

Sample Complaints and Appeals Policy

Purpose

This document guides Tenants, contractors and third parties of the correct channels for resolution should cause for Complaint arise or there is disagreement with a decision [Organisation] has reached. It also guides staff on the procedures to be followed when a complaint is received.

Scope

This policy covers:

- Complaints made by Tenants about any property, services, or staff related to [Organisation];
- Complaints made by thirds parties about any property, services, Tenants, or staff related to [Organisation];
- Complaints made by Tenants or third parties in relation to any contractors or sub-contractors working on behalf of [Organisation];
- Any appeals occurring in relation to the Complaints listed above;

This policy applies to all Tenants occupying homes owned or managed by [Organisation], on complaints made about staff or contractors.

Definitions

Complaint – An expression of dissatisfaction with an aspect of the services provided by [Organisation], where the complainant is unhappy with the standard or type of service.

Types of Complaint include:

- Where [Organisation] have failed to provide or there's been a delay or problem in providing a service;
- Where [Organisation] have failed to follow or have been unfair or inconsistent in applying our policies or procedures.
- Where [Organisation] have failed to keep Tenants informed, through lack of or insufficient information
- Where there has been inappropriate behaviour or attitude from [Organisation] staff or contractors.

Complainant – Person with a Complaint ongoing with [Organisation]

Appeal – An application for a decision to be reversed or overturned. Includes but is not limited to:

- Allocation decisions;
- Level of rent or rent subsidy;
- Eligibility for a housing transfer;
- Permission to undertake modifications;
- Permission to keep pets;
- Calculation of water charges;

Policy Statement

Complaints are an inevitable part of providing a service and will be used by [Organisation] to continually improve its performance.

It is recognised by [Organisation] that a Tenant has a right to make a Complaint if they are dissatisfied with any experience they have relating to [Organisation]'s conduct. A Tenant who has made a Complaint will not face any kind of adverse treatment by staff for having done so. The Tenant will be treated with respect and fairness throughout the process.

Principles of transparency and fairness will underlie any actions taken around Complaints. The **Complaints and Appeals Policy** will be made available to anyone involved in the process. All parties involved will be kept up to date on the Complaint's progression.

Procedure and Guidance

Should a Complaint be received by [Organisation] the Complaints Procedure will be followed.

Any Complaints received about [Organisation Manager] will be forwarded to the board for resolution.

Informal Complaints

The [Organisation] recognises that often Complaints are best and most easily dealt with in an informal manner. These will usually relate to minor matters that can easily be resolved to both parties' satisfaction. Complaints will be resolved at this stage between the Complainant, [Organisation], and any third parties if possible.

If a resolution to the Complaint appears unlikely through informal means, the matter will be reported to [Organisation Manager] and it will be treated as a formal Complaint and follow the formal Complaints procedure.

Formal Complaints Procedure

Any formal Complaints received by [Organisation] will be forwarded to [Organisation Manager];

Receipt of a Complaint should be logged in the Complaints Register and acknowledged in writing to the complainant within three working days. The acknowledgement letter should advise who is dealing with the Complaint and when the complainant can expect a full reply.

The Complaint will then be investigated and the Complainant advised of either a proposed resolution or course of action within ten working days.

All Complaints received via MPs, councillors, Tenancy Services, trustees or other agencies should be treated as formal Complaints.

Independent Advice

At any stage, if the Tenant is the Complainant, they may seek independent advice from Tenancy Services or seek independent mediation or hearing from the Tenancy Tribunal.

The complainant will be informed at each stage of the process of the assistance available from the following organisations:

- Citizens Advice Bureau;
- Community Law NZ;
- Members of the Trust's Tenants Advisory Group (if applicable);
- [Other Organisations specific to your area].

Appeals Procedure

If a Tenant or applicant seeks a review of a decision made by [Organisation] they will complete an Appeals Form which outlines the issue they would like reviewed and why.

- Appeals will be acknowledged by a staff member within two working days;
- A response will be given within 14 days clearly outlining if the decision has been upheld or not upheld and the reasons;

Relevant legislation/regulatory compliance

- Residential Tenancies Act 1986;
- Privacy Act 1993;
- Health and Safety Work Act 2015;
- Housing Restructuring and Tenancy Matters Act 1992;
- Housing Restructuring and Tenancy Matters (Community Housing Provider) Regulations 2014.

Related Policies/Procedures/Documents

- Complaints Form
- Complaints Register
- Human Resources Manager
- Appeals Form

Version Control

Version	Effective Date	Policy Reviewer	Policy Owner	Review Date
V1	01/01/2019			01/01/2020