

Learning from: **Severe Maladministration**



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

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Introduction

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

Due to the increasingly high number of complaints we are receiving, it means unfortunately we are also seeing a rise in severe maladministration. In the coming months, alongside this report, we will also be doing more to highlight where landlords are being found as having 'no maladministration' in cases, so that the Ombudsman can share learning wherever it may appear.

This report focuses on knowledge and information management, marking a year since we published a **Spotlight report** on the theme. This report shows how good knowledge and information management can be the foundation of a positive and effective complaint handling response and service delivery. This report contains cases linked to domestic abuse, anti-social behaviour, repairs and damp and mould. This shows the range of issues that poor record keeping and systems can touch, as well as the human detriment this can have when it goes wrong. In 2023/24, where record keeping was cited as a key issue within the case, we ordered £925,157 in compensation.

With the important role that social housing has to play in giving safe and secure housing to millions, the learning in these reports should help landlords provide effective services that protect this aspiration.

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

Richard Blakeway
Housing Ombudsman

Key cases this month

This month highlight 3 key cases that speak to themes from our recent **Spotlight report on knowledge and information management (KIM)**. Every month we highlight either different themes, regions or landlords and share the learning from this as part of our commitment to help deliver better services for residents.

Lewisham Council

The Ombudsman found severe maladministration for **Lewisham Council's** (202217650) knowledge and information management as part of a repairs case.

The landlord's repair records did not fully record what repairs occurred at the property which led to substantial confusion as the landlord was subsequently not able to appreciate what steps it had taken to address repair issues up to the date of this investigation. This led to significant anxiety for the resident, who has nearly waited 2 years for a resolution to their roof repair.

It was also unable to say when the third-party repairs were carried out which caused the initial invalidation of the guarantee and potentially other issues with the roof. Even after the issues that occurred, which invalidated the guarantee, it still failed to adjust its record system appropriately until it was too late.

This failing weakened the resident's confidence in the landlord's abilities to perform its repair obligations sufficiently.

The landlord's records give little indication of which works were carried out when they were completed or if they took place at all. The lack of clear and accurate record keeping would have contributed to the lack of updates to the resident, the failure to meet agreed timescales and the protracted delays in resolving any outstanding issues.

There were 2 other severe maladministration findings in this case, for the repairs to the roof and the communications and complaint handling at different stages.

The Ombudsman ordered the landlord to pay £2,200 in compensation, apologise and conduct a full inspection of the condition of the property roof.

A key part of the **Spotlight report on knowledge and information management** looked at repairs record keeping. A lack of effective record keeping on repairs can see repairs getting delayed, not actioned, or simply never being logged in the first instance. This will cause increased distress and inconvenience for residents, as well as further erosion of trust between landlord and resident. We made several other recommendations around repairs in the report such as on missed appointments and automated reminders.

Landlord learning statement

We accept the Housing Ombudsman's findings in full, have made a formal apology to the resident and agreed to the compensation. We have employed an independent surveyor to carry out a photographic and thermal imaging inspection of the roof which confirms no defects were found and no further works are required.

Information and complaints handling improvements have been a key priority for Lewisham Council since taking over direct management of its housing stock from Lewisham Homes in October 2023.

We have developed a complaints management improvement plan in consultation with residents, which is part of a larger strategic transformation programme for the housing service. This also includes a major upgrade to our housing management computer systems which will provide greater control of knowledge and information. We will continue to work positively with the Housing Ombudsman to improve our services for residents.

PA Housing

In this case, **202216297**, the Ombudsman found severe maladministration in **PA Housing's** record keeping in a domestic abuse complaint.

The landlord was unable to locate any of the complaints reported by the resident, as they had been given to the incorrect team and could not be identified by all personnel.

This led to 4 complaints being raised over a year with no action being taken. There was no record of the resident's vulnerabilities stored on the landlord's systems.

Additionally, after the resident had informed the landlord she had fled the house due to domestic abuse, the ex-partner called the landlord to get the tenancy changed into his name.

The landlord was not able to establish that the resident had contacted it first. Because of this, a fraud case was raised as it was believed that the resident had abandoned the property without updating the landlord. This was not appropriate as it created additional distress and inconvenience to the resident.

There were also 2 other severe maladministration findings in this case, for the way the domestic abuse complaint was handled as a whole and the associated complaint handling.

The Ombudsman ordered the Chief Executive to apologise, pay £1,500 in compensation and contact the local authority to ensure it has all the relevant information regarding the resident's reason for homelessness. Incorporating its own errors in dealing with the matter in the first instance.

The Ombudsman's **Spotlight report on KIM** found that residents' vulnerabilities are often not appropriately recorded. Even when landlords have been advised multiple times and their procedures explicitly state that vulnerabilities will form part of the decision-making process. It also found that in the absence of that information:

- wrong decisions were made
- those most in need were not prioritised
- residents were treated insensitively

Learning statement

We are deeply sorry for the lack of support this resident received and the serious errors made when they originally contacted us in late 2020, throughout our handling of their case in 2021, and their subsequent complaint in 2022.

We agree with the Housing Ombudsman's findings that PA, at the time, acted extremely poorly with little empathy for the resident's situation.

However, under new leadership and with new colleagues' support, we have worked hard to rebuild trust with this resident following the determination.

We are grateful that despite our previous failings, we've had the opportunity to put things right after so long.

Our Chief Executive, who joined in 2023, spoke to the resident on several occasions. This was not only to offer his apologies for how the resident had been treated, but to listen to their feedback to try and learn from their experience, as well as help to rehouse them despite no longer being a PA Housing tenant.

Within 3 weeks of the findings being received, we were able to provide the resident with a permanent home in an area of their choosing and one which better suits their needs. We also added additional security to the home to help make them feel more secure and settled.

Although these actions have come far too late and we cannot undo the failings of the past, we're extremely grateful to this resident for agreeing to let us help and for starting to trust us again.

We also remain determined to ensure no other PA Housing resident is placed in a similar situation and, using the findings from the Housing Ombudsman, have updated our domestic abuse policy to help safeguard residents. We've also had an independent review of this area of work and have redesigned our services and teams based on their advice to help prevent this from happening again. This new approach will be evaluated by a nationally recognised expert to help us ensure it's the right approach for our residents.

Gateshead Council

The Ombudsman found severe maladministration for **Gateshead Council's** (**202217072**) record keeping in a case involving damp and mould.

The landlord said it no longer had surveyor reports because of a change in contractor. Due to no longer having these reports and despite knowing the extent of the problem, it had to repeat the survey to see what is required. This prolonged the detriment for the resident.

During the handling of the resident's case the landlord changed the member of staff dealing with the matter but did not have processes in place to make sure information

was passed over. At times the landlord did not demonstrate knowledge of the history of the case. Placing the onus on the resident to repeat previous events and share previous email conversations/agreements with it.

This demonstrated a lack of appropriate processes to prevent the loss of information when contractors or staff change. The landlord missed opportunities to rebuild the resident's trust in its handling of his matter or demonstrate an understanding of the longstanding issue.

The investigation also found severe maladministration in the overall handling of the damp and mould, as well as the associated complaint handling.

The Ombudsman ordered the landlord to pay £8,800 in compensation, for the Chief Executive to apologise to the resident in person and complete an inspection of the property to assess its condition and the works required. Our **Spotlight report on attitudes, respect and rights** clearly outlines what landlords are expected to do around sensitive cases and with residents that may be considered as vulnerable. At the heart of the report is about taking a "human centric" approach to provision as should have happened in this case, as well as following the correct policy and procedure.

Learning statement

We accept the Ombudsman's decision and have apologised to the tenants for our failure to meet our high standards on this occasion.

We take all reports of damp and mould seriously. Since the management of the housing service reverted to the council from a previous Arms-Length Management Organisation (ALMO) arrangement, we have reviewed our approach to damp and mould and improved our process for tackling cases as quickly as possible.

These improvements are reflected in a significant increase in tenant satisfaction. We will continue to work with our tenants and the Housing Ombudsman to improve our performance.

Key learning from these cases

In these cases, were multiple occasions where landlords were not logging complaints or key information correctly. Nor being able to obtain it in an accessible way for other staff. There are also examples of not recording vulnerabilities which led to poorer overall responses. Where one or several of these are present within a complaint or a landlord's service, it will provide poorer outcomes for residents.

There were also systems issues in some of the above cases, and landlords should ensure that all components of any system used are able to provide a link or identify where additional information is held. Staff should be appropriately trained to use these systems to retrieve that information easily.

Good record keeping is also important to evidence the actions a landlord and its contractor have taken and provide a continuation of service to its residents.

Landlords should be aware of the outcome of its surveys and have copies of such reports, it should also be aware of what has been agreed and any issues of dispute.

This is especially important given landlord's responsibilities to identify and address statutory hazards, and the consultation on Awaab's Law. Its staff should also be aware of its record management policy and procedure and should adhere to these.

Centre for Learning resources

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

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

Knowledge and information management e-learning and workshops

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

Other cases highlighted this month

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

Metropolitan Thames Valley

The Ombudsman found severe maladministration for **Metropolitan Thames Valley (202017341)** after record keeping compounded poor repairs on a home.

The landlord showed a pattern of failings around its record keeping in different aspects of its interactions with the resident and their representative. A lack of detail around the resident's vulnerabilities meant that reasonable adjustments were not considered in managing the repair visits. Potentially delaying the completion of them.

Further to this, it has no evidence of its engagement around the requests for adaptations to the property or to show that it followed the correct steps before forcing entry to the property. The landlord made claims around no access visits and the resident's representative refusing access but was unable to provide any evidence of such issues.

The Ombudsman ordered the landlord to pay £2,750 in compensation, for the Chief Executive to apologise to the resident in person, and to self-assess against the **Spotlight report on knowledge and information management**.

In its learning from this case, the landlord says it has updated policies about forced entries, introduced new and additional questions on property inspection forms to make an early and effective assessment of resident vulnerability, and when there is a vulnerability present having a dedicated caseworker for that individual.

Key learning for the sector

To make sure that vulnerabilities are considered correctly, landlords should carry out a risk assessment or review to establish what reasonable measures it might put in place to assist the resident. Had it done so in this case, it could have agreed a process for arranging repair visits with the resident or their representative.

Where a landlord asserts that there were access issues, it needs to be able to evidence this, and this is something its own complaints team should examine to establish the position. This would reduce the possibility of access or communication issues.

Centre for Learning resources

Spotlight report on knowledge and information management

Spotlight report on attitudes, respect and rights

A2Dominion

In case 202209837, the Ombudsman found severe maladministration for **A2Dominion** in an Anti-Social Behaviour (ASB) case. From the limited information provided by the landlord, significant information was incorrect or missing. The landlord failed to keep adequate and up to date records and was therefore unable to provide evidence as to how it had used its discretion in applying relevant procedures.

Without the key complaint evidence, it proved challenging for the Ombudsman to understand the full details of events. Therefore, assessing the case in these circumstances was unreasonably difficult for caseworkers.

The lack of evidence provided by the landlord hindered the Ombudsman's investigation as it was unable to clarify timelines, or what was reported or discussed. It delayed the start of the investigation and therefore the decision to the resident. This would have caused additional distress and inconvenience.

The landlord advised that it had no vulnerabilities recorded for the resident or family. The resident requested a management transfer from her property due to her medical needs based on mental health and physical disabilities. Her child was also diagnosed with ADHD of which the landlord was made aware of. The timeline shows the resident signposted the landlord to her vulnerabilities within her transfer request and the impact the ASB was having on her mental health. She also submitted at least 4 medical letters to support this.

The Ombudsman ordered the landlord to write an apology to the resident, pay £1,050 in compensation, and review its allocations policy.

In its learning from the case, the landlord says it has created a new dedicated ASB team to ensure more effective record keeping, and oversight of actions and information for residents. The landlord says it has also updated its allocations policy and procedure, making sure that customers who are pregnant receive correct identification as potentially vulnerable.

Key learning for the sector

When a resident's vulnerabilities are not appropriately recorded, wrong decisions can be made and those most in need may not be prioritised or residents were treated insensitively. Failing to create and record information accurately results in landlords not taking appropriate and timely action, missing opportunities to identify that actions are wrong or inadequate, and contributing to inadequate communication and appropriate redress.

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[Spotlight report on knowledge and information management](#)

[Knowledge and information management key topic page](#)

[Knowledge and information management e-learning and workshops](#)

[Attitudes, respect and rights key topics page](#)

[Attitudes, respect and rights e-learning and workshops](#)

Anchor Hanover

In case 202118379, the Ombudsman ordered **Anchor Hanover** to review its data retention policy and identify where its policy did not conform to the recommendations in the [Spotlight report KIM](#).

This was after poor record keeping hampered a damp and mould complaint. With the landlord's handling of historic data regarding the home not supporting an effective and timely resolution.

It also showed poor knowledge and information management in its complaint handling, where conversations included in complaint responses referenced but never provided to the resident in writing.

It also issued two stage 2 responses and failed to have a record on which jobs were completed or what the outcome was of different repairs raised.

The Ombudsman ordered the landlord pay £3,900 in compensation and provide a permanent and lasting resolution to the issues of damp and mould in the resident's property.

In its learning from this case, the landlord says it has ensured internal processes are as effective as possible and implemented new procedures to stop the service failings happening again, as well as complying with all the orders and recommendations on the case.

Key learning for the sector

Having strong data is essential to improving all types of complaints, especially those needing repairs and inspections. The use of the reports in these cases can mean works are not delayed, potential solutions are not missed, and give the resident confidence that the landlord is dealing with the problem in a professional and effective way.

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[Damp and mould key topics page](#)

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Harlow Council

The Ombudsman found severe maladministration in **Harlow Council's (202222305)** record keeping in a damp and mould case, after it was unable to demonstrate it had kept contemporaneous notes of its interactions with the resident.

There were also details missing around communication and discussions with contractors, which had an impact on its ability to investigate and put things right. When the Ombudsman requested call and repair logs, none were provided.

The lack of evidence also limited the landlord's ability to demonstrate it had complied with its HHSRS obligations.

The Ombudsman ordered the landlord to pay £2,655 in compensation, schedule in the relevant roof placement needed and inspect the home for damp and mould, completing any works that come from this inspection.

In its learning from this case, the landlord says it has met with its contractor and implemented significant changes to the business processes of both organisations, which will now be reviewed quarterly by the Council's Scrutiny Committee. On top of this, £3.4m was allocated to clear the backlog of works – which has been completed.

Key learning for the sector

Landlords and contractors should have systems in place to maintain accurate records of repair reports, visits, inspections, and investigations. In this case, the discussions between the landlord and its contractors about the roof replacement were not provided to the Ombudsman. It is important landlords' records accurately reflect dates and times significant events took place.

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L&Q

In case 202228343, **L&Q** failed to maintain adequate records, which impacted this service's ability to carry out a thorough investigation. This was a significant failure by the landlord and contributed to the severe maladministration finding on repairs.

This case was determined after the release of our [special investigation report \(PDF\)](#) into the landlord.

Due to the lack of adequate records, there is no evidence on which the Ombudsman could conclude that the landlord's handling of the repairs was reasonable in the first instance and then in any subsequent work carried out.

From reports made by the resident and in complaint responses by the landlord, there were references to works raised or taken place, but it was not possible to verify these due to the poor records.

The Ombudsman ordered the landlord to pay £1,000 in compensation, inspect the property to see what repairs need to be done, and then to complete those repairs.

In its learning from this case, the landlord says it has strengthened, accelerated, and embedded several positive changes to ensure it addresses operational challenges and delivers quality services every time. It also notes that it is currently in the second year of a 15-year home improvement and investment programme to help improve resident safety and decent homes.

Key learning for the sector

The Ombudsman expects landlords to maintain an effective record of contacts and repairs. This is because clear, accurate, and easily accessible records provide an audit trail and enhance landlords' ability to identify and respond to problems when they arise. The lack of this information in this case has meant we found severe maladministration, as it was not possible to verify whether the landlord had taken any action at all, or whether it was reasonable.

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[Spotlight report on knowledge and information management](#)

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[Complaint Handling Code](#)

Clarion

The Ombudsman found severe maladministration for **Clarion (202202489)** after it failed to demonstrate that it had effective recording keeping practices to support its repair obligations.

Throughout the case, there were multiple instances of failure by the landlord to capture, record, or use held data. This case was determined after the release of our **special investigation report (PDF)** into the landlord.

It was unreasonable that it took 14 months to establish if the roof was under warranty and the absence of contemporaneous records of investigations, surveys and inspections contributed to the unreasonable length of time it took the landlord to address repairs issues. Surveys or inspections appear to have taken place on 5 separate occasions, but the landlord could only provide 1 report.

Because of the landlord's record-keeping failures, the resident incurred distress and the inconvenience of an unresolved leak in the property.

The Ombudsman ordered the landlord to pay £2,150 in compensation, apologise to the resident and review its record keeping in line with the **Spotlight report on KIM**.

In its learning from this case, the landlord says it has established 2 new specialist teams: one responsible for building defects that require investigation and another for urgent major repairs, such as repairs to roofs. It has also invested in more resources for its complaints handling team and have a new policy in place that re-emphasises the commitment to keeping residents updated throughout the complaints process.

Key learning for the sector

Landlords should have systems in place to maintain accurate records of repair reports, responses, inspections, and investigations. The absence of effective record keeping prevented the landlord from fulfilling its repair obligations in a timely fashion and caused detriment to the resident. The landlord may also come to rely on its record keeping as evidence of action taken, decisions reached, or assessments undertaken.

Leeds City Council

Although the severe maladministration in this case ([202207559](#)) is not for knowledge and information management, the impacts of the poor record keeping was one of the reasons **Leeds City Council** had a severe maladministration finding for its repairs, which led to the Ombudsman awarding £6,000 in compensation.

There was evidence that the landlord's repair records were unclear and/or incomplete. Because of this there were duplicate visits from the landlord and inspections completed multiple times.

And although the landlord should have adhered to its repair process and communicated with the resident in advance of appointments, unannounced visits continued, which has caused the resident anxiety which could have been avoided were records accurate and acted upon.

On top of the compensation, the Ombudsman ordered the landlord to review its internal guidance around recording vulnerabilities, provide a schedule of the repairs works needed and determine if the property is safe.

In its learning from this case, the landlord says it has introduced improved procedures for managing this type of repair and has also established a dedicated team to deal with reports of damp and mould. It has also reviewed its procedures for capturing vulnerability information and tailoring services, so they meet vulnerability needs as effectively as possible.

Key learning for the sector

A landlord should have systems in place to maintain accurate records of actions and communications with contractors. Good record keeping is vital to evidence the action a landlord has taken and failure to keep adequate records indicates that the landlord's repairs processes are not operating effectively.

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[Knowledge and information management e-learning and workshops](#)

[Spotlight report on repairs](#)

Sanctuary

In this case [202217276](#), **Sanctuary** were ordered to review steps it can take to make sure that when it uses contractors any works raised are attended within reasonable timeframes, that post-inspections are arranged and recorded and what systems it has in place where there are repeated reports that work is not completed or attended too.

Whilst the record keeping side of things was just maladministration, the record keeping failures meant there was a severe maladministration finding for how the landlord dealt with window repairs, damp and mould, and complaint handling.

On top of the earlier order, the Ombudsman also ordered the landlord to pay £5,200 in compensation and to provide an apology from the Chief Executive.

In its learning from this case, the landlord says it has launched a dedicated damp and mould taskforce and increased the size of its complaints team to be able to provide better service. It has also given staff more training and publicises the learning from Ombudsman reports on its website.

Key learning for the sector

Landlords should have systems in place to maintain accurate records of repair reports. This is vital for the landlord to understand and evidence the action it has taken. Failure to keep adequate records indicates that the landlord's processes are not operating effectively. Staff should be aware of a landlord's record management policy and procedures and adhere to these, as should contractors.

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Notting Hill Genesis

We have included this severe maladministration finding (202201555) for **Notting Hill Genesis** due to a recommendation we made for the landlord to inform the Information Commissioner's Office (ICO) of its suspected data breaches in connection with this case, and for it to take any action subsequently required or recommended by that authority.

This links to a key finding from the original [Spotlight report on KIM](#) and speaks to the importance of data management.

The severe maladministration was for Anti-Social Behaviour (ASB) and associated safeguarding concerns, in which the landlord unduly delayed in tackling ASB reported by the resident. When it did act, its approach was inconsistent, over-reliant on other agencies, and ineffective in resolving the issues.

In terms of the data, the Ombudsman was concerned about the level of information shared by the landlord with the resident regarding her neighbour's mental health and personal circumstances. It was inappropriate of the landlord to discuss the neighbour's vulnerability and support arrangements with others.

Though some information may have been shared with the intention of being open and honest, the role of a landlord includes maintaining appropriate boundaries and fulfilling its legal duty of confidentiality towards all its residents. The fact that multiple officers shared excessive amounts of information may indicate a cultural issue that requires training to address. Landlords should be mindful of the GDPR regulations in place. Regular knowledge tests in these areas can lead to improved knowledge for officers and staff that are dealing with personal data.

In its learning from this case, the landlord says it has taken on lots of learning throughout the organisation on this topic, including oversight on ASB cases and training for staff.

As part of its Better Together strategy, the landlord is investing over £1m into overhauling its complaint framework and support systems to streamline the process, ensuring more satisfactory responses to resident concerns.

Key learning for the sector

There are legal consequences for not adhering to GDPR regulations, and the Information Commissioners Office (ICO) takes a robust line when it comes to personal data breaches. The fines can be far higher than Ombudsman compensation too, with reports of one landlord (not the landlord mentioned above) potentially facing fines of £15,000 per resident after a data breach of personal data.

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