

Ombudsman Determination

Complaint Ref: 20230322

Introduction

In May 2025, the Housing Ombudsman issued Plexus, with a determination finding that there was severe maladministration in our handling of reports of ongoing leaks and resulting damp and mould along with a severe maladministration for the complaint handling.

In this determination, an order was set out to conduct a review of the voids process, insurance and liability matters and its approach to redressing complaint handling failures.

This report responds to issues raised in the determination, highlights procedural oversights, and acknowledges areas where improvements have been made and continuous learning is ongoing.

It is never easy to read a report which has found severe maladministration in the services we provide but it does give us the opportunity to take accountability, reflect and continually challenge ourselves to improve and we are grateful for that opportunity.

Vicki Jessop

Board Member Responsible for Complaints

Scope

The scope of the review covered:

- Background to the case
- Handling of reports of damp and mould and the voids process
- Complaint handling
- Insurance and liability matters

Background

The resident moved into the property in February 2023 after being transferred from another property which suffered from structural problems with the roof, resulting in damp and mould and rising damp from the basement.

Shortly after moving into the property in February, the tenant experienced several leaks from the boiler and pipe work from this and along into the kitchen. Whilst the emergency work was attended to timely, it was found that additional parts were needed and therefore there was a delay in fully resolving the issue which then had caused damage.

Following an inspection, various works at the property were agreed and carried out but the tenant believed there was an underlying damp issue, and the complaint was escalated to Stage 2, and compensation was paid.

A further complaint was raised in 2024 for damp and mould and after much investigation, a pressure test was carried out and a damp survey which identified issues with the pipes running under the flooring in the hallway and this was causing the leaks and subsequent damp and mould.

As the tenant was experiencing this along with anti-social behaviour, the decision was taken to offer the tenant another move in September 2024, which was accepted, and work was carried out at void.

Review Findings

1. Handling of reports of leaks, damp and mould

Prior to the tenant moving in, the property had over £5,000 spent in voids works. It had been noted on the void ticket in November 2022 that there seemed to be a leak which was affecting the walls in the bedroom and hallway, and this could be relating to rising damp and requested a damp survey was carried out.

A damp survey was carried out by Peter Cox, but this was not attached on the work ticket at the time and therefore not submitted to the Ombudsman.

While Peter Cox noted that the readings were indicative of dampness potentially caused by a plumbing leak, the wording suggests that we may have initially identified the leak.

There was no available evidence confirming that repairs and maintenance adequately investigated or eliminated the possibility of a plumbing leak during the void stage.

The survey made several recommendations that included upgraded extractor fans, warmer wall treatments and replastering and evidence confirms that only mould stain blocking had been completed, which aligns with the concerns raised in that remedial works were not carried out.

Further leaks were reported and whilst attended to, the frequency of the leaks should have been investigated further at this point, and a comprehensive inspection of the pipework would have been prudent.

As part of the complaint process, an inspection was raised in April 2023 and identified several areas of work that need to be carried out, but damp and mould was not severe.

There was no record of the inspection as the work had been outlined in the Stage 1 response; however, it is acknowledged that there should be formal records of inspections carried out by repairs supervisors on file at the time of attendance.

The additional work that had been identified following the inspection, calls into question the effectiveness of the voids process and whether this takes into consideration the full history of the property.

The tenant was unhappy that work had not been completed timely and wished to escalate her complaint. She was also concerned about the quality of work. Further work was carried out between May and September where the complaint was settled, and further compensation was paid.

However, from October 2023 further issues with damp were raised and another complaint was logged in March 2024 for this alone and after further works in the bathroom, in which poor workmanship had been identified, the complaint was escalated in August, and a damp survey was requested along with a pressure test of the pipes.

This enhanced report identified significant issues which would have resulted in a temporary decant, which would have been very problematic for the tenant and their family. As a result of experiencing ongoing antisocial behaviour as well, the tenant was moved in September 2024.

The Ombudsman has repeatedly highlighted deficiencies in record keeping and we accept this finding and acknowledge that improvements are required in documentation practices, particularly in relation to inspections, operative notes, and complaint handling.

2. Voids process

The findings of the review into the voids process identified the following:

- Voids and lettings team have a process template for actions to be taken at void.
- Voids standard in place and schedule of works required for each property.

- Voids are inspected initially by the Housing Officer and then signed off by the Repairs/Contract Manager when ready.
- A central voids team is in place which monitors KPIs relating to void works.
- The team also sit within the repairs division and so communication between individuals has improved.

Improvements made

- All void tickets are reviewed regularly during works with any additional works being raised and signed off by Supervisors.
- Relevant property documents are reviewed during the void process to capture all round history of the property such as asbestos reports, damp surveys and identify any additional works needed by repairs department.
- Recommendations following surveys are raised as repairs or documented if work is not deemed as an immediate priority.
- All inspections carried out by Repairs Supervisors or the complaints team are formally recorded on a template/work ticket to evidence findings and action agreed.

3. Complaint handling

The first complaint regarding ongoing leaks was raised in April 2023 following Ombudsman intervention. This was unfortunate as the tenants' expressions of dissatisfaction had not been referred to the complaint handling team. We did not address this, nor apologise enough in our stage 1 response as it was a failing within the wider organisation to acknowledge the importance of complaints and dealing with them early.

It was noted in the report that we failed to appropriately acknowledge whether elements of the complaint were upheld or not, this is now common practice for which we have examples of responses reflecting this.

The tenant requested that the complaint was escalated to Stage 2 in May with works in progress and based on an ant infestation. This was declined at the time as pests are considered tenants responsibility and could not be attributed to the repairs being carried out directly.

We did escalate following the Housing Ombudsman's intervention in June as the tenant had raised dissatisfaction with the quality of work being undertaken and the progress. We did issue two responses at Stage 2 and continued to monitor progress until the resident informed us, she was happy to settle the complaint. However, we should have acknowledged the delays in resolving the complaint in full within the final responses and offered redress.

We also shared the residents' concerns regarding quality of work however, this was not made clear in our responses and as highlighted by the Ombudsman could be deemed as lack of transparency along with evidencing how we have learned.

We acknowledge that our findings at one point suggested the tenant was contributing to the problem regarding a damp hallway floor. This should not have been stated to the tenant without clear evidence as this was perceptions and this is a key learning point to base decisions and judgements on facts and probable cause and not conjecture.

Whilst we acknowledge that our interaction with the tenant may have led to further distress, there was also several incidences of verbal abuse from the tenant in telephone exchanges and we did not pursue any punitive action to remain fair and find a mutual resolution.

It is worth noting that this complaint was handled in 2023, and significant changes have taken place since then.

Improvements made

- All staff have undertaken Housing Ombudsman Complaint Handling Code training, embedding a culture of change with staff and senior managers with the Member Responsible for Complaints championing this change at senior manager meetings.
- Communication is reviewed by Line Managers prior to being sent at Stage 1 and Senior Managers at Stage 2.
- All staff have gone through Fairness and Inclusion training with awareness focussing on social housing.
- Property repairs histories are now routinely completed which helps inform the outcome of the investigation.
- Complaint responses indicate whether an issue is upheld or not.
- Complaints are reviewed monthly with the Member Responsible for Complaints so that we can review the lessons learned from complaints and what changes need to occur in operational teams.
- Complaint trends are reviewed at the Customer Experience Committee to consider failings and what corporate action is needed.

4. Insurance and liability matters

The tenant informed us that their child had fallen because repairs had not been completed in April 2023. This should have been acknowledged in the complaint responses and adequate information supplied to the tenant on how a claim or report of personal injuries should be handled. This has now been rectified in our new complaints policy and all customers who report personal injury incidences are advised to contact our legal and claims department.

5. Attitudes of Staff & Contractors

From the Ombudsman's Investigation Report and our own internal review, it is evident that we believed the problem to either external influences such as other properties or the tenants own contribution.

We also had several opportunities to carry out work recommended following surveys and inspections and yet this was either not completed or part completed and took far longer than it should have.

This showed a general lack of understanding and care for the needs of our tenants and the importance of providing excellent customer service.

This is changing as staff have undergone refresher training in customer service principles, complaint handling, regular toolbox talks for front line operatives regarding customer service and experience.

6. Repairs and maintenance

Generally, our repairs took far longer than they should have done and were not prioritised effectively once this case became a complaint. We have reviewed our policy in this area, but we also need to focus on the following:

Improvements made

- Record keeping is part of the performance framework for all staff.
- Operational guidelines for supervisor attendance are in place, such as when a repair has been reported/attended to more than once and a full investigation is warranted.
- Customers are now offered temporary accommodation in cases where properties are subject to extensive repairs.

7. Safeguarding

There were no vulnerabilities or disabilities flagged up at the time the tenants moved into the property and considering the family had a young child, work associated with damp and mould should have been prioritised and all avenues explored much quicker.

Improvements made

- We are continually updating our system with information on our tenants to include vulnerabilities and changes to household compositions. The presence of young children in a property reporting damp or mould is always treated as a priority.

Impact on Tenants

As part of the determination, it was required that we explore whether any additional complaint may have been affected by similar failures which was carried out. This exercise has been undertaken.

Conclusion

We acknowledge the concerns raised in the Ombudsman's findings which have been shared with all managers and team leaders and improvements have been made since this case was referred, however there is more that we can do, and we are committed to continually learning and evolving to ensure our services meet the needs of our tenants.