

# Tharawal Housing Aboriginal Corporation

## Complaints Policy

Version Number:	4
Applies to:	Tharawal Housing Aboriginal Corporation
Document Prepared by:	Karen Fischer – Housing and Compliance Project Officer
Endorsed by board Date:	28/10/2021
Date Last Reviewed:	28/10/2021
New Review Date:	28/10/2022

### Scope:

This policy applies to all tenants, applicants and stakeholders of Tharawal Housing Aboriginal Corporation (THAC). It outlines how THAC will deal with complaints from tenants, applicants and stakeholders in relation to service delivery.

### Purpose:

The purpose of this policy is to outline how complaints will be handled within the organisation. Its purpose is to:

- Ensure all tenants, applicants and stakeholders are aware of their rights to complain
- Help THAC to understand what is and isn't working well
- Make it easy for tenants, applicants and stakeholders to exercise their rights.

THAC records all complaints on the complaints register. The purpose of this register is to assist in the improvement of service delivery.

### Principles:

THAC prides itself on delivering a transparent service that is culturally appropriate. All tenants, applicants and stakeholders have the right to complain and will not be penalised or disadvantaged for lodging a complaint. Complaints received are reviewed and investigated and where possible the complainant is advised of the outcome. THAC will utilise the outcome of complaints as lessons learnt and ways to improve approach to service delivery.

### What is a complaint?

A complaint is an expression of dissatisfaction with the service standards or products provided by THAC staff, including contractors. A complaint is not an avenue for tenants, applicant and stakeholder to request information or to disagree with a decision made by THAC. If a tenant, applicant or stakeholder does not agree with a decision made, they will need to refer to the appeals policy for more information.

### Who can lodge a complaint?

Any member of the public is able to lodge a complaint providing the complaint relates to either a service delivery, products or properties managed by THAC. All complaints lodged with THAC are treated as confidential unless it is required or authorised to be disclosed by law or if the complainant consents to the disclosure.

When lodging a complaint, it is the right of the individual to remain anonymous if they chose to do so. Complaints received that are anonymous are sometimes harder to investigate. It is therefore important that when an individual chooses to remain anonymous they include as much details as possible in the complaint to ensure the matter is able to be investigated.

### How to lodge a complaint:

To lodge a complaint with THAC you will need to do one of the following:

- Complete the complaints form (located on the website or local office)



- In writing
- Via phone
- Via email

### **What if my complaint relates to a staff member or contractor?**

If a complaint relates to a staff member or contractor of THAC, the complaint will be directed to the CEO for investigation. Matters are dealt with in a confidential manner. Any matters of fraud or corruption are dealt with high priority. THAC has zero tolerance for inappropriate behaviour or misconduct.

The Chairperson of the Board of Directors will investigate any complaints relating to the Housing Manager or a Director. These complaints will be monitored in Board Meetings and handled in a private and sensitive manner.

### **Timeframe:**

THAC will investigate and provided an outcome to all complaints lodged within 30 days unless the person complaining agrees to a longer timeframe. Or where situation and circumstances require a longer period of time to resolve the matter.

### **Managing unreasonable complaints:**

Tharawal Housing Aboriginal Corporation has the right to restrict or limit contact with a complainant where their behaviour has been identified as unreasonable or vexatious.

Unreasonable contact includes but is not limited to:

- Consistent phone calls, visits, letters and emails while the complaint is being reviewed
- Demands for service that are not realistic
- Demand for priority treatment or the assistance of a certain staff member
- Constantly raising the same concern with no substance or evidence to support their concerns
- Refusal to cooperate with staff

In the first instance, Tharawal Housing Aboriginal Corporation staff will request the complainant cease with the above behaviours. If the complainant continues to behave in the same manner or the behaviour escalates to abusive, threatening or intimidating, Tharawal Housing Aboriginal Corporation will take one of the following actions:

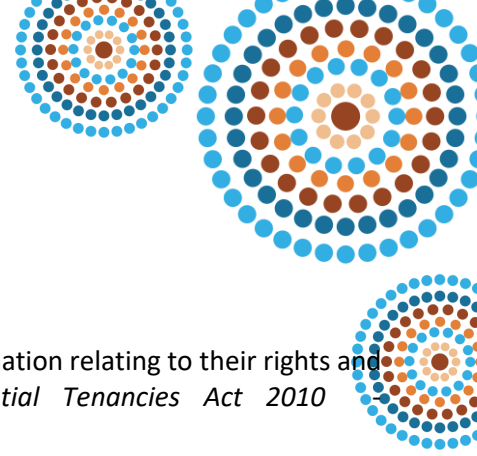
- The complaint will be designated to a senior staff member with whom they can talk to only.
- The complainant may only be able to communicate in writing.
- Contact may be restricted to only a particular subject and timeframe.

Restriction may be placed on the complainant for a period of 3, 6 or 12 months. The General Housing Manger will advise the complainant in writing of any restrictions placed on them. At the end of the restriction period the General Housing Manager will review the situation and advise the complainant of any changes.

### **External Avenues:**

If a tenant, applicant, stakeholder or a member of the public is dissatisfied with the service delivery, products or management of social housing by Tharawal Housing Aboriginal Corporation they have a right to follow any other avenues of complaint. These may include:

- **NSW Civil and Administrative Tribunal** is able to make decision that relate to tenancy breaches in accordance with the *Residential Tenancies Act 2010*. The NSW Civil and Administrative Tribunal has no jurisdiction over policy related matters. If a tenant believes Tharawal Housing Aboriginal Corporation has not adhered to their obligations as a landlord or has breached the tenancy agreement, tenants are able to lodge an application to have their matter heard. - <http://www.ncat.nsw.gov.au/>



- **Tenants Advice and Advocacy Services** is able to provide tenants with information relating to their rights and obligations of social housing providers in accordance with *Residential Tenancies Act 2010* <https://www.tenants.org.au/>
- **The Local Member of Parliament** is able to provide support.
- **The Community Housing Industry Association NSW** can address complaints against community housing providers who are signed up to the Code of Practice, providing the complainant has attempted to address the complaint with the provider. The complaint needs to relate to a breach of the Code of Practice. - <http://communityhousing.org.au/>
- **The Registrar of Community Housing** is a government body that oversees the compliance of community housing provider that are approved and registered under the *Housing Act 2001*. The Registrar is able to investigate complaints about a community housing provider's performance against the regulatory Code. - <http://www.rch.nsw.gov.au/>

**Relevant FACTSHEETS:**

Applicant of Community Housing – Complaints and Appeals

[https://www.facs.nsw.gov.au/data/assets/pdf\\_file/0020/333047/Applicantofcommunityhousingcomplaints.pdf](https://www.facs.nsw.gov.au/data/assets/pdf_file/0020/333047/Applicantofcommunityhousingcomplaints.pdf)

Tenant of Community Housing – Complaints and Appeals

[https://www.facs.nsw.gov.au/data/assets/pdf\\_file/0019/333046/Tenantofcommunityhousingcomplaints.pdf](https://www.facs.nsw.gov.au/data/assets/pdf_file/0019/333046/Tenantofcommunityhousingcomplaints.pdf)

Roles and Responsibilities Community Housing -

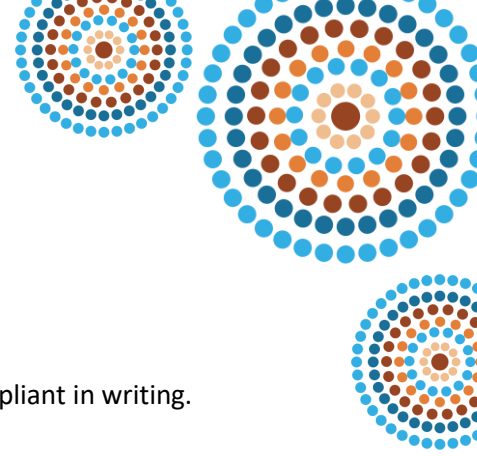
[https://www.facs.nsw.gov.au/data/assets/pdf\\_file/0018/333045/RolesandResponsibilities\\_CommHousing.pdf](https://www.facs.nsw.gov.au/data/assets/pdf_file/0018/333045/RolesandResponsibilities_CommHousing.pdf)

Complaints, Issues and Appeals Management Referral Map

[https://www.facs.nsw.gov.au/data/assets/pdf\\_file/0017/333044/ManagementReferralMap.pdf](https://www.facs.nsw.gov.au/data/assets/pdf_file/0017/333044/ManagementReferralMap.pdf)

**Responsibility:**

Housing and Compliance Project Officer	<p>Manage all informal complaints in line with policy.</p> <p>Maintain a complaints register and provide quarterly reports to the Housing Manager.</p> <p>If the matter relates to maintenance refer the matter to Hume Housing Asset Team to investigate and report back findings to Housing Manager.</p>
Housing Manager	<p>Review decision in line with THAC Policies and Procedures.</p> <p>Prepare complaints report and provide recommendation to CEO of TAC.</p> <p>Provide reports to the CEO on all appeals received in the quarter and outcome.</p> <p>Ensure policy and all staff are trained in managing and dealing with complaints.</p>
CEO TAC	<p>Review all formal complaints.</p>



Advise client of outcome of formal complaint in writing.

Report to the board.

Board

Monitor the policies efficiency and effectiveness to ensure improve practice and positive outcomes for Aboriginal people.

Report any findings and recommendation within its annual report.

**Reference:**

<b>Legislation:</b>	<b>Related Policy</b>
<i>Residential Tenancies Act 2010</i>	Tenants of Community Housing Complaints and Appeals
<i>Residential Tenancies Regulation 2010</i>	Roles and Responsibilities Community Housing
<i>Aboriginal Housing Act 1998</i>	Complaints, Issues and Appeals Management Referral Map
<i>Community Housing Issues and Appeals Management Framework</i>	Applicant of Community Housing Complaints and Appeals
<i>Complaints, Issues and Appeal Referral Map</i>	

**Tharawal Housing Aboriginal Corporation staff must always adhere to the Confidentially Policy and Privacy Policy.**