

POLICY 3.5: COMPLAINTS AND APPEALS

PURPOSE & SCOPE

Dealing well with complaints and appeals helps us to maintain and improve our service quality and ensure Residents have their issues resolved. Complaints and appeals processes give Residents a way of expressing any dissatisfaction with our service and of having their concern dealt with quickly and effectively. It also provides us with the opportunity to improve our service delivery. The procedures guide us in responding appropriately and fairly to complaints and to appeals.

INFORMING DOCUMENTS

National Community Housing Standards: 3.6 Complaints and Appeals

POLICY STATEMENT:

YWCA HOUSING is committed to facilitating our Residents' right to make a complaint about our service, to appeal a decision we have made that directly concerns them, and to ensuring that their complaint or appeal is fairly addressed and responded to promptly.

We are committed to having processes for managing complaints and appeals that are legal, ethical, consistent and systematic. This includes:

- informing Residents about how to make a complaint, using either internal or external mechanisms
- advising Residents about their options for appealing a decision about the service they receive
- ensuring support and advocacy is available to Residents who make a complaint or appeal a decision
- ensuring Residents are not disadvantaged by making a complaint or appealing a decision
- dealing with complaints and appeals in a timely and culturally appropriate manner
- advising Residents of the outcomes of their complaints or appeals
- taking the outcomes of complaints and appeals into account in planning service improvements

SUPPORTING PROCEDURES

Informing Residents about Complaints and Appeals Procedures
How Residents can make a complaint or appeal a decision
How Complaints and Appeals are managed
Complaint and Appeal Finalisation

PROCEDURE 3.5.1: COMPLAINTS AND APPEALS

If a person perceives that they have a complaint about any aspect of the service, it is preferable to discuss the matter with the person/s concerned in an effort to resolve the issue informally. An informal complaint will be dealt with as follows.

INFORMAL COMPLAINTS

1. Contact YWCA HOUSING by telephone, in writing, or call in person to discuss your complaint with the member of staff concerned who will endeavour to respond to the complaint immediately.
2. If the informal complaint escalates to a meeting with the staff member, the staff member will record the details and the outcome of the informal complaint.
3. If the complainant does not wish to speak with the person concerned, or if the complainant is not satisfied with the outcome of this informal complaint, he/she can request that the matter be registered as a Formal Complaint and reviewed by the Housing Group Manager.

Should this process not resolve the issue – or should the complainant feel unable to address the issue directly with the respondent – then a Formal Complaint will be logged and dealt with and the following process should commence.

FORMAL COMPLAINT

1. Contact the Operations Manager either in person, by telephone or in writing to lodge the complaint. It is preferable to put the complaint in writing following initial discussion
2. Should the complaint be against the Operations Manager, contact the YWCA HOUSING CEO (contact details provided in the front of Tenant Handbook)
3. The Operations Manager will clarify the nature and details of the complaint and document on a 'Complaints Record Form'.
4. The staff member will register the complaint on the Complaints Register as a Formal Complaint and acknowledge the complaint within 2 working days.
5. The respondent will be notified of the complaint as soon as is practicable, and responses will be documented.
6. If the matter is resolved, the complaint is closed and results documented.
7. Both parties will be notified of outcome.

If the matter is not resolved:

1. The Operations Manager will attempt to bring the parties together in an attempt to resolve the matter.

2. If the matter is resolved, the complaint is closed and results documented.
3. Both parties will be notified of the outcome.
4. The complaint may be followed up in the interest of Quality Improvement.

If the matter is still not resolved:

1. An Action Plan may be required, including timeframes
2. As part of the investigation, the complainant can request a time to meet and discuss the complaint. The CEO will provide the complainant with a suitable meeting time.
3. When the complainant meets with the CEO, the CEO will record the complaint and give the complainant a copy.
4. The final response will be sent to the complainant no more than 30 working days after the complaint is received. If however, the complaint is not resolved after 20 working days, a letter is sent to update the complainant on the progress of the matter.
5. At every stage of the Complaints process, YWCA HOUSING will provide the complainant with information on referring the complaint to ORHA. ORHA will not investigate any complaint unless YWCA HOUSING has first been given an opportunity to resolve the matter directly with the complainant.
6. If the matter is resolved, complaint is closed and results documented.

7. All parties will be notified of outcome.

Complainant and respondent should be advised of alternative resources and contacts, including details for the following:

- Ombudsman
- Privacy Commissioner
- Human Rights and Equal Opportunity Commission
- Equal Opportunity Commission
- Australian Competition and Consumer Commission (ACCC)

DISPUTES PROCEDURE

1. All documentation or information relating to any dispute will remain confidential.
2. Disputes must be notified in writing either by the person concerned or an advocate of his/her choice on his/her behalf.
3. Notice of dispute will be addressed to the Operations Manager, or if the dispute is with the Operations Manager, to the Chief Executive Officer.
4. The addressee will confirm that at least one party to the dispute is an officer, employee or volunteer of the organisation.

5. The addressee will acknowledge the receipt of Notice of Dispute in writing within two working days of receipt.
6. If the addressee has no involvement in the dispute, nor the matter of the dispute nor any outcomes he/she will inform the person/s in writing of the way the dispute may/will be resolved and the anticipated time frame for resolution.
7. If the addressee identifies a conflict of interest he/she will delegate the responsibility to another member of senior management, and notify the person/s involved. The delegated person will contact the complainant as above.
8. Further information may be sought from the complainant or the other party/ies to the dispute, or from independent persons who have or may have knowledge of the circumstances surrounding the dispute.
9. Details of resolution or decisions will be conveyed to all parties involved as soon as possible.

APPEALS PROCEDURE

1. All documentation or information relating to any appeal will remain confidential
2. Appeals must be notified in writing either by the person concerned or an advocate of his/her choice on his/her behalf.
3. Request for Review/Appeals must be directed to the Chief Executive Officer, or if the Chief Executive Officer has ratified the decision appealed, to the Board of Directors.
4. Written acknowledgement of the Request for Review/Appeal will be provided within two working days of receipt with anticipated timeframe for resolution
5. The review process will be conducted by a person who has no interest in the decision being appealed. If necessary, an independent arbiter will be contracted to review the matter.

PROCEDURES 3.5.2: COMPLAINTS AND APPEALS

INFORMING RESIDENTS ABOUT COMPLAINTS AND APPEALS PROCEDURES

All Residents are informed of their rights and responsibilities and our Complaints and Appeals Policy at the earliest possible stage of their involvement with our service.

Information about Residents' right to make a complaint or to appeal a decision, and the procedures that will be followed are provided to all tenants in the 'YWCA HOUSING Tenant Information Kit', which contains a statement on Privacy and Confidentiality'.

HOW RESIDENTS CAN MAKE A COMPLAINT OR APPEAL A DECISION

RESIDENTS CAN MAKE A COMPLAINT BY THE FOLLOWING PROCESS:

Step 1: Speak directly with the person you have an issue with and try to resolve in an informal manner

Step 2: If you are still not satisfied with the outcome, request a meeting with the CHO. You are more than welcome to bring a friend or advocate to this meeting. If you remain dissatisfied the formal complaint / appeals process can be started

Step 3: Complete a formal complaint / appeals form and provide to the manager of YWCA HOUSING for the Board to address

Step 4: If still not happy with the outcome, YWCA HOUSING will refer you to an external agency that may be able to assist you further, depending on the nature of the complaint / appeal.

RESIDENTS CAN APPEAL A DECISION BY:

If a tenant wishes to appeal a decision made by YWCA HOUSING, they should follow the complaint / appeals process outlined above.

HOW COMPLAINTS AND APPEALS ARE MANAGED

YWCA HOUSING will;

- **record keeping** – keep detailed records of complaints and appeals, kept in the tenants file. The records will include the nature of the complaint/appeal, copies of correspondence, notes of meetings and consideration of issues, a record of outcome and the reason for decisions
- **timeframes** –specify how long each stage should take and when Residents will be told of outcomes.
- **responsibility** – identify who will coordinate and manage the process and who else will be involved
- **support** – discuss how can the Resident be best supported during the process, either from within the organisation or by referral to an advocacy service

- **outcomes** –explain how are Resident will be notified of the outcomes. Options may include that the complaint/appeal is:
 - upheld (and, if so, what will be done to resolve the issue)
 - resolved (and how this has been achieved)
 - if no further action can be taken, the reason for this
- **options for resolving a complaint or appeal** – the cause and seriousness of a complaint or appeal will determine the best way of resolving it. Options may include:
 - internal resolution for most issues that involve allegations about breaches of policy
 - mediation by a neutral outsider, if requested by the person making the complaint/appeal or is considered the best way to manage the issue
 - arbitration by a designated external body for allegations of serious breaches of Resident’s rights, where these are covered by program guidelines or legislation. The Resident also has the right to take the complaint/appeal outside the organisation at any stage in the internal process.
 - Where a breach of law may have occurred, police should also be informed

COMPLAINT AND APPEAL FINALISATION

An issue is usually considered finalised if the Resident is satisfied with the response and/or all avenues of resolution have been explored. The final outcome will be recorded in the tenants file.

SUPPORTING DOCUMENTS/TOOLS

- YWCA HOUSING Resident Information Kit