

REDDITCH BOROUGH COUNCIL

**Executive Committee named on
September 2025**

2nd

Housing Ombudsman findings – Report 1 ref 202417927

Relevant Portfolio Holder	Councillor Jane Spilsbury and Bill Hartnett
Portfolio Holder Consulted	Yes
Relevant Head of Service	Claire Felton
Report Author Claire Felton	Job Title: Assistant Director for Legal, Democratic and Procurement Services Email: c.felton@bromsgroveandredditch.gov.uk Contact Tel: 01527 64254
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's handling of the following: -

- a. The resident's reports of damp and mould in the property.
- b. The installation and maintenance of aids and adaptations.
- c. The resident's reports of structural problems with the balcony wall.
- d. The resident's reports of a leak to the communal entrance.

2.2 The Housing Ombudsman found there was maladministration in the Council's handling of all 4 matters listed at a. to d. above.

2.3 The matter was determined by the Housing Ombudsman on 30th June 2025 (ref 202417927), although a copy of the final report was not issued until 18th July. The time for compliance was extended until 8th August to reflect the late delivery of the report.

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- 2.4 A copy of the anonymised report is attached at Appendix 1. The Housing Ombudsman ordered that the Council must take the following actions by 8th August: -
- a. Send a written apology to the resident for the failings identified in this Investigation.
 - b. Arrange for an independent damp specialist to carry out a full damp survey on the property.
 - c. Review the resident's current accessibility in and out of their property. Following this it must assess any necessary adjustments or further adaptations and whether a further Occupational Health (OH) assessment is required. It must communicate the outcome to the resident within 4 weeks of this report.
 - d. Provide confirmation that the Council has completed the roof replacement work that should have started on 9th June 2025.
 - e. Provide a specification and timeframe for carrying out all necessary remedial work, following the leaks in the communal entrance.
 - f. Assist the resident with a claim against its insurers for damage to their belongings from the damp and mould.
 - g. Pay the resident £2,200 compensation, which includes £50 previously offered on a voluntary basis. The total of £2,200 is broken down as follows:
 - i. £750 for the distress and inconvenience caused by the Council's failure to appropriately address the damp and mould.
 - ii. £700 for the distress and inconvenience caused by the Council's failure to address the structural damage to the balcony and wall.
 - iii. £450 for the resident's time and trouble caused by the failings identified in the landlord's handling of the communal leak.
 - iv. £300 for the distress and inconvenience caused by the delay in installing and repairing the resident's adaptations.
 - h. Provide documentary evidence of compliance with the above orders.
- 2.5 In terms of improving complaint responses, the Council was also ordered by the Housing Ombudsman to "review its complaint procedure in respect of timescales for requesting escalation to ensure it is compliant

with the Ombudsman's Complaint Handling Code. The landlord must complete this review within 8 weeks of the date of this determination. If its policy has already changed – it must confirm this to us.”

- 2.6 In addition to the “Orders” listed above, the Ombudsman's report also includes a “Recommendation” as follows: -

“The landlord reviews its record keeping processes. In doing so it may want to consider self-assessing against the recommendations made in our spotlight report on knowledge and information management.”

- 2.7 Members are referred to the full narrative of the Housing Ombudsman's report which is set out at Appendix 1. The report notes that the resident concerned would have been classed as vulnerable. These matters were known to the Council.

- 2.8 The key findings in relation to the 4 areas investigated can be summarised as follows: -

- **Damp and mould in the property**

- 2.8.1 The Council's handling of this aspect was judged by the Housing Ombudsman to be poor.

- 2.8.2 *“Its [the Council's] attempt to put matters right consisted of replacing the windows within the year and completing a damp inspection to identify the underlying cause. It could not evidence that it progressed either. Despite the mitigating factor of the cancellations and no access by the resident, an offer of £50 redress was not proportionate. It demonstrated no regard for the household vulnerabilities. It continued to repeat ineffective treatment, causing inconvenience and prolonged detriment to the resident. Its complaint process did not recognise its failings, which meant it did not apologise, put things right or offer appropriate redress. We have therefore made orders for redress regarding its handling of this matter.”*

- **Aids and adaptations**

- 2.8.3 There were delays by the Council in responding to an Occupational Therapist (OT) referral for adaptations to be made to the property. The original request made in October 2022 had not been complied with by February 2023. By February 2024, one matter had been dealt with, but two others remained outstanding. The investigation found poor record keeping by the Council which undermined the ability of the Housing Officer (HO) to establish a timeline of events or review communication by the Council with the resident / compliance with policy. The report

concluded that although both outstanding repairs had been completed, unfortunately one of them had since failed.

- **Structural problems with the balcony and wall**

2.8.4 There were delays by the Council in actioning the resident's report of problems with the balcony and external wall. The bricks were crumbling and fencing panels coming away from the wall. The Council failed to progress any repair works following an inspection in March 2023. The Council apologised for this and re-inspected in March 2024 but by August 2024 again no action had been taken. Although the Council did subsequently complete an updated specification of works, that exercise in itself appeared to indicate that there was a significant problem with moisture in the fabric of the building. The Council did not make it clear that this may well be linked to the overall issues of damp and mould in the property.

2.8.5 *"The landlord's handling of the problems with the resident's external walls and balcony were poor and indicate significant failings. It has failed to meet its obligations under section 11 of the Landlord and Tenant Act. Its inspections and record keeping were inadequate. It failed to act to resolve the problems for an unacceptable amount of time. If there is a correlation between the damaged exterior and the internal damp and mould, the 2-year delay to address it has been of serious detriment to the resident who is vulnerable. We have therefore made orders for redress regarding its handling of this matter."*

- **Leak to the communal entrance**

2.8.6 There were delays by the Council in carrying out roof repairs which would have prevented rain leaking into the communal hallway. The Council failed to prioritise these works even after the resident had complained in February 2024 including reporting that she had slipped on the wet floor. The report notes significant issues with extensive surface water, peeling debris from the ceiling and the floor lifting.

2.8.7 Roofers booked in to carry out works failed to attend in April 2024 and works were later carried out in July 2024. In January 2025 the Council decided that the whole of the roof would need to be replaced and this was scheduled for June 2025.

2.8.8 Whilst the Housing Ombudsman acknowledged that there was increased demand for roofing repairs in the relevant period due to factors outside the Council's control, consideration should have been given to implementing mitigating measures such as additional cleaning and removal of water after rain.

- 2.8.9 *“Overall, there were considerable failings by landlord as it did not demonstrate that it fully adhered to its repairs policy in its handling of the leaks to the communal hallway. While its struggle to keep up with demand for its roofing service was unavoidable, it did not consider the impact on, or the risk to, its residents. Its failure to keep the resident informed has led to anger and frustration, which, if allowed to continue, has the potential to damage the landlord tenant relationship.”*
- 2.9 With regard to the “orders” set out in paragraph 2.4 officers can confirm that a. (apology) and g. (payment of compensation) have been actioned together with the remedial works to the communal entrance roof and the internal decorations to the communal hallway. From the damp and mould survey two areas were identified that are to be treated on 11th August 2025. There is an outstanding item where the Occupational Therapist is seeking to reassess the customer’s needs. This has been delayed due to personal circumstances however contact is ongoing to provide a timely assessment.
- 2.10 The review of the complaint procedure regarding timescales for escalating complaints was completed on 14th April 2025 and is included in the current Housing Complaints Standard approved by Executive on 10th June 2025.
- 2.11 All orders listed within the determination were completed and evidenced within the timescale set by the Housing Ombudsman.
- 2.12 With regard to the recommendation that the Council review its record keeping processes, officers can update Members that Housing Property Services are now utilising the Housing Civica CX system to store notes.

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 the Executive Committee (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 recommendation for the payment to the resident of compensation of £2,200. The compensation was paid 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 Priority

- 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 Working with the Council's tenants it is imperative the Council identifies issues that may require services to be adjusted to meet the individual needs identified. Work is ongoing as part of the Housing Improvement Plan to ensure that relevant training is developed and delivered across the Housing Service.

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 delays in carrying out repairs and works and failings in the complaint handling system when such delays are reported.

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- 7.2 The risks are being managed by compliance with the recommendations set out in the Housing Ombudsman's report and form an integral part of the Housing Improvement Plan to ensure the Council can meet the Consumer Standards set by the Regulator for Social Housing.

8. APPENDICES and BACKGROUND PAPERS

Appendix 1 Housing Ombudsman Report reference 202417927

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	