



## Complaints and Appeals Policy for VHR

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## Purpose

This policy establishes the approach of Eastern Suburbs Rental Housing Co-operative (ESRHC) to complaints and appeals in respect of housing, social housing applications and related services.

## Scope

This policy applies to complaints and appeals made to ESRHC by:

- tenants and prospective tenants of ESRHC in respect of rental housing; and
- people whom ESRHC 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 ESRHC;
- complaints by contractors of ESRHC; and
- complaints or registration of concern by other members of the community (for example, neighbours).

## Policy statement

### Guiding principles

All tenants and prospective tenants of ESRHC and applicants (clients) have the right to:

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

ESRHC welcomes complaints from clients as a key way by which ESRHC receives feedback, responds to the needs of clients and improves its service delivery.

Accordingly, ESRHC will:

- provide clients with clear information about how they can make a complaint or lodge an appeal with ESRHC 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 ESRHC's service delivery and minimise future complaints and appeals.

### Complaints by tenants or prospective tenants about rental housing

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

Under this procedure, ESRHC must take all reasonable steps to resolve such complaints within 30 days after the complaint is made to ESRHC.

An individual who is a tenant or prospective tenant of ESRHC and who has made a complaint to ESRHC 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](#)

ESRHC participates in the VHR by:

- providing applicants with information about applying for social housing under the VHR; and
- 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 ESRHC has provided service to them in making an application for social housing; or
- appeal a decision made by ESRHC in relation to the person's application for social housing to:
  - 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 ask that the complaint be reviewed or decision be reconsidered by ESRHC 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.

## [Procedures](#)

### [Complaints coordination](#)

ESRHC will appoint a person to coordinate complaints, which will include to:

- 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](#)

ESRHC encourages all clients who are unhappy about the way that they have been treated by ESRHC or decisions made by ESRHC 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); or
- by telephone.

ESRHC encourages clients to make complaints in writing as a way by which the issues can be most effectively identified and then resolved. However, ESRHC 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

ESRHC will acknowledge receipt of all complaints and appeals within 5 working days. This acknowledgement should advise the client of the process that ESRHC will follow.

## Investigation of complaint or consideration of the appeal

ESRHC will assign a person to be responsible for ensuring that ESRHC 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.

## 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 ESRHC'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

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

## Privacy and confidentiality

ESRHC must comply with the Privacy Policy when undertaking this process.

## Register of complaints

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

## Review

ESRHC will use the outcome of complaints and appeals to improve ESRHC's service delivery and minimise future complaints and appeals by the following:

- Consideration of outcomes of complaints at team meetings (on a de-identified and non-judgmental basis).
- Quarterly reporting of complaints data to the Board.
- Regular consideration of complaints data by Tenant Reference Group (or similar).

ESRHC will regularly monitor the effectiveness of this complaints and appeals procedure.

## Definitions

In this policy:

<b>Appeal</b>	When a person asks for a review of a decision of ESRHC to which this policy applies
<b>Applicant</b>	A person who ESRHC assists to apply for social housing
<b>Client</b>	An applicant or a tenant or prospective tenant of ESRHC
<b>Complaint</b>	A complaint is a client’s registered expression of dissatisfaction with any service delivered or action taken by ESRHC to which this policy applies.
<b>DHHS</b>	The Victorian Department of Health and Human Services
<b>Social housing</b>	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)
<b>VHR</b>	The Victorian Housing Register, the state-wide common application for people seeking social housing, which can be accessed via ESRHC, DHHS, the myGov portal or designated support providers

## Related policies

Allocation of Housing - Tenant Selection Policy

Rent Management Policy

Privacy Policy

Member Tenant Complaints and Appeals Policy

Allocation of Long Term Housing Policy for VHR

Eligibility Policy for VHR

Rent Policy for VHR

## Legislation and standards

This policy implements ESRHC’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 ESRHC website [www.esrhc.org.au](http://www.esrhc.org.au)