

Te Toi Mahana

Complaints &

Compliments

Policy & Procedure

July 2023

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1. Purpose

The purpose of this procedure is to enhance our service as a good landlord to our tenants by responding consistently and in a timely manner to complaints (informal and formal) and compliments raised by tenants. This procedure will:

- ensure that there is a clear process enabling Te Toi Mahana tenants to make complaints and offer compliments
- ensure that complaints are investigated, addressed, and resolved within expected timelines
- ensure that Te Toi Mahana identifies the issues arising from the complaints and provides remedies through its systems and operations
- Ensure that compliments are shared with relevant staff and/or teams, recorded in systems and incorporated into best practice where appropriate.

This procedure does not replace the system of logging day to day maintenance and other issues via the Te Toi Mahana Contact Centre.

2. Definitions

- **Informal complaint** – any notification received from a tenant about unsatisfactory service that does not require a formal process. It may be received in any format by any staff member.
- **Complaint** – any formal, written notification escalated to the General Manager Tenancy, Te Toi Mahana by a tenant or via a staff member regarding an informal complaint raised by them that was not addressed or not resolved to their satisfaction, or that is considered serious enough to require urgent attention.
- **Compliment** – a positive comment received in any format from a tenant.
- **Tenant Advocacy** – advice and guidance provided to tenants by Te Toi Mahana staff to familiarise them with this procedure and/or assist with links to external support services for tenants who require assistance with raising a concern or making a formal complaint in line with this procedure.
- **Complaints and Compliments Register (Register)** – register maintained by Te Toi Mahana to capture complaints and compliments received, monitor service levels and inform improvements.
- **Manager** – Te Toi Mahana staff member in charge of operational functions within Te Toi Mahana.
- **Senior Manager** – member of the Executive Leadership Team that has oversight of teams within Te Toi Mahana.
- **Privacy Act** – legislation that relates to maintaining the privacy rights of all New Zealanders
- **RTA** – The Residential Tenancies Act 1986.
- **ELT** – Executive Leadership Team at Te Toi Mahana.

3. Tenant Support

Tenants are welcome to seek support from a Te Toi Mahana Tenancy Advisor or external support service or person to raise concerns and complaints. This tenant support should:

- ensure the tenant understands their right to raise complaints through this procedure
- guide and assist the tenant to follow this procedure, including assistance with raising their complaint via the correct pathway as outlined within it
- remain unbiased and professional in their support service.

4. Privacy and Confidentiality

Private details of all parties will be kept confidential and only shared with the permission of relevant parties, or where an emergency that threatens the safety of people or property prompts the instigation by Te Toi Mahana of intervention by relevant external parties.

5. Receipt

All complaints and compliments received will be forwarded by the recipient within two working days of receipt (as indicated by date email, phone call or letter is received) to the Executive Assistant/ Board Secretariat for coordination.

6. Logging, Assigning and Acknowledging

Unless a complaint is considered urgent in that the safety of people or property is at immediate risk, in which case it will be referred to a senior management for urgent action, the Senior Administrator (or delegate as required) will, within 3 working days of receipt of a complaint or compliment:

- log it in the Complaints and Compliments Register (Register) and allocate a complaint or compliment number; assign informal complaints to the relevant Te Toi Mahana staff member (with a copy to their manager) to investigate, determine actions and respond with outcome to affected parties
- forward formal complaints to the General Manager Tenancy, Te Toi Mahana for assigning to a manager or senior manager
- report compliments to Senior Manager for sharing with staff
- acknowledge in writing (mail or email) receipt, including where relevant an indicative timeline of investigation and the staff member assigned to investigate
- record any subsequent enquiries about an ongoing case and forward to the relevant staff member to respond.

7. Concerns and Complaints Involving Contractors or Service Providers

Issues involving external contractors or service providers will be referred to them by the assigned investigating manager and dealt with within timeframes agreed to within individual contracts for service and monitored by the investigating manager. The tenant will be kept informed by the investigating manager on the progress. An internal investigation may proceed in conjunction with one conducted separately by the contractor or service provider.

Response times of contractors will be reported on as part of performance monitoring and renewal/review of contracts.

8. Involvement of Police

If Police are involved in an issue raised by a tenant, Te Toi Mahana will conduct their own internal investigation and determine the outcome in the best interests of all tenants.

If it is deemed that the immediate safety of people is at risk at any stage of an investigation process, Te Toi Mahana will involve Police and/or issue breach notices in line with the RTA. Disclosing personal information to Police will be in accordance with Privacy Act.

9. Informal Complaint Process

The purpose of raising an issue as an informal complaint in the first instance is to resolve issues quickly and effectively, enhancing customer satisfaction and preventing the need for a formal complaints process. Informal complaints received will:

- be in any format to any Te Toi Mahana staff member
- be logged as outlined in Clause 5 of this procedure
- identify as much specific detail as possible regarding the grounds for the informal complaint
- identify the person raising the informal complaint
- be dealt with for resolution through informal process of investigation.

9.1 Investigation of an Informal Complaint

The assigned staff member will investigate, determine actions, and respond to affected parties within 15 working days of being assigned the informal complaint. If for whatever reason this time frame is unable to be met, the affected parties will be kept informed of new timelines and the reason for them.

9.2 Investigation Process

The investigating staff member will:

- declare there is no conflict of interest
- not have been involved in the circumstances leading to the informal complaint raised;
- remain unbiased, professional, and open-minded throughout the investigation
- speak separately to all parties relevant to the informal complaint, taking notes of responses
- fully inform all parties connected to the informal complaint of the detail, the process and ensure they have the right to be heard in response to those informal complaints
- make a decision in relation to the informal complaint, including actions to be taken, after considering all information obtained as a result the investigation.

9.3 Response to Affected Parties

The investigating staff member will relay their decision, verbally or in writing, to the affected parties within 15 working days of being assigned the informal complaint for investigation. A summary of this response will be provided to the Executive Assistant/ Board Secretariat (or delegate as required), who will ensure the matter is logged in the Register as complete. Any verbal decision given will be followed up with a written version of the outcome.

9.4 Dissatisfaction with Outcome – Escalation

If the tenant who raised the informal complaint is not satisfied with the outcome, they can decide to lodge a formal complaint within 20 working days of receipt of response, as outlined in section 11 of this procedure.

10. Formal Complaints Process

The purpose of a formal complaint is to escalate informal complaints previously raised that were not addressed or were not resolved to the tenant's satisfaction. Formal complaints received:

- must be in writing
- should be addressed to the General Manager Tenancy, Te Toi Mahana or, if received by another staff member, referred immediately to the General Manager Te Toi Mahana
- will identify as much specific detail regarding the grounds for the formal complaint
- will identify the complainant

- will be dealt with for resolution through formal process of investigation.

10.1 Investigation of Formal Complaint

The assigned manager or senior manager will investigate, determine actions, and respond to affected parties within 15 working days of being assigned the formal complaint. If for whatever reason this time frame is unable to be met, the affected parties will be informed of delays and the reasons for them.

10.2 Investigation Process

The investigating manager will:

- have sufficient expertise to conduct formal investigations and will not have been involved in the circumstances leading to the formal complaint
- remain unbiased, professional, and open-minded throughout the investigation
- refer to and complete a Complaint Process Checklist throughout the process
- consider all previous information pertaining to the original concern raised
- formally contact affected parties by letter or email to attend separate meetings in response to the complaint. The letter will include:
 - outline of the complaint
 - details of meeting
 - encouragement for all parties involved to bring support
 - confidentiality requirements
 - copy of this procedure.
- interview separately all parties relevant to the complaint, with notes taken by note taker for transcription if required
- where parties have allegations made against them, fully inform them of the allegations, respecting the privacy of the complainant as per the Privacy Act unless they consent to their details being provided or the situation is an emergency requiring the instigation of external intervention, and ensure they have the right to be heard in response to those allegations
- take relevant advice and/or peer review as required throughout the process;
- make a decision in relation to the complaint, including actions to be taken, after considering all information obtained as a result of the investigation
- complete a Complaint Summary Form.

11.3 Response to Affected Parties

The investigating manager will relay the outcome to the affected parties, in writing using the communication channel in which the complaint was first raised, within 15 working days of being assigned the formal complaint. A copy of this response will be provided to the Executive Administrator/ Board Secretariat, who will ensure the matter is logged in the Register as complete.

11. Appeals – Formal Complaint Decisions

When a tenant complainant is dissatisfied with the outcome of their formal complaint, they may appeal to the General Manager Tenancy, Te Toi Mahana, in writing, within 20 working days of the date of the decision letter.

Appeals received from tenants are forwarded by the recipient to the Executive Assistant/ Board Secretariat for logging in the Register and referring to the General Manager Tenancy, Te Toi Mahana

The General Manager Tenancy, Te Toi Mahana will consider all relevant documentation from the original investigation and may consult the person who made the decision and/or re-interview any parties to the complaint.

The General Manager Tenancy, Te Toi Mahana may uphold or dismiss the appeal in whole or in part and will communicate the outcome of the appeal to the tenant that lodged it, and all interested parties, within 15 working days of receiving the appeal application.

Tenants that have lodged appeals will be directed to the Tenancy Tribunal website for information relating to pathways available to them should they wish to take the formal complaint further externally. If tenants require support to lodge an appeal with the Tenancy Tribunal, they can seek support as outlined in Clause 3.

12. Delays in Meeting Response Times (Service Levels)

Our expected response times to tenants throughout this process are captured and monitored in Complaints and Compliments Register. Assigned investigators are responsible for informing all parties of the reason for delays and updated timelines, and these are referred to the Executive Assistant/ Board Secretariat for updating in the Register.

13. Post-Investigation Actions

Once the investigation is completed, the investigating manager will prompt appropriate action(s) to be implemented within a specified timeline as follows:

- If the issue involves a Te Toi Mahana process or service (including externally contacted services) that the manager decides has substance, the relevant process or service will be referred to the responsible senior manager for review to minimise risk and prevent recurrence
- If the issue involves substantiated anti-social behaviour by a tenant, the matter will be referred to the relevant Manager to instigate relevant warnings/breach notices (as outlined in the RTA)
- If the issue involves substantiated misconduct by an employee, the matter will be referred to the employee’s manager for instigation of relevant Te Toi Mahana Human Resource processes.

Decisions relating to actions and timelines will be recorded and monitored in the Register by the Executive Assistant/ Board Secretariat (or delegate).

14. Storing of Relevant Documentation

All documentation pertaining to complaints and compliments is forwarded by the investigator to the Executive Assistant/ Board Secretariat in Te Toi Mahana for collation and archiving within relevant Te Toi Mahana files, except matters pertaining to Human Resources, which will be referred confidentially to the employee’s Manager for action and personnel filing.

16. Service Levels, Monitoring and Reporting

Service Level	Monitoring Method	Monitoring Frequency	Report To	Report Frequency
Complaints and compliments will be referred to Executive Assistant/ Board	Tenant Complaints and Compliments Register	Monthly	SLT	Quarterly

Secretariat by recipient within two working days of receipt				
Tenant sent acknowledgment of receipt by Executive Assistant/ Board Secretariat within two working days of receipt	Tenant Concerns, Complaints and Compliments Register	Monthly	SLT	Quarterly
Tenants will receive outcome by investigator within 15 working days	Tenant Concerns, Complaints and Compliments Register	Monthly	SLT	Quarterly
Appeals are received within 20 days of date of complaint outcome letter	Tenant Concerns, Complaints and Compliments Register	Monthly	SLT	Quarterly
Appeals will be finalised within 15 working days of receipt	Tenant Concerns, Complaints and Compliments Register	Monthly	SLT	Quarterly
Recommended actions by investigator are closed off by due dates	Tenant Concerns, Complaints and Compliments Register	Monthly	SLT	Quarterly
Data reporting	Quarterly Report	Quarterly	General Manager Tenancy, Te Toi Mahana	Quarterly

17. Relevant Documents/Legislation

Output Title	Purpose of Output
Residential Tenancy Act	Relevant legislation
Employee Code of Conduct	Relevant Human Resource policy
Appendices to procedure: Complaints Process Checklist Complaint Summary Form Template Letters	To guide staff through a complaint investigation process. Used to summarise details of complaint and actions. To guide staff with appropriate communication throughout the stages of the process
Template Register	To be maintained for monitoring and reporting purposes