

Terms of Reference for the Own Initiative Investigation

BACKGROUND

The Northern Ireland Public Services Ombudsman (the Ombudsman) has launched an Own Initiative¹ investigation into the Northern Ireland Housing Executive (the Housing Executive). The decision to investigate follows careful consideration of concerns raised about social housing conditions, and that of temporary accommodation, impacting upon the quality of living standards for individuals and the overall wellbeing of our society.

The investigation will focus on how the Housing Executive, as a public housing landlord at scale², fulfils its responsibilities to respond to repair reports and adaptation requests made by tenants. It will also examine how the Housing Executive, as the Strategic Housing Authority for Northern Ireland with responsibility for providing temporary accommodation³ acts to ensure that the physical conditions of the properties used for placements are appropriate.

PURPOSE OF THE INVESTIGATION

The purpose of the investigation is to enable a thorough examination of the areas of concern identified to determine if there is systemic maladministration⁴. If failings are identified, recommendations will be made with the aim of making further improvements in social housing provision. Should good practice be identified this will also be highlighted for shared learning.

SCOPE OF THE INVESTIGATION

The Ombudsman will examine the actions of the Housing Executive in the following areas.

Response Repairs, to include:

- How repair reports are responded to by the Housing Executive, in particular those which raise concerns about health and safety;
- How tenants are communicated with during the process, including the routing and management of complaints raised about repairs; and
- The extent to which monitoring of, and data on, repair requests and outcomes is utilised to inform services and measurement against standards⁵.

¹ The investigation is being conducted in accordance with Section 8 of the [Public Services Ombudsman Act \(Northern Ireland\) 2016](#).

² The Housing Executive is the largest public landlord in the UK and Ireland responsible for 83,000 homes and more than 6,000 leasehold properties.

³ The Housing Executive has responsibility for providing temporary accommodation to those who are statutorily homeless (until more permanent housing can be secured) and those undergoing assessment, who are believed to be homeless and in priority need.

⁴ Maladministration is not defined in the legislation but is generally taken to include decisions made following improper consideration, action or inaction; delay; failure to follow procedures or the law; misleading or inaccurate statements; bias or inadequate record keeping.

⁵ Social housing is subject to a range of legislative and administrative standards aimed at ensuring safe and quality housing, the regulation of landlord obligations and protection and fair treatment of tenants.

Adaptations to properties for tenants with disabilities, to include:

- The reasons for delays in delivery of adaptations to Housing Executive stock;
- What steps have been taken to address delays; and
- How tenants are communicated with about delays and how complaints are managed.

Temporary Accommodation, to include:

- The current arrangements in place to check the physical standards of properties used by the Housing Executive for temporary accommodation placements;
- The process by which individuals provided with temporary accommodation can report concerns about physical conditions or raise a complaint; and
- What action has been taken to date to develop standards for temporary accommodation⁶.

In determining whether systemic maladministration has occurred the Ombudsman will test the actions of the Housing Executive against the framework of the [Principles of Good Administration](#)⁷.

In conducting her investigation, the Ombudsman can request all relevant information and has the same powers as the High Court in respect of the examination of witnesses and the production of documents.

REPORTING

The Ombudsman will publish interim updates on the progress of the investigation. At the conclusion of the investigation, a report will be published on the Ombudsman's website (www.nipso.org.uk) and a copy of this report will also be laid before the Northern Ireland Assembly.

FOLLOW UP

If recommendations are made within the investigation report, the Ombudsman's Own Initiative team will regularly engage with the Housing Executive, following publication, to review and assess implementation. The Ombudsman may consider the publication of follow up reports to raise public awareness of the steps taken by the Housing Executive to action the recommendations.

⁶ As part of the [Action Plan for Temporary Accommodation 2022-27](#) the NIHE committed to commissioning work with customers and providers to agree standards (physical, suitability & service) for all types of temporary accommodation.

⁷ The Principles of Good Administration (2009) were initially drawn up by the Parliamentary and Health Service Ombudsman but have since been adopted by public service Ombudsman bodies throughout the UK. Available at <https://www.nipso.org.uk/service-providers/information-and-guidance>