



Social Housing (Regulation) Act 2023

2023 CHAPTER 36

Housing ombudsman

40 Housing ombudsman scheme

- (1) Schedule 2 to the Housing Act 1996 (social rented sector: housing complaints) is amended as follows.
- (2) In paragraph 2, in sub-paragraph (1), after item 11 insert—
 - “11A A power of the housing ombudsman to issue a code of practice about the procedures members of the scheme should have in place for considering complaints against them.
 - 11B A duty of the housing ombudsman to consult—
 - (a) the Regulator of Social Housing,
 - (b) members of the scheme, and
 - (c) individuals who may make complaints under the scheme,before issuing, revising or replacing any such code.
 - 11C A duty of the housing ombudsman to monitor compliance with a code of practice described in item 11A that it has issued.”
- (3) In paragraph 2, in sub-paragraph (1), in item 15, for “expenses of the scheme” substitute “costs of the person administering the scheme and the scheme’s housing ombudsman”.
- (4) In paragraph 7, after sub-paragraph (2) insert—
 - “(2A) Sub-paragraph (2B) applies where during an investigation of a complaint against a member of the scheme, a housing ombudsman identifies that the member’s policies or practices in relation to a matter may give rise to further complaints about that matter.
 - (2B) The housing ombudsman may, in the ombudsman’s determination of the complaint, order the member to review their policy or practice on that matter.”

Changes to legislation: There are currently no known outstanding effects for the Social Housing (Regulation) Act 2023, Section 40. (See end of Document for details)

(5) In paragraph 11—

(a) after sub-paragraph (1) insert—

“(1ZA) The amount of a subscription payable by a member may be calculated by reference to costs incurred, or likely to be incurred, by the person administering the scheme and the scheme’s housing ombudsman in carrying out any of their functions, including costs unconnected with the member and costs unconnected with the operation of the scheme.”;

(b) in sub-paragraph (1B), for “expenses”, in both places, substitute “costs”;

(c) in sub-paragraph (1C)—

(i) for “expenses”, in the first place it occurs, substitute “costs”;

(ii) for “expenses of the scheme” substitute “costs”.

Commencement Information

II S. 40 in force at 20.9.2023, see s. 46(2)

Changes to legislation:

There are currently no known outstanding effects for the Social Housing (Regulation) Act 2023, Section 40.