

Purpose

The Appeals policy outlines how Wentworth Community Housing (Wentworth) handles and responds to a client request for a review to be undertaken of a decision Wentworth has made.

This policy applies to all current and former Wentworth clients including housing applicants, tenants, participants in Wentworth run programs and clients of our specialist homelessness service.

Policy

Wentworth is committed to procedural fairness in assessing appeals of decisions made. Appeals will not involve the person who made the original decision.

Clients can appeal because they believe the decision Wentworth made:

- Was inconsistent with Wentworth's Policies and Procedures
- Did not consider all the relevant information before making the decision
- Was influenced by information irrelevant to the matter under consideration
- Did not deal with the client fairly, taking account of the particular circumstances.

Examples of appealable decisions include:

- Applicant eligibility for housing
- Applicant priority status on the waiting list
- Applicant removal from the waiting list
- Applicant offers of properties
- Tenant rent subsidy assessment
- Tenant application for rehousing
- Tenant property modifications relating to medical needs
- Tenant absence from a dwelling
- Tenant damages and water charges that are not covered by a NSW Civil and Administrative Tribunal (NCAT) order

Only the person(s) affected by the decision can lodge an appeal. This includes a third party authorised to act on behalf of the person(s) affected.

Generally, the right to an appeal is limited to 3 months from the time of the decision.

Your rights when appealing a decision

- Clients can expect their appeal to be handled professionally and confidentially
- Clients are fully informed of their rights and responsibilities, and have realistic expectations of what the service can provide
- Any request for information about the service, or any concern or objection about rules, practices or tenancy conditions expressed by clients will be responded to promptly and appropriately with the intention of firstly clarifying rules, rights, responsibilities or services provided;
- Clients can appeal decisions without fear of recrimination;
- Wentworth informs clients about our appeals policy through pamphlets, newsletters, digital mediums and verbally; and
- Clients can involve their own advocate or support person at any point in the appeals procedure.

Standards in responding to appeals

Wentworth will acknowledge appeals within 3 business days of receipt of the appeal. The process of reviewing, investigating and responding to the appeal will take no longer than three weeks from the receipt of the appeal. If a delay is likely to occur Wentworth will contact you to explain the reasons for this and set an expected timeframe for responding to your appeal.

Escalations

Wentworth acknowledges that in some instances the response to an appeal may not be to the satisfaction of the client. If the client is still not satisfied with Wentworth's decision they may have the option of referring the matter to the Housing Appeals Committee (HAC). Wentworth can provide information on how to do this based on the nature of the appeal.

Responsibility

Chief Executive Officer: to ensure the policy and relevant supporting procedures and documentation is owned and administered by the Wentworth Leadership Team.

Leadership Team: Appropriately oversees the reviews of all appeals to ensure clients rights are upheld with policy, procedure and any other statutory requirements. Where relevant ensure that a written response is provided to the appellant.

Corporate Services Team: to register, acknowledge, coordinate and report on all appeals.

Wentworth Staff: to ensure adherence to the policy and procedure at all times

Definitions

- Appeal –is a request for a merits review of a decision made relating to a Wentworth service. It is different to a complaint. A complaint is an expression of dissatisfaction with the standard or type of service.
- HAC – is an independent body that is responsible for the external appeals process for all NSW social housing applicants and tenants.

Approvals

Approved by: Stephen McIntyre (CEO)

Approval date: August 2018

Effective date: August 2018

Next review date: August 2020



Stephen McIntyre (CEO)