

REDDITCH BOROUGH COUNCIL

**Executive Committee named on
September 2025**

2nd

Housing Ombudsman findings – Report 2 ref 202331009

Relevant Portfolio Holder	Councillor Jane Spilsbury and Bill Hartnett
Portfolio Holder Consulted	
Relevant Head of Service	Claire Felton
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Wards Affected	N/A
Ward Councillor(s) consulted	N/A
Relevant Strategic Purpose(s)	All
Non-Key Decision	
If you have any questions about this report, please contact the report author in advance of the meeting.	

1. RECOMMENDATIONS

The Executive Committee is asked to RESOLVE that:-

1) The findings, orders and recommendation from the Housing Ombudsman be noted.

2) Compliance with those matters by the Council and the wider learning points be noted.

2. BACKGROUND

- 2.1 The complaint considered by the Housing Ombudsman concerned the Council response to the resident's concerns of damp and mould, and the Council's complaint handling.
- 2.2 The Housing Ombudsman found there was maladministration in the Council's response to the resident's reports of damp and mould.
- 2.3 The Housing Ombudsman found there was maladministration in the Council's complaint handling.

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- 2.4 The matter was determined by the Housing Ombudsman on 17th June 2025 (ref 202331009), and a copy of the anonymised report is attached at Appendix 1. The Housing Ombudsman ordered that the Council:-
- (a) Arrange for a senior manager to apologise to the resident in writing for the failings.
 - (b) Pay the resident £800 compensation comprised of:-
 - (i) £600 for the distress, inconvenience, time and trouble caused by the Council's handling of their reports of damp and mould.
 - (ii) £200 for the distress, inconvenience, time and trouble caused by the Council's handling of their complaint.
 - (c) Within 4 weeks of the date of the determination the Council is ordered to inspect the guttering at the property to ensure that it has addressed the issues identified by the Council's surveyor. In the event that the guttering still needs repair, the Council must complete the repairs within a further 4 weeks.
 - (d) The Council must provide the Ombudsman with evidence of compliance with the orders within the deadlines above.
- 2.5 In addition to the "Orders" listed above, the Ombudsman's report also includes a "Recommendation". This is linked to an earlier finding of maladministration in a similar complaint that was determined by the Ombudsman in May 2024. In that case, which was reported to Members in January 2025, there were findings against the Council in relation to the authority's handling of damp and mould complaints, requests for non-damp and mould repairs and investigations into reports of a ticking notice.
- 2.6 In the May 2024 matter (ref 202216635), the orders included the following learning points:-
- That a senior management review of the case be carried out to identify what went wrong and what the Council would do differently.
 - That the Council consider developing a policy and procedure on compensation and noise complaints.
 - That relevant staff be trained in relation to dealing with queries from vulnerable customers.
 - That relevant staff complete the learning modules on the Ombudsman Landlord's Learning Hub for noise complaints, knowledge information management and attitudes, respect and rights.

- 2.7 In this latest case when referring to case reference 202216635 the Ombudsman's report stated as follows:-

"The Ombudsman previously ordered the landlord to undertake a case review which included an assessment against our Spotlight report on damp and mould. Some of the issues identified in this case are similar. The landlord has demonstrated compliance with the previous wider order made on case 202216635. Therefore, we have not made any orders on this case, which would duplicate those already made. It should, however, consider whether there are any additional issues arising from this later case that require further review or action."

- 2.8 The orders including the compensation payment and other actions listed at paragraph 24 (a) to (d) were all completed and evidenced to the Housing Ombudsman within the 4-week timescale set.
- 2.9 Members may want to consider whether any further follow up action is required by officers given the similarities between the issues raised in the latest case and that of case reference 202216635. Officers can advise Members that the assessment against the spotlight report on Damp and Mould has led to the creation of additional capacity and the expansion of the Housing Property Services team to create a dedicated Damp and Mould Team that was approved by Executive.

3. OPERATIONAL ISSUES

- 3.1 In accordance with paragraph 12.3 of the Articles of the Constitution, the Monitoring Officer is required to report to Executive (or Council for non-executive functions) if any decision or omission has given rise to maladministration. This report concerns actions that the Housing Ombudsman has determined were maladministration/ service failings.
- 3.2 This report also helps to ensure that the Council is reporting in an open and transparent manner on findings arising from an investigation conducted by the Housing Ombudsman and on the action that has been taken in response.

4. FINANCIAL IMPLICATIONS

- 4.1 There are no direct financial implications arising out of the report, other than the order from the Housing Ombudsman for the Council to make a payment to the resident in compensation of £800. The compensation was paid in accordance with the Housing Ombudsman's order, from the Housing Revenue Account.

5. LEGAL IMPLICATIONS

- 5.1 This report is required under Section 5A of the Local Government and Housing Act 1989 in view of the decision by the Housing Ombudsman.

6. OTHER - IMPLICATIONS

Local Government Reorganisation Implications

- 6.1 There are no direct implications for Local Government Reorganisation.

Relevant Council Priorities

- 6.2 The requirement for the Monitoring Officer to report findings of maladministration is relevant to all of the Council's priorities.

Climate Change Implications

- 6.3 There are no specific climate change implications.

Equalities and Diversity Implications

- 6.4 There are no implications for Equalities and Diversities arising out of the report.

7. RISK MANAGEMENT

- 7.1 The main risks identified in relation to this report are the risk of the Council being found to have caused maladministration in the future, and the negative impact on residents of failings in the complaint handling system when the Council is responding to reports of damp and mould and general housing disrepair.
- 7.2 The risks are being managed by compliance with the recommendations and on-going training. In addition to this, since the events in the complaint took place, the Council has updated the authority's processes around responding to complaints of damp and mould and committed additional resources to tackling this problem through the implementation of the Damp and Mould business case.

8. APPENDICES and BACKGROUND PAPERS

Appendix 1 Housing Ombudsman Report reference 202331009.

Background Papers

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Report on Housing Ombudsman Findings Dated 14th January 2025.

9. REPORT SIGN OFF

Department	Name and Job Title	Date
Portfolio Holder	Councillors Jane Spilsbury and Bill Hartnett	
Lead Director / Head of Service	Claire Felton Assistant Director for Legal Democratic and Procurement Services Simon Parry – Assistant Director of Environmental and Housing Property Services	
Financial Services	Bob Watson – Section 151 Officer and Director of Finance	
Legal Services	Nicola Cummings – Principal Solicitor	