

28 September 2023

Dear Chief Executive,

We are writing to invite you to respond to our consultation on our joint Complaint Handling Code which will apply to all local councils in England. As your local council has housing powers we are writing to you jointly as your services may come under the jurisdiction of both the Housing Ombudsman and Local Government and Social Care Ombudsman.

Given some councils are within both our jurisdictions, we have partnered to make the Code the single gold standard for complaint handling in the local government sector. We believe a joint Code will make it easier for local people to hold councils and social landlords to account and for those organisations to have confidence that they are employing best practice. It will also align complaints about housing management, which is already subject to the Code through the Housing Ombudsman Scheme, with local authorities' other services.

The Housing Ombudsman's Complaint Handling Code (the Code) has been in operation since 2020 and has been successfully adopted by most councils for its housing management responsibilities. The Social Housing (Regulation) Act places the Code on a statutory footing and requires the Ombudsman to monitor Scheme members compliance with it, regardless of whether or not a complaint is received.

Whilst the Local Government and Social Care Ombudsman has not previously issued a complaint handling code it has issued good practice on complaint handling. The Code will also become statutory for councils in the Local Government & Social Care Ombudsman's jurisdiction as it has the power to issue such guidance under the Local Government Act 1974.

We have a duty to consult with relevant organisations and bodies before issuing the Code. As an organisation who may deal with both Ombudsman services we wanted to make you aware of the proposed changes and consultation period. Our consultation will run between 28 September and 23 November.

As you will see, there are minimal proposed changes to the existing Code issued by the Housing Ombudsman. This is intended to support continuity and certainty for complaint handling in the sector in reflection of the sound principles on which the Code was first developed.

The Code is new for the Local Government and Social Care Ombudsman and other council services outside of housing management. However, we are aware that some local councils are already applying the Code in other service areas and we believe there should be no difference in how complaints are dealt with between different service areas within councils.

This letter is accompanied by FAQ factsheets which provide further information on our joint approach to the Code as well as explanations of where our approach may differ due to differences in our roles and powers and services we deal with.

The Housing Ombudsman will begin using its powers relating to the statutory duty to monitor landlords' compliance with the Code from 1 April 2024. The existing Code will remain a condition of Scheme membership and obligations on landlords between now and 1 April 2024 will remain unchanged; we will continue to take action where required. This means councils should self-assess against the Code, taking that assessment through governance and publishing it.

During the consultation period, we are holding a webinar for landlords and local councils with housing stock on Tuesday 10 October between 11am and 12pm. We are also running a webinar for local councils on Tuesday 17 October between 2pm and 3pm. Meanwhile, the Housing Ombudsman's monthly Code drop-in session on 26 October between 2:30pm and 4pm – is another opportunity to ask any questions about the Code and duty to monitor. Further details of how to join the webinars will be provided closer to the time.

We are asking local councils who are also members of the Housing Ombudsman scheme to complete two surveys in response to the consultation.

This is because the Housing Ombudsman is updating its existing Code and consulting to put it on a statutory footing under the Social Housing (Regulation Act) 2023 whereas this is a completely new Code for the Local Government and Social Care Ombudsman. Therefore the Local Government and Social Care Ombudsman are consulting about the impact the Code will have on wider services delivered by local councils outside of housing management.

This means each Ombudsman needs to ask different questions as part of the consultation process in order to properly consider the impact it has on the organisations they deal with. Local councils who are not members of the Housing Ombudsman scheme will only need to complete the Local Government & Social Care Ombudsman consultation survey.

You can submit your response to the Housing Ombudsman's consultation through this link: <https://ecv.microsoft.com/velyU5jFm4>

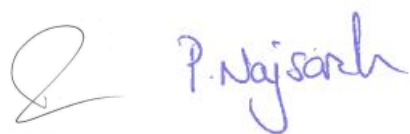
You can submit your response to the Local Government & Social Care Ombudsman's consultation through this link: <https://ecv.microsoft.com/jEiAuJeKdI>

You can find out more information about the Local Government & Social Care Ombudsman's consultation [here](#).

You can find out more information about the Housing Ombudsman's consultation [here](#).

We look forward to receiving your consultation responses and please do make use of the webinars and Code drop-in sessions if you feel these would be useful.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'P. Najsarek', with a stylized initial 'P' to the left.

Richard Blakeway, Housing Ombudsman
Paul Najsarek, Local Government and Social Care Ombudsman