



# Complaints Policy



**NewArch Homes**

**June 2024**

## Policy Statement

NewArch Homes (NAH) has a positive Complaints culture – we are grateful for any feedback received through our Complaints procedure as it gives us an opportunity to review parts of our service delivery that are not yet fail safe, and we can better understand the impact of any failures on our residents.

We want residents to feel able to submit a Complaint before they even feel angry or upset about what has happened, and trust that we will use the feedback as an opportunity to improve. If you let us know if something is not working, we will think about how to do it better. Complaints tell us where to look.

Our approach to Complaints Handling is straightforward and transparent – we comply with the Housing Ombudsman’s Complaints Handling Code and you can refer your complaint to the Housing Ombudsman at any point for advice using the contact details below.

## Purpose and Scope

This policy sets out NewArch Homes’ approach to Complaints. We define a Complaint as “an expression of dissatisfaction, however made, about the standard of service, actions, or lack of action by NewArch Homes, our staff, or those acting on our behalf and affecting an individual resident or group of residents.

This policy applies to all properties owned by NewArch Homes, even if your property management services are being delivered by one of our Management Partners. Any Management Partner or contractor providing resident services on our behalf will be expected to also follow this policy.

If you are requesting that we do something for the first time (e.g. your boiler has stopped working and you ask us to repair it) this is actually a Service Request. If we then fail to get the boiler repaired within a reasonable period, and you email again to say that you are not happy it has taken so long - this has now become a Complaint.

Service Requests aren’t covered under the scope of this policy, as we do first need to be aware of something to be able to solve it. Service Requests are recorded, monitored and reviewed regularly however, in case there are any patterns emerging.

## Aims and Objectives of the Policy

Some of our services are delivered via third party Management Partners, but we will always work hard to ensure that our customers are treated well. To achieve this, we commit to:

- (1) Being open and honest if we have made a mistake, or not met our obligations
- (2) Try to understand how this has impacted you
- (3) Putting things right, where we got it wrong
- (4) Learning from our mistakes

- (5) Providing fair access to resolutions and outcomes
- (6) Continuously improving our service delivery from Complaints insights

## Legal and Regulatory Framework

The policy aims to meet NewArch Homes legal and regulatory requirements including adherence to:

- The Housing Ombudsman's Complaints Handling Code
- Transparency, Influence and Accountability Standard
- Equality Act 2010

## Housing Management Partners

The use of 'We' in this policy can refer to either NewArch Homes or our Management Partners. NewArch Homes uses "Housing Management Partners" to manage the day-to-day operations of our homes, including holding our Resident's data and managing communication with them directly.

A NewArch Homes resident's Complaint should be reported to their Housing Management Partner in the first instance. This will be the same organization that collects the rent and arranges repairs. The Management Partner will log the complaint, all relevant correspondence relating to it and follow it through the two stages. They will retain records of complaint response times, outcomes at each stage and any relevant reports and supporting documents. NewArch Homes will also be directly involved in any Stage 2 investigations and sign off on the response and final proposed resolution.

Additionally, all complaints will be reported from the Management Partners to NewArch Homes on a quarterly basis for wider learning and insights, as well as analysis in an Annual Complaints Learning Report, published on our website.

As part of Management Partner due diligence and onboarding, NAH's will review Complaints Performance and maladministration rates of RPs being considered. NAH will not partner with poorly performing RPs and has contractual remedies in place to engage and manage performance issues with RPs once onboarded and operational.

## Complaints Officer

Complaints will be handled by the Complaints Officer (or team) installed by the Management Partners in the first instance. The Complaints Officer will have access to all levels of the Landlord and Management Partner to facilitate a comprehensive investigation of any Complaint, and will be empowered to resolve Complaints promptly and fairly.

## Accessibility & How to Raise a Complaint

A NewArch Homes resident's Complaint should be reported to their Housing Management Partner in the first instance. You can make a Complaint to them in whatever manner is most accessible to you, usually by either telephone, email, letter, in person or by App (where applicable).

Our Management Partners are expected to adapt their Complaints Handling to accommodate your needs and reasonable adjustments in line with the Equalities Act 2010. They will keep a record of any reasonable adjustments agreed and any disabilities you have disclosed to us as your Landlord.

You can raise your Complaint with any member of staff (even NewArch Homes personnel if that is easier for you) to log your complaint and our Management Partners will have trained complaints handling staff to assist with this.

If you want support raising a Complaint, you can nominate a trusted person to act as your representative to deal with the process on your behalf. You are also welcome to be represented or accompanied by them at any in-person meetings with NewArch Homes or our Management Partners. We will require written (or reasonably adjusted) consent from you to discuss your case with them if you have not previously provided this.

We will publish this Complaints Policy in a high profile location on our website and require our Management Partners to distribute reasonable adjusted communications to all residents annually, confirming:

- (1) the contact details and methods for raising a Complaint
- (2) the two stage process and what happens at each stage
- (3) the timelines for responding
- (4) contact details for the Housing Ombudsman (see below)

## The Complaints Process

When we receive your complaint, we will make sure that we understand your Complaint and the resolution that you are seeking. If necessary, the Complaints Officer (or team) will contact you to clarify this during the investigation. This is called the **Complaint Definition**. If your Complaint covers several issues, the Complaint Definition may be multiple separate points which will be separately addressed in our response.

At each Complaint Stage, we will include in our response whether your complaint has been Upheld, Partially Upheld or Not Upheld. This called the **Complaint Decision**.

*Upheld* – we agree that something has gone wrong, or we have not performed in line with our policies and procedures.

*Partially Upheld* – we have identified failures and agree with parts of your Complaint but have not identified failures and so do not agree with other parts.

*Not Upheld* – we have not identified any failures and so do not agree with the basis of your Complaint.

If your complaint is Upheld, then we will propose a **Remedy**. A Remedy will be reasonable and proportionate to the severity of the failure and the impact on the resident, considering any relevant vulnerabilities. A Remedy could be one or more of (but is not limited to) an apology, an action, a policy, or process change, amending our records or a financial Remedy (compensation). If a financial Remedy is appropriate, this will be determined in line with the Housing Ombudsman and statutory guidance, as well as quantifiable losses and disturbance/inconvenience/distress to our resident.

We will provide the Complaint response when the answer to and/or Remedy for the Complaint is known, but this can be before it is done. If we agree a Remedy to replace your patio doors due to repeated water ingress, this will be an **Outstanding Action** when we send you the Complaint response, but we will track progress, keep you updated and complete the works promptly.

If you raise additional Complaints during the investigation process that are not relevant to the agreed Complaint Definitions, or after we have already issued our Stage One response, you will need to log these as a **separate Complaint**.

At every stage of the process, the Complaints Officer (or team) will assess the complaint on its own merits, acting independently and managing any real or perceived conflict of interest. Residents will be given a fair chance to set out their position and the investigation will consider any relevant information and evidence.

## Stage One

All Complaints will be formally logged, and you will receive an acknowledgement **within five working days**.

If the Complaint can be easily and quickly resolved, we will contact you as early as possible to offer the resolution. If the complaint is more complex, or you remain dissatisfied with our offered resolution, we will provide you with our Stage One response in writing, **within ten working days** of the complaint being acknowledged.

In exceptional circumstances where we need more time to fully investigate and respond, we will contact you to agree an extension. If you do not feel the delay is reasonable or do not hear from us to agree an extension, you can escalate to Stage Two or the Housing Ombudsman directly (see contact details below).

Within the Stage One response we will confirm, in plain language:

- the Complaint Stage (i.e. 1 or 2)
- the Complaint Definition(s)
- the Complaint Decision(s)
- the reasons for the Complaint Decision(s)
- the details of any proposed Remedy
- the details of any Outstanding Actions
- the details of how to escalate the Complaint to Stage Two if you remain dissatisfied

## [Stage Two](#)

Requests to escalate the Complaint to Stage Two will not be unreasonably refused. You do not have to give reasons why you are not satisfied with the Remedy / response provided at Stage One, but it is helpful for us if you are able to.

The person investigating the Complaint at Stage Two will not be the same person who did the Stage One investigation.

You will receive an acknowledgement **within five working days** of requesting to escalate your Complaint to Stage Two.

We will then conduct a further review of the Complaint and provide you with a full written response, **within twenty working days** of the Complaint being acknowledged.

In exceptional circumstances where we need more time to fully investigate and respond, we will contact you to agree an extension. If you don't feel the delay is reasonable or don't hear from us to agree an extension, you can escalate to the Housing Ombudsman directly (see contact details below).

Within the Stage Two response we will confirm, in plain language:

- the Complaint Stage (i.e. 1 or 2)
- the Complaint Definition(s)
- the Complaint Decision(s)
- the reasons for the Complaint Decision(s)
- the details of any proposed Remedy
- the details of any Outstanding Actions
- the details of how to escalate the Complaint to the Housing Ombudsman if you remain dissatisfied

## [Exclusions](#)

There are some instances which we cannot investigate as a Complaint, to ensure we are allocating our resources effectively. These are:

- A Service Request. If the issue has not previously been reported to us, it will be treated as a service request. Examples of Service Requests include a new repair or a new instance of Anti-Social Behaviour
- A Complaint raised by someone that NewArch does not owe a duty to as Landlord (e.g. third-party neighbours or potential residents).
- Anti-Social Behaviour, because these are dealt with under our separate ASB Policy. You are still able to raise a Complaint if you don't think we are following our ASB Policy however.
- The issue causing the complaint happened over 12 months ago.

- The issue has already been investigated and responded to in line with our Complaints Policy (note that you can escalate to the Housing Ombudsman if you are still not satisfied, details below).
- The decision causing the Complaint was one that we were obliged to make to meet our statutory, legislated, and regulatory requirements.
- Where the issue is already subject to legal proceedings. If we have a Complaint being investigated whilst legal proceedings begin however, we will continue to try and resolve the matter in line with this Policy regardless.
- Where the complaint was made through a survey, although customers are encouraged to not remain anonymous in this case, so that we can contact you to resolve and/or advise you on how to raise a Complaint that will be considered under the Policy.

However, we will always apply discretion if the above could result in unfair or unreasonable outcomes. We will always consider the individual circumstances of each complaint.

If we are not able to accept your Complaint for investigation under this Policy due to these exclusions, an explanation will be provided to you setting out the reasons why the matter is not suitable for our Complaints Policy and provide you with details of how to appeal our decision with the Housing Ombudsman.

If a Complaint is excluded under this Policy because over 12 months has passed since the issue occurred, we will still take the opportunity to apologise and learn from the Complaint, if resources are available to investigate it and find that it would otherwise have been upheld.

## Reasonable Conduct

We are responsible for not only the wellbeing of our residents, but also the wellbeing of our staff. We understand that it can be upsetting and frustrating if things going wrong, but we do expect residents to behave reasonably and will therefore not tolerate rude, abusive, threatening or vexatious communications, either as part of a Complaint investigation or otherwise. Our staff have the right to be happy and healthy at home when they finish for the day, just like our residents.

If a resident's communication is repeatedly unacceptable, we may apply reasonable restrictions to allowed forms of communication to minimize the impact on staff. In exceptional circumstances, where this cannot manage the impact, we may close your Complaint.

We will keep records to evidence reasons for putting any restrictions in place or closing a complaint, and these restrictions will be kept under review to be removed if communications return to normal.

## The Housing Ombudsman

The Housing Ombudsman is a free and independent service available to all social housing residents, funded by Landlord subscription fees. The Housing Ombudsman will be able to advise at any stage of a Complaint, but their usual role is to investigate Complaints that have been escalated to them and ensure that outcomes are fair and equitable for tenants. They have the power to order Landlords to

put things right (by way of an apology, positive action, new policy, offer of compensation etc) where they deem this to be reasonable.

NewArch Homes undertakes an annual self-assessment against the Complaints Handling Code (as required by the Housing Ombudsman). The most recent annual self-assessment is available on our website.

## How to contact the Housing Ombudsman

By Post:

Housing Ombudsman Service

PO Box 152

Liverpool

L33 7WQ

Telephone: 0300 111 3000

Email: [info@housingombudsman.org.uk](mailto:info@housingombudsman.org.uk)

Website: <https://www.housing-ombudsman.org.uk/residents/make-a-complaint/>

## Version Control

This is Version 2 of the Complaints Policy, effective from June 2024.

This policy will be reviewed after two years or sooner if there is a change in legislation, regulation or operational delivery.