



## **1.10 Appeals Policy**

### **Purpose**

This policy outlines what decisions can be appealed and how St George Community Housing (SGCH) handles appeals from applicants, tenants and stakeholders.

### **Underpinning principles**

- Applicants and tenants have the right to appeal decisions and will not be disadvantaged by lodging an appeal.
- SGCH will adopt a transparent and objective approach to receiving, investigating and responding to appeals.
- SGCH welcomes appeals and will use the outcomes and learning's from appeals in our continuous improvement approach to service delivery.

### **What is an appeal?**

An appeal is a request to have a decision reviewed. An appeal involves a fresh look at the person's case or issue to see if the outcome can be changed in full or in part. The appeal will address the merits of the case and examine what the best possible outcome should be. An appeal is different to a complaint. A complaint is an expression of dissatisfaction with a response to or quality of service delivery. A complaint is dealt with separately to an appeal.

### **What decisions can be appealed?**

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
- Succession of tenancy

Decisions that are not appealable include:

- Matters which are the responsibility of the Consumer, Trader and Tenancy Tribunal (CTTT)
- Decisions that are not directly related to the applicant/tenant
- The content of our policies
- Matters not relating to the provision of housing (e.g. tenant participation, support and referral services).

### **What is involved in the appeals process?**

An appeal process will involve looking at all relevant information on file, submitted by the individual, and any new information that was not available to the original decision maker. The purpose of the appeal is to look at the appellants circumstances at that point in time and to see what decision should be made within the relevant policy.

## Who can lodge an appeal?

Only the person/s affected by the decision can lodge an appeal.

## How to lodge an appeal

SGCH welcomes appeals and is focused on continually improving our service delivery.

If an applicant, tenant or stakeholder is dissatisfied with a decision made by SGCH it is in their best interests to appeal as soon as possible after the original decision was made. Generally, the right to appeal is limited to three months from the date of the appellant being advised of the decision. However, SGCH has the discretion to consider matters outside this time frame where this is considered the most appropriate means of resolving an issue.

An appeal can be lodged by email, letter and phone or by completing an Appeal form. This form can be located on our website or by contacting our office.

## SGCH standards in responding to appeals

Appeals will be formally acknowledged within three working days of receipt at SGCH.

The process of assessing and completing the appeal will take no longer than 28 days from the date of receipt. If a delay is likely to occur, SGCH will notify the appellant of the expected timeframe and the reasons for this.

## Assessing the appeal

Appeals will not involve the officer that made the original decision. All appeals will be assessed by a more senior person than the original decision maker. This may be a Manager, General Manager or CEO.

The assessment of the appeal will consider all information available at the time of the appeal. This may include interviewing the appellant as part of this process.

## Completing the appeal

Once the appeal assessment is completed, the appellant will be formally advised of the outcome. The appeal outcome letter will explain the reason(s) for the decision.

If the appellant is still not satisfied with SGCH' decision they have the option of referring the matter to the Housing Appeals Committee (HAC). SGCH' response will include information about how to lodge an appeal with HAC.

## Records of appeals

The file record of the appeal will be confidential and will only be discussed with staff as required for the purpose of investigating the appeal. The appeal will be kept with the tenant's/applicant's file.

## Appeals Register

Decisions on appeals will be recorded in the electronic Appeals Register with limited access by SGCH employees.

## Role of HAC

HAC is an independent body that is responsible for the external appeals process for all NSW social housing clients. In most cases SGCH will support a recommendation made by HAC as an independent arbiter. If SGCH does not support HAC's recommendation, a dispute resolution process will be entered into by the Executive Chairperson of HAC and the SGCH CEO.

## Other avenues of client action

A formal appeal to SGCH does not deny a client their right to take other courses of action. For example, these may include:

- Seeking support from their local Member of Parliament
- Contacting their nearest Tenants Advice Service or Community Legal Centre for advice and assistance