

Purpose

The purpose of the complaints and appeals policy is to ensure Pacific Link Housing (PLH) has a consistent, systematic approach to managing and monitoring feedback on its services and its decisions. The policy provides applicants and tenants and other stakeholders with the right to make a complaint expressing dissatisfaction with our service or to appeal our decisions. PLH is committed to ensuring that its complaints and appeals process is clear and accessible and is managed consistently, fairly and promptly.

Scope

This policy applies only to complaints and appeals made by tenants and applicants. This policy also includes other complainants such as stakeholders or members of the public, where it is decided that the nature of the complaint falls within this policy.

It does not include:

1. Complaints by a tenant about another tenant or by or about a neighbour. These are addressed through the *Tenancy Responsibilities Disputes and Behaviour Policy*,
2. Complaints or disputes that are managed under contractual dispute resolution mechanisms,
3. Disputes and grievances of internal staff or management
4. Issues that are being managed via the NSW Civil and Administrative Tribunal – NCAT may be contacted on 1300 006 228 or at www.ncat.nsw.gov.au
5. Concerns about fraud, misconduct or illegal activity by PLH staff. Please see the Fraud Policy and the Whistle-blower Policies for more information.

Commitment

PLH acknowledges that unexpected problems occur in all systems and services. Effective complaint and appeal handling enables organisations to:

- intervene before a problem becomes worse,
- provide a review process for complaints and appeals by people who have been disadvantaged by a PLH action or decision and
- make the complaint process simple and accessible.

PLH believes that appeals and complaints help to improve our service delivery and assist us to review what is or is not working well in our organisation.

The complaints and appeals policy aims to effectively:

- provide a systemised approach to the review of PLH service delivery decision making or apparent dissatisfaction with services provided,
- Ensure tenants' and applicants' rights are upheld, and
- Enable applicant and tenant views to be considered fairly and transparently.

PLH expects all employees to commit to fair, effective and efficient complaint handling. The following table outlines the nature of the commitment expected from staff and the way that commitment should be implemented.

Who	Commitment	How
CEO and Executive Managers	Promote a culture that values complaints and their effective resolution	Report to the PLH Board on our complaint handling. Provide adequate support and direction to key staff responsible for handling complaints. Regularly review reports about complaint trends and issues arising from complaints. Encourage all staff to be alert to complaints and assist those responsible for handling complaints to resolve them promptly. Support recommendations for service and complaint handling improvements arising from the analysis of complaint data or staff suggestions.
Staff whose duties include complaint handling (may include CEO)	Demonstrate exemplary complaint handling practices	Treat all people who make complaints with respect. Assist people to make a complaint, if needed. Comply with our policy and associated procedures. Provide regular feedback to management and/or the governing body on issues arising from complaints. Encourage staff to make recommendations for system improvements. Implement changes arising from individual complaints and from the analysis of complaint data as directed by management.
All staff	Understand and comply with our complaint handling practices.	Treat all people who make complaints with respect. Follow our complaint handling policies and procedures. Assist people who wish to make complaints access our complaints process. Be alert to complaints and assist staff handling complaints resolve matters promptly.
Board Chair	Provide strategic oversight in relation to complaints	Manage any complaints in relation to the CEO.

What is a Complaint?

A **complaint** is an expression of dissatisfaction made to or about us, our services or staff where a response or resolution is explicitly or implicitly expected or legally required.

Examples of complaints include:

- Failing to provide a service or an aspect of a service such as not completing a repair, not conducting tenant visits or not providing rent statements.
- Providing an inconsistent or inaccurate service such as responding differently in different circumstances or providing incorrect advice on PLH policy.

Complaints about service delivery are managed internally by PLH. All complaints must be reviewed and agreed by an Executive Manager, or delegate, at a minimum.

What is an Appeal?

PLH defines an **appeal** as an expression of dissatisfaction with a decision it has made. The appeal 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 and PLH's mission and values.

Appealable decisions are defined by the NSW Housing Appeals Committee. For community housing applicants and tenants, appealable decisions include:

- Eligibility for housing
- Priority on a waiting list
- Transfer to another property
- Rental subsidy issues and tenant charges
- Succession of tenancy
- Relocation offers
- Offers of housing - location or housing type need
- Property modification

Issues that cannot be appealed are:

- Decisions that are not directly related to the person or household
- Matters that are the responsibility of other bodies or tribunals (such as orders made by the NSW Civil and Administrative Tribunal (NCAT) Housing provider's policies
- Matters for which clients cannot make application to housing providers
- Internal administrative and funding matters of the housing provider
- Decisions about programs not related to the provision of a PLH service

How to make a Complaint or Appeal

PLH aims to make the process for making a complaint or appeal fair and accessible. Information on our complaints policy is provided on the PLH website and in our Tenant Handbook. There is no charge for making a complaint.

Any person involved in the complaint or appeal process can expect to be listened to and treated with respect and dignity. Making a complaint or appeal will not result in any form of retaliation or discrimination, including any change in attitude or quality of service received from PLH staff.

While complaints and appeals are managed differently, PLH does not expect an individual to identify whether their matter is a complaint or an appeal. This will be identified and clearly communicated to an individual when a complaint or appeal is received.

We will protect the identity of people making complaints where this is practical and appropriate. We accept anonymous complaints and will carry out an investigation of the issues raised where there is enough information provided. However, this may impact what PLH can investigate and will be communicated to the complainant if needed.

Complaints and appeals can be made in writing:

- By email to info@pacificlink.org.au
- By completing the online complaint form on our website - <https://www.pacificlink.org.au/complaints-appeals/> By printing a form from our website and mailing to PO Box 1888 Gosford NSW 2250.
- By calling PLH on 02 4324 7617 to make an appointment for assistance in documenting the complaint at PLH's office at 280 Mann Street Gosford.

Assistance with Complaints

Anyone may represent a person wishing to make a complaint with their consent (e.g. advocate, family member, legal or community representative, Member of Parliament) however, PLH will require confirmation from the person being supported that PLH may communicate with and provide information to the representative

PLH can also assist clients to complete the relevant forms to make a complaint or appeal as required. This includes arranging an appropriate service provider or interpreter if needed. External services that can provide assistance with making complaints include:

- **Local Tenants' Advice and Advocacy Services** listed on www.tenants.org.au
- **Community Legal Centres** contactable through www.clcnsw.org.au
- **NSW Fair Trading** on 13 32 20 and at www.fairtrading.nsw.gov.au.
- The **National Regulatory System for Community Housing** investigates complaints that raise concerns about a registered community housing provider's compliance with the Regulatory Code including the way it is governed or how it manages its assets. A complaint can be made using the online form found at <https://nrsch.my.salesforce-sites.com/providersearch/sitecasecreation>. A complaint can also be made by contacting the Office of the Registrar in NSW on 1800 330 940.
- The **NSW Department of Communities and Justice** may be contacted on complaints and appeals at <https://dcj.nsw.gov.au/contact-us/complaints-and-feedback.html>.

Communication

We are committed to managing people's expectations, and will inform them as soon as possible, of the following:

- the process, including whether the investigation will treat the information as a complaint or appeal,
- the expected time frames for our actions
- the progress of the complaint or appeal and reasons for any delay
- their involvement in the process, and
- the possible or likely outcome of their complaint or appeal.

We will advise people as soon as possible when we are unable to deal with any part of their complaint and provide advice about where such issues and/or complaints may be directed (if known and appropriate).

We will also advise people as soon as possible when we are unable to meet our time frames for responding to their complaint and the reason for our delay.

Timeliness

PLH will aim to resolve complaints and appeals promptly, and wherever possible within 21 business days of receipt. As part of this process, the seriousness or urgency of the issue will be assessed. In situations where resolution or an outcome will exceed 21 days, PLH will advise the complainant or appellant of progress to date, the anticipated date of resolution and any reasons why PLH may need longer to investigate.

For an appeal to be considered, PLH would expect to receive an appeal within 3 months of the decision made.

What happens if I disagree with the outcome of my complaint or appeal?

Appeal Review Process

There is a three-step process to manage an appeal:

1. The tenant or applicant must seek a review of the decision by PLH. This appeal must be investigated, and the appellant must be advised in writing of the outcome. A different PLH employee not involved in the original decision will manage the appeal.
2. If a tenant or applicant is unhappy with the first review, they may request a review of the matter, which will be conducted by a senior manager or the CEO prior to considering the step below.
3. If a tenant or applicant is unhappy with the outcome of an appeal, they can also lodge a second level appeal with the independent NSW Housing Appeals Committee (HAC). The HAC is an independent agency that reviews certain decisions made by community housing providers. The HAC cannot consider an appeal until the appellant has first used the review process above. HAC applies time limits from the date of the first level appeal result that vary depending on the nature of the appeal. For information on the HAC call 1800 629 794 or go to www.hac.nsw.gov.au.

Complaint Review Process

If you are unhappy with the outcome of your complaint, you can request a review of the matter by a senior manager or by the CEO. The matter will be reviewed and the outcome communicated to the complainant.

At times, PLH receives complaints that we believe have been adequately resolved or that no further action is possible or warranted. In these situations we will apply our Tenancy Responsibilities Disputes and Behaviour Policy PLH reserves the right to manage complaints and appeals within the boundaries of the regulator guidelines, and will outline the reasons why matters may not be reviewed again.

How PLH uses information from Complaints and Appeals

PLH will regularly review information from complaints and appeals to identify ways in which our services and their delivery can be improved and regularly review our complaint management system to ensure its effectiveness in responding to and resolving complaints.

We will regularly report to our Board on the numbers and types of complaints and appeals and on their outcomes. We will also provide information on complaints and appeals received to comply with the reporting requirements of the National Regulatory System for Community Housing (NRSCH) and NSW Department of Communities and Justice. PLH staff use information from complaints and appeals in a way that does not identify the complainant or appellant where possible.

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