

Appeals Policy (New Zealand)

1. Purpose

HOME in PLACE (New Zealand) Limited (HOME in PLACE NZ) is committed to providing services of the highest standard and respects the right of our tenants to seek an appeal on a decision that HOME in PLACE NZ Management has made. This Appeals Policy Statement guides tenants and third parties on decisions that are able to be appealed and the review and appeals process undertaken by HOME in PLACE NZ when handling appeals. It also guides employees on the procedures to be followed when an appeal request is received.

2. Scope

This policy applies to all tenants and covers appeals about HOME in PLACE NZ.

3. Policy Statement

HOME in PLACE NZ is committed to providing the highest standard of customer centered services to our tenants. We recognise our tenants have the right to request a review of a decision made by HOME in PLACE NZ about their tenancy.

If a tenant believes a decision made by HOME in PLACE NZ is wrong or unfair or if they disagree with the decision and believe it may affect their tenancy, they may appeal against the decision through our internal review process.

Residential Tenancy Dispute

HOME in PLACE NZ is committed to a transparent and objective review of decisions and will ensure appeals are managed promptly and in accordance with the principles of procedural fairness.

Our review and appeals processes acknowledge the responsibilities of tenants, respects the rights of tenants, considers our obligations as a landlord and aims to achieve fair and equitable outcomes for tenants and stakeholders.

The following are not Appealable Decisions:

- Decisions not directly related to the person or household;
- Matters which are the responsibility of other tribunals and courts e.g., New Zealand Tenancy Tribunal or that could be resolved through Fast Track Resolution or Mediation;
- HOME in PLACE NZ's policies;
- Internal administrative and funding matters of the Community Housing Provider; or
- Programs not related to the provision of a service.

Appeals

Similar to the Residential Tenancy Dispute process, the review process starts when a tenant believes that a decision made by HOME in PLACE NZ is not correct and they have not been able to resolve the issue through discussion with HOME in PLACE NZ staff responsible for making the decision. The process aims to confirm whether HOME in PLACE NZ has made the right decision.

When reviewing a decision that is not able to be considered by other statutory or legislative bodies, the two stage appeals process should be followed to ensure that:

- There is fair mechanism for decisions to be reviewed for matters that are not covered by Residential Tenancy Legislation; and
- The correct decision has been made in each individual case under review.

The two-stage appeals process is referred to as follows:

- First Stage or Tier 1 – Management Review
- Second Stage or Tier 2 – Independent review by HOME in PLACE NZ Internal Review Board made up of New Zealand Board of Directors.

How to Lodge an Appeal

If a Tenant seeks a review of a decision made by HOME in PLACE NZ, they will complete an FOR-8001 Appeals Request Form which outlines the issue they would like reviewed and why. In most cases, the application must be lodged within three (3) months of the original decision being made.

Appeals will be acknowledged by a staff member within two working days.

An internal review of the decision will be conducted by CEO NZ . As part of the review, the CEO NZ will consider:

- Information submitted by the client or tenant;
- All relevant information on file; and
- Any new information that was not available to the original decision maker.

If it appears that the original decision is likely to be maintained, the CEO NZ will contact the tenant to discuss the issue and provide an opportunity for the tenant to produce additional relevant information.

The CEO NZ will consider all the available information to decide whether the original decision should be:

- Maintained;
- Changed in full; or
- Changed in part.

In the event the original decision is upheld by the CEO NZ, the appeal will be forwarded to the New Zealand Internal Review Board, made up of New Zealand Directors, who will convene an Appeals Hearing, where all information is thoroughly investigated independently to ensure the right decision has been made.

A response will be provided within 28 days clearly outlining if the decision has been upheld or not upheld, and the reason for this decision.

Where the CEO NZ or NZ Appeals committee identifies any corrective actions arising from an appeal, an action plan is to be developed and implemented for the corrective action as soon as is practical.

Quality Focus

HOME in PLACE NZ is committed to a culture of excellence through continuous improvement and regularly reviews and monitors the effectiveness of our complaints and appeals process.

Information about our complaints and appeals process is clearly documented and available to tenants and applicants through our tenant handbook and by request through the [‘Contact Us’](#) page on the [HOME in PLACE NZ website](#) or contacting their local office.

Privacy

HOME in PLACE NZ manages personal information of applicants and tenants in accordance with the Privacy Act 2020 and the privacy principles and codes of practice regarding the collection, use, disclosure, storage, and access to personal information.

HOME in PLACE information systems and data security meets ISO/IEC 27000 series, information security management systems standards to protect personal information.

4. Responsibilities

All HOME in PLACE NZ workers have an obligation to:

- familiarise themselves with and ensure they have a clear understanding of HOME in PLACE NZ policies and procedures,
- observe and implement such policies, and associated procedures in delivering services to HOME in PLACE NZ clients,
- inform HOME in PLACE NZ’s clients of the impact of this policy on them and assist them to understand their rights and obligations, as required,
- identify issues that require amendment to this policy document and complete the relevant documentation to propose any amendments, and
- report breaches of HOME in PLACE NZ’s policies or procedures.

The relevant Group Executive Manager is ultimately responsible to:

- ensure all stakeholders within their area of responsibility are informed about HOME in PLACE NZ Policies and Procedures,
- ensure appropriate processes and controls are implemented to enable the correct application of and adherence to relevant policies and procedures, and
- ensure appropriate processes and controls are implemented to enable breaches of approved HOME in PLACE NZ’s Policy and Procedures to be reported and managed.

5. Implementation and Review

This policy is listed on HOME in PLACE NZ's Controlled Documents Register and is a controlled document requiring approval of any changes. It may not be amended or shared outside HOME in PLACE NZ without approval. The policy is reviewed regularly and published on HOME in PLACE NZ's SharePoint intranet once approved. Employees receive communications and, if necessary, training on new and reviewed policies and procedures.

HOME in PLACE NZ complies with relevant contractual compliance obligations and jurisdictional laws and regulations when implementing this policy. Confirmation of internal compliance with this policy is undertaken regularly.

It is the responsibility of HOME in PLACE Group Executive Services Office of the Group Managing Director to maintain and update the HOME in PLACE NZ's Master Policy Document, Policy Directory and the Policy Review Register, administer the review and approval process and inform and distribute new and amended policies and procedures once approved (refer PROC-011 Policy and Procedure Development Approval).

HOME in PLACE NZ Workers should refer to SharePoint Company Documents Policy and Procedure site for the latest version which takes precedent over any uncontrolled version. If this document is printed, downloaded, or saved elsewhere from this site it becomes an uncontrolled version.

For further information contact the Responsible Officer listed under Document Information.

6. Resources and related documents

Related documents

- POL-8012 External Complaint Handling Policy
- PROC-8012 External Complaint Handling Procedure
- FOR-8001 Appeals Request form

Related legislation/standards

- [Residential Tenancies Act 1986](#)
- [Privacy Act 2020](#)
- [Health and Safety at Work Act 2015](#)
- [Public and Community Housing Management Act 1992](#)
- [Public and Community Housing Management \(Community Housing Provider\) Regulations 2014.](#)
- [Community Housing Regulatory Performance Standards and Guidelines](#)
- NZ Office of the Ombudsman's Guides to effective complaint handling good decision making.

7. Definitions

For the glossary of definition for Home in Place (New Zealand) QMS documents please click on the link: Definitions Table New Zealand

'End of Document.'