

Introduction to the Housing Ombudsman

What is the Housing Ombudsman?

The Housing Ombudsman is an independent and impartial organisation set up by the government to help resolve disputes (complaints) between tenants and social landlords. Membership of the Housing Ombudsman Scheme is mandatory for registered social landlords including Chesterfield Borough Council.

Complaint Handling Code

The Housing Ombudsman publishes a Complaint Handling Code that sets out the expectation placed on social landlords of how they deal with and manage complaints within their service areas.

From 1 April 2024, the Code became statutory meaning that landlords are obliged by law to follow its requirements. The purpose of the Code is to enable landlords to resolve complaints raised by residents quickly and use the data and learning from complaints to drive service improvements.

Where a complaint is not resolved after finishing a landlords complaint process, the role of the Ombudsman is to support effective landlord and tenant dispute resolution. This can include making awards of compensation or other remedies when appropriate – or finding non maladministration where the landlord has acted correctly.

Several parts of the Complaint handling code set out expectations on reporting and publicising performance against its expectations as well as demonstrating that learning from complaints is taking place. The Housing Advisory Board will consider complaint handling and compliance with the complaint handling code as part of its remit.

Housing Ombudsman outcomes

If the Housing Ombudsman determines that complaints are not handled correctly by a social landlord then it has a range of measures it can implement:

Complaint Handling Failure Orders

The Ombudsman can issue a Complaint Handling Failure Order (CHFO) in relation to individual cases when landlords don't accept a complaint or when there are delays in providing a complaint response in line with its complaint policy and timescales in the Code

Special Investigation Reports

The Ombudsman has powers to conduct further investigations beyond individual complaints to establish whether there is a systemic failing. The Ombudsman will work with the landlord until it has assurances that it has complied with the recommendations.

Wider Orders

The Housing Ombudsman has gained new powers under the Social Housing Regulation Act (paragraph 54f of the Scheme) to issue wider orders, allowing them to order or recommend a landlord to review its policy or practice.

Other Housing Ombudsman work

The Housing Ombudsman publishes a series of reports and good practise advice that it expects landlords to follow and implement.

Spotlight Reports

The Housing Ombudsman periodically produces Spotlight Reports which focus on areas where they have seen a high amount of failure through their casework. They examine issues within the theme and set out recommendations which landlords are expected to self-assess against. The Ombudsman can order landlords to self-assess against a Spotlight report where they identify general concerns about the handling of issues.

Insight Reports

Insight reports are published every 3 months and provide insight into the HO's complaints data, selection of case studies and recommendations for the sector. Their aim is to help landlords make improvements and deliver better services.

The Ombudsman intends to use learning from the complaints handled as well as ideas and suggestions from residents and landlords to generate good practice.

The Ombudsman encourages landlords to self-assess against each issue of good practice at publication rather than wait for an order to do so from the Ombudsman. They also want landlords to engage its governing body in this self-assessment, as happens presently with the Complaint Handling Code. This is a role that the Housing Advisory Board will undertake at Chesterfield Borough