

Report for:

HOMES POLICY DEVELOPMENT GROUP

Date of Meeting: 3rd June 2025

Subject: **MID DEVON HOUSING COMPLAINTS
HANDLING REPORT**

Cabinet Member: Councillor Jane Lock, Cabinet Member for Housing,
Assets and Property

Responsible Officer: Simon Newcombe, Head of Housing & Health

Exempt: None

Wards Affected: All

Enclosures: Annex A shows how Mid Devon Housing (MDH) is performing against the Regulator of Social Housing (RSH) Tenancy Satisfaction Measures (TSM) in complaint handling for the financial year 2024-25

Annex B shows the results of MDH's Perception survey results in complaint handling for the financial year 2024-25

Annex C contains the outcome of the required MDH's self-assessment against the revised Housing Ombudsman Service (HOS) Complaints Handling Code (the Code) for the financial year 2024-25

Annex D provides a summary of lessons learned arising from complaint handling during the financial year 2024-25.

Annex E (i) shows MDH's data relating to complaints received and closed during the financial Year 2024-25.

Annex E (ii) shows MDH's complaints data category

during the financial year 2024-25.

Annex F shows the outcome of HOS determinations during 2024-25.

Annex G shows HOS Landlord Performance Report – Mid Devon District Council for 2023-24 (most recent available report)

Annex H provides the MDH Complaint Handling Complaint Handling Summary Report for Tenants 2024-25

Section 1 – Summary and Recommendation(s)

In summary, the report provides the following information as set out below and contained in Annexes A, B, C, D, E, F and G.

- A general overview of the social housing legislation;
- A general overview of the role of the RSH;
- An annual review of how MDH is performing against the Regulator's Tenancy Satisfaction Measures in complaint handling;
- An overview of HOS recent updates, Spotlight reports and good practice to improve complaint handling;
- An annual review of MDH's self-assessment against the HOS Complaints Handling Code;
- An overview of how MDH uses reports on complaint handling to drive service improvement forward from lessons learnt;
- The outcome of MDH's Perception survey results in complaint handling;
- An annual update of MDH's complaint handling data for the financial year 2024-25 to Members;
- An overview of MDH cases determined by the HOS; and
- An update on MDH resources, remedies and an update on the Council's new complaint handling system.

Recommendation(s):

Members of the PDG are asked to note the report and annexes.

Section 2 – Report

1 Introduction

- 1.1 Increased tenant satisfaction is at the heart of major changes to the regulatory landscape for social housing that have been implemented by the Government. Central to this change is an enhanced complaints handling approach required of social housing providers by the Regulator of Social Housing (RSH). Overall, it puts in place one of the most comprehensive, proactive consumer regulation regimes covering local government and private social landlords.

- 1.2 The Social Housing (Regulation) Act 2023 placed the Complaints Handling Code (the Code) onto a statutory footing. It also put a duty on the Housing Ombudsman Service (HOS) to monitor compliance with the Code. With a statutory Code there is a legal duty on landlords to comply with it. The HOS will be able to intervene with a landlord on the Code even when the HOS have not received a complaint.
- 1.3 This report sets out:
- A general overview of the Social Housing (Regulation) Act 2023;
 - A general overview of the role of the RSH;
 - An overview of MDH's performance against the Regulator's Tenant Satisfaction Measures in complaint handling for the financial year 2024-25;
 - An overview of HOS recent updates, Spotlight reports and sharing of good practice to improve complaint handling;
 - An update on MDH's compliance with the HOS's Complaints Handling Code;
 - How MDH uses reports on complaint handling to drive service improvement forward from lessons learnt;
 - The outcome of MDH's Perception survey results in complaint handling for the financial year 2024-25;
 - An annual update of MDH's complaint handling data for the financial year 2024-25 to Members;
 - An overview of MDH cases determined by the HOS and Local Government & Social Care Ombudsman (LGSCO) during the financial year 2024-25;
 - HOS Landlord Report for Mid Devon District Council for the financial year 2023-24; and
 - An update on MDH resources, remedies and an update on the Council's new complaint handling system.
- 1.3 Annex A shows how MDH is performing against the RSH's TSM's for the financial year 2024-25.
- 1.4 Annex B shows MDH's tenant satisfaction against the TSM's for the financial year 2024-25.
- 1.5 Annex C contains the outcome of MDH's self-assessment against the revised HOS Complaints Handling Code. The length, detail and format of the self-assessment are fixed by the HOS and provides the core, transparent basis of measuring compliance with the Code.
- 1.6 Annex D provides examples of lessons learned from complaint handling during the financial year 2024-25.
- 1.7 Annex E (i) shows MDH's performance relating to complaints during the financial year 2024-2025.

- 1.8 Annex E (ii) shows MDH's complaints closed by category during the financial year 2024-25.
- 1.9 Annex F shows the outcome of MDH cases determined by the HOS and LGSCO during the financial year 2024-25.
- 1.10 Annex G shows HOS Landlord Report for Mid Devon District Council for the financial year 2023-24. The report for 2024-25 has not been produced yet by the HOS and therefore is not currently available.
- 1.11 Provides a bite-sized, tenant and public friendly summary of this report and our complaints handling data and outcomes for the financial year 2024-25 This will be shared directly with tenants who will also be signposted to this report and other Annexes for the full information.

2 Overview of the Social Housing (Regulation) Act 2023

- 2.1 After receiving Royal Assent in July 2023, the Social Housing (Regulation) Act 2023 has since been implemented in 2024. The legislation has given greater powers to the RSH to tackle failing social landlords and tenants living in unsafe homes.
- 2.2 It also provides the RSH powers to carry out regular inspections of social landlords and the power to issue unlimited fines to rogue social landlords.
- 2.3 The HOS have also been given powers to publish best practice guidance to landlords following investigations into a tenant's complaint.
- 2.4 With the implementation of Awaab's Law, the Act provides greater powers to set strict limits for social landlords to address hazards relating to damp and mould and other health and safety risks.
- 2.5 The Social Housing (Regulations) Act also introduced new enforcement powers that will be made available to tackle failing social landlords who are not taking swift action to address poor quality and unsafe homes.
- 2.6 The Social Housing (Regulations) Act drives forward significant change in holding poor landlords to account, ensuring the needs of tenants are at the heart of government reforms and to improve the quality of life for those living in social housing across the country.

3 Overview of the role of the Regulator

- 3.1 The RSH operates the regulatory framework which contains a number of standards which set out the required outcomes and specific expectations associated with the performance of registered social landlords.
- 3.2 The RSH standards came into force from 1 April 2024. The standards provide stronger protection to tenants and improve services they receive. They will

also give tenants greater power to hold their landlord to account when they are under performing.

3.3 Overall the standards:

- Protect tenants by strengthening the safety requirements that all social landlords will be expected to meet;
- Require landlords to know more about the condition of their tenant's homes and the individual needs of the people living in them. Landlords will be expected to use this evidence to provide safe and decent homes with good quality landlord services;
- Make sure landlords listen to tenants complaints and response quickly when they need to put things right; and
- Require landlords to be open and accountable to their tenants and treat them with fairness and respect.

3.4 The Transparency, Influencing and Accountability Standard contains provisions relating to how landlords must be open with tenants and treat them with fairness and respect. This is so that tenants can access services, raise complaints when necessary and influence decision-making and hold their landlord to account.

3.5 What this means for MDH, is that we will be expected to comply with specific requirements of the standards in relation to complaint handling. Landlords will need to ensure their approach to handling complaints is simple and accessible. The standard requires landlords to be transparent with tenants, treat them fairly and respectfully so they can access services. Tenants must be able to voice concerns where necessary, influence decisions and hold the landlord accountable for their actions.

4 Overview of Tenant Satisfaction Measures regarding complaints

4.1 Registered providers of social housing (RPs) are required to collect and provide information to support effective scrutiny by tenants of their landlord's performance in managing their homes and neighbourhoods.

4.2 As part of the consumer regulation regime that was introduced in April 2023, the RSH introduced 22 mandatory TSMs, covering five themes. 10 of these measure by landlords directly and 12 are measured by landlords carrying out tenant perception surveys. 3 of the specific questions asked relate to complaint handling.

4.3 The TSM's form part of the key benchmark for all major registered providers of social housing including MDH. The emphasis behind these measures is clearly on tenant experience or satisfaction and how tenants feel we are performing alongside management information on repairs, safety, complaints handling and anti-social behaviour.

4.4 MDH are required to submit TSMs data relating to complaint handling to the RSH each year as shown below:

- TP09: Satisfaction with the landlord's approach to handling complaints
 - CH01: Complaints relative to the size of the landlord
 - CH02: Complaints responded to within Complaint Handling Code timescales
- 4.5 Annex A outlines how MDH is performing against the RSH's TSM's in complaint handling for the financial year 2024-25. The CH01 measure based on the number of complaints the landlord receives for each 1000 homes they own shows that MDH have received 75 stage 1 and 2 complaints for every 1000 properties. CH02 measure based on the number of complaints responded to within the Complaint Handling Code highlighted that MDH responded to 180 (98.9%) of stage 1 complaints and 27 (100%) stage 2 complaints in accordance with the Code.
- 4.6 The above figures will differ, as at the time of reporting (31 March 2025), there were complaints pending investigations. In addition, we may see an increase of complaints escalated to stage 2 over the next year. The above figures only show complaints that come under the remit of the Regulator's Tenancy Satisfaction Measures and do not include non-housing ombudsman complaints. Please refer to point 8.10 which provides an explanation of non-housing ombudsman complaints.
- 4.7 Annex B shows MDH's tenant satisfaction against the Tenant Satisfaction Measures in complaint handling. TP09 sets satisfaction with the landlord's approach to handling complaints. MDH sent a perception surveys to all tenants quarterly during 2024-25 except for quarter 1. The outcome of these shows as follows:
- Quarter 2, 33% of tenants satisfied with MDH's approach to complaint handling
 - Quarter 3, 45% of tenants satisfied with MDH's approach to complaint handling
 - Quarter 4, 33% of tenants satisfied with MDH's approach to complaint handling

Overall satisfaction 37%

- 4.8 Overall, we have seen an increase in satisfaction levels this year of 37% compared to 2023-24 where we saw 22.2% of tenants satisfied with MDH's approach to complaint handling. This saw an increase by 14.8%. This is a significant uplift and is further welcome against what is the most challenging area to measure customer satisfaction for all providers and the MDH specific context of the housing rent error issue which impacted all tenants and the regulatory judgement by the RSH.
- 4.9 The RSH will collate and publish the national data for all relevant social landlords for 2024-25 in due course, consequently we don't currently have a national benchmark figure for the relevant year. Nonetheless, the average TP09 satisfaction figure for all landlords in the first year of the TSM survey (2023-24)

was 35%, so the latest MDH figure is slightly above that average. We have also obtained the TP09 figures for Exeter and East Devon councils for 2024-25 which were 30% and 17% respectively, there MDH have performed well locally.

5 Overview of the Housing Ombudsman Service

- 5.1 The role of the HOS is to resolve disputes involving members of the Scheme including making awards of compensation or other remedies when appropriate and supporting effective landlord-tenant dispute resolution by others.
- 5.2 The HOS expects landlords to have in place an effective and positive complaint handling process. This facilitates landlords having insight into the services provided by them and how they are perceived and received by others.
- 5.3 The lessons learned from a complaint can improve the quality and focus of services provided, whether this is to the individual tenant or to a collective group of tenants. The learning process can strengthen landlord and tenant relationships as well as provide a mechanism for encouraging positive tenant engagement.
- 5.4 Since the Social Housing (Regulations) Act was implemented, this has seen the HOS having greater powers to hold failing landlords to account as well as publish best practice guidance to landlords following their investigations for example Spotlight reports and Good Practice reports.

HOS Spotlight reports

- 5.5 The HOS have concentrated on key areas of service provision where they see a high amount of failure through their casework. They examine the issues and set out recommendations and good practice within their Spotlight reports. Below is an example of a Spotlight report that the HOS have focussed on during the last year.

Follow up report – Spotlight on noise, time to be heard

- 5.6 In April 2024, the HOS released a follow up report – Spotlight on noise, time to be heard. This Spotlight report was a follow up from the previous Spotlight on noise report, time to be heard published in November 2022.
- 5.7 The HOS contacted landlords that had attended their initial webinar and all those landlords who featured in the first spotlight report. In addition, the HOS contacted an additional 5 landlords who had not featured in the original Spotlight report but had seen an increase in their maladministration rate in regarding to noise or anti-social behaviour (ASB) complaints.
- 5.8 The HOS asked landlords what changes or improvements they had made, or intended to make as a result of the original Spotlight report and any recommendations they made in response to this report.
- 5.9 Recommendations that were made include the following:

- Review of policy and procedures in response to noise nuisance;
- Amend the landlord's Void Policy by including sound proof measures and fitting carpets to those properties where the landlord had identified as noise being an issue;
- Change the language, attitude and communications used when reviewing noise issues. One landlord reviewed the tone that they used in their letters;
- Improved knowledge and information management system to enable to have a housing system in place that could efficient record housing cases; and
- Worked in more partnership with multi-agencies to try and resolve noise issues.

Memorandum of Understanding

- 5.10 During July 2024, the HOS and RSH set out how they would continue to work together.
- 5.11 The Memorandum of Understanding reflects the HOS and RSH's new powers under the Social Housing (Regulations) Act.
- 5.12 Both bodies are committed to strengthening the accountability of social landlords for providing safe homes, quality services and treating tenants with respect.
- 5.13 The Memorandum of Understanding sets out a new framework of communication, cooperation and exchange of information between the HOS and RSH and explains how each body will work together to deliver their individual roles.
- 5.14 Under the Social Housing (Regulation) Act 2023, the Memorandum of Understanding is now a statutory document.
- 5.15 The Memorandum includes commitments for:

Complementary approaches: both bodies will strive to achieve a compatible approach while respecting their independent roles.

Early communication: they will engage in early-stage communication on issues with potentially significant implications for each other.

Signposting: enquirers will be directed to the appropriate organisation, with clear explanations provided.

Regular meetings: regular communication, including meetings at various levels of seniority, will be maintained to discuss mutual interests and stakeholder engagement.

Promoting understanding: efforts will be made to promote understanding of their respective roles among residents and landlords.

Consistent communication: consistency will be ensured in how they communicate about each other's roles.

- 5.16 Specific areas of information exchange have been set out, including the sharing of data about landlords, coordination on specific cases, intelligence on sector risks and advance notifications of publications and enforcement actions. The HOS and RSH wrote to all social landlords in July 2024 setting out how they will work together under the Memorandum.

Open letter to social housing Chief Executives

- 5.17 The HOS wrote to all social housing Chief Executives in July 2024 to raise concerns about the handling of some cases involving windows including residents raising concerns over health and safety.
- 5.18 Following their investigations, it showed that landlords had not always responded in a timely way and sometimes vital window repairs had been deferred. They provided examples of one case they had investigated that a window eventually fell out onto a garden below, whilst another case showed that residents had their windows boarded up for years.
- 5.19 The HOS have raised that they acknowledge that there is a significant stretch being placed on the social housing sector, however it remains vital that landlords fulfil their obligations to ensure that homes are decent, safe, secure and well maintained.
- 5.20 There is now a great emphasis on landlords to learn from the examples provided by the HOS in regards to poor practice ensuring that landlords are considering the risks and their obligations when carrying out their day to day repairs. MDH will take on board recommendations made by the HOS.

Call for evidence – Repairing Trust

- 5.21 The HOS launched in August 2024, its latest 'Call for Evidence' to inform its next Spotlight report, titled 'Repairing Trust', which will explore common issues in housing maintenance.
- 5.22 This follows an unprecedented rise in complaints relating to disrepair, combined with increasing costs and skills shortages. In many cases, this is significantly impacting upon residents' safety in their homes.
- 5.23 The HOS will cover 4 themes, as shown below:
- What are the main issues landlords face when contracting services, what causes these issues and what impact do they have?
 - What problems do residents encounter with these services, the underlying reasons and their effects?
 - What barriers do operatives experience in delivering services, the root causes and the repercussions? And
 - What are the lessons learned from cases with no maladministration and successful initiatives within the sector?

5.24 The report is pending publication.

HOS Annual Complaints Review

5.25 The HOS published its Annual Complaints Review 2023-24 in November 2024, revealing it made 21,740 interventions to put things right for residents, ranging from doing repairs to paying compensation and improving practices – a 329% increase.

5.26 It has also published 271 landlord performance reports and written to 126 landlords where failings were found in 75% or more of its decisions – compared to just 25 landlords for the previous last year.

Other key figures include:

- 73% of decisions resulted in maladministration because the landlord did not follow its legal requirements, policy or process;
- 4% point rise in severe maladministration to 856 findings, or 7% of all decisions, with the no fault rate falling from 25% to 15%;
- 73% of property condition findings upheld, 84% for the handling of the complaint, 68% for anti-social behaviour and 62% for health and safety, including building safety - every complaint category has seen an increase;
- The area with the highest proportion of findings upheld was London at 77% compared to the lowest of 62% in the North East and Yorkshire, with every region witnessing an increase; and
- 9 landlords received more than 5 failure orders for non-compliance with the Complaint Handling Code or cooperating with investigations.

5.27 The impact on residents' lives and welfare of poor services and conditions is apparent in the complaints investigated throughout the year. The HOS said that this includes declining school attendance amongst children living with untreated damp and mould, repair delays forcing a father to carry his severely disabled daughter up and down the stairs every day and a doctor advising that housing conditions could have led to a resident's lung infection. In several cases of disrepair residents have referred to visiting hospital while waiting for works.

5.28 The HOS is encouraging landlords to learn from this review. Its Centre for Learning has eLearning modules and workshops to give housing professionals free-to-access materials to improve services. The Centre for Learning also provides case studies, reports, podcasts and more on key topics the sector is facing.

Good practice on relationship management

5.29 In January 2025, following consultation with landlords the HOS said they would be releasing its first Good Practice guidance later in the year which will focus on relationship management between landlords and their residents. The Good

Practice will also look at restoring relationships which have broken down between the landlord and resident.

- 5.30 Greater powers were introduced as part of the Social Housing (Regulation) Act for the HOS to share good practice.
- 5.31 The Good Practice will establish a framework for landlords like MDH to aid problem solving in areas of their work that can regularly result in complaints. It will also share practical lessons with landlords with the aim to reduce the need for residents to raise a complaint or refer a case to the HOS.
- 5.32 Landlords will have access to a self-assessment against the guidance which in turn will support the learning and development of improvement plans. Landlords will be encouraged to test themselves to learn from complaints, which can act as a unique catalyst for positive, lasting change. MDH welcome this new addition of support that the HOS will be offering landlords.

Annual Report and Accounts

- 5.33 In February 2025 the HOS issued their Annual Report and Accounts for complaint handling. This was for the financial year 2023-24. The report highlighted that one of the most significant features of the 2023-24 was the 107% increase in the number of investigations completed. Casework demand continued to rise from 2022-23 with overall volumes increasing by 27%. The volume of cases coming to the HOS for formal investigation also increased by 60%. During 2023-24, the HOS made 22,000 orders and recommendations compared to the previous year in 2022-23, which were 6,575.

Awaab's Law

- 5.34 In February 2025, the HOS issued a statement on Awaab's Law. This comes following the government's announcement it will be bring Awaab's Law into force for damp and mould in the social rented sector from October 2025 and then will extend to a wider range of hazards from 2026. The law is an important step towards helping millions of people, including 1 million children to live in a safe and decent home.

HOS and LGSO joint procedures

- 5.35 The HOS released in February 2025, a new joint operating procedure that had been agreed between the HOS and LGSCO. This sets out the HOS's approach to working with the LGSCO on cases where there are overlapping housing issues.
- 5.36 The HOS investigates complaints and resolves disputes involving the tenants and leaseholders of social housing landlords.
- 5.37 The LGSCO investigates complaints about most council services.
- 5.38 Examples of topics that may suggest the need for joint working include:
 - Crossover between rent arrears and housing benefit;

- Temporary accommodation and the housing management function of the landlord; or
- Anti-social behaviour (ASB) and an ASB case review.

6 Complaints Handling Code

- 6.1 The HOS originally introduced the Code in July 2020. The Code sets out guidance so that landlords respond to complaints effectively and fairly. The Code was introduced as part of the HOS's powers in the revised Housing Ombudsman Scheme under the wider consumer-led changes to regulation of social housing.
- 6.2 Since the Code was first introduced, it has been reviewed and strengthened to implement the provisions in the Code to support a more joined up approach to complaint handling as well as to support a positive complaint handling culture.
- 6.3 Furthermore, since the Code was put on a statutory footing, this has given the HOS greater powers to monitor landlord's compliance with the Code and holding them to account for non-compliance.
- 6.4 The HOS released data in July 2024 that they have issued the highest record of Complaint Handling Failure Orders to landlords who have not complied with orders following issuing their determinations.

Self-assessment against Code

- 6.5 Landlords including MDH are required to carry out an annual assessment against the Code. This is to ensure their complaint handling is in accordance with the requirements of the Code. Non-compliance of the Code could result in the landlord being issued with a Complaint Handling Failure Order by the HOS.
- 6.6 The Code acts a guide for tenants which sets out what they can and should expect from their landlord when they raise a complaint. The requirements of the Code also provides tenants information about MDH's complaint handling and the different stages on how to progress their complaint through the internal complaints procedure.
- 6.7 MDH's annual self-assessment against the HOS's Complaints Handling Code is included in Annex C. The length, detail and format of the self-assessment are fixed by the HOS and provides the core basis of measuring compliance with the Code. Landlords are expected to review the Code annually or when there has been a major change such as a restructure or merger.
- 6.8 MDH self-assessed against the Code in March 2025 taking into account the housing restructure of MDH. Relevant changes were made to show compliance with the Code.

- 6.9 MDH's self-assessment shows a comprehensive level of compliance with the Code. This means our processes should be considered effective when it comes to handling complaints.
- 6.10 As a result of MDH's self-assessment against the revised Code in 2024-25, the corporate Complaints and Feedback Policy was reviewed to take into account changes of the HOS Code and those changes identified to the Local Government & Social Care Ombudsman Service Complaint Code. The revised Complaints & Feedback Policy was implemented across the Council in August 2024.

7 Learning

- 7.1 Landlords are expected to learn from complaints. The lessons learned from a complaint can improve the quality and focus of services provided, whether this is to the individual tenant or to a collective group of tenants. The learning process can strengthen landlord and tenant relationships as well as provide a mechanism for encouraging positive tenant engagement.
- 7.2 The HOS expects landlords to consider their dispute resolution principles and to learn from complaint outcomes.

Lessons Learned

- 7.3 The report in Annex D shows an overview of the types of complaints the landlord has received, identifies the lessons learned and provides an example of service improvement as a result of complaints closed during the financial year 2024-25. This list does not include common lessons learned such as improving communications, compliance with policy and procedure or staff/contractor relations.
- 7.4 Within the upheld complaints, some 13 specific lessons learnt were identified and actioned as a result of the service review and continuous improvement process.
- 7.5 MDH also carry out monthly strategic insight/focus meetings to discuss complaint handling data, identify themes alongside reviewing progress on implementing lessons learnt. Outputs from these meetings are feedback into a structured performance management process which all service managers and team leaders participate in.
- 7.6 During 2024-25, we have promoted the improvements we have made via our social media and web pages.

8 Performance relating to Complaints 2024-25

- 8.1 Complaint handling performance is reviewed each month at a strategic level with the aim of identifying:
- Any high risk areas of work;
 - Any systemic issues; and

- Any issues which need to be escalated for discussion at a more senior level.
- 8.2 MDH have seen a slight decrease in both Stage 1 and 2 complaints during the financial year 2024-25 in comparison to the previous financial year. This means we were able to resolve more complaints at stage 1 than before i.e at an earlier stage to the satisfaction of the resident. However it is noted that although complaints have decreased slightly, we have seen that complaints have become more complex and additional complaints have been raised in individual complaints. Therefore, the figures do not show a true reflection of the number of complaints being reported.
- 8.3 Overall, of the 210 Stage 1 complaints and 34 Stage 2 complaints which were received during the financial year 2024-25. As at 31 March 2025, 204 or 98.5% of complaints were completed at Stage 1 and 31 or 100% were completed at Stage 2. These figures includes all complaints (Both HOS complaints and non-housing complaints) This compares to 219 or 98.6% at Stage 1 and 56 or 87.5% at Stage 2, closed in 2023-24.
- 8.4 Some 101 or 49.5% of Stage 1 complaints were upheld during 2024-25. Furthermore, 18 or 58.1 %Stage 2 complaints were upheld during 2024-25. This compares to 48.4% for stage 1 complaints in 2023-24 and 30.4% for stage 2 Complaints, so a similar stage at stage 1 and an increase in number of cases upheld at stage 2.
- 8.5 To provide context, MDH have a housing stock of 2840 properties, of the 210 Stage 1 complaints received in 2024-25 this equate to around 7.39% of our housing properties with 92.61% of properties therefore having no recourse to make a complaint. We have 3529 formal tenants living in our properties
- 8.6 A full breakdown of complaints across eighteen categories is provided in Annex E, however a summary of the top and lowest five categories for complaints is provided below:

Top 5 (most common) complaints categories

1. Routine repairs - 46
2. Other Planned maintenance - 28
3. Non housing ombudsman - 25
4. Planned maintenance - 22
5. Tenancy Management - 18

Comparing these figures with 2023-24 figures below, this highlights similar categories of complaints but in a different order. The only difference is the Communications category is no longer in the top 5 and has been replaced with Planned Maintenance.

Top 5 (most common) complaints categories (2023-24)

1. Non-housing ombudsman – 37
2. Routine repairs - 32
3. Communication – 32

4. Other Planned maintenance – 21
5. Tenancy management – 20

Bottom 5 (least common) complaint categories (2024-25)

1. Emergency repairs - 0
2. Nuisance - 0
3. Voids - 0
4. Disable Adaptations - 2
5. Allocations & Lettings/ASB - 4

Comparing these figures with 2023-24 figures below, this highlights similar categories of complaints, however in a slightly different order.

Bottom 5 (least common) complaints categories (2023-24)

1. Emergency repairs – 1
2. Disabled adaptations – 2
3. Nuisance – 4
4. Allocations and lettings – 6
5. Voids – 6

- 8.7 Routine repairs are the most common complaint, however this is largely reflective of the volume of activity with many thousands of repairs completed annually. Nonetheless, tenant satisfaction surveys provide additional data and enable specific attention is focused on this key area which run alongside contract management approaches to intervene early in any systematic issues arising from external contractors.
- 8.8 During the financial year 2024-25, we have been able to obtain further feedback about how satisfied/dissatisfied tenants have been with our Repairs Team by surveying tenants via Scapevoice. By surveying our tenants after completion of a repair, this helps us to identify any systematic issues sooner, reduces complaints and highlights areas of improvement.
- 8.9 For clarity, Non Housing Ombudsman Complaints are complaints reported by non MDH tenants and leaseholders about MDH services, for example, lifeline services, garage management, the condition of our estates, noise nuisance and these are not included in the TSM's. Therefore, this data reflects a number of categories that come under one heading.
- 8.10 There are several functions within MDH that received no complaints in 2024-25, these include services, such as voids, nuisance and emergency repairs.
- 8.11 Further performance information data is provided in more detail in Annex E as required under the Code.

Overall trend

- 8.12 MDH stage 1 complaint numbers decreased from 219 in 2023-24 to 210 in 2024-25 and equates to 75 complaints per 1,000 properties. Nationally, complaints have continued to increase across the entire social housing sector

driven by the regulatory changes and new Code alongside an increase in the national profile of the HOS in particular, with an expectation these will continue to rise.

Despite, MDH seeing fewer complaints than the previous year, this does not give a true reflection of the number of complaints received by MDH as often there are multiple complaints within one complaint raised. Furthermore, MDH have seen an increase in complex complaints which take longer to investigate to their complexity.

Nonetheless, whilst any complaint is arguably one too many at the same time these complaints reflect a very small proportion of the tens of thousands of actions, touchpoints, advice, service requests and interventions that MDH have provided to our tenants across the year.

Quarterly meetings

8.13 In accordance with the HOS Code, during 2024-25, MDH have met quarterly with the Member Responsible for Complaints (MRC), Cabinet Member for Housing, Assets & Property to discuss complaint handling data and any other relevant information listed under 8.14.

8.14 The HOS Code sets out the following criteria to show compliance with the Code:

As a minimum, the Member Responsible for Complaints (MRC) and the governing body (or equivalent) must receive:

- a. Regular updates on the volume, categories and outcomes of complaints, alongside complaint handling performance;
- b. Regular reviews of issues and trends arising from complaint handling;
- c. Regular updates on the outcomes of the Ombudsman's investigations and progress made in complying with orders related to severe maladministration findings; and
- d. Annual complaints performance and service improvement report.

9 Ombudsman Determinations

9.1 The HOS provides landlord performance data for individual landlords with 5 or more cases determined each year. The data shows an expected correlation between the number of complaints received by the HOS and landlord size.

9.2 The landlord performance data provided by the HOS for the financial year 2024-25 will likely not be available until next year.

9.3 Nonetheless, Annex F shows an overview of MDH cases determined by the HOS and the outcomes during 2024-25. Some of these complaints were live and carried forward into 2024-25 from the previous year and will be included in the HOS performance report for 2024-25 in due course. The available, previous year performance report is summarised below.

Landlord Performance Report 2023-24

- 9.4 The HOS issued MDH's Landlord Performance Report for 2023-24 on 7 November 2024 (the HOS reports on the previous financial year). Overall, the report showed that although there had been a number of failures, MDH have performed well when compared to similar landlords by size and type.

Performance at a glance, the HOS made:

- 5 Determinations
- 8 Findings
- 3 Maladministration Findings
- 6 Orders
- 1 recommendation
- 0 Complaint Handling failure Orders

In addition they:

- Ordered MDH to pay £1375.00 in compensation

- 9.5 The overall maladministration rate for MDH was 43%, significantly lower than the national maladministration rate of 73%. Within their report, the HOS said that MDH had performed well when compared to similar landlords by size and type. This must also be set against the overall number of complaints which exceed 200 for both 2023-24 and 2024-25 however only a very small proportion move to HOS for review and determination as set out above.
- 9.6 A full report by the HOS on MDH's Landlord Report for 2023-24 is provided in more detail in Annex G.

Cases escalated to the HOS and LGSCO 2024-25

- 9.7 During 2024-25, we have seen 11 complaints escalated to the HOS and 3 complaint escalated to the LGSCO. This is an uplift from the previous year and may be reflective of the concerted drive to promote the overall complaints process and Ombudsman role both nationally and locally.
- 9.8 Out of the 11 complaints escalated to the HOS, 2 complaints were raised in 2024-25, 5 were raised in 2023-24 and 4 raised in 2022/23. However, of these 11 complaints, the HOS have determined 7 complaints and 4 complaints are awaiting investigations by the HOS. These determinations will not be expected until later in 2025.
- 9.9 During the past couple of years, the HOS has recruited a high volume of staff to investigate complaints. As a result of this, going forward, we should expect complaints escalated to the HOS to be investigated and resolved quicker.
- 9.10 Of the HOS cases for 2024-25 determined to date, this resulted in 4 determinations of maladministration, 1 service failure and 9 no maladministration or no service failure identified. MDH were ordered to pay £1040.00 in compensation. The LGSCO determined 3 cases in which they declined to not open up a full investigation (see Annex F for full details).

- 9.11 To make a comparison with figures shown for 2024-25, in 2023-24, we received 5 determinations from the HOS of which 1 HOS case was refused as the complaint did not come under their remit and 1 LGSCO case was refused and appropriate advice was provided to the resident to pursue their case through the court.
- 9.12 It can take up to a year for MDH to receive the outcome of any complaints escalated to the HOS or the LGSCO for non-housing matters. Therefore, we can only report the outcome of Ombudsman complaints where we have been provided with a determination to date.
- 9.13 The MDH specific Ombudsman determination data is provided in more detail in Annex F.
- 9.14 In response to HOS determinations, those cases where an outcome of maladministration or severe maladministration was identified, landlords will be held to account. Therefore MDH will be publicly named as a landlord that mishandled how they dealt with a formal complaint. In response to this, MDH have complied with any Orders made by the HOS and apologised to the tenants for their mishandling of their case.

Comparison of complaint determinations between MDH and HOS/LGSCO for the financial year 2024-25

- 9.15 During 2024-25, the HOS has determined 7 MDH complaints. A comparison of complaint determinations between MDH and the HOS showed that out of these 7 determinations, the outcome of 4 determinations to be the same result that was made by MDH when we concluded our staged 2 investigations.

This shows that both MDH and the HOS have a mutual understanding and similar perspective of the complaint to reach the same shared decision and outcome. Whilst 3 HOS determinations showed that they only partially agreed with MDH conclusion of stage 2 investigations. This showed that although the HOS had highlighted some additional failures, these failures were only minor and this provided MDH an opportunity to learn from any failures and move forward service improvement.

- 9.16 During 2024-25, MDH have fared well, seeing no determinations made by the HOS resulting in severe maladministration.
- 9.17 During 2024-25, the LGSCO have determined 3 MDH complaints. A comparison of complaints between MDH and the LGSCO showed that out of these 3 determinations, the LGSCO made their final decisions, that they would not pursue these complaints any further.

10 General updates

Additional resources

- 10.1 During 2024-25, MDH recruited an additional Complaints Officer to support our complaint handling functions. A positive consequence of this is that we will be able to drive complaint handling forward in our ability to listen and understand our resident's concerns with greater insight into collective learning in order to continue to improve how we do things.

Remedies and service improvement process

- 10.2 The HOS encourages landlords to have their own policy or guidance which explains the landlords approach to offering financial remedies.
- 10.3 MDH's Tenant Compensation Policy applies to tenants and residents of MDH. It covers both discretionary compensation which relates to loss, damage or inconvenience due to a service failure and statutory (obligatory) compensation. Each case is considered on its individual merit and discretion and we look to identify if the tenant or resident has been impacted negatively by our lack of actions. We consider the following when offering some form of compensation or good will gesture:
- Out of pocket expenses
 - Distress and upset
 - Inconvenience caused
 - Overall service failure
- 10.4 Not all service failures result in an offer of compensation, as a simple apology is often suffice.
- 10.5 During 2024-25, MDH have offered £16,672.78 compensation of which £12,906.28 has been accepted and £634.00 good will gestures have been offered of which £584.00 has been accepted.
- 10.6 Compared to the financial year 2023-24, MDH offered £10,327.93 compensation of which £6692.93 was accepted and £419.66 good will gestures was offered of which £369.66 was accepted.
- 10.7 The difference between the amount of compensation or good will gesture offered to the amount that was accepted will depend on individual tenants/residents cases. Not all tenants/residents are seeking some form of financial redress but a simple apology or a repair is resolved is suffice.
- 10.8 This financial year we have seen an increase in compensation and good will gestures compared to the previous financial year. This is a result of the HOS putting a greater emphasis on landlords to offer some form of compensation or good will gesture when a service failure has been identified.
- 10.9 Whether a complaint is resolved at Stage 1, 2 or at the HOS stage, all complaints types are logged and reviewed on a rolling monthly basis with a focus on both live complaints and upheld decisions as part of a senior management performance meeting. This looks at complaints information in the context of wider service/functional level performance data for each area of MDH and enable contextual discussions and actions to be agreed to address on-off

and more thematic issues and avoid any structural failings. This is further discussed with the Member Responsible for Complaints (MRC), Cabinet Member for Housing, Assets & Property.

- 10.10 There are further monthly meetings between the complaints officers and the Head of Housing Health to discuss any emerging trends, assess HOS determinations in detail and confirm lesson learnt, which are captured and fed back to relevant functional leads to action. This work also links into service policy and strategy development in order to ensure any longer-term, potentially broader changes to how we operate are actioned.

New CRM system

- 10.11 During 2024-25 (August 2024), Mid Devon District Council (MDDC) implemented a new CRM system to log feedback such as complaints, compliments and comments. This new system is used across all services of the Council including MDH.

11 Recommendation

- 11.1 That Members note the report and annexes.

Financial Implications

The activity of Mid Devon Housing (MDH) is funded through the Housing Revenue Account (HRA). The HRA is ring fenced and subject to specific financial controls. The Housing Ombudsman Service (HOS) charges a mandatory membership fee based on the number of homes in the management of the Registered Provider (RP).

Legal Implications

The tenancy agreement defines MDH's relationship with tenants and sets out the rights and responsibilities of both parties. This takes account of legal and regulatory requirements.

The Council is a registered provider of social housing and therefore is required to comply with the regulatory framework operated by the Regulator for Social Housing (RSH). The regulatory framework has been reviewed. The Transparency, Influencing and Accountability Standard contains provisions relating to the management of complaints.

There is also a requirement for MDH to manage complaints in accordance with the Complaints Handling Code (the Code) which is issued by the Housing Ombudsman Service (HOS). Landlords are expected to self-assess against the Code. Furthermore, landlords are required to use the learning from complaints to drive service improvement.

Risk Assessment

The Complaint Handling Code provides a framework which supports effective complaint handling and prevention alongside learning and development. The Code

ensures complaint handling data is being used consistently across landlord functions, promotes engagement and sets out expectations for boards or equivalent governance, senior executives and frontline staff. Landlords have an obligation to comply with the Code. The Code contains guidance and is designed to assist landlords with responding to complaints effectively and fairly.

Impact on Climate Change

None directly arising from this report.

Equalities Impact Assessment

MDH has a collection of housing related policies. The use of these helps to ensure that service delivery is consistent and fair. These have been reviewed with the aim of aligning them more closely with the Regulatory Standards. There is a regulatory requirement for registered providers of social housing to tailor their services to meet the needs of tenants. MDH requests diversity data from tenants to enable compliance to be monitored.

MDH is required to work with people from all sections of society and having an agreed policy ensures that all tenants and other stakeholders are treated in the same way with adjustments being made to meet their needs, as necessary. The Code requires landlords to have an awareness of accessibility so residents can easily be able to access the complaints procedure via several routes.

Relationship to Corporate Plan

The Corporate Plan 2024-28 sets out how the Council will deliver new affordable and social homes annually, improving and maintaining the existing stock to the highest standards

Section 3 – Statutory Officer sign-off/mandatory checks

Statutory Officer: Andrew Jarrett

Agreed by or on behalf of the Section 151

Date: 22 May 2025

Statutory Officer: Maria de Leburne

Agreed on behalf of the Monitoring Officer

Date: 22 May 2025

Chief Officer: Richard Marsh

Agreed by or on behalf of the Chief Executive/Corporate Director

Date: 22 May 2025

Performance and risk: Stephen Walford

Agreed by the Chief Executive

Date: 22 May 2025

Cabinet member notified: Yes

Section 4 - Contact Details and Background Papers

Contact: Mr Simon Newcombe, Head of Housing & Health

Email: snewcombe@middevon.gov.uk

Telephone: 01884 255255

Background papers:

The Regulatory framework for social housing:

<https://www.gov.uk/guidance/regulator-of-social-housing-and-housing-ombudsman-service-factsheet>

Complaint handling code

<https://www.housing-ombudsman.org.uk/landlords-info/complaint-handling-code/>

The Council's current policy and procedures relating to complaints and feedback:

<https://www.middevon.gov.uk/your-council/customer-services/customer-feedback-and-complaints/>

Dispute resolution principle: Learn from outcomes

<https://www.housing-ombudsman.org.uk/landlords-info/principles-dispute-resolution/dispute-resolution-principle-learn-from-outcomes/>

Principles of Dispute Resolution

<https://www.housing-ombudsman.org.uk/landlords-info/principles-dispute-resolution/>

Early resolution

<https://www.housing-ombudsman.org.uk/useful-tools/fact-sheets/early-resolution/>

Tenant Satisfaction Measures

https://assets.publishing.service.gov.uk/media/660560a691a320001a82b1ae/20240325_TSM_FAQs_FINAL_-_April_2024_Revisions.pdf

The Memorandum of Understanding

Memorandum of Understanding between Regulator of Social Housing and the Housing Ombudsman - GOV.UK

HOS Insight Reports

Spotlight reports | Housing Ombudsman

Temporary moves

Decant expectations - Housing Ombudsman

HOS Good practice

New power to issue Good Practice | Housing Ombudsman

HOS and LGSCO joint working procedures

Joint working procedure with LGSCO | Housing Ombudsman