Bellorana
Limited

RFBI Group Policy Scope (Scope Policy)

1. Purpose

The purpose of the Scope Policy is to establish that all policies within the Royal Freemasons' Benevolent Institution Group ("the Group") apply across all entities within the Group. This ensures consistency, alignment with the Group's strategic objectives, and adherence to legal and regulatory requirements across the entire group.

2. Scope

The Scope Policy covers all policies within the Group, including but not limited to those related to governance, risk management, compliance, finance, human resources, operations, and information technology. The scope extends to:

- All companies (Royal Freemasons' Benevolent Institution, RFBI Concord Community Village & Bellorana Limited) within the Group.
- All employees, officers, directors, contractors, and other stakeholders who are governed by the Group's policies.

3. Applicability

All policies within the Group are applicable to every entity within the Group.

4. Policy Review

Review to this policy will be conducted from time to time, for example when legislative changes occur that require such review, or at scheduled review dates.

5. Authority

This policy is authorised under delegation by:

Frank Price

Chief Executive Office

Affordable Housing Appeals Policy

1. Policy Statement

Royal Freemasons' Benevolent Institution (RFBI) Affordable Housing Appeals Policy provides guidance to staff and tenants or applicants about what constitutes an appeal, what decisions can be appealed and how appeals are managed by RFBI.

2. Scope

This Policy is relevant to all applicants and tenants of the RFBI affordable housing portfolio.

3. Policy

RFBI is actively committed to encouraging feedback from tenant and applicants of our affordable housing program.

Appeals can be made when a tenant or applicant disagrees with a decision made by RFBI Tenancy staff.

An appeal is different to a complaint. RFBI has **Feedback Policies and Complaints Handling Procedures** which describe how we respond to complaints from dissatisfied customers about our services or staff. We encourage all of our tenants and applicants to raise any concerns or queries about our services or decision making directly with RFBI staff or managers in the first instance. This can result in a speedy resolution of the concern.

4. What is an appeal:

An appeal is about a decision of a social or affordable housing provider to provide or not provide a service. An applicant or tenant can appeal if he or she believes a decision made by RFBI:

- Was not in accordance with RFBI policies or procedures
- Was not made in accordance with relevant external policies and or legislation
- Was not fair or transparent
- Was not made with consideration of all information when the original decision was made.

Tenants/applicants are encouraged to first speak with the RFBI staff member who made the decision, to seek clarification as to why the decision was made in the first instance. If, at the time of the decision, the staff member did not have all the relevant information, the tenant/applicant is encouraged to provide the information to the staff member so a reassessment can be made.

If the tenant/applicant is still not happy with the outcome, then they can proceed to lodge an appeal which will be considered by a staff member independent of the decision maker. All appeals must be lodged within 30 days of the decision being made.

5. What decisions can be appealed?

There are many decisions made by RFBI Tenancy staff which can be appealed. The following list identifies many of these decisions, however it is not comprehensive.

Applicants:

- Eligibility for affordable housing
- Priority on RFBI waiting list

Tenants:

- Eligibility for transfer
- Removal from transfer list
- Property type and size entitlement
- Suitability of offer of affordable housing
- Level of rent charged
- Rent review assessment decision
- Relocation for RFBI management purposes
- Permission to undertake modifications or alterations to your property
- Permission to keep an animal
- Water charges (for properties with shared meters)

Further details can be found in the relevant Policy documents.

6. When an Appeal cannot be made:

Some decisions cannot be appealed. These include:

- Matters that have already been dealt with through the RFBI Complaints or Appeals Policies
- Matters already escalated to other agencies, tribunals and courts e.g. the Housing Appeals Committee (HAC) or the NSW Civil and Administrative Tribunal (NCAT).
- Decisions that are not directly related to the applicant/tenant
- Decisions made outside the timeframe allowable for appeals
- Content of policies and processes
- Upgrade of a property or repairs and maintenance.

7. Our approach to managing Appeals

RFBI aims to ensure our housing management decisions are correct and within Policy and legislative requirements. We aim to be fair, reasonable and ethical, and to treat our tenants and applicants with dignity and respect.

If you wish to appeal any decisions made by RFBI Tenancy staff, we will conduct a thorough review of how the decision was reached, the information provided and available, and provide clear reports back to the appellant about the outcome.

In order to meet community obligations for transparency and to demonstrate compliance with the relevant regulatory, policy and legislative requirements, RFBI keeps a register of any appeals made.

RFBI staff always adhere to the relevant confidentiality and privacy policies and legislation when dealing with any appeals of housing decisions.

8. First-Tier Appeals Process/timeframes:

Outlined below is the process RFBI staff will use to review internal appeals:

- The tenant or applicant wishing to make an appeal (the appellant) requests an appeals form from RFBI, so they can formally lodge their internal appeal.
- Once the formal internal appeal is lodged, an appellant will be sent written acknowledgment within 5 working days.

- The appeal will be reviewed by a senior officer who was not directly involved in the original decision. The senior officer will review the original decision made in accordance with RFBI policies, and will consider all information available at the time the appeal is lodged.
- The appellant will be advised within 28 days of receipt of the appeal if the original decision is upheld or overturned.

9. Second-Tier Appeals:

If the appellant is not satisfied with the outcome of the first-tier appeal, they have a right to request a second-tier appeal. Second-tier appeals are independently reviewed by senior management of RFBI. The appellant will be contacted by RFBI senior management staff regarding the outcomes of this second review, and whether the original decision taken will be upheld or overturned.

You can also lodge a second-tier appeal to the Housing Appeals Committee through their website: https://www.nsw.gov.au/departments-and-agencies/housing-appeals-committee
The Housing Appeals Committee can make a recommendation to a housing provider about changing a decision, however the housing provider makes the final decision about accepting the recommendation or changing the original decision.

10. Other helpful agencies include:

Community Legal Centres provide advice, referral and assistance for free.
Energy and Water Ombudsman can assist resolving complaints about water or electricity providers.
NSW Civil and Administrative Tribunal (NCAT) deals with matters such as breaches to a Tenancy Agreement, termination of tenancies, repairs and maintenance.
NSW Ombudsman investigates and reports on complaints about the conduct of government or non-government agencies.

Related Policies and Legislation

- RFBI Affordable Housing Eligibility Policy
- RFBI Affordable Housing Rent Policy
- RFBI Affordable Housing Allocation Policy
- RFBI Affordable Housing Tenancy Management Policy
- RFBI Tenant Handbook
- NSW Residential Tenancies Act (2010)
- Privacy and Personal Information Protection Act 1998 (NSW)

Policy Review

Review of this policy and procedures will be conducted from time to time, for example when legislative changes occur that require such review, or at scheduled review dates.

Authority

This policy is authorised under delegation by: **Frank Price Chief Executive Officer**