



Appeals, Complaints and Feedback

Overview

This policy defines appeals, complaints and feedback and explains how our customers 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 customers and stakeholders of St George Community Housing and its subsidiaries (we, our and us).

Definitions

Appeal

An appeal is when someone asks us to review a decision we made.

Complaint

A complaint is when someone tells us that they are unhappy with our service or products and the person expects a response from us. A person can complain about our services or products even if the service or product is being delivered by someone else for us.

Feedback

Feedback refers to the ways that our customers and stakeholders can express how they feel about our service and products, other than appealing a decision or making a complaint. Types of feedback include:

- Compliments such as positive feedback about our team members, service, or products.
- General feedback on our service or and products or ways we can improve.
- General feedback on improvement to our processes.

Representations

Representations are made by government officials on behalf of a customer. These are generally provided by Homes NSW Minister's office and local Member of Parliament (MP) offices. Representations may include requests for assistance around tenancy or property related issues or may relate to an application for housing assistance.

Underpinning principles

- Customers and stakeholders have the right to appeal a decision that we have made, make a complaint, provide feedback or seek representation or advocacy and they will not be disadvantaged for doing this.
- We will be fair and transparent when dealing with appeals, complaints, feedback and representations.
- We welcome all forms of communication and will always try to use the information and outcomes to continually improve our service.
- Customers are able to seek help from an advocate or support person when appealing a decision or making a complaint.
- We will allow customers 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.

How to appeal a decision or make a complaint

If a customer 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 is generally limited to 3 months from the date of the decision.

People can appeal a decision, make a complaint or provide feedback by email, letter, telephone, or by completing the forms available on our [website](#) or from our offices.

To make a complaint about the CEO or a Director, a customer or stakeholder can write to the Chair by post, addressed to our office or email the Company Secretary. Any correspondence should be marked as 'confidential'.

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

If the issue falls under the jurisdiction of the NSW Civil and Administrative Tribunal (NCAT), we will advise the person they can make an application to NCAT.

Appeals

Decisions that can be appealed include:

- Decisions relating to eligibility for social or affordable housing or housing assistance
- Property offers
- Property entitlements
- Rent calculations or rent subsidy cancellations
- Transfer applications
- 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 NSW Civil and Administrative Tribunal (the tenancy tribunal)
- Decisions that are not directly related to the person
- Our policies
- Internal administrative or funding matters
- Matters/programs 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 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.

Responding to appeals

We will acknowledge appeals within 3 business days and will assess and respond to appeals within 20 business 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.

Assessing an appeal

The person who made the original decision will not be involved in an appeal decision.

Appeals will be directed to the Manager Customer Feedback 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 Housing Appeals Committee (HAC) to review our decision. HAC is an independent body that reviews decisions for all NSW social housing applicants and tenants.

This is known as a second tier appeal.

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

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

When HAC review our decision and make a recommendation, we will consider their recommendation. We will write to the customer if a change will be implemented. If we don't support HAC's recommendation our Executive Director, Customers – Services or our CEO will advise the Presiding Chair or Director of HAC in writing.

Review of decisions when alternative premises have been offered

If we notify a tenant of our intention to issue a notice of termination under section 148 of the *Residential Tenancies Act 2010* (NSW) (known as the alternative premises ground), we will follow the process for internal and external reviews outlined in section 149 of the *Residential Tenancies Act 2010* (NSW) and the 'Ministerial Guidelines for reviews under section 149 of the *Residential Tenancies Act 2010* (NSW)'.

Complaints

Investigating complaints

Complaints will be directed to the Manager Customer Feedback who will lodge the complaint and coordinate the complaints handling process.



Some complaints can be managed informally, with responsive action taken to resolve the matter to assist the customer. We will still provide a brief update and response in writing in these instances.

Any complaints received about a member of the Executive Management Team will be directed to the CEO. Any complaints received about the CEO or a Director will be directed to the Chair of the Board of Directors. Complaints being handled by the Chair of the Board of Directors will be monitored via Board meetings. Any complaints received by a Director (other than those about the CEO or a Director) will be referred to the CEO who will delegate management of the complaint.

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.

Complaints received from tenants or community stakeholders regarding tenant behaviours will be managed in line with the Residential Tenancies Act 2010 (NSW) and referred to the Sustainable Tenancies team. A response will be provided advising of this.

Responding to complaints

We will acknowledge complaints within 3 business days and will assess and respond to complaints within 20 business 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.

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 also advise the person making the complaint of any options they may have.

Complaints about misconduct

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

Feedback and Representations

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

When we receive a representation, we will provide response based on the specific circumstances or issues raised.

Record keeping

Appeals, complaints, feedback and representations received will be treated as confidential. However, there may be times when we need to share details to manage an issue. For example, information may be shared with our team members 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.
- If a customer has made representation to a government agency, we will share their information as part of our response.



Service improvement

We may ask the person to provide their opinion on their experience of the appeal or complaint process (not the outcome of the process). Any comments received will be confidential and used to improve our service.

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

Other avenues for our customers

Appealing a decision, making a complaint, making a representation 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 and Advocacy Service or Community Legal Centre for advice and help.
- Contacting Homes NSW. Homes NSW is the primary contractual partner for the community housing sector in NSW. Homes NSW may seek a response from us and provide a response to the complainant. Homes NSW may also refer the complainant to us to resolve the complaint directly.
- Making an application for tenancy and property related issues to the NSW Civil Administrative Tribunal if they believe we haven't met our legal duties under the Residential Tenancies Act 2010 (NSW).
- Making a complaint to the Community Housing Industry Association (CHIA NSW). CHIA NSW will address complaints against community housing providers who are signed up to the Code of Practice, when the person has tried to resolve the complaint through our internal complaints process and if the complaint relates to a breach of the Code of Practice.
- Making a complaint to the Registrar of Community Housing. The Registrar investigates complaints about community housing providers that have been registered under the Housing Act. Complaints can be lodged about a community housing provider's performance against the National Regulatory Code for Community Housing.
- Making a complaint to the Australian Human Rights Commission, Anti-Discrimination NSW, or the NSW Ombudsman.
- For National Disability Insurance Scheme (NDIS) Participants living in our Specialist Disability Accommodation (or their Person Responsible), contacting the NDIS Quality and Safeguards Commission.

Managing unreasonable complainant conduct

We may modify or limit contact with a complainant where a complainant's behaviour has been unreasonable. Refer to our Managing Unreasonable Complainants policy for more information.

Requests for compensation

As a landlord we are not generally responsible for damage to tenants' goods or belongings in a property.

If a tenant or other person requests compensation, they must submit the request in writing to the Customers - Services team or Manager Customer Feedback and provide details of the date



of the incident, what happened and what they are claiming. We will acknowledge requests within 3 working days. If there is likely to be a delay, we will tell the person of the delay.

Related documents/resources

- [Fact Sheet: Appeals and Complaints](#)
- [Policy: Managing Unreasonable Complainants](#)
- Policy: End of Tenancy ('Alternative premises offered')

Policy information

Version:	4
Approved:	August 2024
Reviewed:	August 2024
Review frequency:	24 months
Responsible team/position:	Executive Director, Customers – Services