

Learning from: Severe Maladministration



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

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Introduction

One of our most powerful orders is an apology. Yet saying sorry can be hard to do well.

When trust is fragile across society, it can be broken when there are service failings.

Genuine apologies can be restorative. It makes the resident-landlord relationship stronger. It shows an open, healthy culture. It provides residents with dignity and respect. And it offers the landlord a moment for reflection.

This report shares several distressing resident stories. In each one, a meaningful apology was essential.

They include a resident experiencing overheating for more than 3 years because of faulty windows.

Another resident unable to leave her home because of a faulty step.

And a mother sleeping on a sofa with her child because of antisocial behaviour.

Given the imbalance of power with residents, saying sorry for mistakes is especially important for social landlords. Rebuilding trust matters when most residents will still live with the same landlord, regardless of its performance or any failings.

Previously, our service ordered very few apologies. The theory was we could not force an apology. Rather it had to be organic within the organisation's culture.

There is a risk of those apologies being performative. But using our powers to facilitate a meaningful apology is an important aspect of our work. It can foster behaviour and culture change at little financial cost. Today, our service typically orders more than 4,000 apologies every year.

Even where we order one, it doesn't mean the landlord has not apologised at all.

Mostly we find landlords do, but it can be flawed. The apology may lack empathy. It can be offered too late or without showing what would change as a result. There can also be a fine line between explanation and excuse. Where no apology is offered, it may reflect a wider lack of ownership of the case.

So, what does good practice when apologising look like? This report is structured around our apologies guidance.

Good practice includes the apology:

- being personal and sincere
- empathetic
- taking responsibility and expressing regret
- sharing learning from the failings
- offering specific remedies to resolve outstanding issues
- thinking about how the apology is made and who makes it

Personally, I have tried to live these principles.

Around the country I have led open forums for residents to meet our service, or taken part in radio phone-ins, where some people have been upset with our service. When apologising I have tried to be clear and straightforward: I am sorry.

This report also shows our move towards apologies being offered by a senior director or the chief executive in certain circumstances, sometimes verbally.

This can be important where:

- the failings have taken place over a prolonged period
- the resident has been let down repeatedly
- there was severe impact on the resident, often linked to their individual circumstances
- there were cultural issues with the landlord's handling

This approach to accountability does not go as far as some Ombudsman. I know an Ombudsman who made a chief executive apologise, in writing, to everyone who uses its services. Another required the chief executive's apology to be broadcast on television.

Apologising can be very personal. It requires a degree of vulnerability to be shown by the person making it. I know some senior leaders who have felt uncomfortable with this move. They have questioned whether we have the powers or are reluctant to apologise for failings that preceded them. And I do recognise it can be challenging.

But many senior leaders have told me how powerful it was to meet with the resident, often in their home.

One said it had more impact on them than reading our investigation report. Another recalled specific action they took to improve their service following it.

Sharing learning from mistakes when apologising can sometimes be overlooked. Preventing the same thing going wrong again and assurance that others would not have the same experience matters to many residents. It is something I repeatedly hear. The positive effect of sharing specific lessons should not be underestimated.

An apology is a human way to acknowledge the pain organisational failings can cause. Complaints handled well can be restorative. Handled badly, the complaints process compounds earlier service failings and further erodes trust.

As well as [our guidance](#) and resources at our [Centre for Learning](#), there are several excellent guides for landlords to consult. This includes the [Scottish Ombudsman's apologies guidance](#) and a blog called [SorryWatch](#).

We know saying sorry is not always easy. Nor is it always enough. But we encourage social landlords not to shy away from it.

Richard Blakeway

Housing Ombudsman

Timely apologies

Landlords can overlook the importance of an apology.

While other actions matter, a timely apology can be important to reset the relationship with the resident.

PA Housing

PA Housing (202448549*) failed to deal with antisocial behaviour effectively. We ordered the Chief Executive Officer (CEO) to apologise for the failings in this case.

The impact on the resident was severe. She ended up sleeping on a sofa with her child.

There was no risk assessment or action plan and the records were poor. This made it hard to investigate the complaint fully.

During the case, the landlord was slow to escalate the complaint to stage 2. It failed to apologise for this delay.

Landlord learning statement

The landlord has created a new noise nuisance policy. This recognises the serious impact that noise can have on residents.

It has also moved from generic and templated responses to antisocial behaviour to an individual and tailored service. It involved residents in the development of these new approaches.

London Borough of Hackney

We found severe maladministration for **London Borough of Hackney** (202444098*) after a loss of heating. There was also smoke present in the home.

The failings were more severe as the resident was vulnerable. There were other property conditions present too. The landlord did not assess the risk to the resident or her child.

The landlord apologised at stage 1, but it did not at stage 2. However, the landlord clearly explained its stage 2 response and set out the next steps. It also provided compensation.

Landlord learning statement

The landlord has apologised in line with our guidance.

It is continually improving its services and investing in its homes, estates, and staff.

Stonewater

Stonewater (202401522*) failed to deal with Antisocial Behaviour (ASB). We ordered the CEO to apologise in writing for the failings.

The landlord did not do a risk assessment, and it delayed providing an action plan. It missed opportunities to act on the resident's reports. This failure increased the negative impact on her.

The issues also started to escalate, with third parties getting involved. Its responses to the issues lacked urgency.

We also found maladministration for complaint handling. The landlord's stage 1 response was slightly delayed, but it did not apologise for this. The stage 2 response experienced further delays, but the landlord apologised appropriately.

Landlord learning statement

The landlord has strengthened its case management framework. It has introduced mandatory handover checks to prevent cases from stalling when staff change.

The landlord has also embedded routine audits of ASB action plans and risk assessments, and enhanced management oversight. This ensures earlier intervention where progress is not being made.

It has introduced specialist training for all ASB caseworkers. When something goes wrong at the landlord, it will acknowledge it openly, apologise sincerely, and act quickly to put things right. This principle is now embedded within its customer communication guidance and supported through ongoing coaching and performance oversight

Learning from timely apologies

Our apologies guidance states:

“A timely apology given as soon as the problem is understood is most effective. The sooner an apology is given, the sooner the trust and relationship between the landlord and resident can begin to mend.”

The issues that led us to find severe maladministration went beyond communication with the resident. A timely and effective apology could have helped improve the relationship. It still would have made a difference.

Personal and sincere apologies

Being timely is important for an apology to have impact. It also must be personal and sincere. This means understanding the impact on the resident and being genuine about why you are apologising.

Bristol City Council

Bristol City Council ([202447805](#)) failed to deal with antisocial behaviour. The problems meant the resident felt unable to stay in her home.

The landlord was unsympathetic and did not take a victim-centred approach. It failed to carry out a risk assessment or create an action plan.

The landlord apologised for the inconvenience caused. However, it did not go further to recognise the full impact. This is despite the significant impact on the resident.

We ordered there to be a verbal apology made to the resident for the failings in this case.

Landlord learning statement

Since this case, the landlord has provided briefings to staff with case-based learning and strengthened its complaint handling processes. It has also reviewed its antisocial behaviour model.

Learning from personal and sincere apologies

Any apology ordered by us should be sincere.

After failings in an investigation, there is room for an apology that is meaningful and genuine. You should not deliver this as “we are doing it because the Ombudsman told us to.” Landlords should consider the apology an opportunity to repair the relationship with the resident.

An apology should be correct for the situation and the resident involved.

Empathetic apologies

Another key aspect of any apology is empathy. This is the ability to understand and share the feelings of others. This leads to a more meaningful apology.

Southern Housing

Southern Housing (202401894*) failed to replace windows for 3 and a half years. We ordered a verbal apology to the resident.

The landlord knew the resident is autistic. Despite this, it did not assess the risk or consider a temporary move.

The landlord apologised in its complaint responses. However, it only apologised for causing the resident to think it would replace the windows. It also apologised for not doing the things it should have done such as inspect the home.

The landlord did not apologise for the impact these failings had on the resident. This recognition was missing. It was especially important due to the length of time the issues persisted.

Landlord learning statement

The landlord has increased resourcing within its contract services department to better support the management of complex issues. It also now ensures resident vulnerabilities are consistently identified and taken into account.

Learning from empathetic apologies

Empathy shows the resident that you have listened to them. An expression of empathy is sensitive to the context of the complaint and recognises a resident's problems.

Empathetic apologies are meaningful and use active language.

It is important for landlords to use empathy to demonstrate they care for residents and improve relationships.

Responsibility and regret

A good apology acknowledges the impact on the resident. It also includes an explanation of why the problem happened.

The organisation should take responsibility for what has gone wrong. It should do this by expressing regret.

London Borough of Lambeth

London Borough of Lambeth (202327164*) failed to deal with repairs including steps to access a home.

The failings led to the resident being unable to leave the home.

Despite the impact on the resident, the landlord did not treat the repair as an emergency. It visited the home nearly 20 times and took 102 weeks to resolve the repair.

The landlord's apology recognised some of the main issues. For example, it identified records were an issue and took responsibility for this. However, other apologies shifted blame onto staff or contractors.

It also failed to apologise for its complaint handling failures. This meant it did not fully accept responsibility for the failings.

Landlord learning statement

The landlord has reviewed the learning it can take. It has since strengthened its repair tracking and improved access to repair histories.

It has also introduced clearer escalation routes and reinforced expectations with contractors. Staff have also received training to improve emergency identification, communication, and complaint handling quality.

Futures Housing Group

Futures Housing Group (202327437*) failed to effectively progress a temporary move following an arson attack. We ordered the CEO to apologise in writing for the failings.

Throughout the case, the landlord did not give effective information about the temporary accommodation. It also failed to explain when the resident could return home. This was particularly important in what was a distressing time for the resident.

This failing was also present within the apology. The resident did not have a clear understanding of the situation and how the landlord would resolve it.

Landlord learning statement

Since this case, the landlord has improved record keeping. It has also restructured its complaints team and trained staff to be more consistent and customer focused.

Learning from responsibility and regret

An apology should include the reason for the apology. This shows a clear understanding of what went wrong.

Apologies should not try to shift the blame. Do not use language that is passive, unclear, or dismissive about what happened. Avoid using words such as 'if', 'but', 'however', and 'any'.

Our [guidance on apologies](#) includes examples landlords can use to improve in this area.

Remedies

A good apology should explain the remedy the landlord will use to put things right.

This shows that as well as being empathetic and sincere, the landlord is willing to act to resolve the situation.

London Borough of Haringey

London Borough of Haringey (202500917*) failed to deal with damp and mould. There were also issues with window repairs.

The landlord did multiple surveys but often did little or no repair works following them. Its communication was poor throughout and it failed to keep effective records.

The resident was vulnerable, but this did not change how the landlord approached the repair.

The landlord did apologise. However, it did not set out the actions it would take to resolve the issues. This meant the resident was unaware of what the landlord planned to do to fix the issues.

Learning from remedies

When making an apology, the next steps are a chance for everyone to move past the issues and look to the future.

There are various actions a landlord can take following a complaint. These include:

- correcting a mistake
- reimbursement of a charge
- revising a policy or procedure
- training staff
- financial compensation for direct or indirect loss, inconvenience, and/or distress

Who and how an apology is made

It's important for landlords to consider the form of the apology.

This can be whether it is verbal or written, or who makes it. For example, how senior and which department.

L&Q

We ordered the CEO to apologise after **L&Q** (202345302*) delayed responding to a stage 2 complaint for nearly 2 years.

The resident often had to chase the landlord for a response.

This delay meant we were unable to investigate the complaint properly. It also stopped the resolution of the issue for the resident. It did not fully apologise for these failings in this case.

Landlord learning statement

The landlord now has clearer responsibility for ASB cases. With more reliable records and better support for residents. It has increased staff in this area and given more training to ensure concerns are taken seriously and followed up properly. It has also improved its complaints handling, with quicker responses, clearer updates, and better checks to make sure lessons are learned.

Learning from how an apology is made

A relevant and senior member of staff should give an apology on an organisation's behalf.

This applies when a complaint escalates to stage 2, and an apology is needed or ordered.

The resident can choose whether they receive the apology in writing or in person. We offer this choice when they have experienced significant harm.

People find it easier to show and understand empathy and sincerity when they apologise in person. Speaking directly also stops misunderstandings.

Landlords can strengthen their message by using clear language and a supportive tone of voice.

Centre for Learning resources

Apologies guidance

[Our orders key topics page](#) with reports, podcasts, and case studies.

[Antisocial behaviour key topics page](#) with reports, podcasts, and case studies.

[Antisocial behaviour training](#) on the Learning Hub.

[Repairs key topics page](#) with reports, podcasts, and case studies.

[Repairs training](#) on the Learning Hub.

[Knowledge and information management key topics page](#) with reports, podcasts, and case studies.

[Knowledge and information management training](#) on the Learning Hub.

[Temporary moves key topics page](#) with reports, podcasts, and case studies.

The Complaint Handling Code

Glossary of terms used

Term used	Meaning
Severe maladministration	A finding made by the Housing Ombudsman. Where a landlord has failed significantly in its duties. It shows serious service failure that caused residents harm, distress, or disadvantage.

* We anonymise all decisions by removing residents' names, but we publish landlords' names. In some cases, we choose not to publish a decision if doing so is not in the resident's or landlord's interest. Or if publishing it could compromise the resident's anonymity.

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