

Appeals Policy

Purpose

This Policy outlines how Venture Housing Company (“Venture”) will handle appeals regarding decisions made by Venture staff. Venture recognises that customers have the right to appeal decisions and will not be disadvantaged or penalised for doing so.

This Policy will:

- make it easy for customers to exercise their right to appeal;
- explain to customers how appeals are managed; and
- help Venture to review its service delivery, decision making processes and make policy and service improvements.

Scope

This Policy applies to all current and former Venture customers including housing applicants and tenants. Customers can appeal because they believe the decision Venture made:

- was not consistent with Venture’s policies;
- did not consider all relevant information before making the decision; or
- did not deal with the customer fairly, taking account of the circumstances.

Policy Statement

Effective appeals handling enables organisations to:

- provide a review process for customers who are dissatisfied by a decision made and use this process to improve operations and decision making; and
- nurture relationships between Venture and its customers.

Venture acknowledges that errors, misunderstandings, customer dissatisfaction and unexpected problems occur in all systems and services.

Any Venture customer or someone acting on their behalf has the right to lodge an appeal against a decision made about certain services or products, which are outlined below.

Venture is committed to handling appeals fairly, consistently, transparently and efficiently and will also monitor specific areas of its service delivery by providing opportunities for customers to provide feedback.

What is an appeal?

Venture defines an appeal as a request to have a decision reviewed.

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

What decisions can be appealed?

- Decisions impacting an ongoing tenancy unless this is able to be referred to NTCAT.
- Decisions concerning applications for the provision of housing in limited circumstances.
- Decisions concerning eligibility for a particular type of housing.
- The outcome of a complaint.
- Termination of a tenancy agreement “without grounds” as permitted by the *Residential Tenancies Act 1999* (NT).
- Request to modify a property.
- Property entitlements.

What decisions cannot be appealed?

- Where legal action has been taken.
- Most decisions which were made more than three (3) months ago.
- Whilst the size or existence of debt may be appealed, the methods or timing of any debt repayment may not be.
- Decisions to increase or decrease rents.
- Decisions by Venture not to sell, lease or otherwise dispose of properties.
- Any decisions made in accordance with an Order from the Northern Territory Civil and Administrative Tribunal (“NTCAT”).
- Decisions that are not directly related to the person.

The appeals process

What will be considered?

When reviewing the original decision, the following will be considered:

- Was the original decision consistent with Venture policy?
- Was the policy narrowly or harshly interpreted?
- Were the customer’s circumstances and all relevant information fairly and properly considered?
- Was there any bias or prejudice involved on the part of the original decision maker?
- Did any irrelevant information affect the decision?
- Whether the original decision was made within the applicable legal framework.
- Whether any new, relevant information is available.

Your rights when appealing a decision

- Customers can expect their appeal to be handled professionally and confidentially.
- Customers are fully informed of their rights and responsibilities, and have realistic expectations of what the service can provide.
- Customers can appeal decisions without fear of recrimination.
- Customers can involve their own advocate or support person at any point in the appeals procedure.

Who can lodge an appeal?

Only the person or people affected by the decision can lodge an appeal. This includes a person who is authorised to act on behalf of the person affected.

How to lodge an appeal

You should make an appeal as soon as possible after the original decision was made. Generally, appeals must be made within three (3) months of the original decision.

Appeals can be lodged by phone, email, letter or via our website. The relevant contact details are:

- Phone: (08) 8981 9804
- Email: feedback@venturehousing.org.au
- Postal Address: PO Box 1468, Nightcliff NT 0810
- Website: via the 'Contact Us' tab on our website www.venturehousing.org.au

Assessing an appeal

The person who made the original decision will not be involved in an appeal decision. The appeal will be directed to the delegated representative, usually the direct manager of the person who made the original decision. If the original decision was made by the CEO then the appeal will be handled by a Director of the Board of Venture.

The assessment of the appeal will consider, review and investigate all information available at the time of the appeal. This may include contacting the person who appealed the decision.

Responding to an appeal

Venture will acknowledge appeals within 2 business days of receipt. The process of reviewing, investigating, and responding to the appeal may take up to 21 days. If a delay is likely to occur, Venture will contact you to explain the reasons for this and set an expected timeframe for a response to your appeal.



Completing the appeal

Once we have assessed an appeal, we will respond to the person who made the appeal in writing to advise them of the outcome. This correspondence will include our considerations during the investigation and advise our reasoning for our decision.

Escalation

Venture recognises that in some instances the response to an appeal may not be to the satisfaction of the customer, or there may be other avenues for the customer to take in parallel to their appeal. For additional support or other avenues, the customer may:

- Seek support from their local Member of Parliament; or
- Contact the Tenant Advice Services, run by Darwin Community Legal Services; or
- Contact and/or make an application to NTCAT; or
- Make a complaint to the NT Registrar for Community Housing; or
- Contact or make a complaint to the NDIS Commission (NDIS participants only).

Related documents / resources

- *Residential Tenancies Act 1999* (NT)
- *Northern Territory Civil and Administrative Tribunal Act 2014* (NT)
- *Community Housing (National Uniform Legislation) Act 2013* (NT)
- *National Disability Insurance Scheme Act 2013* (Cth)
- Complaints Policy
- Tenant Handbook
- Customer Service Charter

Policy Information

Version:	2.0
Approved:	18 January 2024
Review Frequency:	Annually
Next Review:	18 January 2025
Responsible Person:	CEO