

Meeting: Cabinet **Date:** 17 February 2026

Wards affected: All wards

Report Title: Housing Ombudsman Self-Assessment for Complaint handling

When does the decision need to be implemented? February 2026

Cabinet Member Contact Details: Councillor Alan Tyerman, Cabinet Member for Housing and Finance, alan.tyerman@torbay.gov.uk

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1. Purpose of Report

- 1.1 This report seeks approval from Cabinet for the Housing Complaints Policy detailing complaint handling for the Council's social housing stock in line with the Housing Ombudsman Complaint Handling Code.
- 1.2 From 1st April 2024 the Housing Ombudsman Complaint Handling Code became statutory. Landlords are obliged by law to follow its requirements. There will be a legal duty placed on the Ombudsman to monitor compliance with the Code with the Council expected to submit an annual self-assessment.

2. Reason for Proposal and its benefits

- 2.1 The proposal in this report is to ensure that we achieve best practice in complaint handling and ultimately provide a better service to tenants.
- 2.2 The reason for the proposal is to demonstrate to the Housing Ombudsman that we are operating our Complaints Handling in line with their Code.

3. Recommendation(s) / Proposed Decision

1. That Cabinet approve, as the Governing Body, the Housing Complaints Policy as set out in Appendix 2 and note the Self-Assessment Report 2025 as set out in Appendix 1.

4. Appendices

Appendix 1: Self-assessment 2025

Appendix 2: Complaints Policy

5. Background Documents

[Guidance on annual submissions | Housing Ombudsman Service](#)

Supporting Information

1. Introduction

- 1.1 The Social Housing (Regulation) Act 2023 (the Act) empowered the Housing Ombudsman to issue a code of practice about the procedures members of the Scheme should have in place for considering complaints.
- 1.2 It also placed a duty on the Ombudsman to monitor compliance with a code of practice that it has issued.
- 1.3 The Ombudsman consulted on the Complaint Handling Code (the Code) and their intended approach to the duty to monitor in late 2023. The statutory Code came into effect from 1 April 2024 and their duty to monitor compliance commenced at the same time.
- 1.4 The Housing Ombudsman Self-Assessment Form should be completed by the complaints officer and it must be reviewed and approved by the landlord's governing body at least annually.
- 1.5 Once approved, landlords must publish the self-assessment as part of the annual complaint's performance and service improvement report on their website. The governing body's response to the report must be published alongside this.
- 1.6 No Complaints have been received since Torbay Council held their own housing stock, 1st December 2024 to date are as follows:

Complaint level	2023/24	2024/2025
Initial complaint	0	0
Stage 1 complaint	0	0
Stage 2 complaint	0	0

2. Options under consideration

- 2.1 The preferred option is to provide a submission. If a landlord is unable to provide the submission by the relevant date it must contact the Ombudsman immediately, outlining the

reasons why and to engage in discussions with the Ombudsman on the next steps and actions required.

2.2 The alternative option would be to not submit an annual Self-Assessment, this option was discounted. Landlords that fail to provide the submission or resubmission by the relevant date may be issued a Complaint Handling Failure Notice. All notices will be shared with the Regulator of Social Housing. The Housing Ombudsman may also refer notices not resolved through action to the governing body.

3. Financial Opportunities and Implications

3.1 Not applicable

4. Legal Implications

4.1 Not applicable

5. Engagement and Consultation

5.1 Not applicable

6. Procurement Implications

6.1 Not applicable

7. Protecting our naturally inspiring Bay and tackling Climate Change

7.1 Not applicable

8. Associated Risks

8.1 Not applicable

9. Equality Impact Assessment

Protected characteristics under the Equality Act and groups with increased vulnerability	Data and insight	Equality considerations (including any adverse impacts)	Mitigation activities	Responsible department and timeframe for implementing mitigation activities
Age	<p>18 per cent of Torbay residents are under 18 years old.</p> <p>55 per cent of Torbay residents are aged between 18 to 64 years old.</p> <p>27 per cent of Torbay residents are aged 65 and older.</p>	<p>Torbay Council should ensure that the methods of submitting complaints remain accessible by enabling customers to report by various methods face to face, in writing or via Torbay Council's website. This is particularly relevant to ensure we capture concerns or complaints from harder to reach demographic groups (which often includes younger people), who tend to reach for their device rather than a pen and paper when they are unhappy with a service.</p> <p>Torbay Council should clearly advise that complaints are received via email, in person, in writing and over the telephone, to ensure they capture the needs of our older or more technology restricted demographic of customers.</p>	<p>Sometimes Torbay Council's complainant may be an older person, or someone with limited ability (due to health issues e.g., dementia).</p> <p>Torbay Council need to ensure that correct support is put in place and that referral mechanisms are available to the relevant agencies, and when we are aware of health issues or limited capability in a household, that we have support in place even before a customer may need to complain.</p>	<p>Regeneration</p> <p>Adult Services</p> <p>Children's Services</p>

Carers	At the time of the 2021 census there were 14,900 unpaid carers in Torbay. 5,185 of these provided 50 hours or more of care.	There is no differential impact anticipated.	Not Applicable	Not Applicable
Disability	In the 2021 Census, 23.8% of Torbay residents answered that their day-to-day activities were limited a little or a lot by a physical or mental health condition or illness.	<p>Some customers with learning difficulties, hearing or sight impairments or mental health issues may not understand how policies and procedures work. Torbay Council must ensure support is offered in all aspects of tenancy support, and all aspects of raising a formal complaint should the need arise.</p> <p>Torbay Council will work with Support Workers or appointed persons on behalf of the complainant if applicable. This ensures accessibility of the service as well as making any other reasonable adjustments where required (such as letters in alternate formats or specified methods of contact).</p>	<p>Regularly monitor customers contact preferences and update the case management system to this effect.</p> <p>Ensure appointed Support Workers or appointed persons remain relevant/updated.</p> <p>Ensure Torbay Council staff are up to date with relevant mental health training.</p>	Regeneration Adult Services Children's Services
Gender reassignment	In the 2021 Census, 0.4% of Torbay's community answered that their gender identity was not the same as their sex registered at birth. This proportion is similar to the Southwest and is lower than England.	There is no differential impact anticipated.	Not Applicable	

Marriage and civil partnership	Of those Torbay residents aged 16 and over at the time of 2021 Census, 44.2% of people were married or in a registered civil partnership.	There is no differential impact anticipated.	Not Applicable	
Pregnancy and maternity	Over the period 2010 to 2021, the rate of live births (as a proportion of females aged 15 to 44) has been slightly but significantly higher in Torbay (average of 63.7 per 1,000) than England (60.2) and the South West (58.4). There has been a notable fall in the numbers of live births since the middle of the last decade across all geographical areas.	There is no differential impact anticipated.	Not Applicable	
Race	In the 2021 Census, 96.1% of Torbay residents described their ethnicity as white. This is a higher proportion than the South West and England. Black, Asian and minority ethnic individuals are more likely to live in areas of Torbay classified as being amongst the 20% most deprived areas in England.	Although it is expected there would be little or no impact (Torbay Council would be aware of any language barriers upon the point of a tenancy being offered), it should be advised that assistance by way of an interpreter can be organised by prior arrangement.	Torbay Council will ensure any language barriers which could impact communication are noted on the case management software upon execution of the tenancy. Torbay Council will review complaints from persons who are not housing customers on a case by case basis.	

			<p>Torbay Council must ensure that provisions are in place before the landlord/tenant relationship is formally executed, and that this provision is ongoing.</p> <p>The housing management team should also ensure relevant departments, namely Revenues, are aware of any language barriers for the provision of invoicing/revenue collection.</p>	
Religion and belief	64.8% of Torbay residents who stated that they have a religion in the 2021 census.	There is no differential impact anticipated.	Not Applicable	
Sex	51.3% of Torbay's population are female and 48.7% are male	There is no differential impact anticipated.	Not Applicable	
Sexual orientation	In the 2021 Census, 3.4% of those in Torbay aged over 16 identified their sexuality as either Lesbian, Gay, Bisexual or, used another term to describe their sexual orientation.	There is no differential impact anticipated.	Not Applicable	

Armed Forces Community	In 2021, 3.8% of residents in England reported that they had previously served in the UK armed forces. In Torbay, 5.9 per cent of the population have previously served in the UK armed forces.	There is no differential impact anticipated.	Not Applicable	
Additional considerations				
Socio-economic impacts (Including impacts on child poverty and deprivation)		There is no differential impact anticipated.	Not Applicable	
Public Health impacts (Including impacts on the general health of the population of Torbay)		There is no differential impact anticipated.	Not Applicable	
Human Rights impacts		There is no differential impact anticipated.	Not Applicable	
Child Friendly	Torbay Council is a Child Friendly Council and all staff and Councillors are Corporate Parents and have a responsibility towards cared for and care experienced children and young people.	There is no differential impact anticipated.	Not Applicable	

