

**Housing Ombudsman inspection of  
Lambeth Council's complaint handling**

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# Introduction

The Housing Ombudsman makes the final decision on disputes between residents and member landlords. Our decisions are independent, impartial and fair. We also support effective landlord-tenant dispute resolution by others, including landlords themselves, and promote positive change in the housing sector.

Paragraph 11 of the Housing Ombudsman scheme says member landlords must provide the Ombudsman with requested information within a reasonable timescale or allow access for an inspection.

In 2016 resident A complained to the Ombudsman about the landlord's response to their reports of leaks in their property. We found maladministration with the landlord's response and ordered it to take action to resolve the issues. Resident A returned to the Ombudsman in 2020 as the repairs remained unresolved after lengthy engagement with the landlord. We again found maladministration and ordered the landlord to investigate why the issue remained unresolved after so long and take appropriate action.

In December 2020 resident B complained to the Ombudsman about issues with the landlord's building management. We found maladministration with the way the landlord had investigated the resident's concerns and in the way it had responded to the complaint. In May 2022 resident B returned to the Ombudsman with continued issues with the landlord's building management. We again found maladministration with the landlord's handling of the resident's concerns and its complaint handling.

These cases highlighted issues with the landlord's ability to act on the cause of recurring complaints, track repairs to completion and learn from such complaints to improve services.

In February 2022 the Ombudsman issued a special report against the landlord which again highlighted issues with the landlord's complaint handling. The report recommended the landlord review its complaint handling procedures to mitigate the risk of future failings.

Despite repeated warning signs about its complaint handling and the underlying reasons for residents raising complaints, the Ombudsman's casework continues to highlight concerns over the landlord's performance, with the Ombudsman finding 100% maladministration on the 20 complaints it investigated about the landlord's complaint handling between April 2022 and March 2023. As recently as November 2023 the Ombudsman issued six findings of severe maladministration across three different cases highlighting the unacceptable time the landlord has taken to remedy outstanding repairs.

The Ombudsman remains dissatisfied at information provided by the landlord in response to its orders about complaint handling, and at the landlord's ability to improve

its complaint handling and learning from complaints. In June 2023 the Ombudsman told the landlord it proposed to carry out an inspection to establish why service failures around complaint handling continued to happen and make further recommendations for service improvement.

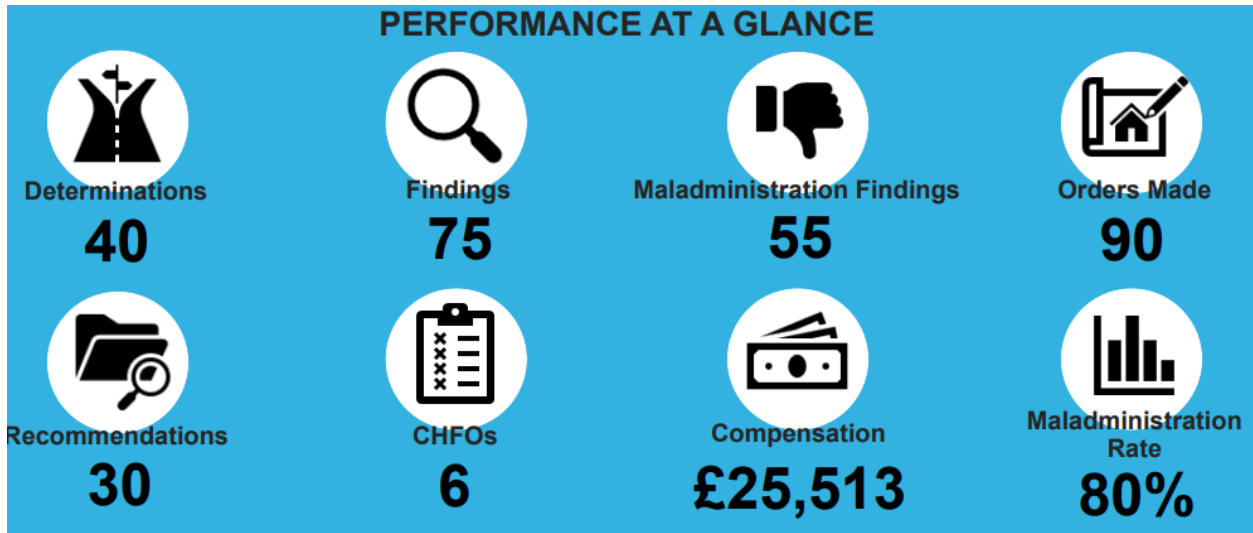
The Ombudsman uses the outcomes of individual housing complaints to identify service improvements in landlords. The focus of the Ombudsman's inspection was the landlord's complaint handling policies and procedures and its ability to channel the learning from complaints into service improvement. Throughout, the landlord has engaged fully and positively with the Ombudsman.

The Regulator for Social Housing has a wider role holding the landlord to account in areas including governance, financial viability and value for money. This report and the cases relating to it are available to the Regulator.

## About Lambeth Council

The landlord is a London local authority and a registered provider of social housing. It is currently responsible for just over 24,000 properties. As a local authority, it must engage with two ombudsman offices: us, and the Local Government and Social Care Ombudsman (LGSCO) for other services, including homelessness.

## Landlord's performance April 2022 to March 2023



### Top Categories for Lambeth Council

Table 3.1

Category	# Landlord Findings	% Landlord Maladministration	% National Maladministration
Property Condition	30	83%	54%
Complaints Handling	20	100%	76%
Anti-Social Behaviour	6	50%	41%

## Scope and methodology

To determine the reasons behind the landlord's repeated failings identified through the Ombudsman's casework, we:

- Conducted a desktop review of the landlord's current policies and procedures to establish what should be happening when a resident complains.
- Used the outcome of this analysis as the basis for the inspection in October 2023, which involved speaking to key staff to establish the landlord's complaint handling practice and progress against its improvement plan.
- The landlord also hosted a 'Meet the Ombudsman' open Q&A session with residents, who shared their experiences of the landlord's services and were able to challenge the senior leadership of the council on its handling of complaints.

## Changes to the Landlord's structure

Following the repeated failings identified by the Ombudsman, the landlord accepted its approach to complaint handling in housing needed to improve. In 2022 the landlord significantly restructured its approach. It moved housing out of its resident services directorate and appointed a new corporate director and senior management team to oversee the planned improvement.

The landlord also refreshed its housing governance, creating a Housing Improvement Group to drive and monitor procedural improvements, and a Housing Improvement Board to develop and implement the landlord's housing strategy and monitor its progress. The landlord's Housing Improvement Group meets weekly to track complaint and repair performance, while the Housing Improvement Board meets monthly to monitor progress and hold the Group to account.

## Complaint handling

### *Complaint handling policies and procedures*

The landlord operates a two-stage complaint process. Since October 2022 stage one complaints have been handled by a housing complaints team. The landlord allows 20 working days for a stage one response. Stage two complaints are co-ordinated and investigated by a separate complaints team. The landlord allows 25 working days for stage two responses. Neither of these timescales are compliant with the current iteration of the Complaint Handling Code. Compliance with the Code is a requirement of the Scheme and landlords have a statutory duty to comply with the Scheme under the Housing Act 1996. The Code allows a landlord to give good reason for deviating from the timescales, but the landlord's code self-assessment gives no reason and is based on an outdated version of the code self-assessment. The landlord should self-assess

against the code every year. It is not clear when the landlord last carried out a self-assessment against the Code.

Residents can also raise concerns with the landlord's elected members, these are known as "Member Enquiries". If a resident has already complained about the issue raised in the member enquiry, the landlord combines the two before responding. However, if a complaint has not already been made, the landlord handles the member enquiry through a separate process. The Code is clear that a resident should not have to use the word complaint for the landlord to identify a concern as a complaint. This applies to the landlord's handling of member enquiries. While we accept that not all member enquiries will be complaints, the landlord should treat any expression of dissatisfaction within a member enquiry as a complaint and respond within a code compliant complaints process.

### *Responding to complaints*

Following the changes to its housing structure the landlord carried out a review of all complaints it considered to be high risk. It also improved its tracking of complaints, with twice-weekly volume reporting and monthly and quarterly reporting looking at the causes of complaints. The landlord put in place better lines of communication between complaints staff, neighbourhood officers and repairs contractors to help ensure it could remedy repairs as quickly as possible and track them to completion. It also set up a "high risk" team to track and resolve the most difficult complaints and remedies.

The landlord has reduced overdue complaints from 2,283 in April 2022 to 154 in November 2023.

However, the landlord is currently not resourced to adequately respond to the complaints it is handling through its existing process, which is already longer than required by the Code. The landlord's operating model is based on complaint handlers carrying an average caseload of 25 but some staff say they currently have caseloads of more than double this number of complaints. This means the landlord's efforts to respond adequately to complaints will only ever go so far. Unless addressed, residents will continue to have to contact the landlord several times to be heard and face unacceptable delays to complaints.

### *Remedying complaints*

Throughout our inspection the landlord gave a confused and inconsistent picture of its approach to closing complaints and putting things right for residents. Some staff said complaints were closed as soon as the response was issued, some said they left complaints open until repairs had been completed, and some said they would close a complaint once they were sure the repairs would be completed. There is no consistent approach to closing complaints and then tracking remedies and repairs to put things right. Both should be tracked and reported against, but they should be separated from

one another to accurately reflect the performance of the different functions responsible for delivery. Currently, the landlord has no way of knowing whether outstanding complaints are because the complaint handling is delayed, or because the actions to put things right are delayed.

The landlord also needs to formalise how and when it uses its “high risk” team and incorporate the use of this resource into its business-as-usual processes. Since its inception the team has resolved 76 high risk cases. The value this resource adds is undoubtedly positive. However, there does not appear to be a clear system for allocating cases to this team for resolution. This has the potential to result in a lottery for complaint responses, as a complaint allocated to the “high risk” team results in a better service.

There is also the risk that the landlord only focuses its best efforts on complaints once they have reached stage two or the Ombudsman, rather than trying to resolve things as early as possible. The landlord says its ambition is for this team to move into a preventative role and resolve issues before they become complaints. This would be a welcome step if the team’s role is formalised within the landlord’s processes and procedures.

Where complaints have reached the Ombudsman, there are two recurrent themes: that the landlord has not fulfilled commitments it made at stage two to the resident or the landlord has not recognised the full impact of its failings on the resident and provided appropriate redress, including compensation. The landlord needs to focus on these areas to reduce the likelihood that residents will be unhappy with the landlord’s final response and escalate their case to the Ombudsman.

### *Learning from complaints*

The landlord’s efforts to reduce outstanding complaints and improve oversight of its complaint handling are a positive step, but there remain fundamental barriers that prevent the landlord from understanding the causes of complaints and responding to them appropriately. The landlord needs to change its performance focus from volume to outcomes of complaints, concentrating its efforts on which complaints it is upholding and the underlying causes. It will then be able to go further in its efforts to ensure it can adequately respond to complaints and channel the learning to improve services.

The landlord’s focus on the volume of outstanding complaints means its approach to learning from complaints is underdeveloped – the approach to root cause analysis is too high level.

In the reports we inspected, the reason for complaint was often described as “failure to deliver a service” or “delays in doing something”, with the landlord unable to identify which service, or delays in doing what.



The landlord should be able to analyse the data from complaints to identify underlying thematic causes and develop solutions. The landlord's Power BI dashboard has the capability to do this, but this level of analysis is not included in the more qualitative monthly and quarterly reporting seen by the Housing Improvement Board. This reporting is manually created, with the content dependent on individual discretion, meaning that themes and trends in complaints are not routinely reported in a consistent manner.

The landlord should also be able to say what has got better because of complaints, which it currently cannot do. Through its Housing Improvement Group and Board, the landlord has the structure in place already to act on data-based analysis and an audit trail of actions taken because of that analysis being reviewed by the Group and Board would serve to evidence what had been learned from complaints.

### *Quality Assurance*

The landlord has a quality assurance process in place but there is a lack of consistency in the application of the process, and it is not clear how the landlord is tracking the quality of its complaint responses, outside of individual line management. There are twice weekly reports on complaint volumes, and these are discussed at both the Housing Improvement Group and Board, but there does not appear to be a similar process for complaint quality. The landlord itself acknowledge that many residents receive poor quality complaint responses – this will only continue unless the landlord puts in place mechanisms for monitoring the quality of its complaint responses over time, and this is scrutinised by the Housing Improvement Group and Board in the same way complaint volumes are.

## Responsive repairs

Complaints about disrepair account for most resident complaints to the landlord. In the landlord's 2022/23 annual report from the Ombudsman, it had a property condition maladministration rate of 83%. While the focus of our inspection was the landlord's complaint handling, there is a clear link between the landlord's approach to repairs and its complaint handling performance. It is imperative the landlord addresses the underlying causes resulting in complaints and while we recognise the scale of the challenge this presents to a landlord operating in inner London, it must also ensure it can fulfil its obligations.

As a result of the landlord's analysis of complaint volumes it has recently restructured its approach to responsive repairs. With an improved approach to the root cause analysis of complaints, the landlord can now go further.

The landlord has moved the repairs service into the neighbourhood response team. This has allowed the landlord to co-locate housing officers, complaint officers and contractor representatives in locations where the resident can have direct access to all three. Both complaints and repairs staff now meet with contractors on a weekly basis to

discuss issues and plan solutions. The landlord now achieves over 90% of appointments and 72% of repairs on time.

In addition, the landlord has recently carried out a stock condition survey, in particular identifying and addressing Housing Health and Safety Rating System hazards, achieving 85% access to over 21,000 homes. This will give the landlord a much better idea of the challenges it faces and the steps it needs to take to improve the condition of its housing stock. This is coupled with a new regular inspection and preventative maintenance schedule to pre-empt potential problems.

The landlord has also improved its contractor management arrangements. In July 2023 it put in place new contract managers who hold contractors to account for underperformance using real-time data. Contract managers then work with contractors on improvement plans where Key Performance Indicators (KPIs) are not being met. Contractors must provide winter plans to show they can cope with the inevitable increase in repair requests during the season. This new pro-active approach to repairs management means the landlord is much better placed to address issues early and prevent complaints.

The landlord has shown how it can use performance data to transform its management of contractors. There is now an opportunity to use detailed root cause analysis alongside complaint handling performance as part of this contractor management. By incorporating complaints into contractor KPIs and improvement plans the landlord can set a preventative culture with its contractors.

The landlord accepts it needs to do more to improve its record keeping around repair completion, to record whether the resident is satisfied with the contractor and landlord response and is exploring the use of technology to achieve that. There are still instances of contractors reporting repairs are complete, only for the resident to disagree later, resulting in an avoidable complaint. It can improve its record keeping on the assessment of the initial repair request and audit that all parties understand and agree with the scope of works required. This will help avoid disputes at the end of the process. The landlord also needs to ensure the sign off process accommodates vulnerable residents, and no resident feels under any pressure to agree to the completion of works.

# The landlord's internal review

Following the Ombudsman's inspection, the landlord presented its own deep dive report into its complaint handling in November 2023. The report reinforces the Ombudsman's findings that the landlord has made significant process but there remains work to do.

The landlord's review also found it needed to improve the quality of its complaint responses and comply with the Complaint Handling Code. It agreed there is a lack of structure around learning from complaints, with poor analysis. The landlord's review made several recommendations around systems improvement, training and a new quality framework. While welcome, the landlord also needs to ensure it has measures in place to monitor the effectiveness of its changes and whether they result in improved practice and resident experience or become just another new process.

## Conclusions

Since the Ombudsman's inspection was announced in June 2023, we have issued a further 59 determinations and 14 findings of severe maladministration. The landlord's maladministration rate is 88% with a rate of 87% for complaints about property condition and a rate of 96% for complaint handling.

There are still too many residents receiving an unacceptable service. Although the events in these complaints took place before the landlord's changes and the Ombudsman's inspection, they serve as a timely reminder of how poor many of its residents' experiences have been, and what can happen when complaint handling is not prioritised. Indeed, the frustration of some residents was palpable at the public meeting the landlord hosted for the Ombudsman. Effective complaint handling is a core component of rebuilding trust with residents.

This challenge is something the landlord has openly recognised, and we commend the leadership of the landlord for the focus it has brought to resolving the problems which have beset it. The landlord's complaint handling and repairs service has undergone significant transformation in the last 12 months. The landlord has introduced a culture of accountability and ownership and a solid platform to now go further. There are already positive signs. The Ombudsman has not issued the landlord with a Complaint Handling Failure Order in over six months, having issued five between April 2022 and March 2023. However, the steps the landlord has taken have yet to result in a more consistently positive resident experience.

By improving its learning from complaints and channelling its efforts into understanding the driving factors behind its complaints the landlord will give itself every chance of continuing its improvement journey, and the changes being seen and felt by its residents. This is yet to happen.

Crucially, the landlord needs to guard against what happens once the increased focus it currently has on its complaints and repairs services is removed. A transition to business as usual will bring with it risks of a return to the unacceptable performance seen in recent years. The landlord needs to put in place measures to identify and act on any decline in standards as early as possible.

This inspection happened because two residents had to seek the Ombudsman's intervention more than once to resolve complaints that we had previously upheld. The landlord must ensure this is not repeated.

Within 12 months it will be clearer whether the landlord has managed to sustain its efforts and achieve real change. The Ombudsman will continue to hold the landlord to account through its casework and will review the landlord's performance in its next annual report.

# Recommendations

We have reviewed the landlord's improvement plans and made further recommendations. We encourage the landlord to publish and provide the Ombudsman with an update of its progress against its action plan, and the below recommendations, within three months of this report. We recommend the landlord should:

1. Amend its complaint policy and processes to comply with the new statutory joint Complaint Handling Code from the Housing Ombudsman and Local Government and Social Care Ombudsman. This includes its handling of Member's Enquiries alongside formal complaints.
2. Carry out forecasting modelling to determine optimum complaint staffing levels to respond within the timescales and quality set out in the Code.
3. Adapt its complaint closure processes to accurately reflect when a complaint is closed, and then track the subsequent remedy to completion.
4. Formalise the role of the "high risk" team within its complaints process.
5. Review its approach to root cause analysis of complaints to make this more robust and effective, ensuring it can identify the specific drivers behind complaints and has sufficient detail to take steps to address them.
6. Ensure this improved analysis is seen by the Housing Improvement Group and Board.
7. Develop a mechanism to formally channel the learning from analysis and complaints into service improvements and be able to demonstrate the impact.
8. Review its complaint response quality assurance and develop metrics for the Housing Improvement Group and Board to be able to track complaint response quality.
9. Review its process for recording completed repairs to ensure it has a clear repair record which the resident agrees with. The landlord should ensure the solution accommodates vulnerable residents.
10. Include complaint handling performance in its contractor management arrangements, including as KPIs as contract renewal cycles allow.

11. Develop a plan for the transition of complaint handling to business as usual, ensuring there is continued scrutiny of complaint handling performance at the highest level.
12. Implement a communication programme with residents to ensure residents know about their rights to complain and can escalate cases to the Ombudsman, to help make sure that service failures can be recovered where they occur and avoid residents experiencing prolonged detriment.

# Statement by Lambeth Council

We welcome this report by the Housing Ombudsman following an inspection that took place in October last year. The council engaged fully with the inspection team and we have used this process to positively identify areas of improvement in our services to residents. We accept the findings and commit to delivering the recommendations within three months.

We have apologised for the failings identified in the complaints that led to this inspection and have fixed the issues that impacted residents as well as paying compensation to them.

In the last year, the council has worked intensively with the Housing Ombudsman and with residents to improve the way we respond to complaints and tackle any issues raised, to ensure we provide the best possible service to all tenants and leaseholders.

We're pleased that the Ombudsman has recognised that the council has made significant changes to remedy past failings. The report acknowledges the "significant transformation" that has taken place in the last 12 months and recognised the introduction of a "culture of accountability and ownership" in our services at all levels.

We have made changes to senior leadership, introduced more robust governance arrangements, reviewed all high-risk complaints and put in place better lines of communication between complaints staff, neighbourhood officers and repairs contractors to help ensure we can remedy repairs as quickly as possible.

This work has seen overdue complaints reduce from 2,283 in April 2022 to 154 in November 2023, and this improvement has been recognised by the Ombudsman report. It also highlights that we have improved performance so that 90% of appointments and 72% of repairs are carried out on time – though we are clear that these numbers need to increase further. We know there is much still to do to deliver the quality and consistency of services that residents deserve, but the improvements recognised in this report show that that work is underway and it will continue.

Improving our housing services for residents is a top priority for the council, as we are one of the largest council landlords in the country. However, the scale and condition of our housing stock, much of it built in the 1960s and 1970s, makes this very challenging, particularly when government policy has moved away from investing in improving social housing. We are fully committed to improving all the homes that the council manages, but record construction inflation, government funding cuts and restrictions on council income all make that much harder. We will continue to lobby the government to invest in good, warm, affordable and sustainable homes, while carrying out the improvements necessary to deliver a better service for Lambeth residents.

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