

COMMITTEE ON THE OMBUDSMAN, THE LAW ENFORCEMENT CONDUCT COMMISSION AND THE CRIME COMMISSION

2020 review: Questions on Notice

The Hon. LOU AMATO: My question is in regard to community housing. You know there is concern that tenants in properties managed by community housing providers do not have access to your office to make complaints in the way that tenants in properties managed by family and community services do. Do you know if any work has been done in this area since the report was first published?

This issue was raised in our Annual Report 2017/18. We noted our concerns that tenants in properties managed by community housing providers do not have access to our office to raise complaints with an independent and impartial external complaint handling body – in the same way as tenants in FACS Housing managed properties do.

There has been no change to our jurisdiction since that Annual Report. It continues to be the case that tenants of public (DCJ managed) housing may complaint to our office, while tenants of properties managed by community housing providers may not.

In July 2018, Family and Community Services (now DCJ) responded to the concerns we raised. DCJ's advised:

- Community housing clients have sufficient avenues for complaints and appeals available to them.
- Community housing clients have the same appeal rights and access to the Housing Appeals Committee and the NSW Civil and Administrative Tribunal as their public housing counterparts.
- Community housing clients can lodge feedback / complaints by writing to the community housing provider boards, DCJ, the Tenancy and Advocacy Service, local Members of Parliament, Community Justice Centres, Australian Investment and Securities Commission, the Australian Charities and Not-for-profits Commission, NSW Registrar of Community Housing and the Community Housing Industry Association NSW.
- All registered community housing providers are required under the National Regulatory System for Community Housing to provide robust internal complaints and appeals processes.
- Community housing providers already have adequate systems to deal with complaints and there is sufficient oversight of their operations to ensure that a tenant's rights are safeguarded- adding another layer of oversight would be excessive.

We note that none of the above addresses the issue of access by community housing tenants to an independent and impartial external complaint handling body.