

# COMPLAINTS POLICY

## POLICY DOCUMENT INFORMATION

<b>Policy Name:</b>	<b>COMPLAINTS POLICY:</b>
<b>Committee Responsible</b>	<b>Member Engagement C'tee &amp; Tenancy &amp; Property Management C'tee</b>
<b>Policy Number</b>	<b>4.14</b>
<b>Date Approved by the Board</b>	<b>26/11/2018 and replaces all Complaints Policies previously in effect</b>
<b>Effective Implementation Date:</b>	<b>26/11/2018</b>
<b>Scheduled Review Date:</b>	<b>1/7/2020</b>
<b>Scope of Policy</b>	<b>This Policy applies to all Tenant-Members and VHR Applicants for Housing with NRHC</b>

### PURPOSE

The purpose of this Policy is to set out NRHC's approach to complaints by Membership Applicants and/or existing NRHC Tenant-Members in alignment with the Co-op's vision to be:

*“An innovative rental housing co-operative, providing and promoting the model of long term, quality, affordable housing choices in response to the needs of its members and the community.”*

### POLICY CONTEXT

Under the Housing Act 1983 (Vic), a Registered Housing Agency (RHA) must:

- Establish a procedure for dealing with complaints by Members or Membership Applicants who are affected by decision of the RHA on matters of rental housing.
- Comply with the Performance Standards for RHA's, which includes a requirement to have in place Policies and Procedures to ensure the effective management of complaints and appeals in relation to tenancy and housing issues.

Under the Victorian Housing Register Agreement a VHR Participating Registered Agency must keep an “up-to-date and publicly available” Complaints Policy “which reflects agreed arrangements regarding Register related complaints and appeals”.

### POLICY STATEMENT

#### **Approach to Complaints – Guiding Principles**

To support the achievement of NRHC's Vision this Policy aims to be consistent with and a balance between the NRHC values of:

- **Transparency**

By ensuring Members and Membership Applicants are informed about:

- How they can make a complaint through NRHC ;
- What is the process after a Complaint is lodged; &
- External complaint-handling bodies that are relevant, including the right to refer a complaint to the:
  - Housing Registrar after 30 days if the complaint is not resolved; &
  - for Membership Applicants, to DHHS Housing Appeals Office

- **Co-operation**

By providing a balance between Members' responsibilities to their Co-op. and the Co-op. being supportive to Members, especially in difficult circumstances.

It is understood that this Policy protects the rights of Members and Membership Applicants with NRHC through the VHR, to make complaints in relation to the:

- Provision and/or delivery of the services and activities of NRHC; and
- About a decision made by NRHC in relation to their Membership Application.

NRHC will:

- Respond to complaints promptly, fairly and transparently
- Take all reasonable steps to resolve a complaint within 30 days after receiving the complaint;
- Respect the privacy and confidentiality of Applicants who make a complaint;
- Not take any adverse action in respect of an Applicant simply because the Applicant has made a complaint or lodged an appeal;
- Keep records of complaints made; and
- Review the outcome of complaints to any identify systemic issues to improve NRHC operations.

NRHC will not accept anonymous complaints

## **Responsibilities**

The Board has overall responsibility for ensuring that the NRHC has a Complaint Policy and a Complaint Procedure that complies with the requirements of the Housing Registrar, the Co-operatives Act and Dept. of Health and Human Services as set out from time to time.

The Board will appoint a Director/s to co-ordinate Complaints which will include to:

- Be informed of all Complaints;
- Ensure Members of relevant C'tee's and staff are aware of the Policy and Procedure;

- Form a panel of Members from the relevant C'tee or Directors to consider a Complaint;
- Monitor compliance with this Policy and Procedure (e.g., the requirement to resolve complaints within 30 days);
- Ensure the Register of Complaints is maintained; &
- Act as the point of contact with the Housing Registrar and DHHS Housing Appeals Office if required.

The Director/s responsible are to ensure that NRHC responds appropriately to the complaint or appeal by investigating the matter and/or reconsidering any decision made.

### **Conflicts of Interest**

Directors and/or any Members of a Complaint Panel established will declare any conflicts of interest such as favorable or unfavorable relationships with the complainant.

The Director and C'tee Members must declare their interest and stand down from the Panel or involvement in the Complaint Process (Refer to Code of Conduct and Ethics Policy).

For any Complaint relating to NRHC own governance (e.g. financial management, fraud, lack of transparency in its election process) it is NOT be appropriate for the governing body or Committee to investigate itself.

These Complaint must be dealt with in most instances by an external mechanism and a referee will be appointed who does not have a conflict of interest.

All complaints and grievances will be taken seriously and handled with respect to all parties and within privacy and confidentiality policies and details will only be known by those directly concerned on a need to now basis.

### **Procedures**

NRHC will establish a Complaints Procedure to support this Policy including a separate Procedure regarding Property / Maintenance Complaints.

NRHC will regularly monitor the effectiveness of this Complaints Procedure.

### **Investigation by the Housing Registrar**

NRHC Directors, C'tee Members and staff must co-operate with any Complaints investigation by the Housing Registrar.

### **Register of Complaints**

NRHC will maintain a Register of Complaints, including the Property Complaints Register, lodged in compliance with the requirements of the Housing Registrar.

The Register will be regularly reported to the Board.

# COMPLAINTS PROCEDURES

## PROCEDURES DOCUMENT INFORMATION

<b>Procedure Name:</b>	<b>COMPLAINTS PROCEDURE:</b>
<b>Committee/s Responsible</b>	<b>Member Engagement C'tee &amp; Tenancy &amp; Property Management C'tee</b>
<b>Procedure Number</b>	
<b>Date Approved</b>	<b>x/x/xxxx and replaces all Complaints Procedures previously in effect</b>
<b>Effective Implementation Date:</b>	<b>x/x/xxxx</b>
<b>Scheduled Review Date:</b>	<b>x/x/xxxx</b>
<b>Scope of Procedure</b>	<b>This Procedure applies to all Tenant-Members and VHR Applicants for Housing with NRHC</b>

## GENERAL COMPLAINTS PROCEDURES

### Informal Resolution

NRHC encourages all existing Members & Membership Applicants who are unhappy about the way that they have been treated by NRHC or decisions made by NRHC to raise the issue with the person/s who delivered the service or made the decision.

This can be a way of getting the matter resolved quickly.

However, if an existing Members & Membership Applicant does not wish to do this then it is their right to have the matter dealt with under the Complaints Policy and this procedure.

### How Members and Membership Applicants can notify NRHC of a Complaint

Members and Membership Applicants may make Complaints:

- In person at the Co-op office;
- Via a representative or advocate;
- In writing (paper copy or electronic);
- By telephone or text;
- If the Complaint is about a staff member/s then complaint can be submitted directly to the NRHC Board Director/s responsible for Complaints.

NRHC encourages existing Members and Membership Applicants to notify NRHC of a Complaint in writing so that the issues can be most effectively identified and then resolved.

However, NRHC recognises that some Applicants may face barriers to doing so and NHRC will therefore:

- Accept complaints and appeals in a variety of means; and
- Take reasonable actions to assist that Complainant to clarify the issues in their complaint.

## Complaints Register

NRHC maintains a Complaints Register that documents all General Complaints as per the Complaints Policy.

### Information to be provided by the Complainant

It is important that the Complainant can provide information about the:

- Nature of the Compliant
- Reason for the Complaint
- Hoped for Outcome
- What the Complainant is willing to do assist resolve the issue.

### Acknowledgement of a Complaint

NRHC will acknowledge receipt of all Complaints within 3 working days.

This acknowledgement should advise the Member or Membership Applicant of the process that NRHC will follow.

### Investigation of Complaint

If the Complaint is regarding:

- Non-Maintenance Tenancy issues (i.e. a complaint regarding the delivery of non-maintenance Tenancy services) then the relevant responsible Director/s will seek 2 Members of the Tenant and Property Management (TAP) Committee to form a panel to hear the Complaint.
- Membership of NRHC, including an Applicant for Membership, the relevant responsible Director/s will seek 2 Members of the Member Engagement Committee (MEC) to form a panel to hear the Complaint.
- A staff member/s the relevant responsible Director/s will form an investigating panel of 3 Directors.

### Outcome of Complaint or Appeal

Responses to complainants will:

- Be in writing;
- Explain the outcome of the complaint or appeal and the reasons for NRHC's decision; and
- Advise the Applicant of their right to refer the matter to the Housing Registrar or DHHS Housing Appeals Office (as appropriate).

### Review

NRHC will use the outcome of Complaints to improve NRHC's service delivery and minimise future Complaints by the following:

- Consideration of outcomes of Complaints by the relevant responsible Director/s (On a de-identified and non-judgmental basis);
- Annual consideration of complaints data by the Member Engagement C'tee for an annual report to the Board

## PROPERTY COMPLAINTS PROCEDURE

Members please note that **NRHC maintains a separate process for general complaints** not related to property maintenance or property management matters described above.

Refer to the General Complaints Procedures section.

As a Co-operative, **NRHC** has a responsibility to ensure Members live safely in their homes.

As such, NRHC maintains high standards when it comes to maintaining properties, employing tradespeople and contractors and seeking to provide Member satisfaction with the way properties are managed and maintained.

This process exists in the event that a Member is not happy with:

- The performance of a contractor or tradesperson (standard of work, communication and coordination, or conduct);
- A Tenant-Member request not being actioned either within their expected timeframes, not being prioritised appropriately, or to the level expected; or
- Another property management or maintenance matter.

### **Property Complaints Register**

NRHC maintains a **Property Complaints Register** that documents, tracks and logs all property related complaints.

The Register is regularly reported to the **Tenancy and Property (TAP) Committee** and the **Board** to ensure regular monitoring and evaluation of the NRHC property management function.

If a Member wishes to make a complaint, they should either, complete and submit the **Property Complaint Form located on the NRHC website**, or **contact the NRHC** to register their complaint.

Upon receipt of a complaint (either via the online Property Complaint Form, or via phone), the NRHC office will log the details of the complaint in the Property Complaints Register.

### **Contractor and Tradespeople Related Complaints**

**If the complaint is in relation to a contractor or tradesperson** (either because of their standard of work, lack of coordination or communication or conduct), then the complaint will be managed by the **NRHC Property Management Officer (PMO)**.

The PMO will discuss the complaint with the contractor or tradesperson with the view to resolving the issue and where necessary improve the contractors understanding of NRHCs expectations and requirements.

All NRHC contractors and tradespeople are provided with a **NRHC Contractor Induction booklet** when they commence with NRHC.

This outlines the requirements and expectations of all contractors and tradespeople when undertaking work on NRHC properties.

In the event of a serious breach, the engagement of a NRHC contractor or tradesperson may be terminated.

**The PMO will update the Property Complaints Register regarding the outcome of the complaint, and will provide feedback to the Member as to the resolution of the complaint.**

If the Member is not satisfied with the complaint resolution, then their complaint will be forwarded to the NRHC TAP Committee for further consideration.

### **All Other Property Related Complaints**

If the complaint is in relation to a Tenant-Member request not being actioned either within their expected timeframes, not being prioritised appropriately, or to the level expected, then the complaint will be recorded in the Property Complaints Register and forwarded to TAP for consideration.

In considering the complaint, TAP will:

- Take into account the priorities of all Members and all properties;
- Consider the constraints of the NRHC property budget;
- If necessary, refer to the obligations of both NRHC and Tenant-Members in relation to the *Residential Tenancies Act 1997*;
- Take into account any other extenuating circumstances.

**TAP will contact the Member once they have made a decision in relation to the complaint, and the Property Complaints Register will be updated.**

If the Member is not satisfied with the complaint resolution, then their complaint will be forwarded the NRHC Board for further consideration.