

# Appeals Policy

## Purpose

The purpose of this policy is to ensure that Foundation Housing Limited (FHL) has a clear and consistent system for managing appeals from its customers about decisions it has made. The purpose of this policy is to:

- Make it simple for customers to exercise their right to appeal decisions
- Provide a clear process on how to manage appeals
- Help monitor what is and isn't working well in the organisation

## Scope

This policy applies to all FHL customers including tenants, residents, applicants and support agencies. This policy does not include:

- Complaints regarding service delivery (See Complaints Policy)
- Reports of Anti-Social Behaviour or neighbour disputes (See Anti-Social Behaviour Policy)
- Decisions which affect staff

## Definitions

Appeal:	Occurs when a customer requests that a decision made by FHL be formally reviewed.
Complaint:	Occurs when a customer informs FHL they are dissatisfied with the standard or type of service received and requests a response or resolution.
Customer:	Refers to an applicant, tenant or resident who receives a service from FHL.
Appellant:	Refers to a FHL customer who has appealed a decision.

## Principles

FHL provides avenues for customers to make appeals and will use it as an opportunity to monitor and improve service delivery to its customers.

FHL's appeals process will be written in plain English and be easy for customers to understand.

Customers have the right to appeal decisions and will not be disadvantaged or penalised for lodging an appeal.

FHL will adopt a transparent and open-minded approach to receiving, reviewing and responding to appeals.

FHL will regularly review information from appeals to identify ways in which its services and decision making can be improved.

FHL will provide information on appeals to comply with the reporting requirements of the WA Community Housing Registrar Office

## Policy

1. If a customer is not satisfied with a decision that FHL has made which affects their tenancy or residency, they have the right to make an appeal.
2. In the first instance, customers are encouraged to raise their dissatisfaction with the staff member who made the decision. The staff member can explain why the decision was made and what factors it was based upon.
3. If the customer is not satisfied with the outcome they are able to lodge a formal appeal. An appeal can be lodged by email, letter, phone, in person or by completing the Appeals Form. This form is available on the FHL website or from any FHL office.
4. An appeal should be lodged as soon as possible and within 3 months from the date of the original decision. Appeals received outside of this timeframe will only be considered in exceptional circumstances and must



- be approved by senior management.
5. An appeal involves a formal review process to examine how and why a decision was made and the implications of the decision on the appellant. It may result in the decision being upheld or reversed in part or in full.
  6. Decisions which can be appealed include:
    - Tenant or resident liability charges
    - Rent assessments including market rent calculations
    - Property improvements requests
    - Transfer requests
    - Lodging eligibility
    - Property allocation
  7. Dwelling (number of bedrooms in a property) or location entitlements
  8. The appeal review process will involve considering all relevant information held on file, submitted by the individual, and any new information that was not available to the original decision maker.
  9. Appeals will be formally acknowledged within 2 working days. The process of reviewing and responding to an appeal will take no longer than 10 working days from the date of acknowledgment. If a delay is likely to occur, FHL will notify the appellant of the reasons for this and the expected timeframe to receive a response.
  10. Appeals will be reviewed by a team leader or manager, by someone who was not involved in the original decision which is being appealed. The review will consider all information available at the time of the appeal.
  11. Once the review is completed, the appellant will be advised in writing of the outcome of the appeal.
  12. If the appellant is still unhappy with the outcome of the appeal, they can request to have the appeal escalated. This must occur within 28 days of the date of response.
  13. If the appellant asks for the matter to be escalated, it will then be delegated to the next in line manager, further investigated and a written response provided to the appellant within 10 working days. The response will include options to refer the matter to an external body if the appellant is still not satisfied.
  14. All appeals will be managed in adherence to FHL's Privacy Policy.
  15. FHL will endeavour to listen to and respond to customers promptly and in accordance with the timeframes contained within this Policy. There may be occasions, however, where a customer behaves unreasonably when making an appeal or a customer's behaviour is considered vexatious. This could include displays of aggression or verbally abusive behaviour towards staff, making excessive contact with FHL, making inappropriate demands on time and resources, or refusing to accept FHL's responses or decisions. Should the customer's behaviour be deemed to be unreasonable, FHL reserves the right to cease communication regarding the appeal. In such situations, the matter will be reviewed by a senior manager before making the determination and the appellant will be informed in writing of this outcome.

## Relevant Legislation

Residential Tenancies Act 1987

## Related Documents

Policy:	Complaints Policy
Policy:	ASB Policy
Procedure:	Appeals Procedure
Info Sheet:	Complaints, Appeals and Feedback
Form:	Complaints, Appeals and Feedback Form