



New Foundations Housing Association

Complaints Policy and Handling Code

Introduction

The Social Housing (Regulation) Act 2023 (the Act) empowered the Housing Ombudsman to issue a code of practice about the procedures members of the scheme should have in place for considering complaints.

New Foundations are a member of the Housing Ombudsman and it is very important that our complaints procedures and policies are up to date to comply with the Ombudsman.

More importantly, New Foundations, with our residents at the heart of our service want to continue to improve our service; by continuing to update our complaints procedures, we can create more accessibility for our residents to complain, helping us to understand where we need to improve.

This policy has been updated 16th July 2024



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What is a complaint

A complaint is defined as:

'An expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the landlord, its own staff, or those acting on its behalf, affecting a resident or group of residents'.

A resident does not have to use the word complaint for it to be treated as one. If a resident expresses dissatisfaction, New Foundations must give them the choice to make a complaint.

New Foundations recognise the difference between a service request, such as reporting a repair and a complaint.

A complaint must be raised when a resident expresses dissatisfaction with the response to their service request, even if the handling of the service request remains ongoing.

New Foundations will not stop their efforts to resolve the service request if the resident complains.

Dissatisfaction reported through a survey is not a complaint, however, New Foundations annual surveys detail the procedure of how to complain, should the resident choose to.



Exclusions

New Foundations must accept a complaint from a resident unless there is a valid reason not to do so.

If New Foundations decides not to accept a complaint, it must be able to evidence its reasoning. Every complaint must be considered on its own merits.

These circumstances for New Foundations not accepting a complaint must be fair and reasonable to all residents.

Exclusions include:

- The issue being complained about is over 12 months.
- Legal proceedings have begun.
- The issue has already been considered through the complaint's procedure.
- If a complaint is made that is more than 12 months ago, New Foundations will consider whether to apply discretion to accept it.

If for any reason, New Foundations does not accept the complaint, it will explain the reasons fully to the resident.

New Foundations will not take a blanket approach to excluding complaints – This means each complaint will be considered individually.



Accessibility and Awareness

New Foundations aim is to ensure all our residents have access to complain.

Residents can:

- Call the office on 01706 835333.
- Email - info@newfoundations.co.uk
- Write to us at:

Hardmans Business Centre
New Hall Hey Rd
Rawtenstall
Rossendale
Lancashire
BB4 9DQ

In addition, following each repair, a maintenance review slip is sent to all residents asking for feedback on the repair and how New Foundations have performed. These are sent out with stamped addressed envelopes and each slip has a comments section, giving residents the opportunity to complain.

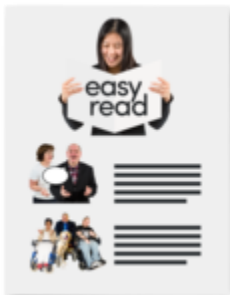
Easy read – There is an easy read version of the complaints policy on the new Foundations website – www.newfoundations.co.uk

This is found on the Tenants access to information page.

In addition, advocates for our tenants, including their support team, family etc. can make a complaint on behalf of our residents.

New Foundations do not see complaints as a negative.

Giving all residents clear guidance and accessibility to complaints will help New Foundations understand how to improve the services provided.



Accessibility and Awareness

The report will further detail the new complaint handling code and the two stages of a complaint. If any resident or advocate is unhappy with how their complaint is handled, they can contact:

Housing Ombudsman Service

The Housing Ombudsman

Residents can contact the ombudsman in various ways details below:

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

The website details how and when to contact the ombudsman, including the support that they can provide.

When to get help from the Housing Ombudsman

You can bring a complaint to the Housing Ombudsman Service for investigation if you have completed your landlord's complaint process and the issues have not been resolved.

We can also help if your landlord is not responding to a complaint you made to it.

The steps below explain how to make an effective complaint to your landlord, what you need to bring the complaint to us, and our process for investigation.

Helpful Links

- [Our online complaint form](#)
- [Which Ombudsman for social housing complaints](#)
- [Resident FAQs](#)

Alternatively, residents can:

- Complete an online complaints form:
- Email: info@housing-ombudsman.org.uk
- Phone: 0300 111 3000 - phone line opening hours are:
Monday, Tuesday, Wednesday, Friday 9am - 5pm
Thursday 9am - 3.30pm

Write to:
Housing Ombudsman Service
PO Box 1484
Unit D
Preston
PR2 0ET

Complaint Handling Process

New Foundations aim to have a very clear and simple process for residents to complain.

The earlier section, *Accessibility and Awareness* details the various methods that a resident can access the complaint process.

Every resident has a right to make a complaint, each complaint will be treated equally, following the guidance set out in this policy.

It is the aim of New Foundations to resolve complaints early, ensuring all residents' concerns are dealt with. The new Foundations complaint process is set out as two stages and is detailed in the next section, *Complaint Stages*.

When a complaint is logged as stage 1, or moves up to stage 2, New Foundations will detail their understanding of the complaint and what the resident wants to achieve. This is called the '*complaint definition*'.

If any part of the complaint is unclear, the resident will be asked to make it clear.

When a complaint is accepted by New Foundations at either stage 1 or 2, New Foundations will make it clear to the resident which part of the complaint they are responsible for and explain **clearly** when they are not responsible.

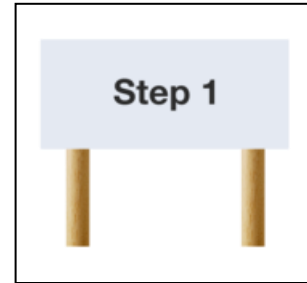
At each stage of the complaints process, New Foundations will:

- Deal with the complaint, act independently and have an open mind.
- Give the resident a fair chance to explain their position.
- Act to address any conflict of interest.
- Consider all information carefully.



Complaint Stages

Stage 1



New Foundations will consider all complaints and act to resolve as early as possible.

A Stage 1 complaint is categorised as the initial contact from the resident, remember, a resident do **not** have to use the word complaint, for it to be treated as one.

The majority of Stage 1 complaints should be resolved swiftly, with an explanation, resolution or apology given to the resident.

How complaints will be processed

- Complaints will be acknowledged, defined and logged at stage 1 of the complaints procedure within 5 working days.
- New Foundations will respond to a stage 1 complaint no later than 10 working days, however will aim to respond within 3 working days.
- The complaint handling staff will consider which complaints require more urgent resolution. Things to be considered on urgency include:
 - a) Is the resident vulnerable?
 - b) Is there a risk to health?
- If the complaint is more complex, the complaint handling staff may decide if an extension is needed. If this happens, the member of staff will inform the resident.
- Extensions should be no more than 10 working days without good reason.
- If an extension is required, New Foundations will inform the resident and detail how to contact the Housing Ombudsman if required.
- The response to the complaint will be issued as soon as possible, not when outstanding actions have been resolved.
- New Foundations will address all points raised in the complaint and provide **clear** reasons for any decisions.
- If a resident raises an additional concern, that is not related, a new complaint will be logged.
- New Foundations will confirm the following in writing or by email to the resident at the completion of stage 1 in **clear, plain language**:
 - The complaint stage
 - The complaint definition
 - The decision of the complaint
 - The reasons for any decisions made
 - The details of any remedy offered to put things right
 - Details of any outstanding actions
 - Details of how to escalate the matter to stage 2, if the individual is not satisfied with the response.

Complaints Stages

Stage 2



If all or part of the complaint is not resolved at stage 1, New Foundations will then progress the complaint to Stage 2. Stage 2 is New Foundations final response.

Requests for stage 2 must be acknowledged, defined and logged at stage 2 of the complaint's procedure with five working days of the escalation request being received.

Residents must not be required to explain their reasons for requesting a stage 2 consideration. New Foundations will make reasonable efforts to understand why a resident remains unhappy as part of its stage 2 response.

The member of staff from New Foundations considering the complaint at stage 2, must not be the same person that considered the complaint at stage 1.

New Foundations will issue a final response to stage 2 within 20 working days of the complaint being acknowledged.

If an extension to this timescale is needed when considering the complexity of the complaint, then New Foundations will inform the resident of the expected timescale for response. If this occurs, New Foundations will provide the resident with contact details for the Housing Ombudsman.

As with Stage 1, a complaint response will be provided when the answer to the complaint is known, not when outstanding actions have been completed.

New Foundations will address all points raised in the complaint and provide a clear reason for any decisions.

New Foundations will confirm the following in writing, or email to the resident at the completion of stage 2 in **clear, plain language**:

- The complaint stage
- The complaint definition
- The decision of the complaint
- The reasons for any decisions made
- The details of any remedy offered to put things right
- Details of any outstanding actions
- Details of how to escalate the matter to stage 2, if the individual is not satisfied with the response.

Putting Things Right

New Foundations will identify if something goes wrong, accept it and set out swift actions to put things right, these include:

- Apologising
- Acknowledging when things have gone wrong
- Providing an explanation, assistance or reason
- Taking action if there has been a delay
- Reconsidering or changing a decision
- Amending a record or adding a correction
- Providing a financial remedy
- Changing policy, procedure or practice.

New Foundations will aim to ensure that any remedy offered reflects the impact on the resident, the remedy offered will clearly set out what will happen and when.



Self-assessment, reporting and compliance

In line with the Housing Ombudsman's Complaint Handling Code, New Foundations will produce an annual complaints performance and service improvement report for scrutiny and challenge, This will include:

- The annual Self-assessment against this code to ensure complaint handling policy remains current with requirements.
- A full analysis of New Foundations complaint handling performance, including details of the types of any complaints New Foundations has refused to accept.
- Any non-compliance with this code by the ombudsman
- The service improvements made as a result of learning from the complaints.
- Any annual reports about performance from the ombudsman.

New Foundations will report to the board of governors the results from the annual complaints performance and improvement report, along will publishing the results on the website.

Following any significant changes to the organisation, New Foundations will carry out a new self-assessment.



Scrutiny & oversight: continuous learning and development

To continue to improve and develop, ensuring that tenants are at the heart of its service, New Foundations commits to:

- Identifying if services need improving following a complaint.
- Understanding that a positive complaints culture can help identify issues within the organisation and positive changes can be made.
- Being accountable, ensuring transparency with residents and the board of governors.
- Appointing a senior member of the team to be responsible for complaints handling.
- Appointing a member of the governors to have responsibility for complaints. This person is the Member responsible for complaints (MRC).
- Ensuring the MRC receives all updates on complaints, including trends, details of complaints, any Housing Ombudsman involvement.
- Committing to full training for the whole team, to ensure brand standard complaint handling.
- Take responsibility for any shortfalls.

