

C1.25 Appeals Policy



Policy statement

This policy applies to all expressions of dissatisfaction associated with a decision made by a CENSW staff member.

The process provides the opportunity to review a decision and to reflect whether a decision has been made based on full and accurate information and aligns with legislation and/or policy and procedures.

The Housing Appeals Committee- www.hac.nsw.gov.au has an extensive list of appealable decisions, including:

- Former tenant charges
- Calculation, change or cancellation of a rent subsidy
- Succession
- Dwelling entitlements
- Offers of properties
- Eligibility of social housing
- Eligibility for Transfers

1. Purpose

- 1.1. To ensure CENSW's appeals platform is underpinned by principles of effectiveness, accessibility, procedural fairness, and transparency.
- 1.2. To ensure appeals can be made, and without fear of disadvantage or reprimand.
- 1.3. All feedback is welcomed, and ultimately informs CENSW service improvement practices.

2. Scope

- 2.1. This policy applies to all appeals received from applicants, tenants, tenant members, Co-operatives and stakeholders of CENSW.

3. Exceptions

- 3.1. This policy does not apply to complaints, which are managed under the CENSW Complaints Policy.

4. Definitions

- 4.1. **CENSW** – Common Equity NSW Ltd
- 4.2. **Appeal** – an expression of disagreement with a decision that has been made and requests that the decision be reconsidered by an independent person, to

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decide whether the original decision was fair and within CENSW policy and procedure.

4.3. Customer- an applicant, tenant, tenant member, Co-operatives or stakeholders of CENSW.

4.4. Appellant- person making the appeal

5. Responsibilities

5.1. Chief Executive Officer (CEO)

- 5.1.1. Providing resources
- 5.1.2. Oversight of process
- 5.1.3. Creating an environment that encourages all feedback
- 5.1.4. Creating a culture of service improvement

5.2. Manager

- 5.2.1. Investigating and responding to appeals
- 5.2.2. Implementation of policy and training
- 5.2.3. Implementation of service improvement strategies

5.3. Staff

- 5.3.1. Adhering to the policy
- 5.3.2. Promoting complaints process and documenting verbal appeals

5.4. Complaints Officers

- 5.4.1. Management of the feedback process
- 5.4.2. Updating feedback register
- 5.4.3. Acknowledgement of appeals
- 5.4.4. Co-ordination of the investigation and response functions
- 5.4.5. Recommendations for service improvement opportunities

6. Procedure

6.1. Lodging an appeal

6.1.1. If a customer is unhappy about a decision CENSW have made, they are able to lodge an appeal to have the decision reviewed. Generally, an appeal must be made within 3 months of the original decision.

6.1.2. A customer can make an appeal through

- Email – feedback@commonequity.com.au
- Phone – 1800 066 834
- [CENSW Online Appeal Form](#)
- Downloading a soft copy of a Complaint Form from our website - www.commonequity.com.au

6.2. Appeal Process

6.2.1. The appeal will remain confidential and will be investigated by a

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Manager. If a Manager made the original decision, they will not be involved in the review process. In this instance the appeal will be investigated by another Manager, the Operations Manager or CEO.

- 6.2.2. The appellant will receive a receipt of acknowledgement within 3 working days of lodging a complaint with CENSW, with the advice of the name and the contact details of the Manager leading the investigation, who will be the point of contact for the complaint.
- 6.2.3. The appellant may be contacted for an interview, and will be kept informed of progress, including any delays in a resolution.
- 6.2.4. CENSW aims to formally respond to an appeal within 20 working days.

6.3. Alternative avenues for Appeal

- 6.3.1. If an appellant is unhappy with the outcome of an appeal, they have the right to appeal to the independent Housing Appeals Committee (HAC).
- 6.3.2. HAC is an independent body that reviews decisions for all NSW social housing applicants and tenants. HAC will review a decision and provide recommendations to CENSW. HAC can be contacted via their website www.hac.nsw.gov.au or on 1800 629 794.
- 6.3.3. Lodging an appeal with CENSW does not preclude a customer seeking support or accessing other avenues for complaint, this may include:
 - Seeking support or advice from a Tenant Advice and Advocacy Service, or Community Legal Centre
 - NSW Civil and Administrative Tribunal (NCAT) if it is believed that CENSW has breached the Residential Tenancy Agreement.
 - Seeking support from a local Member of Parliament.
 - Community Legal Centres contactable through www.clcnsw.org.au

7. Data Collection

- 7.1. Common Equity will keep and maintain appropriate records of all appeals received. This includes:
 - Information about the appeal
 - Any action taken to remediate or resolve the appeal
 - The outcome of any action taken
 - All records will be kept for 7 years from the date the record was made.

8. External References

- 8.1. HAC website www.hac.nsw.gov.au

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8.2. NSW Civil and Administrative Tribunal (NCAT) website www.ncat.nsw.gov.au

9. Internal Associated Documents

- 9.1. Complaints Policy
- 9.2. Feedback Register
- 9.3. Residential Tenancies Act 2010
- 9.4. Residential Tenancies Regulation 2010
- 9.5. Feedback Factsheet

10. Forms

- 10.1. Appeals Form

March 2021 Amendments	Inclusion of feedback@commonequity.com.au Link to online form Reorganisation of sequence to match our current policies New template Simplified language
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Name, Designation and Signature of Approver	Nick Sabel, CEO
Contact/Responsible Delegation	Senior Project Manager
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