

# Tenants rights

## Charter of Clients' Rights

All NCCH tenants have the right to:

- fair and non-discriminatory treatment
- be treated with respect
- have access to safe, secure, appropriate and affordable housing
- participate in the activities of NCCH and be consulted on their housing needs and preferences
- be fully informed of their rights and responsibilities, and have realistic expectations of what the service can provide
- have information held about them by NCCH maintained securely, treated sensitively and confidentially
- be consulted where changes to policy or the way in which their tenancy is managed may have an adverse effect on them;
- lodge complaints, grievances or appeals involving any alleged breach of NCCH's principles and policy guidelines. To be given information about the complaints and disputes procedure and how to access it.
- use advocates to assist them in dealing with NCCH
- be provided with information by NCCH to ensure their rights are known
- request any information about the service, or express any concern or objection about rules, practices or tenancy conditions. These will be responded to promptly and appropriately, with the intention of firstly clarifying rules, rights, responsibilities or services provided

These charter of rights will be prominently displayed in each office of the organisation. See [CHARTER OF TENANTS RIGHTS](#)

## Confidentiality & Privacy

Confidentiality is an important principle in many aspects of the organisation's work, particularly in the client-employee relationship.

NCCH will act in accordance with national privacy principles and relevant Federal and State privacy legislation. All tenants of NCCH will receive a [PRIVACY STATEMENT](#) which details how NCCH protects their privacy. This statement also includes information on any situations which are excluded from general privacy standards.

In extreme circumstances, a breach of confidentiality may be deemed to be in the best interest of the client or the service, and if this occurs the matter will be brought to the attention of the NCCH Privacy Officer the earliest possible opportunity, and where possible before confidentiality is breached.

Referrals or discussion with other agencies about a client's situation and needs will not be made without their express written consent, and preferably with the NCCH standard Disclosure Consent form signed in their presence. See [DISCLOSURE CONSENT FORM](#)

Clients will have access to any file or written record about them, and may request access to this information with reasonable notice. When providing an applicant or tenant with access to their records, care will be taken to protect the privacy and confidentiality of others.

For further information, see NCCH's [PRIVACY PROCEDURES](#).

## Information on Tenants' Rights

Tenants will be provided with the following information prior to the signing of a written residential tenancy agreement with NCCH:

- an explanation of the terms of the Residential Tenancies Agreement
- a copy of the Department of Fair Trading's The Renting Checklist
- contact information for any local tenancy advice or tenant advocacy services that may be accessible for the tenant/s

NCCH will ensure that tenants are regularly provided with any information that may affect their rights as tenants or their access to mechanisms to enforce those rights, eg changes to NCCH policies, changes to the law, establishment of tenant services, etc.

## Use of Centrelink Confirmation eServices

NCCH has entered into a contract with Centrelink to enable its staff to

- access Centrelink customer' income statements online
- provide electronic confirmation to Centrelink of the rent paid by NCCH tenants
- vary any direct rent deductions made by Centrelink

Details of the terms and conditions of the contract can be accessed at:

[http://centrelink.gov.au/internet/internet.nsf/businesses/customer\\_confirmation.htm#apply](http://centrelink.gov.au/internet/internet.nsf/businesses/customer_confirmation.htm#apply)

Each NCCH staff member who is approved to access the service, is issued with their own user ID and password. Each time the Centrelink customer information is accessed, an audit trail is recorded by Centrelink.

The organisation must ensure:

- only the approved consent form supplied is used
- signed consent forms must be stored securely for 5 years after the last access for audit purposes

### Instructions for staff use

Staff must ensure to (at all times):

- Only access records where NCCH have a signed consent from the customer
- Obtain consent for each record accessed by staff, e.g. for a husband and wife - if staff are going to access both their records, individual consent forms are needed.
- Only access records for the purposes of work. Staff must avoid accessing records where a conflict of interest may

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exist e.g. own records, family, friends or business associates' records.

- Staff should not tell anyone their individual password or share it or the staff member sharing their password will be held accountable for that use.
- Staff must not leave your system logged onto the Centrelink site when they are away from their desk.
- When providing a customer with a copy of a statement, staff must write 'copy' on it so the organisation is protected if the customer then discards it in the street.
- Store any printed material securely and dispose of properly (e.g. shred) when no longer required.

## Penalties

If the income confirmation service is misused, a staff member may be subject to:

- Disciplinary action from NCCH.
- Investigation by Centrelink or the Privacy Commissioner's office.
- Prosecution under the Social Security Act.

Penalties for serious and/or deliberate breaches may include a gaol term.

## Complaints and appeals

NCCH respects the rights of our customers to complain or appeal if they are dissatisfied with policies, procedures, charges, employees, agents, management and/or the general quality of service provided. Complaints and appeals will be addressed promptly by NCCH will be used to improve future service outcomes for clients.

The following principles will guide the development of all processes and systems by NCCH to handle complaints and appeals

- Systems used by NCCH meet all agreed national standards in relation to complaints systems
- All systems for complaints and appeals are developed within the context of the Charter of Tenants Rights (see [CHARTER OF TENANTS RIGHTS](#))
- All complaints and appeals made are logged
- All complaints and appeals are used in an endeavour to improve the quality of service and products
- Escalated (or "tiered") systems approaches to complaints and appeals must ensure that the client is not disadvantaged and should, wherever possible, have the matter fully handled as a result of a single complaint or appeal
- The systems and procedures developed provide for an efficient, fair and accessible mechanism for resolving complaints and appeals; and
- All complaints and appeals are heard and equitably resolved as soon as possible.

For further information about the complaints and appeals management systems of NCCH, please refer to:

[COMPLAINTS AND APPEALS SYSTEM](#)

[COMPLAINTS AND FEEDBACK FORM](#)

[COMPLAINTS AND APPEALS \(FACTSHEET\)](#)

See <http://www.hac.nsw.gov.au/> for information concerning the Housing Appeals Committee, an independent agency which can review decisions of social housing providers once the matter has been initially dealt with under the NCCH client appeals system

## Access to Services

### Operating Hours

The general operating hours of the offices will be:

Lismore	Monday, Tuesday, Thursday, and Friday (9.00am - 4.00pm). Wednesday (9.00am to 1.00pm)
Clarence (Grafton)	Monday – Friday (9:00am – 1.00pm)
Tweed Heads	Monday, Tuesday and Thursday (9:00am – 4:00pm). Wednesday (9.00am to 12.30pm)

Where any NCCH offices are closed, an answering machine will be operational during this period.

Where clients are unable to attend the office during opening hours, arrangements will be made to ensure individual clients are able to access the staff at other times.

Where staff are unable to personally attend to telephone contact from clients, an answering machine will be used to receive messages from clients.

### Office accessibility

Our office premises will be accessible to all people including people with mobility problems such as people with disabilities or older frail people.

The office will be well located particularly in relation to its proximity to public transport.

Where it is not possible for tenants to attend the office, efforts will be made by NCCH to meet the tenant at an acceptable location, including in the client's home.

## Communications

NCCH will ensure that all written information to our clients letters, newsletters, etc. is clear and is written in plain English.

The written policies and procedures of NCCH will be available on the company website and will be made directly available to any client upon request.

NCCH will produce:

- A quarterly newsletter for all tenants
- A Tenant Handbook, providing concise and relevant information for tenants about their agreement with NCCH
- A series of factsheets, providing concise and current information to tenants and applicants about key areas of NCCH services

NCCH acknowledges the Bundjalung, Arakwal, Gumbaynggir and Yaegl peoples who are the traditional custodians of the land that comprises the Northern Rivers



## Written information in community languages

NCCH does not have the resources to transcribe all of its publicly available information in community languages.

However, where tenants have been identified with special communication needs (e.g. inability to read English, sight impairment or illiteracy) arrangements will be made to ensure that any information is understood.

Such arrangements may include:

- liaison with welfare/referral services;
- availability of the documentation in community languages
- engagement of interpreter services

## Use of interpreters

To better improve the access of people from non-English speaking backgrounds to the Company's services, professional interpreter services will be used wherever appropriate and possible.

It is recognised that clients may prefer to bring their own interpreter for reasons of confidentiality and comfort and, where this is the case, this interpreter can be used. NCCH staff must be satisfied that the use of the interpreter selected by the client is in the best interests of the client.

The Company will not use any person under the age of 16 years as an interpreter.

## Use of advocates and third parties

All clients will be welcome to bring friends, family or advocates of their choice to any interview or meeting with NCCH staff.

## Company website

NCCH will maintain a website that provides information to all tenants concerning:

- Relevant policies and procedures of NCCH
- Changes to any service arrangements or provisions
- Contacts for emergencies and other after-hours information
- Information concerning relevant events or forums for tenants
- Opportunities to provide feedback, including the lodgement of complaints

## Client service visits

NCCH will conduct regular (generally six-monthly and not less than annual) visits to all tenancies.

INFORMATION	
Title	Tenants rights
Section	Housing Services
National Regulatory Code Evidence Guideline	Performance Outcome 1: Tenant and Housing Services
National Community Housing Standard	Standard 3.1 Tenant rights
Last review	31 July 2015
Next review	31 July 2017
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