

Complaints and Appeals Policy

This document is a 'policy' within the meaning of the NCCH Policy and Procedure Framework (the Framework).

Policies may only be approved by the Board.

Management is authorised to create such other directives (Rules, Processes and/or Procedures) as are necessary to ensure implementation of this Policy provided these are consistent with the guidelines provided in the Framework.

Purpose

This Policy sets out how NCCH manages complaints, feedback, and appeals.

The aim of this policy is to ensure that complaints and appeals are handled fairly, efficiently and effectively so that NCCH:

- considers all feedback received and determines an appropriate course of action to respond
- responds to complaints raised according to minimum standards
- uses information provided through complaints to deliver quality improvements in both service delivery and administrative processes
- maintains a register of complaints, that enables quality and clear communication so that our stakeholders can make informed choices
- takes all reasonable steps to investigate and resolve complaints within 28 days, and
- provides alternative paths for complainants if they are not happy with the handling of the complaint.

NCCH has regulatory and legislative responsibility to ensure we are delivering safe and quality services.

Application

This policy applies to complaints and feedback received from tenants, neighbours of NCCH tenants, housing applicants, partners, contractors, and stakeholders. The scope of this policy also includes the process to manage appeals.

Policy Statement

NCCH respects and values complaints, feedback and general suggestions about our services and programs, recognising that this enables intervention to ensure we are continually improving. We are committed to handling complaints and feedback in a respectful, confidential and timely manner, and providing a mechanism for appeal should the decision made following a complaint be viewed as unsatisfactory.

A '**complaint**' is when an applicant, tenant or stakeholder informs NCCH that they are not happy with the standard or type of service they have or have not received and are seeking a formal response.

An '**appeal**' is when an applicant, tenant or stakeholder is not happy about a decision made regarding the provision of a service and are seeking a formal review of the decision.

'**Feedback**' can be a compliment about NCCH staff or service provision, a suggestion on how we could improve or change a process or service.

A '**neighbourhood complaint**' is a concern about an action or behaviour of a neighbour or other person outside of NCCH has done or not done. Disputes between neighbours are handled within the 'Neighbour Concerns Policy'.

Principles behind the Statement

When making a complaint or providing feedback, NCCH will be consistent with its organisational values (Respect, Professionalism, Social Responsibility and Safety and Wellbeing) ensuring every person will be:

- listened to, treated with respect and actively involved in the complaint process where possible and appropriate
- provided with information about the complaint handling process
- provided with multiple and accessible ways to make complaints
- provided with written communication in a timely manner:
 - acknowledgement of complaint within 2 business days
 - outcome of the complaint handling process within 28 days
- provided with reasons for decision/s and any options for redress or review.

Our treatment of complaints and appeals must promote the NCCH organisational culture by:

- Encouraging best practice
- Using best practice
- Ensuring the highest standards of ethics, integrity and behaviour.

The Complaints and Appeals Process

Methods for making complaints and appeals

Complaints and appeals can be made in the following ways:

- By filling out our online feedback form: <https://ncch.org.au/complaints-compliments-and-feedback/>
- By email Complaints@ncchc.org.au
- By telephone (02) 6627 5300 or direct lines or mobile numbers
- In person at an NCCH office or at an off-site location (for example, an event)

Complaints and Appeals Process

The Complaint or Appeal will be managed in the following way:

Step 1 Record: the complaint will be logged in our electronic complaints register

Step 2 Acknowledge: an acknowledgement in writing – usually by email – within two business days

Step 3 Review and Investigate: the matter will be referred for investigation to:

- a. Complaints – an appropriate manager in the area of the complaint
- b. Appeals – an appropriate manager in the area of the complaint, but different to the person involved in the original decision



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Step 4 Decision and Act: further information may be requested of the complainant to ensure NCCH process is fair and informed. A decision on the matter will be made within 28 days and:

- a. a written response will be provided to the complainant to inform of the outcome and reasons (where this is appropriate); or
- b. if the matter is complex and requires further investigation, the complainant will be informed that more time is required.

Step 5 Options to Appeal: the response with the decision will include details of what to do next if the complainant is unhappy with the decision made.

Step 6 Evaluate: Complainants may be asked to provide feedback on the process conducted in order to improve NCCH service.

Excluded Concerns

Sometimes there are complaints that NCCH is unable to resolve. Where this is the case, NCCH will provide reasons as to why this may be. Where this happens, a complaint may be excluded from further review in relation to that particular issue for a period of time where:

- the matter has been investigated and determined that it cannot be resolved or does not exist, and
- the NCCH original determination has been reviewed internally and confirmed.

The period of exclusion will be advised to the complainant.

Unreasonable Behaviour

NCCH acknowledges that raising concerns can be stressful and that most people who are dissatisfied with a service or decision made interact reasonably and responsibly. NCCH employees are there to assist and are trained in the Complaints and Appeals Policy. However, unreasonable behaviour – including abusive, threatening or aggressive comments, or excessive and repetitive demands – will not be tolerated.

NCCH may respond to unreasonable behaviour by restricting the complainant in:

- Who they have contact with
- What can be discussed
- When they can make contact
- How they can make contact

The NSW Registrar of Community Housing has further guidelines at: <https://www.rch.nsw.gov.au/>

Independent Review

Where a complainant continues to be unhappy with a decision made following the initial complaints process and then after an appeal, other options for independent review are:

NSW Civil and Administrative Tribunal	https://www.ncat.nsw.gov.au/ ; Telephone: 1300 006 228
NSW Housing Appeals Committee	https://www.hac.nsw.gov.au/ ; Telephone: 1800 629 794 hac@fac.nsw.gov.au



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NSW Registrar Community Housing	https://www.rch.nsw.gov.au/ ; Telephone: 1800 330 940 registrar@facs.nsw.gov.au
NDIS or NDIA (for NDIS Participants)	https://www.ndis.gov.au/ ; Telephone: 1800 800 100 enquiries@ndis.gov.au

Other Services and Advocacy

Several services provide additional support and advocacy services for tenants to assist in understanding any issue or response made by NCCH. These include:

- Tenants Advice and Advocacy Service (TAAS): <https://www.tenants.org.au/all/taas>
- Legal Aid: <https://www.legalaid.nsw.gov.au/>
- Aboriginal Legal Service: <https://www.alsnswact.org.au/>

Responsibility of NCCH Management

This Policy is approved by the Board, and implementation is delegated to the Chief Executive Officer.

The CEO and NCCH Management are required to implement this NCCH Complaints and Appeals Policy such that (as far as reasonably practicable) it:

- Complies with current best practice including international and Australian standards
- Focuses on procedural fairness where satisfaction of a complaint or appeal cannot be provided
- Is consistent with NCCH values of Respect, Social Responsibility, Professionalism and Safety and Wellbeing
- All staff are appropriately trained in this Policy and the flow-on processes and procedures
- Numbers of complaints and appeals received and handled, including types and trends, and outcomes are recorded.

Whistleblower Protection

Whistleblower protection is available for anyone raising allegations of serious misconduct, fraud or unethical behaviour by NCCH management – see our Whistleblower Program on our website for more details.

Legislative and Regulatory Framework

- *Community Housing Providers (Adoption of National Law) Act 2012*
- *Residential Tenancies Act 2010*
- *National Disability Insurance Scheme Act 2013* and associated Rules including the NDIS (Complaints Management and Resolution) Rules 2018
- National Regulatory System for Community Housing (NRSCH)



INFORMATION	
Title	Complaints and Appeals Policy v3.0 (Sept22)
Section	Housing Services
National Regulatory Code Evidence Guideline	Performance Outcome 1 – Complaints and Appeals
NDIS requirements	YES
Release notes	Internal document
Account code	4225
Last review	September 2022
Next review	June 2024

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Version History			
Version #	Summary of changes made	Date Approved	Review Date
V1.0	Initial draft	30 Oct-18	31 Oct-20
V2.0	Update for NDIS	31 Oct-19	31 Oct-20
V2.1	Reviewed – no changes	Oct20	Oct21
V2.2	Format change; Annual review; FACS to DCJ	Oct21	Oct22
V3.0	Full rewrite	Sept22	Jun24

