



Housing Appeals Committee

Annual Overview

2005/2006

The Housing Appeals Committee (HAC) has concluded another successful year of providing a quality service to social housing clients statewide in 2005-2006. The primary business objective of delivering a professional independent appeals service for clients free of charge has been met and achieved within performance targets. In addition, the HAC continues to be responsive to the recent changes within the social housing sector whilst promoting accountable and transparent policies, procedures and decisions within the sector.

Statistics and Analysis

In 2005-2006 the HAC identified statistical trends both in the area of client profile (age, background) and appeals (results, types and areas).

Appeal Numbers

During 2005-2006 the HAC received 468 appeals and listed 389 appeals for a hearing. 79 appeals did not proceed to a hearing due to the need for a first level appeal or the matter was outside HAC jurisdiction. 10 appeals were withdrawn or resolved prior to a hearing.

Who are the HAC clients?

The HAC has consistently received large numbers of appeals from culturally and linguistically diverse clients. Of the total number of appeals heard in 2005-2006, 49% of clients were born overseas.

6% of all clients identified as Aboriginal or Torres Strait Islander. There has been a significant increase in appeals from this group compared to the previous year which may be in response to the HAC's continued strategy of informing indigenous support agencies and advocates about the appeals process.

Single appellants were the largest group to have hearings with the HAC for the period from 1 January to 30 June 2006. Single appellants accounted for 54% of hearings, followed by single parent families (25%) then couples with children (12%) and couples with no children (8%). The other household types consisted of appellants and their carers, other relatives or friends.

Appeals about Priority Housing and Transfer accounted for 72% of all hearings from single appellants who received either the Disability Support Pension or Aged Pension for the six months to 30 June 2006.

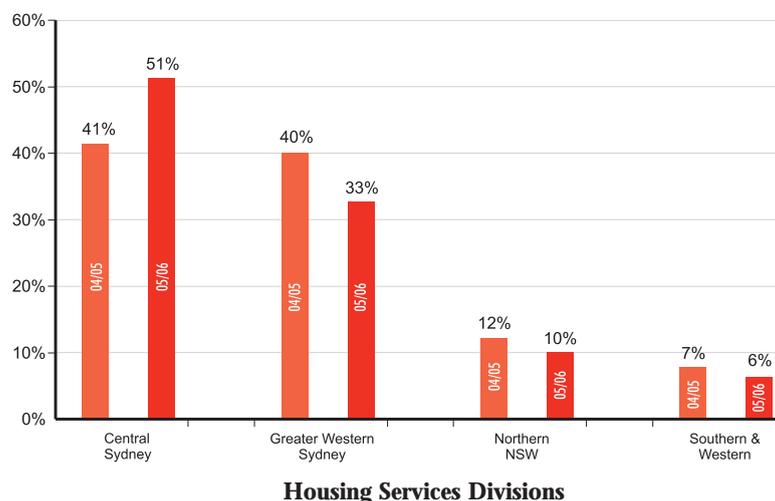
Single men accounted for 25% of all Priority Housing appeals from the Central Sydney Division of the Department of Housing which is significant in emphasising the particular housing difficulties of these clients. In comparison, there were only 6% of single men appealing Priority Housing requests in the Department's Greater Western Sydney Division (GWSD).

Age groups of HAC appellants

Age group of appellants (primary appellant in household) as percentage of total appeals heard:

Age Group	Number of Appeals	Percentage
Under 24 years	9	2%
25 - 34 years	52	13%
35 - 64 years	256	66%
65 years and over	72	19%
	389	100%

Where did appeals originate?



*Lynden Esdaile
Executive Chairperson*

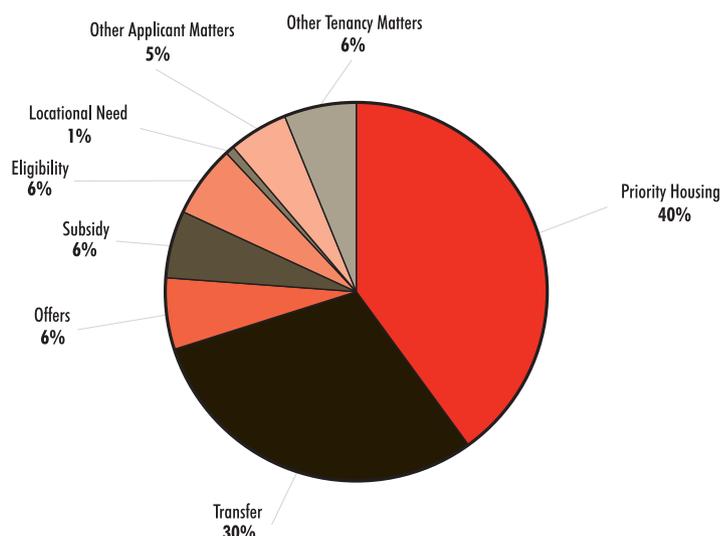
The previous table shows a slight trend of increased appeal numbers from Central Sydney HSD clients, whereas appeals from the GWSD areas have experienced a slight decline since 2004-2005. The HAC's staff and the GWSD Appeals staff examined the statistical trends around first level appeals as well as the overall applications received from clients in GWSD. As an example, transfer requests were studied from the initial application stage through to the HAC appeal outcome. Based on data, the following findings were identified:

- A total of 4919 GWSD tenants lodged a Transfer Application, of which 39% were approved. 50% of applications were declined (some resolved or withdrawn).
- 9% of clients who were declined for a transfer pursued a first level appeal.
- 45% of tenants whose transfer applications were declined at first level appeal proceeded to a HAC appeal.
- Of the 45 transfer appeals heard by the HAC from GWSD tenants, a change of decision was recommended in a total of 20 cases, all of which were approved.

Further analysis of trends will be undertaken during the year with the benefit of the new HAC database.

What have clients appealed about?

Increases have been evident in appeals concerning rental subsidies and their assessment as well as eligibility for housing services. Over the past three years, appeals concerning eligibility issues have increased from 1% of all appeals received during 2003-2004 to 5% in 2004-2005 and to 6% in the current year. This is attributed to the introduction of former tenant categories, which may impact on client's entitlements to receive further services. Appeals concerning rental subsidies accounted for 6% of all appeals heard during 2005-2006.



The Community Housing Sector

During 2005-2006 the HAC received 21 appeals from clients of community housing organisations of which 10 matters proceeded to a hearing. Of the appeals heard from this sector, 3 matters were about the assessment of rental subsidies, 2 about transfers, 2 about eligibility for services and one each about offers of accommodation, priority housing entitlements and tenant charges. All appeals were received from clients of community housing organisations within the Sydney Metropolitan area.

Results

Variation in appeal results from 2004-2005 show an increase in the number of appeals being declined by HAC in 2005-2006. This indicates that HAC is increasingly agreeing with the outcome of first level appeals and has noted improvements in assessing applications and reviewing first level appeals by housing providers.

Appeal Hearing Results (Department of Housing Cases)

	2004-05		2005-06	
	Number	Percentage	Number	Percentage
Declined - HAC agreed with housing provider	246	52%	239	63%
HAC recommended a change of decision	196	42%	109	29%
Withdrawn/resolved	29	6%	6	2%
Approved during adjournment	0*	0%*	25	6%
Total	471	100%	379	100%

* Previous reporting mechanisms could not provide this result for 2004-2005

What Happened with the Recommendations of a Change of Decision?

Appeal Final Outcomes (Department of Housing Cases)

	2004-05		2005-06	
	Number	Percentage	Number	Percentage
Recommendation accepted by DoH	186	95%	102	95%
Recommendation not accepted by DoH	10	5%	5	5%
Total	196	100%	107*	100%

* 2 appeals awaiting outcome of Department of Housing consideration of HAC recommendations at 30 August 2006

The HAC has maintained a high 'success rate' in having the recommended cases approved by the housing provider. In only 5 cases during 2005-2006 did the Department of Housing decide not to accept the recommendation.

Were timeframes and performance benchmarks met?

The HAC commits to sending the client the meeting record/report within 14 days of the appeal hearing. On average clients receive their report providing an outcome for their appeal in 12.8 days. Face to face appeal hearings accounted for 72% of the total hearings with the remaining 28% having their hearing conducted via telephone. All clients are offered the opportunity to a face to face hearing but regional clients and some with disabilities may decide to have telephone hearings.

Presentation to Territory Housing NT

The HAC's Executive Chairperson and Deputy Registrar were invited to the Northern Territory to provide Good Decision training for staff of Territory Housing and the Territory Appeals Board. The training was delivered in May 2006 to representatives from across the Northern Territory with very positive feedback.

The training and liaison undertaken gave both the HAC and Territory Housing the opportunity to use the ideas and best practice of each to the benefit of both agencies.

Training in Good Decision Making Skills in NSW

During 2005-2006 the HAC delivered the Good Decision Making training course to 52 staff from the Department of Housing and 45 staff from community housing providers. Participants gained a better understanding of the principles of procedural fairness, skills in good decision making and knowledge of discretionary decision making in practice. The particular challenges of decision making in social housing management is a key focus.

Social Housing Policy Development

The Executive Chairperson and Registrar participated in the development of Department of Housing policies which have a direct impact on clients given the introduction of the Reshaping Public Housing Strategy which commenced implementation during 2005-2006. The involvement of the HAC in policy development and in providing policy feedback ensures that appealable issues are highlighted and that issues of interpretation and consistency can be addressed in the early stages.

New Database

The HAC recognised a need for an improved database to record and report on appeals. A new web based system was implemented for this purpose from November 2005. This allows the HAC to more accurately report on appeals and appeal trends as it provides a considerably enhanced reporting tool. Reporting for 2005-2006 has necessitated compiling reports from the previous and current systems. Reporting for 2006-2007 will be able to rely solely upon improved information from the new database.

Committee Membership

The HAC was very pleased to welcome the appointment of three new indigenous Committee Members in March 2006. This now brings the panel of Committee members to 15.



Neita Scott



Neva Collings



Terry Chenery

Impacts of Reshaping Public Housing

The NSW Department of Housing is introducing new policies in accordance with the Reshaping of Public Housing strategy. The main focus is on new needs based eligibility criteria for applicants and the introduction of new tenure categories for new tenants. These changes present an increase in the number of appealable issues for social housing clients and could result in increased hearings by the HAC.

Reviewing the Appeals Model

The Department of Housing, in close consultation with the HAC, has commissioned consultants, Environmental Resources Management Australia, to undertake a review of the HAC and develop options for the evolution of the social housing appeals model. This work has arisen due to the recent and ongoing expansion to the jurisdiction of the HAC and the need for a long term plan to deal with the changing housing environment. The review will include consultation with stakeholders and clients. A discussion paper outlining options is being produced.

Appeals from Community Housing Clients

The HAC aims to increase the number of appeals received from community housing clients during 2006-2007 by increasing awareness of the appeal rights and training housing provider staff in decision making and appeals processes. Many clients and their advocates are not yet aware of the right to appeal decisions of community housing providers. A major focus is to encourage providers to promote the appeals process and ensure that appeals are not considered a risk to the client's relationship with the provider. The HAC has also assisted several major housing providers to develop clearer policies and procedures and to improve information given to tenants and applicants.

Communications Strategy

The HAC conducts regular forums with community agencies and tenant organisations across the state to provide education about the appeals process and rights of review. Brochures and posters about the appeals process are widely distributed through Department of Housing offices, community housing agencies and support and advocacy services. Particular strategies have been developed to highlight the appeals process to indigenous clients including a special brochure and HAC input to information forums for indigenous clients, services and Department of Housing staff.

A major part of our communication strategy was to hold a 'HAC Information Forum for Community Agencies' in December 2006, inviting a broad cross section of agencies supporting social housing clients to learn more about the appeals process.

Housing Appeals Committee Members



From left to right: Rebecca Gleeson, Peter Davidson, Jenny Ciantar, Tacye Bowen, Jack Burns, Terry Chenery, Lynden Esdaile, Bronwyn Richards, Neita Scott, Jim Allen, Raymond Brazil & Lynn Houlahan. Absent: Stamatia Stamatellis, Angela Van Dyke, Kate Timbs & Neva Collings.



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