

**Housing Ombudsman
Special Report on the
London Borough of Lambeth**

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 report provides learning on complaints for the London Borough of Lambeth following a series of formal investigations. We used our new powers under the Housing Ombudsman Scheme to consider the landlord's complaint handling, following the volume and frequency with which we had issued complaint handling failure orders involving the landlord.

The report provides insight to help the landlord to strengthen its complaint handling and address some of the substantive issues giving rise to complaints, to help extend fairness to other residents and help prevent complaints in future. Our findings are limited to the individual investigations conducted and do not seek to be a comprehensive assessment of the landlord's performance.

We published the report to help other landlords identify potential learning to improve their own services. It is part of our wider work to promote learning from complaints, monitor landlord performance and extend investigations under paragraph 50 of our Scheme.

Complaint handling failure orders

Since January 2021, we have issued complaint handling failure orders to landlords for failures to progress complaints through their complaints process or provide information to the Ombudsman. We issued five complaint handling failure orders to the landlord between January and September 2021, three of which it did not comply with. We approached the landlord to explore the issues it was experiencing that were impacting on its complaints handling, as well as what its plans were for its repairs and maintenance service. Having agreed an action plan with the landlord, we held regular meetings to discuss progress against that action plan and to share information to help progress those complaints that were with the Ombudsman for investigation.

We welcome the landlord's constructive engagement with this work.

Formal determinations

The Ombudsman issued nine formal determinations to the landlord in November 2021. While we considered what was fair in all the circumstances of each individual complaint, several cases shared the same complaint categories. Overall, the investigations covered 31 aspects of complaint covering a range of issues, the most common of which were:

- Repairs
- Complaints handling
- Record keeping

The investigations were progressed together to ensure we were able to identify any systemic failing in service provision. We made 30 findings across the nine investigations.

The findings were as follows:

Findings	Severe maladministration	Maladministration	Service failure	No maladministration
202006404		<ul style="list-style-type: none"> • Kitchen renewal work • Complaint handling • Record keeping 		
202107314		<ul style="list-style-type: none"> • Boiler repairs • Record keeping 	<ul style="list-style-type: none"> • Installation of shower head and water pump • Complaint handling 	
202010775¹		<ul style="list-style-type: none"> • Complaint handling 	<ul style="list-style-type: none"> • Concierge service • Admin of service charges 	<ul style="list-style-type: none"> • Items being stored in communal area • Contacting mortgage provider (service charges)
201910159	<ul style="list-style-type: none"> • Complaint handling 	<ul style="list-style-type: none"> • Repair of windows • Repair of front door • External drainage and underfloor pipe • Record keeping 		
202104783		<ul style="list-style-type: none"> • Application for leaseholder adaptations to property 		
202006703			<ul style="list-style-type: none"> • Response to anti-social behaviour reports • Handling of a leak • Complaint handling 	
202007286		<ul style="list-style-type: none"> • Repairs • Pest control • Complaint handling • Record keeping 		
202010354				<ul style="list-style-type: none"> • Noise • Anti-social behaviour

¹ The resident has requested a review of the determination

202003976	<ul style="list-style-type: none"> • Handling of leak • Complaint handling 	<ul style="list-style-type: none"> • Record keeping 		
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We found maladministration where adverse effect was caused to the resident by the landlord significantly delaying or failing to respond to complaints, where its position through the complaint procedure was not supported by evidence, and where it failed to attempt to put things right when it was aware things had gone wrong.

We found severe maladministration in complaint handling where there were significant and cumulative failings which were found to have a seriously detrimental impact on the resident. In these cases, there had been substantial failings in the landlord's response to repairs and the poor complaint handling exacerbated these failings. Rather than act as a tool for resolution, actions in the complaint procedure further undermined the landlord and tenant relationship.

The impact of poor record keeping on service delivery was a theme identified in several of the cases. Incomplete records meant that the landlord could not evidence it had appropriately diagnosed or completed repairs it was responsible for, so could not satisfy itself or the Ombudsman that it had fulfilled its obligations or acted reasonably. It also meant that it was unable to track or monitor repairs in real time or follow up on outstanding repairs, which exacerbated delays. This also meant that it could not provide accurate information to residents when they made enquiries. We also found that poor record keeping hampered the landlord's ability to respond in a meaningful way to complaints. In one case, the landlord was unable to provide insurers with relevant documentation.

The themes identified in these cases highlight the importance of landlords maintaining appropriate and easily accessible records, and of operating complaint handling services which align with the principles of effective dispute resolution; recognising what has gone wrong, seeking to put things right, and learning from outcomes. These principles are central to the Ombudsman's Complaint Handling Code.

Orders and recommendations

The Ombudsman proposed the landlord undertake a number of reviews following its decisions. These reviews relate to record keeping, repairs and effective complaint handling.

In the six cases where we found maladministration, a lack of record keeping had significantly contributed to the complaint. These failings in record keeping were not confined to one team and we therefore made orders on all of those cases for the landlord to review its record keeping practices, including whether a specific record keeping policy was needed with associated staff training. This review should extend to changes resulting from the redesign of its repair and maintenance services, for responsive and planned repairs and maintenance. The aim of this review is to ensure

that accurate and accessible records are kept and maintained, both of works raised and completed and of resident contact.

On three cases, we ordered the landlord to review the redesign of its repair and maintenance services to ensure that it applied to planned works and works that fell outside day-to-day repairs. This should confirm whether the redesign of its repair and maintenance services (which includes the ability to track work and contractors through improved ICT systems) will apply to planned works and, if so, how this will mitigate the risk of the failings identified during our investigations happening again. This should include reference to monitoring of and adhering to agreed timescales, completing work to appropriate standards and keeping residents informed. If the redesign does not address planned works, we proposed the landlord should confirm its current policy, procedure and/or approach to monitoring these works as well as what changes will be made to reduce the risk of the failings identified being repeated.

We also recommended the landlord reviews its internal policies and procedures on repairs, the information on repairs on its website and customer pamphlets, and the Tenants Handbook / Repairs Manual to ensure that all documents are up to date and provide consistent information on the categorisation of and timeframes for repairs.

On five cases, we ordered the landlord to consider its complaint handling procedures to assure itself that the complaint handling failures identified in these cases could not happen again. This included confirming whether the proposed changes to complaint case handling have been implemented and, if so, how this will mitigate the risk of future failings. If the changes have not been implemented, the landlord should confirm when these will take place. It should also review the complaint handling in line with existing processes and establish whether any further improvements are required.

In total the Ombudsman made eight orders to resolve individual complaints, including compensation totalling £6,425.

Housing
Ombudsman Service

Exchange Tower, Harbour Exchange Square, London E14 9GE
t: 0300 111 3000
www.housing-ombudsman.org.uk

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