

Learning from: **Severe Maladministration**



**Taking the key lessons from our
severe maladministration decisions**

Contents

Contents	2
Introduction.....	3
Key cases this month.....	5
Other cases highlighted this month.....	10

Introduction

Welcome to this month's 'learning from severe maladministration' publication in which we reflect the key learning from some severe maladministration cases.

This report focuses on landlord's handling of cases involving leaks, which has been a significant driver for more complaints to the Ombudsman. Leaks can be complex to deal with and this is reflected in the casework. The challenges of dealing with leaks is well known. To avoid the level of distress and impact experienced by the families in this report, the sector needs to be more consistent and robust in response.

The themes in this report are clear and range from poor diagnosis, excessive delays, and a failure to consider individual circumstances, especially where vulnerabilities are present. Under their existing obligations in the Landlord and Tenant Act, some landlords should be handling leaks more effectively. However, in the context of Awaab's Law, this is even more important with the impact of any leak, especially where it is significant or the cause of mould, requiring proactive and timely resolution.

While landlords will be planning for its introduction, our decisions reveal in stark terms that some landlords are not ready for Awaab's Law. Go into the individual investigation reports, and you will see a wide range of approaches to repairs. You will see similar repairs sometimes given different definitions and a range of response times specified, or none given at all. These variable service standards are neither desirable nor sustainable.

This report is part of a series providing lessons to help the sector prepare for anticipated introduction of Awaab's Law, in whatever form it takes. In relevant cases Awaab's Law will become a key part of our framework for decision making and we will continue to share insight through our **Centre for Learning** in the months and years ahead.

With the important role that social housing has to play in giving safe and secure housing to millions, the learning in these reports should help landlords provide effective services that protect this aspiration. This learning spans these decisions to cases where we have not upheld the complaint.

We hope you engage positively with this report and share the learning throughout your organisation. You will see throughout this, and future publications, opportunities to engage further and support through our **Centre for Learning**. These are invaluable and will help you to provide an improved service for your residents.

Richard Blakeway
Housing Ombudsman

Key cases this month

This month we highlight key cases from 2 landlords that speak to the key themes relating to leaks. Every month we highlight either different themes, regions or landlords and share the learning from this as part of our commitment to help deliver better services for residents.

L&Q

The Ombudsman made 9 findings of severe maladministration for how **L&Q** have handled leaks, with issues ranging from residents with water pouring down their walls to being decanted for over 2 years due to the widespread issues. These findings relate to cases either determined after the [special report](#) last year or with issues ongoing at the same time as it. These are also being published for the first time.

Throughout these cases was evidence of severe delays from the landlord. In case **202211385**, the landlord did not attend to repair the leak until 10 months after reporting. When the contractor did attend, it often had to leave without action due to incorrect parts. The resident reported that due to the delays water was spreading into other rooms and flats, their daughter was sleeping next to a damp wall and the damp caused by the leak meant they had to have their heating on continuously. The landlord also refused to give some updates to the resident on the leak, due to GDPR.

This reasoning was also used in case 202212695, with the landlord not providing any information due to GDPR. The landlord used various excuses for the works not being completed, but ultimately it took 100 weeks for it to deal with the issue. At one point an emergency plumber was needed to resolve an issue when water started running down the resident's walls and soaking her carpet.

There was considerable damage to belongings and furniture in case 202210519, where a shared owner had to wait 21 months for a repair to take place, only for the problem to reoccur.

The resident was often forced to mitigate the leaks with buckets, leaving her unable to go away for periods of time and unable to use her living room as intended. On top of this, the resident's ceiling collapsed due to the leak. The resident was unable to replace damaged furnishings, light fittings, or decorations because the leak remained ongoing. The landlord's poor communication with the resident caused distress, anxiety, and a loss of faith.

Loss of faith in the landlord's ability to react was also present in case 202203773, in which the landlord's lack of actions meant the resident reported that it was "easier to turn the electrics off and use buckets each time the shower is in use" than to continue to chase repairs. There was no resolution to the leak after 2 years of reporting until the Ombudsman ordered the landlord to fix it.

In case 202221044, the landlord failed to fix a leak for nearly 4 years. Failures in record keeping and engagement throughout the complaint only compounded the issue further and increased the delays, for example having to conduct multiple inspections as there were little records of the previous ones that took place.

In another case that took the landlord years to fix (202109262), a leak coming through the window kept getting worse after being unresolved for 2 winters. It took over 2 years for the repair to take place and impacted multiple flats within the block.

In case **202115891**, the landlord's inappropriate lack of resolution focus unnecessarily prolonged the family's stay in temporary accommodation, being decanted for 25 months as it failed to deal with a repair. The health conditions of the resident were also not taken into consideration during the period.

It was a similar story in case 202204170, where a resident was decanted for around 2 years whilst repairs took place. When the resident first reported the leaks coming through the electrics, the landlord made this safe but did not investigate it further or take a risk-based approach to the leaks. It was not until environmental health were contacted that the landlord took firmer action. When the resident was worried about the decant, the landlord said she was "holding up the repairs" instead of taking a human-centric approach and trying to understand her concerns.

Despite the ongoing nature, the landlord failed to provide the resident with a single point of contact and the evident confusion and lack of ownership of the issue contributed to delays and inconvenience for the resident.

All repairs mentioned in these cases that were not resolved by the end of the complaint were ordered to be fixed.

The Ombudsman also ordered an apology to every resident, £35,397 in compensation and for reviews to be undertaken into several policies including preventing coordination of repairs involving latent defects failings, record keeping and rehousing.

Landlord learning statement

We're sorry that we got things wrong for these residents. Repairs are a priority at L&Q as we understand how frustrating these can be, and the impact they can have on residents.

These 9 determinations precede the improvement plans we already had in place and have been working on together with the Ombudsman since their Paragraph 49 report was published. As a result of these plans, we have already made major progress to ensure we tackle operational challenges including repairs and that we deliver quality services every time.

In addition to this, our 15-year Major Works Investment Programme will see us invest £3 billion to improve residents' homes and includes repairs and upgrades to kitchens, bathrooms, windows and roofs that will address many of the issues that lead to leaks. We have also introduced a new strategy that improves our ability to diagnose and resolve leaks more quickly.

Lambeth Council

The Ombudsman made 5 findings of severe maladministration for how Lambeth Council dealt with a series of cases involving leaks, including various cases of ceilings collapsing due to the inability to make the repair.

In case **202121350**, the landlord failed to identify the cause of the leak and repair responsibility in a reasonable time. This caused the resident distress and inconvenience and meant she could not fully enjoy living in her home. During the time the leak went unresolved, the damage worsened in the house despite various chases from the resident over updates.

In 202111661, the landlord took 395 working days to repair a leak which led to the residents' ceiling falling through. Throughout the complaint, contractors either did not attend appointments or failed to carry out the works needed.

The resident's ceiling also fell through in case 202215325, where its repairs took 23 months to complete. It failed to communicate effectively with the resident and explain any reasons for the prolonged delay.

Although the ceiling did not cave in during case 202224983, the resident's walls were crumbling, and she was worried the ceiling was the next thing to collapse. This caused her significant distress and inconvenience and ended up with her kitchen becoming damp and unusable, with an infestation of silverfish as a result.

In case 202228659, the resident reported rainwater leaking through her roof, but the landlord had no records of any works taking place, with the only record showing that repairs were completed on a date before the resident even reported the issue. The resident re-raised concerns 18 months later and it took the landlord 2 months to raise a repair and a further 3 for an operative to investigate. Over 3 years of reporting the issue, the repairs were still outstanding until the Ombudsman's order to resolve it.

The Ombudsman ordered the landlord to apologise to the residents in these cases, pay £8,545 in compensation and review various policies such as communicating with residents, contractor management policies, and review training needs in these areas.

Landlord learning statement

Lambeth has over 33,000 council homes and ensuring these are safe and well-maintained for all our residents is our top priority. However, it is clear that our service fell below our normal high standards in these cases.

Lambeth has, of course, accepted the Ombudsman's findings in these cases, which were initiated in 2022 and 2023; and we have complied with the orders set out in the determination of each case. We have apologised to each tenant for the distress and inconvenience they experienced, and resolved the problems they reported at their homes, as well as paying them compensation. We have also carried out reviews of our management of individual cases, and of our procedures, in response to individual findings.

In addition to resolving these individual cases, however, we will ensure that we take lessons from them, to further improve our service to all tenants in the future – particularly in relation to tackling leaks. Lambeth is committed to tackling all problems quickly and fairly, and we have worked intensively with the Housing Ombudsman Service and with residents to improve the way we respond to complaints.

Despite continuing reductions in [previous] Government funding, Lambeth has invested hundreds of millions of pounds in improving our council homes and estates in recent years. We have also awarded 10 repair and maintenance contracts to new providers as part of our drive to improve standards and services for council tenants.

Tackling leaks, damp and mould is a key priority for the council, as we know these can be highly disruptive for our residents and have the potential to escalate. We have also implemented a number of improvements aimed at all staff responsible for handling complaints, which include dedicated complaints officers with wide experience across Housing Services; extra training for complaint handlers, to improve the quality and timeliness of responses; increased monitoring of remedies; and retrospective case reviews.

These wide-ranging changes will bring the lasting improvements required, and it is clear they are already having an impact. Through continuing to work closely with the Housing Ombudsman Service, and listening to our residents, we believe the service we offer to everyone will continue to improve. The improvements we have achieved so far were recognised by the Ombudsman in his recent inspection.

Key learning from these cases

Leaks can be complex to resolve. However, these cases show clear and recurring themes that landlords can learn from. When a resident first reports a leak, the landlord should be inspecting that as a matter of urgency, with the potential impact it can have if left unresolved.

Once this inspection is carried out, works to resolve a leak or find the source should also be undertaken quickly to avoid any further damage or inconvenience. During this time, landlords should be communicating well and keeping effective records of the works that have taken place, and what is to come.

Improving communication is a strong theme across complaints and an integral part to Awaab's Law. Any follow up works should be organised in a reasonable timeframe and follow up inspections following the completion of the works should be undertaken, to make sure that the fix has resolved the problem for the household.

Centre for Learning resources

Damp and mould e-learning and workshops through our Learning Hub

Damp and mould key topic page containing reports, podcasts, guidance

Knowledge and information management e-learning and workshops

Knowledge and information management key topics page containing reports, podcasts and case studies

Attitudes, respect and rights e-learning and workshops

Attitudes, respect and rights key topics page containing reports, podcasts and

Other cases highlighted this month

In this section we include a short sharp review of cases determined recently and include 1 or 2 main aspects to each case, with the key learning from it.

One Housing Group

In 3 cases, the Ombudsman found severe maladministration for how **One Housing Group** (now Riverside) dealt with leaks.

In 202224679, the landlord failed to attend a leak inspection on time, which led to the home becoming flooded. It appears as if no regular communication occurred with the resident and that when it did visit, it did not undertake any works – despite other properties also being impacted. This then led to damp and mould which the Ombudsman also found severe maladministration for.

In 202304703, the landlord communicated poorly throughout, failed to carry out risk assessments and did not consider the household vulnerabilities. It failed to offer the family effective support and there was a significant delay in temporary measures being put in place.

In 202204745, the number of delays within the case meant that, despite the landlord attempting to locate the leak and undertake repairs, 3 years went by with the leak persisting and the landlord's promises of fixing it. While initial works often were undertaken quickly, follow ups were less effective and left the resident in limbo.

In the 3 cases, the Ombudsman has ordered the landlord to apologise to the residents, pay £11,045 in compensation and to review various policies such as:

- review of its contractor management to ensure jobs are completed
- repairs record keeping practices
- ensuring that any works outstanding at the time of the complaints are resolved

In its learning from these cases, the landlord says it has introduced a new dedicated team of repair specialists for leaks and damp and mould cases, improved its job management systems to improve transparency and timeliness, as well as new processes to keep residents better informed throughout the complaint.

Key learning for the sector

It is important for landlords to follow up with inspections and reports of leaks within policy timescales, as the damage that leaks can do in a short space of time can take a repair from a simple fix to a much larger issue, impacting other homes as well.

Finding the leak at the earliest opportunity should be a priority for landlords and communicating with the resident throughout should be happening alongside this.

Tower Hamlets Council

In case [202126875](#), the Ombudsman made a severe maladministration finding for **Tower Hamlets Council** after the resident experienced persistent issues with leaks, condensation, and black mould in their home. Despite several investigations throughout the year, the landlord initially misdiagnosed the problem as being due to external brickwork.

Subsequent inspections revealed the root cause to be condensation exacerbated by overcrowding and insufficient air circulation.

The Ombudsman ordered the landlord to pay the resident £3,084 and review its record-keeping procedures in relation to recording repairs.

In learning from this case, the landlord has put in place a new leaks process, improving how its contractors share data, and training its repairs staff in the Housing Health and Safety Rating System.

The landlord has also introduced a dedicated damp and mould telephone line with a triaging system to help it better prioritise cases and a new simplified online form to report cases.

Key learning for the sector

Landlords need to ensure that initial inspections are conducted by qualified professionals to avoid misdiagnosis, which can prolong tenant distress and complicate resolutions.

Engaging relevant expertise at the right time is another key aspect of Awaab's Law. Compensation should accompany not substitute repairs. Landlords need to take prompt action and address the underlying cause of the issues.

Southern Housing

In case **202218230**, the Ombudsman ordered **Southern Housing** to review its responsive repairs policy after a household with recognised vulnerabilities experienced significant leaks from the communal roof into their living room ceiling, causing extensive internal damage, damp, and mould. This case was determined after the special report this year and are being published for the first time.

Despite initial assurances that a contractor would address the issue, no action was taken, prompting the resident to repeatedly follow up and eventually escalate the matter the Ombudsman when they were dissatisfied with the delays to repair and poor communication.

The Ombudsman ordered the landlord to pay the resident over £1,000 in compensation and recommended the landlord review its responsive repairs policy to prevent future issues from reoccurring.

In its learning from this case, the landlord said it has increased its budget for repairs, planned works, and capital projects, which has also led to recruiting more frontline staff. Among its changes, it has introduced a Customer Service Promise informed by 180 residents.

Key learning for the sector

Landlords need to be clear about their repair obligations and respond in an appropriate timeframe when future works are planned. Our investigations show a broad range of approaches to handling essentially the same repairs, from different definitions to divergent timescales to deal with them.

There are some landlords who have not committed to any timescales for some repairs. This approach is not sustainable in the context of Awaab's Law.

Clear communications about timeframes would have been an effective way to deal with this complaint, on top of a timely repair to the leak.

Arhag Housing Association

The Ombudsman found severe maladministration in case **202200702** involving **Arhag Housing Association**. The resident, who required adaptations to their bathroom sink and toilet, had to live in substandard conditions with damp, mould, and incomplete bathroom repairs for over 4 years.

Environmental health recommendations were insufficiently acknowledged by the landlord which raised concerns about the property's safety. The resident's distress was further exacerbated by ineffective and inconsistent communication including handling the resident's complaint.

The Ombudsman ordered the landlord to apologise to the resident, pay the resident £2,600 in compensation and carry out a review of its compensation framework.

In its learning from this case, the landlord has engaged a new repairs contractor, communicated with residents with ongoing repair issues to resolve issues more quickly, and provided training to all staff in communicating with residents.

Key learning for the sector

The landlord should have identified early on that the resident was vulnerable and tailored their response to those vulnerabilities. Understanding individual circumstances is central to Awaab's Law.

It should have also taken ownership of the pest infestation issues which it took too long to do. The repair exceeded the landlord's own policy. Landlords therefore need to use complaints to understand where repairs are not being delivered in line with their policy, including emergencies, and what steps are required to meet any future obligations.

Sanctuary

The Ombudsman found severe maladministration in case **201901900** involving **Sanctuary**. The landlord demonstrated a series of failings for a lack of ownership and oversight to address the resident's reports of leaks, damp, and mould.

Despite the initial report, the landlord did not conduct a thorough inspection, resulting in prolonged unaddressed issues. The landlord also failed to monitor and manage contractors effectively, leading to a lack of progress in resolving the leak for over 2 years.

The Ombudsman ordered the landlord to compensate the tenant over £8,000 and identify improvements to its policy and procedures in dealing with repairs concerning leaks.

In its learning from this case, the landlord says it has launched a dedicated taskforce to proactively manage damp and mould cases and reviewed its approach to complaints. In addition, it has provided staff with additional training to support better communication with residents and recently published learning from the Ombudsman's findings on its website.

Key learning for the sector

This landlord failed to provide timely and transparent information, issuing conflicting responses and bypassing necessary procedural steps. This mishandling of complaints fails to adhere to the Ombudsman's Complaint Handling Code and policy timescales and undermines trust in the landlord's ability to fulfil its obligations.

Clarion

In 2 cases, we found severe maladministration for how **Clarion** dealt with leaks, including how poor records hampered an investigation and taking 139 days to come and inspect a home with a severe leak, in which huge parts of the house were flooded.

In 202218930, the landlord provided very little of information requested by the Ombudsman, including repair logs, copies of any survey or inspection reports, feedback from employees or contractors, an explanation of any work carried out, confirmation that the issue had been resolved and completion dates for any repairs.

After first reporting the problem, the landlord took 50 days to come out and inspect the house, recommending the resident turns the water meter off to not run up a huge bill. However, it then took the landlord 4 months to do any further works, which meant the resident was without hot water or heating during the winter months. This left him using a camping stove and oven to keep warm over Christmas and New Year during freezing temperatures.

The Ombudsman ordered the landlord to pay £1,550 in compensation and to calculate the difference between what water bill should have been and what was charged in order to pay the difference for the resident.

In 202224788, the landlord took 139 days to come and inspect a home with a severe leak, in which huge parts of the house were flooded. As this should have been responded to sooner as a serious hazard, this was unacceptable.

The timeframe between the resident reporting the leak, and the landlord identifying it, was approximately 20 months. This significant delay was unacceptable and left the resident and her child living with an unnecessary and avoidable hazard and the subsequent risk to health it posed.

The above issues have left the property mouldy and damp, to which the Ombudsman made an order for the landlord to remedy.

The Ombudsman ordered the landlord to pay £2,049 in compensation and for the Chief Executive to apologise to the resident.

In its learning from these cases, the landlord says it has since developed a new approach to leaks which sees ongoing cases escalated to a surveyor, and case-managed by a dedicated resident liaison officer where appropriate.

The landlord has taken on 100 extra staff as part of this new approach, as well as new systems and technology.

Key learning for the sector

It is key that inspections take place early on when a resident reports a leak, and then followed up effectively. The Ombudsman understands that leaks can be complex, and therefore having a robust system in place to locate the source should be the cornerstone to any approach. Firmly linked to this is the importance of record keeping, as the Ombudsman has spoken about lots in previous reports. Landlords should also be aware of how situations can impact those living in these situations, with children being present causing significantly more distress for a household.

Irwell Valley Housing Association

In case [202217188](#), there was severe maladministration after **Irwell Valley Housing Association** failed to sufficiently investigate the cause of the leak and failed to resolve the issue completely for over 2 years.

Problems were exacerbated by the resident becoming pregnant during this time and having a baby in a home that was causing her extreme distress. In total, the resident had to report the leak on 4 different occasions, sometimes after it was repaired by the landlord, before it was eventually fixed.

The Ombudsman ordered the landlord to pay £1,000 in compensation and to issue a written apology to the resident from a senior member of staff.

In its learning from this case, the landlord says it has engaged its resident scrutiny panel to review its approach to damp and mould, introducing a new triage system, new damp and mould policy, and adopting best practice to improve processes, data and systems. This includes a contractor portal, new online service for residents to report and track repairs, as well as equipping inspectors with better technology and training to diagnose causes more quickly.

Key learning for the sector

Strong record keeping would be paramount under Awaab's Law. Landlords should make sure that record keeping practices are fit for purpose, to minimise missed appointments or contractors turning up to the wrong address as happened in this case. If a leak is to return, landlords should undertake extensive inspections to identify the root cause.

This case also involved a resident who was potentially vulnerable at certain points and landlords should ensure an effective and human-centric service can be delivered based on those changing needs.

Homes Plus Group

The Ombudsman found severe maladministration for **Homes Plus Group** ([202204960](#)) due to the landlord being slow to act on reports of a leak where a resident had water running down his walls, and it not being clear what works it had completed.

It only produced a full inspection report and ordered the majority of repairs after it became aware of the Ombudsman's investigation. This meant that the resident and his children endured this leak for over 2 years from first reports.

The Ombudsman also found severe maladministration in this case for how it handled repairs following a void period and complaint handling.

The Ombudsman ordered the landlord to pay £4,700 in compensation, provide an apology from the Chief Executive, and instruct a specialist damp survey.

In its learning from this case, the landlord says it has reviewed its empty homes process and introduced an enhanced Quality Homes Standard which includes a commitment to post-inspect 100% of properties once they are ready to be re-let. It also introduced a new damp and mould process and policy in which surveyors conduct inspections within 7 days and are given the authority to immediately action any necessary repairs.

Key learning for the sector

It is essential that when landlords are dealing with leaks that they are treating the root causes effectively and routinely carrying out inspections after a repair has taken place to ensure that repair work has been successful. On multiple occasions in this case, the landlord said it would do something or had done something when it had not. Effective communication in these cases is vital to ensure residents are not feeling let down or not cared about.

Wandle

In case 202105513, the Ombudsman found severe maladministration for how **Wandle** failed to promptly address a leak and left affected internal areas, including the ceiling light where the leak was coming from, without repair for 26 months.

Due to the nature of the leak, and the safety risk around electrocution, the landlord should have acted faster. Whilst an emergency repair was raised, it did not take place in 24 hours as it should have, instead it took 3 weeks.

There was no evidence the landlord took action to source the leak, even though it promised to on at least 3 occasions in the following months. These delays and lack of action meant there was ongoing damage to her home, including a hallway light that was unusable for over 2 years.

The Ombudsman ordered the landlord to pay £4,205 and to complete inspections on both the source of the leak and the extent of the damage in the house, setting out the works that were needed to resolve the issues.

In its learning from this case, the landlord says it has delivered further training for front line staff to support them to correctly identify and escalate urgent repairs. It has also reviewed its complaint handling process, as well as its approach to knowledge and information management.

Key learning for the sector

The landlord could have improved at various points in this process to lessen the impact on the resident. Whilst it raised the emergency repair correctly, it then did not follow that process – if it had done so it may have provided an effective response to the resident. However, leaks can be complex and multiple attempts may be required to sort the issue, which is why communication is so important. In this case, the landlord failed to provide any clarity on timelines for resolution or compensation for the distress caused. Landlords should have a clear policy on ensuring essential responses are met.

Newham Council

In case **202103663**, the Ombudsman found severe maladministration for **Newham Council** after it failed to deal with a leak for 5 years.

The landlord failed to respond to the resident's request for the repairs in a reasonable timeframe, nor decorative restoration, or a financial settlement to pay towards rectifying the damage or resolve the insurance claim passed to its insurers.

The resident had to report the leak on multiple occasions, every time it damaged her property, and even instructed a solicitor just to get the landlord to act on her concerns. It also did not have appropriate records on these repairs. A repairs policy or procedure was not provided to this service, nor could one be found on the landlord's website.

The Ombudsman ordered the landlord to arrange a full inspection of the property with a specialised surveyor, regarding the mould and damp, and to source the leak with a long-term repair resolution. It also ordered the landlord to look at its policy and processes to ensure a case like this does not happen again.

Key learning for the sector

Effective communication throughout a complaint is vital to ensuring that a resident does not feel even more distress above the substantive issue. In this case, repairs

logs were also not always provided, and the repairs not being carried out over a period of 5 years is completely unacceptable. Landlords should work with residents and contractors to get these resolved soon after first reporting. Where an insurance claim may be necessary, landlords should pursue this option early to seek resolutions.

Hackney Council

The Ombudsman found severe maladministration and ordered **Hackney Council** (202207096) to pay £6,900 compensation after it continually failed to deal with a recurring leak.

The landlord failed to progress follow-on works, leaving the resident in a property which it acknowledged was in a degree of some disrepair. While it acknowledged some avoidable delays, partly caused by confusion over whether the resident was to be offered a decant, there appeared to be a lack of cohesion between service areas and overall ownership of its management of the repair process.

There was also a severe maladministration finding for the landlord's decant management.

On top of the compensation, the Ombudsman also ordered the landlord's Chief Executive to apologise to the resident and for the landlord to arrange another survey to detect for any further damp, as well as reviewing its decant policy.

In its learning from this case, the landlord says it is undertaking a condition survey of the whole block to identify any other leaks residents may be facing. It says it will also continue to improve communication with residents following this case.

Key learning for the sector

When a leak is reoccurring, it is important for landlords to establish plans to find the source of the leak and keep the resident updated on these works. Where these works will take time, as leaks often do, landlords should consider a decant where possible.

This should be done in communication with the resident and thought about at the outset, not when it is too late, and the resident has already faced hardship due to the issue.

Redbridge Council

The Ombudsman found severe maladministration for how Redbridge Council (202208497) handled a leak from the property above, in which the leaseholders' home developed damp and mould as a result. The resident lives with her elderly mother.

The landlord arranged an inspection following the resident reporting the issue, which was appropriate. The surveyor made several recommendations, which the landlord said it would carry out. A further survey was carried out just before the works were due to take place.

This latest survey found more remedial works were needed and the landlord agreed to fund these works. However, at the point of determination, some of the works were still outstanding – 34 months after the landlord first visited the property to look at the leak.

The Ombudsman ordered the landlord to draw up a schedule of the required works to resolve the issues, pay £1,200 in compensation and apologise to the resident for the delays.

In its learning from this case, the landlord says it now holds fortnightly meetings to review all damp and mould cases, closely monitors the timescales for resolving cases through monthly performance meetings with contractors and also monitors disrepair repair complaints monthly internally.

Key learning for the sector

Although the inspections in this case were carried out in a timely way, the subsequent repairs were not, and this meant the resident was left in damp and mould for far too long. Under Awaab's Law, a clear action plan is essential.

The landlord was also not able to send across an initial inspection report, which is should have been able to do.

Where multiple repairs are needed the landlord should communicate with the resident to set clear timescales and explanations about the works in order to manage expectations.

Islington Council

The Ombudsman made a finding of severe maladministration for **Islington Council (202222432)** after delays, poor communication, failed appointments and poor planning, caused distress, time and trouble and inconvenience to a resident who had to endure damp and mould whilst living with COPD. This case was determined after the special report last year and are being published for the first time.

Whilst repairs to the leak took place, albeit taking 92 days, the appointments to replaster and inspect the home following this repair were poorer. It took correspondence from the resident and the MP to get answers on the repair, as well as multiple visits from various professionals. After one surveyor attended to say the mould was so widespread it made him feel chesty, the landlord took 3 months to inspect the home again, despite knowing about the residents' health condition.

Overall, it took the landlord 34 months to resolve the issue from first reporting. These events just preceded the release of the special investigation report into the landlord, with the final remedial works taking place on the same month as publication.

The Ombudsman ordered the landlord to pay £2,250 in compensation, apologise to the resident and discuss with him any future reasonable adjustment needs.

In its learning from this case, the landlord says it has set up a dedicated damp and mould team to tackle complex cases, introduced new processes to make sure leak jobs are better monitored and increased preventative investment. It is also to implement new processes on missed appointments and cancellations.

Key learning for the sector

It is sometimes appropriate for landlords to get a second survey completed to assure itself on the works that are needed but this should be done quickly and not prolonging the distress for the resident. In this case, the resident had clear vulnerabilities that would have been severely exacerbated by the situation and this should have meant even more urgency in dealing with the repairs.

Landlords must take a human-centric view to every repair in order to get its service delivery right.

Southern Housing

The Ombudsman found severe maladministration for **Southern Housing** (202229259) after it failed to fix a leak for over year despite raising jobs with contractors.

The landlord failed to monitor these repairs or properly communicate with contractors, which meant repairs went undelivered. Its failure to act in a timely or appropriate manner shows it did not prioritise the repairs despite the resident's vulnerabilities or urgency of the situation. These events preceded the Ombudsman special investigation report into the landlord.

The Ombudsman ordered the landlord to pay £2,325 in compensation, review how it support residents with vulnerabilities when dealing with leaks, damp and mould and disrepair and to self-assess against the Spotlight report on knowledge and information management.

In its learning from this case, the landlord says it has centralised complaint handling, increased budget for repairs, planned works and capital projects, as well as increasing the number of frontline repairs jobs by nearly 100 members of staff.

Key learning for the sector

The consequences of not fixing a leak can be very serious as, apart from causing rapid mould growth, there is a risk to structural damage as well as the health of the occupant. In this case there was poor contractor management where the landlord failed to follow up on jobs supposedly carried out by the organisation. Landlords have ultimate responsibility for the repairs being undertaken and should have processes in place to ensure they happen.

When a resident raises a leak issue, the landlord should act swiftly and consider a wide range of options for resolving the situation.

Ealing Council

In case 202214396, the Ombudsman found severe maladministration for **Ealing Council** and its handling of a leak and resulting damage to the property as it did not fix the leak for a period of 3 years.

Its communications with the resident were poor throughout which led to her having to constantly chase and re-report the leak.

There were also multiple instances of the landlord not being able to retrieve or know what the issues were in the home and therefore asking the resident again for information. The resident had expressed suicidal thoughts, and the landlord did not treat the situation seriously. The landlord said it had called the police out of concern for the resident's welfare, however, it does not appear to have followed this up, or to have taken any other safeguarding steps.

The Ombudsman ordered the landlord's Chief Executive to provide a written apology, to pay £3,700 in compensation and for the landlord to work with the resident over damaged possessions and either reimburse her directly or pursue a case with its insurer.

In its learning from this case, the landlord says it has rehoused the family and has made changes to processes such as appointing a second repairs contractor to

improve timescales, adopted a new complaints approach and commissioned new software to document all property inspections and allow for better reporting.

Key learning for the sector

Living with a leak impacts your life daily and residents should not have to chase multiple times for simple updates to the case. Landlords should be proactive in their communications on these issues and be effective when doing so. The landlord had reason to be worried about the welfare of the resident in this case but did not do enough to follow up its concerns.

Leaks can damage personal belongings and landlords should have a strong policy in place to ensure that where this does happen, it can respond effectively and compassionately.

Metropolitan Thames Valley

In case 202127926, the Ombudsman found severe maladministration for **Metropolitan Thames Valley** after a resident, who had a young child and was pregnant, was unable to live in her home for 15 months due to ineffective repairs to a leak.

The leak impacted the home and the adjoining property, with the works poorly coordinated, and the landlord failing to communicate effectively with the resident, leading her to contact them daily to chase.

The Ombudsman ordered the landlord's Chief Executive to apologise, to pay £1,700 in compensation and review its policies against the Spotlight report on knowledge and information management.

In its learning from the case, the landlord says it has created a new position of Property Experience Coordinator which already has positive feedback and looks at cases where works are due to commence. It has also created better relationships internally and with contractors, as well as implementing a new repairs policy to take greater account of residents' individual circumstances alongside strengthen guidance on timescales for carrying out repairs.

Key learning for the sector

Whilst the actions of the landlord were poor in this case, the internal communications between teams seem to lack too. This meant that repairs can be often left between teams or with no overall team taking responsibility and taking it forward. This also means it is harder for information to be provided to the resident or for proactive communication to take place throughout the time period the resident is impacted.

Gentoo Group

The Ombudsman found severe maladministration (202204555) for how **Gentoo Group** failed to resolve a leak problem to a leaseholder's roof.

Unlike some of the other cases in this report, this was not an active leak, so a complex area for the landlord to try and tackle. At times it communicated well and provided information, but fundamentally it was over 3 years before there was a resolution.

The resident had also made the landlord aware of his health conditions and that he was living with damp in his bedroom.

The Ombudsman ordered the landlord in this case to look beyond the failings in this case and to assess whether this had happened to other residents over the previous 3 years and what can be learned from it. It also ordered the landlord to apologise and pay £1,500 in compensation.

In its learning from this case, the landlord says it has taken its leasehold management system back in house, works and surveys done to the home in the case as well as those with similar issues, as well as creating new processes at governing body level to ensure that the learnings from this case are applied across our portfolio of leasehold properties.

Key learning for the sector

Landlords should be sure what is in the lease and what responsibilities it has on repairs. When the leak is not active such as in this case, the importance of following up on inspections when a report is made is even more important and can give vital insight to resolve the issue. There were some good aspects to the landlords' response within this case and some learning for other landlords on how communication and information sharing can be managed effectively.

Shepherds Bush Housing Group

In case 202226474, the Ombudsman found severe maladministration after **Shepherds Bush Housing Group** breached its own policies in relation to a leak – forcing the resident to raise the issue on 8 occasions.

Its repairs were delayed and at times, reactive to the resident's contact with it rather than proactive. It failed to keep the resident updated or consider vulnerabilities when dealing with the repairs. After being informed of a continuous leak, it failed to investigate. This resulted, the resident said, in her son contracting hives and forced them to share a bed due to the damage.

The Ombudsman ordered the landlord to pay £3,750 in compensation and review its policies on knowledge and information management as well as how it records vulnerabilities.

In its learning from this case, the landlord says it has implemented a new approach to managing damp and mould, including having dedicated points of contact for residents until works are completed. It has also appointed new dedicated leakage and damp surveyors, as is to put in place preventative measures this year to help detect leaks.

Key learning for the sector

Proactive inspections and communications are vital during any leak case and when there is a child involved, mention of health implications from an issue in a home, it should kickstart a more urgent response.

Under proposals set out in Awaab's Law, the landlord would have more obligations to look at earlier decants, faster inspections for hazards and vastly improved communications.

Welwyn Hatfield Council

The Ombudsman found severe maladministration for **Welwyn Hatfield Council** (202218216) after it failed to deal with a leak coming from the drains for nearly 2 years.

After an inspection on the property said it required a surveyor to come out, it failed to do this for a further 8 months. When the water company recommended that it speak to the private residents that also may be impacted, there is no evidence the landlord did so. The landlord also knew a CCTV survey was required, yet despite chases from its own staff, also did not undertake this.

The Ombudsman ordered the landlord to pay £4,425 in compensation, for the Chief Executive to apologise and, as the problems still had not been resolved at the time of our investigation, carry out inspections and identify repairs to resolve the leak.

In its learning from this case, the landlord says that whilst it is still working with the utility company to fix a mains pipe leak, it has made some positive changes. For example it has given its staff complaints handling training and self-assessed against the Complaint Handling Code and [Spotlight report on knowledge and information management](#).

Key learning for the sector

Where other private properties are involved in the leak, it is important for landlords to communicate early with these parties to ensure that works can take place for the resident. In this case, delays to surveys and this communication only left the resident feeling more frustrated with the situation. Carrying out some of these simple actions could have prevented a complaint from the resident, and the amount in compensation and other orders could have gone into resolving the problem earlier.

Platform Housing Group

In case 202212942, the Ombudsman found severe maladministration for **Platform Housing Group** after it failed to repair a roof with a leak, something that should have been dealt with as an emergency repair within 24 hours.

Instead, the first reports were dealt with in 8 days but due to poor record keeping, it is not known what repairs took place. After 2 months, the landlord identified falling roof tiles presented a danger to the resident and the public but carried out no works.

Nearly a year after the first reporting of the issue, the landlord said it would undertake interim repairs to make the home safe. After 5 months it acknowledged it delayed the start of the works but there are no records to say whether any repairs took place.

Finally, the landlord undertook some repairs, but they were not effective, and the ceiling started to bow and water began to come out of the light fitting, making the resident fearful of her safety.

27 months after the first report, the landlord changed its approach to the repairs and appointed a single point of contact and proactively communicated with the resident. Soon after, the repairs were finished and resolved effectively.

The Ombudsman ordered the landlord to pay £4,100 in compensation.

In its learning from this case, the landlord says it has introduced a new Customer Relationship Management system, started a trial to improve follow on works, and improved sub-contractor management which includes a new portal for monitoring and tracking works.

Key learning for the sector

Once the landlord changed its approach to focus on the resident and their need for a resolution, rather than a standard offer, the situation was resolved and rectified. Landlords need to be clear with residents about the timescales for works and in this case, it had a safety responsibility to make things right quickly.

This is a key aspect of the proposals behind Awaab's Law. There is a chance that the landlord tried several different things to make the roof safe and stop the leak, however poor records mean that neither the Ombudsman nor the landlord is able to ascertain what happened.

PA Housing

The Ombudsman made a finding of severe maladministration for **PA Housing** (202218861) after it failed to resolve a leaking roof for close to 3 years.

Long delays experienced by the resident were due to the landlord's contractors not having keys required in order to access the roof. This happened numerous times during the scope of this case.

It is also noted that the resident had informed the landlord that his wife suffers from anxiety and depression, which was only acted upon, and support offered when the Ombudsman got involved.

The Ombudsman ordered the landlord to apologise to the resident, update its records around vulnerabilities for this household, and to pay £1,500 in compensation.

In its learning from this case, the landlord says it has started to inspect all flat roof homes for leaks, invested in a new telephony system and introduced a new system for logging resident interactions to improve record keeping.

Key learning for the sector

Ultimately, a landlord is responsible for the services provided by its contractors. The landlord's processes in this regard were poor and contributed largely to the unacceptable delays experienced by the resident.

It is important that landlords and contractors can work together seamlessly to provide an effective service for residents, and that both parties are keeping accurate records and proactive communication to ensure jobs do not fall through the cracks.

Landlords should also have sufficient processes in place to ensure contractors are able to access the required areas to complete repairs.

Birmingham City Council

Failure to fix a leak after 4 years meant that the Ombudsman made a finding of severe maladministration against **Birmingham City Council** (202210450). The events in this case post-date the Ombudsman's special investigation report into the landlord.

After reporting the issue to the landlord, it took over 30 visits to sort the problem and there was no evidence it ever considered a decant – despite the resident saying he considered taking his own life due to the condition of the home.

It was difficult to establish the exact nature and severity of the leak, due to the landlord's lack of effective record keeping concerning the repairs – despite being asked for further information by the Ombudsman. Therefore, it was also difficult to establish the works completed, if visits took place, or if follow-up works were required. There is no record of the landlord attending in relation to reports of damaged asbestos.

The Ombudsman ordered the landlord to apologise to the resident in person, pay £4,450 in compensation, and identify the ongoing problems with the leak and show evidence of the problem being resolved.

In its learning from this case, the landlord says it has continued to embed the learning from the Ombudsman's special investigation report and has introduced enhanced escalation measures are now in place to identify repeat repairs or where intelligence indicates that there are underlying issues that require resolution.

Key learning for the sector

It would have been reasonable for the landlord to consider a temporary decant whilst it investigated the source of the leak and complete any repairs, or a permanent move given its inability to provide a permanent fix over an extended period.

Again, this will be a key consideration as part of Awaab's Law. Whilst the landlord stated that it understood the resident's situation and apologised for this, there was a lack of real understanding of the significant impact this was having on him and no solutions were provided, leaving the resident to feel that no progress had been made. Furthermore, where there are multiple visits to the same property, this should alert landlords to consider where it needs to change its approach to resolution.

Haringey Council

In case 202222160, the Ombudsman found severe maladministration for how **Haringey Council** left a resident dealing with an ongoing leak for 2 years, with it still present at the time of determination.

There were long periods of time where no action was taken despite the resident chasing the landlord on at least 11 occasions. The landlord gave different reasons for the delays, which would have caused confusion for the resident and led to her losing faith in the landlord.

When the landlord referred the matter to its contractor, it failed to provide sufficient details for the contractor to arrange access to the resident and neighbour's properties and there is no evidence of regular follow up or monitoring of progress.

The resident told the landlord she had mould in her property, but it was 8 months before it carried out an inspection in relation to this and over 2 months before it carried out the work identified. These issues were ongoing and after the special investigation report the Ombudsman published on the landlord.

The Ombudsman ordered the landlord to pay £1,200 in compensation and to make good on its promises around the outstanding repairs works.

In its learning from this case, the landlord says it has appointed a specialist contractor to fix the leak in this home and have begun processes to overhaul its repairs service so that residents are not left waiting for long periods of time without resolution.

Key learning for the sector

Any time that a resident chases for an update, it should be of concern to the landlord that it is not appropriately keeping that resident informed about what is happening with their home. Landlords should also be sure that when it is passing information onto third parties such as contractors, that the information is useful and allows the contractor to resolve the issue.

Royal Borough of Kensington and Chelsea

The Ombudsman made a finding of severe maladministration for **Royal Borough of Kensington and Chelsea** (202208675) after it failed to fix a roof leak for 12 months and did not take into account the residents' mental health when undertaking the works.

All of this meant that throughout this time period, multiple opportunities were missed to minimise the impact on the resident's health and wellbeing. When the resident visited in person in visible distress, it did not act effectively enough to reassure him.

When repairs turned into a replacement roof, the landlord did not inform the resident there was asbestos present, which later caused him anxiety when he found out.

Overall, the leak was an issue for 14 months, and whilst the landlord did decant the resident, it also did not handle this as sensitively as it could have done, with the resident ending up not having confidence the landlord would treat his possessions with respect.

The Ombudsman ordered the landlord to apologise to the resident and pay £1,500 in compensation.

In its learning from this case, the landlord says it has reviewed processes around resident's vulnerabilities when undertaking works and has changed how it conducts resident profiling before these works take place too. It also reviewed its process around decants of residents with mental health issues.

Key learning for the sector

Landlords should take a human-centric approach to any works and services they deliver. In this case that did not happen and therefore the landlord missed multiple opportunities to understand the resident's position and feelings, as well as what it could do differently to support him through the works. Simple changes such as positioning of ladders and early information would have helped and inspired confidence that the landlord could resolve the issue.

Peabody

The Ombudsman found severe maladministration for **Peabody** (202128489), after it took an unreasonable amount of time to repair the roof, which was in excess of its policy timeframe.

It also left scaffolding in place for too long and did not act promptly in response to the resident's concerns about an ongoing leak. Its communications were poor, and this further caused the resident to question whether the repairs had been effective.

There were also severe maladministration findings for the subsequent damp and mould from the leak, as well as the complaint handling.

The Ombudsman ordered the landlord to provide a written apology from the Chief Executive, pay £3,200 in compensation and carry out the remaining works that were not completed and find a decant for this resident.

In its learning from this case, the landlord says it has changed the way it approaches complaint handling and record keeping. It has also looked at the Ombudsman's [Spotlight report on attitudes, respect and rights](#) to improve its services towards residents, including offering training to staff.

Key learning for the sector

Residents are looking to their landlord to give them the confidence that their concerns and repairs will be dealt with in a professional and timely manner.

When communication is poor and key elements such as scaffolding being up too long or not at the right time erodes that confidence in the service, especially when there is no explanation from the landlord.

Milton Keynes Council

In case 202229797, **Milton Keynes Council** had a severe maladministration finding from the Ombudsman after it failed to deal with a toilet leak effectively.

After the resident reported an “uncontainable” leak around her toilet, the landlord responded with an emergency out of hours repair, which was appropriate.

However, it did not take immediate action, despite the resident saying the leak persisted and smelt like wastewater. In the following months, due to poor records, it is unclear about what happened at certain appointments and whether they took place or not.

A second leak was reported by the resident with water coming through the ceiling and the bathroom plug blocked, with dirty water subsequently coming up through it. When contractors came to deal with this, the resident reported feeling frustrated after the operatives were impatient with her despite her limited English.

The Ombudsman ordered the landlord to pay £1,050 in compensation, apologise to the resident and put in place processes to ensure that where residents raise concerns about the standards of works that is investigated.

Key learning for the sector

Robust record keeping would be essential under Awaab’s Law. A landlord should have systems in place to maintain accurate records of repair reports, responses, inspections, investigations, and communications.

Good record keeping is also vital to evidence the action a landlord has taken and failure to keep adequate records indicates that the landlord’s processes are not operating effectively. The landlord’s staff should be aware of a landlord’s record management policy and procedures and be trained to adhere to them.

Housing

Ombudsman Service

PO Box 1484, Unit D

Preston

PR2 0ET

0300 111 3000

www.housing-ombudsman.org.uk

Follow us on  