

Learning from: Severe Maladministration



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

Published April 2025

Contents

Introduction	3
Timely.....	6
Key learning from timely communication	8
Transparent.....	9
Key learning from transparent communication	10
Tailored	11
Key learning from tailored communication	13
Tone.....	13
Key learning from tone in communication	15
Centre for Learning resources.....	16

Introduction

What is good communications in compliant handling?

This question is important because whatever the sector, poor communication can drive complaints. For social housing, with Awaab's Law 6 months away, confident communication will be essential.

Our report identifies 4 key ingredients:

- timely
- transparent
- tailored
- tone

I have witnessed the raw emotions of residents who have experienced poor communication. It is the most common concern raised at public events.

What can appear to be technical failings make residents feel unheard, dismissed, and stigmatised.

Communication reflects the landlord's culture and values. We know some landlords communicate well and most people working in social housing are committed and compassionate, but we also know communication failings can create a perception of the landlord being uncaring. So, getting communication right will avoid stigmatising residents and rebuild trust.

These 4 Ts are lessons drawn from cases relating to damp and mould because of the proximity to Awaab's Law, although they apply to all complaint categories.

Moreover, the failings in these cases were not isolated to poor communication, but it evidently compounded them. The communication failings were committed by both the service area and the complaints team. And they were internal between teams as well as external with the resident, including contractors and managing agents.

Communication betrays culture.

There are stark examples in this report where communication did not reflect the landlord's values.

This shows again how complaints can indicate whether colleague behaviours are what the landlord would expect, and if organisational values are being lived.

Good communication builds trust that the problems will be fixed.

It manages expectations. It ensures the resident understands what is happening, when and why.

Good communication can also mean a resident feels heard, treated with dignity, and respected. This can include telling residents about appointments. That is so important when the presence of damp and mould can deprive a resident of dignity, cause anxiety, embarrassment and even despair.

Being empathetic is so crucial to striking the right tone and performing professionally, regardless of whether the landlord identifies service failings.

There are so many passionate, committed, and caring professionals who work in social housing. Yet that can disappear with the tone of some written communication.

Landlords may need to find ways to overcome a sense of fatigue or normalisation given the pressures facing colleagues, which we know some have done successfully.

As one landlord put it to me recently, just step back, and put yourself in the resident's shoes.

Good communication also requires clarity and to be sensitive where English is not the resident's first language, or lower literacy may be present. As an Ombudsman, we are also looking to write shorter, less jargon-filled investigation reports, so there is learning for us as well as the sector. These are all areas which also speak to the Complaint Handling Code. Central to effective communication under Awaab's Law is the anticipated written statement. This is an additional step compared to what many landlords presently do. We're yet to see the final specifics, but last year's consultation outlined a minimum standard. The 6 specifics proposed by the government were sensible.

But landlords also need to think about their communication either side of the written statement.

Because at the outset a landlord might decide that Awaab's Law does not apply based on the information available. As landlords will know, this is a big call. Previous severe maladministration reports have highlighted the importance of robust triaging.

Where a landlord decides not to handle a report on Awaab's Law, which it will do, thought needs to be given to how that is communicated to the resident. Similarly, landlords need to communicate clearly with the resident if it decides, on further investigation, that Awaab's Law is not applicable after initially considering the report on the basis that it is. This is something which the government's consultation touched on.

What happens after the written statement speaks to knowledge and information management.

Good communication relies on good records. This is why the proposed written statement could be valuable to the landlord itself, as well as the resident. The challenge for landlords, after that statement is issued quite early in the process, is ensuring the records are accurate, informative, and accessible to tell the landlord and resident what happened next.

At its heart, poor communication during the complaints process can compound failings by a service area. Instead of providing an opportunity to regain the confidence of the resident that the landlord is listening and taking action to put things right, it can further undermine trust between resident and landlord. Given most residents will remain with the landlord, that is unsustainable which is why I would urge the Member Responsible for Complaints to focus on those 4 Ts in their organisation.

We hope this report is helpful for landlords as they continue to plan.

Richard Blakeway

Housing Ombudsman

Timely

The first category looks at the timeliness of communications and where delays and communication vacuums can have significant impact on events and cost residents time and trouble.

Notting Hill Genesis

In case **202308931**, we made a finding of severe maladministration after **Notting Hill Genesis** significantly delayed raising and progressing a leaseholder's damp and mould complaint. Throughout, the communication with the resident was exceptionally poor. The leak and its effects were not resolved for 2 and a half years.

We ordered £8,360 in compensation, with the landlord failing to address the resident's concerns or provide an effective response to the representative's complaint. £5,510 of this compensation was awarded due to the loss of enjoyment of the living room, with £2,500 being for the distress and inconvenience caused. The remainder comes from the complaint handling.

The representative emailed about the damp and mould after leaving voicemails for the landlord which went unanswered. The landlord also left the representative's complaints unanswered despite multiple chasing emails over a series of months. Whilst there was only a 2-working day delay in the stage 2 response, the initial complaint was not dealt with until 20 months after it should have been.

In its learning from this case, the landlord says it has made substantial changes to its approach to dealing with resident complaints, high-risk repairs, and management of external agents. Its internal surveyors act as a bridge between housing colleagues and external contractors, which has vastly improved the flow of information and communication.

Lambeth Council

We made a severe maladministration finding for **Lambeth Council (202317574)** as the resident had to repeatedly chase for updates, was left uninformed about appointments, and provided with vague complaint responses by the landlord.

These failings meant that for just under 2 years, every room in the house had “top to bottom” mould, according to notes from the inspection, with wallpaper peeling from the walls.

Despite multiple reports of a leak, the landlord failed to survey the home within timescales or explain why it had not. Where one visit to the home was marked as ‘no access’, there is no evidence that the landlord communicated this appointment to the resident to make them aware it would be visiting.

While there was a delay in getting a quote from its contractor, the landlord only chased when pressed by the local councillor and resident.

In its complaint response, the landlord promised the resident it would update on the remaining repairs in its stage 2 letter. However, this did not happen.

It also only escalated the complaint to stage 2 when we intervened.

In its learning from this case, the landlord says it has carried out risk assessments, as well as explored options with the resident to reduce the issues impacting the home. It has introduced new timescales and technology to make sure it helps residents faster.

L&Q

In case 202308916, **L&Q** failed to keep the resident updated during a damp and mould complaint, as well as not handling the complaint effectively. This led to a finding of severe maladministration.

The resident reported the impact of disrepair on her health and her everyday life.

This included using newspapers to soak up water on the floor, having to keep windows open to remove mould smells, and regularly cleaning the mould from walls herself. It also damaged her possessions.

The landlord failed to act to resolve the leak that prompted the damp and mould for 6 months, despite the resident chasing on multiple occasions and informing the landlord of the impact it was having both on her and a downstairs neighbour when she showered. The impact of this was extremely distressing for the resident, citing mental and physical health concerns.

The lack of effective action ended up in a ceiling collapsing in the downstairs neighbour's property.

The resident continued chasing the landlord after a new leak was discovered, but the lack of response meant the neighbour's ceiling collapsed again.

In this short spell of time the resident chased for updates at least 10 separate occasions but the landlord failed to act.

It took the landlord's complaints process 19 months to conclude, significantly outside of timescales set out in the Complaint Handling Code. The landlord did not communicate proactively during either the complaints process or service response. The resident had to regularly chase the landlord and was not given a timeframe for any formal response.

In its learning from this case, the landlord says it has made improvements to its complaints handling and record keeping, through which it is investing in additional staff and training, prioritising efficiency and good communication, and embedding learning from complaints in its processes.

Key learning from timely communication

Timely communications are central to managing resident expectations and provide assurances that landlords are dealing with the problem and can resolve it effectively.

It can be a key way to keep a resident satisfied if there is a complex repair or delay, with timely communication keeping them updated and less frustrated.

Awaab's Law is expected to implement new timescales for written communication to be sent to a resident following the report of an issue. Landlords should consider how to meet these timescales and in subsequent categories, we share some of the key learning on what may be included.

A landlord's complaint handling process is an essential aspect of its overall service delivery. An effective complaints process will enable a landlord to identify and address service delivery issues in a timely manner. When a landlord fails to fulfil the principles of the Complaint Handling Code, it does not allow the landlord to restore that trusting relationship with a resident. It also can prolong issues, which can lead to more complex, costly, and serious repairs being needed.

Transparent

Alongside the importance of timeliness sits transparency. Open communication can provide clarity for residents. Where this does not happen, it can cause residents significant frustration and distress

Notting Hill Genesis

We made a finding of severe maladministration for how **Notting Hill Genesis (202315817)** responded to a damp and mould complaint, with engagement between itself, contractors, and managing agents fuelling delays.

The poor engagement hampered communication with the resident who was unclear about what was happening.

After the resident's initial report of mould, the landlord instructed an expert contractor. However, it was unable to keep the resident updated or explain why its contractor then failed to complete the works to schedule, despite numerous requests from the resident for an update.

It was necessary for the landlord to carry out a second set of remedial works when the damp returned and to negotiate with the managing agents about the funding and responsibility of the works. This caused significant delay which could have been mitigated had the landlord liaised with the managing agents prior to the initial works.

The landlord generally did not provide the resident with regular or meaningful updates, which exacerbated his distress and frustration.

In its learning from this case, the landlord says it has made substantial changes to its approach to dealing with resident complaints, high-risk repairs, and management of external agents. Its internal surveyors act as a bridge between housing colleagues and external contractors, which has vastly improved the flow of information and communication.

Key learning from transparent communication

Transparent communication can provide reassurance for residents.

It can also avoid confusion both between resident and landlord, and within the organisation.

Awaab's Law is likely to place greater expectations on landlords to communicate openly with residents about its analysis and actions to address disrepair.

The consultation indicated minimum standards for transparent communication. Including how and when an investigation was conducted, who by, the following investigations that may be required, what was found, and whether the hazard found is likely to pose a significant risk to the household.

Transparent communications matter not only when Awaab's Law is applied. It is also important for the landlord to be transparent even when there are no issues identified or harm to the household present. This point was indicated in the consultation document but can be overlooked.

Setting out a clear plan of action gives residents the confidence that landlords will deal effectively with the issues that arise from any inspection, survey, or investigation. Especially when there are vulnerabilities present in the household, this can give the resident confidence in the landlord's actions.

Tailored

Our **Spotlight report on attitudes, respect and rights**, recommended landlords take a human-centric approach to communication. This means considering the individual circumstances of the household and whether this requires the landlord to adapt its service or communication. This personalisation can improve trust and shows the landlord cares.

Redbridge Council

In case 202400614, **Redbridge Council** failed to adapt its service when a resident did not speak English as a first language, which meant the family were living in damp and mould for nearly 4 years.

For example, during the case the contractor attended a priority repair but was unable to do so because the resident's possessions were still there. The contractor said the issues were due to the language barrier, but there is no evidence that the landlord worked with the resident prior to the appointment to make arrangements for these possessions to be moved.

There was no evidence to show any consideration had been given to effectively communicating with the resident, given English was not the resident's first language.

The landlord was advised the resident's daughter had recurrent upper respiratory infections which needed frequent antibiotics. A letter from her GP stating these details was attached to the complaint.

The evidence showed the resident had repeated her concerns about her children's health in emails to the landlord.

The resident's complaint also stated she needed an Amharic interpreter. When the resident chased up the landlord, she reminded it that her English was limited.

There was no evidence to show that the resident's household was identified as vulnerable by the landlord, that a risk assessment was carried out, or the resident's communication needs were accommodated.

We approached the landlord for comment but on this occasion, they decided not to include a learning statement.

Estuary Housing

In case 202225058, **Estuary Housing** failed to tackle damp and mould in a new build home, and poor communication with the developer only added delay.

After multiple reports of damp and mould, the landlord told the resident that the developer had visited and advised it could not find any defects arising from the construction of the property and therefore was not prepared to carry out any associated works.

The developer also stated that a roof inspection had been completed, and the roof was sound and there were no associated defects. This was at odds with ongoing reports from the resident.

The inspections were carried out by the landlord and developer a long time after the previous ones. This is despite the resident informing the landlord about the impact on her children's health, one with severe asthma, and another with autism that was significantly impacted due to a short temporary move.

In its learning from this case, the landlord says it has introduced new training for staff to help them identify defects in new build homes, alongside how to handle available information on damp and mould. It has also strengthened its aftercare services on new build homes where a latent defect has been identified.

Key learning from tailored communication

Tailoring communication to the specific household should be a key consideration for landlords, with this going a long way to understanding the impact of the issues better, as well as being able to solve them.

Where others are needed to resolve issues for residents, landlords should extend clear and effective communication to them too. This can often see delays shorten and a more joined up approach promotes trust in the repairs.

It is also important that third parties, such as contractors, are also communicated with effectively as this can lead to delays where not managed correctly. The government's position also states that providers should consider any accessibility and/or language needs of the resident to make sure the summary of findings can be understood. This includes that the summary can be issued electronically (for example by email) or by hard copy, depending on residents' communication preferences and need.

Therefore, having an understanding of this before issues arise or when they are reported should be given consideration by landlords.

Tone

Striking the right tone is important to make sure residents feel heard, respected, and to build confidence that the landlord has listened and their actions and will resolve the problem.

Where the tone is dismissive, defensive, or unempathetic, relationships are undermined, and the resident is more likely to escalate actions. Regardless of whether the landlord is responding appropriately.

West Northamptonshire Council

We found severe maladministration for **West Northamptonshire Council** (202320062) after it failed to provide clarity on the action it was taking following reports of damp and mould. Only providing vague updates of its inspection findings and how it planned to resolve the issue.

This opacity was present throughout the case and the landlord continued not to engage with the resident on key issues from the initial inspection report. The resident was also forced to chase on multiple occasions. Often the landlord promised case reviews and updates which never materialised. Additionally, internal communications from the landlord bemoaned the resident's requests for updates. Referring to the resident as "this person" and that she was emailing "yet again" was not a professional or customer focused approach to the resident.

Many responses were unempathetic in tone, despite the resident detailing her concern for both her and her children's health.

At the time of this determination, the landlord's website stated it was working through a backlog of urgent and routine repairs due to Covid-19. This was over 3 years since the last restrictions were lifted. Landlords should consider keeping website pages up to date with key information around timescales.

In its learning from this case, the landlord says it has since moved the resident to a new home and now place greater importance on learning from complaints, meeting monthly with its Member Responsible for Complaints to monitor progress. It has also developed a centralised customer excellence team, and reviewed team structures, processes and systems, and built in more resources in its repairs department.

Islington Council

We found severe maladministration for **Islington Council** (202319984) following a leak. The landlord was unsympathetic in its communication despite a child with asthma living at the home.

The resident had to regularly call and email for updates but received very little in response. When she did raise concerns, this did not provoke a reaction from the landlord which points towards a lack of empathy in its communications.

When we asked for evidence of correspondence or communication from the landlord, it responded on several items that there was no information on file or that it was not held.

Throughout the timeline of the complaint there were a number of inspections, surveys, and repairs. There were also numerous reports from the resident which generated inspections, surveys, and actions. There would have inevitably been communication in the form of system entries, telephone records, emails and/or letters generated as a result.

However, as previously highlighted, we have been provided with only limited records of communication between the parties.

The resident experienced inconvenience and took extra time and trouble to contact the landlord on numerous occasions. The lack of communication affected the resident's confidence in the landlord, and she lost faith that it was taking the severity of her situation seriously.

In its learning from the case, the landlord says it has introduced a specialist leaks team and are adding a high-profile leaks panel, mirroring the success of the key officer meeting managing complex damp and mould cases. It has made the Housing Ombudsman's complaints handling training mandatory for all staff and introduced a new vulnerabilities policy. As a result of this case, it will complete further training for its leaks team on working with vulnerable households.

Key learning from tone in communication

In the consultation paper for Awaab's Law, the government set out that landlords would have to set out whether the hazard identified would pose a significant risk to the health and safety of the household.

In instances where there are individual circumstances present in the household, this communication is vital to this judgement call by a landlord, and could, depending on risk, lead to other actions being required.

Living with damp and mould can be distressing. This means adopting a tone which is empathic, even where the landlord does not believe it has not done something wrong and certainly avoiding being dismissive or defensive where it has.

Centre for Learning resources

Attitudes, respect and rights key topics page containing reports, podcasts and case studies.

Attitudes, respect and rights eLearning and workshops available on the Learning Hub.

Damp and mould key topics page containing reports, podcasts and case studies.

Damp and mould eLearning and workshops available on the Learning Hub.

Decants key topics page containing reports, podcasts and case studies.

Repairs and property condition fact sheet.

The Complaint Handling Code

Housing
Ombudsman Service

PO Box 1484, Unit D

Preston

PR2 0ET

0300 111 3000

www.housing-ombudsman.org.uk

Follow us on **LinkedIn**