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CITY WEST
HOUSING



APPEALS POLICY

GOVERNING POLICY



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DOCUMENT AND AMENDMENT HISTORY

VERSION NUMBER	DATE	SUMMARY OF CHANGES
1.0	09/01/2015	Policy created
1.5	27/04/2015	-
1.6	30/04/2018	Update to procedure
2.0	23/07/2020	Update to procedure
2.1	01/07/2022	Update to timeframes

This document can be downloaded from www.citywesthousing.com.au.

All correspondence should be directed to:

Complaints & Appeals Manager

City West Housing Pty Ltd

PO Box 141, Pyrmont NSW 2009

For Enquiries:

Email address: feedback@citywesthousing.com.au

Phone number: (02) 8584 7500

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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.

Examples of what you can appeal are:

- 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

3. WHAT IS NOT AN APPEAL?

Examples of decisions that cannot be appealed include:

- Matters that have already been dealt with through the Complaints or Appeals Policy;
- Matters already escalated to other agencies, tribunals and courts e.g. NCAT, HAC, etc.
- Decisions that are not directly related to the applicant/tenant
- Matters that are outside the time limit for appeals
- Acceptance onto City West Housing's Tenant Participation Group
- Permission to store personal belongings in communal storage rooms.

4. POLICY PRINCIPLES

City West Housing is committed to:

- Providing a quality service to our customers
- Answering your questions as soon as we can
- Improving our services as much as we can within the resources we have.

As a provider of services to you, we aim to make sure that our staff:

- Deliver a quality service with courtesy and the least delay
- Treat you with dignity and respect
- Commit to understanding your needs to help you
- Are well supported and trained

- Use outcomes and learnings from appeals to improve service delivery.

City West Housing recognises that customers have the right to appeal decisions made by City West Housing about the types of matters set out in Section 2 of this Policy and will not be disadvantaged or penalised for doing so.

5. 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. An Authority to Act form can be provided on request.

6. PROCEDURE

If a customer is unclear about the decision or wants 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 a formal appeal.

The two formal stages of appeal are listed below:

- Stage 1 – Manager
- Stage 2 – Chief Executive Officer

A customer should request in writing a formal review outlining the original decision and why they want the decision reviewed.

Once the appeal is received, an acknowledgment letter will be sent within 7 days along with a copy of the Appeals Policy.

The appeal will be recorded by the Complaints and Appeals Manager who will gather the details of the case. The Complaints and Appeals Manager will decide whether the matter is an appeal under Section 2 of this Policy.

Where an appeal has been received via email, all formal correspondence (acknowledgement and response letter) should be expected via return email. Appeals that have been posted or handed in to the office will be responded to via post. Customers are welcome to request a different method of contact.

Responses will be provided in writing within 28 business days outlining either:

- Appeal Upheld
- Appeal Not Upheld
- Appeal Partially Upheld

The response letter will contain details of what to do next if the customer is still not satisfied with the response.

STAGE 1 – MANAGER REVIEW

Once an appeal has been processed by the Complaints and Appeals Manager, the appeal will be passed to the relevant department manager to review the decision and issue a response. Where it was the relevant department manager that made the original decision, the appeal will be referred to another manager or escalated to the next stage.

The investigation and resolution process will take no longer than 28 business days. If there is any reason this timeframe cannot be met, City West Housing will contact you and provide an update.

The response letter will include details on how to escalate the appeal, should the customer remain dissatisfied.

STAGE 2 – CHIEF EXECUTIVE OFFICER

If the person making the appeal is not satisfied with the outcome of Stage 1, they are able to escalate their appeal by notifying City West Housing. Details of how to do this are provided in the response letter.

Once the escalation has been processed and the acknowledgement letter is sent, the appeal will be passed to the Chief Executive Officer to review as part of Stage 2. The turnaround time for a response is 28 business days from the date of escalation. If there are any delays to this timeframe, City West Housing will contact you to provide you with an update.

7. EXTERNAL APPEAL

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

Any recommendations received from the Housing Appeals Committee will be forwarded to City West Housing’s Chief Executive Officer for consideration.

8. PROCESS DIAGRAM

