client Handbook	https://vincentcare.org.au/

Legislation and standards

This policy implements VincentCare Community Housing's obligations under:

- Housing Act 1983 (Vic) Part VIII Division 5 Subdivision 2 (Dispute Resolution)
- Performance Standards for Registered Housing Agencies
- DHHS Victorian Housing Register Operational Guidelines

Transparency and accessibility

This policy will be available on the VincentCare Community Housing website <https://vincentcare.org.au/>

VincentCare Community Housing Victoria will provide clear information to tenants on their rights to lodge complaints and appeals and provide instruction on lodgement processes.

Section 5 - Governance

Process Owner	General Manager Housing
Content Holder/s	Housing Program Managers
Recommending body	Quality Committee
Endorsed by	Chief Executive Officer

Version	Effective Date	Author	Change
1	May 2019	General Manager Housing	<ul style="list-style-type: none"> • This is a new policy for publication on VincentCare's website • This policy is a compliance requirement for registered agency participation in the Victorian Housing Register (VHR)