

## Complaints, Reviews and Appeals Policy

### Policy Overview

|   |   |
|---|---|
| <b>Who</b> must use this policy:        | This policy applies to all staff undertaking duties on behalf of Bethanie Housing Limited   |
| <b>Why</b> this policy is important:    | <ul style="list-style-type: none"> <li>• Monitor and improve service standards.</li> </ul>  |
| <b>When</b> this policy applies:        | <ul style="list-style-type: none"> <li>• When tenants, their advocates or the general public wish to raise issues related to service standards and processes carried out by BHL.</li> </ul> |
| <b>Who</b> to ask for more information: | Your Housing Manager  |

### Policy Statement

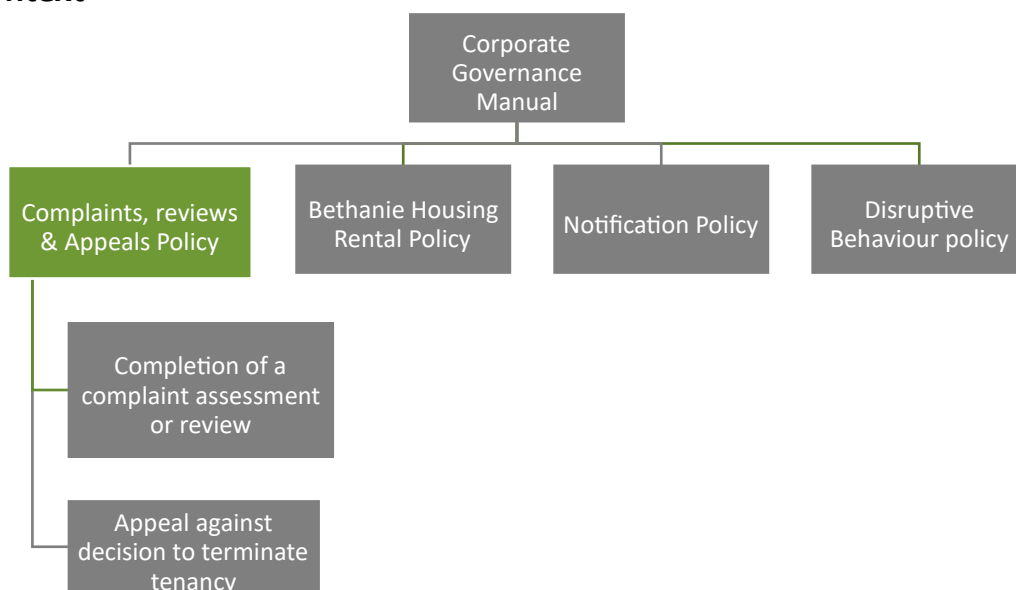
Bethanie Housing must ensure that:

- all tenants have the right and opportunity to complain either verbally or in writing, directly or through a third person; and
- complaints will be acknowledged, reviewed or investigated and responded to in a timely manner. Feedback is an integral component of the Bethanie Quality Improvement System; and
- all tenants are provided with the necessary information to request a review or appeal a decision made by Bethanie Housing, using internal or external review and appeal mechanisms as appropriate.

### Policy Objectives

This policy covers all employees of Bethanie Housing dealing with or referred to in a review, complaint or appeal.

### Policy Context



## Principles

|                    |   |
|--------------------|---|
| <b>Principle 1</b> | Bethanie Housing will scrupulously observe its legal and contractual obligations towards tenants;   |
| <b>Principle 2</b> | Bethanie Housing regards the right to complain, request a review or appeal as a fundamental consumer right and welcomes opportunities to improve services;  |
| <b>Principle 3</b> | Bethanie Housing has a zero tolerance for victimisation based on complaints or appeals – all tenants will continue to receive respectful service regardless of any complaints, review requests or appeals lodged. |

## Complaints

### Preparing and lodging a complaint or review request – Bethanie Housing standards

- Accessibility standard:** complaints-related documentation, including the pamphlet in Appendix 2 to this policy, the Bethanie Housing Ethics and Conduct Charter, relevant policies and procedures must be made available to tenants and recognised advocates in paper and electronic format. While the pamphlet (Appendix 2) form is preferred, complaints must be accepted in other forms should the complainant so desire.
- Assistance standard:** employees must be prepared to provide assistance to any client or advocate wishing to assemble and lodge a complaint, with particular attention given to complainants with a disability and / or limited English language capabilities.
- Flexibility of lodgement standard:** complaints must be accepted for submission:
  - In person to a Bethanie Housing Manager; or
  - Dropped in a Suggestion Box available at all Bethanie Sites; or
  - By fax, post or email sent to the Housing Manager;
  - If the complaint relates to a Housing Manager, sent to the Manager Housing by fax, post or email;
  - If the complaint relates to the Manager of Housing; sent to the CEO Bethanie by fax, post or email;
  - If the complaint relates to the CEO Bethanie, to the concerned external authority, eg Department of Commerce, by way of appeal to the Magistrates Court in case of termination of residential tenancy agreement etc.
- Confidentiality standard:** As far as possible, the details of any complaint or review must remain confidential amongst staff directly concerned with its resolution. Permission should be obtained prior to any information being given to other parties which may be desirable to be involved in order to satisfactorily resolve the complaint.
- Timeliness standard:** the following deadlines must be observed by Bethanie Housing with respect to complaints and reviews management.

| Type of Action                             | Acknowledgement | Time to Solution                               |
|--|-----------------|--|
| Complaint                                  | 72 hrs          | 4 weeks, or 8 weeks with update after 4 weeks* |
| Review of a Complaint                      | 72 hrs          | 4 weeks  |
| Review of a Notice of Termination Decision | 24 hrs          | 7 days   |

If the issue is not resolved in 8 weeks, the complaint or appeal is automatically escalated to CEO level.

## Resolving of a Complaint and Resolution Reviews

- Bethanie Housing will receive, assess and, if required, undertake corrective actions in response to every complaint lodged, in accordance with the standards outlined in Clause 5.
- Authorities dealing with complaints are the following, depending on the person at the centre of the complaint:

| Person at the centre of complaint             | Authority resolving the complaint                     | Review Authority                                      | Appeal Rights   |
|---|---|---|---|
| Staff member or contractor at a Bethanie site | Relevant Housing Manager                              | Manager of Housing                                    | Court, oversight agency or another external authority |
| A Housing Manager                             | Manager of Housing                                    | CEO Bethanie or person appointed by the CEO           | Court, oversight agency or another external authority |
| Manager of Housing                            | CEO Bethanie or person appointed by the CEO           | Court, oversight agency or another external authority |   |
| CEO Bethanie for Bethanie Housing             | Court, oversight agency or another external authority |   |   |

- When assessing a complaint, the authority dealing with the complaint will endeavour, in accordance with the Bethanie Group approach to complaints management, to:
  - Allow time to understand the full extent of the complaint;
  - Demonstrate understanding of the complaint;
  - Focus on the issue being raised, not the personality of the individual(s) concerned;
  - Talk through potential ways of seeking a resolution;
  - Encourage the complainant to offer suggestions to form a resolution/outline an expected outcome;
  - Make necessary arrangements to resolve the complaint to the satisfaction of the client/family/others.
- When reviewing a decision made on a complaint, in accordance with public housing practice the reviewer must establish:
  - What are the facts of the case;
  - What policy was applied;
  - Was the policy relevant;
  - Was policy correctly applied to the facts;
  - Was the customer situation given comprehensive consideration;
  - Was Bethanie Housing's discretion fairly exercised, having regard to the facts of the case and policy?
- The form in Appendix 1 must be completed once a complaint has been dealt with.

## Management of Complaints Data

1. Once the complaint is closed out, in accordance with the Bethanie Group approach to complaints management, the complainant's level of satisfaction with the complaint's resolution must be evaluated and recorded using the following criteria: (a) Very satisfied with resolution  
(b) Satisfied with resolution  
(c) Partly satisfied with resolution  
(d) Dissatisfied with resolution  
(e) Very dissatisfied with resolution (f) Not wanting to comment.
2. Record the complaint resolution satisfaction in Quality Connect with complaints documentation, including the suggestion for resolution captured under Clause 6(4)(e).
3. For the purposes of Bethanie Housing's annual complaints management review, a report will be prepared under coordination by the Manager Housing:
  - (a) Specifying the number and classification of all complaints received during that reporting cycle; and
  - (b) listing the results of an in-depth analysis of the systematic, recurring and single incident problems and trends and potentially the identification of underlying causes of complaints;
  - (c) Containing quality indicators such as random sampling of complainants to gauge the level of tenants' satisfaction with the management of complaints;
  - (d) Providing the results of audits of the complaints management function, including recommendations to management regarding the adequacy of the complaints management system and potential improvements to be considered;
  - (e) Recommending a set of complaints-related data and information to be included in the annual report;
  - (f) Analysing internal and external factors likely to impact on the complaints management process (changes in legislation, government policy or community expectations);
  - (g) Submitting to management any other information which may help identify opportunities to improve the efficiency and effectiveness of the Bethanie Housing's complaints handling processes and procedures.

## Reviewing Termination Notices

### Notice of Termination of Residential Tenancy Agreement

1. Bethanie Housing may issue a client with a Notice of Termination of the residential tenancy agreement for:
  - (a) A breach of the criteria for assessing eligibility of tenants for social housing premises as established by the Minister for Housing under Division 3 of the *Residential Tenancies Act 1987* and published from time to time by the Housing Authority (Department of Communities); or
  - (b) A breach of the residential tenancy agreement not related to matters identified in paragraph (a).
2. Consistent with Public Housing practice, every decision leading to a Notice of Termination must be:
  - (a) Issued by the Bethanie Housing Manager; and
  - (b) Reviewed by the Manager Housing before being communicated to the client.

## Right of review of a Notice of Termination of Tenancy Agreement

1. A client that has been issued with a Notice of Termination of the residential tenancy agreement has the right to request an internal review.
2. The Bethanie Chief Operating Officer will undertake such reviews.
3. A client wishing a review may request an opportunity to present his/her case to the reviewer, otherwise the review will be conducted without representation.
4. The form in Appendix 1 must also be completed once a review has been undertaken.
5. the decision of the Chief Operating Officer is final and open only to external appeal.

## Protection for Whistle Blowers

### Protections afforded under the Corporations Act 2001

1. Any person making a disclosure under the *Corporations Act 2001* will benefit from protection from victimisation in accordance with that Act.
2. Any person making a disclosure under the *Aged Care Act 1997* will benefit from protection from victimisation under that Act.
3. Protection against victimisation for whistle blowing will be provided in accordance with the Whistle Blower Policy as modified from time to time

## Roles and Responsibilities

| Role               | Responsibilities   |
|--------------------|--|
| Housing Managers   | <ul style="list-style-type: none"> <li>• Apply this policy fairly and equitably.</li> </ul>            |
| Manager of Housing | <ul style="list-style-type: none"> <li>• Ensure this policy is adhered to by relevant staff</li> </ul> |

## Definitions

| Term                | Definition  |
|---------------------|---|
| Appeals             | Appeals may only be made in relation to the decision to terminate a tenancy. Appeal will be considered by the CEO or other person duly appointed by the CEO.  |
| Complainant         | A client or an advocate acting on behalf of the client or in own capacity in connection with a complaint  |
| Complaint           | A formalised expression of dissatisfaction of a client or recognised advocate with the services delivered by Bethanie Housing staff members, residents, contractors, or other third parties working for Bethanie Housing or residents, whether in a specific instance or in general |
| Recognised advocate | A family member, friend, associate, or representative of a client, complaining on his or her behalf   |
| Resolution          | The conclusion of the process of managing a complaint or review, which may be contested, depending on its nature, either at a higher level at Bethanie Housing or at an external authority  |

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| Review | A re-assessment of a decision, carried out to ensure that the resolution was fair or to correct it if found unfair. A review may relate to a complaint or a tenancy termination decision. |
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## Document History

|                           |                             |               |              |
|---------------------------|-----------------------------|---------------|--------------|
| Approved by:              | Operational Management Team | Next review:  | October 2024 |
| Document owner or author: | Manager of Housing          | Review cycle: | 1 yearly     |
| Version number:           | 1.1                         | Version date: | October 2023 |

## Appendix 1

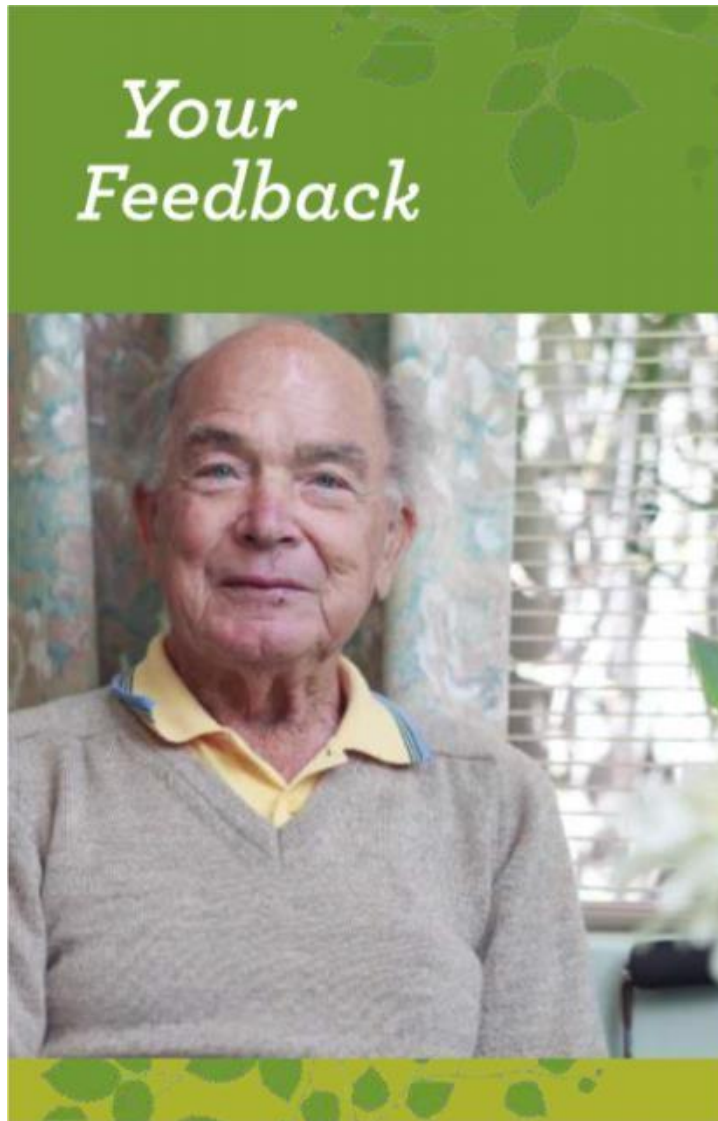
| <b>CHECKLIST – COMPLETION OF A COMPLAINT ASSESSMENT OR REVIEW</b>                     |  |            |           |
|---|--|------------|-----------|
| <b>Assessment/review</b> _____<br><b>officer:</b> _____                               |  |            |           |
| <b>Complaint number:</b> _____  |  |            |           |
| <b>STANDARD</b>   | <b>COMPLIANCE QUESTION</b>   | <b>Yes</b> | <b>No</b> |
| <b>Accessibility</b>  | Is there any evidence that the complainant encountered any difficulty in accessing information necessary to lodge the complaint? |            |           |
| <b>Assistance</b>   | Is there any evidence that the complainant required some assistance in lodging the complaint and did not receive it?             |            |           |
| <b>Flexibility of lodgement</b>   | Was the complaint delayed or refused because of the way it was submitted?  |            |           |
| <b>Confidentiality</b>  | Were the details of the complaint kept confidential or, if some were released, consent was obtained beforehand?                  |            |           |
| <b>Timeliness</b>   | Have the deadlines prescribed by the timeliness standard been observed?  |            |           |
| <b>Right of review</b>  | Has information on avenues for redress been available, and have review requests facilitated and accepted?                        |            |           |
| <b>Procedural fairness</b>  | Has the person(s) at the centre of the complaint been provided natural justice rights?   |            |           |
| <b>Representation</b>   | Has the complainant been offered the option of being represented by an associated person or advocate?                            |            |           |
| <b>Service quality improvement</b>  | Has the information related to this complaint been deidentified and made available for service quality improvement purposes?     |            |           |
| <b>Signature of complaint assessment</b> _____<br><b>Date or review officer</b> _____ |  |            |           |

## Appendix 2

### APPEAL AGAINST DECISION TO TERMINATE TENANCY

|  |
|--|
| <b>SECTION 1: TO BE COMPLETED BY THE TENANT</b>  |
| <b>YOUR CONTACT DETAILS</b>  |
| Full name: _____   |
| Email address and/or daytime phone number: _____   |
| Tenancy address: _____   |
| <b>DECISION TO TERMINATE TENANCY</b>   |
| Issue date: _____ Issuing officer: _____   |
| Specified reason for the decision to terminate tenancy:  |
| <b>GROUND'S FOR APPEAL</b>   |
| <br><br><br><br><br><br><br><br><br><br>   |
| <b>SECTION 2: TO BE COMPLETED BY THE CHIEF OPERATIONS OFFICER - COMMUNITY</b>  |
| <b>REVIEW OF TERMINATION DECISION AND ASSESSMENT OF PRESENTED GROUND'S FOR APPEAL</b>  |
| <br><br><br><br><br><br><br><br><br><br>   |
| <b>FINAL DECISION</b>  |
| <b>APPEAL ACCEPTED AND DECISION TO TERMINATE TENANCY REVERTED</b>  |
| <b>APPEAL REJECTED AND DECISION TO TERMINATE TENANCY UPHOLD</b>  |
| NAME: _____, CHIEF OPERATIONS OFFICER – COMMUNITY  |
| <div style="display: flex; justify-content: space-between;"> <div>_____</div> <div>_____</div> </div> <div style="display: flex; justify-content: space-between;"> <div>SIGNATURE</div> <div>DATE</div> </div> |





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|--|
| <b>TYPE OF FEEDBACK</b>  |
| What kind of feedback are you giving:  |
| Compliment <input type="checkbox"/> Complaint <input type="checkbox"/> Suggestion <input type="checkbox"/>                           |
| <b>BETHANIE HOUSING LOCATION</b>   |
| Bethanie Metropolitan <input type="checkbox"/> Bethanie Peel <input type="checkbox"/> Bethanie<br>Dalyellup <input type="checkbox"/> |
| <b>PERSON TO WHOM THE COMPLAINT, COMPLIMENT OR SUGGESTION<br/>RELATES (IF KNOWN)</b>   |
|  |
| <b>SUGGESTION, COMPLIMENT OR COMPLAINT</b>   |
| DESCRIPTION:   |
|  |
| OUTCOME YOU ARE SEEKING/SUGGESTION:  |
|  |
| <b>YOUR CONTACT DETAILS</b>  |
| Full name: _____   |
| Email address and/or daytime phone number: _____   |
| <b>OFFICE USE ONLY</b>   |
| OFFICER MANAGING COMPLAINT* : _____ Date: _____  |
| <small>*to be determined under the Bethanie Housing Complaints, Reviews and Appeals Policy</small>                                   |