

# PROCEDURE – Client Complaints Resolution

Access Community Housing

Category	Our Organisation	Version	4
Date Last Reviewed	10 February 2022	Reviewed By	Jim Reeve
Reason for Review	Inclusion of information for anonymous complaints		
Linked Policy	Policy OO9 Complaints Management		

## SCOPE

This Client Complaints Resolution Procedure applies to all individuals and businesses in contact with Access Community Housing Company (ACHC), with the exception of staff and volunteers.

## PURPOSE

The purpose of the Client Service Complaints Resolution Procedure is to provide a detailed account of how Client complaints will be resolved.

This Procedure does not apply to personal or workplace grievances. If such a grievance arises, refer to the Dispute Resolution for Staff and Volunteer Policy.

## CLIENT SERVICE COMPLAINTS

The Client Service Complaints Resolution Procedure is designed to ensure that the concerns of Complainants engaging with ACHC are treated seriously and are addressed promptly and fairly.

### What is a Complaint?

A complaint is any type of problem or concern related to services provided by ACHC. A complaint can be about any act, behaviour, omission, situation or decision impacting on the client, individual or business, which they think is unfair, unjustified, unacceptable or unsatisfactory.

A complaint may be made orally or in writing.

A complaint can relate to almost any aspect of services, for example:

- Quality of service provided;
- Timeliness or responsiveness of services;
- The provision or withholding of services.

### Tenancy Related Disputes

#### Residential Tenancies and Rooming Accommodation Act 2008 Dispute

Tenants are expected to resolve neighbourhood disputes either through their own initiative or with assistance from an appropriate agency e.g. police, local government or a dispute resolution centre with or without the assistance of their Housing Officer.

The Housing Officer can only be involved in matters related to the Residential Tenancies and Rooming Accommodation Act 2008. If the conflict or grievance is tenancy related and is covered by the Residential Tenancies Act, then the matter should be immediately referred to the Residential Tenancies Authority or a tenant's advocacy service. This information is outlined in the Tenant Information Kit with links to the RTA website. Determination of a conflict referred to the Residential Tenancies Authority shall be deemed to be final.

Tenants will be encouraged to speak directly to the Housing Officer initially to make a complaint or offer feedback on the services of ACHC. In accordance with this policy and procedure tenants have the right to expect that a complaint will be dealt with promptly and confidentially and they will not be penalised for making a complaint or appealing a decision.

A full copy of the policy and procedure will be provided to all tenants.

A list of external agencies is available for tenants wanting to make a complaint or to offer feedback on services that may include a support provider and rights in action.

#### Nuisance Dispute

If an ACHC tenant, a member of their household, or their visitor, causes a dispute or nuisance, the Housing Officer will investigate the matter as soon as possible following the report of the issue.

The Housing Officer will take the following steps to investigate the matter:

- Record the complaint in the contact log with details of date, time, and people involved
- Interview relevant parties; with full details as above
- Speak with a support agency, if applicable;
- Enter the premises (if safe to do so and if necessary, with assistance) to protect the premises from imminent or further damage if necessary.

If the Housing Officer believes that the provisions of any tenancy has been breached they are to act in accordance with Residential Tenancies and Rooming Accommodation Act 2008. The tenant has the right to appeal the decision by the Housing Officer by following the appeals process below. If the investigation by the Housing Officer indicates that the tenant may be subject to harassment or discrimination, the Housing Officer should refer the tenant to a support agency who may be able to assist. In ongoing cases the tenant may be offered relocation to another available property at the discretion of the CEO.

#### Dealing with Complaints

A complaint may be made in person, telephone, email or in writing. If a complaint is made in person, the person receiving the complaint shall record the complaint in writing, enter into the relevant file and have the Complainant sign it where possible. Complainants who request assistance to lodge a complaint will be referred to an advocacy service for support.

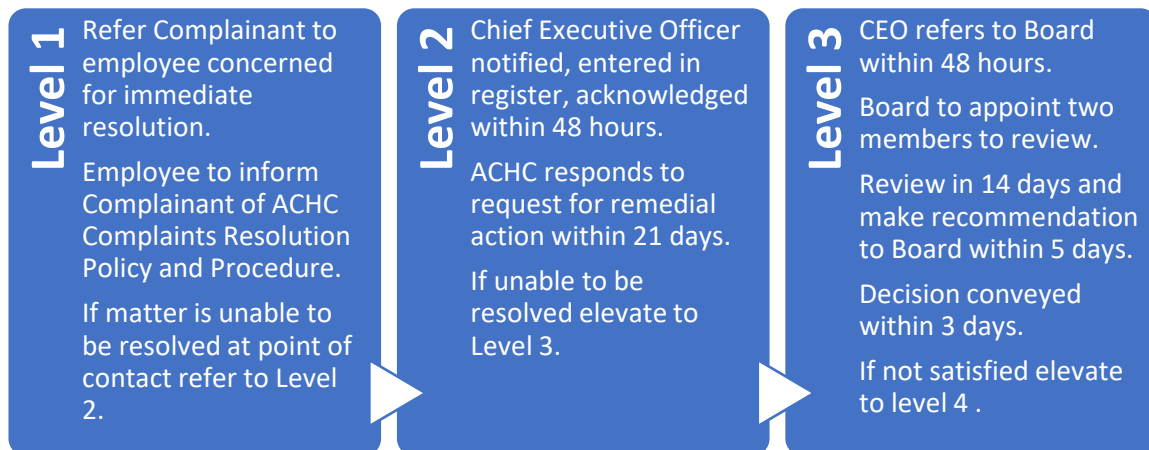
Members of the Board of Directors and its employees will always act and conduct themselves in a courteous and professional manner and are expected to have a clear understanding of the Client Service Complaints Resolution Process. Information and Privacy must always be observed by staff and only those directly involved in a complaint process need access to that information.

Immediately upon receipt, complaints will be triaged according to the Complaints Resolution Procedure outlined below. The assessment of the complaint should be carried out by the most senior ACHC representative available.

All new complaints, and any remedial action taken will be included in the monthly Chief Executive Officers report to the Board.

### Complaints Resolution Procedure

Whenever a complaint is received, ACHC will endeavour to address the complaint in line with the following assessment and triage procedure.



#### *Level 1: Easily Resolved Issues or Incidents Requiring Minimal Intervention*

This type of complaint is most often received verbally but may be received in writing.

The persons making the complaint is directed to the appropriate employee, given an opportunity to discuss the issue and request assistance to resolve the complaint.

The employee will inform the Complainant of ACHC’s Client Complaints Resolution Process and if necessary refer this to the Chief Executive Officer.

Attempts should be made in the first instance to resolve a complaint or inquiry in a simple and informal way.

The complaint should be discussed in the first instance by phone or in-person, if anything more than minimal communication is required, the parties should agree to meet in person to discuss and aim to resolve the complaint together.

If the Complainant is not satisfied with the response the Employee will inform the Complainant they can make a formal complaint, preferably in writing, and arrange the assistance of an interpreter if required.

#### *Level 2: More Complex Issue or Incident Requiring Intervention From Key Personnel*

If the issue or incident cannot be resolved in an informal way a more formal process will commence.

The Chief Executive Officer must be immediately made aware of the complaint, record it in the complaints register and provide a written acknowledgement within 48 hours.

The party raising the complaint should be requested to notify ACHC of the issue that requires addressing and advise of what actions are required to address those complaints.

Within 21 days, ACHC must respond in writing to the issues of complaint and the actions which are required to address those concerns.

The parties are to then implement an agreed solution to the issue of concern within an agreed time frame.

If the Complainant is not satisfied the matter will be elevated to a level 3 complaint

*Level 3: Issues That Are Unable to Be Resolved by The Chief Executive Officer.*

If a Complainant is not satisfied with the way the Chief Executive Officer has handled a complaint or where the complaint involves the Chief Executive Officer, the matter will be referred to the Board of Directors within 48 hours.

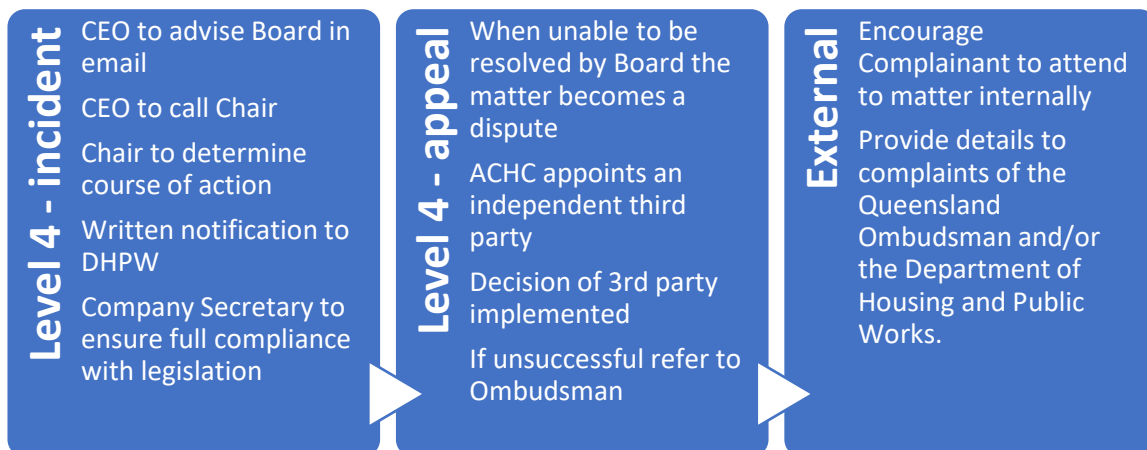
The Board of Directors will appoint two members to review the complaint and make a recommendation to the Board.

The nominated members will meet within with 14 days of receiving the complaint to consider the matter.

Once a decision has been reached the full Board will be informed of the recommendation within five days of the decision.

The Complainant will be advised within three days of the Board ratification of the decision.

Persons who may bring a complaint and are dissatisfied with the outcome may appeal the decision within seven days of being notified in writing of the decision. In an appeal, a mediator approved by both parties will be appointed to hear the grievance and seek resolution.



*Level 4: Critical Incidents Requiring External Intervention or Complaints Unable To Be Satisfactorily Resolved By The Board*

*Critical Incident*

In the event of a critical incident, the Chief Executive Officer will advise the Chair and Board of Directors immediately by email.

The Chief Executive Officer will also telephone the Chair to advise of the incident.

The Chair will consider the Chief Executive Officers recommendation regarding the management of the incident moving forward and how it is to be managed.

The incident will be recorded in the Complaints register and written notification of the incident is to be provided to the Department of Housing and Public Works by email.

### Anonymous Complaints

A complainant may remain anonymous if they choose. Should this occur, the complaint will be investigated with the same rigor as any other complaint, as far as possible with the information provided and without interaction with the complainant. Actions will be taken as appropriate following completion of the investigation where the nature and detail of the anonymous complaint allows this. No complaint acknowledgement or details of the outcome will be provided. Any actions resulting from the anonymous complaint will be recorded in the complaint record. Anonymous complaints can be made in person, in writing, via email or by telephone. In-person complaints can be left in the mailbox outside the ACHC office or handed to any member of ACHC staff.

### Appeal

If a complaint was unable to be resolved by the Board within the time frames set out in level three, and the matter becomes a dispute, then ACHC will request the other party to agree to refer the dispute to an independent suitably qualified person (“the mediator”) agreed to by both parties for resolution.

The decision of the mediator is to be implemented by the parties, unless the mediator is unsuccessful in resolving the dispute.

If a mediator is unable to successfully resolve the dispute the Complainant will be encouraged to contact the Queensland Ombudsman Office to have their matter attended to.

## OTHER AVENUES OF COMPLAINT

ACHC encourages its Clients to resolve any issues or complaints that they may have at the earliest opportunity. The preferred process involves working with the client in resolving issues to their satisfaction internally, without referral to external organisations.

However, if a Client believes a complaint has not been addressed appropriately they have the right to contact;

The Queensland Ombudsman

1800 068 908 (Toll free outside Brisbane only)

The Department of Housing and Public Works

1800 451 139 (toll free outside Brisbane only)

## ACCOUNTABILITY

All employees shall use and be familiar with the Client Complaints Management Procedure.

## RELATED DOCUMENTS

OO9 - Complaints Management Policy

END