

# Housing

Ombudsman Service



## Social Tenant Access to Information Requirements (STAIRs) consultation analysis report

July 2026

Healthier homes,  
fairer services,  
and trusting  
relationships



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# Introduction

**T**he consultation focused on introducing our Social Tenant Access to Information Requirements (STAIRs) complaint service. STAIRs gives social housing tenants of Private Registered Providers (PRPs) new rights to information about how their homes are managed.

We sought views on our proposed changes to the Housing Ombudsman Scheme (the Scheme). These changes set out how we will look at STAIRs related complaints. The Scheme is our legal framework – it explains what we do and how we do it.

We consulted with PRPs (typically housing associations) and their tenants, as well as groups and individuals interested in social housing in England.

The consultation on our updated Scheme ran from 20 January to 17 March 2026.

We promoted the consultation through various channels including newsletters, Landlord Forums, Resident Panel emails, stakeholder meetings, social media posts, and through internal communications, reaching over 4 million people.

Consultees could respond by completing the online survey, by email, or by post. They could also ask for support in completing the survey by phone.

We received 296 responses to the consultation.

**The consultation focused on whether:**

- it is clear who can complain to us
- the time limits for complaints seem fair
- our planned approach to STAIRs investigations will provide fair outcomes
- the route for making a complaint was clear

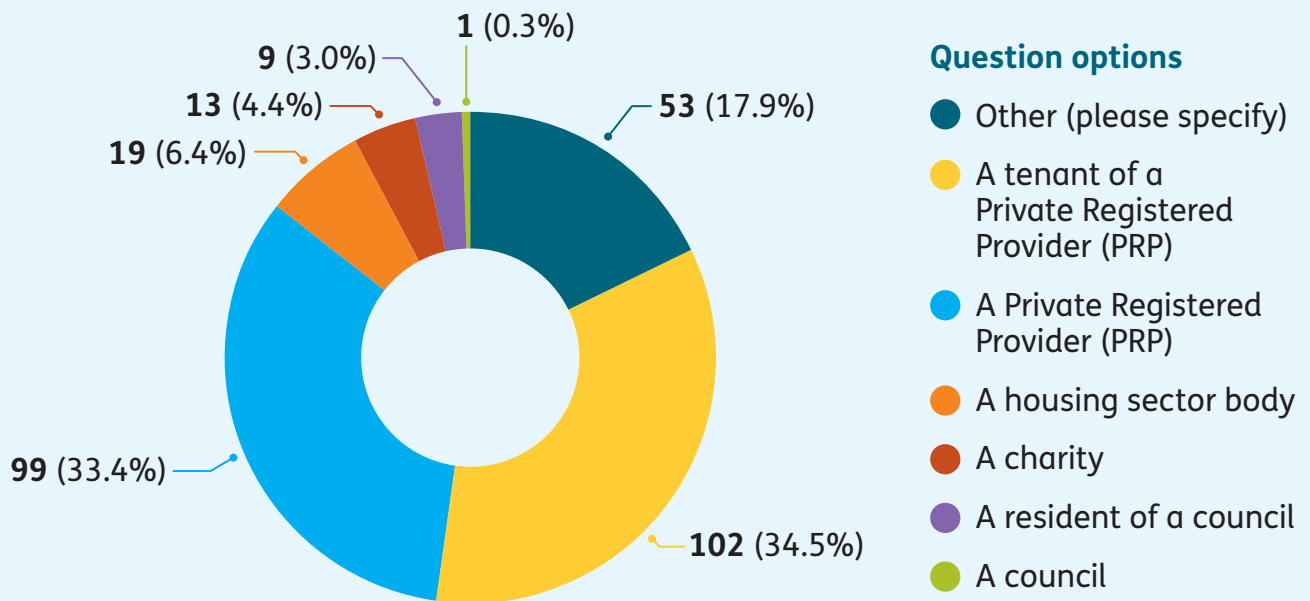


# Consultation questions



- 1.** Do you think our proposed approach to accepting complaints from ex-tenants is fair?
- 2.** Does paragraph 76 of the Scheme help you to understand the types of complaints we may decide not to consider under STAIRs?
- 3.** Is the route to making a complaint to the Ombudsman clear?
- 4.** Are there any other remedies you would expect to see that we have not listed?
- 5.** What is your view on the timeframe for bringing reviews to PRPs and complaints to us?
- 6.** Do you have any other comments in relation to the proposed Scheme, or to expand on your previous answers?

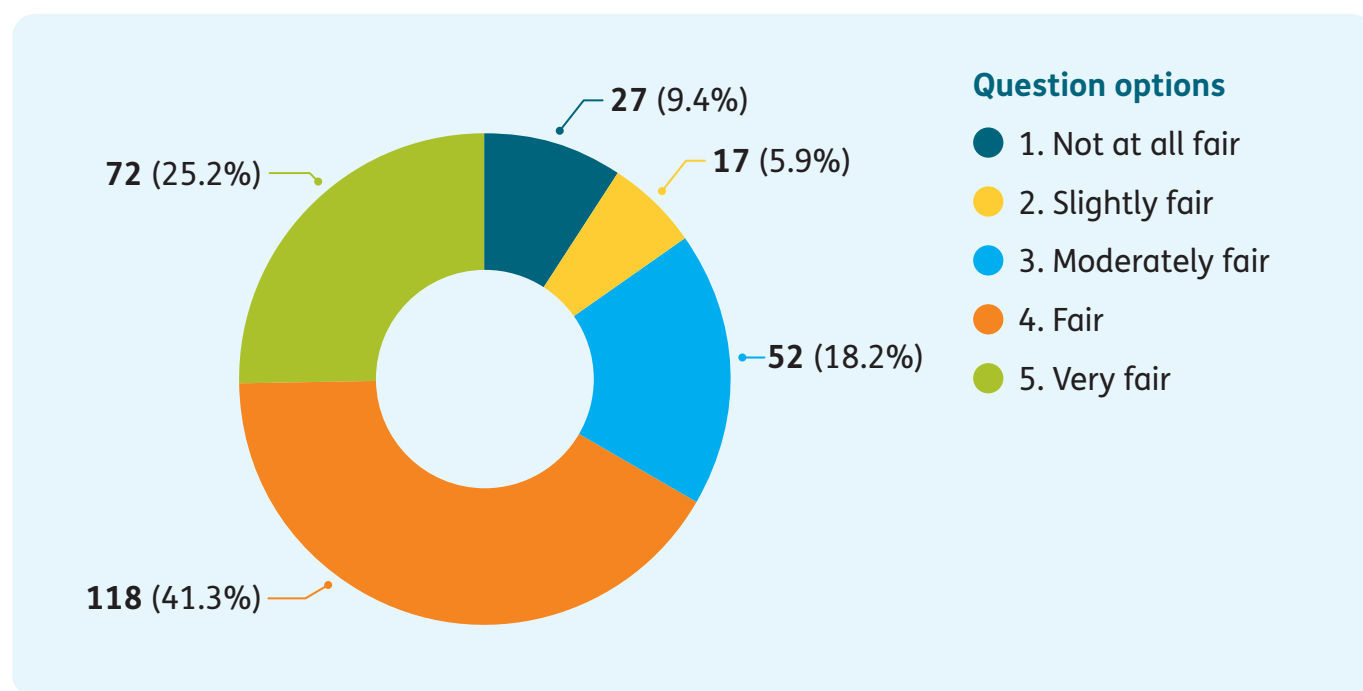
# Respondents by type



# STAIRs consultation questions analysis

## Our proposed approach to STAIRs complaints from ex-tenants

Do you think our proposed approach to accepting complaints from ex-tenants is fair?



We proposed that ex-social housing tenants of PRPs who made a request for information or review while still a tenant could bring a complaint to us.

66.5% of respondents feel our proposed approach to accept STAIRs complaints from ex-tenants of PRPs is either fair or very fair.

Of these, 66 were tenants of PRPs, and 73 were PRPs. Of those that feel it is very unfair, 11 were tenants of PRPs and 7 were PRPs.

While there is support from both tenants and PRPs for our proposed approach, a small number of respondents have opposing views on how far ex-tenants should be included in STAIRs.

### Our response

Because most respondents support our proposed approach, we will continue to apply STAIRs complaints to former tenants. This means people who made a STAIRs request while they were still tenants can still raise their concerns. The approach does not widen STAIRs to include people who were never tenants.



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*“We believe the proposed scheme would be simpler to administrate and clearer for all parties concerned if it were limited to ‘active tenants only’ i.e. not available to ex tenants for requests or reviews that were made during the tenancy.”*

A Private Registered Provider

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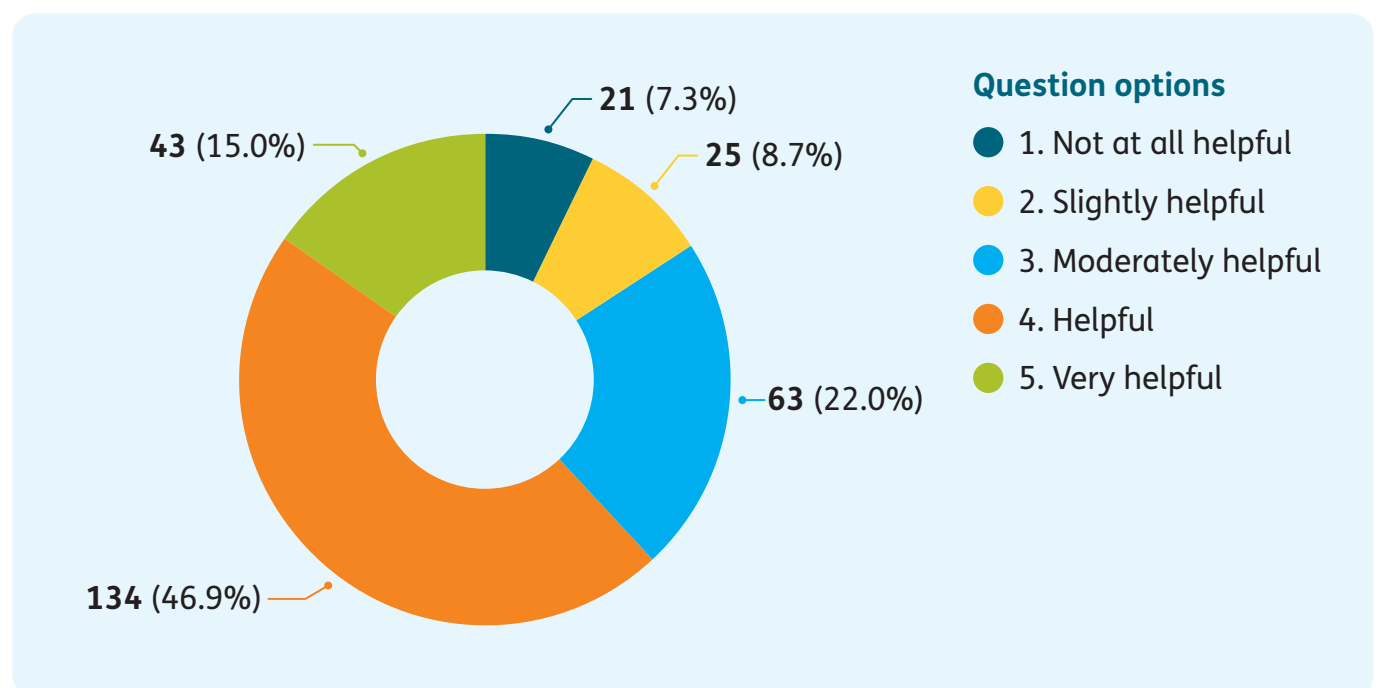
*“Moderately fair - may still exclude some former tenants whose tenancy ended shortly after the issue arose, limiting access to redress despite the substance of their concern.”*

A Private Registered Provider



## Complaints we may decide not to consider under STAIRs

**Does paragraph 76 of the Scheme help you to understand the types of complaints we may decide not to consider under STAIRs?**





61.9% of respondents find paragraph 76 of the Scheme helpful or very helpful in understanding the types of complaints we may decide not to consider.

Most respondents in the free-text answers are supportive of the approach. However, some respondents have asked for clarification on how our services will decide whether a complaint is being 'pursued in an unacceptable manner.'

### Our response



As part of our STAIRs complaints service, we will develop tools and learning resources for both tenants and PRPs. These will help them understand the types of issues we can look at under STAIRs, and those we cannot or may decide not to. This is likely to include tenant support guides, and resources and guidance for PRPs through our [Centre for Learning](#).

Our existing [managed behaviour](#) policy sets out how we decide whether a complaint is being pursued in an unacceptable manner.



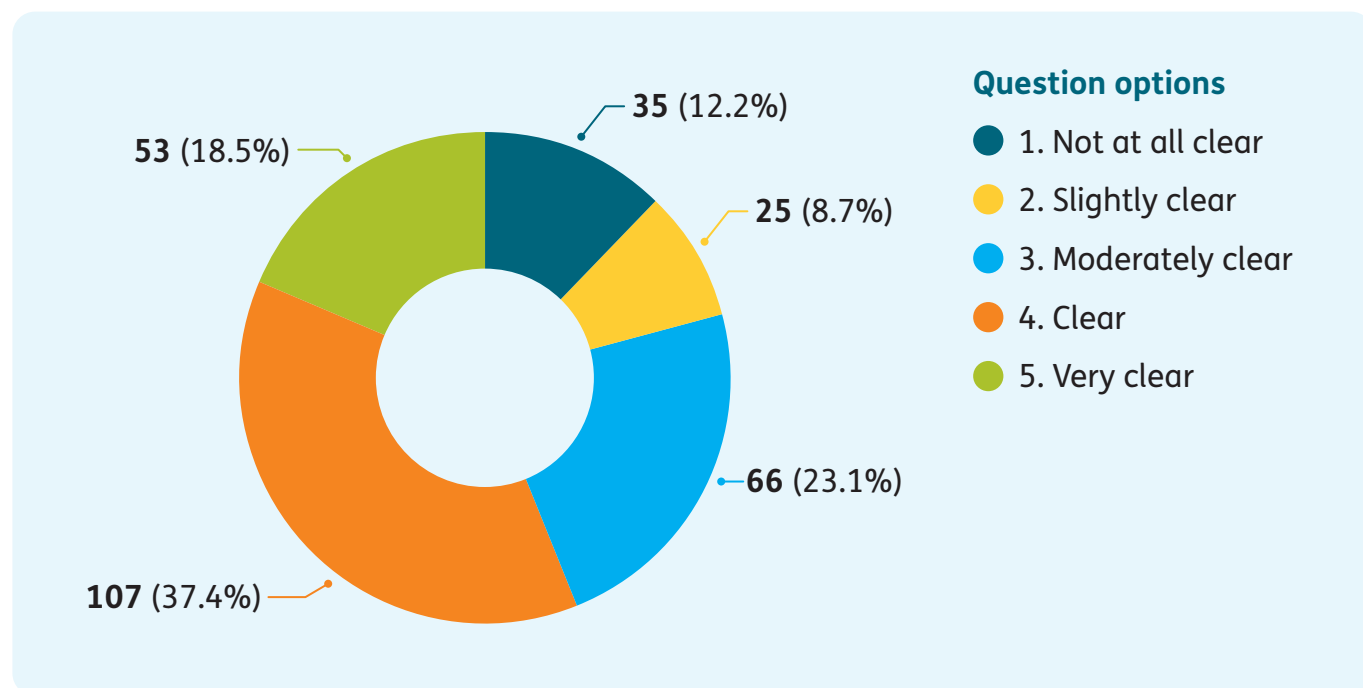
*"Regarding the question: 'Does paragraph 76 of the Scheme help you to understand the types of complaints we may decide not to consider under STAIRs?': This list is very helpful, and it is important that the ombudsman's remit remains well defined in this way."*

A Private Registered  
Provider



## STAIRs reviews and complaints

Is the route to making a complaint to the Ombudsman clear?



55.9% of respondents say that the route to making a complaint is either clear or very clear. Of these, 53 were tenants of PRPs, and 84 were PRPs.

30 tenants have answered 'slightly clear' or 'not at all clear'. This shows a need for guidance for tenants on the STAIRs review and complaints process.

The written feedback also highlights the need for clearer and more consistent language around STAIRs, particularly the use of the terms "review" and "complaint."

Respondents stress the need for clarification on the difference between the STAIRs review and complaint process, and the usual housing related complaint process.

This has been particularly noted for cases where a STAIRs issue overlaps with a housing related complaint. Other respondents ask whether there will be a Complaint Handling Code specifically for STAIRs.

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*“Ensure tenants are made aware of the distinction between STAIRs reviews and standard complaints processes, as this may not be clear for those familiar with the Complaint Handling Code but not for others.”*

A Private Registered Provider



*“A clear, shared, and consistent communication strategy is needed to explain the difference between this scheme and the wider complaints framework. Guidance/ explanatory notes would be helpful, on how the HOS expects to use some of the flexibilities allowed in the proposed Scheme (how/ when it might bundle complaints together, when it might look at cases outside time limits etc).”*

A Private Registered  
Provider



*“It feels unhelpful that the terms ‘review’ and ‘complaint’ are being used synonymously across the HO and RSH documents. The STAIRS review period is 30 days and is single stage and follows a separate process to service complaints. It would be helpful if the term ‘review’ replaced the term ‘complaint’ across the documents to provide clarity for both PRP tenants/ residents/customers and PRPs.”*

A Private Registered  
Provider



## Our response

The process to raise concerns about STAIRs and how these must be dealt with is set out in the [government’s STAIRS policy statement](#). Unlike our housing service complaints process, it is not informed by the our [Complaint Handling Code](#).

The government’s STAIRs policy sets out a singlestage review process:

- a tenant raises a STAIRs review with their PRP
- the PRP carries out one formal review
- if the tenant is still unhappy, they can then refer the matter to the Housing Ombudsman as a complaint

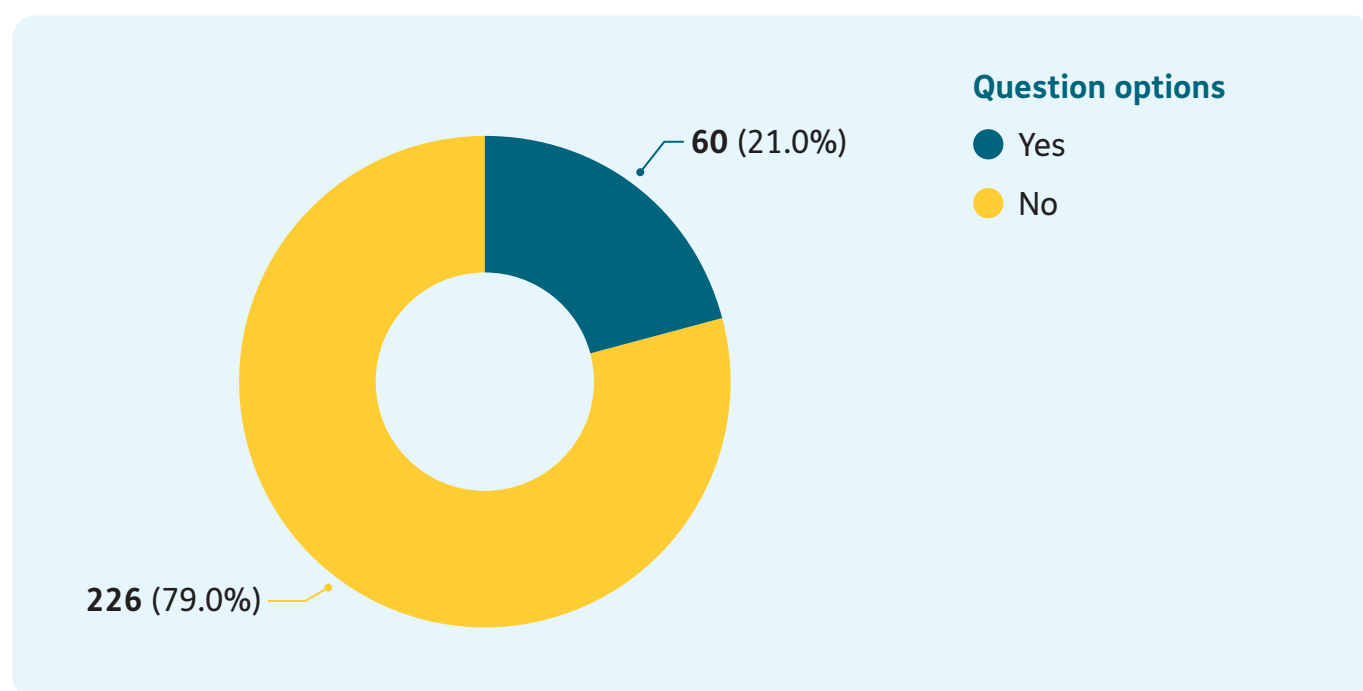
When a tenant raises a STAIRs concern with their PRP, we call it a “review,” not a complaint. This helps to clearly distinguish STAIRs cases from housing service complaints.

Once the provider has completed its STAIRs review and the tenant refers the case to us, we treat it as a complaint for investigation, in line with our role.

We have considered the feedback on this issue and will publish further guidance and resources to help tenants and PRPs understand how the STAIRs review and complaint process works and how it differs from the Complaint Handling Code process. This will help to reduce confusion, promote consistency, and support both tenants and PRPs in understanding their rights and obligations under STAIRs.

## Our investigations and outcomes

**Are there any other remedies you would expect to see that we have not listed?**



79% of respondents say no, they do not expect to see any other remedies for STAIRs.

Written responses support the view that most respondents are satisfied with the remedies outlined in the consultation.

Where respondents say 'yes,' additional suggestions for remedies/approaches in STAIRs cases include:

- a requirement for PRPs to publish outcomes of STAIRs investigations and performance data on their website
- training and improvement plans for PRPs
- Housing Ombudsman Service to publish remedies guidance specifically for STAIRs



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*“Given that this is a different process to the general complaints framework, it would be helpful for the HOS to issue guidance as to when different remedies might be applied, and how these differ from the complaints scheme - for example, around compensation, so that both landlords and tenants might know what is reasonable to expect”.*

Representative body

### Our response

Given the level of support for the remedies set out in our draft Scheme, we will not change these.

We are developing internal guidance on remedies and compensation for STAIRs cases and will publish this in due course. We can confirm that remedies such as staff training can be considered in STAIRs cases.



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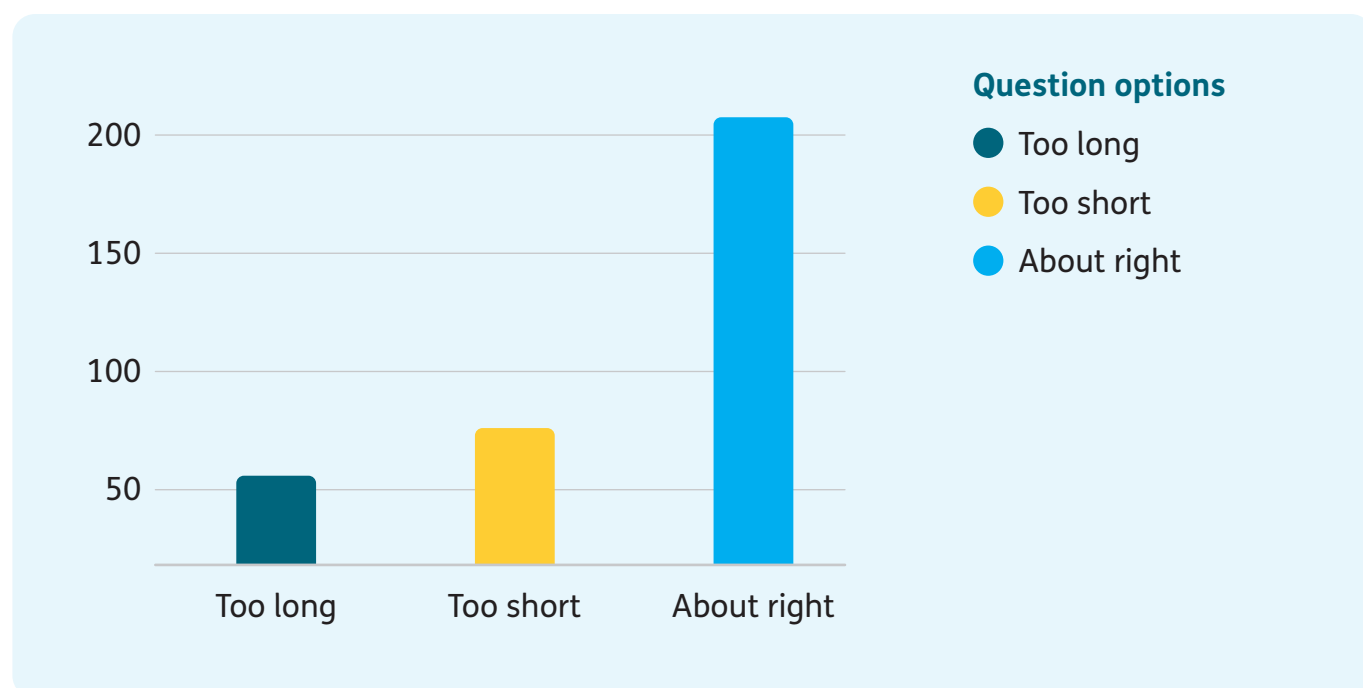
*“It would be helpful for the HOS to provide clarity on whether remedies such as training, and improvement plans will be included under the proposed remedies.”*

A Private Registered Provider



## Time limits for bringing reviews to PRPs and complaints to us

What is your view on the timeframe?



66.4% of respondents feel the proposed 3-month timeframe for a tenant to bring their STAIRs review request to PRPs, and their complaint to us within 3 months of completing the PRP's review, is 'about right'. Of the 66.4%, 86 were PRPs, and 57 were tenants.

30 tenants say it is too short, compared to only 4 PRPs. And, 15 tenants feel it is too long, compared to 9 PRPs.

The free text responses also show majority support for the 3-month timeframe, noting that it is helpful to have a clearly defined time limit in line with the Information Commissioner's Office (ICO's) approach.

Respondents who say the timeframe is too short generally feel individuals with vulnerabilities or those facing extenuating circumstances may not be able to make a referral within the proposed timeframe.

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*“Three months is far too short a timeframe to require tenants to bring a complaint against the Ombudsman. There may be many reasons why this is not possible (e.g. illness, mental health, age/infirmness, pregnancy, lack of proper information from the PRP, complexity, homelessness in case of a former tenant) which preclude a complaint from being made to you. It goes against the grain of “fairness” to preclude complaints simply on the basis of strict time limits.”*

A Leaseholder

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*“As the timeframes for bringing a complaint align with established precedent for the Information Commissioner’s Office (ICO) and the Regulator of Social Housing (RSH), we do believe they are generally sensible. However, processes may need to be adapted based on operational realities when STAIRs goes live as there is a risk that investigations become unduly lengthy.”*

A Private Registered Provider

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*“Setting a deadline of 3 months after the issue has occurred seems balanced, as this should account for most reasons that would delay someone from raising a complaint.”*

A Private Registered Provider

## Our response

Overall support was for the 3-month timeframe, and so we will continue with this approach.

We understand there may be circumstances which prevent a tenant from bringing a complaint to us within 3 months. This is why the timeframe

comes under the discretionary section of our proposed Scheme and gives us discretion to consider complaints brought after 3 months.

We will publish our internal guidance on jurisdiction, which will cover this issue, at the right time. This will help tenants and PRPs understand our approach.



# Additional feedback of note

There are consistent themes in the written response sections across the consultation survey.

## Compensation

Some respondents ask for clarity on how we will apply compensation, including requests for remedies or compensation guidance specifically for STAIRs.

Tenants feel compensation amounts should be higher where their PRP's failings are identified, with suggestions for us to consider detriment, distress, and inconvenience for STAIRs complaints.

PRPs question whether compensation should be used at all, noting the ICO does not award compensation and that compensation awards could encourage complaints.

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*“STAIRs is said to be a ‘FOIA-lite’ scheme, however, compensation cannot be awarded under FOIA for failure to provide requested information. We see no reason why compensation should be available under this scheme.”*

A Private Registered  
Provider

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*“A remedy limited to apology and small sums risks normalising non-compliance as a tolerable cost of doing business.”*

A tenant of a Private  
Registered Provider

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*“We have concerns that without a Code specific to STAIRs there is a risk of inconsistency across the sector in terms of the compensation offered by the PRP at the review stage. Will a STAIRs remedies guidance be issued?”*

A Private Registered  
Provider





## Our response

We agree there are comparisons to be made between how we will handle STAIRs complaints and how the ICO handles Freedom of Information Act (FOIA) complaints. However, STAIRs remedies will be informed and handled by the Housing Ombudsman Scheme practices. As with other complaints we investigate, any redress we order aims to put matters right for the individual complainant and reflect the impact of maladministration, rather than to penalise providers.

We recognise that the impact of STAIRs failures may include inconvenience or detriment. We will consider the specific impact on the individual tenant, including how long the failing lasted, when deciding what remedy is appropriate.

Compensation may be ordered where it is proportionate to the impact, but it will not be automatic, nor awarded simply because a failing has been identified. Given the nature of STAIRs cases, we expect that compensation orders will be based on significant time and trouble caused by failures, rather than distress. Compensation under STAIRs is not punitive, and STAIRs complaints are likely to be appropriately resolved through nonfinancial remedies, such as:

- an apology
- an order to reconsider the provision of information
- improved explanations

We will publish our internal remedies guidance for STAIRs complaints and may refine this as our body of casework grows.



## Leaseholders

Almost all respondents who mention leaseholders feel the exclusion of 100% leaseholders from the STAIRs Scheme is unfair.

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*“It seems arbitrary to exclude 100% leaseholders from access to STAIRs. They are tenants too and deserve access to information on the same terms as other tenants.”*

Other

### Our response

Our current complaint service is set out in the Housing Act 1996, which enables tenants and other individuals to have complaints against social landlords investigated by the Housing Ombudsman Services. This means that leaseholders can continue to bring complaints to us about housing service-related matters.

However, STAIRs is determined by the government’s STAIRs policy statement. This says that eligibility for STAIRs is limited to current tenants (which includes shared owners) and

does not include anyone owning 100% of the property equity. That means we cannot accept STAIRs complaints from 100% leaseholders.

However, the Leasehold and Freehold Reform Act 2024 contains provisions designed to standardise and increase transparency and improve access to information for leaseholders. The Act includes provisions that allow leaseholders to request information. The government ran a consultation on this which ended on 26 September 2025 and is currently analysing the feedback.



## Referrals to the Regulator of Social Housing

There is a strong feeling from tenants that there should be a quicker and more robust escalation from us to the Regulator of Social Housing (RSH) where non-compliance is repeated.

PRPs highlight the desire for a clearly defined framework setting out when STAIRs failings would result in a referral to RSH.

“

*“The language around referral to the Regulator should be strengthened. “Consider referral” is discretionary and opaque. Clear criteria for mandatory referral after repeated or serious STAIRs breaches would reinforce that access to information is not optional best practice but a regulated obligation.”*

A tenant of a Private Registered Provider

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*“We would ask that a clearly defined framework for patterns of failures resulting in a referral to the RSH. As there are still lots of unknowns, including the number of requests, we ask timeframes between requests are in place to ensure adequate time for lessons learned to be embedded before any consideration is made to refer to RSH.”*

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### Our response

RSH and our service have different functions and statutory remits. RSH does not mediate or resolve individual disputes between landlords and their residents – that is the statutory role of the Housing Ombudsman.

We have a Memorandum of Understanding (MoU) with RSH which sets out a

framework of communication, cooperation, and exchange of information between us. We inform and refer to RSH through the MoU when escalation is appropriate. The MoU sets out that we notify RSH of any severe maladministration decisions.

We will work with RSH to update our MoU to include STAIRs, and this will be available on our website.



## Differences in our approach to STAIRs and the Information Commissioner's Office's approach to FOIA

Some respondents question whether we would align our handling of STAIRs with existing principles and determinations used by the ICO for FOIA complaints. Some also note that tenants may not find the appropriate enforcement route obvious.

Several comments draw comparisons between our proposed approach to STAIRs and the ICO's handling of FOIA complaints. This is particularly prevalent on the topic of compensation.

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*“Because STAIRs is aligned with Freedom of Information (FOI) principles, the appropriate enforcement route may not be obvious to tenants, increasing the risk of complaints being directed to the wrong body. We would welcome clarification on how the ICO and HOS intend to work together where access request complaints may fall under both regimes, or where complaints are misdirected.”*

A Private Registered  
Provider

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*“It is unclear the extent to which the Housing Ombudsman will follow ICO guidance developed over many years in relation to the Freedom of Information Act 2000.”*

Other

“

*“Given the technical nature of exemption application and the existing body of ICO guidance and tribunal precedent, it would be helpful to understand whether determinations under STAIRs will align with established information law principles, or whether a distinct body of precedent will develop within the housing sector.”*

A Private Registered Provider



## Our response

STAIRs is a distinct regime from the FOIA, with a different legal basis and scope. PRPs are not public authorities so FOIA does not apply directly. This means FOIA exemptions do not directly apply to STAIRs cases, although PRPs must have ‘due regard’ to them. Our service does not replicate the role of the ICO in deciding matters of information law.

Our role is to consider complaints brought under the Housing Ombudsman Scheme and to decide whether a provider has acted fairly in all the circumstances, and in line with the STAIRs policy statement. Our focus is primarily on:

- whether the PRP followed a fair, rational, and transparent decision-making process
- whether it showed due regard to relevant information law principles where required
- whether it clearly explained and evidenced its reasoning to the tenant; and
- whether any failure amounts to maladministration under our Scheme

This differs from the ICO’s approach, which focuses on statutory compliance and enforcement under

FOIA and data protection legislation. While we may find it helpful to refer to ICO guidance and decision notices when interpreting similar concepts (for example, conducting reasonable searches), those materials are not binding on either PRPs or us in the STAIRs context.

We recognise the concern regarding potential confusion for tenants about the correct route of redress. Complaints that properly fall within the FOIA, the UK General Data Protection Regulation or other statutory regimes remain for the ICO or other relevant bodies. STAIRs applies only where no other statutory right of access exists, and we would expect PRPs to signpost tenants promptly where another regime is the correct route.

Misdirected complaints may arise in practice, particularly during the early stages of implementation. Where complaints come to us that fall outside STAIRs but within another regime, we will explain our role and signpost tenants appropriately.

We will publish our STAIRs decisions, which will help both tenants and PRPs understand our approach to determining and remedying STAIRs cases.

## Request for STAIRs guidance

Several respondents request specialist guidance, including:

- guidance for PRPs on handling STAIRs reviews and understanding the policy statement
- guidance on our investigation process
- good practice guidance from us once there is a body of casework to refer to



*“We would like the Ombudsman to develop training and guidance to support delivery of the STAIRs expectations. Providing accessible options such as workshops, online sessions, and accredited training for colleagues would be especially beneficial and would help ensure a consistent understanding and application of STAIRs requirements across the sector.”*

A Private Registered  
Provider

### Our response

We will publish our internal STAIRs guidance. This will help our colleagues understand the STAIRs policy statement and to set out our approach to investigating STAIRs complaints. It will also detail our expectations of PRPs when handling STAIRs requests and reviews, helping our caseworkers to determine STAIRs complaints fairly and consistently. We will continue to keep our approach and guidance under review and

engage with stakeholders once STAIRs goes live.

We will develop our Centre for Learning resources for PRPs. We aim to publish good practice guidance once we have built up a body of casework to inform it.

In addition, the [National Housing Federation has published guidance](#) for its members to help guide them through the implementation of STAIRs. It aims to provide tailored, practical guidance, and good practice.



## Small Private Registered Providers

Some PRPs raise concerns about how STAIRs will be handled by small PRPs, such as almshouses and co-ops. They ask whether our investigation process would take PRP size into consideration when investigating STAIRs complaints.

“

*“The smallest Registered Providers may be asking not simply the same team, but the same member of staff, to handle complaints and STAIRs review requests. The smallest providers should be given appropriate time to respond to requests. Also, if they have a managing agent relationship with another provider then the timescale should recognise the need to engage with a third party.”*

A Private Registered Provider

### Our response

We understand the concerns of small PRPs. The policy statement does not provide size-based exemptions. However, it includes practical safeguards. For example, PRPs are not required to create new records to comply with publication or request duties and may refuse requests where the work involved would exceed 18 hours of staff time (among other refusal grounds).

We will look at each complaint on a case-by-case basis and consider all the circumstances, without departing from the principles and expectations set out in the STAIRs policy statement. This includes consideration of the size and staffing resources of the PRP.



# Housing

## Ombudsman Service

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