



Government of **Western Australia**
Housing Authority

HOUSING AUTHORITY

DISCRETIONARY

DECISION

MAKING POLICY

March 2017

TABLE OF CONTENTS

PREAMBLE	3
Officers With Discretionary Authority.....	3
Documentation/Recording Of A Discretionary Decision	4
Appeal Of A Discretionary Decision	4
Officers Without Discretionary Authority.....	5
Seniors	5
Document History	6

DISCRETIONARY DECISION MAKING POLICY

PREAMBLE

There are a number of situations in the management of public housing where the applicant or tenant's circumstances fall outside existing policy and guidelines and a decision made solely within current policy could result in inequitable treatment of the customer.

When such non standard situations arise, the Housing Authority reserves the right to use discretion to make a decision regarding a customer, which may vary, modify or **fall outside** existing policy and guidelines.

Where it is noted that a particular non standard situation is being experienced with increasing frequency, the Housing Authority will develop policy and guidelines to deal with the situation.

POLICY

1. The Housing Authority will use discretions in decision making relating to the situation of a customer, where that person's circumstances are not covered by existing policy.

GUIDELINES

- 1.1 Any decision using discretion takes into account:
 - The situation of the customer
 - The potential impact upon the Housing Authority in relation to setting of precedents, ministerial correspondence, appeals etc.

Officers With Discretionary Authority

2. Discretion in decision making can only be used by:
 - The Minister for Housing
 - Chief Executive Officer
 - General Manager
 - Director Client Services
 - Regional Manager
 - Manager Housing Services
 - Manager Client Services

DISCRETIONARY DECISION MAKING POLICY

POLICY

GUIDELINES

Cont...Officers With Discretionary Authority

- Manager Housing Maintenance
- Manager Property Maintenance
- Bond Assistance Coordinator
- Area Manager and Administration Manager
- Housing Transitions Coordinator
- Regional Business Improvement Officer

Documentation/Recording Of A Discretionary Decision

3. Any decision made using discretion by a Housing Authority officer must be clearly documented as having been made using discretion, the reasons why existing policy was not applicable and the signature and position of the officer having made the decision.

3.1 The officer making the discretionary decision will record the reason/s and what the basis is for the decision. Consider and record all facts relevant and the documentation to be placed on the applicants/tenants file.

Appeal Of A Discretionary Decision

4. A discretionary decision made by a Housing Authority officer other than a member of Executive, is appealable through the Housing Authority Appeals Mechanism.

4.1 See the Housing Authority Appeals Mechanism.

5. A decision made by the Minister for Housing and the Housing Authority's Director General are not appealable through the Housing Appeals Mechanism.

6. The second tier of the Housing Authority Appeals Mechanism cannot make a discretionary decision unless an authorised officer is present.

DISCRETIONARY DECISION MAKING POLICY

POLICY

GUIDELINES

Officers Without Discretionary Authority

7. Officers without authority to make a discretionary decision and faced with a situation in which such a decision is required, must bring it to the attention of an authorised officer as soon as possible and are responsible for conveying the outcome to the customer immediately.

Seniors

8. The Housing Authority acknowledges the individual needs of seniors aged 75 years and over. Managers are to make common sense decisions when dealing with elderly people, which in some instances may mean use of discretionary decision making powers.

Similarly, in recognition of the reduced life expectancy of Aboriginal people, Aboriginal people over 55 years of age will be given the same consideration.

7.1 Where a delay is necessary due to the absence of an authorised officer, this is to be explained to the customer and arrangements made to convey the outcome to the customer e.g. telephone, pre arranged interview etc.

Document History

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Date	Reason	File Ref No	Author	Date Loaded on Internet
February 2017	Minor error corrections. Section 4: "F A" deleted and changed to "A". Section 3: "the" removed from first sentence.	17/D176925	Jo-Anne Regan. A/Policy and Practice Support Officer.	10/02/2017
February 2016	The positions Housing Pathways Coordinator, Tenancy Compliance Coordinator and Manager Housing Transitions have been removed and the position of Housing Transitions Coordinator has been inserted in the Officers with Discretionary Decision Authority list as a result of the restructure of the Housing Transitions branch. The position title Director General has been replaced by the Chief Executive Officer, the position title Executive Director Service Delivery has been replaced by the Director Client Services and the position title Manager Maintenance has been replaced by Manager Housing Maintenance.	16/D214690	Olivia McBride – A/Aboriginal Policy and Practice Officer	22 February 2016
February 2016	Contents added and owner and contact details updated to meet auditing requirements. Grammatical and formatting amendments for accuracy and clarity.	15/D1519883 15/D1519906	Nhi Nguyen – A/Policy and Practice Support Officer	22 February 2016
February 2016	Department of Housing updated to Housing Authority due to name standardisation (legal name).	15/D972729	Nhi Nguyen A/Policy and Practice Support Officer	22 February 2016

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August 2015	The position of Regional Business Improvement Officer has been inserted in the Officers with Discretionary Authority list.	2015/D0846631	Chris Stringer A/Policy and Practice Officer	August 2015
June 2013	The positions Tenancy Compliance Coordinator and Housing Pathways Coordinator have been inserted in the Officers with Discretionary Authority list as a result of Restructure of Housing Transitions branch.	2013/D471910	Emily Robinson A/Senior Policy and Practice Officer	July 2013
June 2013	The position title Manager Tenancy Compliance has been replaced by Manager Housing Transitions and the position title Manager Bonds has been replaced by Bond Assistance Coordinator as a result of Restructure of Housing Transitions branch	2013/D0336995 2013/D471910	Emily Robinson A/Senior Policy and Practice Officer	July 2013
November 2011	Manager Tenancy Compliance added to the Officers with Discretionary Authority.		Kate Hartland A/Policy & Practice Support Officer	
June 2010	Document removed from Rental Policy and Bond Assistance Loan Policy to sit alone to maintain version control and easier staff access.		Kylie George A/Business Solutions Manager	June 2010