



10 July 2024

## **Housing Ombudsman Service and Regulator of Social Housing – updated Memorandum of Understanding**

Dear Chief Executive

Today, we are publishing a new Memorandum of Understanding (MoU) agreed between the Regulator of Social Housing (the regulator) and the Housing Ombudsman.

Following the Social (Housing) Regulation Act 2023 our respective roles and powers have considerably changed. From 1 April, the regulator has started its new proactive consumer regulation regime. Meanwhile, the Ombudsman has started to use its new powers in relation to the complaints handling code, good practice and wider orders. The regulator and the Ombudsman have a shared commitment to deliver on the objectives of the new legislation to strengthen the accountability of social landlords for providing safe homes, quality services, and treating residents with respect.

We continue to have distinct roles within the social housing sector. The Ombudsman is there to investigate individual complaints, strengthen internal complaints procedures and encourage landlords to learn from complaints to prevent service failures being repeated. The regulator's focus is at landlord level, setting standards which state the outcomes that landlords must deliver against. It regulates to ensure a viable, efficient and well governed sector and seeks to drive landlords to improve the quality of homes and services they deliver.

Reflecting the significant changes to our statutory roles, this is our third MoU. It sets out a new framework of communication, cooperation and exchange of information between the regulator and the Ombudsman.

The MoU sets out how we work together and as our roles have developed, an effective relationship is more important than ever. Nevertheless, we undertake our functions within our own statutory remits and in line with our published approaches. In exercising our separate roles, we reach independent findings or judgements based on our own assessments and evidence.

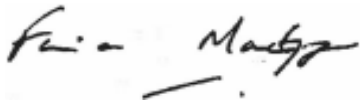
This means there can be a landlord failing in a service, operational area or complaints handling that needs to be investigated by the Ombudsman but without the regulator concluding it is an organisational failure to deliver against the standards. Equally, the regulator may find that a landlord is not delivering the outcomes of the regulatory standards, but this does not mean the Ombudsman will find the landlord has acted unfairly or unreasonably in all the circumstances it investigates.

However, if there are serious organisational failings, these may be evident in complaints which can provide insight and intelligence for the regulator. And where such organisational failings exist and in other instances where both organisations are actively engaging with same provider, we will co-ordinate effectively and share insight regularly. Indeed, sharing information appropriately and effectively is central to this MoU and the way the regulator and the Ombudsman work together.

Despite different starting points, both organisations are working to achieve the same ends in driving improvements in the sector, where they are needed. The regulator wants to see the outcomes of its standards being delivered and the Ombudsman is seeking a reduction in service failures. Ultimately, both the regulator and the Ombudsman are committed to long-term improvement in the quality of homes and services in the social housing sector.

Having a safe, decent home matters to all of us. We will continue to work cooperatively to make a real difference to the four million households that live in social housing.

Yours sincerely



**Fiona MacGregor**  
Chief Executive



**Richard Blakeway**  
Housing Ombudsman