

**Housing Ombudsman
Special Report on
Hackney Council**

Contents

| | |
|---|----|
| Introduction | 3 |
| Scope and methodology | 4 |
| About Hackney Council | 5 |
| Casework findings | 7 |
| Themes identified | 9 |
| Repairs, leaks, damp and mould..... | 9 |
| Complaint handling | 14 |
| Knowledge and information management..... | 24 |
| Policy and procedure | 29 |
| Vulnerability | 31 |
| Lack of prioritisation and risk management..... | 36 |
| Scrutiny and oversight | 37 |
| Conclusions..... | 39 |
| Compliance | 41 |
| Complaint Handling Failure Orders | 42 |
| Recommendations | 43 |
| Statement from Hackney Council | 45 |
| Annex- List of cases | 46 |

Introduction

The Housing Ombudsman makes the final decision on disputes between residents and member landlords. Our decisions are independent, impartial, and fair. We also support effective landlord-tenant dispute resolution by others, including landlords themselves, and promote positive change in the housing sector.

This special report follows an investigation carried out under paragraph 49 of the Housing Ombudsman Scheme, which allows the Ombudsman to conduct further investigation into whether there is a systemic failure. The investigation commenced in October 2023.

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

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

Our wider investigation was prompted by concerns from our casework about the landlord's overall maladministration rate and severe maladministration rate between April and October 2023. This trend continued in cases determined between October 2023 and June 2024, which this report drew on for evidence.

This report considers the systemic failings affecting the landlord's ability to respond effectively to a variety of issues, including complaint handling, damp and mould, leaks and repairs.

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 positively engaged with the Ombudsman throughout this investigation. It had started some improvement work before we announced our investigation. Shortly after we announced our investigation it accelerated this work and continued to build on it throughout. We look forward to continuing to work with the landlord during our monitoring phase.

Scope and methodology

When deciding whether a failing is systemic, we look at whether the impact of maladministration is limited to a single area or affects different services and resident experiences.

We reviewed our casework determinations from October 2023 to June 2024 to assess whether they identified any systemic issues that went beyond the individual cases. We also looked at open cases to consider whether there was evidence of systemic issues continuing throughout the investigation period.

The landlord presented an overview of its response and action plans in relation to leaks, repairs, damp and mould and complaints.

We carried out a 2-day site visit to the landlord. We met with a wide range of landlord managers and staff. We also held staff and resident sessions.

Following the visit, we made a written evidence request for further documentation and information.

We reviewed multiple documents during the investigation, including policies, procedures, guidance, meeting minutes, action plans and performance data. We also viewed the relevant scrutiny commission and panel meetings.

The landlord responded promptly and fully to all our requests for information. It also welcomed and facilitated the site visit.

About Hackney Council

Hackney Council is the local authority for the London Borough of Hackney in Greater London. It is one of 5 London Borough Councils led by a directly elected mayor. The Council is a landlord and social housing provider with over 30,000 units.

Hackney has a population of approximately 261,000. It is the third-most densely populated local authority in England. Over 60% of Hackney residents live in flats or tenements, significantly higher than both the London (40.3%) and England (17.1%) average. It has the highest percentage of social rented housing of the 13 inner-London boroughs. (Census, 2021)

The Census data on rooms, bedrooms and occupancy also suggests there is an issue with availability of suitable accommodation and overcrowding.

The Council's housing register application says due to demand for council housing in Hackney many people who join the register will never receive a council property. The current waiting time for a 3-bedroom property is 12 years.

The shortage of suitable properties, the age and type of its housing stock, along with the challenging financial climate has created an extremely difficult operating environment for the landlord. The landlord has faced additional challenges in recent years and been through some considerable changes.

In 2016 Hackney Council dissolved the arm's length management organisation, Hackney Homes, and resumed management of its housing stock and services.

There have also been significant leadership and management changes. In 2023 both the Mayor and CEO resigned. Some of the key events have involved challenging or controversial circumstances for the landlord to navigate. It is fair to say the landlord has not experienced a calm or settled period for some time, and we do not underestimate the additional difficulties this has caused.

Cyber-attack

In October 2020 the landlord was victim of a cyber-attack. The attack involved encryption of key datasets the landlord's services depended on. However, the systems largely depended on data that was still saved on their central servers. All data stored on the targeted servers were encrypted in the attack, which meant certain systems that housing services relied upon were unusable.

The landlord introduced business continuity arrangements immediately after discovering the data loss. The landlord told us they prioritised 'life and limb' services which were critical to residents' safety.

By January 2021 it had recovered some datasets, but discrepancies emerged which had to be resolved. At the time of our investigation, the landlord had not recovered from the attack and staff were still using a combination of spreadsheets, forms, standalone systems and work arounds.

Prior to the cyber-attack, the landlord had been in the process of developing its own housing management system (HMS). The landlord initially decided to continue this project but in 2023 it discontinued the project in favour of procuring a HMS. At the time of our investigation there was no fully integrated system and no date for such a system to be fully operational.

The Information Commissioner's Office (ICO) investigated the landlord for a data breach associated with the cyber-attack. In July 2024 it reprimanded the landlord for:

- a failure to process personal data in a manner that ensures appropriate security
- a failure to implement appropriate technical and organisational measures to ensure a level of security appropriate to the risk (of data breach)

Vision and values

The landlord told us it started work to reset the vision for its housing service in November 2023. It said it will use this to inform its decisions and how it designs its future service.

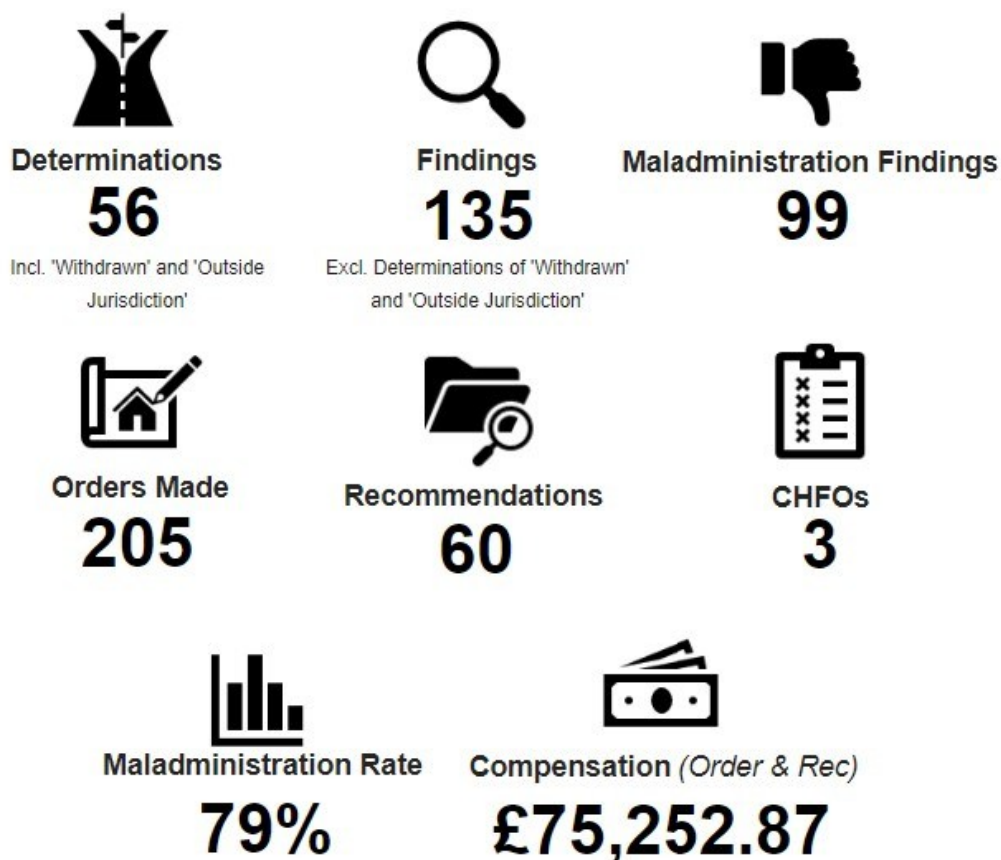
It has a housing improvement plan, which was in its early stages, and it intended to develop a behaviours framework for housing staff. The framework will set out how staff at every level of the service contribute to the customer service standards.

The landlord said it was working towards a 'resident-first culture', underpinned by 5 customer service standards.

Casework findings

We investigated 56 cases between October 2023 and June 2024. These included 14 severe maladministration findings (6 relating to leaks, damp and mould, 3 relating to general repairs and 2 relating complaint handling).

Of the 56 cases, 7 were either deemed outside of our jurisdiction, withdrawn or under review at the time of publication. This left 49 cases we based our analysis on. Our findings from these investigations are set out in the annex.



Severe maladministration and maladministration rates remained high across the categories this investigation focused on from October 2023 to June 2024:

| | Leaks, damp and mould | General repairs | Complaint handling |
|--------------------------------------|------------------------------|------------------------|---------------------------|
| Number of findings | 23 | 23 | 36 |
| Maladministration rate | 87% | 74% | 83% |
| Severe maladministration rate | 26% | 17% | 5.6% |

Themes identified

We considered the evidence from our casework alongside the landlord's written and site visit evidence. We identified several areas of poor service delivery in the landlord's response to repairs, leaks, damp and mould and its complaint handling. We set out the issues we found relating to these service areas in the following sections.

We identified cross cutting issues covering a range of areas which affect the landlord's housing service provision:

- Knowledge and Information Management (KIM)
- policy and procedure
- vulnerability
- lack of prioritisation and risk management

We found underlying problems with the way in which the landlord's scrutiny and oversight was supported to address these issues.

At times we found senior management placed an emphasis on achievements without sufficient focus on the causes of the service failings we investigated and their impact on residents. This presents a risk to long-term improvement.

Repairs, leaks, damp and mould

Our investigation was prompted by a high rate of maladministration findings in relation to leaks, damp and mould, and general repairs. In August 2024, the Regulator of Social Housing (RSH) said the landlord had 1,400 open damp and mould cases, including more than 500 cases that were overdue, and over 600 cases identified as severe. Our casework provided a window into how the systemic issues presented in practice and how they affected residents. Our casework showed repeated issues with:

- underestimating the urgency and risk of the service request
- quality of work

- repeat visits for the same issue
- missed appointments
- work orders raised or cancelled in error

In response to our investigation, the landlord produced a significant number of actions spread across 3 separate action plans for leaks, damp and mould and repairs. However, the plans lacked analysis and risk assessments to support the decision making and prioritisation.

We found the landlord's response to our investigation failed to address the basics. We would have expected to see a focus on priority actions that addressed fundamental service requirements and high-risk gaps. Instead, it appeared to focus on aspirational targets and used data on work orders, satisfaction levels and damp and mould inspections to reassure us, its elected members and residents that it was making progress to address the issues it faced.

While the data was accurate, the limited selection of indicators raises questions about the landlord's performance on metrics that matter to residents. This can result in a distorted view of reality and provide misguided reassurance.

Its failure to properly analyse and identify the root cause of its problems also meant it risked making decisions and committing resources without fully understanding whether it would address the identified issues.

Repairs backlog and repeat visits

A significant driver for complaints is repairs, with 46% of our maladministration findings related to property condition. A significant cause of this is the landlord's repairs backlog, with residents waiting for repairs for over 3 years in some cases.

The landlord's reporting of its repairs backlog undermined effective scrutiny and oversight of performance. There was a lack of transparency with the way some of the information was presented which could have obscured the seriousness of the landlord's poor performance.

For example, the landlord told us it had a backlog of 7,000 repairs after Covid-19. It said it focused on reducing this backlog and by June 2023 the backlog was 2,000 repairs. It was true the landlord had reduced the original backlog. However, while concentrating on doing that, a new backlog was developing which was not referenced. Overall, this meant there was no sustained reduction in the repairs backlog.

When we reviewed the Commission meetings, there was an absence of updates about the growing repairs backlog, despite it being central to reducing complaints. This was an example of how a lack of information shared with the Commission could have affected its ability to scrutinise the landlord effectively.

We found a similar approach in the landlord's framing of the increase in completed repairs. These increased from 83,015 in 2022/23 to over 100,000 last year and the landlord framed this as demonstrating success. In our casework, we saw many examples of multiple unnecessary attendances for repairs. During our visit staff told us the only way they could complete a repair record was to mark it as 'complete' or 'refused access'. The consequences of this system were illustrated in case [202312141](#), where operatives failed to gain access to a leasehold flat to resolve a leak on 6 occasions in one month, closing the work order each time. The resulting damp caused damage to the resident's belongings.

We also found the landlord operated a performance-related bonus scheme, which could have created a perverse incentive for operatives to mark jobs as 'complete' to meet targets.

The landlord acknowledged the number of completed repairs might include a proportion of unnecessary repeat visits. It said there was likely to be duplication in the data, but it was difficult to "disaggregate with the systems as they are". The landlord has since completed some analysis and found around 33% of its repairs visits are repeats.

This is an example of the landlord's failure to properly analyse and identify the root cause of complaints to inform decision making. It was a missed opportunity to consider a service and process improvement rather than investing resource to sustain inefficiency.

Repairs satisfaction

Improving resident satisfaction with repairs could help to reduce complaints about them. The landlord told us and its Commission that repairs satisfaction increased from 60% in May 2023 to 76% in April 2024. When we asked the landlord for more detail about this data, we heard that the response rate was only 2.5% and therefore could not be overly relied upon as a true reflection of resident feedback. The landlord also failed to recognise that residents who were unhappy with a repair may be more likely to make a complaint or report it as an outstanding repair than respond to a satisfaction survey.

We found this was another example of the landlord presenting data positively without context. The increase in satisfaction was presented as reassurance and evidence of improved performance but should have been considered in the wider context of the complaints data and findings. There should have been more detailed analysis and understanding of the response rate and statistical relevance of the data.

The landlord could have been more transparent about the low response rate, what challenges it faced to increase it and how it planned to address it. Instead, it created the impression overall satisfaction was high despite the clear and consistent issues emerging in its complaints.

Online reporting

The landlord launched an online reporting function for repairs in December 2022. Residents told us reporting online was difficult because nearly every option they selected on the form told them to call the landlord. In 2023/24, the percentage of repairs reported online was only 3%.

The landlord did not provide a realistic appraisal of the functionality and uptake of the online reporting.

It was only when we heard the barriers to use from the residents and queried this with the landlord that it acknowledged it was not fully functional or widely used. This was a good example of reporting that was, at best, overly optimistic.

Damp and mould inspections

During our investigation the target we heard the most about and saw in the landlord's internal reports and reports to the Commission was its 5-day inspection target for damp and mould cases. The 5-day target is self-imposed and below the 14-day target proposed in the Awaab's Law consultation, with the final timescales to be confirmed by the government. In December 2023 the landlord reported to the Commission it was achieving its 5-day target and the average working days to an appointment date was 4.92.

While the pace of property inspections is welcome, there was no mention of the number of days to complete any work the inspection identified.

Evidence from our casework suggested the real issue with its damp and mould response is the time taken to complete the work following the inspection. This was confirmed by councillors and residents during our engagement exercise. Despite this being highlighted by councillors, and us, the reporting continued to focus on the 5-day inspection target. In focussing on the inspection rather than works undertaken, the landlord is focusing on an output rather than an outcome – outcomes are ultimately what matter most to residents.

Case study [202225779](#)

The landlord met its 5-day inspection target but failed to complete the work. Poor record keeping led to a lack of oversight, progress and monitoring of repair work. The landlord did not take learning from the complaint and continued its failings after our involvement.

Miss E complained to the landlord about extensive damage to her property and belongings caused by damp and mould. She told the landlord a blocked drain was causing significant flooding outside her front door. She said when it rained the water was ankle deep and she was unable to use her front door. She told the landlord she did not think her property was correctly damp-proofed.

Over a 3-year period, the landlord carried out repeated inspections but failed to properly record the findings or raise appropriate work orders.

Even after Miss E complained, it continued to repeat the failings and delays in respect of the damp and mould repairs and the complaint handling. Poor record keeping led to a lack of oversight, progress and monitoring of the works.

Miss E suffered severe anxiety, but the landlord failed to establish and record this information, so it did not consider this in its dealing with Miss E or its handling of her case.

Miss E told us that 13 months after the landlord's final complaint response, the flooding continued and none of the required internal work had been completed. She also said the landlord had not contacted her about the work despite its commitment to resolve it as part of the complaint response.

We found severe maladministration in the landlord's handling of drainage, flooding, damp and mould issues and complaint handling. We also found maladministration in the landlord's record keeping.

We ordered the landlord apologise to Miss E and pay her £5,647 compensation. We also ordered the landlord to take action in relation to the outstanding work and review relevant systems, processes and training to avoid repeating the failures we identified in our investigation.

Complaint handling

The Ombudsman's [Complaint Handling Code](#) (the Code) sets out best practice for landlord's complaint handling policy and procedures, to enable a positive complaints culture across the social housing sector. The Code supports landlord-tenant relationships so residents can easily raise a complaint if things go wrong.

The Code became statutory on 1 April 2024. Landlords are annually required to submit:

- the self-assessment against the Code
- the annual complaint performance and service improvement report
- the governing body's response to the report
- the complaints policy

The Ombudsman also has a legal duty to monitor compliance with the Code. Our Duty to Monitor team will carry out a detailed analysis against our updated Code and recommend steps the landlord should take to align with the requirements of the Code.

The landlord's policy and procedure

The landlord published a revised complaints policy and self-assessment on its website in August 2024. The complaints policy applies not only to housing complaints but all Hackney Council functions.

The landlord policy says it operates a 2-stage process for housing complaints. It sets out the following timeframes for the complaint process:

- stage 1: up to 5 working days to acknowledge receipt of the complaint and 10 working days (from acknowledgement) to provide a response
- stage 2: up to 5 working days to acknowledge receipt of a stage 2 escalation request and 20 working days (from acknowledgement) to provide a response

The complaint procedure is published on the complaint page of the landlord's website. Residents can make a complaint through a variety of contact methods including email, online, phone and in person.

The landlord publishes information about how residents can complain through its social media channels and its 'Love Hackney' and Tenancy Services newsletter.

The landlord's housing services review and annual complaints performance 2023/24

In late 2023/early 2024, the landlord reviewed its housing complaints handling.

It found it needed to address the quality of its responses and "create a robust framework to reduce the number of complaints that come in". It also found its complaint handling varied across different service areas and teams.

The review considered information from a variety of sources and included workshops with relevant staff groups.

The case sampling exercise found long delays acknowledging and allocating complaints. It also found issues with the quality of stage 1 responses.

The landlord measures satisfaction with stage 1 of the complaint process through a satisfaction survey sent via text. The response rate for 2023/24 was 14%. Customer satisfaction was 26.1%, although in February and March 2024 this increased to over 40%. The landlord attributed the improvement to its decision to move repairs complaints to the building maintenance customer relationship team.

The review identified the need for a formal lessons learnt procedure to ensure complaints are used to drive service improvement. It recognised the need to consider the quality of the investigation and response, as well as the service failure.

The review used another of our special investigations as a benchmarking exercise. It found some areas where it shared the same issues. These were:

- quality of complaint responses and closure consistency
- underdeveloped root cause analysis and learning from complaints
- failing to use complaint information from contractor complaints to improve performance

The landlord's 'Lessons Learnt' report 2023/24 included a breakdown of stage 1 complaints by service area. This showed repairs continued to be the main cause of resident complaints, particularly in relation to leaks, plumbing and damp. It also found an increase in complex complaints that covered a range of service areas. These complaints are managed by the central housing complaints team.

Its analysis of the lessons learnt information produced a list of 18 themes. The report found 2 key themes from analysis of its satisfaction survey responses:

- the complaint issue remained unresolved
- a lack of communication during the complaint investigation

The landlord believes both these issues can be resolved through its new complaint management toolkit and training provision.

The landlord acknowledged it needed to improve the lessons learnt information at stage 1. It found the information staff submitted did not consistently contain useful information about the nature of the service failure and the required service improvement.

The report did not contain information about the stage 1 and 2 agreed actions tracking. The landlord said:

“We are still developing the corrective actions tracker to allow us to analyse the high volumes of corrective actions at stage 1 and 2 effectively. We will bring this analysis into future reports.”

The landlord produced its lessons learnt themes and improvement initiatives based on the information it gathered from its own data and our annual report and orders/recommendations.

Our landlord report and case review data

We issued the landlord's annual performance report 2023/24 in July 2024.

The report showed an increase across all indicators of poor performance. The landlord's maladministration rate increased from 44% in 2021/22 to 83% in 2023/24. The average for local authority landlords of a similar size was 79%. Its severe maladministration rate (16%) was over twice the average of similar landlords (7%).

The top complaint categories continued to be property condition (repairs) and complaints handling.

In the cases we reviewed during our investigation we found:

- in 47% of cases complaints were not formally acknowledged or escalated when the resident requested
- in at least 33% of cases we chased compliance with complaints procedure and/or compliance with our orders
- 57% of stage 2 complaint responses were delayed (37% by more than 1 month)

Delays

There were delays at every stage of the process. The landlord has been aware of this for a number of years. The action it has taken to date has resulted in limited improvement:

Average days to send a response to the resident (data provided by landlord):

| | 2021/22 | 2022/23 | 2023/24 |
|----------------|---------|---------|---------|
| Stage 1 | 22.6 | 23.6 | 19.9 |
| Stage 2 | 20.97 | 23.4 | 24.03 |

The landlord's complaints review also found delays acknowledging, allocating and escalating complaints. The data showed only 25% of the cases it sampled were escalated within the period stated in the landlord's policy.

In its annual complaints presentation to Scrutiny Panel (October 2024) the landlord reported it was achieving the Code target of 10 days for stage 1 complaint responses. We hope the landlord can sustain the improved stage 1 response time and extend the improvement to its stage 2 response times.

There was an absence of focus on stage 2 and no sense of how the landlord plans to reduce the response times to meet the Code requirement of 20 days. There appeared to be an over-reliance on the extension period, and this meant the figures remained above 20 days. The extension period should be used in exceptional circumstances and should not be worked into the stage 2 timeframe as a routinely available option.

Quality assurance

The landlord did not have a quality assurance framework when we started our investigation, despite the landlord's complaint handling issues that have been known for a number of years. The landlord's scrutiny and oversight did not uncover and address the absence of an effective quality assurance framework.

The landlord's stage 2 data in its housing complaints review highlighted this point.

The review examined the increase in stage 2 complaints from 2016/17 to 2023/24 and found a 560% increase. The volume of complaints also increased over the same period, but only by 170%. It found 81% of escalated complaints were upheld in quarter 3 of 2023/24.

Our data also showed a decline in the complaint handling standards over recent years. In 2021/22 the landlord's complaint handling maladministration rate was 44%. In 2023/24 this increased to 86% and included 5 severe maladministration findings.

The landlord's complaints satisfaction is low. The Tenant Satisfaction Measure (TSM) for 'satisfaction with landlord's approach to handling complaints' was 28% for 2023/24. This is in line with other local authority landlords (median 29%). The landlord's housing services complaints review found the average satisfaction score of 334 survey responses in 2023/24 was 3.4 out of 10. The review said:

"These figures indicate that a culture change in complaints handling is required to foster a more responsive and customer-centric approach".

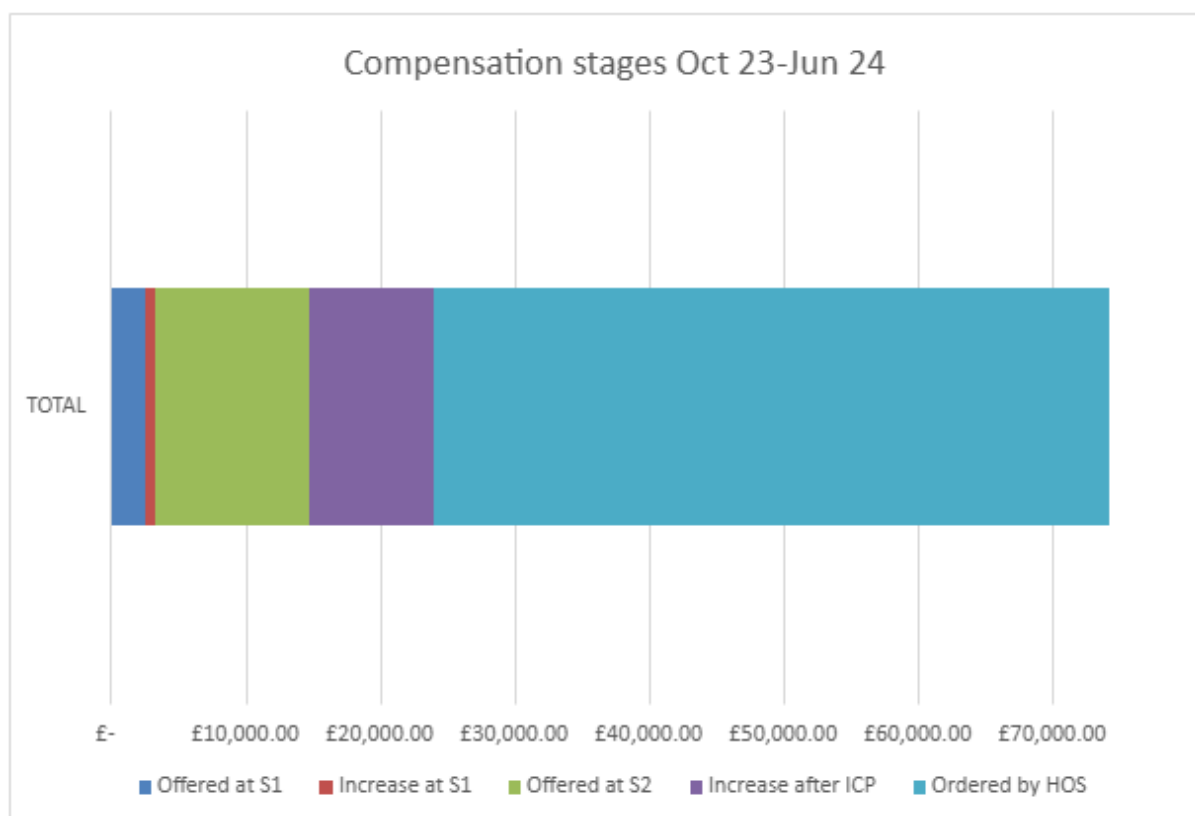
The landlord's focus was on stage 1 complaints, but our data and findings show there is also an issue with stage 2 complaint handling. The landlord should ensure the quality assurance framework includes a robust process for stage 2 complaints. The landlord's work on this only began very recently and therefore the impact might not be known for some time.

Compensation

The landlord has a separate compensation policy and guidance document. These are internal documents and are not published on its website.

The landlord's housing complaints review found uncertainty with the compensation process and "ambiguity in the process of awarding compensation". But there was no detailed analysis or recommendations in relation to compensation in either the review or the report to panel.

The chart below shows the amount of compensation awarded at each stage of the landlord's complaint process, outside the process stages and finally by our service.



The total compensation we ordered during the review period was £50,187.10. This was over double the £24,025.77 total offered by the landlord during its own complaint process¹.

The large increases at each stage suggests the landlord has difficulty applying its compensation policy consistently. It also demonstrates an inability to resolve the issues at earlier stages of its complaints process. Some of the increase in compensation can be attributed to the duration of the complaint issues, especially where there is disrepair, because an increase in compensation may be appropriate when issues affect the resident for longer periods.

In the cases we reviewed, we found the landlord often failed to consider the circumstances of the case and award appropriate compensation to recognise the impact to the resident. We only found reasonable redress in 5 cases.

¹ These figures differ slightly from the total referenced in the Compliance section of this report as they account for compensation offered by the landlord at each stage of the complaints process, rather than the amount ordered by the Ombudsman.

The chart also shows where the landlord has increased its compensation offer outside of its complaint process, between both stage 1 and stage 2 and after its process was complete. While it is reasonable for a landlord to attempt to resolve complaints with the remedies at their disposal, we were concerned that in some cases the increase in compensation was prompted by the resident bringing their complaint to the Ombudsman. This suggested the landlord recognised it had not offered a suitable amount during the complaint process. If the landlord was aware we were likely to increase the compensation it was also aware it needed a more robust and consistent approach to redress during its complaints procedure.

In case [202228862](#) an elderly resident experienced no heating and hot water for 7 weeks. The landlord also failed to complete repairs for 106 working days, which included a hole in a kitchen ceiling during winter that risked letting in rainfall. The landlord offered no compensation at stage 1 and £250 at stage 2. It reviewed its compensation offer after the resident complained to our service and increased its offer by 74% to £960. Its revised offer was still significantly lower than the £2200 in total that we ordered after our investigation. The case highlights the landlord's inconsistent approach to compensation. It also reinforces the need for a robust quality assurance framework and improved scrutiny at both stages of the landlord's process.

The landlord should not approach its compensation calculation by awarding the minimum amount it thinks it can offer with a view to increasing it if the resident requests their complaint is escalated. This approach could disadvantage some residents who are reluctant to pursue their complaint. This could particularly affect more vulnerable residents who find the complaints process difficult.

The landlord needs to ensure it learns from its own complaints and other landlords where we have found reasonable redress. More recently the landlord has narrowed the gap between its compensation offers and the amount we have ordered, although a significant gap remains. Our Centre for Learning provides focus and support for landlords to expand their knowledge. At the time of writing, the landlord had not accessed the full range of resources we offer.

Alternative Dispute Resolution (ADR) scheme

The landlord has developed an alternative dispute resolution (ADR) scheme. It says the purpose of the scheme is to “speed up the disrepair process for people living in a Hackney Council home”. The landlord says the benefits to the resident are:

- the resident receives 100% of the compensation
- the work is completed more quickly
- a project manager keeps the resident updated on the progress of the works, ensures they are done to a high standard and inspects the work when it is finished
- the landlord can use the money saved through the process to deliver repairs and housing services to all its residents

The [landlord's website](#) says: “The ADR team will determine eligibility by investigating against an agreed criteria. This includes if you have reported a repair that’s been ongoing for over 6 months with no resolution even after going through our formal complaint process”.

The landlord has invested a significant amount of resource in its ADR scheme and at the time of our investigation it was continuing to grow the team and request further investment. This is concerning, given there is already an alternative dispute resolution scheme in place for issues with repairs – the complaints system.

Residents who have reported repairs to the landlord which remain unresolved can complain to the landlord. The complaint should be addressed through the landlord’s complaint process. If the resident remains dissatisfied at the end of the complaint process, they can bring their complaint to the Ombudsman. We provide a free, independent and impartial ADR mechanism for residents.

The Ombudsman also stresses the importance of landlords remaining committed to inspecting properties as soon as a claim is raised and to completing the repairs needed as soon as is practicable. Where a resident has been advised by a solicitor to deny access to complete the repairs, the landlord should consider alternative methods of gaining access such as seeking an injunction.

The landlord is not clear about the eligibility criteria for its scheme. Its website suggests residents will have completed the landlord's complaint process before accessing the ADR scheme, implying that the resident will have to go through the process twice.

The average number of days to complete the repairs through its ADR scheme was 71 days at time of investigation. The government has announced that Awaab's Law will be introduced for damp and mould in October 2025, and this will require landlords to act within certain timescales. The landlord does not appear to have considered the fact it may be funding and resourcing a response that will not meet these requirements.

The landlord's view that the ADR scheme resolves the disrepair faster than the legal process uses the wrong comparison. The landlord should compare the time taken through this additional stage with the time it should have taken if it complied with its own policy timescales for repairs and complaint handling. It should not compare it to the situation a resident is in when this fails.

We did not see any analysis of what impact the ADR funding and resource could have if it was allocated to the start of the process (repairs service) or to support the landlord's complaint handling for cases that could become disrepair claims. In order to effectively manage these cases, landlords should ensure they are equipped to identify cases at risk of becoming legal issues at an early stage and have appropriate strategies in place to progress them accordingly.

In case [202225779](#), the resident reported flooding and associated damp and mould to the landlord multiple times over a period of 3 years. Despite completing the landlord complaint process and bringing their complaint to us, the repairs remained outstanding and were referred to its disrepair team. The landlord failed to resolve the issue through its complaint process and continued to fail after our involvement. It is a good example of the risk that the landlord's ADR scheme adds another process for the resident, who may have already been through a lengthy and unsatisfactory complaint experience. We look at this case in further detail in the leaks, damp, mould and repairs section.

Knowledge and Information Management (KIM)

Issues with knowledge and information management can drive complaints and lead to the Ombudsman finding maladministration. KIM encompasses how data is:

- created
- stored
- used
- shared

Good KIM is integral to a landlord's performance, efficiency and effectiveness. Conversely, poor KIM impedes all aspects of a landlord's operation and service delivery. Most importantly, it affects the lives of its residents through the quality and reliability of the service they receive.

In our Spotlight report on [knowledge and information management](#) (2023) we said:

"...poor information management is such a strong and reoccurring theme across service areas that it is actually the closest thing the sector could get to a silver bullet".

We acknowledge the landlord was the victim of a cyber-attack and we do not underestimate the impact of this on service delivery in the short and medium term. However, recovery has been delayed by indecision and drift, to the detriment of the services the landlord provides. At times, the landlord has seemed unable to move past the initial reactive stage of recovery. It referred to the cyber-attack repeatedly throughout our investigation as a reason for the lack of progress across the issues we investigated. It also frequently cited the cyber-attack as a reason for delays and mistakes in complaints handling and repair orders.

Some staff said they were tired of talking about the cyber-attack, whilst others considered it the central blocker to improvement. In contrast to the landlord's position that the cyber-attack was the main obstacle to progress, staff told us that many of the data and systems issues pre-dated the cyber-attack.

The decision to build an in-house system was ambitious and became costly and time consuming. It was not clear to us why or how this project was allowed to continue for so long before the landlord finally decided it was not viable, and it would need to purchase a housing management system. The impact of operating without key systems and data cannot be underestimated. It continues to cause significant challenges, which affect the landlord's performance and residents' lives.

The landlord appeared to have a limited understanding of KIM beyond basic record keeping and data production. For example, we heard about the 'workarounds' staff had to use in order to record and share information across multiple spreadsheets in the absence of a centralised file sharing platform. In a centralised system, data entered in one database should pull across to other areas as needed. The landlord's 'workarounds' depend on staff manually populating fields across multiple disconnected databases, which is time consuming and not intuitive. Working in such a way leaves the landlord's operations vulnerable to human error. The ad hoc and de-centralised 'workarounds' reduce the quality of the service to residents.

During the site visit we asked the landlord about its current data gaps, which they identified as:

- protected characteristics
- additional needs
- household composition
- vulnerabilities and reasonable adjustments

These are all crucial datasets that underpin the safe and effective functioning of a landlord, particularly in relation to the most vulnerable residents. The lack of knowledge, data and insight relating to its stock and residents is a worrying combination and we did not find it was given the focus it warranted. We identified missed opportunities to fill some of these data gaps. For example, the landlord has over 70,000 contacts a month to its call centre. Each one is an opportunity to fill data gaps by asking residents for information about themselves, their household and their physical home. The response to significant gaps in the data and documentation the landlord relied upon should have been more urgent.

Inadequate data and systems are likely to undermine otherwise positive initiatives by the landlord. The landlord told us about its proactive approach to finding unreported damp and mould. It developed a predictive tool that analyses existing stock condition, occupancy and known additional needs to proactively contact 'at risk' residents. There is a fundamental issue with what would otherwise be a commendable initiative, because the landlord relied on what it knew to be incomplete data to make the assessment. For example, the data from one housing area showed the landlord only had tenancy audits for just over 10% of the properties. The landlord has not completed a full stock survey since 2018 and did not routinely and consistently collect information on residents' vulnerability and additional needs.

The landlord acknowledged some of the impact on its residents and staff. For example, it said it was unacceptable for residents to have to contact the landlord multiple times because of poor systems and records. It also acknowledged the challenge for its staff to remember the workarounds, which were confusing. We also heard this directly from staff. They told us about operatives allocated work on Post-It notes and residents who did not receive reasonable adjustments they needed to facilitate communication.

In its self-assessment against our KIM Spotlight report, the landlord described plans for behaviour change projects to train staff on use of systems and the importance of good recording. At this point the landlord was inviting suppliers to tender for the HMS. The last corporate data recording standards were established and documented in 2016. The landlord said it intended to review and update these standards but did not provide a timescale. There is a risk that a focus on staff behaviour belies the more fundamental issue that systems and processes remain inadequate.

Although the landlord saw the majority of its KIM issues as resulting from the cyber-attack, they are more accurately described as scrutiny and oversight failings. The landlord's self-assessment referenced the cyber-attack multiple times, without setting out clear plans or milestones to move past the current recovery stage. The landlord seemed unable to separate the cyber-attack itself from the breadth of KIM issues in their entirety.

Throughout our investigation, the landlord told us about its project to procure and implement a new HMS. However, unless it can acknowledge and address the fundamental KIM issues we have outlined, the HMS will not address the issues we see in our casework.

Case work data and evidence

In the cases we reviewed, we found repeated instances of poor record keeping and frequent mentions of the cyber-attack as justification for incomplete records:

- 30% of cases we reviewed explicitly mentioned the cyber-attack in correspondence
- 76% exhibited issues with record keeping in relation to communication, repairs logs, and vulnerability data

This suggests fundamental issues with the way data was collected, recorded and used. In almost every case where record keeping issues were present, the resident experienced delayed resolution of the complaint issues.

In some of our cases the landlord was not able to provide full case records when requested. This included missing tenancy agreements, repairs logs, contact records, historic complaints, and information about vulnerabilities. This reflects what the landlord told us about its data gaps. Incomplete record keeping has an effect on the landlord's ability to evidence that actions were undertaken. This leads to findings such as case [202226830](#), where we found maladministration with the landlord's record keeping because it failed to provide full records of its repairs visits and call records.

Similarly, in case [202308223](#), we found maladministration with the landlords handling of damp and mould because the landlord failed to take into consideration that the resident was registered disabled in its handling of the complaint. It said the resident did not inform them of their disability and it had lost any previous records due to the cyber-attack. It subsequently found details of their disability on individual work orders, but this information was not shared and centrally recorded.

We saw poor KIM contribute to findings of maladministration in other complaint categories. In 71% of cases where there were repeat call outs for the same repair, the repairs log was incomplete or contained incorrect entries. For instance, in case [202302021](#) an urgent repair was wrongly marked complete, leading to further flooding and several findings of maladministration. This suggests that poor record keeping is impacting the landlord's ability to provide an efficient and effective repairs service.

The residents we met told us the real-life impact of the landlord's poor KIM in relation to its residents and homes. They told us about the condition of their homes, the delay to the planned works and the lack of communication and records. The landlord was unaware of the issues on the estates and held no records of the communication it had with the residents about planned works. It told us:

"We hold very little information on [name of estates] due to the cyber-attack and difficulties in letting contracts for stock condition surveys and planned works since then. Consequently, there is no planned works history or associated communication to report against these blocks".

Four years after the cyber-attack, the landlord is only now developing its planned works programme. It had no record of its communication with the residents we spoke to about the planned works they said had been agreed but not carried out.

Case study [202117182](#)

The landlord was unable to provide repair records because of the cyber- attack

Miss Y lives with her partner. They both have asthma and Miss Y has mental health issues. The landlord did not have any record of their vulnerabilities.

Miss Y began reporting damp and mould in the property in 2016 and continued to report the issue until 2021. The landlord carried out multiple damp and mould surveys during this period. The resident also reported a leaking toilet in 2019.

The landlord was unable to provide full logs of the repairs for Miss Y's property prior to the 2020 cyber-attack.

Miss Y complained to the landlord in May 2021. She said she had been living with disrepair for years due to damp and mould, which multiple surveyors had advised was due to a lack of wall insulation. The smell, water and mould were making the property unpleasant and unclean. She said she told the landlord on at least 3 occasions that she and her partner had asthma and the conditions in the property were impacting their health and making them “continuously ill”.

The landlord’s complaint response said the cyber-attack meant it no longer had full access to the repairs records. It said the surveyor recommended a mould wash and an in-person survey after carrying out an inspection via video call, but that this had been delayed by the lockdown restrictions of the pandemic.

The resident was unhappy with the landlord’s response and asked for escalation to stage 2. She did not accept that the cyber-attack was the reason for the delay because the issues started long before that.

We found severe maladministration in the landlord’s response to damp and mould and maladministration in the handling of the leaking toilet.

We ordered the landlord to pay Miss Y £1,650 compensation and review its performance against its damp and mould action plan.

Policy and procedure

It is important for landlords to have policies and procedures in place to set standards and comply with legislative, statutory and regulatory requirements. Policies should clearly communicate the landlord’s position and procedures should implement the policy and translate them to everyday practice. Policies and procedures should have clear ownership, review dates and version control to ensure they are up to date and reflect any changes.

Policies can set the tone for the way residents are treated and set out the landlord’s view on certain issues. Procedures are vital for implementation of the policies so staff understand the ‘how’, decisions and actions are consistent, and they work to a standard set out by the landlord. It also sets a standard the landlord can measure itself against and understand when things go wrong whether the correct procedure was followed.

The landlord failed to recognise the importance policy can play in establishing the culture of an organisation. We found the landlord did not have control of its policies and procedures.

When Hackney Homes was dissolved in 2016 and the service returned to the Council, many policies and procedures were transferred and remained in place. The landlord was aware the majority of its policies and procedures were out of date, some did not exist and some still referenced Hackney Homes. There did not appear to be any significant progress in this area until after our investigation started.

The landlord said updating its policies was “one of the areas that needs focus” and “we need to accelerate”. It said the reason the work had not been done was because some of the policies were due for review during the same period as the cyber-attack and Covid-19. However, we found some policies had not been updated since 2014 and the majority did not include information such as review dates, owner or version control. When we asked the landlord how it prioritised the reviews, it told us that until recently its approach had been a “piecemeal approach to picking off old policies” and reacting to our determinations that identified policy issues.

The landlord told us it delayed the procedure reviews because it was developing the HMS, and the procedures would be written to account for the new system. The delays in the HMS project and recent decision to purchase a system left its staff with work arounds and outdated policy and procedures for over 4 years. Staff told us how working without a HMS was made even more challenging because of the lack of procedures in place. The landlord did not appear to acknowledge or understand the impact of the lack of up to date, clear and compliant policies and procedures on its staff and residents. We think credit should be given to the many landlord staff that have done their best to deliver a service in these challenging circumstances.

The landlord said it wants to be ‘resident focussed’ but it lost sight of that in reviewing its policies and procedures and their prioritisation. We found the opposite: the landlord’s decision making was centred around the landlord’s convenience. It told us it delayed some of the policy and procedure work to coincide with the introduction of the new HMS.

Given the number of policy and procedures that needed writing or updating we wanted to understand how the landlord would prioritise the sequence. This was an important consideration, not only from a risk perspective but also because so many policies and procedures are interrelated. Reviewing and updating policies in isolation can be inefficient and laborious.

We asked the landlord for a list of all policies and procedures, the review schedule and prioritisation process. The landlord provided a list of over 40 policy and procedures for review and updates, 16 were labelled high risk but it was not clear how the risk assessment model had been applied. When we asked what the biggest challenge was for the policy work it said the “sheer volume’ and they “could not see the wood for the trees”.

Even if the initial decision to delay the policy and procedure reviews was the right decision at that time, there should have been a point at which the landlord recognised it had waited too long and needed to prioritise this piece of work ahead of procuring the HMS. We question how the landlord’s scrutiny and oversight arrangements allowed the policy and procedure reviews to drift for so long. The landlord should ensure that when the work to update its policy and procedure is completed it has robust systems and scrutiny in place to avoid a repetition of the situation.

Vulnerability

The Ombudsman defines vulnerability as:

“A dynamic state which arises from a combination of a resident’s personal circumstances, characteristics and their housing complaint. Vulnerability may be exacerbated when a social landlord or the Housing Ombudsman Service does not act with appropriate levels of care when dealing with a resident’s complaint... if effective reasonable adjustments have been put in place, the vulnerability may be reduced.”

In January 2024, we published our Spotlight report on [attitudes, respect and rights: Relationship of Equals](#). The report considered what it means to be vulnerable in social housing and how landlords can respond effectively without stigma and marginalisation.

In the report, we told landlords that a dynamic approach to vulnerabilities is vital, including the need to recognise, adjust and respond to their residents' individual circumstances. The report also highlights how social housing residents as a demographic are ageing, increasingly vulnerable and disadvantaged. Landlords must adjust approaches and attitudes to meet the needs of this changing population. Otherwise, residents are at risk of being labelled without any of the associated benefits a label can bring.

The landlord does not use the term vulnerable. Instead, it calls its policy 'Supporting Residents with Additional Needs to Thrive'. For the purposes of the policy, it defines residents with additional needs as:

"Residents who, due to their personal characteristics circumstances or life experiences may either be currently or permanently less likely to achieve

- equal access to housing services
- equal outcomes when accessing our services"

(Supporting residents with additional needs to thrive policy- draft, August 2024).

The policy says it aims to ensure residents with additional needs receive good quality help and support and are able to access housing services fairly. The policy sets out the principles underpinning the policy and the expectations for landlord staff. It outlines the landlord's response and expectations in relation to a wide range of areas where a resident's additional needs are an important consideration.

During our investigation, the landlord was at the start of a significant and transformative piece of work on its approach to vulnerability. It acknowledged it needed a culture change and a move towards responding, recording and reporting becoming 'everyone's responsibility'.

The landlord's new policy and its commitment to developing and improving its response to vulnerable residents with additional needs is a good start. It has set itself ambitious commitments in this area of work. It also recognised the importance of training all its staff if it is to achieve its aim in relation to 'recognise, respond and report'.

It was positive to hear knowledgeable staff demonstrate real insight into vulnerability. They acknowledged how much work is needed to get the landlord to where it needs to be. It is this practical understanding of what needs to be done that the landlord should concentrate on when devising its action plan.

We asked the landlord how well it knew its vulnerable residents. It was unable to provide a clear picture of its understanding. It knew it had gaps, and its data was not accurate or complete. It told us:

"...recording and reporting is not up to scratch. (We've) not got a great understanding of overarching performance".

The landlord's policy sets out its provision of services and adjustments, but it did not match what it told us about its approach to reasonable adjustments through its contact centre. The landlord did not have an overarching reasonable adjustment policy. It told us staff dealt with each resident on a 'case by case' basis, and it viewed this a positive approach. While we accept residents will have specific needs that need to be considered individually, there is a risk of inconsistency in the absence of a clear baseline policy. We do not agree with the landlord's view that an ad hoc, case by case basis was an acceptable approach to vulnerability and reasonable adjustments.

The policy says all repairs operatives will be trained to recognise, record and respond to residents with additional needs. This is a long way from where the landlord was when we visited in May 2024. When we spoke to operatives, most could not remember the last time they had any safeguarding or vulnerability training. The landlord also acknowledged it had "a lot of work to do" in this area.

The policy includes information about the response to fire safety following the Grenfell Tower tragedy. It summarises the emergency evacuation information sharing, assistance and fire risk assessment.

This is at odds with recent Freedom of Information data reported by [The Guardian](#) in September 2024. The request asked all London landlords how many personalised emergency evacuation plans (PEEPS) had been issued since 2017. The landlord was one of 5 that had not issued any PEEPS.

The data section of the policy again references the cyber-attack:

“In 2020, Hackney Council suffered a criminal cyber-attack that devastated our records and IT systems. We are still in recovery from this.”

While we accept the ongoing impact of the cyber-attack has been significant for the landlord, this is another example Hackney citing it as a reason for a lack of progress in a key area.

The policy is well-intentioned but is an aspirational document rather than a policy the landlord is in a position to adopt. It is a confusing mix of policy, procedure and action plan. If it is to achieve its aims and ambitions, one significant obstacle the landlord must overcome is the poor state of its KIM in relation to its stock and its residents.

Evidence from our casebook shows the landlord’s approach to vulnerabilities has been putting residents at risk:

In case [202308223](#) the resident told the landlord repeatedly about their needs as it responded to damp and mould, and it was the landlord's poor processes, systems and KIM that contributed to the lack of visible information.

In case [202121330](#) a survivor of domestic abuse had to repeat traumatic details of past abuse to members of staff as data had been lost during the cyber-attack. We found the landlord failed to evidence that it took reasonable steps in relation to the household vulnerability by risk assessing and acting on the findings of this risk assessment.

Case study [202213556](#)

Delays resolving serious disrepair for a vulnerable resident.

Mr X has complex mental health conditions, which includes diagnoses of agoraphobia, anxiety, and a learning disability.

In 2021, Mr X complained to the landlord about disrepair to his bathroom and kitchen. He told the landlord he had been living without electricity, heating, hot water and smoke alarms for several years.

When the landlord's surveyor attended the property, they confirmed his reports and told the landlord Mr X was lighting his property with candles. At a later date, the landlord moved Mr X into hotel while it completed the repair works.

Mr X complained to the landlord about delays carrying out the repairs. He also complained the landlord was dishonest and tried to cover up how long he had been living with disrepair. He told the landlord he felt he had been subjected to discrimination, harassment and victimisation when chasing outstanding matters.

Mr X complained to the Ombudsman because he was unhappy with the landlord's stage 1 and stage 2 complaint responses.

We found the landlord should have inspected the property within 24 hours of Mr X reporting no heating, hot water and electricity. Following the inspection, it should have raised the required works sooner. We also found the cause of the lack of gas or electricity was not investigated at the time of the inspection. It was later established the electricity company had removed his meter in 2014.

The landlord did not have full records relating to the maintenance of the property. The landlord could not say with confidence what installations were in place at the start of the tenancy in 2001. There was no evidence of a stock condition survey or tenancy audit that might have revealed the issues earlier.

The landlord did not have a vulnerable customer or unacceptable behaviour policy at the time of the investigation. The landlord said Mr X's communication became excessive and threatening. However, we found it was unreasonable for the landlord to tell Mr X further excessive or abusive communication could result in him losing his home. The landlord failed to consider all aspects of the case before deciding how to proceed.

We found the landlord failed to keep a robust record of contact, actions, and reasons for decisions.

We made 2 findings of severe maladministration, 2 of maladministration, 2 of service failure and one of no maladministration. We ordered the landlord pay Mr X £4,673.58 compensation. We also ordered the landlord to assess the information it held on its housing stock.

Lack of prioritisation and risk management

We found a lack of prioritisation and risk management across all the areas we investigated. This presented as an inability to apply a consistent prioritisation and risk management structure to the strategic priorities.

When our investigation began, the landlord was at the early stages of its housing improvement plan. It had a variety of action plans across several strands of work, which all contained a high number of actions. The sheer number of plans and actions created the impression of activity, but did not translate into an ability to get the basics right consistently. The landlord did not seem to acknowledge this and prioritise accordingly.

The lack of structure created an environment where the landlord was constantly 'firefighting', moving from one issue to another without the necessary thought and consideration. Whilst it was encouraging the landlord responded positively to the start of our investigation, we were concerned by how quickly it produced its action plans in response to the key themes we originally identified. For an action plan to be effective, it needs to be clear, considered and targeted.

There was a change in approach when the project team became involved in the housing improvement project. There was more detailed analysis of the causes in order to propose actions and make recommendations. However, there was a disconnect between the project team's work and the operational teams, particularly regarding complaints.

The themes we initially identified in our review were symptoms, not causes, of repeated failings. The landlord's overly simplistic focus and response to the initial themes meant it failed to carry out an in-depth analysis of the situation. The lack of analysis meant it did not have firm foundations on which to base its response and decision making. In the absence of these foundations, the landlord has yet to demonstrate it is on solid footing, and this is likely to hamper its progress.

This will be particularly important in relation to forthcoming requirements, such as Awaab's Law.

Scrutiny and oversight

Local authorities are accountable to their communities for the money they spend. They are legally required to ensure they provide value for money, and to achieve this they should have a governance framework that supports a culture of transparent decision-making as an integral part of accountability and scrutiny.

The statutory Complaint Handling Code proposes landlords have a Member Responsible for Complaints (MRC) on their governing body (or equivalent). The role of the MRC is to:

- promote a culture of openness and transparency in relation to residents' complaints
- provide assurance that systems are in place to capture learning from complaints
- ensure senior level ownership of learning and accountability stemming from complaints

The MRC can create a culture where senior management regularly review issues and trends arising from complaint handling. Themes or trends should be assessed and reported to the governing body, to identify potential systemic issues, serious risks or policies and procedures that require revision.

The Living in Hackney scrutiny commission (the Commission) is responsible for overview and scrutiny of the landlord's housing services, including:

- council homes (ongoing improvement)
- maintenance, repairs and estate environment
- asset management
- services for tenants and leaseholders
- housing policy

The Commission is also responsible for a variety of other council services including community safety, public realm, housing (benefit and temporary accommodation), planning, arts and culture.

The Commission discharges relevant statutory duties and acts as a 'critical friend' challenging the Council's decisions. It also holds relevant cabinet members to account.

Housing complaint performance is sometimes discussed at the Commission meetings. However, the formal detailed scrutiny of the landlord's complaints is through its complaints and enquiries annual report to its Scrutiny Panel (the Panel). The Panel sits separately from the Commission and considers complaints performance across all the Council's functions, not just housing.

There was a disconnect between the oversight and scrutiny of the landlord's performance and its complaints handling. We understand that because the landlord is a local authority the structure for its housing services and complaints falls under 2 different committee and panel structures. However, the role of the MRC is clear, and the landlord should consider how it can ensure learning and accountability through its structure to fulfil the expectations of this role. We have a range of resources to support MRCs available through our Centre for Learning.

We found the landlord did not consistently provide transparent and relevant information to the Commission and Panel on the issues arising from complaints. Specifically, we observed this in the scrutiny sessions related to the following:

- the 5-day damp and mould inspection target
- repairs satisfaction measures
- the number of completed repairs and repeat visits

We summarised our findings in relation to the landlord's response and reporting of these issues earlier in the report. This hampered the landlord's ability to identify, explore or challenge the data and information in an effective or meaningful way.

It also meant the landlord continued to measure itself against Key Performance Indicators (KPIs) that lacked meaning and impact for residents because the outputs did not necessarily produce the outcomes required to address the themes seen in complaints.

In general, we found the internal challenge was at times ineffective and limited at addressing the issues we are seeing in complaints, including decisions about the housing management system, stock condition, response to damp and mould and outdated policy and procedures.

Conclusions

The landlord staff we met were committed, but attempting to deliver services with little structure, procedure, systems or data to support their work. From the evidence we have heard and seen, the good work they have achieved was happening despite the landlord's structures and systems rather than because of them.

We were pleased we could meet some of the landlord's residents during our visit. They were fair, balanced and understanding, particularly in light of some of the issues they faced. None of them were asking the landlord to do any more than the minimum they should expect. They wanted the landlord to provide safe, well-maintained homes, respond to their concerns promptly and effectively, and treat them with understanding and respect taking into consideration their individual needs and circumstances.

We launched our investigation at a time when the landlord was at the start of a significant project to improve its housing services. Some of this work was accelerated by our involvement. The programme strategy group was put in place to provide governance, and it agreed the 4 key themes:

- response to regulation
- workforce development
- resident focus
- systems and data

The landlord has invested in significant resources to support and deliver its improvement programme. It recognised the need to separate strategic and operational leadership roles to allow additional time for leaders to focus on each area of work.

However, some of the landlord's actions once our investigation began caused us just as much concern as the reasons for initiating the investigation.

The landlord has faced significant challenges, some of which were shared with many other landlords; the Covid-19 pandemic, inner city demand, old housing stock, insufficient budgets. It had the immense challenge of the 2020 cyber-attack when it was already responding to the pandemic. The landlord was often quick to remind us, and its residents, of the ongoing impact of the cyber-attack.

However, we heard from some landlord staff that the biggest barriers to progress ran deeper and predated both Covid-19 and the cyber-attack. The landlord appeared to aspire to 'be the best' or 'lead the way'. High performance expectations or aspirations are positive, but they cannot be achieved without first getting the basics right. Instead, it appears the landlord was pursuing aspirational work without undertaking analysis to understand the core issues it was trying to solve, which were repeatedly presenting in its complaints. The landlord proudly reported its progress against KPIs, while ignoring the fact many of these did not address the housing management issues that impacted its residents the most. It often defended its decision making without heeding concerns being raised.

It took 3 years after the cyber-attack for the landlord to accept it was not capable of building an IT system in-house, severely impacting the service the landlord provides.

The inability to view things in a realistic way, rather than through a 'positivity prism' could go some way to explain the root cause of the landlord's problems. If the landlord's mindset prevents real learning and reflection, including from complaints, then there is a significant risk the landlord will continue this cycle of underperformance.

Compliance

Between October 2023 and April 2024, we made 205 orders and 60 recommendations. These included ordering the landlord to pay residents a total of £64,222.87.

The individual orders and recommendations can be found in the investigation reports on our [website](#). Our decisions are published to our online casebook 3 months after 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](#).

We made many orders in individual cases requiring the landlord to take specific actions (such as inspections, investigations, communication points, or repairs). We also made orders and recommendations for the landlord to seek to prevent failings from happening again. Key or repeated orders and recommendations of this nature are summarised below.

Complaint handling:

- train its staff on complying with its complaints policy
- ensure there is a process to follow up on commitments made to provide a remedy to the resident
- review individual complaint cases for learning to improve services

Repairs:

- review individual cases to identify learning to improve services
- review its approach to repairs for vulnerable residents
- train its staff on responding to damp and mould reports appropriately, and on following its major works and decants processes
- review its process for communicating with its contractors and residents about ongoing repairs

- review quality assurance processes for repairs its contractors carried out
- introduce an escalation process when a contractor is unresponsive
- assess the information it has on its housing stock to identify overdue condition surveys
- review its decant procedure

Cross cutting issues:

- review and improve its record-keeping processes and practices to ensure clear and accurate records
- ensure it has a system to prevent data loss for residents' files in the event of a cyber-attack
- train its staff on using its database systems
- ensure residents' disabilities, and any reasonable adjustments, are documented
- train staff on following up on risk assessment findings which set out residents' individual needs

Complaint Handling Failure Orders

Complaint Handling Failure Orders issued to the landlord for the cases reviewed for this report. (DR- Dispute Resolution)

| Case | Date | By | Reason |
|---------------------------|------------|----|--|
| 202213194 | 02/11/2023 | DR | Evidence of compliance not provided by the landlord. |
| 20230007 | 21/02/2024 | DR | Evidence of compliance not provided by the landlord. |

| Case | Date | By | Reason |
|----------|------------|----|--|
| 20220709 | 11/04/2024 | DR | Evidence of compliance not provided by the landlord. |

[Details of all Complaint Handling Failure Orders can be found online.](#)

Recommendations

Within 3 months the landlord should provide the Ombudsman with an action plan setting out how it intends to meet the following recommendations. We will review progress against these during the post-report monitoring period.

Complaint handling:

- produce a quality assurance framework, with supporting implementation and monitoring plan, for both stage 1 and 2 complaints. This should include how the landlord will monitor its compensation payments to ensure consistency. It should consider how to use our determinations and reasonable redress findings to improve its performance
- provide an update on the improvements to the lessons learnt process at stage 1 and 2
- report data and analysis, to the Commission and Panel, of time taken to:
 - acknowledge complaints
 - allocate complaints
 - escalate complaints
 - use of the extension period at stage 2
- the landlord should use this information to identify any required improvements and explain what action it will take

ADR:

- publish information about the Housing Ombudsman Service on the ADR webpage and all ADR correspondence with residents
- explain how the landlord is satisfied the ADR scheme is Code compliant

Repairs, leaks, damp and mould:

- produce a performance reporting framework to ensure relevant scrutiny and oversight functions receive transparent, accurate and insightful information and data - this should include the time taken to complete damp and mould works and satisfaction with these works

KIM:

- update on the data set gaps, including timeframes and methods to resolve them relating to:
 - protected characteristics
 - additional needs
 - household composition
 - vulnerabilities and reasonable adjustments
 - provide an overview of the behaviour change project and the analysis to support its plans

Policy and procedure:

- explain the prioritisation and risk management process

Vulnerability:

- explain how the landlord will identify those residents in need of reasonable adjustments, from initial contact, and how it will:
 - record and share this information across the service
 - keep it up to date

Prioritisation and risk management:

- review the existing action plans and identify the priority actions that carry the highest risk or have the most impact on residents

Scrutiny and oversight:

- facilitate the Ombudsman to present the findings of this investigation to the relevant Commission and Panel meetings
- the MRC should work with the Commission and Panel to decide on a suitable mechanism to address the report findings

Statement from Hackney Council

Councillor Guy Nicholson, Deputy Mayor and Cabinet member for Housing Management and Regeneration, said: "The Council has never shied away from its duty to its tenants and residents to provide the best housing services and should it fall short, it must improve.

"The Council acknowledges the Housing Ombudsman's assessment that tenants have not received the service they should be receiving from the Council. On behalf of the Council I apologise for this shortfall and reassure both tenants and the Housing Ombudsman that Hackney Council is fully committed to improving the service it provides as a landlord to the homes it has responsibility for.

"The Housing Ombudsman has investigated a range of cases that had affected tenants from two years ago which predated the implementation of the Council's own internally led service improvement plan.

"It is heartening to note that the Housing Ombudsman recognises the commitment of housing officers in delivering services to tenants, acknowledges the Council's work to implement its service improvement plan and the introduction of a better approach to support residents with additional needs to live in their homes.

“The Housing Ombudsman also acknowledged the range of external challenges that the Council has faced in recent times which included the Covid-19 pandemic lockdowns, rising prices and the impact of maintaining an ageing housing stock which had all contributed to the shortfall in service.

“I can assure the Housing Ombudsman that all in the Council will remain focused on improving the housing services it provides to its tenants.”

Annex- List of cases

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

| Case | Severe Maladministration | Maladministration | Service failure | No maladministration |
|----------------------------------|--|------------------------------|-----------------|------------------------------|
| <u>202210294</u> | | Complaints handling | | Responsive repairs - general |
| <u>202234674</u> | Responsive repairs – leaks / damp / mould | Decants | | |
| 202207096 | Decants Responsive repairs – leaks / damp / mould | Complaints handling | | |
| 202200230 | | Responsive repairs - general | | |

| Case | Severe Maladministration | Maladministration | Service failure | No maladministration |
|-------------------------|---|--|--|-------------------------|
| 202212255 | | Responsive repairs – leaks / damp / mould Complaints handling | | |
| <u>202119231</u> | | | Responsive repairs – general Responsive repairs – leaks / damp / mould | Transfer Application |
| <u>202121330</u> | | Aids and adaptations Complaints handling | | Ending of tenancy |
| <u>202117182</u> | Responsive repairs – leaks / damp / mould | Responsive repairs – leaks / damp / mould Complaints handling | | |

| Case | Severe Maladministration | Maladministration | Service failure | No maladministration |
|-------------------------|---------------------------------|--|--|-------------------------|
| 202127115 | | Noise | | |
| 202108900 | | Noise KIM Complaints handling | | |
| <u>202215973</u> | Responsive repairs - general | Complaints handling | | |
| <u>202301936</u> | | Responsive repairs – general Responsive repairs – leaks / damp / mould | | |
| 202231324 | | Responsive repairs - general | | |
| <u>202308223</u> | | Responsive repairs – leaks / damp / mould Complaints handling | Responsive repairs – leaks / damp / mould | |

| Case | Severe Maladministration | Maladministration | Service failure | No maladministration |
|-------------------------|---|--|--|------------------------------------|
| <u>202202843</u> | | Transfer Application | Noise | |
| 202219826 | | Complaints handling Responsive repairs - general | | |
| <u>202213556</u> | Responsive repairs – heating and hot water Decants | Responsive repairs – general Complaints handling | Major or planned works Staff conduct | Responsive repairs - general |
| <u>202225651</u> | | Responsive repairs – general Complaints handling | | |
| <u>202211339</u> | | Responsive repairs – leaks / damp / mould Complaints handling | | |

| Case | Severe Maladministration | Maladministration | Service failure | No maladministration |
|-------------------------|--------------------------|--|------------------------------|--|
| 202300077 | | Responsive repairs – heating and hot water | | Condition of property on letting (redress) Responsive repairs – general (redress) Responsive repairs – general Gas safety |
| 202224317 | | Complaints handling | Responsive repairs - general | Use of communal areas |
| 202211661 | | | | Cyclical works |
| 202311740 | | | | Property condition (Settlement) |
| <u>202227824</u> | | Complaints Handling | | |

| Case | Severe Maladministration | Maladministration | Service failure | No maladministration |
|-------------------------|---|--|--|----------------------|
| <u>202205960</u> | | Responsive repairs – general Staff conduct Aids and adaptation Complaints handling KIM | | |
| <u>202229637</u> | Responsive repairs – leaks / damp / mould | Complaints handling Responsive repairs – heating and hot water | | |
| <u>202231148</u> | | | Responsive repairs – heating and hot water | |
| <u>202226213</u> | | Responsive repairs – general Complaints handling | | |

| Case | Severe Maladministration | Maladministration | Service failure | No maladministration |
|-------------------------|---|---|--------------------|-------------------------|
| <u>202228593</u> | | Responsive repairs – general Complaints handling | | |
| <u>202228862</u> | Responsive repairs - general | Complaints handling | KIM | |
| <u>202302393</u> | | Responsive repairs – leaks / damp / mould Complaint handling | | |
| <u>202225779</u> | Complaints handling Responsive repairs – leaks / damp / mould | Responsive repairs – leaks / damp / mould | | |
| <u>202226830</u> | | Complaints handling Responsive repairs – leaks | | |

| Case | Severe Maladministration | Maladministration | Service failure | No maladministration |
|-------------------------|-----------------------------|---|--|-------------------------|
| | | / damp / mould KIM | | |
| <u>202232201</u> | | Responsive repairs – leaks / damp / mould | | |
| <u>202224483</u> | | Responsive repairs – heating and hot water | Complaints handling | |
| 202201776 | | | ASB | |
| <u>202312141</u> | | | Responsive repairs – leaks / damp / mould | |
| <u>202302021</u> | | Responsive repairs – leaks / damp / mould | Complaints handling | |
| 202313598 | | | | Noise (redress) |

| Case | Severe Maladministration | Maladministration | Service failure | No maladministration |
|-------------------------|---------------------------------|--|-------------------------------------|--|
| | | | | Complaints handling (redress) ASB |
| <u>202307280</u> | | ASB (counter- allegations) | Complaints handling Noise | ASB |
| 202203466 | Responsive repairs - general | Complaints handling | | |
| <u>202312351</u> | | | | Responsive repairs – general (redress) Complaints handling (redress) |
| 202302953 | Complaints handling | Responsive repairs – leaks / damp / mould | | |
| <u>202321997</u> | | | | Responsive repairs – leaks / damp / |

| Case | Severe Maladministration | Maladministration | Service failure | No maladministration |
|-------------------------|-----------------------------|-----------------------------------|--------------------|------------------------------------|
| | | | | mould (redress) |
| <u>202230456</u> | | ASB Complaints Handling | | Responsive repairs - general |

Note: this table does not include cases where all issues have been found to be outside of the Ombudsman's jurisdiction, cases open at review, withdrawn cases and unpublished cases. Analysis in this report refers to datasets that include unpublished cases. For this reason, the number of cases listed here may differ from the number referenced in other parts of the report.

Housing
Ombudsman Service

PO Box 1484,

Unit D Preston

PR2 0ET

0300 111 3000

www.housing-ombudsman.org.uk

Follow us on **LinkedIn**