

FIRST CHOICE HOUSING ASSOCIATION LTD.

RIGHT TO APPEAL - POLICY AND PROCEDURE

1.0 POLICY STATEMENT

- 1.1 Any tenant / service user has the right to appeal if they consider that the association has unfairly or failed to implement any policy .
- 1.2 The association will take steps to investigate appeals as quickly as possible in an efficient, confidential and respectful manner and will keep the individual fully informed of the process.
- 1.3 The association will ensure that appeals are investigated in accordance with the association's Single Equality Scheme and will ensure that no individual will be discriminated against on any grounds, either before, during, or after the investigation of an appeal.
- 1.4 The association will monitor all appeals and where any appeal indicates a service deficiency the association will endeavor to improve the service.
- 1.5 The right to appeal may be pursued on behalf of the tenant/service user by their advocate, who may be the Domiciliary Care Agency.

2.0 RIGHT TO APPEAL - PROCEDURE

- 2.1 A written appeal should be sent to the Secretary of First Choice Housing Association Ltd at Avon House ,19 Stanwell Road, Penarth, Vale of Glamorgan, CF64 2EZ.
- 2.2 On receipt of the written appeal, the Secretary will determine the most appropriate person to investigate the appeal on behalf of the association. This is likely to be the Secretary or Operational Housing Manager.
- 2.3 The officer responsible for investigating the appeal will write to the individual within five working days, enclosing the following information:
 - A summary of the appeal.
 - The name of the investigating officer, contact arrangements and confirmation that the individual has the right to contact the investigating officer.
 - A full copy of the association's Right to Appeal Policy and Procedure.
- 2.4 The investigating officer will aim to investigate the appeal within ten working days. If necessary they will meet the individual and other relevant parties and take written statements as appropriate, which will be checked for accuracy with the persons giving the statement.
- 2.5 The investigating officer will aim to send the individual a full response to the appeal within one month. If this is not possible, a letter detailing reasons for the delay will be sent to the individual within one month. If the delay continues, further letters will be sent at monthly intervals to keep the individual informed of progress.

- 2.6 When the investigating officer has finished the investigation, they will write to the individual and any other person or agency with an interest in the appeal. The letter will provide details of the results of the investigation, an explanation of the reasons for the problem identified and the action taken.
- 2.7 Where appropriate, a written apology will be provided and, if applicable, an offer of compensation. The letter will also advise the individual of the right to request a review of the decision made by the Association.

3.0 **DISSATISFACTION WITH THE OUTCOME OF AN APPEAL**

- 3.1 If the individual is dissatisfied with the outcome of an appeal, they may request a review of the association's decision.
- 3.2 On receipt of a written request for a review, the association will appoint a review panel which will meet within 28 days of the individual's request for a review. The panel will consist of three people and at least one person on this panel will be an independent person.
- 3.3 Individuals will be notified, in writing, at least 10 working days beforehand of the time and place of the review meeting, and the individual will be invited to attend the meeting.
- 3.4 Individuals will be notified of the names and status of panel members, stating which members are independent, and which members of First Choice will be present.
- 3.5 The individual is entitled to make written representations to the panel beforehand, and to make oral representations at the meeting.
- 3.6 At a review meeting the individual may be accompanied by another person, who is also permitted to speak on their behalf.
- 3.7 If requested by the individual other people may be permitted to make oral representations at the meeting, subject to the panel's consent.
- 3.8 After the review, the association must reconsider its original decision, decide what action it ought to take, and must notify the individual, and others involved, of the outcome of its reconsideration within 28 days of the date of the panel's recommendations.

4.0 **WRITTEN COMPLAINT TO THE PUBLIC SERVICES OMBUDSMAN FOR WALES.**

- 4.1 If the appellant is dissatisfied with the outcome of the review they have the right to complain to the Public Services Ombudsman for Wales. The Public Services Ombudsman for Wales will only investigate the complaint if the appellant has completed the Association's procedures and is still not satisfied.

5.0 **MONITORING OF APPEALS**

- 5.1 All appeals will be reported to the Board of Management. The report will give brief details of the nature of each appeal, how it was resolved and the reasons for any delay in dealing with the appeal. The association will consider any action required to meet any service deficiencies highlighted by the appeal. Details of all appeals, action and outcome, will be entered into the appeals file.