

Report title: Housing Ombudsman Self-Assessment for Complaint Handling

Report to: Cabinet

Date: 15 September 2026

Lead Cabinet Member: Councillor Alan Tyerman, Cabinet Member for Housing and Finance

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Wards affected: All wards

1. Summary of Report:

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

2. Recommendations and Proposed Decision:

- 2.1 That as the Governing Body, the Cabinet approve the Housing Complaints Policy at Appendix 2 to the submitted report; and
- 2.2 That Cabinet note the Self-Assessment Report 2026 as set out at Appendix 1 to the submitted report

3. Reasons for Recommendations/Proposed Decision:

- 3.1 To ensure that Torbay Council achieves best practice in complaint handling and providing a better service to tenants, through the approval of the Housing Complaints Policy. This enables Torbay Council to demonstrate to the Housing Ombudsman that the handling of complaints is in line with the relevant code.

4. Background and Context:

- 4.1 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.
- 4.2 This report seeks approval and comments from Cabinet Members regarding complaint handling for their social housing stock in line with the Housing Ombudsman Complaint Handling Code.

5. Alternative Options Considered:

Not applicable

6. Contribution to Council Priorities:

Not applicable

7. Consultation and Engagement:

Not applicable

8. Implications:

Financial Implications:

None

Legal Implications:

None

Corporate Parenting/Children and Young People:

None

Associated Risks, Risk Tolerance Level and Mitigations:

This is a requirement by the Housing Ombudsman, failure to comply will result in Torbay Council being investigated. In turn this could lead to a reduction in Homes England grant funding to assist

us in building much needed homes for local people together with providing a poor service to our tenants.

Contributions to tackling climate change or achieving carbon neutrality:

Not applicable

Social Value Considerations:

Not applicable

Procurement Implications:

Not applicable

Other Implications:

Not applicable

9. Equalities 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	18% of Torbay residents are aged under 18 years old. 55% of Torbay residents are aged between 18 to 64 years old. 27% of Torbay residents are aged 65 and older.	Younger people are more likely to have access to the internet and therefore engage with Council services via the internet. Older people (especially those over the age of 70) are more likely to face barriers to accessing the internet and thus may find it more difficult to access Council services online.	The complaints process will be accessible through a range of channels including telephone, online, email, written correspondence and representation by a third party. Staff will take a flexible approach to contact arrangements to meet tenants needs	Regeneration Adult Services Children's Services
Carers	- At the time of the 2021 census there were 14,900 unpaid carers in Torbay. 5,185 of these carers provided 50 hours or more of care.	Carers may experience time pressures, stress and competing responsibilities which can make it more difficult to engage with formal complaints processes.	The complaints process will be accessible through a range of channels including telephone, online, email, written correspondence and representation by a third party. Staff will take a flexible approach to	Regeneration Ongoing

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			contact arrangements where caring responsibilities affect a resident's ability to engage.	
Care experienced	As of January 2026, there were 277 former care experienced young people aged 18-24 in Torbay.	Individuals who are care experienced are more likely to have lower levels of education. They may experience a lack of confidence or barriers to accessing the complaints process. This can make it more difficult to engage with formal complaints processes.	The complaints process will be accessible through a range of channels including telephone, online, email, written correspondence and representation by a third party. Staff will take a flexible approach to contact arrangements to meet tenants needs.	Not Applicable
Disability	In the 2021 Census, 23.9% of Torbay residents answered that their day-to-day activities were limited a little or a lot by a physical	Some customers with disabilities including learning disabilities and/or difficulties, hearing or sight impairments or mental health issues face barriers in	The complaints process will be accessible through a range of channels including telephone, online, email, written correspondence	Regeneration Adult Services

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
	or mental health condition or illness.	accessing and understanding the Complaints Policy.	and representation by a third party. Staff will take a flexible approach to contact arrangements to meet tenants needs. Regularly monitor customers contact preferences and update the case management system to this effect. Ensure appointed Support Workers or appointed persons remain relevant/updated. We will ensure support is offered in a person centred way throughout their tenancy. Customers will be supported should they wish to raise a complaint. We will	Children's Services

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			provide key information in easy read format. Ensure that Council staff are up to date with relevant mental health training. We will work with Support Workers or appointed persons on behalf of the complainant if applicable. This helps to ensure that the service is accessible to those with different needs. The service will make reasonable adjustments where required (such as letters in alternate formats or alternative methods of contact).	
Gender reassignment	In the 2021 Census, 0.4% of Torbay's community answered that their gender identity was not the same	Transgender residents may be less willing to raise concerns if they fear	The complaints process will be accessible through a range of channels including telephone, online, email,	Regeneration

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
	as their sex registered at birth.	discrimination, inappropriate language or breaches of confidentiality.	written correspondence and representation by a third party. Staff will take a flexible approach to contact arrangements to meet tenants needs	Ongoing
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	- Between 2013 and 2024, the rate of live births (as a proportion of females aged 15 to 44) has been slightly but significantly higher in Torbay (average of 56.0 per 1,000) than the Southwest (53.4) and broadly in line with England (56.3). - For the period 2022 to 2024, rates in Torbay (44.6) have been	Residents who are pregnant or caring for a newborn child may experience competing demands on their time and may find it more difficult to engage with a formal complaints process.	The complaints process will be accessible through a range of channels including telephone, online, email, written correspondence and representation by a third party. Staff will take a flexible approach to contact arrangements to meet tenants needs.	Regeneration Ongoing

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	significantly below England (50.0).			
Race	In the 2021 Census, 96.1% of Torbay residents described their ethnicity as the following: • 1.6% as Asian, Asian British or Asian Welsh • 0.3% as Black, Black British, Black Welsh, Caribbean or African • 1.5% as being of Mixed or Multiple ethnic groups • 96.1% as White • 0.4% described their ethnicity another way. • Black, Asian and minoritised ethnic communities are more likely to live in areas of Torbay classified as being amongst the 20% most deprived areas in England.	Residents whose first language is not English may face barriers in understanding the Complaints Policy, complaint outcomes, timescales and escalation routes. Limited English proficiency could reduce confidence in using the complaints process or result in misunderstandings during investigations. There is a risk that these residents may be less likely to submit complaints or may experience poorer outcomes if appropriate communication support is not available. Some residents may be less willing to raise concerns if they fear discrimination, inappropriate language or breaches of confidentiality.	The complaints process will be accessible through a range of channels including telephone, online, email, written correspondence and representation by a third party. Staff will take a flexible approach to contact arrangements to meet tenants needs The Council will ensure any language barriers which could impact communication are noted on the case management software upon start of the tenancy. The housing management team should also ensure	Regeneration Ongoing

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			relevant departments, are aware of any language barriers for the provision of invoicing/revenue collection. Global language interpretation and translation will be available where appropriate. Staff will be expected to treat all complainants with dignity and respect, maintain confidentiality and follow equality and inclusion policies throughout the complaint process.	
Religion and belief	The 2021 Census showed that the residents in Torbay identify their religion and/or belief as the following; • 48.5% are Christian • 0.4% are Buddhist	Some residents may have religious observances, festivals or practices which affect their availability to engage in elements of the complaints process. Residents may also have preferences regarding communication or meeting	The complaints process will be accessible through a range of channels including telephone, online, email, written correspondence and representation by a	Regeneration Ongoing

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
	0.2% are Hindu 0.6% are Muslim - Less than 0.1% are Sikh 0.1% are Jewish 0.7% have another religion 43.2% have no religion 6.3% did not answer	arrangements linked to their faith or belief. Some residents may be less willing to raise concerns if they fear discrimination, inappropriate language or breaches of confidentiality.	third party. Staff will take a flexible approach to contact arrangements to meet tenants needs. Staff will be expected to treat all complainants with dignity and respect, maintain confidentiality and follow equality and inclusion policies throughout the complaint process.	
Sex	51.3% of Torbay's population are female. 48.7% of Torbay's population are male.	There is no differential impact anticipated.	Staff will be expected to treat all complainants with dignity and respect, maintain confidentiality and follow equality and inclusion policies throughout the complaint process	Regeneration Ongoing

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
Sexual orientation	In the 2021 Census, residents described their sexuality as follows; • 89% as Straight or Heterosexual • 1.7% as Gay or Lesbian • 1.1% as Bisexual • 0.1% as Pansexual • 0.1% described their sexuality another way • 7.4% of people didn't answer the question	People from LGBT+ communities may be reluctant to engage with services if they have experienced discrimination previously.	Staff will be expected to treat all complainants with dignity and respect, maintain confidentiality and follow equality and inclusion policies throughout the complaint process.	Regeneration Ongoing
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% of the population have previously served in the UK armed forces.	Veterans may experience physical or mental health conditions which affect how they access services and communicate with the Council.	The complaints process will be accessible through a range of channels including telephone, online, email, written correspondence and representation by a third party. Staff will take a flexible approach to contact arrangements to meet tenants needs.	Regeneration Armed Forces Lead Ongoing

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			Staff will be expected to treat all complainants with dignity and respect, maintain confidentiality and follow equality and inclusion policies throughout the complaint process.	
<i>Additional considerations:</i>				
Socio-economic impacts (Including impacts on child poverty and deprivation)	Torbay is ranked as the 39th most deprived upper tier local authority in England in the Index of Multiple Deprivation 2025.	Residents experiencing deprivation, financial hardship, digital exclusion or low literacy may face additional barriers in accessing online services and navigating formal complaints procedures.	The complaints process will be accessible through a range of channels including telephone, online, email, written correspondence and representation by a third party. Staff will take a flexible approach to contact arrangements to meet tenants needs.	Regeneration Ongoing

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Public Health impacts (Including impacts on the general health of the population of Torbay)	For the five-year period 2020 to 2024, data shows there is a 6-year life expectancy gap between males who live in Torbay's least and most deprived areas and, a 3-year gap for females.	There is no differential impact anticipated.	Not Applicable	
Human Rights impacts		The complaints process supports the Council's obligations under the Human Rights Act 1998 by ensuring tenants have access to a fair, transparent and accountable mechanism to raise concerns about housing services. Effective complaint handling can help safeguard rights relating to respect for private and family life, personal dignity, home and correspondence, and protection from discriminatory treatment. There is a risk that residents who face communication, language, literacy, financial or other vulnerabilities may be	The complaints process will be accessible through a range of channels including telephone, online, email, written correspondence and representation by a third party. Staff will take a flexible approach to contact arrangements to meet tenants needs.	Regeneration Ongoing

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		disadvantaged if the process is not accessible.		
Child Friendly		There is no differential impact anticipated. A robust complaints process will complement the Council's approach to ensuring that children in Torbay have healthy and happy homes.	Not Applicable	Regeneration Children's services Ongoing

10. Cumulative Council Impact:

None

11. Cumulative Community Impact:

None

12. Monitoring and Evaluation:

Cabinet is responsible for ensuring this policy is kept up to date, implemented within the organisation and monitored and evaluated.

This policy will be reviewed every three years or when there is a change in circumstances, in work practices or the introduction of new legislation.

Appendices:

Appendix 1: Complaints Policy

Appendix 2: Self-assessment 2026

Background Documents:

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

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