

Housing Ombudsman
Special report on
Camden Council

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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.

This special report follows an investigation carried out under paragraph 49 of the Housing Ombudsman Scheme, which allows the Ombudsman to conduct further investigation into whether there is a systemic failure.

Factors that may be indicative of a wider service failure may include, but are not limited to the following:

- a policy weakness
- repeated service failure
- service failures across multiple service areas
- service failures across multiple geographical locations
- failure to learn from complaints
- lack of oversight and governance to identify and act on repeated issues

This report provides insight to help the landlord strengthen its complaint handling and address the substantive issues giving rise to complaints, to help extend fairness to other residents and prevent complaints in future.

We also publish the report to help other landlords identify potential learning to improve their own services. This is part of our wider work to monitor landlord performance and promote learning from complaints.

Scope and methodology

The landlord had 10 findings of severe maladministration between 1 April 2023 and 16 October 2023 in cases involving repairs and/or complaint handling, which raised concerns over how the landlord operates and the services it provides.

An initial analysis into the landlord's handling of complaints involving repairs was conducted on cases determined in this same period.

This review found a notable increase in the maladministration rate from previous years and compared to the national average. The maladministration rate for repairs averaged 91% compared to 73% nationally, and 86% compared to 84% for complaint handling respectively.

This led the Ombudsman to instruct a special investigation to establish if the complaints we have seen are indicative of wider failure within the landlord.

This investigation was announced and commenced in November 2023.

The landlord engaged extensively with the Ombudsman as part of this investigation, and proactively sought to implement improvements from the determinations prior to the publication of this report.

We commend the leadership of the landlord for its positive approach to learning from this investigation.

We made an evidence request for documentation that related to the period of time covering the issues and complaints including:

- repairs
 - housing repairs service Camden tenant handbook
 - technical standards and performance measures
 - damp and mould process map (2022)
 - housing repairs service
- complaint handling
 - London Borough of Camden Complaints Policy & Procedure May 2019
 - London Borough of Camden Complaints Policy & Procedure June 2023
 - London Borough of Camden Remedies Policy & Procedure Complaints (service failure) Oct 2020
 - Housing Ombudsman Complaint Handling Code self-assessment LB Camden 19-20, 20-21, 21-22 and 22-23
 - Annual Complaints Report 19-20, 20-21, 21-22, and 22-23
 - details of complaint handling governance
 - template wording for acknowledgement and complaint response letters

- process maps for complaint handling – Feb 24
- training guidance Frequently Asked Questions (FAQs) Feb 22
- details of training and completion rate for complaint handlers
- vulnerabilities
 - vulnerability review and Learning & Development (L&D) offer
 - vulnerabilities - self-assessment on the Spotlight report on attitudes, respect and rights (Apr-24)
 - recording and tracking vulnerability
- record keeping
 - Knowledge and Information Management (KIM) self-assessment actions update (Apr-24)
 - Data Governance Framework – Jul 23
- general information on Camden Council
 - the London Borough of Camden Council Tenant Satisfaction Measures financial year 2023-24 2023-24 - data reported to Regulator of Social Housing

The landlord responded promptly and fully to requests for information. We also asked the landlord additional questions after reviewing the evidence provided, and the landlord responded to all our questions.

The Ombudsman met with the senior leadership and officers during the investigation. The landlord also offered opportunities for the Ombudsman to attend one of its Housing Resident Panels, to attend its tenant-led conference, join its operatives for a damp and mould inspection, and to visit the landlord and speak to staff members. As the landlord provided sufficient evidence in the documentation it provided, answered clearly and thoroughly to the questions posed, and provided a good overview of its current position in its initial presentation to the Ombudsman, we did not need to take the landlord up on the offers, but we would also like to acknowledge the willingness and openness of the landlord to facilitate and engage in this investigation.

We have also reviewed 15 recent complaints that residents brought to us between July 2023 and April 2024, to give an indication of current concerns being raised by residents. We have not drawn any conclusions from these complaints as they are still in the landlord's internal complaints procedure and not yet fully investigated.

About Camden

The London Borough of Camden is a local authority landlord with 31,858 homes.

The Housing Ombudsman's [Landlord Performance Report 22-23 \(PDF\)](#) for Camden, had the following findings for the 12 months prior to the cases listed in this report:

- 19 determinations
- 29 findings (excluding those outside of jurisdiction)
- 19 maladministration findings = 66% maladministration rate.
- complaint handling maladministration rate = 100%
- property condition maladministration rate = 67%
- 2 Complaint Handling Failure Orders issued
- 28 orders made including compensation payments of £3,205

The Housing Ombudsman's [Landlord Performance Report 23-24 \(PDF\)](#) for Camden will cover the same period as the cases investigated in this report.

Investigation outcomes

When investigating complaints brought to us, the Ombudsman seeks to establish whether the landlord has been responsible for maladministration (which includes findings of service failure, maladministration, and severe maladministration).

The Ombudsman determined 57 cases involving the landlord during the period between 1 April 2023 and 31 March 2024.

The dates of the issues in these cases range between August 2016 to present day, with works outstanding and ongoing.

The complaints were investigated by the landlord through its internal complaint procedure between November 2018 – May 2023 and were from both tenants and leaseholders.



Determinations

57

Excl Overall OSJ/Withdrawn
incl Overall OSJ/Withdrawn: **61**



Findings

171

Excl Overall OSJ/Withdrawn Determinations
incl Overall OSJ/Withdrawn: **179**



Maladministration Findings

124



Orders Made

275



Recommendations

65



CHFOs

4



Maladministration Rate

83%



Compensation (*Order & Rec*)

£83,509.66

The Ombudsman's findings from these investigations are set out in the table below.

Please see the annex for the full case list. This table does not include the findings of 'outside jurisdiction' or 'withdrawn'.

Category	Severe maladministration	Maladministration	Service failure	Reasonable redress	No maladministration	Total
Property condition	9	25	13	1	4	52
Complaints handling	5	34	9	2	2	52
Health and safety (inc. building safety)	4	1	-	-	-	5
Anti-Social Behaviour (ASB)	1	7	-	-	6	14
Information and data management	-	2	1	-	-	3
Moving to a property	-	1	-	-	1	2
Estate management	1	2	4	-	1	8

Category	Severe maladministration	Maladministration	Service failure	Reasonable redress	No maladministration	Total
Reimbursement and payments	-	-	1	-	3	4
Staff	-	-	2	1	2	5
Charges	-	1	1	1	1	4
Occupancy rights	-	-	-	-	-	-
Buying or selling	-	-	-	1	-	1
Total	20	73	31	6	20	150*

*21 findings of the 171 findings concerned matters outside of the Ombudsman's jurisdiction (OSJ)

Themes identified

When deciding if identified failings are indicative of systemic failing, we look at whether the impact of maladministration is limited to a single area or is across different services and resident experiences. We also look at a landlord's complaint handling culture and its ability to learn from mistakes to improve services. We consider the steps the landlord has since taken and recommend further actions to make sure things improve.

The key issues identified through our investigation:

Complaint handling:

- failure to identify or accept complaints
- failure to acknowledge complaints
- stage 1 response issues/delays
- failure to identify or accept escalations
- stage 2 response issues/delays
- inadequate investigation into complaints
- dismissive or insincere responses
- inconsistent compensation offers
- failure to complete actions after the complaints process
- failure to learn from complaints

Repairs:

- delays on progressing repairs
- failure to keep residents updated
- poor knowledge and information management

Vulnerable residents:

- consideration of its vulnerable residents and reasonable adjustments

Complaint handling

The landlord's handling of complaints was investigated in 47 of the 57 cases determined, resulting in 52 findings:

- 5 severe maladministration findings
- 34 maladministration findings
- 9 service failures
- 2 redress
- 2 no maladministration findings

The landlord's maladministration rate for complaint handling is 92%.

The national average is 84%.

To understand these failings further and why they happened we looked at how the landlord was operating, what policies and procedures it had in place, and its current position.

Complaints policy

The landlord's complaints policy in place for the complaints that were investigated for this special report was dated May 2019. This is despite the fact the Housing Ombudsman's Complaint Handling Code was introduced in July 2020 and the council, as a social landlord, was required to annually review its policy against the Code to ensure compliance in its complaint handling. The landlord's explanation that the intended 2020 review was impacted by the pandemic, so there had been 'higher priorities' in the following years, is highly unsatisfactory given it directly relates to residents' experiences of its services.

While the landlord's annual self-assessments in 19-20, 20-21, and 21-22 against the Code confirmed its compliance for the most part, and where it did not, it provided its commentary and explanation, this investigation's analysis of the casework identified failings in complaint handling practice against every section of the 2020 Code.

The sections within the original 2020 Code were:

1. Definition of a complaint
2. Accessibility and awareness
3. Complaint team, procedure, timeliness and responsiveness
4. Fairness in complaint handling
5. Putting things right
6. Continuous learning and improvement

We welcome that the landlord updated its policy in June 2023, following our intervention and updated it again in July 2024 following the introduction of the Complaint Handling Code 2024. This should benefit residents whose complaints are raised in future. Our Duty to Monitor team are carrying out a detailed analysis of this policy and will advise the landlord if any amendments are needed to align it with the requirements of the Code.

Definition of a complaint

Failing to identify or accept a complaint

Effective complaint handling enables residents to be heard and understood. The starting point for this is a mutual understanding of what constitutes a complaint.

The landlord's definition of a complaint within its policy (including its most recent 2024 policy) is:

'When someone lets us know that they are unhappy with our service, and they want us to take action to resolve it'.

It advised it uses this as a plain English definition.

The landlord lists examples of a complaint in its policy:

- Failure to follow process
- Failure to follow the council's own policy
- Significant or repeated failure to provide a service
- Failure to do what we said we would do

➤ Failure to respond

It then lists the types of enquiries that it has other processes for dealing with, including Freedom of Information or Subject Access Requests, claims for compensation (as these are referred to the insurer), service requests which it will deal with as day to day business, and enquiries from councillors and Members of Parliament (MPs). It also lists as an exception matter that it may be unable to investigate due to legal proceedings.

Following the update to the Housing Ombudsman's Complaint Handling Code in 2020, in respect to the requirement that the resident does not have to use the word complaint for it to be treated as such, in the landlord's 2021-22 self-assessment it stated that its complaint e-form allows the resident to use their own words.

Complaints are triaged to check they meet the above definition and are handled in-line with its complaints policy and, when someone lets the landlord know, they are unhappy with a service, it will accept it as a complaint unless it does not meet its definition of a complaint.

Despite the landlord stating that it uses a plain English definition of complaint, providing the list of enquiries that fall outside of the scope of the policy, and providing assurances in both its complaints policy and annual self-assessments that if someone is unhappy with its service it will accept it as a complaint, it failed repeatedly to identify or log complaints appropriately.

In almost half (47%) of the cases in this report, we saw an issue and/or delay with the landlord accepting the resident's complaint and a quarter of the cases listed in this report required our intervention for the landlord to provide a stage 1 response.

In case [202115731](#), the landlord stated that it did not receive the resident's stage 1 complaint when he submitted it via an online complaint process but it later confirmed the email was received but not identified as a complaint nor registered as such. The complaint made using the online reporting process was sent to the repairs email address for consideration as 'business as usual'.

Following contact from us, the landlord then wrote to the resident to request he provide a copy of his complaint within 2 weeks, or the complaint would be closed.

The resident promptly provided this, but the landlord still failed to issue a response. This resulted in a Complaint Handling Failure Order being issued to the landlord.

In case [202014959](#), the resident made a complaint using the online tool, however the landlord inappropriately closed the complaint the following day because it had previously corresponded with the resident about the matters raised and 'spent over an hour on the phone' with her the previous week. The landlord had also failed to log and respond to a previous complaint the resident had made.

In another case (**202011488**), we had to intervene before the landlord recorded the resident's complaint, despite an email being addressed to the landlord's complaints department with the subject heading 'cause for concern'.

In case [202222842](#), the resident complained about the landlord's handling of the repair requests. In response, the landlord called the resident shortly after and took steps to address the outstanding repair issues but did not register the complaint. When it did register the complaint as part of its formal process, it failed to acknowledge and respond to the complaint within its timescales at stage 1 or stage 2, and it failed to address all points raised by the resident in its stage 2 response.

In case [202017192](#), the resident complained to the landlord several times over the period of 8 months but did not receive a formal complaint response during this time. When the landlord did make contact, this was not a formal response to her complaint, but rather a reminder that she was liable to pay her service charge.

In a further example (**202105476**), despite requests from us that the landlord open a complaint, its internal correspondence shows it decided against that as it considered it was taking reasonable steps to progress the works. Only after we issued a Complaint Handling Failure Order to the landlord for repeatedly failing to register or respond to the complaint, did it issue its stage 1 response.

As its complaints policy has limited exclusions, we looked at the landlord's annual complaints reports and its processes to understand why complaints were not being appropriately recorded.

In its 2019-20 annual complaints report, it referred to its complaints procedure as being for 'those complaints that require a formal documented response and is activated when officers are unable to resolve the issue promptly', or the 'citizen is not

willing to engage with the officers to try and resolve it informally and outside of the formal procedure’.

In 2020-21 and 2021-22, the report wording stated ‘Many complaints and enquiries are dealt with informally by officers and managers every day without the need for the formal complaints process to be followed. Officers are encouraged to try to resolve customer dissatisfaction as part of their normal business. These are not formally logged or reported on though services are encouraged to record these informal enquiries in some way in order to inform the way they deliver and improve their services in the future. Dealing informally at as early a stage as possible represents best practice. It is worth bearing in mind these “hidden” cases when considering the report as a whole. Our complaint procedure is for those complaints that require a formal documented response and therefore could not be satisfied earlier in the process’.

In 2022-23, the report added that the ‘vast majority of complaints are resolved quickly and efficiently without the need for a formal complaint to be made’ and ‘whilst these are not formally reported upon, data and evidence from these cases are collected and use to improve services.’

It is clear from the annual reports that the repeated message from the landlord was that it was not treating all complaints as complaints and instead choosing to, and encouraging its staff, to deal with them informally.

As the report stated that the data from these informal enquiries was collected to improve its services, we asked the landlord to provide any data it had on these, and how it distinguishes them from recorded complaints.

The landlord advised that services do not formally log these interactions, as they are part of its Business as Usual (BAU) approach, but that its complaints case management process allows it to categorise enquiries received via the portal at the point of triage, into ‘a complaint’ or ‘not a complaint’.

It advised that the previous systems were unable to record ‘not a complaint’ cases and so this data was not collected before January 2022, however:

- in 2022-23, it logged 842 enquiries as ‘not a complaint’ which were dealt with by the relevant services as BAU, outside of the formal complaints process

- in 2023-24, it logged 821 enquiries as 'not a complaint' which were dealt with by the relevant services as BAU, outside of the formal complaints process

Other than advising the category of 'not a complaint' is used when the enquiry is a service request or a request that would be better dealt with as BAU, the landlord did not provide any further information into how it distinguishes these enquiries from recorded complaints or analyses them to improve its service delivery.

The training guidance provided to complaint handling staff (dated February 2022) states that:

'Service requests and some types of feedback or enquiries that fall outside the scope of the formal complaints process because there are other more suitable processes for dealing with them' and 'We will deal with service requests as part of the council's day to day business, rather than through our complaints process.'

It gives examples of what is not a formal complaint, including missed waste collections, requests covered by legislation, claims for compensation, and service request, such as a request to carry out a repair, making it clear that if someone was unhappy with the quality of the repairs provided or the delays in carrying out a repair, which they have previously requested, then this would be considered a formal complaint.

The training guidance provides instruction on how a complaint handler can respond when a case has been assigned to them which is a service request, or not a complaint. By selecting the option of 'not a complaint' on its system, an automated email is generated to the resident informing them the issue has been withdrawn from its process because it is not considered a formal complaint, the relevant service will be in touch, and the system has closed the case. The automated email will not contain any case notes on why the issue is not considered a complaint. If the complaint handler wishes to communicate with the complainant, after closing the case as 'not a complaint', they would need to email them separately.

As we have repeatedly seen in casework, complaints were treated as 'business as usual' and closed as 'not a complaint' with the resident often left unaware that their complaint is not being treated as such, and no clear explanation why.

The automated response means that the resident is not given an explanation setting out the reasons why the matter is not suitable for the complaints process and is not provided the information on their right to take that decision to the Ombudsman. This does not meet the requirements of section 2.4 of the 2024 Code.

It is very concerning that the landlord has received over 800 of these 'business as usual' requests, for the past 2 financial years, yet services are only 'encouraged to record these informal enquiries', and there is no provision in its recording as to the reason the complaint was closed as 'not a complaint' to provide further analysis or understanding for the landlord as to what percentage of these requests are actually complaints. It is therefore questionable how the landlord is using this data and evidence to improve services.

While the Ombudsman encourages the early resolution of complaints, this approach raises significant concern as to the fairness and accuracy in which the landlord is distinguishing its 'business as usual' activity from those that are actually complaints. Moreover, by failing to identify a complaint as a complaint it means the landlord is denying the residents access to its complaint's procedure, preventing them from escalating their concerns for a review, and subsequently referring it to us for investigation.

Within this training document, the wording promotes a negative starting point for the ongoing resident-landlord relationship in the section titled 'Can residents register anything as a complaint?'

'In much the same way we are unable to prevent residents from sending us false information in an email, we are unable to control the contents of a completed web form. However, the complaints team are responsible for filtering out any cases which are not regarded as a formal complaint'.

While it may not have been the intention of the landlord to come across in a dismissive manner towards resident complaints, when combining this statement with the wording within the landlord's internal emails, its policies, and letters, and in its approach to complaint handling. It creates the perception of a defensive complaints culture.

If the landlord wishes to improve its service and resident relationship and meet its 'aspirations by acknowledging that complaints and formal enquiries provide a regular and rich source of feedback from our citizens that inform us when things have gone wrong', it needs to revise the wording and message it is passing to its complaint handlers in its training document. Currently this sets the wrong tone towards residents' feedback.

Case study [202004368](#) – definition of a complaint

Mrs S raised a complaint in respect to a disrepair case which set out the progress of the schedule of works to be undertaken by the landlord to remedy disrepair in the property including damp and mould. Mrs S advised that works were still outstanding 6 months later and the landlord was "in breach [of] contract". The landlord wrote to the resident acknowledging receipt of the complaint and that it had been passed to its repairs department for comment. Following multiple chasers on the original complaint, Mrs S submitted a further complaint to the landlord 6 months later and received an automatic email with a complaint reference number. Seven months after this, a councillor representing Mrs S emailed the landlord with the resident's complaint and asked for the landlord to log a case.

We also wrote to the landlord 4 months later to advise the landlord to log the complaint and investigate as necessary. It was advised that if any issues were excluded from the complaints process that its response should clarify why this is the case. Six months later, we wrote again to the landlord to clarify the position with the internal complaints process. The landlord replied stating that it had no record of the resident making a formal complaint. It advised that the resident's complaint issues were likely to fall outside of the scope of its complaints policy, and that it "may consider' raising a stage 1 complaint where there is evidence of service failure but this 'may be suspended until the closure of any legal or statutory appeal process that applies".

We wrote back to advise that the landlord must consider the complaint unless exclusion applies within their policy but that it must issue a final response explaining its position and giving referral rights to the Housing Ombudsman. In an internal email the landlord stated that it would contact Mrs S 'inviting her to make a complaint and advising on how it will consider this'. It would then issue its decision giving a right of

appeal. Mrs S emailed the landlord again, copying us in as well as councillors, stating that she would like to make a complaint regarding her case. She advised that she suffered from serious mental health issues and referred to the delay in the landlord carrying out work. Shortly after receiving the complaint, internal emails asked who would respond to the resident. After 6 weeks, Mrs S emailed the landlord again referring to the effect the pursuit of her complaint was having on her mental health. The landlord wrote to us the same day to advise that it had registered a complaint at 'local resolution stage' and would respond within 2 weeks.

Mrs S contacted us again 6 months later and we wrote to the landlord with a final request for action on the resident's complaint. A response was requested otherwise a Complaint Handling Failure Order would be issued. A final response was issued to Mrs S the following week. In total, it took the landlord 605 working days to log and acknowledge the complaint. Its final complaint response was issued 766 working days (just over 3 years) after the resident's complaint was made and only following the threat of a Complaint Handling Failure Order. The failings in this case amounted to a finding of severe maladministration for the landlord complaint handling, and a maladministration finding in relation to the response to the resident's reports of damp in her property.

Accessibility and awareness (of the complaints process)

Vulnerable residents and reasonable adjustments

The Equality Act 2010 sets out the landlord's responsibility to make sure it does not treat a resident less favourably because of a protected characteristic, including a disability as defined by the Act.

As a local authority, the landlord is also bound by the Public Sector Equality Duty which aims to make sure public authorities think about things like discrimination and the needs of people who are disadvantaged or suffer inequality, when they make decisions about how they provide their services and implement policies.

The 2020 Code states that landlords shall comply with the Equality Act and may need to adapt normal policies, procedures, or processes to accommodate an individual's needs. Landlords should have a reasonable adjustments policy in place to address this. The landlord's complaints policy dated May 2019 did not reference reasonable adjustments. Within the related self-assessment section, the landlord said that it did not have a formal reasonable adjustments policy directly in relation to complaints handling but did have accessibility policies for residents to access services and communications.

We asked the landlord to explain its definition and approach to vulnerable residents. It told us that vulnerability is defined in different ways across housing and property management, and this reflects the many ways in which it tailors its services in practice to respond to the needs of its vulnerable residents. The landlord said that while they are aware there is work to do to bring these definitions together to create a cohesive approach to defining, recognising, recording, and responding to vulnerability across its services, it considers that it has 'an adequate response to vulnerability'.

Unfortunately, the findings in our casework suggest its response to vulnerable residents is far from adequate. The impact of a lack of policy or procedure in respect to reasonable adjustments was very evident in cases where there were residents with vulnerabilities. The landlord appears to lack awareness as to how to respond to reasonable adjustment requests or adapt its approach to its vulnerable residents.

At times, the lack of reasonable adjustments offered by the landlord was a barrier to residents being able to communicate their needs and concerns.

In case [202205534](#), the resident, who was profoundly deaf, requested that the landlord inspect the property and arrange for a British Sign Language (BSL) interpreter to be present during the visit. Four months after the resident made the request, the landlord said its 'set budget' may run out by the time it could schedule a BSL interpreter in-person and arranged for a BSL interpreter via a remote link.

This was not appropriate given the amount of time the landlord had to arrange a date for its operatives to attend with a BSL interpreter.

In another example, the landlord was aware from resident correspondence of the need to make reasonable adjustments as the resident had reported being on the autistic spectrum. The resident requested that any verbal communication was backed up in writing, setting out the agreed points arising from the conversation. Internal emails show the landlord only met this request 3 months later to avoid the risk of a discrimination claim [202120601](#).

From the cases reviewed, the landlord's complaint handling also demonstrated no recognition of the impact the vulnerability may have on the issues the resident was experiencing.

In case ([202204496](#)), the resident complained to the landlord about the behaviour of an operative who attended the property. She advised she found them to be rude and confrontational and this had a negative impact on her mental health. Following the visit, the operative had reported to the landlord that the resident was a young adult with mental health issues and was extremely distressed. In its stage 1 response, the landlord assured the resident that the operative would not attend her property again but failed to uphold this commitment and the operative returned to the property 2 months later.

In case [202003074](#), despite the landlord being aware of the resident's mental health conditions and diagnosis of Post-Traumatic Stress Disorder (PTSD), it failed to adopt a robust victim-centred approach to the resident's reports of Anti-Social Behaviour (ASB). The records show the resident had expressed to the landlord how the ASB and noise nuisance he was experiencing from neighbours made him feel suicidal and that the landlord had failed to recognise the impact it had on him over several years.

The casework reviewed also showed evidence of dismissive attitudes towards residents' disclosures of vulnerabilities, both in the correspondence with the residents, and in internal notes.

In case [202204295](#), the resident reported to her landlord that a hole under her bath allowed cigarette smoke to enter her property from the property beneath.

The resident informed the landlord that this was a concern as she had recently been diagnosed with cancer. In its response about repairs, the landlord said that while the

smoke test had shown that smoke did not penetrate the resident's property, it was not possible for all smells to be eradicated. While it acknowledged these could be a nuisance, non-visible concentrations of tobacco smoke were 'unlikely to be harmful'. It is concerning to note that while the resident informed the landlord that she was undergoing treatment for a serious long-term illness, in its response to the Ombudsman's request for information, the landlord said that the resident had no recorded vulnerabilities.

In response to our request for training delivered on vulnerabilities, reasonable adjustments, and/or the Equality Act, the landlord stated it provided a 'broad offer in relation to vulnerability' of elective learning related to equalities and vulnerability, which had been undertaken by various members of staff across housing and property management since 2019. It advised that equality and diversity training, and Care Act training currently exist in adult social care, which it plans to update for use in housing. It is concerning that the landlord does not already have in place mandatory training on vulnerabilities, reasonable adjustments, and the Equality Act 2010.

The landlord self-assessed against the Ombudsman's Spotlight report on attitudes, respect and rights in April 2024. It reported that it is reviewing its vulnerability approach to improve the way it recognises, records, and responds to the needs of its vulnerable residents. Its proposed actions include mandatory learning around vulnerabilities, as well as the introduction of a vulnerability policy, which will also covers reasonable adjustments.

Case study [202233157](#) – reasonable adjustments

Miss B complained to the landlord about faults with the heating and hot water system. Following the stage 1 response, Miss B requested her complaint was escalated. Following a lack a response by the landlord, during which time she said 3 appointments had been missed, she asked for her complaint to be escalated to a 'third stage'. She also advised the landlord her preferred method of contact was email as she did not take calls due to hearing loss.

The landlord emailed the resident and confirmed her stage 2 complaint was in a queue and there was a 'lengthy delay' in responding to cases due to the large volume of complaints it had received.

It advised the resident that she could contact its repairs team in the meantime and signposted her to its website which had various contact options, including a live chat option. The resident contacted the landlord and explained that she had been unable to use the live chat on its website because heating and hot water repairs fall under the landlord's 'priority' repair category and must be phoned in. She said she could not be expected to wait until its complaints team investigate her complaint for the repair to be completed.

When the landlord issued its stage 2 response eight weeks after Miss B had requested the escalation, it upheld the complaint and apologised for the delays and missed appointments she had experienced. It advised that the complaints team would ensure the appointment for the repair would go ahead and offered her compensation for her time and trouble, distress and inconvenience, and delays and missed appointments. However, the repairs did not go ahead as planned. The landlord sent its own plumber who was unable to carry out the repair and raised an emergency repair instead. The landlord then arranged another appointment for its contractor, which was missed 'due to an admin error'. The repair was finally completed and hot water restored however the resident was 'far from satisfied'. The landlord took just under four months to restore a working hot water supply and just over four months to repair the heating system.

Following the repair, Miss B emailed the landlord about the compensation offer and requested it paid her by cheque as she did not feel comfortable emailing her bank details. She reminded the landlord that she had hearing loss and did not take calls and asked it to reply by email or post.

The landlord responded the same day by email and told the resident 'I am afraid we only send by bank transfer. I can contact you directly and you can give it verbally to me and I can process it in that way'.

It failed to demonstrate it had put reasonable adjustments in place to ensure that it met its responsibilities under the Equality Act and its level of redress was not sufficient to fully recognise the failings in this case.

The Ombudsman found there was service failure in the landlord's response to the resident's reports of faults with the heating and hot water system, and maladministration in the landlord's handling of the associated complaint as it did not ensure promised actions were completed after it issued its complaint responses.

Complaint team, procedure, timeliness and responsiveness

The landlord's complaints policy dated May 2019 states that it operates a 2-stage complaints procedure. Stage 1 responses will be sent within 10 working days of receipt of the complaint, and stage 2 complaint responses will be sent within 25 working days.

This procedure sets out that at each stage of the complaint the landlord will:

- acknowledge the complaint
- contact you to ensure we have listened and understand the complaint
- offer translation and interpretation services to those of you whose first language is not English
- for children and young people appoint an advocate to support the process if requested using an external and appropriate advocacy service
- tell you the name of the officer or team dealing with the complaint and in consultation with you agree when the response will be ready
- contact you to discuss the complaint and agree in consultation with you what we are going to do
- investigate the complaint and do what we say we will do to resolve the complaint
- keep you informed and notify you if there is a delay and commit to a new timescale in which you will receive a response
- contact you to tell you what we have done and why we have done it (the outcome and reasons for the decision)

The importance of a landlord following the points of its own complaints policy and procedure is imperative for a positive complaint handling culture within an organisation, and for the resident to understand what will happen with their complaint. The casework has shown that the landlord failed to follow this when it was handling complaints, to the detriment of its residents.

Failing to acknowledge the complaint

The importance of a tailored complaint acknowledgment cannot be underestimated. It ensures the caseworker has a clear understanding of the nature of the complaint and provides reassurance for the resident that their complaint has been understood and is being investigated.

In its 2020-21 annual complaints report, the landlord stated its complaints portal was 'inundated with other types of enquiries that were not complaint-related and were in fact requests for services', and so it launched a new case management system in January 2022. It advised that this new system allows it to expedite the processing of a complaint to make sure it is passed quickly to the relevant services to provide a response. The new system offered its residents a simple way to log a complaint via an online form and receive an immediate auto-generated message that their complaint has been received, providing a reference number.

Residents therefore would assume that on receiving an auto-generated message confirming receipt of their complaint, that it would be treated as such. However, as we have seen and will see throughout this report, this is not the case and the impact of this meant extensive delays for residents in having their complaint investigated, their questions answered, and their issues resolved.

For the complaints that the landlord did accept, a second acknowledgment was sent to the resident following the auto-generated message, which notified them of the name of the officer dealing with the complaint and the date that they propose to respond by.

This acknowledgement fails to meet the requirement set out in the Code that when a complaint is logged at stage 1 or escalated to stage 2, it must set out its understanding of the complaint and the outcomes the resident is seeking.

This approach also fails to meet the commitment the landlord sets out in its own policy to its residents, that when it receives a complaint at stage 1 or 2, it will contact the resident to make sure it has listened and understood the complaint.

Timeframe for responses - stage 1 response issues and delays

82% of the cases in this report had a delay in the stage 1 response being issued by the landlord, with no apparent communication or updates that kept the resident informed of the delay or new timescale for response.

In case [202214399](#), it took almost 4 years from the date the resident initially raised their complaint about outstanding works for the landlord to provide a stage 1 response which was labelled as such, and appropriately signposted the resident on how to escalate his complaint to stage 2.

In another case ([202303779](#)), the resident contacted the landlord to ask why he had not received a response to his complaint about a request for a parking space. It advised it had sent its reply to him and provided a copy however the resident disputed he received the original response. While the landlord provided a dated copy of the stage 1 response to this investigation, there was no proof of postage or email demonstrating it actually sent the letter, unlike the stage 2 response where it provided the email to which the letter was attached.

There were also cases where the stage 1 response was so delayed that the resident was left unclear if the landlord was even looking into their complaint, and in the following 4 cases, the landlord did not send a stage 1 response at all (a further example is the case study on page 15).

Three years after raising her original complaint about charges and communal cleaning, and following numerous correspondences in which the resident expressed ongoing dissatisfaction, the resident in case [202117200](#) emailed the landlord with the email title 'urgent, escalate complaint' and provided the complaint reference relating to her initial complaint. The evidence shows the landlord did not register a formal complaint and did not reply to the resident until we intervened.

The landlord's decision in case [202126642](#) not to respond to one complaint was based on incorrect information that it had responded to it elsewhere and subsequently that this was a matter for another organisation to deal with.

It took over 9 months from the resident's complaint, and repeated chasing from both the resident and us, for the landlord to provide a response, which was incorrectly issued as the final stage response and not a stage 1 response.

In case **202213484**, the landlord failed to provide a stage 1 response, issuing a stage 2 response 75 working days after the resident voiced dissatisfaction at not receiving a stage 1 response. Further details on this case can be found in the Ombudsman's recent [learning from severe maladministration report \(PDF\)](#).

In case **202224933**, as the landlord took so long to respond to the resident's initial complaint about service charges, this led her to submit several further complaints. The landlord did not send stage 1 responses but instead proceeded to issue a stage 2 response 113 working days after the first stage 1 complaint was logged. It apologised for the delay in its response.

A further concern in some of these delayed responses, is the landlord incorrectly citing the date of the complaint as being later than the date the resident actually made the complaint. Some were a matter of weeks, others by months. There may be various reasons for this error, for example the complaint not originally being accepted as a complaint or being sent to the wrong service, but the resident should not be penalised for this error. If the landlord is logging the dates of the cases incorrectly, not only will the resident receive a delayed response, but they will then not be compensated appropriately if there are service failings.

The landlord must make sure that within both complaint responses and complaint logs on the case management system, that it accurately records the date the complaint was raised by the resident.

The 2024 Code is clear on this. Complaints must be acknowledged, defined and logged at stage 1 of the complaint's procedure within 5 working days of the complaint being received. Landlords must then issue a full response to stage 1 complaints within 10 working days of the complaint being acknowledged.

Case study 202125095 - failing to accept the complaint

Following 18 months of reporting noise disturbance from her neighbour, Miss K emailed the landlord stating she was dissatisfied with the handling of her reports of ASB and that it had failed to implement its own noise policy.

The landlord responded to the email reminding Miss K that that everyday noise is not classed as noise nuisance and that it had made two unannounced visits to the block and had not heard any noise. One email from the landlord to Miss K also stated 'You informed me that you are going to continue to work from home. I suggest you consider working in the office because you are not going to have a very quiet atmosphere like your office.'

Miss K requested that her complaint was escalated. The landlord responded stating that she was making unreasonable complaints of ASB and that if she continued it would take further steps as she appeared to be breaking the conditions of her lease.

Miss K took further steps to try to register her complaint and contacted her local MP.

The resident received a formal letter from the landlord 6 weeks later. The landlord again failed to acknowledge the resident's complaint and simply reiterated what it had already emailed to her on previous occasions.

Miss K then contacted us for assistance to progress her complaint through the landlord's internal complaint process. The landlord acknowledged the complaint, confirmed it had been logged at stage 1 of the formal complaint process and that it would aim to respond within 10 working days. However, 2 weeks later the landlord informed Miss K that it had withdrawn her complaint as it believed it could resolve her concerns informally and had passed the email to the relevant service.

Miss K continued to contact the landlord expressing her dissatisfaction and we wrote to the landlord again. After 2 months, the landlord provided a formal response to her complaint stating that the issues she had raised were outside of the formal complaints process.

Miss K took the relevant steps to request her complaint be escalated.

266 working days after she had first emailed the landlord that she was dissatisfied with the handling of her reports of ASB, Miss K received a final response.

The response acknowledged all of the resident's concerns, yet did not provide an explanation regarding the way in which her reports of ASB were handled.

As the landlord failed to acknowledge or respond appropriately and its responses to the resident were heavy-handed and unsympathetic, a finding of severe maladministration was made for the landlord's handling of the associated complaint. Furthermore, an order was made that the landlord's Chief Executive provide a written apology to the resident for the complaint handling failings identified. There was no maladministration in the landlord's handling of ASB.

Fairness in complaint handling

Complaint investigation

Good complaint handling requires effective procedures and well-trained staff, alongside a positive complaints culture that enables those procedures to achieve maximum impact.

When followed correctly, the complaints process provides the resident with the reassurance that if something has gone wrong, the landlord will investigate its actions against expected practice and rectify any issues.

It provides the landlord with a second line of defence, a means by which it can investigate the issue reported, understand what went wrong, and where necessary make amends to its resident and review its own practices.

However, when it is not followed correctly it becomes a hurdle for the resident to overcome and can lead to a further decline in their trust in the landlord's ability to deliver its services.

If there is an inadequate investigation into the complaint, the explanation for the resident as to what happened will also be inadequate, with little reassurance for either the resident or the landlord that it will not happen again.

Multiple complaint cases were raised for the same issues in case [202215089](#) about kitchen works. This meant that several stage 1 responses were issued, and one complaint closed without a response as it was a duplicate. This was confusing for the

resident who thought her complaints were being closed without consent, so she raised them again. The stage 2 response was issued almost 7 months after the resident requested escalation. The landlord's response was inadequate, confusing, and apologised for the resident 'feeling the need to make a complaint' rather than apologising for its errors. Furthermore, following its stage 2 response, the landlord did not monitor the progress of the proposed resolution.

The Code states that landlords must address all points raised in the complaint definition and provide clear reasons for any decisions, referencing the relevant policy, law, and good practice where appropriate. Furthermore, the landlord's own policy states that it will investigate the complaint and 'do what we say we will do' to resolve the complaint. It is inappropriate and unfair to the resident, if the landlord fails to adhere to the points within its own policy that the focus at all stages is to provide a high-quality response that resolves all the issues raised and finds a suitable outcome for the resident in a timely way. However, evidence of inadequate investigations or responses was seen in at least 35 cases reviewed.

Within its stage 2 response in case [202219378](#), the landlord failed to investigate the resident's complaint about roof leaks and reason for escalation. It did not consider her account of the property inspection or whether the inspection was satisfactory. Instead, it simply said its previous review of the records was adequate.

In case [202218919](#) the landlord failed to address part of the resident's complaint in its stage 1 or stage 2 complaint response.

In a further case (**202127556**), the landlord chose not to address the resident's complaint in full and instead chose to respond to selected themes only.

Even when the resident explained he was 'immensely disappointed' it had not responded to his 10 separate items, the landlord chose to 'touch upon comments' in its final response and reiterated the themed response style of its stage 1 response.

In case [202213332](#), the stage 1 complaint response contained overwriting from another complaint and referred to water ingress in a bedroom which did not relate to the resident's complaint. Furthermore, upon receiving the resident's dissatisfaction with the compensation amount, she was informed that this offer had been made by mistake as was 'part of the previous overwritten complaint'.

We saw the landlord apologising that residents ‘felt the need to complain’ in most of its complaint responses. The tone of this wording puts the responsibility on the resident for their action (feeling the need to complain) rather than the responsibility on the landlord for the resident having to complain. It is easy to see why such an apology could be perceived to lack genuineness.

In case [202224293](#), the resident said she found the treatment from the landlord ‘derogatory’ when it pushed her to explain why she did not have relatives to stay with, which was in addition to the embarrassment she already felt in asking friends and neighbours for help. In its stage 1 response, the landlord apologised that the resident ‘felt the need to complain’. In its stage 2 letter, it apologised for the delay in responding. This referenced the workloads on the complaints team, and we have seen evidence of similar language regarding workload used by the landlord’s staff in other recent complaint cases.

We requested details of training and completion rates for complaint handlers. The landlord’s response was brief and did not provide reassurance that its staff are suitably trained in the importance of good complaint handling.

Alongside the mandatory learning modules all council staff undertake, the specific training for complaint handlers for stage 1 was:

- plain English training to support drafting effective and empathetic complaint responses to residents (3 modules) mandatory
- access provided to Ombudsman eLearning - completion is encouraged but this is not currently mandatory

For those that undertake stage 2 investigations, as well as the mandatory plain English training, they receive:

- effective complaint handling by Local Government and Social Care Ombudsman – mandatory
- completion of Housing Ombudsman Service dispute resolution eLearning - mandatory

The landlord advised that it plans to create a tailored, comprehensive learning and development plan for complaint handlers and to develop an online complaint

handling eLearning course for all council staff responsible for responding to complaints.

The casework shows that the training provided by the landlord, especially for those responding at stage 1 is insufficient. The consequences of the landlord failing to equip and support its complaint handlers with the knowledge and skills needed to provide this core service is evident throughout this investigation.

We asked the landlord for details of the quality assurance standards by which complaint responses and decisions are reviewed to make sure quality responses are provided to residents. We also asked for details of the objectives or performance indicators for complaint handlers.

Its response was:

- quality checks and proof reading take place for all new members of staff during their probationary period
- the quality of responses and decisions by complaint handlers are checked by team leaders/senior case officers with feedback provided in monthly 1-2-1s

The objectives/targets for the complaints handlers are listed below by stage.

Stage 1:

- complaint handlers dealing with stage 1 cases are expected to close 2 cases per day
- daily case information is shared across the team each morning showing number of cases and timings

Stage 2:

- complaint officers dealing with stage 2 have a target of 12 case decisions per month
- Key Performance Indicator (KPI) information is shared with individual staff members

The landlord advised that it is aware stronger quality checks need to be implemented and that this is included in a wider project examining its complaints process from start to finish. In addition to this project, an internal audit of its complaints process is

underway examining its risks and controls. The introduction of a quality assurance process will form part of this complaints review.

The landlord needs to make sure that quality assurance takes place at every stage of the complaint process, and that it takes the learning from this report when developing complaint handling training or it will continue to fail to handle residents effectively. A recommendation will be made relating to the training for its complaint handling staff.

We also want to share some of the positive impact we saw by the complaints team. It is important landlords should not only review the findings from the Ombudsman to understand where things went wrong and prevent them happening again, but also look at findings where things went particularly well, take the learning from these, share them and adapt their processes where necessary to replicate this good work.

In case [202216066](#), while the landlord had incorrectly charged the resident and other leaseholders for some services, evidence indicates it fully investigated after the resident again raised the issue, acknowledged errors it had made and tried to 'put things right' in accordance with the Housing Ombudsman's dispute resolution principles. We found that the steps it took to correct the resident's service charge account, its apologies, and compensation award constituted reasonable redress in the circumstances.

In case **202301245**, it was reasonable that the landlord felt unable to accept responsibility for the allegations made about the contractor's comments and conduct, as it was unable to be certain about what had happened. However, its response was appropriate and did not give the impression that it disbelieved the resident.

Indeed, its tone was sympathetic towards the resident, and it also expressed appreciation of the report and recognised the difficulties and benefit of making reports. The landlord's timely and considered actions, demonstrated that it took the matter seriously. While the landlord did not outline in writing that it considered its various obligations, its behaviour demonstrated that it acted reasonably in-line with them.

Failing to escalate complaints

The landlord's policy states that alongside the steps previously listed for stage 1, it will:

- ask you why you are dissatisfied with the response at stage 1
- try to deal with the dissatisfaction to your satisfaction before it goes to stage 2
- if there are no grounds to investigate at stage 2, contact you to explain our decision
- if there are grounds for stage 2, then follow the above procedures again from the start

In the landlord's self-assessment for 2019-20 and 2020-21, it stated that, at stage 1 a response from the landlord will explain its position and the resident is 'free to respond back and challenge'. The service will then try to resolve any ongoing issues before formally going to stage 2.

However, in at least 25% of cases we reviewed, we saw a failing by the landlord to escalate the resident's complaint following the resident expressing their dissatisfaction with the stage 1 response, with many having to request the escalation more than once. This approach is contrary to the 2020 Code which stated that landlords should not unreasonably refuse to escalate a complaint through all stages of the complaints procedure and must have clear and valid reasons for taking that course of action.

In case [202106293](#), the same day they received the stage 1 response, the resident replied that the complaint response was unacceptable, the information was incorrect, it did not address the complaint, was biased, and did not follow procedure. The landlord referred her to the escalation procedure set out in the complaint response letter.

The following day, the resident wrote that she was not looking to make a second complaint but for a professional response to her complaint. The resident made it clear she was not happy with the response at which time the landlord should have escalated it.

The landlord only escalated the complaint when the resident made a further complaint 7 weeks later, and concerning, wrote to the resident the following week asking the reasons for escalating her complaint despite this already being provided.

In case **202217752**, the landlord returned to the resident on 2 occasions to check if she still wished to have her complaint reviewed following the escalation request.

In case [202216147](#), the resident waited 84 working days for her stage 1 response which the landlord sent following our intervention, and then requested the complaint was escalated 3 times over a 4 week period.

Failures to escalate undoubtedly impacted the timing of stage 2 responses, with 74% of the cases reviewed not meeting the stage 2 response timeframe set out in the Code. In 9 cases, we needed to intervene before the landlord issued its stage 2 response.

The landlord has recorded an increase in escalation of complaints to stage 2 in recent years

Year	Stage 1	Stage 2	Percentage of complaints escalated
2019-20	564	55	10%
2020-21	632	70	11%
2021-22	867	99	11%
2022-23	1454	285	20%
2023-24	1991	505	25%

We requested the landlord data regarding the reasons recorded for escalations to stage 2.

The data recorded by the landlord for 2019-20, 2020-21 and 2021-22 had the same findings for each year:

1. Disagrees with stage 1 response
2. Quality of investigation at stage 1
3. Agreed actions/outcomes from stage 1 still outstanding
4. No response to stage 1 complaint /delay with stage 1 response

In its annual report for 2022-23, the landlord reported a 210% increase (on the previous year) in stage 2 escalations in its property management and housing support complaints, and an increase of 110% in housing management complaints, which it attributed to:

- making it easier and more accessible for residents to submit their stage 2 via a form which goes straight into the case management system
- an increased profile of the Housing Ombudsman and the Regulator of Social Housing in the media increasing awareness of residents
- its delays in responding to stage 1 complaints resulting in requests for escalation to stage 2 review

While there has been an increased awareness of the service the Ombudsman offers, the landlord should not lose sight of its own responsibility for escalations.

Furthermore, having reviewed the cases and seen the barriers residents faced when requesting escalation of their complaint, it appears likely that the landlord's escalation figures for 2019-20, 2020/21 and 2021-22 are inaccurate and under-reported.

Case study [202123973](#) - extensive delays in the landlord's complaint handling

Ms Z complained multiple times to her landlord about renovation works on her leasehold property, including the quality of the work completed and associated issues such as damp. Ms Z said her complaints were repeatedly redirected to the repairs team rather than accepted as complaints.

The landlord issued its stage 1 response 5 working days from the date that we made contact with the landlord, this was 2,337 working days after the resident first expressed dissatisfaction about the renovation works, 995 working days after the complaint was raised by the local councillor and 419 working days after the resident's last attempt at making a complaint before contacting us. The landlord apologised for Ms Z feeling the need to complain, and then identified the wrong property and incorrectly asserted that repairs had been carried out.

No acknowledgement was given to the resident's escalation request, even after our intervention.

The landlord provided its stage 2 response 44 working days after the escalation request. It acknowledged its significant failings including passing complaints to the repairs team rather than issuing complaint responses.

It also acknowledged delays in responding to repair requests despite awareness that there was damp and water ingress in the property; it stated it did not fully assess these issues due to its admitted issues with record keeping. No compensation was offered despite the landlord admitting several issues with both its complaint handling and its response to requests for repairs.

To resolve the situation, the landlord stated that it would arrange another inspection of the resident's flat to assess the work required and whether the landlord was liable to do it. It said the inspection would take place 10 working days after the stage 2 decision was issued. It stated that Ms Z's complaint was not upheld but it was 'reserving final judgement' and that the formal complaint process had not ended.

Ms Z and the landlord have told us that there has been no inspection of the resident's property following the stage 2 response.

Ms Z told us that repairs are still outstanding. She has found the experience of watching her property deteriorate before her eyes, despite her efforts to chase the landlord for repairs, highly distressing. She felt insulted by the landlord's apparent unwillingness to carry out the repairs and has lost faith in the landlord's ability to manage the building properly in accordance with her lease.

We found severe maladministration in the landlord's handling of renovation works to her property, severe maladministration in the landlord's complaint handling and maladministration in the landlord's record-keeping. The landlord was ordered to inspect the resident's property and draft a clear schedule of works with timescales for the completion of any remaining repairs or renovation works and pay Ms Z compensation of £4,410.

Putting things right

Appropriate remedy

Residents want safe, secure homes, but in addition they want assurance that their landlord is going to put things right when they go wrong. Effective dispute resolution requires a customer-focussed process designed to resolve complaints.

Where something has gone wrong a landlord should acknowledge this and set out the actions it has already taken, or intends to take, to put things right.

The landlord's protracted and unacceptable delays in accepting and responding to complaints are exacerbated by its failure to complete actions promptly after responding. Our cases highlighted these delays could amount to months and even years for some residents.

The landlord should make sure that it fulfils any actions it promises in its complaint response at both stages, and any remedy proposed must be followed through to completion. Yet we saw repeated failings by the landlord to meet these commitments. The landlord's own complaint handling annual reports over multiple years support this finding by highlighting that 'agreed actions/outcomes from stage 1 still outstanding' is one of the main reasons for residents escalating complaints.

In case **202227798**, by the time the stage 1 complaint response was issued the resident had been waiting for over 7 months for the repair to be completed. During this wait they continued to suffer from water pouring into the property causing significant distress. While the landlord acknowledged the delays and poor communication within its stage 1 response and accordingly upheld the complaint, it then took a further 3 months to complete repairs to the guttering and roof.

It is highly concerning that 80% of the property condition cases we reviewed had outstanding repairs after the stage 2.

When the landlord advised residents in its complaint responses that it will look into compensation when the repairs are finished, it appears this assurance was either delivered after a significant delay, or was not met, due to its failure to monitor repairs through to completion.

This is reinforced by the fact that the landlord advised (in response to our query about its average time to complete all actions required to resolution at stage 2) that it will now be monitoring the completion of outstanding actions at stage 2 and will be creating a confirmation letter to be sent to the complainant confirming that all outstanding actions have been completed and the case is closed.

The landlord's new case management system has 2 options for a responding officer to select from when they close the complaint case:

1. Close with no outstanding actions
2. Close with outstanding actions

The landlord advised that this functionality is not currently used and has been identified as a training need. Its officers will be instructed that this section is mandatory, and it will be used to monitor outstanding actions.

It is concerning that despite the landlord having a mechanism in place which could monitor outstanding actions and prevent further failures in its response to complaints, that it has not ensured this function is being routinely used. This is particularly alarming given the landlord has recognised that the failure to complete outstanding work is a common and recurrent issue.

Case study 202207700 – failing to complete stage 1 and stage 2 actions

Mr M complained that it was unacceptable that he had to repeatedly raise concerns about the same repair that had been ongoing for over a year. The landlord acknowledged the complaint and sent its stage 1 response a month later. The landlord partly upheld the resident's complaint and stated it would organise the dates for the work and keep Mr M updated.

The landlord did not contact the resident following the commitments it made in its stage 1 complaint, which meant it failed to uphold the assurance in its complaints policy that it would do what it said it would do to resolve the complaint.

After 4 months, Mr M wrote to the landlord to say he had not received any updates and during this time the leaks had spread, causing more damage and discolouration to his ceiling.

A further 2 months later, Mr M wrote to the landlord again highlighting it had been 8 months since he had raised his complaint, but no action had been taken to repair the leaks.

The landlord responded after 6 weeks and apologised for the delay in replying and said this was due to the large number of complaints and enquiries it had received. It asked the resident to confirm if he still wanted to progress his complaint. Mr M confirmed he did.

The landlord provided a stage 2 response 3 months later. It upheld the complaint and advised the resident that its contractor would, 'contact you shortly to discuss your concerns and progress the outstanding works'. Mr M reported that the repairs were still outstanding 9 months after the landlord sent its final response.

The evidence shows there were repeated unsuccessful attempts to complete the repair, as the landlord failed to take the necessary steps to investigate the cause of the leak and make sure it did everything it could to fix it. There was a consistent lack of communication from the landlord and its failure to follow its policies and procedures left the resident with an ongoing leak and the associated damp for 3 years.

The landlord consistently failed to follow its complaints policy, and its complaint handling was excessively protracted. It took 3 months to acknowledge his stage 2 complaint and 7 months to provide a response.

The landlord then failed to organise dates for work as promised in the stage 1 response and to follow up on its request to contractors for quotes.

The Ombudsman found severe maladministration in the landlord's response to the resident's reports of leaks and severe maladministration in the landlord's complaint handling. The landlord was ordered to pay the resident compensation of £4,050, to inspect the water damage to the living room and bedroom and carry out remedial works, and for the Chief Executive to provide an apology to the resident for its service failures.

Compensation

It is not expected or appropriate that every complaint case will lead to a compensation offer. However, it is important that the landlord recognises when it has failed its residents and offers redress.

The landlord's remedies policy dated 2020 (updated in 2023 and 2024) states:

At each stage of a complaint, there will be an investigation carried out by a suitable person.

This investigating officer will:

- identify any issues/faults
- find out how/why this occurred
- identify if we caused the fault
- find out how this affected the citizen
- consider any appropriate remedies

The policy states that if appropriate the landlord will issue a remuneration for the following.

Type	Amount
Failure to provide a service	£25 per month
Distress	£100-£300 (severe and prolonged up to £1000)
Time and Trouble	£100-300
Delay	£20 per month
Delay in access to education	£200-£300 per month
Unsuitable accommodation	£150-£350 per month
Risk of harm	Up to £500

Throughout our casework, we saw multiple failings by the landlord in dealing with the substantive issue of the complaint and with its complaint handling. The cases reviewed including many where the landlord upheld or partially upheld complaints, signifying that it had identified service failures. We therefore expected to see appropriate redress offered in these cases, but this did not happen.

Instead, we consistently found that the landlord was either not offering redress or the amount was insufficient and did not compensate for the landlord's failings.

The number of cases that were actually offered compensation by the landlord were unexpectedly small and indicates that the landlord did not follow its own policy.

The landlord confirmed that the remedy payments set out in the policy apply to failures in complaints handling and the amounts of compensation offered are categorised under failure to provide a service, or time and trouble.

However, the cases set out in the table below had extensive complaint handling delays which would have clearly demonstrated a service failure by the landlord, yet the residents were not offered any compensation.

Case	Stage 1 issued	Stage 2 issued	Compensation offered
202126642	No stage 1	89 w/days	£0
202117200	No stage 1	158 w/days	£0
202213484	No stage 1	78 w/days	£0
202014959	418 w/days	29 w/days	£0
202105476	118 w/days	27 w/days	£0
202123973	197 w/days	32 w/days	£0
202115129	56 w/days	133 w/days	£0
202205534	119 w/days	53 w/days	£0

The landlord advised that it is reviewing its remedies policy and will take into account our guidance on calculating financial redress. It will review its guidance on compensation which will give caseworkers a higher level of discretion when considering individual cases.

When conducting this review, it would be prudent for the landlord to review the Frequently Asked Questions (FAQs) it provides its complaint handlers which currently has the rather ambiguous and unhelpful advice to 'reach the figure yourself' to calculate the financial remedy when a complaint is upheld.

The total compensation figure ordered by the Ombudsman to reflect the service failures of the landlord was £82,050 across 54 cases. A recommendation will be made in relation to the landlord's compensation guidance.

Continuous learning and improvement

Accountability and transparency

To gain a more comprehensive understanding of the landlord's complaint handling culture, we asked for details of complaint handling performance for all its housing complaints from 2019 to date.

We requested data on:

- the number of complaints received
- the number escalated to stage 2
- the average time taken to respond to stage 1 and stage 2 respectively
- and the average time to complete all actions required for resolution (remedy outcome) at both stages

Stage 1

	19-20	20-21	21-22	22-23	23-24
Total number of complaints received for each year	564	632	867	1454	1991
Average time taken to respond to stage 1 (working days)	N/A	15	14	12	18

The landlord does not currently report on the average time to complete all actions required at stage 1. It outlined that any outstanding actions, such as advance appointment dates for repairs, are diarised in a shared outlook calendar. It stated that each day, a member of the stage 1 case management team will follow up on forthcoming appointments to make sure they are actioned.

Stage 2

	19-20	20-21	21-22	22-23	23-24
Number of complaints escalated to stage 2	55	70	99	285	505
Average time taken to respond to stage 2 (working days)	N/A*	N/A*	N/A*	44	19

Nor does the landlord currently report on the time to complete all actions required to resolve the stage 2 complaint. It also advised that prior to the implementation of the case management system in January 2022, the average time taken to respond to stage 2 was not captured as represented by the 'non-applicable' entries in the above table.

It states that it reviews and develops its case management system regularly and will be adding the average time to complete all actions required to resolution at stage 1 and stage 2 to its development plan as these are 'useful performance indicators'.

This report has already highlighted our concern regarding the impact on residents of the landlord not monitoring its stage 1 and stage 2 actions to completion. We are also concerned that the landlord's record of average time to respond to stage 1 and stage 2 is markedly different to the figures seen in our casework.

When we queried this variation, the landlord advised that in calculating average times, all responses that took longer than 100 working days were removed as these would 'distort the figures', and 'open cases cannot be included in an average calculation as they do not have a definitive date of response'.

It stated that many service areas receive a low number of complaints and therefore when calculating average time taken against low volumes it is 'prudent to remove the extreme high numbers (outliers) to prevent them artificially increasing the average figure'.

It went on to say that for both open cases, and cases over 100 days, the reason is often due to an administration error, with the system user not completing case closure correctly even though the complaint has been responded to. It advised that cases over 100 days were captured in the appendix of the annual reports.

However, while the figures in the appendix of these reports do show the number of working days taken to respond to each complaint, these are separated into 1 to 10 working days, 11 to 20 working days, 21 to 40 working days, and those over 41 working days. It does not then elaborate on how many days over 41 working days it took to respond and therefore this does not show the true extent of these delays.

In many cases reviewed for this investigation we saw significant delays, including cases where residents were respectively waiting 418 working days, 849 working days, and 2,337 working days to receive their response. These clearly show that an administration error is not always the reason for these outliers. By making this assumption and dismissing these extremes as poor record keeping, the landlord is arguably distorting its figures and failing to analyse the true cause of significant delays.

The appendix also does not show how many of the open cases were already over the complaint handling timeframe at the point the report was published, which the landlord would have been able to identify and report on.

We therefore asked the landlord for the number of stage 1 and stage 2 complaints currently under investigation and how many of these had gone over its complaint handling response timeframe (as of 26 April 2024).

Stage 1	Housing management	Property management	Total
Stage 1 complaints currently under investigation (open)	52	33	85
Stage 1 complaints currently over complaint handling response timeframe	45	21	66
Percentage <u>over</u> complaint handling timeframe	86%	64%	78%

In the Complaint Handling and Service Improvement Report dated 2023-24, which the landlord is required to provide to this service in its annual submission, the landlord reported that 70% of its stage 1 complaints were responded to within timescale in January and February 2024, dropping to around 62% in March.

These performance figures provided by the landlord for its annual submission differ significantly to the data it provided to us for the following month; a variance that that is difficult to reconcile. As the table shows, 78% of complaints were over the complaint handling timeframe, only 22% could be responded to within timeframe.

A notable decline on the previous months performance of 62% responded to within timeframe.

Stage 2	Total
Stage 2 complaints currently under investigation	43
Stage 2 complaints currently over complaint handling response timeframe	10
Percentage over complaint handling timeframe	23%

The stage 2 figures also differed but were more comparable. In the Complaint Handling & Service Improvement Report dated 2023-24, the landlord reported that around 90% of it stage 2 complaints were responded to within timescales in January 2024; around 70% in February 2024; dropping to around 40% in March 2024. By April 2024, this had increased to 77% of stage 2 complaints being responded to within timeframe.

A recommendation will be made in relation to the landlord’s recording and reporting of its complaint handling performance.

Learning from complaints

A positive complaint handling culture is integral to the effectiveness with which landlords resolve disputes. Landlords must use complaints as a source of intelligence to identify issues, root causes, and introduce positive changes to service delivery to improve resident experience. Accountability and transparency are integral to a positive complaint handling culture.

The landlord advised it has incorporated customer feedback into the repair customer journey for over a decade through a telephone and SMS survey to measure customer satisfaction and to raise any further actions on the repair if required. The feedback has contributed to some of the improvements the landlord has made to its repairs service (see page 49).

In addition to the repair survey, the landlord launched a case management survey to obtain resident feedback on its complaint handling in May 2022.

Since its launch, the landlord has received 650 individual pieces of feedback from residents on the complaint handling process. This short survey is sent to residents who have raised a repairs complaint.

It advises the residents that it wants to understand whether its response addressed the residents' concerns and whether they were happy with the service provided.

The survey asks residents to select a rating of good, average or poor on:

- the overall complaint handling experience
- if it responded quickly enough
- if its response showed that it had thought about the resident and their situation
- if it handled the complaint in a professional manner
- if the response was easy to understand
- if the resident felt the case management officer understood the complaint completely

It provided its data for residents that responded in April 2024 which showed a majority rating response of poor against every question.

The landlord advised that feedback from its repairs and complaints points to the same issues and areas in need of improvement. Feedback and trends from complaints are discussed with the complaints Panel and the landlord collects data on emerging trends and identifies learning actions from the complaints it has received.

It has recorded and reported on the performance of its complaint handling, has sought customer feedback on complaints for several years, and therefore should have been aware that its residents were not satisfied with its complaint handling. Yet these issues persist.

The landlord acknowledges it has 'been better at gathering data than following through with it and putting it to use', and that to address this it has created a lessons learned coordinator role, with the main aim to derive tangible actions against each trend and delve into the insights that the data has provided over time and of driving and ensuring deep cultural change within the repairs service.

The landlord advised that the lessons learned lead will play a significant role in its Housing Customer Experience Oversight Panel.

As this role was only recruited for in May 2024, it is too early to see the impact of this role, however this is a positive step towards the landlord learning from complaints.

Case study [202120034](#) - failing to learn from complaints

The Ombudsman found maladministration for the landlord's response to reports that the lift was not working. The determination recommended that if there was another lift breakdown, the landlord should contact Mr S, who has chronic obstructive pulmonary disease and arthritis, to establish whether he required any assistance with his service dog and take appropriate action to assist.

Mr S made a further complaint to the landlord as the lift kept breaking down. Shortly after, the resident's support worker contacted the landlord and advised that the resident was finding it too difficult to live at the property without a lift so instead he was temporarily living in a wooden shack with no hot water or heating. Mr S was not able to stay at the flat while the lift was not working as using 94 steps 4 times a day was 'killing him'.

Mr S said he had worked out he had lived at the property for 1051 days and the lift had been broken for 686 days.

The GP and social services wrote to the landlord supporting a move for Mr S on medical grounds.

The landlord did not follow the previous recommendation that it should contact the resident to see what support he might require for him and his support dog when the lift breaks down. It was unreasonable that the landlord was not proactive in discussing support options with the resident. Even when the resident did ask the landlord for support, it did not provide any options of what it could offer. The landlord did not demonstrate that it considered the resident's individual circumstances to explore whether his requirement for a management facilitated move was an exceptional reason to go outside of the routine local authority's allocations policy.

Our previous investigation found the landlord failed to consider temporary accommodation for the resident after initially promising to do so.

In the second investigation, the landlord refused the management move and failed to demonstrate that it considered temporarily relocating the resident at all.

It was unreasonable that the landlord did not take into account the resident's vulnerabilities and offer appropriate support despite the recommendations in our previous investigation and the long-standing lack of reliability of the lift.

This amounts to a significant failing and demonstrates that the landlord has not learned from the outcome of the previous complaint.

We made a finding of severe maladministration in respect to the landlord's response to reports of the lift being out of order, and there was a service failure by the landlord in its handling of the associated complaint.

Improvements by the landlord regarding complaint handling

The landlord has advised that it has made a number of improvements in relation to its complaint handling in recent years and since December 2022, it has significantly increased its complaint handling resources due to the increase in complaints from residents.

It advised that since January 2023 it has formalised its fortnightly cross-service meetings to discuss Housing Ombudsman cases and complaints, to identify lessons learnt and improvements.

In January 2023, it introduced its new approach to complaint handling across its housing and property services so all complaints about housing services were dealt with by the case management team, whereas previously general housing complaints had been dealt with by its neighbourhood teams. It advised the benefits to this approach were to provide a more streamlined process for resident's complaints with a dedicated team of investigating officers.

This would ensure a consistent approach was taken across housing complaints, improving efficiency and providing the same level of quality across the cases.

The landlord advised the roll out of this change was incremental across the borough and concluded in March 2024.

It has seen the benefits of this approach with clear data captured to identify themes in housing complaints, improved consistency in timeliness, and increased effectiveness where a complaint concerns both neighbourhood and repair issues.

It now has a more proactive escalation process, ensuring senior management involvement earlier in the process with all complaints.

The landlord advised that throughout 2024, they carried out complaint handling training which raised the awareness to the complaint's teams of the Housing Ombudsman's Complaint Handling Code.

In 2024, it also introduced its Housing Customer Experience Oversight Panel. The aim of the Panel is to use its residents' knowledge and points of view to find local solutions to complaints and problems raised by residents, and to constructively challenge service managers to address recurring complaints and feedback themes. The Panel membership includes 5 residents, and it convenes 6 times per year, with the first Panel taking place in February 2024. The landlord publishes the activities of this Panel and minutes from the sessions on its website.

However, despite the changes that the landlord has made to its complaint handling in recent years, there continues to be an issue with the landlord accepting and resolving complaints at the earliest opportunity. This negatively impacts the timeliness of the landlord's stage 1 responses, with the extent of the impact on these delays currently unknown. A recent analysis of complaint enquiries we received at our dispute support pre-investigation stage, found one resident waiting 51 working days for the stage 1 response (issued in September 2023) with the landlord apologising that their initial contact was marked as 'not a complaint', while another resident waited 137 days for a stage 1 response (issued January 2024), which was only issued after the resident contacted us.

Furthermore, there has been a 100% maladministration rate on complaint handling findings, including 2 severe maladministration findings, in the cases determined in the 6-month period (April to September 2024) after the cases reviewed in this

investigation. These were investigated through the landlord's internal complaints process between October 2021 and April 2024.

The landlord published its Tenant Satisfaction Measures for the period 1 April 2023 to 31 March 2024 in June 2024. The tenant perception survey results report satisfaction with the landlord's approach to handling complaints at 35.6%. The Regulator has not released comparative data at the point of this report publication.

Disrepair

Property condition was the main driver for complaints with the landlord and was investigated in 40 of the 57 cases reviewed for this report, with a total of 52 findings for different repair-related issues within those cases:

- 9 severe maladministration
- 25 maladministration
- 13 service failures
- 1 redress
- 4 no maladministration

This equates to a 90% maladministration rate on complaints involving repairs. The national average is 73%.

Repairs policy

The landlord's repairs policy is set out in its online tenants' handbook which contains links to the landlord's website and other associated documents and guidance relating to repairs. Residents can report repairs using their online 'Camden Account', Live Chat, WhatsApp or SMS, and, for emergency repairs, by telephone.

The timeframes given for repairs within this policy are:

- emergency repair in 24 hours – sometimes a temporary repair will be carried out to make the home safe and secure, the full repair is then completed later
- non-emergency repair – essential in 35 days (described as 'including containable leaks and damage to front and back door frames')

- non-emergency repair - non-essential in up to 125 days (described as 'when something in your home is broken, or not working properly')

To accompany the tenants' handbook, the landlord has internal repairs procedures, process maps, contract technical standards, and performance measures (all dated 2016) for different areas of its repairs service. The technical standards represent the minimum standards required for repairs, and it states reassuringly that its 'Right First Time' approach outlines the service standards that the contractor is required to deliver, and the landlord's IT system is updated in real time throughout the repair life cycle. This makes sure customers can always get the most accurate information if they call with a query.

The case system should provide the landlord with a clear record of the current position, what remains outstanding, next steps, any failures and a clear chronology of what has happened. However, there were gaps and inaccuracies in the records provided for our cases and this appeared to be a contributing issue to the failings in many of the cases, alongside:

- failing to link repairs issues or the repair history
- failure to follow up on inspections and expert recommendations not progressing repairs, but no explanation or clarity on why
- unsuccessful repeated attempts to repair an issue
- not updating the resident on the progress or delays

The issues and delays in how the landlord manages its repairs were found across the range of repairs, including those involving damp and mould, leaks, roof repairs, heating and hot water, bathroom repairs, kitchen repairs, window replacements, and pest infestations.

General and communal repairs

A lack of repair records, or a failure to review the existing records, led to incorrect decisions and actions taken by the landlord on a number of cases.

In case [202208128](#), the landlord would not complete the bathroom repairs as it stated the repairs were no longer covered under the void defects period due to the modifications the resident had made.

However, the landlord's internal records indicated that its contractor was involved in the shower removal (at the resident's request) and therefore the landlord should have considered whether this meant that it had a responsibility to maintain a new shower.

Poor record keeping contributed to repair delays in case **202205007**, as the landlord said it had one record for a window repair required, which it had attended and made safe. The resident disputed that this repair was conducted, and the repairs record provided by the landlord do not show a repair conducted on the date referenced. The landlord explained that the delay in the repair was caused by sending operatives to the wrong address, but it gave no other explanation for the lack of action and delay.

In case **202119795**, the resident sought assistance in getting a landlord response to her complaint that her heating and hot water had repeatedly broken down for over 25 years. She eventually resorted to paying for private contractors to carry out repairs as she did not want to come across as confrontational to the landlord when its operatives kept attending and telling her there was no problem with the heating. The records held should have been sufficient to highlight there was an underlying problem with the resident's heating system, but the landlord did not examine why the same issues were recurring.

The landlord's failure to identify this demonstrates a wider deficiency in capturing information about the nature and impact of problems reported by residents. It then also failed to investigate the matter appropriately when responding to the complaint, stating it would only examine its records of repairs raised within 12 months of the resident's complaint, despite the landlord having access to records dating back to 2016.

In other cases, an explanation and rationale for significant delays failed to be provided by the landlord.

For example, in case [202205170](#), a structural survey concluded that the structural movement and cracking affecting the rear of the house was due to subsidence. While the landlord undertook the recommended period of crack monitoring the following year, it was not until three years after the survey that any activity to address the subsidence was taken, when it removed some trees near the building.

In the original survey, the contractor had also recommended work was carried out to level the paving at the front of the building, but no evidence was provided that this was completed.

Following another gap of activity, the landlord had a further survey conducted three years later and was advised to carry out further monitoring of the building's movement over the next 6 months. In all, the landlord took 6 years to complete its monitoring of subsidence, despite the actual monitoring periods totalling 18 months, with substantial delays caused by periods of inactivity and knock-on repairs issues caused as result of the delay to address the subsidence.

It was unreasonable that the landlord did not take into account the resident's vulnerabilities and offer appropriate support despite the recommendations in our previous investigation and the long-standing lack of reliability of the lift. This amounts to a significant failing and demonstrates that the landlord has not learned from the outcome of the previous complaint. We made a finding of severe maladministration in respect to the landlord's response to reports of the lift being out of order, and there was a service failure by the landlord in its handling of the associated complaint.

Case study [202115129](#) – delayed action on repair commitments

Ms K submitted a complaint to her MP stating she had bought a property with the understanding that the Better Homes Project was to take place within a year or 2 to improve the condition of the building. She stated that no works to improve the condition of the building had taken place under the Better Homes Project despite several consultations, and due to neglect by the landlord over many years the building was deteriorating. It had been 9 years since she purchased the property.

Following the stage 1 response, the resident escalated her complaint stating the response was 'unsatisfactory' and failed to address all the issues she had raised.

She reiterated her concerns from previous correspondence emphasising that the building was in a poor condition due to neglect by the landlord and a failure to invest any money into it.

The landlord's stage 2 response accepted that there had been 'problems' with the building and it had taken steps to address those issues as best it could. It failed to provide detailed and specific responses to all the issues raised by the resident and did not uphold the complaint as it felt it had acted reasonably in seeking to address repair needs within the building.

Despite the landlord being aware of repair and maintenance issues for many years, which included to the building's roof and windows, the evidence does not show timely action by the landlord to remedy those issues. Upon agreeing that major works were required to the building under the Better Homes Project, it should have taken steps to ensure that they were scheduled, undertaken and completed within a reasonable timescale, however this did not happen. The landlord failed to explain why it considered its approach to ensuring the building was kept in a reasonable state of repair to be satisfactory, which resulted in uncertainty, distress and inconvenience to the resident.

We made a finding of severe maladministration in the landlord's response to the resident's concerns regarding the upkeep and maintenance of the building, and severe maladministration in respect to the resident's concerns about fire safety.

There was a maladministration finding in respect of the landlord's complaint handling, and maladministration for the landlord's response to the resident's concerns regarding the communal water tank.

There was a no maladministration by the landlord in response to the resident's concerns regarding refuse collectors.

The landlord was ordered to pay the resident a total of £6,000 compensation and to provide a written apology to the resident from the Chief Executive Officer in respect of the failings identified by the investigation.

Leaks, damp and mould

In our review of casework, we found 20 findings were made regarding the landlord's handling of leaks, damp and mould with a 95% maladministration rate and 6 severe maladministration findings.

The damp and mould cases reviewed in this investigation began in 2019, with some ongoing at the point they were reviewed for this report.

At the time the reports of damp and mould were made to the landlord, its procedure and approach to damp and mould was covered under its general repairs policy.

Despite the standards set for its contractors to get it right first time, the landlord failed to meet these criteria, and we saw cases where there were multiple repairs completed without the landlord addressing the key issue or identifying what action it had already taken.

In case [202211999](#), there were at least 7 plumber, drainage, and electrical contractor visits, in addition to heating contractor visits, and the landlord delayed going ahead with repairs to await asbestos checks, despite the fact it had already establishing asbestos was not present

In case [202232069](#), the landlord carried out the same repair method 6 times, despite this approach not fixing the issue. It only offered to carry out a survey of the roof to identify the underlying issue in its stage 2 response.

In other cases, the landlord did not inspect the property or failed to proactively follow up and act on inspections.

For example, in case [202220378](#), the landlord did not respond promptly to the resident's initial concerns about damp and mould and delayed in commissioning an expert to inspect. The landlord did not act on the recommendations of the surveyor or explain its reasons to the resident. Internal landlord emails included wording such as (it) 'still need[ed] to visit that one' and that the resident was 'on the case again'. Not only did the failure to act on surveyor recommendations cause a further delay, but the tone of the email is concerning.

The comments suggest that the landlord was not treating the concerns raised by the social worker about the vulnerability of the resident and her son, who are both immunosuppressed, and the impact of the damp and mould on both with appropriate gravity and urgency.

Case [202124650](#), is another example where the landlord's response to reports of damp and mould were unreasonably delayed.

It inappropriately cancelled and delayed raising works orders, which meant almost 3 years passed with the landlord no further forward in identifying the underlying cause. The landlord did not proactively seek progress updates, despite it noting that it would.

This resulted in the resident repeatedly reporting the same issue. The landlord's response left the resident feeling her concerns were not taken seriously and were unfairly dismissed.

Another example is case [202208606](#) which relates to the landlord's inaction in response to a resident's report of leaks from the property above, which prolonged the timeframe that the water caused damage. It did not acknowledge that it had delayed carrying out the repair and said it was satisfied that the leaks had been caused by separate issues that it could not have foreseen or avoided. The landlord's conclusion that it could not have foreseen the leak is not supported by the plumber's subsequent findings about the age and condition of the neighbour's bathroom. Despite this knowledge that the bathroom was 'decades old' and the number of leaks reported, it did not consider whether the neighbour's bathroom should have been examined and replaced.

Poor communication with the resident and a failure to provide updates on repairs was a regular occurrence in cases, leading many residents to think that no action was taking place in respect to their repairs – for many this was accurate.

In case ([202217379](#)), almost 6 months passed between the resident's initial report of a leak until the stage 1 complaint response was issued, which explained the delay to resolve the leak and contained a summary of the actions that had taken place to date.

In case **202217752**, the repair records did not note what the landlord did at the initial appointment, and it is unclear where the mention of a previous leak came from. The landlord did not provide us with sufficient evidence of what it did during any of the repair appointments. This prevented the Ombudsman from conducting a thorough investigation into this element of the resident's complaint.

There are alarming patterns in a high number of cases.

Due to issues not being appropriately addressed by the landlord during its repairs process, the residents then submitted complaints to ensure the issue was fixed. Unfortunately, we have seen in multiple cases that the landlord then routinely treated these complaints as service requests, which meant that the residents were no further forward in having the issue resolved.

When the resident or the Ombudsman then pressed the landlord and it accepted the complaint, the resulting landlord investigation did not answer all the resident's queries, and its repairs records were often lacking. When the complaint responses finally promised action on the repairs, they often were unsatisfactory or did not take place, leaving the resident frustrated, losing all trust in their landlord, often months, sometime years, on from the original repair request.

The landlord may have hoped that transference of responsibility from the complaints team to repairs, would result in action to remedy an immediate problem, but cases indicate that it then missed the analysis stage of why it happened and how to prevent reoccurrence.

Case study [202126123](#) - failure to investigate and take action

Mrs M complained to her landlord that she had been reporting leaks into her property from the flat above for 18 months. She stated she had been on the phone with the repairs team many times and was told not to contact them anymore as they knew about the problem.

The landlord's stage 1 response acknowledged that there were delays in carrying out the work in the property.

It explained that delays were caused by inspections by different contractors, initial repairs failing to fix the leak from the hot water tank, the process to approve, order

and delayed delivery of the new hot water tank and the extensive nature of the works.

A number of orders were raised in relation to leaks from the property and there was an ongoing leak preventing the landlord from completing plastering works.

Mrs M escalated her complaint stating that no action had been taken by the landlord since a visit to their property by a surveyor 12 months earlier and that the upstairs neighbour had repeatedly refused to allow access.

This extended the period that they had to wait for their repairs to be completed, adding to the 'significant' damages they incurred.

The resident said that they could not understand why the landlord had not acknowledged this.

In its stage 2 response, the landlord dismissed the resident's concerns that the works were delayed by the upstairs neighbour not providing access. The damp and mould team emailed a specialist consultant on the day the stage 1 was sent and asked them to contact the resident to make an appointment. This was chased following the escalation request and the specialist consultant attended 2 weeks later.

Unfortunately, there was a delay in receiving the report and the landlord had stated it would liaise further with the resident once the report had been received, which it anticipated to be in the next couple of weeks.

It was not until the plumber attended the neighbour's property 9 months after, that the landlord acknowledged the resident's concern that bathroom alterations made by their neighbour might be the cause of some of the leaks.

Overall, it took the landlord approximately 17 months to resolve the leaks caused by the upstairs neighbour's bathroom. It also took 7 months to resolve the issues with the upstairs neighbour's water tank.

The landlord's complaint response consisted of vague explanations and a lack of acknowledgement of the extent of the delays and detriment to the resident.

Rather than seeking to address the resident's concerns, the landlord simply let the matter drift and failed to take any meaningful action.

We found severe maladministration in the landlord's handling of the resident's reports of leaks in their property and severe maladministration for the landlord's handling of the resident's reports of damp and mould in the property.

Improvements by the landlord relating to disrepair

The landlord introduced a neighbourhood liaison team within its repairs department in January 2023, following feedback from residents that they want better communication with the operational repairs team. The team includes a team leader and 5 neighbourhood liaison officers who support the neighbourhood housing officers in resolving existing repairs issues for residents at the earliest opportunity.

In 2023, it introduced a proactive SMS messaging for when things go wrong such as if lifts go out of order. This is expanding to heating systems in 2024.

It has invested significant resource into planned upgrades to its digital systems to improve customer experience for example systems enabling residents to track repairs.

A new housing maintenance and repairs system was implemented in mid-2024. This new system includes an IT driven quality assurance system to in-house repairs which the landlord says will enable it to improve its repairs service by ensuring correct utilisation and productivity from its direct labour.

The landlord advised that using district-based repairs teams allows operatives and managers to draw on local knowledge to improve efficiency in terms of orders completed per day and allows more time for schedulers to focus on reducing the number of work in progress jobs. By using this data, they advised they have reduced bottlenecks through pinpointing inefficiencies or correct resourcing, for example identifying and addressing reasons behind multiple repairs visits being needed. It has used these efficiencies to increase the time allotted to individual visits from 45 minutes up to 60 minutes.

Since February 2024, the day-to-day repairs team have implemented fortnightly meetings around performance, works in progress and budget control.

The minutes of these meetings are sent to managers to action, and these actions are measured for improvement and effectiveness.

In spring of 2024, its Corporate Management Team (CMT) attended damp and mould appointments with its mould marshals to ensure damp and mould is at the top of the council's agenda. In April 2024, the landlord delivered damp and mould training to 600 of its frontline housing and property colleagues

In 2024, the landlord also extended its damp and mould appointments to Saturdays to make sure more residents can access these services. In May of the same year, it launched a new scheme, where it hosts sessions in libraries and community spaces across the borough, to enable face-to-face conversations with its residents around their housing repairs issues, with a special focus on damp and mould.

The tenant perception survey results report for the Tenant Satisfaction Measures for 2023-24 recorded overall satisfaction with repairs at 65.8%, and satisfaction with the time taken to complete a repair 58%.

Compliance

In the 57 determined cases considered in this report, we made 275 orders and 65 recommendations to resolve the issues within the individual complaints and to prevent the same problems happening again.

The individual orders and recommendations can be found in the investigation reports on our [website](#).

Our decisions are published to our online casebook 3 months after the determination. In some cases, we may decide not to publish a decision if the resident's anonymity may be compromised. Full details of what and when we publish are set out in our [publication policy](#).

Key orders and recommendations made

Complaint handling

Complaint handling orders made:

- compensation was ordered on 54 cases totalling £83,509.66
- the landlord was ordered to carry out a case review in 21 of the cases listed in this report to identify what learning and improvements it can make when handling complaints what actions it should take to prevent the same failures occurring in the future. Included in the specifics of these case reviews the landlord was asked to:
 - review how it handled the resident's complaints and why they were forwarded to repairs teams without a formal complaint being raised
 - Identify any changes that may be needed to the landlords complaints policies and procedures following the review
 - review the retention and supply of accurate records and information relied on in complaint responses
 - produce an improvement plan outlining its intention and a timescale to review its policies for responding to vulnerable residents
 - produce an improvement plan outlining its intention to ensure it adequately captures and considers all sources of relevant evidence for complaints in relation to staff conduct so as to ensure demonstrable integrity and thoroughness into its investigation process
 - consider what learning it might take in order to improve how its staff communicate empathy in their interactions with residents
- an order on staff training in complaint handling was made in 4 cases, including training on:
 - responding to formal complaints appropriately and keep complaints about outstanding issues open until their completion
 - how its staff communicate empathy in their interactions with residents
 - its responsibilities regarding repairs when legal proceedings are ongoing

- to ensure that all complaints handling staff are aware of the Ombudsman's Complaint Handling Code and Dispute Resolution Principles, and to ensure all relevant officers understand their responsibilities under the Equality Act 2010, with regard to meeting the needs of individual residents when providing a service to them

Complaint handling recommendations made:

- a recommendation on staff training in complaint handling was made in 11 cases, including training on:
 - the requirements for response timeframes as set out in the Code;
 - the importance of effective communication with residents when it is experiencing delays and providing clear timeframes so it can manage expectations of residents and they can understand when they can expect a response
 - the importance of clarity around offers of redress and whether they are stand-alone or in addition to previous offers made during the complaints process
 - the tone of written communication
 - to consider when it is appropriate to investigate a longer time period or history of a case
 - complaints are properly identified and escalated when appropriate
 - how to differentiate between a complaint and a service request
- a recommendation was made that staff complete the Ombudsman's complaint handling eLearning
- review its policy to ensure complaints are picked up and responded to in time
- the landlord to review the Ombudsman's Complaint Handling Code to remind itself of its obligations in respect to raising and responding to complaints
- the landlord to routinely consider its own complaint handling during investigations - this is to ensure any procedural issues are identified and redressed accordingly

Disrepair

Disrepair orders made:

- review how it approaches reports of poor-quality major works and consider whether to appoint a 'lead contact' for a resident and contractors to give oversight to any remedial works and to ensure works are carried out in a reasonable period of time
- review the liaison arrangements between its repairs and complaints teams, to ensure that its complaints team can log or request repairs if needed. This review should include consideration of whether its complaints team has an adequate triage process to identify outstanding repairs that fall into its emergency category. It should also ensure there is clarity as to who is responsible for monitoring the progress of repairs associated with a complaint and for updating the resident. It should confirm to us what it has decided, and any action it intends to take as a result
- review what information it receives from its contractors regarding access attempts and how it follows up to reports of no access from its contractors
- review how it assesses reports of leaks to identify whether it is containable or uncontainable and how it records these assessments
- the landlord is asked to ensure that all responsible staff are aware of the correct process to follow when contractor's quotes are needed for repair related work, including the need to request and then follow up quotes within reasonable timeframes

Disrepair recommendations made:

- review its repair working practices to make sure that sufficient investigations are carried out at initial appointments to identify the extent of the repairs at the earliest opportunity
- to create a separate repairs policy with repairs timescales if it does not already have one in place in order to manage residents' expectations and help respond to repairs in a reasonable timeframe

Complaint Handling Failure Orders

Complaint Handling Failure Orders issued to the landlord for cases listed in this report. (DR - Dispute Resolution. DS – Dispute Support)

Case	Date	By	Reason
202105476	26/11/21	DR	Unreasonable Delay in progressing or accepting a complaint
202115731	11/02/22	DS	Unreasonable Delay in progressing or accepting a complaint
202126123	22/06/23	DR	Evidence of compliance with orders not supplied
202216147	10/10/23	DR	Evidence of compliance with orders not supplied
202205007	14/11/23	DR	Evidence of compliance with orders not supplied

Details of all Complaint Handling Failure Orders can be found online.

Conclusion

Complaints serve an important purpose. Handling them effectively helps provide safe and decent homes for residents and provides the opportunity for landlords to identify areas for improvement and wider learning. A landlord who fails to accept complaints not only causes huge frustration and distress for individual residents but leaves itself and residents open to risk and detriment. Furthermore, landlords are wasting the potential insight generated from proper analysis of resident issues. The number of cases that have been referenced within this report, combined with the number of complaint failings seen in each case, is clear evidence of a severely flawed approach to complaint handling.

Despite the improvements the landlord has outlined, the continued pattern of lengthy delays to complaints being recorded and repair work completed indicates there remains a problem with the landlord's complaint handling culture. To ensure a real change the landlord needs to invest time, resources and energy to grip these issues and transform its attitude and approach.

It needs to accept that raising formal complaints is not an admission of failure but an opportunity to put something right and learn to improve. It needs to embrace a willingness to improve its understanding of resident needs and take learning from complaints received. It also needs to be honest about what it cannot do for residents and be open when it gets things wrong.

While it is encouraging that the landlord has several resident groups for feedback, it needs to consider the full scope of action it needs to take, and this feedback will support it. This will help build trust and ensure the residents' voice is genuinely listened to and time dedicated to explaining its decisions and rationale.

This can also be achieved on an individual complaint basis. Investigating the issue and addressing the concerns raised by the resident will show that the landlord is taking them seriously, respects their views and will build trust. Every complaint resolved effectively is another step towards achieving these outcomes.

If the landlord is providing its staff with training material that characterises complaint handling defensively – however unintentionally – then it is unsurprising that complaints will not be managed effectively. It must pivot its approach. The landlord needs to provide its staff with the necessary training and support to instil a positive complaint handling culture.

If the continued narrative is that 'formal complaints' reflect staff failing to resolve the issues promptly and that they are rare in occurrence, then this is going to disincentivise its staff to record complaints at the first opportunity and treat them appropriately.

The landlord must also ensure it addresses the drivers for complaints. As with many landlords, this overwhelmingly concerns disrepair. The landlord needs to address preventable delays to responsive repairs which are often being caused by significant failings in record and information management, rather than other pressures around materials and labour.

In doing so, it also needs to ensure it accounts for the individual circumstances of households, especially any disabilities or health issues, so that it is in a stronger position to address hazards. This includes making reasonable adjustments in line with the Equality Act.

Where service delivery does not go to plan, it again needs to ensure that its complaint handling is recovering its position rather than compounding its failures, further eroding the trust and confidence of the residents as well as their distress and disruption.

Management, who have engaged positively with this report, need to lead by example by ensuring that effective procedures are in place to support policy and compliance with the Complaints Handling Code. The leadership narrative and strategy on complaints needs to reflect that they are an opportunity to investigate and to learn, and they provide a voice and extend fairness to all its residents.

The Camden 25 Vision states: 'Together we want to make Camden a better borough – a place where everyone has a chance to succeed, where nobody gets left behind, and where everybody has a voice'.

Yet, the complaints we have seen show that the landlord has sometimes not heard its residents voice, risking them feeling like they are very much left behind.

Recommendations

As part of this investigation, the landlord provided details of the actions it has undertaken to deliver improvements in relation to repairs, damp and mould, complaints handling and its approach to its vulnerable residents.

To avoid duplication on improvement work already being undertaken, for those areas that we would have made a recommendation, we have requested the landlord update the Ombudsman with its progress against outstanding actions, and/or provide details of its performance against the completed actions.

It is vital that that the landlord ensures all current and future improvement objectives have a SMART approach. It must also ensure there is oversight, strategic commitment, and scrutiny on change projects, to ensure change is meaningful and successfully embedded.

Within one month the landlord should provide the Ombudsman with an action plan of how it intends to meet the following recommendations. We will review progress against these during the post-report monitoring period.

Complaint handling

- 1) Review its complaint handling processes and complaint handling training to ensure compliance with the Complaint Handling Code including:
 - identifying and acknowledging a complaint
 - identifying and acknowledging escalation requests
 - ensuring appropriately thorough investigations
 - quality, timeliness and tone of responses
 - resident communication when complaint response and/or resolution is delayed
- 2) Review its approach to 'business as usual' enquiries to distinguish those that are service enquiries from those that are complaints. Make it a requirement that a rationale must be recorded as to why the complaint was closed as 'not a complaint' to provide the resident with a reason, to monitor these enquiries for themes, and to ensure this approach is not a barrier for residents making complaints.
- 3) Review the standard template letters to ensure they are compliant with the Code and remove the 'Sorry you felt the need to complain' standard wording from all templates.
- 4) Create and embed a process to ensure any actions promised in complaint responses will be tracked through to completion, including clear guidance on closing the case on its case management when there are outstanding actions.
- 5) Create a clear escalation pathway for residents for when actions proposed in complaint responses are delayed beyond agreed or expected dates.
- 6) Create clear guidance for staff on compensation and a process to monitor compensation payments to ensure consistency, accuracy, and transparency in amounts offered.
- 7) Review recording of complaint cases, to ensure data captured and performance reporting is transparent and accurate.

- 8) Provide the Ombudsman and the governing body with an update on the quality assurance process which forms part of the landlord's wider review into its complaint handling.
- 9) Provide the Ombudsman and the governing body with the key findings of the internal audit into complaint handling, including any risk related management plans.
- 10) Share this special investigation report with its Customer Experience Oversight Panel and its Housing and Property Residents Panel.

Disrepair

- 11) Create a process to monitor outstanding repairs through to conclusion, ensuring residents are kept updated on the progress of their repairs and informed of repairs that are delayed beyond agreed or expected dates. Ensure there is a process for contacting and updating residents that are digitally excluded.
- 12) Create a knowledge and information management framework for all stages of the repairs process, including how it reviews previous disrepair cases to identify any links between issues, how it records repair visit outcomes and to ensure teams have access to information when needed.

Vulnerable residents

- 13) Provide the Ombudsman and the governing body with an update on its review of its approach to vulnerability. To include updates on its proposed vulnerability policy including reasonable adjustments, how the landlord will use its vulnerability information to improve its 'enhanced' service to residents with additional needs, and its strategy for longer-term system and data improvements.

Statement from Camden

Our tenants and leaseholders deserve high-quality, responsive and empathetic services, and we have been investing and working hard to improve the services they receive.

As a Council we have experienced many years of under-investment from government and there is a critical shortage of affordable housing. We are pleased that report acknowledges our commitment to the long-term improvement of housing and repairs services through our established Transformation Programme.

The Ombudsman has also acknowledged our engagement with them and our proactive work to make key improvements throughout the investigation, and we will continue to work with them as we make further progress.

The cases covered in the report are generally from 2022 or earlier - since then we have changed and improved many aspects of our services. We have more work to do, and we have comprehensive plans in place that will deliver further improvements. This includes developing our culture and processes around complaints, a system review of how our services respond to residents with vulnerabilities, and improved communication during the repairs service.

We will go above and beyond the ambitions set out by the Ombudsman's recommendations and we will ensure that considerations about our residents are at the centre of our work.

We have set up a Housing and Property Resident Panel, a Complaints and Oversight Panel, completed a programme of intensive resident engagement, and we will continue to encourage all residents to get involved in the development of our services.