



# Complaints

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## 1. Purpose

The purpose of this policy is to:

- Outline how Housing Trust will deal with complaints from applicants, tenants, stakeholders and neighbouring residents
- Identify key principles for complaint investigations
- Identify the difference between a complaint and an appeal

## 2. General principles

- Applicants, tenants, stakeholders and neighbours have a right to lodge a complaint and will not be disadvantaged or penalised for doing so
- Housing Trust will adopt a transparent and objective approach in receiving, investigating and responding to complaints
- Housing Trust will use the outcomes and learning from complaints in our continuous improvement approach to service delivery
- Housing Trust welcomes the involvement of tenant advocates, family members or other supports at any point in the complaints process
- Any service complaints received by the Board will be redirected to the CEO for action in terms of this policy

## 3. How to lodge a complaint

If an applicant, tenant, stakeholder or neighbour is dissatisfied with a response to or quality of service received they should lodge a 'service complaint' as soon as possible.

A complaint may be made in writing, by email, letter, or by completing a Complaints Form, which can be completed and sourced through the Housing Trust office or on our website.

Staff will assist applicants, tenants, stakeholders, and neighbours to make a complaint. This may include information on how to make a complaint and the provision of interpreter services as required.

## 4. Records of complaints

All complaints will be recorded in the electronic Complaints Register.

Complaints will be treated as confidential, unless information is required or authorised to be disclosed by law or unless the complainant consents to the disclosure. Complaints will only be discussed with employees as required for the purpose of investigating the complaint.

Serious complaints about Housing Trust employees will be treated as confidential, referred to management for investigation, and records kept in the employee's personnel file.

## 5. Standards in responding to complaints

Complaints will be formally acknowledged in writing within five (5) working days of receipt by Housing Trust.

The process of investigating and reviewing a complaint may take up to 21 working days from the date of receipt. If a delay is likely to occur, Housing Trust will notify the complainant of the expected timeframe and reasons for this.

Housing Trust will notify all complainants as to the outcome of their complaint where an investigation is undertaken.

If the matter falls within the jurisdiction of the NSW Civil & Administrative Tribunal (NCAT), the complainant will be informed immediately of any time limits that apply to making an application to have the matter heard and where they can seek advice or assistance.

## 6. Investigating complaints

### **General principles**

Community housing workers are delegated to investigate and respond to most complaints. However, the following complaints must be immediately referred to management when they are received:

- Complaints that are of a serious or persistent nature
- Complaints relating to alleged violence or criminal activity
- Complaints that are 'service complaints'
- Complaints that have the potential to damage the reputation of Housing Trust

### **Complaints by neighbours about tenants**

General complaints by neighbours regarding tenants of Housing Trust will be investigated to determine whether a breach of the lease agreement has occurred. Where a possible breach has been identified, we:

- Will ensure that the tenant complained about is advised of the breach, be given a reasonable opportunity to respond to the complaint and to remedy the breach
- Will identify options to help support the tenant to sustain their tenancy, including provision of advice about support services or referral to social services with the tenant's consent
- May take action in the NCAT to establish specific performance orders in respect of a tenant's lease responsibilities
- May take action to end the tenancy where the breach is serious, intentional or reckless, and/or persistent

It is not the role of community housing to resolve all neighbourhood disputes. Where the complaint being made is of a minor nature and does not relate to a breach of the tenant's lease (i.e. is more akin to a 'neighbourhood dispute'), Housing Trust may refer the matter to a NSW Community Justice Centre for mediation or to NSW Police as appropriate

### **Service complaints**

All complaints relating Housing Trust's service delivery ('service complaints') will be immediately directed to management for investigation.

Complaints relating to the actions of individual staff will be treated confidentially.

Any complaints received about the Chief Executive Officer or a Director will be immediately referred to the Chairperson of the Board of Directors. The Chairperson will determine the most appropriate course of action, including whether referral to the Registrar of Community Housing is warranted.

## 7. Obtaining Police Information

Housing Trust has a 'Record of Understanding' with NSW Police that enables community housing providers to access police records in respect of a tenant or Housing Trust property.

The purpose of any referral for 'ROU' information is to determine whether a breach of a tenant's lease has occurred. This may include, for example, alleged use of premises for illegal activity or antisocial behaviour.

All requests must be approved by management and information received is treated as confidential, unless required to be disclosed by law or for use in the NCAT.

## 8. Responding to complaints

Housing Trust staff are delegated to investigate complaints, however the Chief Executive Officer must see all complaints when they are finalised prior to any final letters and information being provided.

Once the investigation is completed, and reviewed by the CEO the complainant will be formally advised.

If the complainant is not satisfied with the response provided, complainants will be advised of the option to escalate their complaint to a higher level of management or, alternatively, to an external body (see below).

## 9. Reporting

All service related complaints will be reported to the Housing Trust Board on a monthly basis by the General Manager Customers and Communities.

## 10. Feedback

Housing Trust may seek feedback from complainants on their experience of the complaints process. Any feedback received will be used to guide service improvement.

## 11. Corruption

If a complaint involves allegations of corrupt conduct, the matter will be referred to the Chief Executive Officer. All such information will be treated in a confidential manner.

## 12. Other avenues

If a complainant is dissatisfied with the initial response provided by Housing Trust, then there are other avenues that complainants may pursue. These include:

- Contacting the Illawarra & South Coast Tenants Advice Service or Murra Mia Aboriginal Tenants Advice Service
- Lodging a complaint with the Federation of Housing Associations, who will address complaints against community housing providers who are signed up to the Code of Practice
- Lodging a complaint with the Registrar of Community Housing in respect of performance against the regulatory code
- Lodging a complaint with the NSW Anti-Discrimination Board where a complainant believes they have been discriminated against on the basis of: gender, race, age, marital status, sexual preference, or disability
- Making an application to the NSW Civil and Administrative Appeals tribunal