



NEW HOMES  
OMBUDSMAN SERVICE

# What good complaint handling means at the New Homes Ombudsman Service



The New Homes Ombudsman Service is a member of the Ombudsman Association and operates in accordance with its principles of good complaint handling. These are:

- Accessibility
- Flexibility
- Openness and transparency
- Proportionality
- Efficiency
- Quality of outcomes

## Clarity of purpose

The purpose of the New Homes Ombudsman Service (“the Service”) is to provide purchasers of new homes with access to fair and efficient redress in relation to complaints about Registered Developers. The Service makes recommendations to the individual organisations and the industry as a whole about good practice and things they can do to improve their services, including the way they handle complaints.

The Service deals with complaints from the purchasers of new homes impartially, fairly and proportionately and acts in accordance with the principles of natural justice. This means that our Service is easy to access through a variety of means, that we follow clear and consistent processes and provide guidance to users of the Service throughout the process. As a new homeowner or developer/ housebuilder, you will be able to see the types of complaints we can deal with and those we cannot, and the range of outcomes we can deliver in the event that a claim is upheld. If we are unable to deal with a complaint, we will explain why and, if appropriate, direct you to an alternative redress provider if one is available.

# Accessibility

We work closely with the New Homes Quality Board, industry bodies and consumer groups to promote awareness of the Service including through social media channels and promotional material.

We work hard to make the Service as accessible as possible to our customers. Housebuilders and developers who are members of the Service ("Registered Developers") must display the Service logo and provide information about it to new homeowners. At the end of the internal complaints process, the Registered Developer will signpost the homeowner ("customer") to the Service if they are dissatisfied with the response provided.

We recognise that our customers may choose to access the Service in a number of ways. Most engage with us easily through our website and our online portal which allows the parties to upload and share evidence, comment on evidence and view guidance.

A postal service is also available for those who prefer to use it and we have a customer service team available to assist via email, live chat and phone.

It is important to us that customers feel confident in using the Service and that there are no barriers to effective participation. In addition to standard services such as translation facilities, we are happy to discuss specific requirements with an individual to make the service accessible to them.



# Flexibility

Each complaint we deal with is treated individually, so that we have a clear understanding of the complaint and the parties have a comprehensive understanding of how we work and the solutions we can offer.

The Service aims to resolve complaints at as early a stage as possible and ideally through agreement between the parties. We may contact you individually for further information and to suggest ways in which an early agreed solution may be achieved. We also offer a mediation service where an independent mediator facilitates discussion between the customer and the Registered Developer to reach a mutually agreed outcome. In cases where early resolution or mediation produces a successful outcome, we document the agreement and monitor compliance with it.

Cases which are not suitable for early resolution or mediation, or where early intervention has been unsuccessful are dealt with through an Ombudsman review and decision which may include action which a Registered Developer must take to put matters right.



# Openness and transparency

The New Homes Quality Board has appointed The Dispute Service Ltd to run the Service for an initial period of five years. The Dispute Service is a not for profit company specialising in dispute resolution activities in the private rented sector. The Service is delivered through a subsidiary company, NHO Service Ltd, which appoints the Chief Ombudsman and reports to the New Homes Quality Board on the operation of the Service. The New Homes Ombudsman reports to the Board of NHO Service Ltd.

The New Homes Quality Board and NHO Service Ltd are independent of the industry. The Board do not have any influence on the individual decisions of the Chief Ombudsman or the staff of the Service.

The New Homes Ombudsman has responsibility for the quality and timely delivery of all decisions made by the Service. Although a number of cases are investigated by the New Homes Ombudsman herself, the staff of the service work under delegated authority in relation to their early resolution, mediation and decision making activities. Information about our structure and our staff and their roles and responsibilities is available on our website.

Guidance documents about how we work and what we can and cannot help with is available on our website. We publish an annual report, regular statistical information and anonymised case studies to help customers, the industry and the wider public understand what we do.

We are committed to providing an excellent service to customers and Registered Developers, but we recognise that sometimes things can go wrong. Our website provides details about how scheme users can complain about the service they have received. If they are not satisfied with the response provided, the complaint can be referred to an Independent Complaints Reviewer (ICR), whose role is to determine whether the complaint has been properly addressed. The ICR cannot overturn the Ombudsman's decision.

# Proportionality

Although complaints can have features in common, each complaint considered by the Service is dealt with individually and on its own merits. This means that we will ensure that we understand the basis of the customer's concerns and the outcome they seek at the outset. We will discuss the complaint and the desired outcome with the complainant where necessary in order to manage expectations about what can be achieved.

After we have received a response from the Registered developer, we will consider the extent of any further investigation required. This will vary from case to case. Complex issues which have had a significant adverse impact on a customer are likely to require us to seek further information, including the possibility of external expert advice, before a decision is made.

Alternatively, a Registered developer may have offered, as part of their response, to address the customer's complaint in a way which the Ombudsman considers appropriate and proportionate to the issues raised. This may result in the Ombudsman deciding that no further investigation being necessary before the complaint outcome is reached.

The Ombudsman will also decide on the most appropriate remedy with reference to issues raised in the complaint and the impact they have had on the customer.

It may sometimes be necessary to consider whether any action or inaction on the part of the complainant contributed to the issue, where for example an issue was not reported at an early stage in order to allow the Registered developer the opportunity to address it in a way that minimised the impact on the customer.

# Efficiency

We operate to clear time limits throughout our process in order to deliver an effective and efficient service. Our online evidence platform allows us to share details of the complaint, the Registered developer's response and all evidence easily and efficiently between the parties. Where it is necessary to make further enquiries with the parties, we will set deadlines for a response. Where we need to make external enquiries, including seeking specialist advice, we will do so as quickly as possible and keep the parties informed about any delays.

We will consider reasonable requests for additional time for a party to respond to our enquiries. In doing so, we will treat the parties in an even handed way and will keep both informed where additional time has been allowed.

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After the investigation has been completed, the Ombudsman aims to issue an initial or Draft Decision within 20 working days. The decision will be issued to the parties at the same time, setting out our conclusions, the reasons for the decision and any remedial action or recommendations which the Ombudsman considers appropriate. Both parties are given equal time to respond to the initial decision and the Ombudsman will consider any representations before the decision is finalised.

The total time taken to conclude each complaint will depend on a number of factors including its complexity, the need for additional enquiries and whether it is suitable for early resolution or needs to be dealt with as a full Ombudsman decision.

## Quality outcomes

Decisions are made by suitably qualified staff and are subject to a Quality Assurance (QA) process to ensure that they are clearly written and easily understood. Each complaint is treated individually on its own merits which means that the Ombudsman is not bound by previous decisions. Nevertheless, the QA process ensures that decisions are broadly consistent so that similar issues are generally approached in the same way.

We conduct customer surveys to ensure that the parties are satisfied that they have been treated fairly and their issues have been understood, even if the outcome is not what they might have hoped for.

The parties have access to our complaints policy and Independent Complaints Reviewer if they are not satisfied with the service they have received. Feedback from this and customer surveys is analysed and acted upon to improve the service we offer.

The service also provides feedback to the NHQB, the industry generally and to individual Registered Developers to improve standards and build customer, stakeholder and public confidence in the industry.



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