Record of Officer's Decision

The Openness of Local Government Bodies Regulations 2014 and the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

Date of Decision:	29 September 2026
Decision Maker (Officer):	Keith Simmons – Assistant Director – Corporate Policy and Support
Authority for Delegated Decision (Cabinet/Committee Decision or Scheme of Delegation – provide reference):	Authority was established by the Council's Cabinet decision at its meeting on 25 July 2025 (Minute 38 refers), in adopting the new Corporate and Housing Complaints Policy. Specifically, it authorised: *"(c) the Assistant Director (Corporate Policy and Support) be authorised to make minor adjustments to the Policy, following consultation with the Portfolio Holder designated as the Member Responsible for Complaints to address such matters as amendments to the Code of Complaints Handling by either the Housing Ombudsman or the Local Government and Social Care Ombudsman (or both)."*
Identify which Portfolio Holder(s)/Committee Chairman consulted?	Councillor A Baker – Portfolio Holder for Housing and Planning – who is the Member Responsible for Complaints for the Council.
Ward Member(s) consulted?	Not applicable
Is it a Key Decision?	No
Is it subject to call-in?	No
Decision Made:	To amend the Council's approved Corporate and Housing Complaints Policy to accommodate the recommendations and Observations provided by the Housing Ombudsman Service on that Policy. The recommendations and observations represent the Housing Ombudsman Service's interpretation of its Code of Complaint Handling and the extent to which it wished to ensure that there were no ambiguities in the Council's Policy in specific provisions.

Reason for Decision (if a report was produced to support the Decision, refer to or attach it):	The Corporate and Housing Complaints Policy was adopted by Cabinet on 25 July 2025, effective from 01 September 2025. The Policy was drafted to comply with the two separate Ombudsman Codes. The links to the Codes are here: https://www.housing-ombudsman.org.uk/landlords-info/complaint-handling-code/ https://www.lgo.org.uk/information-centre/information-for-organisations-we-investigate/complaint-handling-code The approved Council Policy is available here: https://www.tendringdc.gov.uk/content/complaints It was adopted following requests for comments submitted to both Ombudsman Services. On 24 November 2025, this Council provided the annual Complaint Handling Code Self-Assessment to the Housing Ombudsman Service, as required. Subsequently the Housing Ombudsman Service reviewed the Council's complaint policy, in its capacity as landlord (namely the Corporate and Housing Complaints Policy). The review focussed on ensuring landlords met the requirements of the Code based on what residents can reasonably expect to be included in a policy document. The review identified 5 recommendations (attached). These recommendations have been implemented by the Council and reflected within the revised Corporate and Housing Complaints Policy. The revised policy was sent to the Housing Ombudsman Service for comment and the Housing Ombudsman Service confirmed acceptance of its recommendations in the revised Policy wording. One recommendation was queried with the Service and they responded with clarification and a suitable adjustment was made to the identified section to differentiate service requests from complaints. The Housing Ombudsman Service determined that the recommendations should be in place and published by 30 September 2026. Two further observations were submitted and one, around inclusion of a specific email address for the

	Housing Ombudsman Service, has been implemented and another (around accessibility of the text) is programmed for review.
Highlight any associated risks/finance/legal/equality considerations:	Financial Risk – there are no significant financial implications associated with the revisions of the Corporate and Housing Complaints Policy. Any findings of failure to follow the national Complaint Handling Codes have implications for the Council, including financial consequences. Legal Risks – compliance with the Local Government and Social Care Ombudsman is not a legal requirement. The LGSCO's powers include to provide 'guidance about good administrative practice' to organisations under section 23(12A) of the Local Government Act 1974. The Local Government and Social Care Ombudsman has the authority to make a finding of maladministration where Councils' policies and procedures depart from the code without sufficient explanation. The Local Government and Social Care Ombudsman may also make a finding of maladministration where a Council, without good reason, does not meet the standards in the Code when responding to an individual complaint. Compliance with the Housing Ombudsman is a mandatory requirement for the Council in its capacity as landlord. Membership of the Housing Ombudsman Scheme is compulsory for social landlords – primarily housing associations and Local Authorities, who are or have been registered with the Regulator of Social Housing (RSH). A mandatory membership covers all housing activity considered to be about the landlord and tenant relationship and covers all types of tenure. Following the implementation of the Social Housing Regulation Act 2023, the Housing Ombudsman's Complaint Handling Code became statutory from 1st April 2024. This has been accompanied by a further revision of the Code. Under the 2023 Act, there is now a legal duty on Housing Ombudsman Scheme members to comply with the Code, as well as a duty on the Housing Ombudsman to monitor compliance with it, regardless of whether complaints are received. Equality Risk – none directly associated with this decision.
NEW : Details of Local Government Reorganisation	On 7th September 2026, the Secretary of State for Housing, Communities and Local Government

and/or Devolution considerations	announced in Parliament that a review of the Local Government Reorganisation programme was commencing and that the decision made in March 2026 for Greater Essex (and other areas) had been withdrawn in light of new legal advice. Following this announcement, local authorities received correspondence from the Minister of Housing, Communities and Local Government requesting that until this review has concluded, Councils cease work on implementing the decisions that have previously been announced. The timetable for completion of the review is unknown at this time. This proposal is not impacted by MHCLG's request, as it is a policy required to be in place by the Council in its capacity as a landlord or otherwise in compliance with expectations on Complaint Handling Codes..	
Details of any Alternative Options Considered and rejected (together with reasons):	Not to revise the Corporate and Housing Complaints Policy incorporating the Housing Ombudsman Service recommendations. This was rejected as the Council considers itself to be compliant with the Codes of Complaint Handling and the recommendations from the Housing Ombudsman Service seek to avoid any perceived ambiguities in the text of its Policy.	
Details of any declarations of interest (by Portfolio Holder/Committee Chairman who was consulted by the officer, which related to the decision) **If relevant, a note of the dispensation granted by the Monitoring Officer:**	None.	
Reason Decision, or supporting Report, is not published: *Tick one or more of the specific exemptions,* ***and*** *Give more information in the final box with regards to why the exemption applies and*	x	Not applicable – Decision [and report] to be published
	~~If Report is not to be published – tick one of the following boxes:~~	
		~~The report supporting the Decision contains confidential information~~
		~~The Report supporting the Decision falls within an exemption pursuant to Schedule 12A of the Local Government Act 1972 Information:~~
		~~• Relates to an individual~~
		~~• Likely to reveal the identity of an individual~~
		~~• Relating to financial or business affairs of a person or organisation~~

outweighs the public interest test (which is in favour of disclosure).		
		~~• Relates to a claim for legal professional privilege in legal proceedings~~
		~~• Reveals that the Council proposes to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or to make an order or direction under any enactment~~
		~~• Relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime~~
	~~And~~ ~~is exempt if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information~~ ~~Reasons:~~	

Officer

Signed: **K SIMMONS** Title: **Assistant Director – Corporate Policy and Support**

In consultation with:

Signed: **A BAKER** **Cllr A Baker, Portfolio Holder for Housing and Planning**

Dated: 02 October 2026