

**Housing Ombudsman
Special Report on
Islington Council**

Introduction	3
Scope and methodology	4
About Islington Council	5
Investigation Outcomes.....	6
Themes Identified.....	8
Underlying causes	8
Disrepair.....	10
Antisocial Behaviour	24
Complaint handling	32
Compliance and remedies.....	44
Disrepair.....	44
Antisocial Behaviour	44
Complaint Handling.....	45
Conclusions.....	46
Disrepair: damp and mould	47
Antisocial Behaviour	48
Complaint handling	49
Recommendations	50
Cross-cutting issues.....	50
Disrepair.....	50
ASB and noise	51
Complaint handling	51
Statement by Islington Council.....	52
Annex A – List of cases	54

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 investigations to establish whether any presenting evidence is indicative of a systemic failing. Where this is the case, it will be referred to the appropriate regulatory body, the Regulator for Social Housing.

The investigation commenced in December 2022. Factors that may be indicative of a wider service failure may include, but are not limited to the following:

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

The Ombudsman's wider investigation was prompted by analysis we carried out in December 2022 of cases relating to leaks, damp and mould. We found a high rate of maladministration for these cases. Also, the landlord did not respond to our request for information in August and September 2022, as we sought to evaluate the response to our report *Spotlight on: Damp and Mould* (October 2021) where the landlord had been identified for its above-average maladministration rate in this area.

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. The outcomes of investigations over the monitoring period are set out later in the report.

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.

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. The landlord responded promptly and fully to requests for information and also provided additional helpful information. It attended several meetings during the investigation.

The landlord is also to be commended for hosting a 'Meet the Ombudsman' event on 30 March 2023, which it promoted to all of its residents.

Scope and methodology

We looked at determinations we made in relation to complaints about the landlord between 12 December 2022 to 30 June 2023. The cases represent all the complaints about the landlord we determined during this period, not a selection. We assessed the findings from our investigations of these cases, and whether they highlighted any systemic issues that went beyond the circumstances of those individual cases. The cases considered as part of this investigation include complaints that were with the landlord between February 2019 and 24 November 2022.

When deciding if a failing is systemic, we look at whether the impact of maladministration and service failure is limited to a single area or cuts across different services and resident experiences. We look at the landlord's complaint handling culture, and its ability to learn from complaints to improve services. We consider the steps the landlord has since taken, and we recommend further action to ensure improvement.

We requested evidence from the landlord, including:

- its most recent Damp and Mould Procedure or standard operating protocol
- the most recent updated Damp and Mould Action Plan, or other single document that shows details and responsibilities for the specific actions taking place.
- the Repairs Policy and procedure
- the Voids policy/standards and procedure
- the Mutual Exchange policy
- the Tenant Handbook
- any structured self-assessment against all 26 recommendations made in our report *Spotlight on: Damp and Mould*, or against the Housing Quality Network toolkit
- training materials on damp and mould since January 2022
- specific examples of the landlord sharing learning from a damp and mould complaint, both internally and externally.
- additional details of a case described in the March Housing Scrutiny Committee meeting submission
- the most recent draft of the landlord's ASB policy/procedure
- the managers' monitoring report used in relation to ASB record-keeping
- the report on the review of complaint handling that was provided for the Corporate Management Board at the end of April 2023
- the most recent version of the guidance on compensation
- the analysis that has been done on missed or ineffective (repairs or survey) appointments
- an example of how the creative solutions multi-team process has worked for a specific case.

We also asked the landlord additional questions after reviewing the evidence provided. The landlord responded to all our questions.

We have also looked at the information available from complaints residents have recently brought to us during 2023 while still in the landlord's internal complaints procedure but which we have not determined. While we have not drawn any conclusions from these complaints, we have used them to ascertain if recent changes in the landlord's approach have already improved residents' experience.

About Islington Council

The landlord is a London local authority and a registered provider of social housing. It is currently responsible for just over 36,000 properties. As a local authority, it must engage with two ombudsman offices: us, and the Local Government and Social Care Ombudsman (LGSCO) for other services, including homelessness.

Since the start of the monitoring period the landlord has engaged constructively with the Ombudsman.

The landlord's intentions and ambitions are to improve. We met with senior staff during this investigation who were open about the challenges the landlord faces, and determined to improve the services by working strategically and creatively. The landlord has shown recognition of its own limitations and it proactively seeks advice from external organisations when it identifies that it has a performance issue. It has also engaged fully and positively with this investigation and undertaken to act on any recommendations made

Investigation Outcomes

Between 12 December 2022 and 30 June 2023 we issued 30 determinations, including 14 cases where we found severe maladministration on at least one of the issues raised by the resident. The landlord has a severe maladministration rate of 24.7% which is nearly four times the national average of 6.7%.

In all 30 cases we found either service failure, maladministration or severe maladministration for at least one aspect of the complaint. In complaints about the landlord's complaint handling, every case had a failing – a 100% maladministration rate – while the landlord's 83% maladministration rate for property condition was above the national average of 66% and the 94% for complaints about anti-social behaviour was far above the national average of 52%.

We ordered the landlord to apologise to residents in 17 instances and pay a total of £66,441, an average of over £2,000 per case. Over half of this (£33,792.49) was for complaints about property condition. We ordered the landlord to pay out £7,625 for the impact of poor complaint handling on residents. Overall, during the monitoring period we made 186 orders or recommendations to put things right.



Maladministration
Rate

93%



Severe Maladministration

24.7%

Top 3 Categories for		Islington Council		
Category	# Landlord Findings	% Landlord Maladministration	% National Maladministration	
Property Condition	30	83%	66%	
Complaints Handling	29	100%	81%	
Anti-Social Behaviour	16	94%	52%	

Please see [Annex A](#) for the full case list. This table does not include the findings of ‘outside jurisdiction’ or ‘withdrawn’.

Category	Severe Maladministration	Maladministration	Service failure	Redress	No maladministration	Total
Property Condition	5	15	5	1	4	30
Complaints Handling	12	15	2	0	0	29
Anti-Social Behaviour	3	9	3	0	1	16
Information and data management	0	4	0	0	0	4
Moving to a Property	0	3	0	0	0	3
Reimbursement and Payments	0	1	0	0	0	1
Buying or selling a property		1	0	0	0	1
Health and Safety (inc. building safety)	0	0	2	0	0	2
Staff	1	0	0	0	0	1
Estate Management	1	0	0	0	0	1
Occupancy Rights	0	1	0	0	0	1
Total	22	49	12	1	5	89

Themes Identified

Underlying causes

Having considered the evidence from our casework, and submitted by the landlord for this investigation, we have not only identified several areas of concern in the landlord's service provision, but also the underlying causes behind these areas of concern, that are hampering the landlord's housing service provision. These are:

Cross-cutting issues

Too often the landlord's approach tends to be reactive rather than proactive. This may be connected to a lack of resource, or time to think strategically at an early stage when an issue emerges, gather information, and plan actions.

There is a tendency towards a lack of clear ownership, which contributes to problems drifting and persisting. We see passive and vague language used internally and externally, making it unclear who is responsible for what, the action they will take, and by when. The approach to resolution can also be disjointed, with no team or individual taking responsibility for moving forward on a situation. Teams appear to work in silos, rather than effectively with each other to resolve competing priorities they may have. Our casework shows tension between objectives has caused inertia, with no overall 'owner' to make decisions. For example, in its anti-social behaviour work, one team may be focussed on supporting a resident to stay in their property by changing their behaviour, while another team focuses on resolving the behaviour's impact on the neighbour through eviction processes. The unclear ownership responsibilities are also illustrated by the landlord appearing to expect the resident to navigate the boundaries between different landlord departments or teams. Residents may be pushed between teams and misdirected, with no-one taking ownership or managing progress toward a resolution.

Poor record-keeping across the board is hampering an efficient and effective response both on the substantive issue, and reducing the landlord's ability to give high quality responses to complaints.

Learning from complaints where a resident has not complained to an Ombudsman appears to be limited. The landlord will act when an external organisation has advised or instructed it, but the landlord is missing opportunities before the issues get this far.

Inadequate handling of service requests

We are concerned that we saw insufficient structured information gathering and investigation or analysis when a resident reports an issue, causing missed opportunities to identify potential underlying factors relevant to deciding the most effective response.

Front-line officers appear to be consistently taking a short-term transactional path of least resistance to demonstrate they have done *something* quickly, when the situation warrants a proper examination and investigation. This focus on process rather than outcome causes a long-term problem when they fail to provide an effective and timely resolution.

We have seen insufficient consideration of a resident's vulnerability when dealing with their substantive report of an issue, or working with non-housing services (sharing information, working together, and making referrals for welfare or other support).

The landlord has been providing inadequate redress because information not uncovered or taken into account during the landlord's investigation has either not identified obvious failings, or not appreciated the full impact of them on the resident.

While we understand that using powerful enforcement mechanisms is not always appropriate or helpful overall, the landlord appears reluctant to use the full range of enforcement powers at its disposal, even where it appears appropriate to do so. It also appears that the landlord's officers are not using less severe enforcement options that are available, perhaps because they are not aware of when or how to use them.

We are also concerned by a consistent failure to communicate with residents promptly, appropriately and clearly.

These underlying causes have led to failings in three main areas of the landlord's service provision where we see repeated failings. These are:

- Disrepair
- Anti-social behaviour
- Complaint handling.

Disrepair

Disrepair complaints are the most common complaints residents bring to landlords and the Ombudsman. The severity of the detriment they experience, when they live with disrepair for an unreasonable length of time, is clear. Ineffective appointments and wasted materials result in financial detriment to the landlord.

In 2019 we published '[Room for Improvement: Spotlight on complaints about repairs](#)'. In this report we highlighted the need for landlords to:

- Ensure they have adequate oversight of their outsourced services;
- Clearly explain its priorities and timescales to residents and, if they can't be met, explain why more time is needed;
- Keep clear, accurate, and easily accessible records which should include comprehensive records of residents' reports of disrepair, and the response (including appointment details, pre- and post-inspections, surveyors' reports, work carried out, and completion dates);
- Provide sufficient notice of appointments to the resident, confirm appointments and send reminders by an agreed method of contact (if the resident consents), and updates if the appointment needs to be rescheduled;

What our casework tells us

Unreasonable delays

We recognise that resolving a report of disrepair can be difficult: identifying the underlying cause can be complex and time-consuming, requiring repeated visits. However, the cases we looked at in this investigation included those where there was no evident complexity and yet it still took too long to identify and resolve the problem. For example, the landlord took over three months to resolve a damaged front door, partly because it initially wanted to use its in-house contractor and when this was not possible (the contractor was unable to attend the repair appointment) the landlord delayed involving a specialist contractor. When they eventually attended, seven weeks later, they found that the entire door needed replacing and then there was a two-month wait time, which the landlord did not tell the resident about (202210715).

In another case, a resident requested a number of repairs, including moving an extractor fan to stop a curtain being sucked into it. The landlord took a year to acknowledge it had overlooked this part of the request. When it eventually sent an operative to move the fan, they found it could not be moved and a carpenter needed to move the curtain pole instead (202201578).

When the landlord's obligations are fulfilled by a third party, which may subcontract actions to yet another organisation, good administration and oversight is both more complicated and more important to avoid delays. The landlord should proactively monitor such jobs, and intervene when it becomes clear that issues among other organisations are preventing resolution of an issue for one of its residents.

Case Study - 202112423

Mrs A lived in a listed building managed on behalf of the landlord. The managing company used a separate surveyor company to deal with planning issues, including listed building consent.

Mrs A reported a bathtub leak in spring 2021. The leak had caused blown plaster and fallen tiles. The managing company believed listed building consent was required for the repairs, and instructed its surveyors. A temporary fix was done, but Mrs A could not re-tile until after the permanent repair. After delays and no updates, she complained. The managing company responded that a planning application had been made, but the response time was outside its control. In autumn, after the standard timeframe for planning decisions had passed and she had heard nothing, Mrs A escalated her complaint after discovering the planning team had no record of an application for her building.

Debates over how the plastering repair should be done, given the listed building status, lasted over nine months. The landlord tried to find a specialist to do the repair using a method which would meet anticipated (but not confirmed) planning requirements.

Mrs A's repair was completed in November 2022, 18 months after she reported the problem. Planning permission was not necessary for the works, and no application had ever been made.

We found maladministration because the repairs were significantly delayed. The managing company should have checked with the local planning authority initially to find out if listed building consent was required. There was a lack of oversight by both the landlord and the managing company, and the landlord lost control of the situation. The managing company also misinformed Mrs A, which caused her to lose trust in her landlord. We found severe maladministration in the handling of Mrs A's complaint because of delays, the need for our involvement to progress the complaint, and because several statements made in the complaint responses were unsupported by any evidence.

We ordered the landlord to pay Mrs A £1,100 compensation, review the learning from this complaint, improve its oversight processes where there are third party management agents, ensure it has specialist contractors available, and to improve its oversight and quality assurance of complaint investigations and findings.

We have also seen unreasonable delay because landlords did not consider workarounds while a longstanding problem was being resolved, even where it was clear the resident was vulnerable. We have seen the landlord adopt a blanket response which ignores the immediacy of the detriment to the resident. It is not always documenting its residents' vulnerabilities, even where they should be obvious, so the repairs response does not take them into account. This was the case even where it is clear from the available documents that the resident was vulnerable, putting them at increased risk of harm, or there were other safety issues, as seen in the case study below:

Case Study – 202006900

Ms O's disabilities mean she needs her property adapted to include a wet room and stairlift, and a representative to help her communicate with the landlord. The landlord had not registered her disabilities on its system, despite previously repairing her stairlift. Ms O complained about several issues impacting her health including damp and mould, garden water drainage, damaged windows, leaks to her house and shed, and kitchen disrepair. She had to go to hospital for several months, and explained this to the landlord. There is no evidence the landlord considered this when responding to her.

The landlord did some repairs, but there were delays because it could not access Ms O's property. The number of Ms O's possessions she was storing also meant the landlord could not access areas it needed to. However, it did not refer this situation to its hoarding team who might have helped, causing further delay. The landlord left calling cards to show it had been unable to access the property at times, but overall lacked proactivity in its approach. It knew work was needed at the property, but did not follow up and instead placed the onus on Ms O.

Despite the numerous issues, the landlord did not fully inspect until a year had passed. It did not take up the representative's offer to meet until six months after that. It did not demonstrate any understanding of the issues, or Ms O's experience, and did not use all its available services to help her further.

We found the landlord did not communicate key important information with Ms O and her representative. It did not tell her it had fully inspected her property. It gave her no information about its findings, what it had done, and what it would do next.

We found severe maladministration for the landlord's lack of consideration of Ms O's vulnerabilities and wellbeing, and also for its complaint handling. We also made six findings of maladministration for the way the landlord handled specific repairs. We ordered the landlord to apologise and pay Ms O £8,468.28 compensation.

We also ordered the landlord to confirm which repairs were outstanding, arrange for its Hoarding and Blitz Clean Team to attend, carry out all outstanding window and mould repairs, ensure there were no further leaks, inspect the kitchen and carry out any necessary repairs, and to correctly note Ms O's vulnerabilities on its systems. We ordered it to review its complaint handling failings and its processes.

The landlord's June 2023 analysis of its repairs service shows that demand has substantially increased. It also identified data quality issues (such as, counter-intuitively, cancelled jobs that should have been marked 'complete'). Its own analysis is clear it is not meeting its timeline targets, particularly on routine repairs. The landlord commissioned a study by an external organisation which found that the target for repairs to be completed on the first visit (85%) is not being met (actual performance is 75%). The same report shows residents only reported being kept informed of progress 57% of the time, when the target is 85%.

Case Study - 202215237

Miss B lives in a one bedroom flat. The landlord has documented her mental health vulnerabilities, and she relies on a representative to communicate with the landlord.

Miss B's key fob to access her building stopped working. She reported this to the landlord by telephone, through its website contact form, and later by email. She received no response, so she complained. She explained the fob had not been working for the last eight months, and she had to rely on neighbours' help to access her flat. She said the situation was distressing and impacting her already vulnerable mental state to the extent that she had to move in with relatives.

The landlord apologised for the delay responding to her enquiries and complaints. It said there was a technical glitch meaning call requests were not passed on or complaints logged. It said its complaint response was delayed by high volumes, and it had experienced a 'borough-wide' technical issue with its key fob systems. It said that as compensation, it would not charge her for the new fob. In total, it took the landlord ten months to order Miss B a new fob: something it should have done within 24 hours according to its repair policy. It offered her no reassurance about timescales, no plan for an alternative, and no acknowledgment of the impact this ongoing inability to access her property was having. It also took 14 months to respond to her Stage 2 complaint, where it outlined that it did have an emergency contingency plan for replacement fobs, but it was '*not cost effective*'.

The landlord failed to recognise the impact the situation and its responses had on Miss B's already vulnerable state. It did not have proper records of what had happened, which delayed it assisting Miss B, causing her distress and inconvenience.

We found that the landlord's delay enabling Miss B to access her property, and its poor complaint handling, were severe maladministration. We also found maladministration in its record-keeping. The landlord's offer to Miss B (£575) did not adequately recognise the detriment to Miss B. We ordered the landlord to apologise, pay her £4,394.04 compensation, take steps to reduce the risk of similar failings in the future and to train its staff on understanding impact on residents.

Ineffective Appointments

Ineffective appointments are a key factor which causes delay and inconvenience, and disrespects the value of residents' time. There is consistent evidence from our casework that the landlord and its residents experience problems caused by ineffective appointments. Examples included:

- the landlord has not told, or agreed, the appointment time with the resident who is then not in
- the operative arrives and finds that they are unable to complete the job because key information (such as the presence of asbestos, or the requirement for a specialist) was not communicated or documented
- the operative fails to bring the required materials or tools to the job, despite the landlord knowing what the job's objective was
- the operative arrives and the resident refuses them entry (which may be for a range of reasons, foreseeable or otherwise)
- the operative arrives at an agreed time and the resident is not available to let them in to the property
- where access is required to a neighbouring property, the relevant neighbour refuses access.

Many ineffective appointments are caused by the landlord, and yet we have not seen an analysis of the reasons why, so that the landlord can take informed steps to address the cause and reduce their incidence as far as possible. In cases where a neighbour refuses access, we have also seen that the landlord has not created or followed through with a plan to address this within a reasonable timescale.

The lack of structured analysis of the reasons for the ineffective appointments means the actions aimed at reducing them (agreed appointment times, calling cards, re-booking appointments more proactively) are therefore likely to be of only limited effect.

The landlord told us that 'missed' appointments are monitored in real-time day to day, and says it is now doing a detailed exploration of cancellations and the associated reasons.

Poor communication

Communication with residents is vital in providing confidence that the problem they have reported has been heard, fully considered, and acted upon appropriately. Clear communication enables the resident to participate in the resolution too (for example, by ensuring they are available to give an operative access, or by providing further information the landlord may need). Important communication points include:

- initial survey
- inspection
- assessment findings
- what the landlord proposes to do next

- managing expectations
- responding to follow-up queries.

The landlord carried out 'mystery shopping' evaluations which included Property Services in July 2022, November 2022, and May 2023. Residents were asked to use various scenarios to test the landlord's response, and to report back. These evaluations showed that, overall, residents were experiencing difficulty making contact with Property Services, and not getting a timely response. Emails did not respond to all the issues raised and there was no signposting with relevant alternative contact details. Residents could not reach staff by telephone. Enquiries were not passed on to the relevant team, and a resident who reported they were deaf was not offered any reasonable adjustment. Call-backs were not offered. One caller waited 35 minutes before hanging up.

At the Meet the Ombudsman event in 2023 residents raised issues with inaction and poor communication in relation to disrepair, describing how the landlord does not respond to calls and officers do not give out their last name or email address. One resident who had been living in temporary accommodation for four years expressed her frustration with poor communication:

'Communication is disgraceful. The communication is bad, and they turn it around you, make you the victim...they speak to you like you're nothing. You don't know who you're talking to. I don't even know my Housing Officer...I have gone to Upper Street ten times to know who my Housing Officer is, and when I finally got to know this lady, this lady spoke down to me.'

There has been a lack of clear policy and procedure on repairs, which is likely to be contributing to the issues described above. The landlord provides a 'guide for tenants', but this is not an internal policy or procedure and does not describe a standard operating protocol for the landlord's staff and contractors to follow. For example, it is unclear what, where, and how repairs records should be kept by operatives, or what information residents should be given and when. It includes a section on 'missed' appointments which says that the landlord will apologise and re-book the appointment if it fails to attend without any prior contact. In theory, then, the landlord could contact the resident 15 minutes before the appointment time, state it will not be attending, and owe the resident nothing. Yet if the resident 'misses' an appointment (which may be because the landlord did not notify the tenant they were coming) the landlord will not attempt further contact and will close the repair job unless very limited circumstances apply. The imbalance of power and penalty described in the policy is striking.

The guide does not comment on the wider reasons the landlord may be at fault for an ineffective appointment. It does not set out internal escalation triggers, pathway, or timescales when disrepair is not being resolved. The guide contains a section on damp and mould, but does not link to the specific damp and mould procedure, or make clear the priority attached to a report of damp or mould. It places the onus on residents to deal with condensation problems. An external review ordered by the landlord recommended a proper internally focussed repairs policy and procedure. The landlord is

currently acting on this recommendation, and has told us that a new policy and procedure will go to its Executive for approval in October 2023.

Leaks, damp and mould

Leaks, damp and mould are a significant subcategory of disrepair. The cause can be difficult to diagnose and there may be more than one. However, because of the impact on residents, it is key that the response to a report of damp and mould is efficient and effective.

The problems with damp and mould are longstanding and we have seen through our casework over many years that residents have been experiencing poor responses, not isolated to this landlord. In October 2021 we published [‘Spotlight on Damp and Mould: It’s Not Lifestyle’](#), which made 26 recommendations for landlords. A year later, in November 2022, the landlord’s Housing Management Team self-assessed as fully compliant with the recommendations. However, the assessment did not fully detail all 26 recommendations. The landlord’s subsequent actions – discussed below – demonstrate the limited nature of this self-assessment and undermine its conclusion that it was compliant with the recommendations.

Delay

We have seen instances where the landlord was too slow to consider the possibility of underlying issues. The landlord took a superficial look at the damp and mould, and its response did not address the underlying cause, leading to delay in resolving the issue . We saw a worrying absence of taking residents’ reports seriously and investigating when they explained their suspicions about the cause of a leak or damp, despite the fact that they later transpired to be correct. The landlord’s investigations of the cause of the mould, and the records it kept of the actions taken and the conclusions reached, have not always been comprehensive. The landlord was not taking a proactive approach , and worked in silos – not involving other relevant services within the council itself or other welfare agencies.

Case Study - 202012629

Miss H lives with her young child in a flat. She has a skin condition which is worsened by a cold damp environment. Her flat is positioned over a building utility area (there is no heating coming up from below). The landlord agreed to install two additional radiators in her flat to counteract the effect of the void below. Miss H questioned whether the radiators would have any impact on the cold, as there was no insulation under her floor at all. She expressed concern that the only impact would be to increase her heating bills.

Sewage then leaked into Miss H's flat, and despite the emergency situation requiring a response within two hours, the landlord's operative took six hours to arrive. In the meantime, Miss H bailed out sewage using a bucket. She received no updates from the landlord to demonstrate when an operative would arrive, which exacerbated her stress. Because of the smell and health hazard after this incident, Miss H had to remove her flooring which meant there was even less cold protection.

The landlord installed the radiators 14 months after agreeing to do so, but they did not work properly and she was repeatedly left without effective heating. Miss H complained about this, and again highlighted that she was losing heat due to the lack of under-floor insulation. The landlord told her it had no plans to fit insulation. However, following a further (risk-based) assessment the landlord agreed that the void area presented a condensation risk. It agreed to install insulation to the ceiling of the void area.

The landlord did not have an overall appreciation of Miss H's repair needs. It did not look at whether, under all the circumstances, to treat flooring insulation as a responsive repair based on her reports of the issue and the impact on her health. Instead, it initially flatly rejected the works she had requested. It failed to link the issues Miss H was raising between the lack of insulation, the removal of her flooring, and the cause of the cold. Each issue was seen in isolation, which meant her complaint was not given the overall response she deserved.

The landlord also wrongly recorded repairs that had not yet started as 'complete', which caused further delay.

The landlord's more recent action taking a risk-based approach (in agreeing to install insulation) is appropriate. However, we found maladministration in its handling of the repairs response, and severe maladministration in its complaint handling. We ordered the landlord to pay Miss H £2,720 compensation, and to look into underlying issues which caused the sewage leak and her repeated loss of heating, put her back into a position she was in prior to the leak, and review its own processes.

Ineffective damp and mould appointments

We found many examples of ineffective appointments during the landlord's responses, in particular to reports of leaks, damp, and mould. What we have seen from our casework is supported by survey results available in February 2023. The landlord commissioned research from an outside organisation to gather residents' experiences of the response to damp and mould. Numerous comments detail ineffective appointments. Some examples are:

'The initial surveyor said that one of the walls needs plastering so a plasterer came round to my property and said that it did not need plastering but it needed insulating as it is getting worse. I have not heard anything back from anyone about the issue being resolved.'

'The contractors keep trying to come to my home without booking any appointments or informing me of their coming. As a result, they kept arriving when I was at work, and so they have been unable thus far to enter my home and complete the treatment works.'

'I've had two appointments so far for the work to be completed, and each time they have cancelled on the day...both times I took time off work and only got a message on the day that it wouldn't be completed.'

Communication about leaks, damp and mould,

Where the resident has reported a leak, damp, or mould this is a health concern which causes worry and distress, potentially damaging their health and their property the longer the situation persists. Good communication from the landlord is imperative to provide reassurance that the issue is being taken seriously and treated with appropriate priority. We have found the landlord's communication with the resident about a damp and mould repair was consistently poor.

We found evidence from the cases of requiring the resident to be proactive and engage with multiple teams within the landlord, rather than creating a single 'lead' point of contact for the resident and then internally and 'behind the scenes' taking a multidisciplinary 'joined up' approach. We also found an isolated example of the landlord inappropriately blaming the resident for condensation issues. The case studies below provide examples of this playing out in practice.

Case Study – 202121287

Mrs C was pregnant and lived with her two young children in a one-bedroom basement flat. The other flats in the building were owned by leaseholders. Mrs C's family was sharing one damp bedroom, and there was damp and mould in the kitchen. Mrs C complained to the landlord that it had not done outstanding works that were needed to tackle the damp and mould. She told the landlord her flat was overcrowded, but she could not move because her kitchen was in such poor condition and her flat was damp.

After it assessed the property, the landlord blamed the condensation on Mrs C's lifestyle, such as placing her belongings near walls, closing internal doors, insufficient heating, and drying clothes in unventilated areas.

The landlord delayed two months before writing to the leaseholders explaining they were responsible for relevant repairs work. It did not tell the leaseholders what the cost of the work would be. Some of the work was internal and did not need to wait for the external work to be completed, but the landlord did not do the internal work that it could have done. It was reasonable for the landlord to delay cosmetic repairs, but it could have completed other works which would have helped to alleviate the impact of damp and mould. For example, it had identified the need for extractor fans but these were not being fitted, and nor did it clean off the mould.

Mrs C was been previously told by PFI (the organization managing the property on behalf of the landlord) that she would get a new kitchen, due to the extent of the repairs it needed. However, the landlord later told her it could not find a record of this commitment, and refused her a new kitchen. This lack of record-keeping and joined up working with PFI added to Mrs C's sense of frustration at the lack of clarity on what was happening and when. The landlord's refusal to replace her kitchen did not consider the hazard she had been reporting or the vulnerability of the people living in the property.

The landlord said it completed the works eight months after Mrs C complained, and some delay was because the leaseholders would not agree to pay for the necessary work, which it then began doing itself. However Mrs C says the landlord missed response dates, did not reply to most emails, did not respond to certain issues at all and did not give her dates for the works, and had not completed all the works. The landlord was unable to provide evidence all the work had been completed.

Case Study – 202201058

Ms D is a leaseholder of a three bedroom top-floor flat. The roof had been renewed in 2011. In 2021, Ms D reported that significant amounts of water were coming in to her flat when it rained. A month later, the landlord attended to try and find the cause of the leak. It confirmed that scaffolding would be needed.

There were delays erecting the scaffolding, which the landlord did not thoroughly investigate, and Ms D had to contact the landlord to ensure it was going ahead. We cannot tell why these delays happened, or when the scaffolding was fully installed, because the landlord's record-keeping was poor.

The landlord then confirmed that major roof works were needed. The roof had been constructed without sufficient overhang so that water could not flow into the gutter and away. At some point this has been worked around by laying roofing felt as a 'bridge' into the gutter, but it had now deteriorated and water was leaking into the building.

The landlord did not keep clear records of which part of the work was to be done, and when. Ms D was confused by what was happening, and did not know whether any given piece of work was a temporary fix, or a permanent repair. After three further winter months, Ms D was told at the last minute that work would start. This delay and lack of information caused Ms D distress and further damage to her property (as more rain leaked in).

The landlord was not proactive in updating Ms D on progress with the major works. It did not manage the agent effectively, even when it knew there were issues with the roof repairs. It only sent its own surveyor after 4 months and the involvement of a councillor. Eventually, the work was done and the surveyor signed off on its completion. However, after only a few months Ms D reported water again flowing into her property.

We found severe maladministration. The landlord had failed to do the scheduled cyclical review of the general condition of the building in 2019, which meant there was a missed opportunity to identify the roofing issues before they resulted in a leak. It delayed unreasonably, did not communicate with Ms D, and did not take ownership, properly investigate, or provide a lasting remedy to the roofing issues. It also failed to keep adequate records of the work needed and the ongoing repairs records.

We ordered the landlord to apologise and pay Ms D £2,300 in compensation, and to ensure the required works were completed with a permanent fix. We also made a number of orders designed to ensure similar failings did not happen again, including that it should review its processes for contract management and oversight.

Case Study - 202203097

Mr S lives with his child in a one bedroom flat, and water was leaking into his bathroom, hallway, and entrance. The landlord agreed to do repair work, and it would start this after it had found the cause of the water ingress. The landlord identified what it believed was the cause of the ingress the same week, and did repairs to that area. However, the leak continued and the next month the landlord did more work trying to target a different area (from the flat above).

The landlord was twice unable to gain entry to Mr S's flat, and says it told him it was waiting for him to arrange a third appointment. Mr S was unaware the appointments were scheduled, and no calling cards were left.

Nearly two years passed. Then, Mr S told the landlord about further damp. He reported mould within his property, that tiles had fallen off his walls, and that he and his child had persistent coughs, breathing, and skin difficulties. The landlord said it had not re-investigated the situation previously because it had been waiting for Mr S to contact it. Mr S did not know he was expected to do this.

Although there was a significant gap in contact from Mr S, the landlord knew the initial issue had not been resolved (as it had not gained access) and outstanding work was required. It was not taking the vital proactive approach to damp and mould reports.

The landlord then tried to find the cause of the leak. However, we found little evidence it kept Mr S updated about what it was doing, or explained the long delays he continued to experience. Repairs to the building's exterior were delayed, and so the landlord tried to do the internal repair before it had found where the water was coming from. There is no evidence of mitigation steps to reduce the impact on Mr S, given these delays. For example, it did not offer him a dehumidifier which would have helped dry the property.

We found severe maladministration in the landlord's response to Mr S's report of damp and mould. It unreasonably delayed finding the source of the ingress, because it failed to carry out actions it had identified years earlier. Even after Mr S reported health impacts caused by his living environment, there were unexplained and unreasonable delays. We ordered the landlord to pay Mr S £1,801 compensation, and review the condition of its similar housing stock.

The landlord's actions on damp and mould

Since these cases were raised with the landlord, it has done, and plans to do more, work to improve its response to reports of leaks, damp and mould. However, these actions were too slow in coming. We published *It's Not Lifestyle* in October 2021. It was over a year later, in November 2022, when the landlord produced an internal report with a broad assessment of its approach to damp and mould in light of *It's Not Lifestyle*. The landlord increased the urgency surrounding its damp and mould related activity in mid-November. It says this accelerated response was caused by the Coroner's report into Awaab Ishak's death (16 November 2022) and media reports (on 27 November 2022) of two serious cases of damp and mould in its properties. The landlord published its five point plan for tackling damp and mould in December 2022, shortly after this investigation was announced. The landlord should have acted on the recommendations made by the Ombudsman far earlier. There was only superficial belated consideration of the recommendations in *It's Not Lifestyle*.

The landlord's five point plan is to:

- Review all reports of damp and mould made over the previous three years, contacting residents and taking more action if needed
- Create a damp and mould action team, to include specialist surveyors, and has allocated more funding for ventilation and insulation
- Train non-specialist staff to identify damp and mould on home visits
- Set up a dedicated line for calls and emails from residents concerned about damp and mould so that a survey can be booked
- Create a clear referral pathway for professionals, and improved working with partners to offer joined-up help (for example with finance, housing, health, and repairs issues)

The landlord has provided evidence of good progress against this five point plan. It has done a structured analysis, and has an action plan for improvement. This includes developing a risk-based approach to reports of damp and mould based on new data-analysis capabilities. It seeks to proactively identify properties and residents being impacted by damp and mould both through more sophisticated data analysis and direct engagement. It has also asked external experts to advise it on its approach. It has recruited more surveyors and repairs staff. In relation to damp and mould, the June 2023 analysis shows a significant improvement with more contractor jobs being completed on time and while there is some way to go, the trajectory is positive. The landlord is to be commended on tracking the effectiveness of its actions with robust evidence and data, and using this to identify where it needs to do more.

The landlord has said that it has planned to invest more in its damp and mould response. It has budgeted to spend an extra £1m annually, towards various measures to improve its response. This will include funding a specialist damp and mould team, and proactive measures for identifying damp and mould risk and reducing it (for example, major works, and using new technology to monitor properties at high risk of damp and mould).

The landlord's '*Housing Procedure: Damp and Mould*' is dated 16 June 2017 and had been reviewed by November 2022 when the landlord concluded it was '*essentially compliant*' with the key recommendations in *It's Not Lifestyle*. However, the landlord has told us the procedure is currently being reviewed again. It has not said when this review will be completed and a new procedure in place. This review is welcome, if overdue, because the current procedure lacks proactive obligations for the landlord, and places the onus on the resident to follow up. It is difficult to understand, in light of *It's Not Lifestyle*, why this procedure was not updated some time ago.

The landlord is also reviewing some of the policies and procedures which are more broadly related to damp and mould. For example, it has made recent changes to the housing allocations policy which gives additional points to residents living with a significant damp and mould impact. It is also developing a new repairs policy and a specific damp and mould policy.

The landlord has set up a telephone menu option and a dedicated email inbox for reports of damp and mould. However, we are concerned at some reports we have seen that staff responding to those lines of communication are not offering suitable responses. The mystery shopping evaluation showed that one resident who called the damp and mould option was told that the line doesn't give out advice on getting rid of mould, could only arrange an inspection, could not do so at present as the 'system' was 'down' and asked the resident to call back in 15 to 20 minutes. Another caller waited 35 minutes before hanging up. Call-handlers do not always seem to be aware of a resident previously having reported the same issue, and the waiting time for a surveyor's appointment has been measured in several weeks even where a resident is vulnerable and officers have escalated the request.

The landlord has made efforts to improve the tone and manner of its communication with residents who report damp and mould. It is putting in place a Tenants Charter, and its senior Housing Operations staff send round open communication noting that improvement is required and asking staff to 'please ensure every day we treat our tenants like we would treat an important member of our own family.' It has also carried out multiple drop-in sessions and events designed to encourage residents to raise issues

The landlord has carried out a comprehensive training programme involving relevant staff and councillors. We have reviewed the training materials sent to us by the landlord and it has taken on board up to date approaches in responding to damp and mould. The landlord has now made clear this training is mandatory. In a November 2021 version of a document for managers and staff setting out training requirements, damp and mould was missing from the mandatory training checklist appendix. This risked managers overlooking it. The landlord updated this document in July 2023, removing this risk.

The landlord has done some work on how it will measure its performance and assess its progress on damp and mould. The Housing Scrutiny Committee has added a regular

item on damp and mould to its agenda, has been receiving progress updates, and has taken the opportunity to hold officials to account.

The landlord has commissioned independent academic expertise (from University College London) to assist its strategy on responding to damp and mould reports. This work will result in three separate papers, which the landlord will share with any other organisations which may find it useful. This is an excellent example of engaging expert advice, learning from it, and sharing that learning to ensure the widest possible impact.

Overall, the landlord's actions to improve its response to damp and mould should result in improvement in residents' experience, and some should also have wider impact, improving the response to repairs more generally. The landlord has understandably focussed its more recent actions on damp and mould, but we see many of the same failings in repairs issues that are not related to leaks, damp or mould. The landlord should be similarly motivated to improve its repairs service in general.

We have looked at whether our most recent casework information shows any indication of improvement in the time since the events which led to the complaints included in this investigation. We have not yet made findings on these cases, but based on a preliminary assessment we have seen recent damp and mould repairs that appear to still take a very long time to achieve with no plan explained to the resident., an apparent lack of contact with the resident leading them to complain in February 2023 about a persistent leak followed by ineffective appointments in June 2023. Even where the MP chases the landlord for a response to a resident's complaint about a significant leak, in July 2023 none appears to be forthcoming. We recognise that the cases we see are a sample of all the repairs instances that the landlord deals with. However, we have looked at 14 recent repairs cases (11 of which involve leaks, damp, and mould) and found that many of the problems we describe above appear to persist into 2023.

Antisocial Behaviour

Antisocial behaviour (ASB), and the landlord's response to residents' reports of noise emanating from their neighbours' properties, was another key theme that has emerged from our casework. Residents' lives can be severely negatively affected by ASB and by noise transference between properties.

In eight out of the ten ASB-related complaints we considered, the resident cited noise disturbance as their principal concern.

In October 2022 we published our report [Spotlight on Noise Complaints: Time to be Heard](#), highlighting that often we found landlords failed to follow their ASB policies. This included not using them when they should have, and not taking action required by the policy (such as risk assessment and action planning). We made 32 recommendations to strengthen ASB policy and neighbourhood management strategy, and published a [Self-Assessment Tool](#) for landlords to check their current situation against the

recommendations. There is no evidence that the landlord has carried out a self-assessment at the time of writing, eleven months after publication.

At the end of June 2023, we ordered the landlord to tell us to put in place a new good neighbourhood strategy and tell us how it meets the recommendations in *Time to be Heard* (202209316). The landlord initially requested an extension to the deadline until 13 September 2023, and we subsequently agreed a further extension until 9 October. On 2 October the landlord told us it would not be possible to put in place a Good Neighbourhood strategy by the revised deadline, which it must have known for some time. Nor did the landlord explain when it expected to have the new strategy in place. In response to a draft version of this report, the landlord has now explained that it will not finalise the Good Neighbourhood strategy before the new corporate ASB policy is in place. This is because the two are closely related. The landlord expects that the required public decision on the strategy will take place early in 2024. It is concerning that the landlord did not clearly communicate this explanation after we ordered the landlord to put the strategy in place. It indicates poor internal communication.

The casework considered in *Time to be Heard* covers the period 1 April 2021 to 31 March 2022. The landlord features as one with three or more cases where noise formed part of the resident's complaint.

We have only looked at the landlord's response to reports of ASB or noise made by residents who are its tenants. If a report is made by someone who is not a tenant of the landlord, the landlord's wider activities fall under the remit of the LGSCO. However, we can look at whether the landlord has worked across all its functions effectively when it responds to a report one of its tenants has made.

What our casework tells us

In general, the landlord has approached its residents' reports of noise using its ASB policies and procedures, but cannot demonstrate it followed them. This has led to a high maladministration rate and ongoing detriment to its residents' quality of life. The issues are not limited to noise disturbance. We have seen serious long-term harassment where the landlord's response was lacking.

If the landlord has deemed (often after absent or insufficient investigative steps) that the noise or behaviour does not amount to ASB then it has not been, based on the cases we have seen, following up with other actions that might be available to it. Deciding that a report of noise disturbance does not reach the threshold of ASB should not be the end of the story. The landlord can take other steps to attempt to mitigate or resolve the impact on its residents, but in general this has not been happening.

Failure to follow policy and procedures

We have found that the landlord often does not recognise that opening an ASB case is warranted, meaning that the requirements within the policies and procedures are not

followed. Even where it does appropriately open an ASB case, the landlord has repeatedly been unable to show it followed its ASB policy and procedure.

Two of the key documents that ought to be completed at the start of an ASB case are a risk assessment and an action plan. This assists structured information gathering and analysis which takes into account the resident's individual circumstances, including any vulnerabilities, which may impact the action plan and the urgency of the response. The action plan then guides what happens next (and may change, with changing circumstances). However, we have found that the landlord repeatedly failed to risk assess or action plan, showing a lack of structured front-end information-gathering and analysis. This even happened where the landlord knew, or ought to have known, about a resident's vulnerability and taken it into account. We also saw failure to risk assess or action plan where the resident had reported a threat of violence or other very severe impact.

The next step is to investigate the report, by using all reasonable efforts to gather and analyse the evidence before reaching conclusions about the nature or cause of the behaviour or disturbance the resident has reported. However, we have found that the landlord has not always been doing this, and it is often unclear how it has reached its conclusions.

As one investigative tool, the landlord often asks the resident to use the Noise App, which makes use of the residents' mobile phone to provide evidence of the noise disturbance they have reported. The landlord's policies and procedures do not make reference to the Noise App, but its officers appear to rely heavily on it even in cases where the value of the evidence it could provide is doubtful. For example, because the Noise App has to be activated by the resident and only records for a short period of time, it would be difficult (if not impossible) for the resident to use it to evidence loud but infrequent bangs when they are sleeping at night. We have seen evidence of problems with the Noise App information not feeding through to relevant staff at the landlord for their review. In response to our findings, the landlord checked and found the Noise App working as expected. It notifies relevant staff when a report is made, staff know how to log and review the information provided, and how to manage a user's account

The emphasis on using the Noise App may be linked to a possible resource issue highlighted in one of our cases, where we saw a long waiting time for more sophisticated noise monitoring equipment to be installed in the resident's home (case 202209316).

Not working with others

It is often appropriate and necessary for the landlord to involve other relevant professionals (for example, the police or welfare agencies) when responding to a report of ASB. However, the landlord is not consistently taking this important step to provide a holistic and effective response.

We have seen many examples of the response to ASB being allowed to drift onwards without progressive actions to move the situation forward in some way. The landlord's procedure requires a monthly review of open ASB cases, yet we have seen that this is not always being done.

Poor communication

Experiencing antisocial behaviour is highly distressing for residents, and only made more so when the organisation they have approached for a response and support in resolving the issue does not give them the information they need. Many of the cases we looked at showed that the landlord's communication with residents has been poor. Residents are not told what they need to do and why, and the landlord is not explaining accurately (or, in some cases, at all) what it can and cannot do and why. We have also seen residents left in the dark, leading them to feel abandoned as the landlord has not updated them on progress or relevant changing circumstances. We have also seen that the ASB case may be closed without informing the resident.

Lack of enforcement

The landlord has a number of enforcement tools available to address ASB, up to and including evicting a resident who is behaving in an antisocial way involving a serious impact on others. However, our casework has shown that it was not considering, or using, all of them. For example, we have not seen evidence that the landlord was routinely considering (or evidencing that it has considered) options such as swift and specific formal warnings, acceptable behaviour contracts, or seeking civil injunctions.

Poor documentation

As with repairs, we have found that the landlord has not been keeping accurate and complete records in relation to reports of ASB. This causes unreasonable delay as the resident is repeatedly asked to re-evidence the issue. If the landlord has already taken action, this may be unclear from the records and processes re-started. Evidence for the landlord's conclusions has been unavailable, and resident's vulnerabilities have not always been documented.

Case Study – 202217733

Ms W lives alone in a one bedroom flat. She told the landlord about her health issues. After making reports of ASB over several years she told the landlord she could “no longer take anymore”. Nightly noise from the flat above impacted her sleep and therefore her health. She reported this over the next three months. The landlord’s staff noted hearing noise during calls, and that Ms W seemed upset and tired.

Noise and water were entering her property because there were no floor coverings in the flat above. She was concerned about privacy because it was possible to see through gaps in the ceiling. Despite escalating her reports internally, with an urgent request for a response, the landlord did not respond to Ms W. She felt vulnerable and intimidated and began sitting and sleeping in her car to get away from the noise. Four months after her initial request for help, the landlord told her to download the Noise App to record the noise on her phone.

Ms W spoke to her neighbour about the noise but this did not help. She told the landlord rats from the flat above were entering her flat, and urine was dripping through from a leaking toilet above. After a year, the landlord said it would inspect. It found the flat needed carpet. The landlord had told the upstairs neighbour eight years previously that they were breaching the lease due to the lack of carpet, but had not followed up to ensure it had been fitted.

Ms W’s neighbour began sending her intimidating and threatening letters, and she told the landlord she felt she needed to move. The landlord did not respond.

Ms W contacted the landlord 25 times in 16 months. She continues to experience the same issues she raised years ago. The landlord has declined to provide adequate flooring in the property above, and the neighbour is unwilling to pay for it.

We found the landlord failed to take reasonable and proportionate action to resolve the noise nuisance which was causing Ms W extreme distress. The landlord knew about Ms W’s vulnerabilities, and the impact of ASB, but did not refer her for support, offer mediation, or describe or set expectations about what it could do to help Ms W. It did not give her timeframes, or follow through with enforcement action. This was severe maladministration, and we ordered the landlord to pay her £3,920 compensation, and an in-person apology from the Chief Executive. We ordered the landlord to ensure adequate flooring was now in place and take action if not, and review its policies and procedures.

Case Study - 202209316

Mr T lives in a one-bedroom flat in a block, and is supported by a representative because he has learning (limited ability to read or write), physical and mental health difficulties. He relies on support workers to help him speak to the landlord. He began reporting excessive noise happening between 4am and 6am from the flat above some years ago, which stopped him from sleeping and badly affected his conditions. For example, he had begun to have epileptic fits for the first time in over 15 years. The landlord's ASB policy says it will investigate noise reports that happen at unreasonable hours.

A month after Mr T's reports the landlord did a risk-assessment, but failed to complete the 'vulnerabilities scorecard' section. This meant Mr T was immediately disadvantaged in his ability to participate in the ASB process and the information the landlord requested. The landlord only took his vulnerabilities into account three years after his initial complaint.

The landlord focused on explaining to Mr T that the noise was 'normal living noises' so it could take no further action. It did not appreciate that there were now four people living in a one bedroom flat above Mr T, and he had been happy at the property for nearly 20 years before this. Rather than investigate and address the noise, the landlord tried to manage Mr T's complaint. It took no action to establish the nature of the noise, consider the impact, or look at reducing or eliminating it. It did not demonstrate adequate levels of fairness, empathy and respect, or show that it understood his particular needs.

The landlord initially said (without offering a reason) a noise recording machine was not required. It eventually installed a machine after a year, which showed substantial, incredibly intense and intrusive noise. The landlord falsely told Mr T it played the noise to the neighbour. The landlord continued to fail in its responsibilities to Mr T and in its record keeping. It waited years to establish what flooring was in place, or to look for solutions to reduce the noise.

Mr T felt the landlord had not investigated his complaints effectively, and was rude and dismissive. The way it handled his complaints exacerbated his feeling of being ignored. The landlord took six months to send some responses, did not follow its own process, did not investigate issues Mr T raised about staff or why it had acknowledged the evidenced noise was 'substantial' but then closed the complaint shortly afterward without taking any action. Instead, the landlord suggested Mr T seek alternative accommodation, making him (rather than the noise) the problem.

We found severe maladministration for both the way the landlord responded to Mr T's noise reports, and for its complaint handling. We ordered the landlord's Chief Executive to apologise to Mr T in person, pay £4,500 in compensation and carry out a review of its ASB record management and policies.

The landlord's actions to improve its response to ASB and noise reports

The landlord has already recognised it has a major issue in its handling of reports of ASB and noise. It commissioned an external review of its ASB processes which reported its findings in June 2022. These included that there was, in general, no case management approach being taken on ASB, a fragmented set of procedures, and no case management database or other fit-for-purpose case management system. There was no training plan, and a lack of performance management. The findings reflect many of the issues we have noted in the cases we have looked at: poor quality investigation, lack of communication and follow-up with residents, limited enforcement action, staff not having the time to make records, assess and document vulnerabilities, and create action plans. Residents said their options appeared to be to report the issue to the police, or to move house. They reported difficulty using the Noise App, and poor expectation management by the landlord. Indeed, false expectations had been created by a confusing website which indicated an officer would contact them following a report. The review found that the ASB action plan appeared aspirational; there were no milestones or timescales. It is clear from reading the review report that the landlord's systems for responding to reports of low-level ASB were inadequate and significant work would be required to improve them.

It appears the landlord began work on updating its ASB policies and procedures in October 2022, coinciding with the publication of *Time to be Heard*. This was a positive step. However, we have not seen evidence that the landlord self-assessed against the report's recommendations using the tool we published.

In November 2022, the landlord appointed an ASB Programme Manager, and put in place a project structure including a steering board chaired by the Chief Executive. The following month the landlord told us it was establishing a monitoring report for managers to have oversight of the quantity and the quality of records.

The landlord carried out a 'rapid review' of Community Safety, Housing & Adult Social Care between February and March 2023 (sent to us in September 2023), to try to ensure residents were receiving the right support according to their often complex needs. Staff highlighted the need for better clarity on roles and responsibilities across and between teams, clear boundaries to address potential conflicts between teams within the landlord who have competing constraints, improved communication, a more co-ordinated response with clear escalation points. The review also identified that there are a number of meetings and panels aimed at problem-solving but not necessarily a clear understanding of the function of them all or of the overlaps or gaps. The landlord acknowledged the need to reduce duplication, simplify and streamline these and to have better oversight of the meetings and panels, and stronger escalation and management of actions, and suitable enforcement action.

In April 2023 the landlord indicated to us it had established a broader ASB project group and the action plan for this work would include reviewing its approach to noise nuisance and self-assessing against the *Time to be Heard* recommendations.

The landlord told us that it had offered staff training on ASB over the previous year (so, going back to July 2022) and that 'most' staff had attended. It provided refresher training delivered by an outside organisation during July and August 2023. It sent us copies of the training materials (undated) which cover how to use the ASB policy and procedures. Its internal staff newsletter of July 2023 includes a section asking staff to improve record-keeping. The landlord has also (in line with an order we made following an investigation) trained staff on updating the resident on progress, a timely response, and record-keeping. The landlord told us it provided training on 12 July and 26 July, and further training would take place on 6 September 2023, and 4 October 2023. It sent us the training materials, which were the updated process documents, a leaflet for tenants who may need to move home because of violence or harassment, instructions on how to open an ASB case using the landlord's IT system, and an email to staff outlining expectations for when to open an ASB case.

The landlord updated its ASB procedure in July 2023 to include timescales for case reviews. In August it sent us what appears to be a draft (there are comments embedded in the document) of proposed ASB case management documents (for example, a risk assessment and action plan). The landlord told us it is working on a review of its service in line with *Time to be Heard*, and has begun designing and implementing a Good Neighbourhood Management Policy.

It is also reviewing its record-keeping and document retention policies. In August the landlord sent us its (undated) self-assessment against the recommendations in the *Spotlight on Knowledge and Information Management; On the Record*. This shows that the landlord has taken action on each of the recommendations, with further actions to come.

In early September, the landlord held a meeting of relevant senior staff to discuss rationalising and streamlining the problem-solving meetings and panels for complex cases. This is encouraging, but we note that even after some time the process appears to remain in the planning and development stage.

The landlord is yet to devise and publish a Good Neighbourhood Management Policy, or tell us how it meets the requirements of *Time to be Heard*, which we ordered it to do after one of our investigations. Action on this is overdue.

The landlord is currently working on the following additional steps:

- A new corporate ASB policy which will cover all areas of the local authority's response to ASB, to be in place by the end of 2023;
- A housing services policy and procedure that will fit with the corporate ASB policy but be tailored to the activities of the relevant housing staff.
- A Good Neighbourhood Policy to guide the response to reports of noise which are not deemed ASB.

The landlord's draft housing-related ASB policy gives guidance on risk assessment, a triage process, and timescales for a response. It is clearer on who is responsible for what, and by when. It includes information on when to consider particular response actions (such as mediation). It also includes more specific information on how managers should monitor and quality assure each case, to include looking at notes and records. An independent review process is triggered if a case is open for more than 6 months, and includes a panel aimed at early intervention to access support for vulnerable residents and provide an effective safety planning strategy.

However, the case management documents currently in use are unclear whether there is any managerial oversight of 'low risk' reports. This lack of oversight may result in 'low risk' developing into medium or high risk, with the resident suffering in the meantime.

Based on a preliminary assessment of our more recent casework information, we see evidence that residents' experience has not yet improved: three recent cases bring out the same themes as the older casework. Of particular concern, in one of the cases considered in this investigation where we found maladministration in the landlord's response to the report of noise and also record-keeping, the resident returned to us in early April 2023 to complain about the landlord's ongoing failure to address their reports of noise nuisance.

Complaint handling

The Housing Ombudsman's Complaint Handling Code, first published in July 2020, sets out our complaint-handling expectations. When a resident complains, a landlord's response can either repair relationships and drive service improvement, or it can erode trust and cause feelings of frustration, resentment, and powerlessness among residents. It is imperative that landlords provide high quality timely responses to complaints.

The landlord is not currently doing enough to promote its internal complaints process specifically to residents as a way of resolving disputes. This is a significant concern. Done well, the complaints process can bring individual residents resolution, and also flag up wider issues to senior management. Unfortunately, as we set out below, the landlord will need to improve its complaints process as well as properly promote it.

Nor is the landlord currently using the complaints process to its full potential in terms of learning where there are themes and trends to the issues residents are bringing through it. The landlord told us it is doing monthly reviews of complaints received which are linked to damp and mould but we have not seen any specific example of such a review despite asking for one. Similarly, we could not see specific evidence of learning from damp and mould complaints in the quarterly complaints report the landlord sent us. The landlord has complaints in its system that we are not aware of, and it should not limit its learning only to cases where we (or the LGSCO) have made a determination.

While we have not found a theme of failing to accept complaints, sometimes the landlord needs to take a more nuanced approach rather than a blanket response. For

example, where the resident is a leaseholder (someone who has bought a long lease) the landlord has not always recognised that it can (and should) consider part of the resident's complaint. Instead, it has simply referred the resident to the First Tier Property Tribunal.

What our casework tells us

Complaint handling was a factor we looked at in all but one of the cases we reviewed for this investigation, and we found failings in each of those cases.

Unreasonable delay

Until March 2022, the landlord operated an unnecessarily protracted complaint process which involved three distinct stages: Stage 1, Stage 1 Review, and the Chief Executive's Stage (stage 2). There was little value to the resident in the Stage 1 Review, and it caused unnecessary delay. In the most delayed case (caused by a number of failings combined) the complaint was with the landlord for over 3 years.

Additionally, the landlord was not meeting the timescales required by its own policy (or by the Complaint Handling Code) particularly at Stage 2, which the landlord called the Chief Executive's Stage. We saw delays measured not in days or weeks, but in months. In the worst example, the landlord took 14 months to issue a Stage 2 response. Although the landlord would respond to residents who escalated their complaint saying they could not begin investigation due to the high volume of complaints, they did not give an expected response time or even routinely update the resident during these delays.

Case Study 202120513

Miss R lives with her daughter in a flat, with neighbours in a flat upstairs. She asked the landlord for help after suffering from lack of sleep due to noises from the flat above. She reported feeling depressed, distressed and anxious, especially because her school-age daughter was unable to sleep.

Miss R used the landlord's noise app to record the sounds throughout the day and night. The landlord took some steps to try to assess the noise, but we found it had not listened to the reports Miss R was sending, took only basic steps in trying to review the problem, and told Miss R the noises could not have been that bad if other neighbours had not heard them when there was no evidence it had contacted any of her neighbours to ask.

Miss R experienced a number of issues with the landlord over the following three years, including an overly long and complicated complaint process, and poor handling of her noise issues.

Miss R was left feeling ignored because the landlord was not communicating with her. It cited telephone issues and lost emails factors in the delay. We found the landlord's lack of record keeping meant that it was often unable to locate Miss R's communication in its centralised system, and it did not Miss R's complaint correctly from the beginning. This meant staff could not see all the contact she had made, and did not prioritise her correspondence in line with its own policies.

The landlord made Miss R go through its complaint process three times before giving her a final outcome. Overall, this took three years. The landlord's failings included lack of information, unexplained delays, and a failure to recognise the impact of its own admitted failings.

We found severe maladministration because the landlord had significantly failed Miss R during its complaint process, and maladministration in both the handling of her noise report and the landlord's record-keeping.

We ordered the landlord to apologise to Miss R, and pay her £1,200 compensation. To improve its future complaint handling, we ordered it to provide refresher training for staff and review its failings to learn from them.

Case Study 202010660

Mr G is a leaseholder. He told the landlord that water was leaking into his property from the roof of the building. As freeholder, the landlord was responsible for completing any repairs to the structure of the building, including any roofing repairs.

The landlord took no action, so seven months later Mr G reported the issue again. The landlord did some work but did not record what it had done, or meet the repair timescale in its policies.

Mr G complained, questioning the repairs and the quality of the work. The landlord did not respond for a further five months, with no explanation for the delay. It did discuss a further contact Mr G made during this time, but its lack of record keeping meant it could not evidence this discussion.

Mr G escalated his complaint to stage two, but the landlord did not reply to his complaint for 123 days. Mr G had faced nearly a year's delay from sending his first complaint, to receiving the landlord's final response.

The landlord did not comply with the Housing Ombudsman Complaint Handling Code when responding to Mr G's complaint. In addition to the delayed responses, it failed to acknowledge Mr G's complaints, did not contact him to discuss the complaint, did not explain why it was not progressing parts of his complaint, and failed to give timescales. The result was a drawn out, difficult complaint process that disadvantaged Mr G. He was unable to give his full account of the complaint, which was not in line with a fair investigation. The landlord also failed to tell Mr G he had the right to contact us for help.

The landlord's repair records did not include all the visits, or details of what had been done. The landlord was unable to account for the delay to doing the work.

In its stage two complaint response, the landlord offered Mr G compensation, but the amount was below what its policies and process required, and so did not adequately compensate him.

We found severe maladministration in the landlord's complaint handling, and maladministration in its record keeping and handling of the roof repairs. We ordered the landlord to apologise to Mr G, pay him £1,025 compensation, and review its complaint handling and record keeping.

Poor quality investigation

When residents have eventually received the landlord's final complaint response, it has often been poor quality. This would have been particularly frustrating for residents who had been waiting many months for their final response letter. The landlord did not always respond to all the issues the resident had raised, which is a basic element of demonstrating that the complaint has been heard and taken seriously.

We have seen the landlord make statements it cannot support with evidence (likely linked to poor record-keeping), or provide responses which show little evidence of any meaningful or effective investigation of the resident's complaint. In some cases the landlord has altered its response on key points between Stage 1 and Stage 2, without explanation, which indicates flaws in the complaint investigation during at least one of the stages or poor record-keeping which was not acknowledged. Failings the Ombudsman investigation later identifies (even where it should have been clear that a relevant policy was not followed) have not been identified in the initial, or even the escalated, complaint investigations. These issues indicate a lack of empowerment, capacity or capability in terms of the landlord's officers' ability to investigate complaints.

Inadequate redress

The ripple effect of a substandard complaint investigation is clear. Our cases show that the landlord is not recognising when it has failed, and therefore not fully appreciating the impact of its failings on the resident. Part of a good complaint response is offering appropriate redress to the resident.

Residents often complain when there is an outstanding issue, and they are seeking its resolution. Yet in some cases we saw that the complaint response did not describe a plan or timescale to resolve the outstanding issues, and often placed the onus on the resident to contact different departments in the landlord to get it to act.

The landlord has not been offering adequate compensation for the detriment to the resident, and failed to consistently appreciate the impact on the resident of any failings it did identify. This was particularly the case where the impact on the resident was exacerbated by a vulnerability.

In one case (202210745*) a resident (with known mental health issues) agreed to a mutual exchange and moved out of her current property. The landlord subsequently discovered that in the new property a previous resident had removed a chimney breast, making the property structurally unsafe. There were multiple defects that the resident could not have been aware of, so their agreement to the mutual exchange was not a fully informed decision. She had unwittingly agreed to move to a property the landlord's own staff described as a 'dump' and which she could not live in for safety reasons. The resident spent several months living with her daughter in a studio flat. If the landlord had

*This case was determined shortly after the end of the monitoring period for this investigation but has been included because of the seriousness of its findings

done an adequate inspection, it would have noticed the alteration to the property and been able to advise the resident.

The landlord knew the resident had been receiving inpatient medical treatment which was having an impact on their mental health. It offered compensation for complaint handling delay, but failed to acknowledge any of the other failings we later identified, and did not offer any compensation for the substantial inconvenience and distress associated with a vulnerable resident having given up a habitable home to move to an uninhabitable one and then into temporary accommodation.

In another case (202119071), a resident with disabilities impacting her mobility was unable to use her ground floor wet-room for many weeks, because the landlord failed to carry out repairs and to properly consider her request to be decanted until they were done. We found that the landlord had not offered sufficient compensation for the impact of this on the resident.

The landlord's current compensation guidance appears to have been in place since May 2017. It outlines factors officers should take into account when deciding the appropriate level of compensation. It includes consideration of a resident's vulnerabilities in relation to distress caused by neighbour nuisance, on housing allocation or transfer, and adaptation issues, but not for repairs or for the time and trouble residents take to pursue a complaint. The landlord should ensure that all of the ways in which a resident's vulnerability may exacerbate the impact on them are considered. For example, the policy currently asks staff to consider whether the complainants own actions have contributed to the situation, but without prompting consideration of whether vulnerability underlies any such contribution.

The landlord has been failing to properly apply its compensation policy for complaint-handling delays. The relevant landlord policy requires compensation of £25 per month of complaint handling delay. However, our investigations repeatedly found that the landlord was not following this policy. For example, one resident was offered £75 for a delay of five months and another was offered the same amount for a delay of nine months. A resident who waited 14 months was offered £100 for their delay.

In sincere and inadequate apologies

The Scottish Public Services Ombudsman has published useful [guidance on how to make a good apology](#). Generally, we order apologies in writing. The Scottish Public Services Ombudsman says that when complaints escalate it may be appropriate for the apology to come from a person with overall responsibility for the issues being raised. In our view, where a complaint has been escalated to Stage 2 and an apology is warranted, or we have ordered an apology, it should be made on behalf of the organisation by a relevant and suitably senior member of staff. Where there has been significant detriment, the resident should be given the choice of whether the apology is in writing or in person.

Apologies should be personal, written for the specific occasion, and be sensitive to context. They should include an expression of empathy, acceptance of any failings and responsibility for them, acknowledgement of the impact on the resident, explanation of why the failing happened, and details about what remedy is offered to the resident and what the landlord has learned from the complaint.

We have seen evidence of apologies from the landlord which do not give an impression of sincerity, show only very limited understanding of the failings we have identified, offer no meaningful acknowledgment of the impact on the resident, or any evidence of learning. This is so even where we have investigated, identified failings, and ordered the landlord to apologise for the impact of those failings.

In one example (202206090) the landlord agreed to the resident being away from his property (abroad) for an extended period. Then the pandemic restricted his return and he struggled with his mental health due to his circumstances. When the situation persisted, the landlord asked him intrusive questions without explaining why or what the consequences of non-response might be. It served him with notice seeking possession just prior to Christmas and without giving him a reasonable time to answer. The landlord did not acknowledge the resident's statements about his mental health issues. The resident could not contact the landlord about the situation because the offices were closed during the Christmas period. We found that it was unreasonable of the landlord not to explain why it needed the information and what the consequences might be of failing to provide it, not to give the resident more time to answer, and to serve him with a notice just prior to Christmas when he could not follow up. The landlord failed to consider the impact on the resident, in terms of his mental health. It then took too long to investigate and withdraw the notice. During the (delayed) complaint process it shifted its position and ultimately gave him an inaccurate response. It offered an inappropriate amount of compensation. We ordered the landlord to apologise for these failings. The landlord's apology was sent as a brief email, from the Corporate Central Complaints Team email inbox. The entire text of the email reads:

Dear [Resident],

We write further to the Housing Ombudsman's determination and conclusion of your complaint.

On behalf of Islington Council, we apologise for the decision to issue a notice to quit and notice of seeking possession. We also apologise for the delay in providing a response to your complaint at CE stage.

As instructed by the Housing Ombudsman, we have issued a cheque to you for £475 for the distress and inconvenience caused.

Yours sincerely,

Corporate Central Complaints Team

This shows little evidence our report was fully read and understood. From a faceless “Corporate Central Complaints Team”, it appears insincere and offers no acknowledgment of the impact of its failings or evidence of learning. It does not take the opportunity to mend a damaged relationship.

In another case (202206179) we found the landlord took too long to respond to the resident’s report of noise nuisance, and failed to assess all the evidence, consider alternative ways to resolve the issue, manage expectations or advise the resident when their own behaviour was problematic. It did not speak with them, but repeatedly emailed the same advice when this was not helping, it didn’t involve the police when it should have, and then decided the noise was not statutory nuisance. We also found maladministration because the landlord responded separately (without explanation) to different aspects of the complaint and delayed doing so, and did not offer adequate compensation. The landlord also failed to assess the resident’s vulnerability or consider his welfare needs. Many of its repair records were missing, and it had not kept records of telephone conversations. We ordered the landlord to apologise. In July 2023, a team leader at the landlord wrote to the resident. The letter starts by simply repeating our findings and the amount of compensation we ordered. It then says ‘We apologise explicitly for our failings in the handling of your ASB reports and our complaints handling practices’, before it is signed off.

The resident wrote to us on receipt of the apology. Their understandable reaction was:

‘It would have been reassuring to install some confidence and support to ensure this would never happen again...I do feel this is disingenuous taking into account the scale of the ASB I had received and the ongoing neglect I had witnessed to allow it to continue...I felt the ASB manager’s apology of one and a half lines was embarrassing, but not surprising. I felt it was a gaslight apology from someone I wish to have no contact with.’

Some staff at the landlord do offer considered and sincere apologies, albeit after we have become involved. In one case (202120513) a team leader wrote an apology letter acknowledging in detail what went wrong, apologising for the failings and using specific words showing understanding of the impact on the resident. It describes changes that have been made to the complaint handling quality assurance process, and offers further contact if the resident wishes to discuss these in more detail. It ends *‘I sincerely hope that the above will go some way in restoring your faith in the service’* and it is signed by a relevant member of staff. Unfortunately, while the landlord sent us a copy of the apology letter, it failed to send it directly to the resident at the same time. This error came to light when the resident advised us they had not received the apology we had ordered.

In another case (202215237) a team leader wrote a fulsome and sincere apology following our investigation findings. It includes an explanation of what happened, and says *‘We are aware that this has caused you severe distress and has affected your*

mental health and I acknowledge that we were at fault. We understand that you depended on us...and deeply regret that we failed to deliver.' The letter explains in detail the actions taken to prevent recurrence of the issue. It closes by thanking the resident for the time they took to escalate their complaint because it has '*enabled our service to collectively pause and reflect on your concerns. Your complaint has become the basis of what we will use to strive to improve our service.'* This is an excellent example of a high quality complaint response.

These examples show a significant divergence in the quality of the apologies being received by the landlord's residents in the same few months. There appears to be no standardised process or protocol for how the landlord formulates its apologies and who is responsible for creating and sending them. The quality of the response the resident receives appears to be the luck of the draw, which is unacceptable.

In two cases (202217733 and 202209316) we ordered that the landlord's Chief Executive Officer apologise to the resident in person. Instead, the landlord's Corporate Central Complaints Team sent a written apology to the resident, stating this was done on behalf of the Chief Executive. Compliance with these orders is therefore now overdue. Our orders were specific about the way the apology should be made, and took into account the severity of the detriment the resident experienced in these individual cases. The Scottish Public Services Ombudsman guidance highlights that it is much easier to express and hear empathy and sincerity when it is spoken rather than written, and verbal apologies also provide opportunities to avoid misunderstanding. It is disappointing that the landlord does not appreciate the value of in-person apologies from a suitably senior member of staff in cases where things have gone badly wrong.

Learning from complaints

While there are some recent examples of good learning, overall we have not seen evidence that the landlord has had a sufficient formalised process to ensure it is learning from complaints in any meaningful way, with robust governance and leadership oversight. It appears that complaints are too often seen as a transactional process to be completed, rather than offering substantive value to the organisation. For example, we have seen an email by a senior member of staff which, while asking for improved record-keeping says, among other things, keeping good notes '*means we don't have so many of these annoying complaints upheld.'*

We have seen a failure to detail any learning points in the complaint response itself. Wherever failings are identified, learning points should be included in the complaint response.

When we ask the landlord to describe what action it has taken in response to our orders, we have seen vague language about what the lessons were and what changes have been made. For example, in two separate cases in March 2023 the landlord sent us the same written response which said it had reviewed the handling of the complaint to identify lessons, and that '*the outcomes will help us to improve our record keeping,*

complaint handling and outcomes for tenants/service users moving forward. It did not say what the lessons were, or how they would be used to drive improvement. It gives the impression of a cut and paste response to make the immediate issue go away with minimal consideration or accountability. It gives the impression of compliance with the letter, but not the spirit, of what we have asked it to do.

We see the same failings repeated time and again despite complaints, which indicates that the landlord is not effectively learning from what its residents are desperately trying to make it understand.

Insight from recent complaints to the Ombudsman gives little indication that action the landlord has taken so far has consistently improved the quality of complaint investigation and response. For example, in one case a stage 2 response shows little evidence of investigation even where the resident has raised serious concerns about structural safety. The landlord did not acknowledge a seven month period repairing large structural cracks or explain why this happened, offer any action plan, acknowledge and apologise for the impact on the resident, or offer assistance. In addition, the resident had reported mould in January 2023 and while the landlord treated it in late January the response simply says the resident has made no further reports of mould since then (rather than being proactive and following up or offering to do so in light of the complaint) and offers no other attempt at resolving the issue.

The landlord's actions on complaint handling

In March 2022 the landlord removed the Stage 1 Review part of its complaint handling process, and now operates a two-stage process with timescales that meet the requirements of the Code.

Following the announcement of our investigation, the LGSCO notified us that it had also begun investigating the landlord's complaint handling delays. It is clear from statements made at a public scrutiny meeting on 21 February 2023, where the landlord acknowledged that some of its senior officers had been aware of the backlog, that the LGSCO's investigation had prompted the action on complaint handling delays that the landlord is now taking. These statements indicate that despite knowledge of the problem, it again took intervention from an outside organisation to prompt comprehensive and effective action.

We told the landlord in January 2023 we could see it was frequently not meeting its complaint response timescales, or updating residents experiencing delays. We asked the landlord what it was doing about the delays that had built up, and for confirmation it had written to all residents experiencing delays to tell them about their right to contact us. Following our suggestion, the landlord wrote to all residents facing delays to apologise, and advise of their right to approach us.

The landlord told us a backlog had developed because of a dramatic increase in complaints (primarily about housing) and that the Corporate Complaints Team which managed all Stage 2 complaints has been significantly impacted by this. It told us how

many additional staff it had recruited to deal with the backlog, and that it had commissioned an independent review of complaints (beginning on 13 February 2023) to identify immediate actions to improve the management of complaints, to review and improve the procedures across the landlord, and to fully review the complaints operating model. It is notable that this was commissioned after two Ombudsman offices had expressed concerns.

We also told the landlord in January 2023 that its complaint policy was not compliant with our Complaint Handling Code in a number of ways, and asked it to review this and complete a new Self-Assessment. In March 2023 the landlord brought its complaint policy in line with the Complaint Handling Code.

The landlord has allocated an additional £350,000 towards complaint handling staff resources and used temporary measures (staff recruitment for additional resource) to clear the Stage 2 backlog (although we suggest below this may not have been wholly successful).

In early April 2023 the landlord told us that it had still to complete the review of its policies and procedures as part of a wider piece of work on the complaints function. It would be reporting on this to the Corporate Management Board by the end of April. We requested a copy of that report, and we received a copy of a report to the Council Executive (22 June 2023) on the LGSCO's investigation, and a June 2023 version of the Complaint Improvement Plan.

In May 2023, the LGSCO published its investigation report, finding that despite knowing it had a (growing) backlog the landlord had been too slow to act on recruitment, and had not updated complainants regularly during the delay. The LGSCO has confirmed that the landlord has complied with its recommendations:

- to explain what it has done or will do after having considered the LGSCO's report, and consider the report at its full Council, Cabinet or other appropriate delegated committee of elected members; and
- to write to complainants it has identified to apologise for its delay responding to their Stage 2 complaints, set out the steps it has taken to reduce the backlog, and advise that they have the right to complaint to the LGSCO if they remain dissatisfied with the response; and
- update the LGSCO on the backlog for its Stage 2 responses.

In May 2023 the landlord sent us a report it had commissioned which benchmarked its complaints performance against other comparable landlords, with particular emphasis on complaints relating to repairs. This report looked quantitatively at the landlord's complaint performance and concluded that it was not an outlier and was arguably performing 'better' than similar organisations which responded to the survey by the external organisation. It used data from the financial year 2022/23. However, it is not an indicator of success to merely avoid being an outlier in what might be a poor-quality

field. We have looked in more depth at both delays and at qualitative issues within the landlord's complaint responses and found much that concerns us.

The landlord's report to its Executive (22 June 2023, sent to us 21 July) says the Stage 2 backlog was cleared on 16 May 2023. We have looked at more recent cases where residents have approached us, and there are examples which undermine this statement.

For example, a resident escalated their complaint to Stage 2 on 8 March 2023, and the landlord issued its Stage 2 response on 6 July 2023. . Another resident's escalated complaint was belatedly acknowledged on 3 May 2023, and the response issued 25 working days later. That resident clearly experienced a response time not in line with the Code, after mid-May 2023. We have also seen a resident clearly state they wished to escalate their complaint to Stage 2 on 23 September 2022 and only receive a response on 4 July 2023. The landlord incorrectly stated in its response that the complaint was escalated on 9 June 2023. One resident who was due a complaint response on 22 March 2023 has yet to receive one (though there has been other communication with the resident) despite having expressed further dissatisfaction at this lack of response. The landlord appears to have ongoing issues with its complaint response times which it must urgently resolve with a sustainable solution.

The landlord's mystery shopping evaluation report in November 2022 also looked at complaint responses. It found that a resident who telephoned stating they wished to complain about a service charge was directed to contact the Service Charge team themselves. Callers could not get through to the complaints team by telephone. The May 2023 evaluation found evidence that the complaints telephone line repeatedly goes to voicemail. Residents who were able to get through were given the email address to write with their complaint, rather than having their complaint taken verbally. These are all factors contributing to delay in a resident receiving a response when they want to complain, and evidence that the landlord has more work to do.

By June 2023, the landlord had designed an approach to monitoring and reporting on any complaints backlog, and determined what a new 'normal' demand on the complaints service will be. It has designed a 'Complaints Improvement Plan' which looks wider than just at delays. It includes using a complaints management system, training staff, achieving consistent reporting on complaints, quality assurance processes and improved oversight, presentations (rather than emails) to disseminate learning, putting Key Performance Indicators and performance reports in place, and a review of the compensation policy.

The landlord has put in place a new complaint progress tracking system, and created a system for updating complainants regularly while they await a response, and a new way to monitor performance. It has ensured actions are automatically assigned to staff, rather than relying on emails being sent and then read.

However, it remains unclear that the landlord has implemented a sustainable structural solution to producing high quality and timely responses to the growing number of complaints it receives.

Compliance and remedies

In the 30 cases determined, we ordered and recommended the landlord to pay £66,441 in compensation to residents. We also made 186 orders and recommendations to try and prevent the same problems happening again. The landlord has complied with its obligations in relation to our orders aimed at preventing recurrence of failings.

The individual orders and recommendations can be found in the investigation reports on our [website](#). Our decisions are published to our online casebook three months after determination. In some cases we may decide not to publish a decision if it is not in the resident's or landlord's interest or 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:

Between December 2022 and June 2023, we asked the landlord to take the following actions aimed at trying to prevent the problems happening again:

Disrepair

- Review specific cases for how it can reduce the risk of similar failings happening again, including where there was damp and mould looking at similarly constructed housing blocks to identify common issues
- Review its policy and procedure for dealing with vulnerable residents, and ensure it is considering and documenting residents' vulnerabilities
- Review how it notifies residents about communal works
- Train staff on understanding the impact of failings on the resident
- Review how it engages with support services when there are evident welfare needs
- Ensure a proper oversight process of third party management agents
- Ensure it has suitable contractors available for specialist works

Antisocial Behaviour

- Self-assess against the recommendations in *On the Record*, and review its ASB record-keeping practices to ensure all ASB case information is logged and accessible, and vulnerabilities are documented
- Train staff on the ASB procedures, keeping residents updated, and record-keeping
- Ensure the Noise App is working properly and staff know how to use it

- Ensure it completes the monthly managerial case reviews
- Ensure vulnerable residents can use the ASB process fully and that evidence-gathering is accessible and inclusive, and set out clearly what vulnerable residents can expect when reporting ASB
- Put in place a Good Neighbourhood Strategy to manage noise that is not ASB
- Review its approach to noise nuisance and tell us how it meets the recommendations in *Time to be Heard*

Complaint Handling

- Review its complaint handling to address failings and learn lessons from various individual cases, including its process for updating residents when the complaint response is delayed, how it decides what evidence is required to consider a complaint, and the application of its compensation policy
- Ensure additional oversight and quality assurance of its complaint investigations and findings
- Train staff that complaints can be made verbally, on understanding the impact of failings on the resident and on joint handling of the complaint where more than one department within the landlord is involved

Conclusions

Many of the underlying themes we have identified are present in multiple individual cases, each contributing to the resident's poor experience so that there is a compounded effect.

The landlord should be commended for its willingness to be open and transparent about the challenges it faces and its failings, and its positive engagement with outside agencies who aim to assist it to improve. It has shown awareness that it may lack the knowledge to address its own barriers to improvement, and readily involves external experts as 'critical friends' to assist it. The landlord has taken action in several areas, has sought to monitor the effectiveness of these additional measures and has been able to provide clear evidence of the impact these are having. The focus of the leadership on embedding change is evident and encouraging.

However, the landlord still has significant work to do to improve services, and we have identified factors that in our view indicate wider service failure. We have found evidence of policy weaknesses (the damp and mould policy not being updated, and the complaint handling policy not being in line with the Code until after this investigation had begun). We have also found evidence of repeated service failure (from our casework) which cuts across multiple service areas (disrepair, ASB, and complaint handling). The way in which the same issues recur indicates failure to learn from complaints. We have also identified a lack of managerial oversight to ensure that officers are appropriately capable and empowered to follow the policies, procedures and guidance that the landlord does have in place, and to work effectively with different teams and agencies.

The landlord needs in particular to improve its record-keeping practices. Knowledge and information management (including basic record-keeping) failings continue to hamper effective responses to residents reporting the need for repairs, and ASB. It will also impact the landlord's ability to give a high quality response to a complaint. Staff and contractors should routinely be making more comprehensive, clearer, notes. This is particularly important where information is passed on verbally. If a policy requires specific documents to be completed then they should be fully completed. The information should be stored in a case management system to which all appropriate staff have access and are required to use.

Crucially, managers should proactively monitor officers' capability to create accurate and complete records in a structured format and store them in the correct place. The landlord should implement a structured quality assurance process that guides managers on how to ensure good quality (clear, accurate, complete) records are created and stored in the correct place. The landlord's leadership should acknowledge that good record-keeping and case management, together with managerial monitoring and oversight, takes time at the front end (which will impact on resources). Otherwise, front-line record-keeping failings will continue to cause delay and frustration, not to mention extra expense.

Disrepair: damp and mould

Overall, the landlord's recent intensive approach to tackling damp and mould is welcome. The landlord should seek to replicate the comprehensive and zero-tolerance approach it is now taking on damp and mould so that it benefits the whole repairs service.

The landlord should add to its programme of improvement by amending the policies and procedures around void periods, as they currently contain unnecessary hand-offs between teams responsible for repairs. The landlord has told us that these hand-offs have been removed in practice, but the written procedures will need to reflect this change. While we acknowledge that there is pressure to make properties available as quickly as possible, the void period is an important opportunity to carry out works while minimising access issues and without impact on residents. Similarly, the mutual exchange policy and procedure should be reviewed and amended as part of a comprehensive approach. As part of this review, any references to the onus being placed, either directly or indirectly, on the resident as the responsible party should be purged.

The landlord will need to ensure that its forthcoming damp and mould policy includes ways to quickly identify and escalate complex cases for very senior oversight afforded the capacity and authority to make well-informed decisions on unusual solutions. It should seek to promote full information-gathering and assessment, a root cause approach, and action planning at an early stage, with a focus on mitigating the impact on the resident as soon as possible while longer-term measures are taken. The complexity of the case should not routinely be determined only after several appointments and assessments (when relevant information was clear from the start), months of delay, and a list of short-term single-issue responses which miss the underlying issues either in the repair itself or any factors relating to the resident's individualised needs.

The landlord has told us it has set up a Damp and Mould Casework Board for this purpose. However, after reviewing the documentation there is one officer attendee listed in the terms of reference, and the frequency of meetings is now unclear. Although the case example the landlord sent us includes a box for case-specific target dates and the name of the responsible officer, this information is not completed, which is a significant gap that does not give confidence in this Board as an effective escalation and oversight mechanism.

The landlord has improved its website content relating to damp and mould, but it still distances itself somewhat from a shared responsibility for addressing ongoing condensation issues, the causes of which may be overcrowding or structural issues which are not the resident's fault or responsibility. Conversely, the training materials we have reviewed are clear that it is everyone's responsibility and it should be reported if officers see it, and that the landlord has responsibility for responding to condensation. The landlord will need to continue to ensure that the training is provided to all incoming

relevant members of staff, is refreshed regularly, and communication about the landlord's responsibilities is consistent internally and externally.

The landlord should improve its communication with residents who have reported damp and mould. One recommendation in *It's Not Lifestyle* was to send the resident the damp survey report. We asked the landlord if it was doing so, and it confirmed it was not but would look at 'implementing a process' for doing so. It is unclear how much process is required to send a document to a resident and it remains unclear that this is now happening routinely. The landlord should also be able to tell the resident the next steps.

The landlord is experiencing challenges with residents not responding to written communications in its attempt to follow up on historic damp and mould reports and it should ensure it uses alternative measures as soon as possible to ensure it is doing all it can to engage with residents who have not yet responded, and who may be silently living with damp and mould. These residents may be vulnerable, or particularly hard to reach for other reasons, and it is important that the landlord 'finds its silence'.

Antisocial Behaviour

The landlord's actions to improve its response to ASB through full corporate review are a positive step. Our investigation has identified, though, that the landlord's officers have not been following the policies and procedures that are in place. We have not been able to identify why this is the case, based on the information available to us. However, we suggest officers may have lacked the time, or possibly training and expertise, to carefully apply the policies after gathering all relevant information. Revised policies and procedures will likely offer clarity and streamlined processes, but they will only result in improvement in residents' experiences if officers follow them. The key to change is ensuring officers involved in responding to a report of ASB or noise are capable and empowered to use the procedures to their full potential. Management and leadership oversight and attention to the case-specific details is crucial.

So, the landlord will need to take steps to ensure its officers do follow the policy (old, and new) and this may include measures to provide further training, time, and support to do so. The landlord will need to ensure that its managers monitor how all staff are applying any training, and working in line with the policies and procedures. It should also ensure effective managerial oversight and the empowerment to escalate cases which have reached inertia. Given the issues with poor record-keeping that we have found, managers should proactively monitor the existence and accuracy of records.

The landlord needs to ensure its staff properly investigate reports of ASB or noise. We have seen too many gaps in evidence-collection and analysis before conclusions are drawn. For example, the Noise App is commonly used but is not mandated by any policy, with any guidance on when and how residents should be expected to use it. The landlord should make its staff aware of the limitations of the Noise App, and the corresponding weight that should be attached to the evidence it can usefully provide depending on the circumstances of the case.

The landlord's updated webpage on Anti-Social Behaviour provides a definition. It directs residents who want to report a 'noise nuisance' to a separate page which says officers will not investigate 'everyday living noises'. The website content offers no guidance or support to residents whose quality of life is being severely impacted by noise disturbance or transference which is not resolvable through a conversation with their neighbour. Once the landlord's Good Neighbourhood Strategy is in place, the website should be updated to inform residents about actions the landlord can take where the noise transference is not deemed to amount to ASB but where the impact on the resident's quality of life is significant.

It is also vital that the interface between the forthcoming Good Neighbourhood Strategy and the ASB policies and procedures is smooth. The landlord should include mechanisms for determining at an early stage (to include proportionate preliminary investigation steps and evidence-based decisions) which of the policies it will use to respond to the residents' report. Changing circumstances should prompt reconsideration, and the triggers and pathway for moving from one policy to another should be clear. The landlord should ensure that no residents reporting noise or behaviour which concerns them fall through a gap between them and are not followed up.

The Local Government and Social Care Ombudsman recently published its report '*Out of Order: learning lessons from complaints about antisocial behaviour*'. Many of the issues it highlights are reflected in our findings about the landlord's responses to reports of ASB and noise. The learning points within that report will be helpful to the landlord when it seeks to improve.

Complaint handling

The landlord's complaint handling is not meeting the expected quality standard, and the landlord has not fully appreciated the importance to residents of getting its complaint responses right and working in line with the Code, or the consequences when it fails to treat complaints with the respect and seriousness they deserve. It is missing the opportunity to fully embrace the complaints process as inherently valuable in highlighting where improvement is needed, and restoring trust with its residents.

Leadership on the importance of high quality complaint handling should come from the top. This will empower the landlord to use the complaint handling process to resolve immediate issues, drive improvement in the longer term (by leadership awareness of ways residents experience the services), and repair broken relationships with its residents. The landlord must establish full quality assurance of complaint investigation and responses, and procedures to ensure learning from complaints which (crucially) results in service improvement. The landlord's most senior executives should have sight or sign-off of the responses to escalated or complex complaints.

Without this sustained focus, the landlord risks residents being left feeling unheard and approaching us during the landlord's own internal complaints procedure for assistance.

The challenges facing London councils are significant. But it is essential that the central role of housing management is not lost amongst other competing pressures, not least because it is crucial to the success of wider statutory services provided by them. Complaints are a vital tool to help navigate and respond effectively to these pressures.

Recommendations

Within three months the landlord should publish and provide the Ombudsman with evidence of how it intends to:

Cross-cutting issues

1. Take a consistently SMART approach to improvement measures, using active language to plan and to drive accountability, with regular oversight from senior staff.
2. Enable and empower services to work together effectively, both internally and with external agencies. This should include allocating ownership of cross-departmental issues, to co-ordinate the investigation and analyse the issue before planning the most effective response.
3. Improve the quality of the investigations into service requests carried out by its staff or contractors to address the failings identified in this report.
4. Train its staff and its contractors on how to communicate clearly and appropriately with residents about who will do what, why, and when.
5. Put in place formal procedures for proactive managerial oversight of record-keeping designed to ensure records are complete and accurate, and stored in the correct place.
6. Ensure that its staff are properly considering any vulnerabilities of a resident and how that might impact the landlord's response.

Disrepair

7. Carry out comprehensive research into the reasons for ineffective appointments and create an action plan to reduce the number.
8. Improve oversight of repairs which involve third party contractors or managing agents.
9. Proactively consider what can be done to mitigate the impact of more complex repair situations on the resident as far, and as soon, as possible.
10. Include in its damp and mould procedure an early risk-assessment that specifically factors in any vulnerabilities, with corresponding timescales for a surveyor visit dependent on the preliminary risk assessment. The damp and

mould procedure should also clarify the escalation trigger points and be clear about ownership and accountability for ensuring a final resolution for the resident.

11. Create an action plan for additional steps designed to establish communication with the residents it has identified as having previously reported damp and mould.
12. Review its void process and procedure to remove unnecessary hand-over points and use the void period more effectively to address any disrepair.
13. Review its mutual exchange policy to ensure it does not place unreasonable onus on the resident to identify damp and mould or other disrepair.
14. The repairs policy should contain a clear escalation pathway if repairs are delayed beyond agreed or expected dates, ensure senior involvement and oversight, and processes to ensure all relevant teams within the landlord work together in a resolution-focussed way.

ASB and noise

15. Self-assess against the recommendations in *Time to be Heard* and use this insight in its policy development. In particular, the landlord should ensure its Good Neighbourhood policy and ASB policy work together coherently.
16. Ensure that relevant staff are fully empowered and supported in applying the procedures for responding to reports of ASB or noise.
17. Put in place structured proactive processes for monitoring officers' compliance with its policy and effectively addressing any failure to do so.

Complaint handling

18. Put in place more effective executive and board level oversight, including its member responsible for complaints, to ensure accountability, and effective and timely learning from complaints.
19. Provide mandatory complaint handling training to all staff, even those not directly involved in responding to complaints, to promote the benefits of complaints and ensure all staff appreciate the importance of complaints, as well as raising the standard of investigation and response.
20. Put in place a coherent complaints process and procedure with clear expectations of quality
21. Ensure that complaint response letters that are escalated to Stage 2, or apology letters in response to orders from an Ombudsman, are brought to the attention of the Chief Executive and are signed off by a suitably senior member of staff.

Statement by Islington Council

We fully accept the Ombudsman's report and recommendations.

We want everyone in Islington to have a safe, decent, and genuinely affordable place to call home. Our tenants and leaseholders deserve a high-quality service, and we deeply regret that we haven't always delivered this in the past.

We've been working to put things right and believe this report further clarifies the actions and resources needed, building on the external critical appraisal we've sought from partners over the last two years.

We've committed to delivering a number of improvements in an extremely challenging environment of long-term underinvestment in social housing, the challenges our residents face with the cost-of-living crisis, and a severe shortage of affordable housing in one of London's densest Boroughs.

In June 2022 we set up a Housing Improvement Board to raise standards and respond to new regulatory requirements. We will build on this and deliver the Ombudsman's recommendations through an expanded Improvement Plan, including:

- **Introducing a new, place-based approach to housing management.** This will mean residents have a single point of contact and staff take ownership of their patch. Alongside our new resident empowerment framework, this will help us transform our housing services over the next two years so they're of the highest standard. We will aim to deliver services as if they are being provided to an important member of our own family.
- **Getting repairs right.** We're focussed on improving communication and working more effectively. We're running additional training for all repairs staff on customer service and learning from mistakes, and implementing new processes on missed appointments and cancellations. We've brought in more staff where needed and have increased preventative investment around damp, mould and leaks.
- **Delivering our five-point-plan on damp and mould.** While we're pleased the Ombudsman notes our progress, we're not complacent. We're using this report and new government guidance to strengthen our response, including trialling new approaches like remote monitoring sensors, and will apply learning across all housing services.

- **Tackling anti-social behaviour (ASB).** We've undertaken a council-wide review of our ASB services and are redesigning them to improve resident experience. We are making it easier to report ASB and will build on this through our new approach to housing management and better use of available enforcement options.
- **Transforming our complaints service.** We've created a dedicated housing complaints service, invested in additional staff and training and are improving processes for quicker decision making. We're introducing a new digital complaints management system to improve oversight and are committed to learning from complaints as part of a wider culture change programme.

We'll continue to report on progress and hold ourselves accountable to our Housing Scrutiny Committee. Crucially, we are also establishing a Resident Service Improvement Group to make sure residents' voices are at the heart of this work. We welcome the Ombudsman's recent call for significant investment in the sector and the acknowledgement that, until the housing crisis is addressed, challenges will continue. We look forward to working closely with the Ombudsman as we continue service improvements.

Housing
Ombudsman Service

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Follow us on  

Annex A – List of cases

Our decisions are published to our [online casebook](#).

	Severe maladministration	Maladministration	Service failure	No maladministration	Redress
202004255		<ul style="list-style-type: none"> • Anti-Social Behaviour • Complaints handling 	<ul style="list-style-type: none"> • Anti-Social Behaviour 		
202006900	<ul style="list-style-type: none"> • Complaints handling • Property Condition • Staff 	<ul style="list-style-type: none"> • Property Condition 		<ul style="list-style-type: none"> • Property Condition 	
202010660	<ul style="list-style-type: none"> • Complaints handling 	<ul style="list-style-type: none"> • Information and data management • Property Condition 		<ul style="list-style-type: none"> • Property Condition 	
202012629	<ul style="list-style-type: none"> • Complaints handling • Property Condition 	<ul style="list-style-type: none"> • Property Condition • Reimbursement and payments 			
202014174		<ul style="list-style-type: none"> • Anti-Social Behaviour • Complaints handling 			
202105172		<ul style="list-style-type: none"> • Complaints handling • Property Condition 			

	Severe maladministration	Maladministration	Service failure	No maladministration	Redress
202109673	<ul style="list-style-type: none"> Property Condition 	<ul style="list-style-type: none"> Complaints handling Information and data management 			
202112423	<ul style="list-style-type: none"> Complaints handling 	<ul style="list-style-type: none"> Property Condition 			
202114943		<ul style="list-style-type: none"> Buying or selling a property Complaints handling 			
202116228		<ul style="list-style-type: none"> Anti-Social Behaviour Complaints handling 			
202116638		<ul style="list-style-type: none"> Anti-Social Behaviour 	<ul style="list-style-type: none"> Complaints handling 	<ul style="list-style-type: none"> Anti-Social Behaviour 	
202116970	<ul style="list-style-type: none"> Anti-Social Behaviour Complaints handling 				
202119071		<ul style="list-style-type: none"> Complaints handling Moving to a property 		<ul style="list-style-type: none"> Property Condition 	
202120513	<ul style="list-style-type: none"> Complaints handling 	<ul style="list-style-type: none"> Anti-Social Behaviour 			

	Severe maladministration	Maladministration	Service failure	No maladministration	Redress
202121287		<ul style="list-style-type: none"> • Complaints handling • Property Condition 			
202126743		<ul style="list-style-type: none"> • Complaints handling • Property Condition 			
202200164			<ul style="list-style-type: none"> • Complaints handling 		<ul style="list-style-type: none"> • Property Condition
202201058	<ul style="list-style-type: none"> • Complaints handling • Property Condition 				
202201138	<ul style="list-style-type: none"> • Complaints handling 	<ul style="list-style-type: none"> • Anti-Social Behaviour • Information and data management 			
202201578	<ul style="list-style-type: none"> • Complaints handling 		<ul style="list-style-type: none"> • Health and Safety (inc. building safety) • Property Condition 		
202203097	<ul style="list-style-type: none"> • Property Condition 	<ul style="list-style-type: none"> • Complaints handling • Moving to a property 			
202203216			<ul style="list-style-type: none"> • Health and Safety (inc. building safety) 		

	Severe maladministration	Maladministration	Service failure	No maladministration	Redress
202206090		<ul style="list-style-type: none"> Complaints handling Occupancy rights 			
202206179		<ul style="list-style-type: none"> Anti-Social Behaviour Complaints handling 	<ul style="list-style-type: none"> Anti-Social Behaviour 	<ul style="list-style-type: none"> Property Condition 	
202209316	<ul style="list-style-type: none"> Anti-Social Behaviour Complaints handling 				
202210653		<ul style="list-style-type: none"> Complaints handling Moving to a property 			
202210715		<ul style="list-style-type: none"> Complaints handling Property Condition 			
202213028			<ul style="list-style-type: none"> Property Condition 		
202215237	<ul style="list-style-type: none"> Estate management Complaints handling 	<ul style="list-style-type: none"> Information and data management 			
202217733	<ul style="list-style-type: none"> Anti-Social Behaviour Complaints handling 	<ul style="list-style-type: none"> Property Condition 			

