

As an Aboriginal organisation, our vision is for stronger and healthier families and communities through the provision of sustainable, quality housing and related services.



Appeals Policy and Procedure

Policy No	ML031	Version No	1
Effective Date	4/11/2021	Last Revision Date	NA
Approved by	Board of Directors	Responsible Officer	Manager Corporate Services

Policy Statement

All clients and applicants have the right to seek a review of the decisions made by MLAHMC if they disagree or that they think are unfair. MLAHMC actively encourages the raising of appeals with all appeals managed promptly and in a fair and transparent manner. Appeals are comprehensively reviewed to achieve no significant and ongoing failures.

Purpose

The policy and procedure outlines a structured process to ensure:

- MLAHMC actively encourages tenants or applicants to submit an appeal if they disagree or have dissatisfaction with a particular identifiable decision made by MLAHMC.
- All tenants/applicants are encouraged to raise any appeals without fear of retribution.
- Tenants/applicants have a clear path to requesting a decision to be reconsidered.
- All appeals are managed in a prompt, fair and transparent matter.
- Responsibilities for MLAHMC in the management of appeals are outlined.
- Appeals are reviewed by the Board and executive staff and considered during organisational planning.

Scope

This policy applies to all decisions made by MLAHMC.

This procedure does not apply to:

- MLAHMC staff grievances.
- Public interest disclosures.
- Complaints.
- Decisions made by external parties will be referred to that party.

Definitions

Term	Definition
Appeal	An appeal is an expression of disagreement or dissatisfaction with a particular identifiable decision that has been made and a request that the decision be reconsidered.
Complaint	A complaint is defined as 'any indication that an external person or organisation is dissatisfied with the services, products or facilities provided by MLAHMC where resolution or response is explicitly or implicitly expected or legally required'. A complaint covered by this procedure can be distinguished from:

	<ul style="list-style-type: none"> • Staff grievance • Public interest disclosures made by our staff • Responses to requests for feedback about the standard of our service provision (see the definition of feedback below) • Reports of problems or wrongdoing merely intended to bring a problem to our notice with no expectation of a response (see definition of 'feedback'), service requests (see definition of 'service request' for information). • Complaints relating to fraud, corruption, or organisational legal activity please refer to MLAHMC policy ML 013 – Fraud, Corruption and Criminal Conduct Policy and Procedure. • If your concern is a complaint rather than an appeal please refer to policy ML 008 Complaints Policy and Procedure.
Dispute	An unresolved complaint or appeal escalated either within or outside of our organisation
Feedback	Opinions, comments and expressions of interest or concern, made directly or indirectly, explicitly or implicitly expected or legally required.
Service request	<p>A service request includes:</p> <ul style="list-style-type: none"> • Requests for approval or action. • Routine inquiries about MLAHMC business. • Requests for the provision of services and assistance. Requests for explanation of policies, procedures and decisions.
Grievance	A clear, formal written statement by an individual staff member about another staff member or work related incident.

**Extract from the NSW Aboriginal Housing Office Complaints Resolution Procedure V2.0, 2 March 2017*

Informal Appeal

1. In the first instance, the person dissatisfied with the decision should first discuss the problem with the person(s) directly involved with the aim of clearing up any misunderstandings or confusion and consequently solve the problem quickly.
2. If the matter is not resolved or if the person feels uncomfortable about raising the problem with those directly involved, he/she may take the appeal to the next higher level of management. (Please refer to current [organisation chart](#).)
3. If after following the above process satisfaction is not achieved, he/she may wish to lodge a formal appeal following the process below.
4. The appeal can also be lodge with an agency that provides advocacy services. The organisation will support with information about access to those services.
5. The tenant/applicant has the right to have a representative of their choice to assist them. A representative may be, for example, a relation, friend or advocate.

Lodging a Formal Appeal

1. Appeals can be made to MLAHMC in person or by way of MLAHMC Appeal Form, letter, telephone, electronically by email or website or via correspondence to a MLAHMC employee.
2. Appeals can also be made by an advocacy or support service nominated to act on behalf of the complainant.
3. Appeals received by Facebook or other forms of social media will be redirected to one of the above methods.

4. An appeal form will be generated using information provided by other methods, with a copy of the original method attached.

Appeals Process and Support

Processing Appeals

1. When discussing or receiving an appeal, an Appeals Form must be completed by the person lodging the appeal or a MLAHMC staff member.
2. The staff member receiving the appeal shall forward the Appeal Form to the Corporate Services Manager and the Administration Officer.
3. The Manager Corporate Services shall:
 - Ensure the appeal is recorded on an Appeals Form.
 - Register the appeal in the [Appeals Register](#).
 - Endorse the Appeals Form with the unique number.
 - Direct the appeal to the relevant manager to initiate an appropriate investigation.
 - Outline the appeal type, the results of the investigation and the final decision on the register.
4. The Relevant Manager shall:
 - Within 5 working days, acknowledge the receipt of the appeal in writing, provide the tenant/applicant with the contact information of the staff member assigned to handle the appeal and an expected timeframe further feedback will be provided.
 - Investigate the appeal and attempt to take steps to resolve the problem as soon as possible or at the very latest within 30 days.
5. Following completion of the investigation the relevant manager shall:
 - Implement appropriate corrective and/or remedial action and document on the MLAHMC Appeals Form.
 - Inform the tenant/applicant and other relevant parties of the outcome of the appeal, how and why MLAHMC has reached this outcome.
 - Inform the tenant/applicant of further avenues for the appeal if they are still unsatisfied and wish to pursue the matter further.
 - Attach all relevant documentation to the Appeals Form and provide to Corporate Services Manager for close off.

Access and Copies

- The manager or designate shall ensure that the tenant/applicant has access to the Complaint Form registered to them.
- The manager or designate shall record and place the original copy of the Appeals Form with the Appeal Register and where appropriate inform each party involved of any action.

Review of Appeals

1. The General Manager shall review appeals at least every three months and ensure that appropriate corrective and/or remedial action is considered, agreed and implemented. And if applicable are addressed within MLAHMC strategic/business planning and systems.
2. The Corporate Services Manager shall ensure that decisions reached as a result of the appeal review process are documented and records of implementation and follow up are maintained.
3. The Corporate Services Manager shall ensure all appeals registered are tabled at the first available Board meeting following receipt.