

Compliance Assessment Guidance Note - October 2019

Complaints and Appeals

The Registrar of Community Housing (RCH) is initiating a campaign to improve better practice behaviours in the management of complaints and appeals in the Community Housing Sector (the Sector). To support this campaign, the registrar is seeking information on current complaints and appeals practices through a deep dive.

The purpose of this guidance note is to inform registered Tier 1 and 2 Community Housing Providers (CHPs) what the Registrar will be looking for as part of the 2019-2020 financial year (FY) Standard Compliance Program.

This Campaign is driven by:

- 84% increase in complaints received for the 2018-2019 FY;
- Housing Appeals Committee (HAC) has not agreed with the decision taken by CHPs in more than 50% of second tier appeals lodged from 2013/14 to the 2017/18 FY inclusive; and
- the need for the Registrar to monitor the CHPs ability to adopt innovative practices relating to the visibility and accessibility of information about complaints and appeals.

The intelligence collected will contribute to a report informing and providing guidance on best practice behaviours regarding complaints and appeals management.

Regulatory Requirements

Evidence Guidelines

In order to maintain compliance, CHPs must demonstrate a high level of competency and diligence in implementing complaints and appeals management practices. This requirement falls under the assessment of *Performance Outcome 1: Tenant and housing services (PO1)* contained in Schedule 1 of the National Regulatory Code.

The CHP must produce evidence that demonstrates the existence of effective, transparent and responsive policies and procedures relating to the management of complaints and appeals in delivering housing assistance to stakeholders and tenants.

As per the requirements of registration, under section 15 (2) of the National Law, registered CHPs must

provide any information, including a copy of any document or record specified in the request by the primary Registrar with respect to the exercise of the CHP's functions.

The Registrar is seeking evidence demonstrating that the organisation:

- has efficient and effective procedures and practices supported by trained staff allowing for the resolution of tenancy management enquiries including the calculation of rent, managing rent arrears and subsidies in a correct and transparent manner prior to CHPs receiving complaints and/or appeals;
- provides training and ongoing development to staff relating to complaints and appeals policies and procedures;
- has performance management tools such as key performance indicators to assess and measure staff competency in managing complaints and appeals policies in a correct, transparent and responsive manner;
- has policies, procedures and resources that clearly guide stakeholders on how the CHP will manage and resolve complaints including internal appeal processes and external appeal handling bodies;
- has systems for reporting, monitoring and reviewing complaints and appeals practices to generate intelligence to mitigate, prevent and resolve complaints for the purpose of service improvement, sustaining compliant behaviour while remaining compliant with legal requirements and relevant government policies; and
- has a communication strategy to inform stakeholders including tenants with complex needs of the various mediums to raise complaints, internal and external appeals; updates to complaints and appeals practices and the support networks available to ensure tenants are able to have their complaints and appeals being dealt with in a responsive manner.

Regulatory Impact

In initiating this campaign, the Registrar has formed a view that this area of focus is of benefit to improving confidence in the Sector and is a necessary response to identified patterns of risk. Requested information conforms to existing evidence guidelines. The information collection component of the campaign has been stylised to be of least impact to CHPs. If any CHP views any requirement as disproportionate or overly burdensome, they should advise the Registrar.