

APPEALS POLICY

1. PURPOSE

This document defines City West Housing's approach to managing appeals received from customers, and determining which decisions can be appealed. This policy does not deal with complaints, which are dealt with under the Complaints Policy.

2. WHAT IS AN APPEAL?

Appeals can be made by customers of City West Housing, who are defined as tenants or applicants. An appeal is a request to have a decision reviewed. The review will address the merits of the decision within the policy framework of the organisation and taking account of procedural fairness and the circumstances of each case.

3. EXAMPLES OF DECISIONS THAT CAN BE APPEALED

- Eligibility for housing
- Withdrawal from Housing Register
- Property type and size entitlement
- Eligibility for transfer
- Removal from transfer list
- Suitability of offer
- Level of rent subsidy
- Permission to undertake modifications or alterations
- Permission to keep an animal
- Rental subsidy assessments
- Cancellation of a rental subsidy
- Former tenant charges
- Water charges

4. WHAT IS NOT AN APPEAL?

Examples of decisions that cannot be appealed include:

- Matters that have already been dealt with through the Appeals Policy
- Matters that are the responsibility of other tribunals and courts e.g. NCAT (NSW Civil and Administrative Tribunal)
- Decisions that are not directly related to the applicant/tenant
- Matters that are outside the time limit for appeals
- Parking provision
- Acceptance onto City West Housing's Tenant Participation Group
- Permission to store personal belongings in communal storage rooms
- The content of our policies

5. POLICY PRINCIPLES

City West Housing is committed to the fair and effective management of appeals. Customers have the right to appeal decisions and will not be disadvantaged by lodging an appeal. The outcomes and learning's from appeals will be used in our continuous improvement approach to service delivery.

6. WHO CAN APPEAL?

- A customer on their own behalf
- Someone who is responsible for the customer
- Someone who is the support person or advocate of the customer, as long as written consent has been provided

7. TIME LIMITS FOR APPEALS

The right to appeal is limited to 21 days from the date of the original decision. This may be extended in special circumstances. Examples include:

- Where the tenant was not aware of the original decision
- Where the tenant was in hospital or otherwise unable to make an appeal

8. PROCEDURE

If the customer is not sure of the decision or wants a clarification of why the decision was made, they are encouraged in the first instance to request an explanation from the original decision maker. If they remain unhappy with the reasons given, they may then proceed to lodging an appeal.

There are two levels of appeals:

Level 1 – Internal Appeals

- Stage 1 - Manager
- Stage 2 - Chief Executive Officer
- Stage 3 - City West Housing's Complaints and Appeals Committee

Level 2 – External Appeal

9. LEVEL 1 – INTERNAL APPEAL

Stage 1 – Manager

A customer should request in writing a formal review outlining the original decision and why they want the decision reviewed. Appeals will be acknowledged within 7 days and a copy of the Appeals Policy will be included. The review will be undertaken by the appropriate department Manager.

The person reviewing the case may contact the customer and the person who made the original decision for more information. The response will be given in writing within 14 days clearly outlining if the decision has been upheld or not upheld and the reasons. The response will advise the customer that if they are still dissatisfied with the outcome they may proceed to Stage 2 of the Appeals process and lodge a further appeal with City West Housing's Chief Executive Officer within the 14 days of the decision.

Stage 2 - Chief Executive Officer

A customer should put in writing their request to proceed to Stage 2 of the Appeals process outlining why they feel the decision made in Stage 1 was incorrect. Stage 2 Appeals will be acknowledged within 7 days and the review will be undertaken by the Chief Executive Officer.

The Chief Executive Officer may contact the customer and the Manager who made the original decision for more information. The response will be given in writing within 14 days clearly outlining if the decision has been upheld or not upheld and the reasons. The response will advise the customer that if they are still dissatisfied with the outcome they may proceed

to Stage 3 of the Appeals process and lodge a further appeal with City West Housing's Complaints and Appeals Committee within the 14 days of the decision.

Stage 3 - City West Housing's Complaints and Appeals Committee

If the customer is not satisfied with the outcome of stage 2, they can refer the appeal to City West Housing's Complaints and Appeals Committee which is made up of City West Housing Board Members.

The Complaints and Appeals Committee will review the case, which may include contacting the customer for more information.

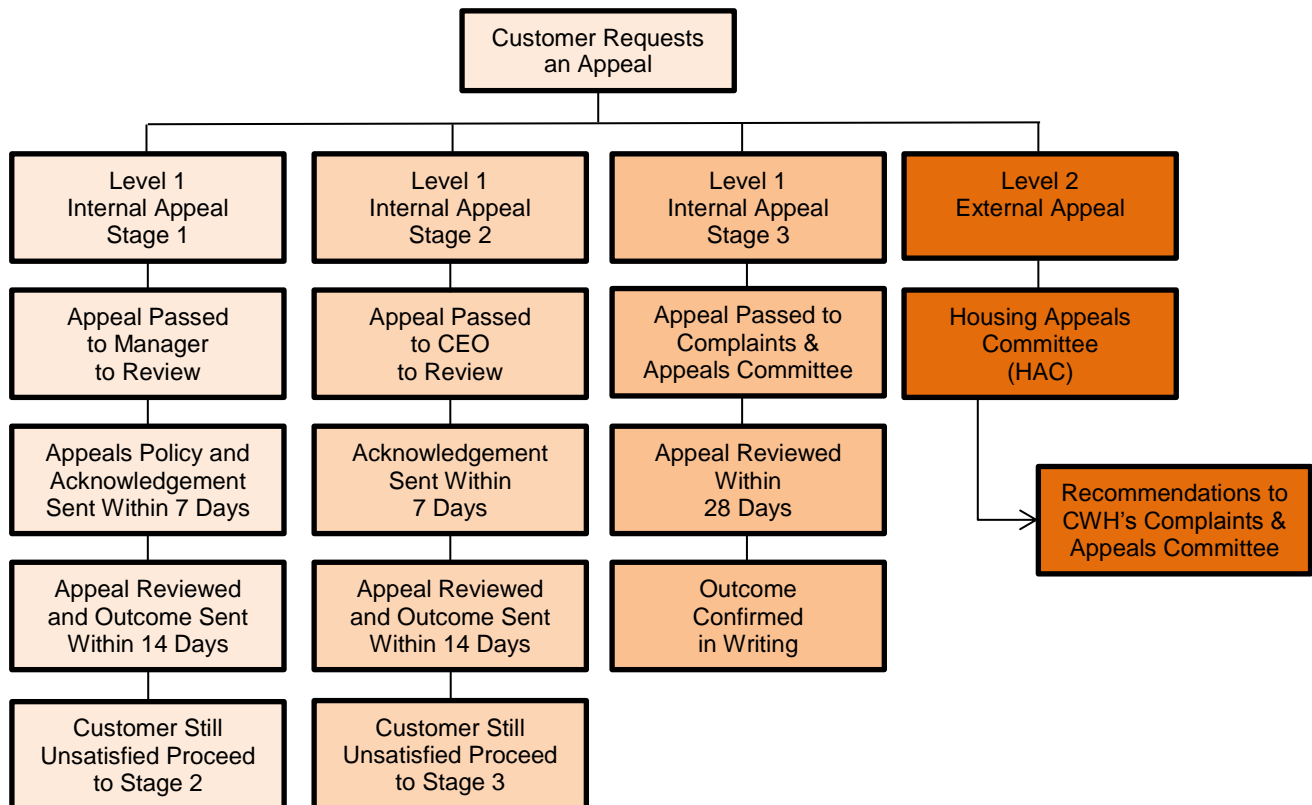
The response will be provided in writing within 28 days outlining if the decision has been upheld or not upheld and the reasons. The response will also include that should the customer still be dissatisfied with the outcome they may request an external review (undertaken by the Housing Appeals Committee).

10. LEVEL 2 – EXTERNAL APPEAL

If a customer believes the decision made by City West Housing in the first level review is incorrect, they can ask the Housing Appeals Committee to review the decision. The Housing Appeals Committee is an independent agency that can review decisions of Housing NSW and Community Housing providers. For further information regarding the Housing Appeals Committee call 1800 629 794 or visit the website www.hsc.nsw.gov.au.

Any recommendations received from the Housing Appeals Committee will be forwarded to City West Housing's Chief Executive Officer. The recommendations will be presented to City West Housing's Complaints and Appeals Committee for a final decision.

11. PROCESS DIAGRAM



Version	Date approved	Approved by	Review Due
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