

21 March 2025

s 9(2)(a)

Tēnā koe s 9(2)(a)

I write in response to your request dated 23/02/2025, for information under the Official Information Act 1982 (the Act):

1. A record of all complaints received by Kāinga Ora regarding the tenants at 1 s 9(2)(a) including dates, nature of complaints, and responses provided – whether made by our clients or any other affected parties.
2. Copies of all case notes, internal correspondence, and investigations undertaken by Kāinga Ora in response to these complaints.
3. Details of any site visits conducted by Kāinga Ora staff or representatives, including dates, findings, and outcomes.
4. Any voice or video recordings related to complaints and investigations concerning the tenants at s 9(2)(a)
5. Information on any formal warnings or notices issued to the tenants under Kāinga Ora's Disruptive Behaviour Policy (POL-355) or any other relevant policies.
6. Any communication between Kāinga Ora, Wellington City Council (Noise Control), the Police, and any other agencies regarding these complaints.
7. Any internal reports, risk assessments, or reviews conducted by Kāinga Ora regarding the persistent noise and disruptive behaviour at s 9(2)(a)
8. A copy of Kāinga Ora's policy and procedures for handling repeated noise and disruptive behaviour complaints of this nature.
9. The names and contact details of Kāinga Ora staff members responsible for managing this a matter.
10. A copy of Kāinga Ora complaint resolution process documents.
11. Any internal decisions or recommendations regarding further action against the tenants s 9(2)(a)
12. Copies to any requests, applications or communication with the Tenancy Tribunal regarding the matter.
13. Any pending actions or plans to resolve the ongoing disruptive behaviour of the tenants s 9(2)(a)

The following information is provided as wider context, to be read in conjunction with this response. Kāinga Ora only receives concerns about a small portion of the people who live in its homes. Most of these concerns are minor things that are common sources of tension between neighbours across the country. We do not expect anyone to put up with awful situations, and our staff operate under our Disruptive Behaviour policy to deal with day-to-day situations. The processes under this policy contain a range of ways to address disruptive behaviour, including warning notices to drive a change in behaviour, referrals to social and health services, and voluntary and required relocation of tenants.

When Kāinga Ora receives concerns about serious disruptive behaviour, they can and do take action using the tools available to them as a landlord under the Residential Tenancies Act – including ending tenancies and evicting people where needed.

***Your questions numbered 1 – 7***

Kāinga Ora takes its Privacy Act responsibilities seriously and will not disclose personal details about any of its tenancies, without the express consent of the individual tenant. Subsequently, Kāinga Ora is withholding parts 1-7, and 11-13 of your request, under section 9(2)(a) of the Act, to ‘...protect the privacy of natural persons.’ In making this decision, I have also considered the public interest in these details, pursuant to section 9(1) of the Act. I do not consider the withholding of the information from this response is outweighed by public interest considerations in making that information available.

***Q8: A copy of Kāinga Ora’s policy and procedures for handling repeated noise and disruptive behaviour complaints of this nature***

Our disruptive behaviour policy is a public record, therefore part eight of your request has been refused under section 18(d) of the Act, as the information requested is already publicly available.

You can find the documents at <https://kaingaora.govt.nz/en/NZ/publications/tenant-publications/tenancy-policies/>

***Q9: The names and contact details of Kāinga Ora staff members responsible for managing this a matter.***

I can confirm that Jordan Simpson, Team Leader Housing Support, is the appropriate contact person. You can contact them on [Jordan.simpson@kaingaora.govt.nz](mailto:Jordan.simpson@kaingaora.govt.nz) or by calling through the Customer Support Centre on 0800 801 601.

***Q10: A copy of Kāinga Ora complaint resolution process documents.***

Enclosed with my response are copies of the following Kāinga Ora complaint resolution documents:

- POL-315: Operational Policy for Feedback and Complaints (I note that this policy is currently being reviewed)
- SC-GDL- 001: Guidelines for receiving and managing complaints (I note that this policy is currently being reviewed)

Complaints and/or feedback can be lodged on our website at <https://kaingaora.govt.nz/en/NZ/tenants-and-communities/our-neighbours/provide-feedback-or-a-complaint/>.

You have the right to seek an investigation and review by the Ombudsman of this decision. There is information about how to make a complaint at <https://www.ombudsman.parliament.nz> or by freephone on [0800 802 602](tel:0800802602).

Please note that Kāinga Ora proactively releases some responses to official information requests where possible. Our response to your request may be published at <https://kaingaora.govt.nz/publications/official-information-requests/>, with your personal information removed.

Nāku iti noa, nā



Rachel Kelly  
**Manager, Government Services**

## Operational Policy for Feedback and Complaints

POL- 315

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## Originator

Originator	Position of the Originator
Rowan Macrae	General Manager People, Technology and Change.

## Approved

Signatory	Signature	Date
Paul Commons Chief Operating Officer People and Property		

# 1. Introduction

## 1.1 Purpose

The purpose of this operational policy is to provide clear guidelines to staff at Kāinga Ora-Homes and Communities for managing all complaints and feedback received from tenants (including maintenance complaints) and non-tenants (including private owners, developers, stakeholders, members of the public and the media). Tenants and non-tenants are referred to as customers under this policy.

## 1.2 Background

The shift for Kāinga Ora to become a world-class public landlord has provided an opportunity for Kāinga Ora to design customer-centred policy, processes and procedures.

Following the establishment of the internal Office of the Complaints Commissioner (OCC) in 2017, Kāinga Ora has designed an internal complaints process that fits the number and types of complaints that it receives.

Capturing complaints and feedback will give the organisation the opportunity to have a better understanding of our customers, put their needs at the centre of our decisions, as well as exploring ways that we can improve our services to meet the changing and complex needs of our customers.

### 1.3 Objectives

The objectives of this Operational Policy are to:

- Improve the customer service experience. This means determining what issue the customer is experiencing, and resolving it as quickly as possible.
- Resolve issues for the customer, both tenants and non tenants, and ensuring that their perspective is heard.
- Identify learning opportunities for Kāinga Ora arising from feedback and complaints. This allows Kāinga Ora to make targeted service improvements.
- Ensure our complaints and feedback process is easily communicated to customers so they have information on how to make complaints, have a complaint decision reviewed and escalated and ready access to our complaints and feedback process.
- Provide timely resolution to customer complaints and feedback, using a transparent, consistent and customer-centred approach.
- Ensure we keep accurate records of feedback, complaints, and review outcomes so that completed complaint processes can be monitored and audited for compliance with process time frames and KPIs, where applicable.
- Record and analyse the information gained from feedback complaints and reviews. Improvements can then be targeted at those areas that customers have identified as being of most importance to them. This supports a culture of continuous improvement in the organisation

The principles guiding our complaints process:

- All decisions relating to complaints and reviews will be taken in a way that is consistent with the [principles of natural justice](#) published on the web site of the State Services Commission. These are:
  - freedom from bias on the part of the person making the decision/judgment; and
  - transparency and fairness of the procedure.
- Our feedback, complaints and review process will be consistent with the '[Guidelines for Fair Process](#)' published on the web site of the State Services Commission.
- Staff responsible for administering the process will comply with the [State Services Standards of Integrity and Conduct](#).
- The complaints process will be consistent with the Office of the Ombudsman '[Effective Complaint Handling Guide](#)' and '[Good Decision Making](#)' published on the Ombudsman web site.

- We will manage unreasonable complainant conduct according to the guidelines published by The Office of the Ombudsman manual for frontline staff, supervisors and senior managers on '[Managing unreasonable complainant conduct](#)'.
- Service Delivery Standards and Customer Rights are in line with best practice see Appendix A.

## 2. Strategic Framework

### 2.1 Legislation

This policy takes into account the following legislation:

- [Residential Tenancies Act \(RTA\) 1986](#)
- [Housing Restructuring and Tenancy Matters Act 1992](#)
- [Health and Safety at Work Act 2015](#)
- [Human Rights Act 1993](#)
- [Official Information Act 1982](#)
- [Public Records Act 2005](#)
- [Privacy Act 1993](#)
- [Ombudsman Act 1975](#)
- [New Zealand Bill of Rights 1990](#)
- [State Sector Act 1988](#)
- [Crown Entities Act 2004](#)
- [Unit Titles Act 1972](#)
- [Arbitration Act 1996](#).

## 3. Policy

### 3.1 Complaints not in scope

Complaints by or about staff members are covered by our Standards of integrity and conduct (H-109) and Protected Disclosures procedure (H-121).

Complaints about suspected fraudulent activity by customers will follow our investigation process – see Investigations Policy (POL-314).

### 3.2 Who can lodge complaints or feedback

Anyone external to Kāinga Ora proactively approaching the organisation may lodge a complaint (where an outcome or resolution is expected) or feedback (where an outcome or resolution is not expected) under this policy. This means that all customer-facing areas of the organisation are in scope, and all complaints and feedback will be managed consistently. This includes complaints and feedback that are not specifically directed at the organisation such as third-party service providers or reports of anti-social behaviour that refers to our tenants.

Complaints should be captured and managed through the three level review process whether Kāinga Ora believes they are justified or not.

All customers have the right to ask for a complaint to be reviewed through the three level review process.

### 3.3 Who manages a complaint

There are three levels of complaint management covered in this operational policy.

- Level 1 – Complaint to Kāinga Ora
- Level 2 – Escalation of complaint to Kāinga Ora
- Level 3 – Review of complaint by Kāinga Ora OCC
- Note – in some circumstances customers may also have the right to appeal or refer to external agencies outside of Kāinga Ora such as courts (District Court, Judicial Review), the Tenancy Tribunal, the Office of the Ombudsman and the Privacy Commissioner.

Level 1 and 2 of the complaints management process are managed by the Business Unit responsible for service delivery where the complaint was received, in a manner consistent with our complaints guiding principles.

Staff deal with Level 1 complaints, and when necessary their responsible manager will handle Level 2 complaints.

Decisions on level 2 complaints represent the final decision of the Business Unit; all decisions on level 2 complaints will be reviewed and signed off if required by the relevant tier 3 and/or tier 4 manager of the Business Unit. The General Manager or Chief Operating Officer of the Business Unit should also be consulted if the complaint represents reputational risk to the business, or is complex.

If the Business Unit is unable to resolve the complaint to the satisfaction of the customer, the complaint can be escalated by the customer to the OCC for review (level 3). The review will be led by the Kāinga Ora Complaints Commissioner (CC).

Upon request, the OCC can provide an independent internal review and final decision by the Kāinga Ora CC. The circumstances of the complaint, the decision, the processes followed and relevant Kāinga Ora policies will be considered throughout the review.

### 3.4 Complaints and feedback resolution

The focus of this policy is on resolving issues for the customer and not laying blame. Kāinga Ora recognises that it may not always be possible to provide the customer with their desired outcome.

It is important the customer's perspective is heard and respected via a fair process.

The resolution process will follow existing organisational frameworks and processes where these exist, or should otherwise integrate with other internal forums or avenues where they are appropriate.

The approach to resolving complaints and feedback will be simple and not over-engineered.

The resolution process will cover all levels of complaints, from all areas of the business, from initial consideration to final review.

### 3.5 An accessible complaints and feedback process

Our complaints process will be easy for customers to access and understand.

Information about our complaints and feedback process will be publicised prominently on our website home page with a link to our online feedback form where customers may easily lodge feedback (positive or negative) or a complaint.

Additionally, information concerning our complaints and feedback process will be made available at the front counters or reception areas at all our offices, in leaflets and in tenant newsletters and other communications. Complaint and feedback forms will also be readily available at all our offices, and contain a freepost return address envelope.

Staff interacting with customers will proactively promote our complaints process if customers express dissatisfaction with a Kāinga Ora service outcome. When negative feedback is received, the complainant must be asked if they would like to start a formal complaint management process or whether they are merely providing feedback.



### 3.6 Seeking Continuous Improvement

Customer feedback is one of the best ways to identify customer-centred opportunities for business improvement, either from issues that have arisen, or where things are going well.

If we want to enable customer-centred business improvement, we also need to capture feedback that we can learn from as an organisation. Feedback would not usually require any follow up with the customer, but would be collected for later analysis.

Improving the way the organisation captures feedback will lead to improvements in our service delivery.

### 3.7 Timeframes

This section lays out the timeframes for both Kāinga Ora and customer responses.

Kāinga Ora timeframes:

Table 1: Level 1, 2 and 3 Timeframes

Acknowledge receipt of a complaint verbally or in writing within	2 working days
Resolve Level 1 complaints within	10 working days of receipt
Resolve Level 2 complaints within	10 working days of receipt
Resolve Level 3 complaints within	20 working days of receipt

- Kāinga Ora realise that complaints can be complex and time consuming to resolve. It is important that customers are kept informed of their complaint, especially in circumstances where more time is required to resolve the complaint.
- Subject to the first bullet point, where these timeframes cannot be met Kāinga Ora can inform the customer more time is required. The maximum additional timeframe extension will be 10 working days for Level 1 and 2 complaints and 20 working days for Level 3 complaints or longer subject to agreement with customer.
- Subject to the first bullet point, there can be only one extension of time at each level.
- Kāinga Ora endeavours to provide customers with an outcome to their complaint as soon as possible however this may not always be possible. The purpose of this policy is to provide customers with a positive customer experience, thus if more time is required to resolve a complaint then this should be given priority.

- If a customer is dissatisfied with the outcome of their complaint and requests the complaint is escalated, Kāinga Ora will acknowledge their request in writing and escalate the complaint to the next level within 2 working days.

Customer timeframes:

- When customers and former customers of Kāinga Ora make a complaint about an event that happened more than 3 months ago, Kāinga Ora will let the customers or former customer know that it may take longer to review. Kāinga Ora will keep the customer informed of the progress of their complaint.
- Customers have 10 working days to respond to a Kāinga Ora complaint decision. Subject to paragraph 34 below, if a customer does not respond to a complaint decision within 10 working days the case will be closed.
- If a customer responds to a complaint decision on a level 1 or 2 complaint within 10 working days and they are dissatisfied with our response, they can request the complaint is escalated to the next level.

All customer timeframes can be extended at the discretion of the Business Unit manager or Senior Review Officer/Complaints Commissioner, if there are good reasons to do so i.e. natural justice would be served by allowing the customer more time.

### 3.8 Objectivity and Fairness

These guidelines apply to all Level 1, 2 and 3 complaints and are based on the “[Good decision making](#)” guide from the Office for the Ombudsman.

When making a decision, officials must act reasonably and fairly within their powers. Decision makers should have regard to any specific legislative, health, safety and security requirements or procedural requirements, as well as satisfy general administrative law requirements. In general, decision makers must:

- act independently, in good faith and for a proper purpose
- be unbiased, fair, objective and aware of conflicts of interest when assessing and reviewing complaints
- comply with relevant legislation and codes of compliance<sup>1</sup>
- follow any relevant policies and guidelines, unless there is a good reason to make an exception
- take into account all relevant matters
- ignore matters that are not relevant to the decision

<sup>1</sup> E.g. [Housing Restructuring and Tenancy Matters Act 1992 sections 86 to 90](#) Financial Products

- apply the appropriate weight to the different factors relevant to the decision
- give proper consideration to the merits of the case, and
- make the decision on reasonable grounds and based on supporting evidence.

### 3.9 Complaints and Feedback Prioritisation

The Business Unit's senior management responsible for dealing with the complaint will decide whether or not to fast track complaints directly to the OCC.

Level 1 and 2 complaints may in certain exceptional circumstances be fast-tracked to the OCC without the requirement that the Business Unit receiving the complaint attempts to resolve the complaint. This may happen where the complaint:

- is sent to Kāinga Ora by a Member of Parliament, Ombudsman holding Office under the [Ombudsman Act 1975](#), Privacy Commissioner or Human Rights Commissioner on behalf of a customer.
- concerns a decision already taken by senior management within the Business Unit and may adversely impact a customer e.g. decision to end a tenancy, or declined financial product application.
- concerns an issue having high negative ongoing impact on the customer (e.g. serious health, safety and security risk) or presents high reputational risk to Kāinga Ora to the point that a rapid resolution to mitigate customer impact or reputational risk is imperative. This decision to escalate on this basis is limited to Senior Management tier 3 and above.

Level 3 complaints will be triaged by the Senior Review Officer(s) based on:

- timeframes committed to in this policy
- current workload
- time elapsed since the initial level 1 complaint
- degree of negative ongoing impact on the customer
- degree of reputational risk Kāinga Ora is exposed to
- any timeframes inherent in the complaint e.g. expiry of a notice to terminate a tenancy
- legislated response times for Office of the Ombudsman or the Privacy and Human Rights Commissioner.

### 3.10 Unreasonable Complaints Conduct

Some customers (serial complainers) will frequently raise unreasonable complaints, and cause resource issues due to the time taken to resolve their complaints. The Office of the

Ombudsman has produced a manual for frontline staff, supervisors and senior managers on [‘Managing unreasonable complainants conduct’](#).

Some of the core objectives and underlying principles of the unreasonable complaints conduct (UCC) manual include:

- ensuring that all complaints are dealt with equitably and fairly and resources are distributed based on the merits of the complaint rather than a complainant’s demands or conduct
- ensuring staff have sufficient time to deal with unreasonable customers
- complying with all health and safety care indicators posed by UCC
- managing the customer’s expectations and ensure they are reasonable and realistic
- insisting that complainants show respect for and cooperate with staff.

If a complaint is submitted that has already undergone a complaint management and complaint review process, it must be assessed to determine whether there are sufficiently new aspects to the complaint to warrant treating it as a new complaint. If it is confirmed that the complaint has already been reviewed, advise the customer in writing that Kāinga Ora has already provided a final response to them and they may wish to seek an independent external review of the decision if they wish to take the matter further.

A customer may make generalised complaints about Kāinga Ora and want these reviewed. If the customer has not provided enough detail in the complaint they will be asked to provide further information detailing what specifically they are complaining about. If they do not provide this information then Kāinga Ora will advise them we are unable to help.

### 3.11 Maintenance

Although the approach to maintenance complaints differs slightly, the key principles of this policy still apply (e.g. an accessible complaints and feedback process, objectivity and fairness).

### 3.12 Recording, monitoring and responding to complaints and feedback

All action taken in responding to complaints and feedback must be recorded in the appropriate system (e.g. Kotahi (for all tenant and tenant related complaints/feedback), Objective). This includes notes and / or details of various communications with the customer. This may include summary notes from a phone call, copies of email acknowledgement / action, letters.

## 4. Health and Safety

We are committed to providing our tenants, neighbours and communities with healthy and safe living environments and providing our workers with a healthy and safe working environment.

We will comply with relevant legislation, standards, regulations, guidelines, procedures and codes of practice in protecting our tenants, workers, neighbours and the community.

## 5. Glossary

The following terms are used in this document.

Term	Definition
Complaint	<p>The International Standards Organization (ISO) defines a complaint as the following:</p> <p><b>An expression of dissatisfaction made to an organization, related to its products, or the complaints-handling process itself, where a response or resolution is explicitly or implicitly expected.</b></p> <p>The intention of this definition is to exclude generic complaints made to Kāinga Ora that cannot be followed up with a response or resolution. It also ensures we capture complaints in areas like anti-social behaviour that are not specifically directed at the organisation, but rather, are about its tenants.</p> <p>Complaints involve a two-way resolution path that is worked through with the customer.</p>
Complaints Commissioner (CC)	<p>The Complaints Commissioner (Deputy Chief Executive) is responsible for customer complaint resolution, and acts independently of the business group that originally dealt with the complaint.</p> <p>The CC has authority to determine final outcomes on delegated authority of the Chief Executive and implement corrective actions as required. The CC</p>



Term	Definition
	<p>is assisted in their role by the Senior Review Officer.</p> <p>The CC may seek specialist advice, including independent external counsel, in determining outcomes.</p>
Complaint escalation	<p>Level 1 Complaints</p> <p>Level 2 Complaints</p> <p>Level 3 review of complaint The business group refers the complaint to the OCC.</p> <p>Appeals (External channels e.g. Court, Tenancy Tribunal, Office of the Ombudsman etc).</p>
Customer	<p>A consumer of a Kāinga Ora product or service</p> <p>Includes tenants and non-tenants (including private owners, developers, stakeholders, members of the public and the media).</p>
Customer Support Centre (CSC)	Kāinga Ora call centre
Feedback	<p>An expression of satisfaction (positive feedback) or dissatisfaction (negative feedback) about a decision, action or lack of action from the organisation, its employees, tenants or representatives where the person giving the feedback does not usually expect a reply or an outcome but would like to be considered.</p> <p>Feedback is a one-way process, where a customer provides input or expresses their views for Kāinga Ora to consider, but is not usually expecting or requiring a specific resolution to be communicated back to them.</p>
Kāinga Ora	Kāinga Ora (a New Zealand Crown Agent under the Crown Entities Act 2004).

Term	Definition
KPI	Key Performance Indicator e.g. all complaints must be acknowledged within 2 days (48 hours).
Office of the Ombudsmen	An independent (external to Kāinga Ora) authority established under the Ombudsmen Act 1975 with responsibility for investigating complaints about the administrative acts and decisions of central and local government agencies.
Office of the Complaints Commissioner (OCC)	<p>An independent (independent of Business Units) complaints body within Kāinga Ora that reviews customer complaints escalated from Level 2. The OCC is staffed by Senior Review Officer and the Kāinga Ora CC. It operates within the Governance Group. The OCC provides a specialist, independent and objective view regarding the management of complaints.</p> <p>Note when considering a complaint, the OCC team must be able to show they acted in an unbiased, fair, objective way and demonstrably free of conflicts of interest.</p>
Senior Review Officer	<p>Conducts reviews into customer complaints and provides the CC with recommendations for action. Assists the business with implementing any process change recommendations, prepares quarterly reports on complaint statistics and OCC activity, and liaises with external oversight offices.</p> <p>Note when considering a complaint, the Senior Review Officer must be able to show they acted in an unbiased, fair, objective way and demonstrably free of conflicts of interest.</p>
Service request	Customer requests for maintenance, financial products, transfers, rent enquiries, permissions



Term	Definition
	<p>(e.g. to keep a dog) and any other request for services normally provided by Kāinga Ora.</p> <p>Service requests are not complaints and are not treated as such. If the customer is dissatisfied with our response to their service request they can then lodge a complaint or feedback.</p>
Staff	Kāinga Ora employees e.g. Customer Service Advisor, Tenancy Manager, Manager Regional Maintenance etc
Tiers	<p>Refers to staff by a tier structure, and reflects the organisational hierarchy within Kāinga Ora. For example:</p> <p>Tier 1 Chief Executive Officer</p> <p>Tier 2 Chief Operating Officer and General Managers</p> <p>Tier 3 Regional Managers, Programme Managers, etc</p> <p>Tier 4 Area Managers, Regional Portfolio Managers, Maintenance Response Managers, Stakeholder Managers, Tenancy Liasion Managers, etc</p> <p>Tier 5 Tenancy Managers, Community Managers, etc</p>

## 6. Version control

Details of previous versions are stored in our document management system (Objective).

## 7. Appendix A

### 7.1 Service Delivery Standards

We will:

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- manage all complaints and feedback in an effective, efficient and consistent way and in accordance with our complaints policy
- be unbiased, fair, objective and aware of conflicts of interest when assessing and investigating complaints
- value complaints and recognise that effective complaint handling benefits our organisation's reputation
- acknowledge that complaints may highlight weaknesses in our policies, procedures and service delivery that need to be remedied
- acknowledge a complaint promptly, take it seriously and act on it in a timely manner
- resolve complaints on first contact wherever possible
- have clear time frames for responding to complaints
- integrate our complaints process within our core business
- ensure staff members who handle complaints are competent in their role, have a positive attitude when dealing with complaints and receive training, effective supervision and regular feedback about their work
- focus on resolving issues for the customer, not deciding who is to blame
- seek to understand our customers' concerns as well as the facts
- take seriously health, safety and security factors for customers, workers, contractors and others when determining complaint decisions
- prioritise responding to complaints according to the urgency of the complaint and acknowledge the effect of delays on customer satisfaction
- keep records of the complaint and investigation process and the outcome according to the requirements of the [Public Records Act 2005](#).

## 7.2 Customers' rights

We will:

- make sure that the complaints process is highly visible, so that all customers can easily access our complaints process and know how to make a complaint.
- enable the customer to escalate complaints that have not been resolved to their satisfaction by the business unit to the OCC and the Senior Review Officer, who have the authority to act independently of the business group that managed the complaint in the first instance.
- ensure the customer is kept informed of the progress of their complaint including delays in the process with an explanation, formal letters acknowledging the complaint, confirming complaint escalation and complaint outcomes. Phone calls, email and face to face contact should also be used to update the customer on progress as required.

- communicate with customers in a way that is straightforward, comfortable for them, and culturally appropriate (for instance, communicating verbally with customers with poor reading skills, engaging language line for customers with no or limited English or, arranging a sign language interpreter if needed by someone who is hearing impaired or deaf).
- offer advice and support to guide customers through the process of resolving complaints.
- take appropriate account of people with disabilities or illnesses and make any reasonable adjustments to decisions to comply with legislative obligations under the [New Zealand Bill of Rights Act 1990](#) (BORA) so that decisions are demonstrably free from discrimination.
- recognise that it may not always be possible for Kāinga Ora to provide the customer with their desired outcome. However, we will be customer focused and will make decisions based around customer needs: understanding, listening in a way they can understand irrespective of whether we can give them what they want. Recognise that it may not always be possible for Kāinga Ora to provide the customer with their desired outcome.
- give the customer a full opportunity to read/see and respond to all evidence collected in an investigation of their complaint before a decision is made (subject to the [Privacy Act 1993](#) and [Official Information Act 1982](#) limitations).
- Only If the customer requests to see the reasons for the decision, provide them with a copy of the decision and the reasons for the decision, the findings on material issues of fact, a reference to the information on which the findings were based<sup>2</sup> and their options in terms of outcomes where possible to do so. Kāinga Ora will always provide them with information on how to request a review or dispute a decision.
- Inform the complainant of their right to an external independent review of any final decision taken by Kāinga Ora; this may include a review/challenge through the courts (Judicial Review), Tenancy Tribunal, Privacy Commissioner, Human Rights Commissioner or Office of the Ombudsman.

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INFORMATION ACT 1982

## Guideline for receiving and managing complaints

SC-GDL-001

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## 1. Background

The nature of providing products and services to people is that all agencies and businesses, both public and private, will at times receive complaints. How we respond to, manage, resolve and learn from complaints is key. This cycle of best practice reflects our Kāinga Ora – Homes and Communities values, particularly around Mahi Tahi and working in ways that show Manaakitanga.

Kāinga Ora is committed to effectively responding to complaints when they occur, and seeking positive outcomes for our customers, neighbours and communities. We are proactive when managing complaints using a structured approach, where possible addressing the complaint at the first point of contact and at the earliest opportunity.

## 2. What is the difference between a complaint and feedback?

### What is a complaint?

A complaint is an expression of dissatisfaction related to a Kāinga Ora service, product or staff member where a resolution is explicitly or implicitly expected.

It is important the complainant is made fully aware that by raising a complaint a representative from Kāinga Ora will make contact with them about the issue.

### What is feedback?

Feedback is an expression of satisfaction (positive feedback) or dissatisfaction (negative feedback) where a reply or outcome isn't expected but should be considered.

## 3. Expectations

The below expectations provide guidance for effectively managing complaints and are based on 'The Standards New Zealand – Guidelines' for complaint management in organisations

1. Providing support in making a complaint - As an organisation we need be alert to - people who might require assistance or different approaches, and provide support and practical assistance to people to make a complaint, if required
2. Early resolution - Where possible, complaints should be managed and resolved at the first point of contact, in a timely manner
3. Receipt of complaint - Unless the complaint has been informally resolved by frontline staff, the complaint must be recorded in Kotahi with its supporting information
4. Acknowledgement of complaint – provide complainants with an acknowledgement that their complaint has been received, via phone, email or in writing
5. Initial assessment of complaint – complete an assessment of complaint to determine severity, complexity, risk level, need for possible immediate action, impact on individual, the general public or Kāinga Ora

6. Addressing complaint – after the initial assessment consideration needs to be given to how best to address the complaint. This includes making sure everyone involved has an opportunity to convey the issues from their perspective and any resolution reached must show clear, evidence-based reasoning
7. Communication with complainant – there needs to be active communication with complainant about the progress of the complaint, particularly when progress is delayed.

## 4. Your wellbeing

Managing complaints can be challenging for staff. At times the content of a complaint may be offensive, upsetting or triggering for you or you may find a complainant's behaviour to be unreasonable.

For guidance on how to manage this behaviour, see – Appendix C – Strategies for managing unreasonable behaviour.

It is important you take care of yourself; taking regular breaks, doing something you enjoy, taking time to reflect and if needed reach out to your Team Leader for support.

Further support is also available through:

- [Employee Assistance Programme \(EAP\)](#)
- The health and wellbeing hub on Atamai has information about a range of support, tools and training modules available to you.

## 5. The Four Levels of complaints

Kāinga Ora uses a four-level structure to manage all complaints.

- **Level 1** – Initial complaint to Kāinga Ora via the Customer Support Centre (CSC) or customer facing staff. For example, Financial Products Advisor, Tenant Home Ownership Coordinators, Maintenance Supervisor, Senior/Housing Support Manager
- **Level 2** – Escalation of complaint to Team Leader
- **Level 3** - Complaint review
- **Level 4** – Complaint dispute

All complaints should be managed in ways consistent with our complaints guiding principles, service delivery and customer rights – see [Operational policy for feedback and complaints \(POL-315\)](#)

### Level 1 - Initial complaint process

When complainants first make contact to advise Kāinga Ora to express dissatisfaction related to a Kāinga Ora service, product or staff member, this is a level 1 initial complaint. Initial complaints are managed by the particular business unit responsible for service delivery where the complaint was received.

For effective complaint management and to avoid escalation, it is important to address the complaint at this first point of contact and at the earliest opportunity.

## Level 2 - Escalated complaint process

In some situations, the complaint may need to be escalated to the Team Leader for their support and oversight, to reach an effective resolution for all parties involved in the complaint.

There are various scenarios in which a complaint can be escalated, they are:

- high risk complaint - the complaint owner wishes to escalate the complaint to their Team Leader to seek further support or advice (see high risk criteria below)
- complainant can request that their complaint is escalated

## Establishing if a complaint is high or moderate risk

Complaint owners within Kāinga Ora must escalate complaints in the following situations:

Risk type	Criteria	Potential Impact
<p>High risk complaints</p> <p>For this category, if one of these criteria is met it meets the criteria for immediate escalation</p>	<ul style="list-style-type: none"> <li>• Complaints raises a potential significant Health and Safety risk – this applies to Kāinga Ora people and general public</li> <li>• Someone is in immediate danger or there is risk to life – this applies to Kāinga Ora people (staff) and general public</li> <li>• Significant reputational risk/s Example: media interest</li> <li>• Complaint raises a potential breach of legislation</li> <li>• Complaint is raised through the Chief Executive’s office, Minister’s office etc</li> </ul>	<p>Likelihood of impact of complaint is severe. Far reaching consequences impacting individual and/or multiple customers/complainants/Kāinga Ora people. High reputational/legal/media risk. Has follow on impacts and/or interdependencies</p>
<p>Moderate to high risk in multiple areas</p> <p>For this category, if two or more of the criteria are rated as moderate or high risk, the complaint meets the criteria for immediate escalation.</p>	<ul style="list-style-type: none"> <li>• Risk to Kāinga Ora asset</li> <li>• Related internal processes that are dependent on timeframes e.g. Tribunal</li> <li>• Wellbeing risk (see below examples)</li> <li>• Behaviour of complainant</li> <li>• Complaint relates to the behaviour or conduct of a person employed or contracted to Kāinga Ora</li> </ul> <p>Nuisance complaints</p>	<p>Increased likelihood of negative impact on customer and/or organisation. Lack of prompt action could affect issue outcome and increase reputational risk. Possible flow on-impacts</p>



### **Wellbeing risk examples:**

- Impact on a customers' ability to live well
- Inability to function well in their home as a result of unresolved complaint/s
- Multiple issues of the same nature, unresolved and/or repeat complaint
- Complainant or advocate refers to mental health concerns

If a complaint meets the above criteria the complaint needs to be escalated to your Team Leader. It is still the responsibility of the complaint owner (person who has escalated the complaint) to manage the complaint and come to an effective resolution for all parties.

The line manager will support the complaint owner by working with them to determine the next best steps, based on the specifics of the complaint, and if required which other areas of Kāinga Ora need to be notified or involved in managing the complaint.

### **Complainant requests complaint is escalated**

Complainants also have the ability to request that their complaint is escalated to a Level 2 complaint. The situations where a complainant's request will be accepted are:

- complaint is not acknowledged within five working days
- complainant has not been contacted about their complaint within 10 working days of raising their complaint
- complaint is not resolved/closed within 20 working days, and they have not had any contact about the progress of their complaint

### **Level 3 - Review**

If a complainant is dissatisfied with the decision outcome, and they have been through our Level 1 and 2 complaints process, they are able to request for their complaint to be reviewed.

Requests for a complaint review are referred to the Senior Advisor - Reviews for consideration. If the complaint meets the criteria for a review (been through level 1 and 2 and still not satisfied with the progress or outcome), the Senior Advisor - Reviews will complete a comprehensive review of the complaint outcome. This review includes:

- contacting the complainant to gather their feedback
- contacting the business unit that managed the complaint to gather more information
- assessing complaint history in Kotahi and/or non-tenant complaint register
- consulting any other third parties (if applicable)

The business unit that managed the complaint must support Senior Advisor - Reviews with the review, within the timeframes set by the Senior Advisor – Reviews.

The Senior Advisor - Reviews will complete a review report for consideration by the business unit and the Team Leader - Customer Experience. At this point the business unit can

provide their feedback on the report and/or indicate their acceptance or decline of the report's recommendations.

## Level 4 - Disputes

If at any time during the complaints process levels, the complainant is not satisfied with the solution offered, the complainant can raise their complaint with the following entities:

- The Tenancy Tribunal for matters that relate to the Rental Tenancy Agreement (RTA)
- The Ministry of Business, Innovation and Employment – tenancy service
- The Human Rights Commission if it is a discrimination complaint
- The Privacy Commissioner if it is a privacy complaint
- The Office of the Ombudsman if it is a complaint about the conduct of Kāinga Ora

**Note:** It is the responsibility of the complainant to raise a dispute with the relevant external agencies if they would like to take their complaint further, Kāinga Ora can not to do this on their behalf.

## 6. Privacy, recording and sharing information

### Discussing complaints with others

When we receive complaints, it is important complainants understand while we will make every effort to maintain their privacy, this is not always possible. For example, where the complaint relates to maintenance at their property or their behaviour.

When discussing a complaint with others, we must:

- only share details which are relevant to the complaint and maintain the complainant's privacy, where possible, unless they have given consent for this information to be shared.
- use general terms, such as "it has been brought to our attention"

If the complaint relates to another individual, for example a customer or staff member, we must:

- not share personal details about that person
- explain our general approach to resolving complaints without being specific to the details of the individuals involved

The Privacy Act 2020 sets out how we collect, store, use and share information. See [Privacy policy \(SK-POL-002\)](#)

### Recording information

Throughout the process of managing a complaint, we receive information from others, the complainant, witnesses, internal teams or external organisations.

This information helps us to capture an accurate picture of what is happening, and actions taken to resolve the issue. It is important that this information is recorded accurately and appropriately.

When deciding what to record, consider the following:

- what is the purpose of recording this information?
- is the information relevant to our management of the complaint?
- is the information factual and objective? Record the facts as accurately as possible; what is happening, when it happened and who is involved
- would you be comfortable with what's being recorded if you were the complainant and if you requested to see your personal information? Remember, the complainant can request to see information recorded about the complaint.

When recording information, we must capture a summary of the conversation rather than recording everything the complainant tells us. It is best practice to start the record with "The complainant shared that..."

The complainant's thoughts and feelings are important and this can be recorded. However, it needs to be clear to others it is the view of the complainant and not necessarily fact. This can be as simple as starting notes with "The complainant believes that..."

### Cross Government information sharing and MOU

Sometimes we receive information we are required to share with other organisations because Kāinga Ora has a Memorandum of Understanding (MOU) with that organisation.

There are limitations on the information we can share under an MOU. See [Information Sharing Agreement Memoranda of Understanding \(MOU\) Register](#)

In certain circumstances, we may receive a complaint where the subject matter means that we have a legislative obligation or MOU to share this information with other agencies (for example a child protection concern). In these circumstances, consent may not be required to share this information. Seek advice of your next level manager, Advisor - Wellbeing Support or the Privacy team if you are unsure.

#### Legislative

**Family violence** – Kāinga Ora is a named family violence agency in the Family Violence Act 2018. This means that we can share information with other agencies to help prevent harm from family violence. See: [Family violence policy \(CT-POL\)](#)

**Suspected abuse or neglect of a child** – Under the Oranga Tamariki Act 1989, we can report any suspected abuse, neglect, or other issues that might affect the wellbeing of a child to the Police or Oranga Tamariki. See: [Family violence and child protection information sharing policy guidance CT-POL-101B](#).

#### Memorandum of Understanding (MOU)

**Oranga Tamariki** – Our MOU with Oranga Tamariki recognises a shared interest in making a difference to the lives of tamariki, rangatahi and whānau. The MOU includes an agreement to work collaboratively with Oranga Tamariki and share information where necessary.

**New Zealand Police** – Our MOU with NZ Police centres on a common objective of promoting and maintaining a safe community. For example, we may inform Police if we find out a customer is using their Kāinga Ora home to manufacture or sell drugs.

**SPCA** – Our MOU with SPCA recognises we hold a mutual interest in the welfare and responsible ownership of animals in Kāinga Ora properties. Under this MOU, we may inform SPCA immediately if we have any concerns for the welfare of animals living at one of our properties.

## 7. Acknowledging and understanding complaints

Our response to complaints takes into consideration the way we acknowledge issues or concerns raised and our desire to understand this has a significant impact on a complainant's experience.

### Receiving and understanding complaints

When we receive a complaint, we should consider what we already know about the issue or concern. This enables us to build an accurate understanding of what is happening and what might be causing or contributing to the issue.

We can build a better understanding of the situation by:

- reviewing the complaint, including who was involved and the context of the issue
- reviewing additional information in Kotahi, IDP, Objective, Non-tenant Complaint Register and the National Issues Register

The table below provides some questions to help you gain a better understanding of the situation.

	Potential questions to consider
Current complaint	<ul style="list-style-type: none"><li>• Do we have enough information to understand the issue? Consider the, who, what, when, and where?</li><li>• What information is missing?</li><li>• Who else might have information about the situation?</li><li>• Is the complainant a Kāinga Ora customer? If yes, what can we learn from reviewing information about their tenancy?</li></ul>

<b>Kotahi (or single tenancy view in IDP)</b>	<ul style="list-style-type: none"> <li>• Have there been any previous complaints relating to this issue or concern?</li> <li>• What actions have we taken to date to resolve the issue or concern?</li> <li>• Where the complaint relates to a Kāinga Ora tenancy or property, what do we know about the situation?</li> </ul>
<b>Previous related complaint</b>	<ul style="list-style-type: none"> <li>• How many previous complaints have been made relating to this issue?</li> <li>• What actions, if any, did we take?</li> <li>• Who else has been involved, for example, internal stakeholders, external agencies? What information or insight can they provide?</li> </ul>

## Acknowledging complaints

When people contact us to share a negative experience it presents an opportunity to improve the service we provide. At times, it can be difficult for people to make a complaint, and we want to ensure that they feel heard and know we are taking their complaint seriously. Contacting a complainant to acknowledge and discuss their complaint shows we care and provides an opportunity to:

- introduce ourselves and explain our role
- thank the complainant for contacting us
- check that the information we received is correct and ask if there is anything else they would like to share
- understand more about the issue or situation including the impact
- understand and set expectations about our timeframes for managing complaints

As the complainant shares information, remain curious and ask open questions to understand more about what is happening, for example:

- what has happened or is happening and when?
- who was involved?
- do they have any supporting information or evidence that they can share?
- is this the first time they have made a complaint about this issue? If not, who have they communicated with previously? What was the outcome of the complaint/s?
- have they contacted anyone else about the issue?
- are there others that they would like us to speak to about the issue?

See [Guide to having quality conversations](#) for more guidance.

Ideally, acknowledgement would occur through a direct discussion with the complainant. If you are able to have this discussion with the complainant and they would also like written acknowledgement. If they would also like written acknowledgement of the complaint post or email [Acknowledgement of complaint letter \(21-010\)](#).



Where we are unable to contact or meet with the complainant, we should post or email the [acknowledgement of complaint letter \(21-010\)](#). If the acknowledgement of the complaint was via post or email, then we should follow up by contacting the complainant directly within 10 working days to gather more information and better understand the complaint.

### **Understanding the impact on the complainant**

To help us manage complaints effectively it is important we understand the impact of the issue on the complainant and others.

Questions that can help us to understand the impact include:

- Is this issue impacting the complainant or others? For example, the wellbeing of them or their whānau?
- What supports does the complainant have to help with this? For example, whānau, friends or professional support such as a General Practitioner (GP)
- If the complainant needs support, use your knowledge of local services or you can refer them to the [MSD Family Services Directory](#) and share this information with them
- If you have an immediate concern for their health, safety or wellbeing, discuss this with your Team Leader- Housing Support and Advisor - Wellbeing Support See – [8. Seeking advice and guidance from others](#)

### **Understanding expectations of the complainant**

Complainants will typically have expectations about how we respond to their complaint and the actions we should take to address the issue.

It is important to understand and manage these expectations to prevent misunderstandings and avoid escalation. We can manage these expectations by:

- seeking to understand what the complainant wants to have happen
- asking what actions they believe will resolve the issue
- explaining our complaints process and how we intend to proceed
- agreeing with the complainant when and how we will provide updates
- providing them with Kāinga Ora contact details
- explaining the boundaries of our role.

The complainant may indicate that they intend to approach the media, contact a legal representative, or make an application to the Tenancy Tribunal. Try to understand their reasons and reassure them that we take their complaint seriously. Creating or updating a record in the National Issues Register will ensure the complainant's intended actions are visible to placed-based managers and ensure the right support is in place to manage the relationship with the complainant. See - Determining if others need to be notified.

## 8. Determining if others need to be notified of a complaint

Based on what we learn about an issue or concern reported as a complaint, we must consider if others need to be notified, for example, a Team Leader, or Practice Support team

There is a variety of reasons we might notify others about an issue or event including:

- increased visibility of the complaint and resolution
- alerting the wider business about a serious incident
- ensuring that you, the complaint owner, are supported to determine the next steps and effectively resolve the complaint
- tracking and monitoring of operational issues

The decision about who to notify will depend on the type or category of the issue or event, and the level of risk, for example, where it poses a significant Health and Safety risk to others.

### Knowing when a complaint needs to go into the National Issues Register (NIR)

The [National Issues Register \(NIR\)](#) is a tool available to all place-based groups that tracks, records, and monitors the resolution of low to high-risk issues. The NIR has a range of functions to support issue identification and management

Issues are grouped into categories, for example, breach of tenancy, debt or property condition. Some examples of issues that should be added to the NIR include:

- abandonment, overcrowding or hoarding
- significant and rising rent arrears
- mould, fire damage or excessive rubbish
- family harm

### Knowing when a complaint needs to be a Serious Incident Notification (SIN)

Serious Incident Notifications (SINs) are an alert system for our wider business. They are a way for people in our wider business to be alerted quickly about a serious incident so that the right teams can respond to the serious incident appropriately and in a timely manner.

Incidents requiring notification include, but are not limited to:

- incidents resulting in significant reputational risk due to things such as operational shortcomings, media interest, political or wider government sensitivities
- fire at a Kāinga Ora property that:
  - results in death or serious injury, or
  - where circumstances are unclear or suspicious, or
  - where other agencies are involved (e.g. Police)

- death where the circumstances are unclear or unknown
- assault or serious threat to staff or contractors
- significant criminal activity involving a Kāinga Ora home

The notification should be completed by a Team Leader, or their delegate, as soon as possible following a serious incident.

See - [Serious Incident Notifications](#) for more information and guidance

## 9. Investigating the complaint

To ensure our response to a complaint is appropriate and to support an effective resolution we should complete a thorough investigation.

Investigation is an important step in managing complaints because it allows us to:

- confirm what has been reported in regard to the issue or concern
- discover or learn new information including the perspective or experiences of others
- help us to determine the complaint outcome and resolution

We should investigate as soon as possible after we receive the complaint to ensure the recollection of the issue and events are accurate and we resolve complaints in a timely manner.

In addition to our initial discussion with the complainant, a thorough investigation includes:

- discussing the issue with any other individuals or organisations involved, for example, people who the complaint relates to, such as a Kāinga Ora staff member or others impacted by the issue, such as a witness or neighbour
- asking for and reviewing any additional information or evidence supplied
- if required, visiting a Kāinga Ora property – see business process: [Customer interactions – common procedures \(CT-PRO-051\)](#)
- referring to Kāinga Ora policy and procedures if required, seeking advice and guidance from a Team Leader or others

## 10. Why maintaining contact with the complainant is important

Responding to, and resolving complaints effectively takes time and this can be challenging or frustrating for complainants and others who are impacted by the issue or event that has been raised. An important part of improving the experience of complainants is maintaining active communication about the complaint's progress, particularly when there are delays.

Maintaining regular communication with the complainant provides a valuable opportunity to:

- understand the current situation, whether the issue been resolved or have further incidents occurred
- gather new information about the current events or incidents
- provide an update about actions we have taken, while maintaining the privacy of others
- check in with the complainant regarding past or current impacts from the issue

## 11. Seeking advice and guidance from others

Seeking advice from others can help you identify how the complaint might be resolved and determine the next steps. This includes seeking others' views and experience, including any actions that have been taken to resolve similar situations successfully.

### Contacting the Team Leader - Housing Support

Contact your next level manager for advice and guidance if you are unsure how to proceed.

Make sure you have the following information to share:

- details of the complaint
- details of any previous complaints from the complainant or relating to the issue and any actions taken to resolve
- the outcome of your initial investigation including information from others
- the risks/impacts to the complainant, others and Kāinga Ora
- any recommendations about how to proceed.

### Contacting Advisor Wellbeing Support

Managing complaints can be challenging at times due to the impact of the issue or concern on complaints and the potential barriers to engagement this can create.

To support you to manage these situations effectively, the Advisor - Wellbeing Support can offer advice and guidance on the following:

- appropriate external services to support the complainant or others
- strategies for engagement with complainants or others, for example, strategies to manage unreasonable behaviour.

## 12. Determining complaint outcome and resolution

Completing a thorough investigation helps make an informed decision about how best to respond to and effectively resolve the complaint.

Based on the information from the investigation, the outcome of the complaint can be categorised into one of the following categories:

- unreasonable delay in responding to the complaint or in resolving the issue
- inadequate or unfair internal process was followed, for example, we advised the complainant they could not have a dog which is in breach of policy
- a factual or legal error has occurred
- unprofessional behaviour or conduct of a Kāinga Ora staff member or agent
- the provision of inadequate advice
- an unfair or unreasonable act
- a breach of our responsibilities as a public housing landlord

Depending on the outcome of the complaint, you may consider resolving the complaint in one or more the following ways:

- acknowledging fault and apologising to the complainant and others
- providing an apology, regardless of if there is an admission of fault
- providing an explanation of how and why the issue or event occurred and what steps Kāinga Ora is taking to stop this reoccurring
- committing to not repeat an action, error or behaviour
- correcting misleading or incorrect information or results
- honouring of a prior commitment
- providing financial compensation or assistance
- reversing charges to a tenant's account
- facilitating a complainant's access to appropriate support
- providing an explanation of a decision with no further action required
- training to Kāinga Ora staff
- updating Kāinga Ora policies, processes, practices or procedures (future business improvement rather than an immediate agreement).

When determining the complaint resolution, we should ensure it:

- is fair and reasonable to both the complainant and Kāinga Ora
- addresses all elements of the complaint to avoid reoccurring complaints about the same issue
- considers all those impacted, not just the complainant.

Decisions on complaints that have been escalated to the Team Leader or the Complaints Monitoring (for visibility/monitoring) team represent the final decision. These must be

reviewed and signed off, if required, by the relevant tier 3 and/or tier 4 manager of the business group. See Level 2 - Escalated complaint process.

## 13. Closing or withdrawing a complaint

### What to consider when withdrawing a complaint

While complainants have every right to withdraw their complaint, we may still have a responsibility to investigate the issue they have raised.

Before closing the complaint in Kotahi, we should consider the reason for the withdrawal:

- the issue has been resolved and no further action is required, for example, the complaint has received, and accepted an apology. In this case, no further action is needed, and the complaint can be closed
- the complaint was made in error, for example, the complainant has discovered that they were mistaken and the behaviour or event they reported did not occur. In this case, no further action is needed, and the complaint can be closed
- the complainant is concerned about repercussions should their complaint be discussed with the person involved, for example, it may impact the relationship with their Senior/Housing Support Manager or their tenancy

We should consider the following when deciding whether to withdraw complaint:

- the nature of the complaint, for example, if there is a risk to someone's safety
- whether we still have the responsibility under legislation or discretion because of a MOU to notify other agencies about the behaviour

If we decide that we need to proceed with investigating the issue, then we should notify the complainant and explain why

## 14. Determining the type of maintenance complaint and appropriate responses

When we receive a complaint about maintenance work it is important to make sure the right response is taken.

### How do I know when to raise a maintenance complaint?

Some examples of valid maintenance complaints are:

- complainants' expectations have not been met – for example, a contractor sets expectation with tenant that they will be at the property at a specific time, but they do not arrive or call to advise this has changed. Even though the contractor may not have exceeded the timeframe in which to complete the job to Kāinga Ora standards, they have still set expectations with the customer which have not been met



- complainant was not given a reason for cancelled work – for example, the tenant rings to complain about a work order which has been cancelled and there is no information to explain why the work was cancelled or the explanation is not clear
- complainant unhappy with contractors' presence in their home – for example, the tenant rings to complain because the contractor walked across the carpet in dirty shoes and did not clean it up properly

### How do I know when to create a work order instead of raise a complaint?

When a tenant is unhappy with a cancelled work order we should create a work order (and not raise a complaint), for example:

- a tenant rings to complain about a work order which has been cancelled due to no access, but the contractors have specified the times and dates on the job when they attended
- a tenant rings to complain about a work order which has been cancelled due to the tenant turning away the contractor. A referral should be made to the Senior/Housing Support Manager unless the tenant agrees to now provide access to the contractor, in which case a new work order can be created.

**Note:** If a tenant calls to change time available for a contractor to attend, this is not a complaint. The customer support advisor should tell the tenant the contractor will be in touch to arrange attendance. The Customer Support Advisor should also contact the Maintenance Supervisor or Maintenance Administrator via email and add a note in the work order to pass on the information

## 15. Strategies for managing unreasonable behaviour

While most customers making a complaint will act reasonably, there are some who will not. Some people may be upset, angry and difficult to engage with because of the cause or nature of the complaint, whereas others may be difficult for reasons that go beyond the circumstances of their case.

It is common for some customers to change the focus of their complaints from the central issue to how their complaint review is being handled by Kāinga Ora or a particular staff member.

Unreasonable customers may still have a valid concern and still have a right to be treated with respect and have their complaint considered. However, staff are not to put themselves in, or remain in situations where their safety may be compromised.

When assessing complaints, staff should focus their response on what the customer is saying and doing rather than on what they think the customer's motives or mental and emotional state might be. This will make it easier to effectively address the complaint review.

## The five types of unreasonable customer conduct

The various types of unreasonable customer conduct can be grouped into five categories:

- unreasonable persistence
- unreasonable demands
- unreasonable lack of cooperation
- unreasonable arguments
- unreasonable behaviour

There are a number of strategies available to staff to use for managing different types of unreasonable conduct, which are outlined in the following table.

Conduct	Includes	Management strategy
<b>Unreasonable persistence</b>	<ul style="list-style-type: none"><li>• Persisting even though the complaint has been comprehensively dealt with</li><li>• Putting the same complaint forward in a slightly different way to try and have the complaint reconsidered</li><li>• Persisting in interpreting a policy or law in a way that does not fit with generally accepted or expert views</li></ul>	<ul style="list-style-type: none"><li>• Strategies are around saying 'no'</li><li>• Communicating clearly and transparently</li><li>• Managing expectations from the outset</li><li>• Defining key issues and keeping the focus on them</li><li>• Not allowing complaints to be reopened unless they raise new issues.</li></ul>
<b>Unreasonable demands</b>	<ul style="list-style-type: none"><li>• Insisting on outcomes that are not possible to provide</li><li>• Demanding an apology or compensation when there is no reasonable basis for expecting such outcomes</li><li>• Wanting regular and lengthy phone contact where this is not warranted</li></ul>	<ul style="list-style-type: none"><li>• Strategies are around 'setting limits'</li><li>• Letting customers know in advance how the complaint will be dealt with</li><li>• Not doing something for unreasonable customers that would not normally be done for any other customer</li><li>• Restricting contact to defined times and staff members where necessary</li></ul>
<b>Unreasonable lack of cooperation</b>	<ul style="list-style-type: none"><li>• Presenting a large quantity of information which is not organised, sorted, classified or summarised</li><li>• Refusing to define the issues of the complaint where the complainant is clearly capable of doing this</li></ul>	<ul style="list-style-type: none"><li>• Strategies are around 'setting conditions'</li><li>• Requiring customers to define what their issues are or to present all information before their complaint review will be looked at</li></ul>



Conduct	Includes	Management strategy
	<ul style="list-style-type: none"> <li>Presenting information in dribs and drabs</li> </ul>	<ul style="list-style-type: none"> <li>Closing the complaint review when it is discovered that the customer has been wilfully misleading or untruthful in a significant way</li> </ul>
<b>Unreasonable arguments</b>	<ul style="list-style-type: none"> <li>Holding irrational beliefs, for example, seeing cause and effect links where there are clearly none</li> <li>Holding what is clearly a conspiracy theory unsupported by any evidence</li> <li>Insisting that a particular solution is the only correct one in the face of valid contrary or alternative arguments</li> </ul>	<ul style="list-style-type: none"> <li>Strategies are around 'discontinuing involvement'</li> <li>First determine whether there are any reasonable arguments mixed in with the unreasonable arguments. If so, these must be addressed as with any other customer</li> <li>Otherwise respond that Kāinga Ora cannot progress complaint reviews without clear evidence or that we cannot respond to hypothetical situations</li> <li>Avoid arguments. Work together with support groups and advocates where possible</li> </ul>
<b>Unreasonable behaviours</b>	<ul style="list-style-type: none"> <li>Aggression, rudeness, anger, vexatious, bullying and threats of a more serious kind</li> </ul>	<ul style="list-style-type: none"> <li>Strategies are around setting 'limits and conditions'</li> <li>Return letters framed in rude or inappropriate language and request that the customer rewrite their concerns in more moderate language</li> <li>End telephone calls and interviews where the customer becomes abusive and confronting</li> <li>If the staff member has not been able to record the full details of the complaint review due to the customer's conduct being offensive, they must write to the customer and request that they submit their complaint review in writing</li> <li>Set conditions to encourage acceptable behaviour where the complainant wants further contact</li> <li>Treat staff safety as paramount – assault or significant threats to staff members must be reported to the police. Refer – <a href="#">Standards of integrity and conduct (H-109)</a> and <a href="#">Tenancy management guideline (T-241)</a></li> </ul>

## Document control

### Version release

Current and previous versions of this document are stored in our document management system and are managed by the Technical Writing team. For any queries contact [busdoc@kaingaora.govt.nz](mailto:busdoc@kaingaora.govt.nz).

Version	Reason for change
V2	Removal of Complaints Monitoring Team as they are no longer required
V1	New document created sit alongside SC-PRO-001. Complaints process updated Kāinga Ora wide

### SME review

Name	Designation	Date
Jess Judd	Senior Advisor – Assurance and Insights	30/08/2024

### Endorsers

Legal		Date
Katie Armstrong	Senior Legal Counsel – Regulation	05/09/2024
Business Owner		Date
Paul Matson	Manager Customer Experience and Practice	14/10/2024

### Keywords for Atamai

escalated complaints, complaint levels, high risk complaints
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### Information architecture