

A man with reddish hair and a beard, wearing a red jacket, is shaking hands with a woman with blonde hair in a ponytail, wearing a red and white striped shirt. They are both smiling. The man is holding a green folder, and the woman is holding a laptop with a green sticky note on it. They are standing on a balcony with a metal railing. In the background is a modern multi-story building with many windows and balconies.

# APPEALS POLICY

**Freebridge**  
COMMUNITY HOUSING



| Appeals Policy      |                        |             |            |
|---------------------|------------------------|-------------|------------|
| Last Reviewed       | April 2025             | Next Review | April 2027 |
| Responsible Officer | Director of Operations |             |            |

**Policy Statement:** Freebridge Community Housing aims to make decisions that are fair and consistent. Our procedures assist us in making those decisions and we will provide our staff with regular training. We are committed to being open and accountable for our decisions. We also recognise that we may sometimes make a wrong decision.

We shall provide customers with a way to appeal certain decisions that Freebridge make that affect the needs of those customers, and for which there are no alternative methods of appeal.

#### **Policy Detail:**

##### **We shall:**

Provide customers with:

- The reasons for any of our decisions in writing, in addition to any other form of appropriate communication e.g. in person or by telephone.
- A way to appeal those decisions that we make that affect the needs of those customers concerned, in the following situations:

A) Where a tenant disagrees with our decision to end a:

- Tenancy where we believe that security of tenure has been lost through the tenant not occupying the property as their only or principle home
- Tenancy which was provided for temporary accommodation, on instruction from the Local Authority, by using a Notice under s21 of the Housing Act 1988
- Contractual tenancy by using a Notice to Quit

[Customers will be able to appeal after the decision to take this action has been made but before the Notice is serviced]

- Tenancy based on the mandatory Ground 8 (Schedule 2 Housing Act 1988) – 8 weeks rent arrears
- Tenancy because of anti-social behaviour using the Absolute Ground for possession, following breach of any of the relevant triggers

[Customers will be able to appeal after the Notice has been served, but before the start of legal proceedings]

B) Where a tenant disagrees with our decision not to:

- Allow a mutual exchange
- Grant a new tenancy to a remaining tenant, after the joint tenant has given notice to end the existing tenancy
- Allow a tenancy to be assigned (passed) to another person
- Add a household member onto a tenancy

C) Where an occupant disagrees with our decision (or our agent's decision) to:

- End a licence agreement by using a Notice to Quit

[Customers will be able to appeal after the decision to take this action has been made but before the Notice is serviced]

- Refuse to grant a new tenancy to an occupant who does not qualify for a Statutory Succession

D) Where an applicant disagrees with our decision:

- To refuse an allocation after an applicant has been referred or nominated to us
- On the type and/or length of tenancy offered

E) Where a customer disagrees with our decision to:

- Decline support under our Under Occupation Assistance Scheme
- Withdraw an offer of a Direct Transfer following 3 property refusals
- Decline an Aids & Adaptations request correctly made
- Demand payment for a Rechargeable Repair
- Refuse discretionary compensation

The Appeals process does not deal with any decision that we may take about any legal action about anything not mentioned above, as this will be reviewed by the courts.

We have a separate [Complaints and Compliments policy](#) to deal with dissatisfaction with our services including the way we have handled any of the above. If a customer is both unhappy about a decision we have made (that falls into one of the categories above) as well as the way in which we have acted, the officer receiving the complaint will decide whether it is more appropriate to deal with the matter as an appeal or a complaint; in either situation both elements of dissatisfaction will be considered and acted on.

## **General Responsibilities**

**We shall:**

- Make sure that we have given reasons for the original decision in writing, in addition to any other form of suitable communication such as via telephone
- Tell customers about their right to appeal, the timescale for making an appeal and the process to follow

- Have a 2-stage appeal process that considers the need to urgently review some decisions
- Consider whether we should suspend the action/decision, we are taking at each stage of the appeal. We will take into account the impact both on the person who is appealing and others
- Make sure that anyone hearing the appeal was not involved in the original decision
- Remind anyone making an appeal that they can have an independent advocate at the stage 2 hearing
- Make sure that all staff and panel members receive appropriate training and advice to enable them to make robust decisions

## **Support Needs**

When we consider appeals, we will take into consideration your individual and household situation, circumstances, the impacts of the action taken or intended, and your support needs so that we can support you in the best way possible.

## **Accessibility**

We are committed to ensuring that all our customers are able to access our Appeals process. We will provide information regarding the appeals process, in the most suitable and accessible format for each customer.

Examples of support we can provide are:

- Supplying auxiliary aids to assist in communication regarding your appeal (such as sign language, interpreters and Induction Loops).
- Providing information in alternative formats (e.g. large print, Braille, coloured paper, audio etc.)
- Giving extra time for you to provide supporting information
- Sending emails or communicating via telephone in preference to hard copy letters
- Communicating with a nominated family member or third party such as support agencies or advocates.

Customers can let us know about any additional support needed at any point during this process. We will always try and meet the needs of our customers. There may be instances where this isn't possible. When this happens, we will do our best to work with you to find another solution.

## **How to make an appeal**

- Any tenant/applicant (or someone with their authority and on their behalf) who wishes to appeal must do so within 10 working days of our original decision.
- The appeal can be made:
  - In person
  - In writing
  - Via e-mail

- Via website
- By telephone
- By social media
- The tenant /applicant will be asked to give the reasons why they disagree with the decision and include any supporting evidence.

## **How the appeal will be dealt with**

### **Stage 1**

- Within one working day of receiving an appeal, we will look at the facts - including the effect on the person making the appeal - and decide if a review needs to take place immediately or if it is, appropriate to carry it out within 10 working days.
- We will acknowledge all appeals and confirm the timescale for making a decision within 3 working days.
- A senior manager who has not been involved in making or supporting the original decision will review the case and the reasons for the appeal. Where they need further evidence they will make contact with the person making the appeal and/or their advocate and/or other relevant agencies.
- The manager will inform the person making the appeal of their decision and reasons for making it as soon as is possible but not later than 10 working days after the appeal has been made.
- If the person making the appeal is not satisfied with the decision, they can request to move to Stage 2 for a hearing.
- The manager will inform the person making the appeal if the original decision is to be actioned or suspended whilst the appeal is progressed to Stage 2.
- The person making the appeal must request to progress to Stage 2 within 10 working days of being notified of the outcome of Stage 1.

### **Stage 2**

- A Director will arrange a face-to-face meeting with the tenant/applicant and/or person making the appeal on their behalf, within 5 working days of us receiving the Stage 2 appeal request.
- If the relevant service area Director is not available or if they have been involved in the original decision, another Director will consider the appeal.
- The tenant/applicant or any advocate acting on their behalf will be able to give evidence and/or speak at the meeting.
- Any written evidence must be provided to the Director at least 2 working days before the meeting.
- The Director will review all information (written/verbal) from the tenant/applicant/ advocate and from the staff involved in the original decision.
- The Director will give a decision in writing within 5 working days of the meeting including reasons for the decision.

### Appeal Process Timetable

|                                                   |                 |
|---------------------------------------------------|-----------------|
| Appeal period following date of original decision | 10 working days |
| <b>Appeal Received – initial review</b>           | same day        |
| Stage One outcome communicated to customer        | 10 working days |
| Stage Two appeal period following Stage One       | 10 working days |
| Stage Two outcome communicated to customer        | 10 working days |

**Note:** The appeals process should be concluded within one calendar month of the appeal being made.

### Monitoring

- Leadership Team have a responsibility to maintain an up-to-date awareness and understanding of good practice, and the legislative & regulatory requirements, which impact on the decisions made within their service and the overall quality of services, provided.

This Policy shall be subject to a periodic review to ensure that it continues to reflect best practice, as well as relevant legislation and regulatory requirements.