



Northern Ireland

Public Services

Ombudsman

Investigation of a complaint against the Northern Ireland Housing Executive

Report reference: 202400351

The Northern Ireland Public Services Ombudsman

33 Wellington Place

BELFAST

BT1 6HN

Tel: 028 9023 3821

Email: nipso@nipso.org.uk

Web: www.nipso.org.uk

The role of the Ombudsman

The Northern Ireland Public Services Ombudsman (NIPSO) provides a free, independent and impartial service for investigating complaints about public service providers in Northern Ireland.

The role of the Ombudsman is set out in the Public Services Ombudsman Act (Northern Ireland) 2016 (the 2016 Act). The Ombudsman can normally only accept a complaint after the complaints process of the public service provider has been exhausted.

The Ombudsman may investigate complaints about maladministration on the part of listed authorities, and on the merits of a decision taken by health and social care bodies, general health care providers and independent providers of health and social care. The purpose of an investigation is to ascertain if the matters alleged in the complaint properly warrant investigation and are in substance true.

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.

The Ombudsman must also consider whether maladministration has resulted in an injustice. Injustice is also not defined in legislation but can include upset, inconvenience, or frustration. A remedy may be recommended where injustice is found as a consequence of the failings identified in a report.

Reporting in the public interest

This report is published pursuant to section 44 of the 2016 Act which allows the Ombudsman to publish an investigation report when it is in the public interest to do so.

The Ombudsman has taken into account the interests of the person aggrieved and other persons prior to publishing this report.

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Case Reference: 202400351

Listed Authority: Northern Ireland Housing Executive

SUMMARY

This complaint was about how the Northern Ireland Housing Executive (the NIHE) handled a complaint regarding ownership of pets in NIHE properties.

The investigation found maladministration in how the NIHE handled the complaint. I found the NIHE failed to identify the issues of complaint and failed to respond within the timescales outlined in its complaints procedure. The investigation also found the NIHE failed to address all the issues of complaint, particularly the issue regarding an alleged breach of the flat lease agreement regarding ownership of pets on an NIHE leasehold property. Of particular concern to me was the NIHE's failure to facilitate the complainant's difficulties with reading and writing during the complaints process. Ensuring accessibility for all service users is a key tenet of any public body's complaints procedure and I was surprised to note that the NIHE did not recognise this as it should.

I recommended that the NIHE apologise to the complainant for the injustice sustained and consider reopening the anti-social behaviour investigation if the complainant's concerns are ongoing. I also recommended that the NIHE review its complaints procedure and training for complaints staff with a focus on ensuring accessibility and making necessary reasonable adjustments.

THE COMPLAINT

1. This complaint is about how the Northern Ireland Housing Executive (NIHE) handled a complaint regarding ownership of pets in two NIHE properties. One property was occupied by an NIHE tenant and the second was a leasehold property.

Background

2. The complainant owns a former NIHE property in Belfast. He purchased the property as a leaseholder in January 2000. On 18 September 2023, he complained to the NIHE stating two neighbours (A and B) had not complied with the duties of their tenancy/leasehold agreements regarding ownership of pets. He also complained that the NIHE failed to enforce this clause of the agreement.
3. A relative of the complainant (the relative) asked the NIHE to copy her into all future correspondence due to the complainant's difficulties with reading and writing.
4. The NIHE wrote to the complainant on 6 October 2023 to advise it had opened an Anti-Social Behaviour (ASB) case against neighbour A. The Patch Manager later closed the ASB investigation on 7 November 2023.
5. The complainant was dissatisfied with how the NIHE managed his complaint. His relative emailed the NIHE on 9 October 2023 to ask it to escalate the complaint to the final stage of the process. NIHE issued a final response to the complainant, 13 months later, in November 2024.

Issues of complaint

6. I accepted the following issues of complaint for investigation:

Issue 1: Whether the NIHE handled the complaint appropriately and in accordance with relevant guidance.

Issue 2: Whether the NIHE dealt with the complainant's concern about the ownership of pets appropriately and in accordance with relevant guidance.

INVESTIGATION METHODOLOGY

7. To investigate this complaint, the Investigating Officer obtained from the NIHE all relevant documentation. This documentation included information relating to the NIHE's complaints procedure.

Relevant Standards and Guidance

8. To investigate complaints, I must establish a clear understanding of the standards, both of general application and those specific to the circumstances of the case. I also refer to relevant regulatory, professional, and statutory guidance.

The general standards are the Ombudsman's Principles¹:

- The Principles of Good Administration
- The Principles of Good Complaints Handling

9. The specific standards and guidance referred to are those which applied at the time the events occurred. These governed the exercise of the administrative functions of those individuals whose actions are the subject of this complaint.

The specific standards and guidance relevant to this complaint are:

- Northern Ireland Housing Executive Complaints procedure (complaints procedure)
- Northern Ireland Housing Executive policy for dealing with Anti-Social behaviour (ASB policy)
- Northern Ireland Housing Executive General Conditions of Tenancy (tenancy agreement)
- Northern Ireland Housing Executive Anti Social Behaviour Manual, April 2023 (ASB Manual)
- Northern Ireland Housing Executive Land Registry Leaseholder Contract (flat lease agreement).

I enclose relevant sections of the guidance considered at Appendix three to this report.

¹ These principles were established through the collective experience of the public services ombudsmen affiliated to the Ombudsman Association.

10. In investigating a complaint of maladministration, my role is concerned primarily with an examination of the NIHE's administrative actions. It is not my role to question the merits of a discretionary decision. That is unless my investigation identifies maladministration in the NIHE's process of making that decision.
11. I did not include all information obtained in the course of the investigation in this report. However, I am satisfied I took into account everything I considered relevant and important in reaching my findings. A draft copy of this report was shared with the complainant and the NIHE for comment on factual accuracy and the reasonableness of the findings and recommendations. I gave careful consideration to the comments I received in preparing this final report and have included these comments, where relevant in this report. I acknowledge the actions outlined in the response by the NIHE regarding steps taken to address failings outlined in this report.

THE INVESTIGATION

Issue 1: Whether the NIHE handled the complaint appropriately and in accordance with relevant guidance. In particular this will consider:

- How the complaint was handled by the NIHE.
- Consideration given to the complainant's concerns about his inability to read or write in the handling of the complaint.

Detail of Complaint

12. The complainant said his neighbours harassed him and the NIHE did not deal with his complaint appropriately. He said he made several complaints to the NIHE but received no response (at the date of submitting his complaint to this office).
13. The complainant said that despite several telephone calls with the NIHE informing them that he could not read or write, NIHE told him to provide a written complaint and did not make any attempt to facilitate his needs.
14. The complainant's relative then emailed the NIHE on his behalf and outlined his difficulties with reading and writing. The complainant said that despite this request he received an email again asking him to provide written details of his complaint.

Evidence Considered

Legislation/Policies/Guidance

15. I considered the following policies/guidance:

- The complaints procedure.
- ASB policy.
- ASB Manual

Relevant NIHE Records

16. The NIHE did not provide any written response to the issues of complaint raised to this office, despite repeated requests. This clearly hampered the investigation and the evidence available for my office to consider. The NIHE did provide records relating to its management of the complaint. I enclose a summary of these records in Appendix four to this report. I outline my consideration of the records in my analysis and findings below.

Analysis and Findings

Handling of Complaint

17. The NIHE sent an email to the complainant on 18 September 2023 to acknowledge receipt of his complaint. This was the same day the NIHE received the complaint. The NIHE's complaints procedure states the '*relevant officer*' should acknowledge receipt of complaints within three days of '*receipt of the complaint*'. I note the complainant and his relative sent two further follow up complaints by email on 24 September 2023 and 5 October 2023. Staff from the North Belfast Office acknowledged the email of 24 September 2023 by email on 25 September 2023 and NIHE complaints staff acknowledged the email of 5 October 2023 by email on 6 October 2023. I am therefore satisfied the NIHE acknowledged the complaints in line with the complaints procedure.
18. Following receipt of the complaint of 18 September 2023, the NIHE forwarded it to its North Belfast Office to deal with as a '*first stage complaint*'. The complainant followed up his complaint with a second email on 24 September 2023. The NIHE again forwarded this to its North Belfast Office on 25 September 2023 and suggested it may wish to deal with his concerns as an ASB complaint. The email asked the North Belfast Office to contact the complainant to advise him how his complaint would progress.

19. The NIHE (North Belfast Office) emailed the complainant on 25 September and advised it was investigating his concerns. However, it did not clarify if it was doing so under the complaints procedure or the ASB policy.
20. The NIHE wrote to the complainant and his relative on 6 October 2023 in response to the email sent by the complainant's relative on 5 October 2023. NIHE referred to the letter as a '*first stage response*'. The letter advised the complainant it was treating his correspondence of 5 October 2023 as a '*first stage complaint*' and had commenced an investigation into the complainant's '*ongoing issues of neighbour disputes*' under its ASB policy. The letter also provided instructions on how to escalate his concerns to the final stage of the process.
21. The NIHE complaints procedure states that if the '*issues of complaint and the desired outcome are not clear,*' a relevant officer **will** [my emphasis] reach out to the complainant or their representative to agree issues of complaint and the outcome they desire. The relevant officer should '*normally*' do this within three working days of receipt of the complaint. There is no evidence to suggest the NIHE sought to clarify the issues of complaint prior to issuing the first stage response on 6 October 2023. In failing to do so, I consider the North Belfast Office did not act in line with the NIHE complaints procedure.
22. In relation to the time taken to respond to the complaint, the complaints procedure states the '*target timescale*' is '*usually*' within 10 days of agreeing the issues of complaint. However, as the NIHE did not clarify the issues, it is unclear when the 10-day timescale started. Therefore, I can only consider the date the NIHE received the complaint, which was 18 September 2023. Given the NIHE responded on 6 October 2023, which was issued outside the normal 10 day timescale, I consider it did not act in line with the complaints procedure.
23. I note the complaints procedure allows NIHE to extend the 10 day timescale for up to a further 10 working days. In such instances, the '*relevant officer*' should contact the complainant to notify them of the delay and provide a '*likely timescale*' for the response. However, there is no evidence to suggest the NIHE contacted the complainant to advise of a delay in the issuing of the first stage response.
24. The complainant's relative emailed the NIHE on 9 October 2023 to request escalation of the complaint to the final stage process. On 23 October 2023, the Complaints Officer reached out via email to arrange to discuss the complaint. While

this was outside the '*normal*' timescale for acknowledgement of three days, as set out in the complaints procedure, I do consider there was a genuine effort on the part of the Complaints Officer to agree the issues of complaint. NIHE confirmed the agreed issues of complaint in writing on 27 November 2023.

25. The Complaints Officer made enquiries of other teams within NIHE regarding the issues of complaint between November 2023 and March 2024. I note the Complaints Officer spoke to the complainant by telephone on 8 March 2024 regarding an application for assessment by Belfast Housing Solutions. However, the record of this call does not document any reference to when the complainant could expect to receive an outcome to his complaint.
26. NIHE records document that in May 2024 a draft response to the complaint was prepared and shared between NIHE departments for review. NIHE records document further activity on reviewing the response in September 2024 and the final stage response is issued on 20 November 2024. There is no evidence of any communications with the complainant to provide an update on the progress of the complaint prior to the final response being issued.
27. Staff from this office engaged with NIHE on several occasions from April 2024 to encourage it to provide a response to the complainant. Despite this, the final response was not issued to the complainant until 20 November 2024, approximately one year after the Complaints Officer agreed the issues of complaint with the complainant. This is significantly outside the '*aim*' of 20 days set out in the complaints procedure. I find the NIHE's actions unacceptable and caused the complainant significant anxiety and frustration.
28. I understand it may not always be possible for public bodies to meet a 20-day timeframe when investigating a complaint. The NIHE's complaints procedures states that in such cases, the Complaints Officer should notify the complainant of the delay, explain the reasons for it, and provide them with a likely timescale for a response. There is no evidence the NIHE provided any updates to the complainant regarding the progress of his complaint and the ongoing delay in providing a response. This is very disappointing, considering the involvement of my office from April 2024 to encourage a response to be issued.
29. The First Principle of Good Complaint Handling, '*getting it right*' states that public bodies should follow '*their own policy and procedural guidance on complaint*

handling'. I note also the Second Principle, '*being customer focused*' requires public bodies to '*deal with complaints promptly, avoiding unnecessary delay, and in line with published service standards where appropriate*'. The second principle also requires public bodies to listen to complainants to '*understand the complaint and the outcomes they are seeking*'. I consider the NIHE North Belfast area office failed to adhere to this principle by not making it clear in its correspondence with the complainant that it wished to clarify and agree the issues of complaint and desired outcome. I also consider the NIHE's delay in agreeing the issues of complaint (when dealing with the final stage complaint) and in providing the first stage and final stage response to the complainant, and failing to notify him of the delay, is not in line with these principles. I consider this constitutes maladministration which caused the complainant to sustain the injustice of uncertainty, frustration and loss of opportunity to have his complaint handled appropriately.

Consideration given to the complainant's concerns about his inability to read or write in the handling of the complaint.

30. In the complainant's emails of 18 September 2023, 24 September 2023 and 5 October 2023, the complainant and his relative indicated he could not read or write, and that a friend or relative had written his correspondence on his behalf. The complainant's relative requested in the email dated 5 October 2023 that the NIHE copy her into all its correspondence to the complainant. In addition, she asked the NIHE to make '*reasonable adjustments*' to facilitate the complainant's needs.
31. The NIHE passed the complainant's concerns about his neighbour to the relevant Patch Manager to investigate under its ASB policy. I note that despite receiving the request for '*reasonable adjustments*', the Patch Manager asked the complainant questions by email on 6 October 2023 and asked him to complete an '*incident diary*'. I am disappointed that in this case, the NIHE did not take the complainant's request into consideration and continued to correspond with him by email.
32. In relation to the first stage of the complaints process, I note the NIHE only communicated with the complainant in writing. I am again disappointed the NIHE did not take appropriate action in response to the complainant's request for adjustments in his first email sent on 18 September 2023.

33. I am however pleased that for the final stage of the complaints process the Complaints Officer arranged a telephone call to clarify the issues of complaint and the complainant's desired outcome. They also met with the complainant's relative on 24 November 2023. I note also the final stage response issued to the complainant included an acknowledgement that the email sent on 6 October 2023 by the Patch Manager *'could have been done via alternative communication method'*.
34. The NIHE issued the final stage response via email to the complainant in writing. However, I note it did so at the complainant's request. The NIHE offered to *'provide assistance'* to help the complainant understand the written response in its covering email and written response.
35. While the records evidence the NIHE eventually sought to meet the complainant's needs, I consider it was necessary to have done so much earlier in the process, from the point that the reasonable adjustment request was received. I consider it would have been appropriate to have marked some form of an 'alert' on the complainant's complaints file to ensure that the NIHE was compliant with the request for a reasonable adjustment due to his disability. The failure to do so displays a lack of empathy for the difficulty and frustration this continued written correspondence caused the complainant.
36. The NIHE complaints procedure states that *'complaints officers should ensure that responses for customers with disabilities or translation requirements are provided in an appropriate format'*. I note, however, this guidance is towards the end of the procedure (section 183). Public bodies should ensure support is available to vulnerable individuals and groups to enable them to access the complaints procedure. I consider all public bodies should clearly set out their approach to making reasonable adjustments as early in their complaints procedure as possible to ensure service users are aware of their right to request an adjustment, where required. Further, all staff who are involved in the recording, investigating and responding to complaints should be made fully aware of the importance of this accessibility.
37. The Second Principle of Good Complaint Handling, *'being customer focused'* requires public bodies to ensure that *'complainants can easily access the service dealing with complaints'* and ensure that public bodies handle complaints promptly and *'sensitively, bearing in mind their individual circumstances'*. I consider its failure to do act in accordance with this principle constitutes maladministration. I am

satisfied it caused the complainant to sustain the injustice of uncertainty, frustration and loss of an earlier opportunity to have his concerns handled appropriately. I uphold this issue of complaint.

Issue 2: Whether the NIHE dealt with the complainant's concern about the ownership of pets appropriately and in accordance with relevant guidance.

Detail of Complaint

38. The complainant said NIHE did not address his concerns that neighbours A (tenant) and B (leaseholder) were in breach of their tenancy agreement and property deeds by having a pet living with them.

Evidence Considered

Legislation/Policies/Guidance

39. I considered the following policies/guidance:

- The complaints procedure.
- ASB policy
- Tenancy agreement
- Flat lease

Relevant NIHE Records

40. NIHE opened an Anti-Social Behaviour (ASB) case against neighbour A. The records do not record an ASB complaint against neighbour B.

41. The records evidence that a Patch Manager from the North Belfast area office investigated the complaint against neighbour A. They subsequently closed the complaint due to a lack of evidence. The records state the rationale for closing was due to the complainant failing to forward evidence or CCTV footage as promised. The records also document that the case was '*monitored for 2 weeks*' though there is no detail regarding the format the monitoring took. While I note the complainant did not forward the CCTV footage, I note the Patch Manager did not follow up with the complainant on this matter.

42. In the final stage response letter to the complainant, NIHE stated *'tenants and leaseholders are held to the terms and conditions of their respective agreements'* and stated it *'can take action when its tenants breach their tenancy conditions'*. However, it stated that the investigation by the North Belfast area office did not find any evidence to *'instigate any legal actions'*.

NIHE response to investigation enquiries

43. In relation to neighbour A, the NIHE stated it was not aware the tenant had a dog on the NIHE property until it received a complaint on 15 March 2021 (prior to the date of the complaint that is the subject of this investigation). When it received this information, it opened an ASB case and investigated. It *'could find no evidence that this dog was causing a nuisance or annoyance'*.
44. In relation to neighbour B, the NIHE stated that leaseholders have a *'Flat Lease'* which contains a prohibition clause. It required that leaseholders should *'Not to do or keep or permit to be done or kept on the Flat any act or thing which may be or become a nuisance or any annoyance or cause inconvenience to the Executive the lessees and occupiers of other flats in the Premises or the owners and occupiers of any neighbouring property or which may tend to lessen or depreciate the value of the Premises or any part of them or any other property in the neighbourhood (and not to keep or permit to be kept on the premises any cat or dog).'*
45. The NIHE stated that complaints staff referred the matter of enforcement of leasehold provisions to the Community Safety Team for advice and then to Legal Services. The advice obtained indicated it was not reasonable to take legal action in this circumstance.
46. The NIHE stated that as there was no evidence that the leaseholder's dog was causing a nuisance, it was unreasonable to *'pursue this particular owner'*.

Analysis and Findings

47. In response to the initial complaint, the NIHE referred the matter to its North Belfast Area Office who opened an ASB investigation. The Patch Manager who undertook the investigation met with the complainant and his relative on 26 October 2023. However, the ASB investigation only related to the actions of neighbour A who was an NIHE tenant and not neighbour B, who was an owner / occupier. I note from

records provided, the NIHE documents a reference to the complaint against neighbour A (an NIHE tenant) and neighbour B an owner occupier. While the Patch Manager spoke to neighbour A, there is no evidence he attempted to speak to neighbour B. NIHE acknowledged in the final response letter issued to the complainant that the failure to record an ASB complaint against neighbour B was '*an omission*' on their part. I note, however NIHE has provided no rationale for why it failed to do so. The ASB Manual states that '*If neither the complainant or the perpetrator are Housing Executive Tenants then advice should be sought from the Community Safety Team*'. The NIHE records do not evidence any communications from the Patch Manager to the Community Safety Team regarding the complaint against neighbour B.

48. The records document the Patch Manager provided the complainant and his relative with a copy of the tenancy agreement. I note regarding pets, the tenancy agreement states tenants promise '*9. Not to keep any domestic pets without the consent in writing of the Area Manager (if the dwelling is a flat or maisonette)*'. NIHE has stated that neighbour A had never sought written consent to have a pet on the premises. It also stated however that when it became aware of this in on 2021 it opened an ASB case and could find no evidence the dog was causing a nuisance. During his meeting with the Patch Manager on 26 October 2023, the complainant said he had CCTV footage as evidence that the dog caused a '*nuisance*'. However, the complainant did not provide it to the NIHE. The NIHE records document the Patch Manager '*monitored*' the situation for two weeks; however, the records do not provide any evidence or explanation for when/how the monitoring took place. The NIHE records also document the Patch Manager spoke to neighbour A on 9 October 2023 prior to meeting and discussing the complaint with the complainant and his relative on 26 October 2023. I am satisfied the NIHE was aware the complainant wished to also make a complaint about neighbour B's ownership of a dog on site and failed to address this as part of its ASB investigation. I am satisfied the NIHE's failure to record and investigate the complaint against neighbour B meant it did not act in accordance with its ASB policy in not seeking advice from the Community Safety Team regarding an ASB complaint where neither the complainant nor accused is an NIHE tenant.
49. The flat lease agreement does not permit leaseholders to keep pets. However, as already established, the NIHE did not record a complaint against neighbour B (the

leaseholder). NIHE's records demonstrate however that during the final stage complaints process, the Complaints Officer sought advice from the Community Safety Team and legal services in relation to neighbour B and the flat lease agreement. NIHE stated the view of the legal department was the restriction in the flat lease agreement regarding ownership of pets would *'likely be considered by a Court to be unreasonable'*. I appreciate the NIHE provided this rationale to NIPSO. However, the NIHE did not refer to the fact that it sought legal advice or the detail of the legal advice in the final response it issued to the complainant on 20 November 2024.

50. When providing the rationale for a decision, I expect public bodies to be open and transparent and provide complainants with full reasons to help them understand why the body took the action it did. While I would not expect the NIHE to have shared the full advice with the complainant, I consider it should have used it as a basis to explain its rationale for its decision. This may have helped the complainant understand why the NIHE did not consider it appropriate for it to take action against neighbour B, despite the clause in the flat lease agreement.
51. The First Principle of Good Administration requires bodies to act in accordance with its procedural guidance. The Second Principle of Good Administration, *'being customer focused'* states that public bodies should *'do what they say they are going to do'*. Also, the Fourth Principle of Good Complaints Handling requires bodies to investigate complaints thoroughly. I consider the complainant correctly expected the NIHE to investigate concerns raised about both his neighbours when he first submitted his complaints. While the NIHE eventually considered the complaint against neighbour B regarding the alleged breach of the flat lease, it was substantially delayed. I consider this failure constitutes maladministration and caused the complainant to sustain the injustice of uncertainty, frustration, and delay.
52. The Third Principle of Good Complaint Handling, *'being open and accountable'* states that public bodies should *'Be open and honest when accounting for their decisions and actions. They should give clear, evidence-based explanations, and reasons for their decisions.'* I do not consider the NIHE's response to the complainant provided a full and clear rationale to explain why it decided not to enforce the prohibition for leaseholders to have a pet. I consider the NIHE's actions constitute maladministration. I am satisfied the failure identified caused the complainant to sustain the injustice of frustration, uncertainty and a loss of opportunity to have a full

explanation for the NIHE's decision not to take additional action against his neighbour. I uphold this issue of complaint.

CONCLUSION

53. I received a complaint about how the NIHE handled a complaint regarding ownership of pets in NIHE properties. The investigation found failings in how NIHE managed and investigated the complaint. I am satisfied these failings constituted maladministration which caused the complainant to sustain the injustice of frustration, uncertainty, delay, and loss of opportunity. I uphold this complaint.
54. I recognise the sensitivities surrounding the issue of neighbour disputes. In this instance, the complainant reached out to the NIHE to assist him with this difficult situation. I do not find the NIHE's investigation of his concerns to have been thorough, rigorous or timely.

Recommendations

55. I recommend within one month of the date of this report:
- NIHE provides to the complainant a written apology in accordance with NIPSO's 'Guidance on issuing an apology' (July 2019), for the injustice caused as a result of the maladministration identified. In drafting the apology, I recommend the NIHE provides an explanation (based on the legal advice it received) as to why it did not consider it appropriate to take legal action against neighbour B for potential breach of the leaseholder agreement.
 - I further recommend the NIHE contact the complainant to explore whether the issues he experienced with neighbours' dogs are ongoing, and if so the NIHE should consider opening a new ASB investigation managed by NIHE staff not previously involved in the circumstances leading to this complaint.
 - The NIHE complaints procedure states that *'complaints officers should ensure that responses for customers with disabilities or translation requirements are provided in an appropriate format'*. I recommend the NIHE considers outlining this requirement earlier in its procedure to highlight its importance to relevant staff.

- I also recommend the NIHE delivers training to relevant staff. This training should include the importance of:
 - ☐. Identifying additional needs or adjustments complainants may have and how NIHE staff can accommodate these needs;
 - ☐. Identifying and responding fully to all issues of complaint.
 - ☐. Providing a full rationale for decisions made.

56. The draft investigation reported included a recommendation that NIHE conduct a review of its lease agreements considering the legal advice it received and amend to bring into line with the advice received. Following the issue of the draft report, NIHE has informed my office that a review of lease agreements predated the issue of the draft report and is ongoing. I am pleased to note this and would ask NIHE to keep this office updated with the progress of the review.

MARGARET KELLY
Ombudsman

October 2025

Appendix 1 - PRINCIPLES OF GOOD ADMINISTRATION

Good administration by public service providers means:

1. Getting it right

- Acting in accordance with the law and relevant guidance, with regard for the rights of those concerned.
- Acting in accordance with the public body's policy and guidance (published or internal).
- Taking proper account of established good practice.
- Providing effective services, using appropriately trained and competent staff.
- Taking reasonable decisions, based on all relevant considerations.

2. Being customer focused

- Ensuring people can access services easily.
- Informing customers what they can expect and what the public body expects of them.
- Keeping to its commitments, including any published service standards.
- Dealing with people helpfully, promptly and sensitively, bearing in mind their individual circumstances.
- Responding to customers' needs flexibly, including, where appropriate, co-ordinating a response with other service providers.

3. Being open and accountable

- Being open and clear about policies and procedures and ensuring that information, and any advice provided, is clear, accurate and complete.
- Stating its criteria for decision making and giving reasons for decisions
- Handling information properly and appropriately.
- Keeping proper and appropriate records.
- Taking responsibility for its actions.

4. Acting fairly and proportionately

- Treating people impartially, with respect and courtesy.

- Treating people without unlawful discrimination or prejudice, and ensuring no conflict of interests.
- Dealing with people and issues objectively and consistently.
- Ensuring that decisions and actions are proportionate, appropriate and fair.

5. Putting things right

- Acknowledging mistakes and apologising where appropriate.
- Putting mistakes right quickly and effectively.
- Providing clear and timely information on how and when to appeal or complain.
- Operating an effective complaints procedure, which includes offering a fair and appropriate remedy when a complaint is upheld.

6. Seeking continuous improvement

- Reviewing policies and procedures regularly to ensure they are effective.
- Asking for feedback and using it to improve services and performance.
- Ensuring that the public body learns lessons from complaints and uses these to improve services and performance.

Appendix 2 - PRINCIPLES OF GOOD COMPLAINT HANDLING

Good complaint handling by public bodies means:

1. Getting it right

- Acting in accordance with the law and relevant guidance, with regard for the rights of those concerned.
- Ensuring that those at the top of the public body provide leadership to support good complaint management and develop an organisational culture that values complaints.
- Having clear governance arrangements, which set out roles and responsibilities, and ensure lessons are learned from complaints.
- Including complaint management as an integral part of service design.
- Ensuring staff are equipped and empowered to act decisively to resolve complaints.
- Focusing the outcomes for the complainant and the public body.
- Signposting to the next stage of the complaints procedure in the right way and at the right time.

2. Being customer focused

- Having clear and simple procedures.
- Ensuring that complainants can easily access the service dealing with complaints, and informing them about advice and advocacy services where appropriate.
- Dealing with complainants promptly and sensitively, bearing in mind their individual circumstances.
- Listening to complainants to understand the complaint and the outcome they are seeking.
- Responding flexibly, including where appropriate co-ordinating responses with any other bodies involved in the same complaint, where appropriate.

3. Being open and accountable

- Publishing clear, accurate and complete information about how to complain, and how and when to take complaints further.
- Publishing service standards for handling complaints.

- Providing honest evidence-based explanations and giving reasons for decisions.
- Keeping full and accurate records.

4. Acting fairly and proportionately

- Treating the complainant impartially, and without unlawful discrimination or prejudice.
- Ensuring that complaints are investigated thoroughly and fairly to establish the facts of the case.
- Ensuring that decisions and actions are proportionate, appropriate and fair.
- Ensuring that complaints are reviewed by someone not involved in the events leading to the complaint.
- Acting fairly towards staff complained about as well as towards complainants.

5. Putting things right

- Acknowledging mistakes and apologising where appropriate.
- Providing prompt, appropriate and proportionate remedies.
- Considering all the relevant factors of the case when offering remedies.
- Taking account of any injustice or hardship that results from pursuing the complaint as well as from the original dispute.

6. Seeking continuous improvement

- Using all feedback and the lessons learnt from complaints to improve service design and delivery.
- Having systems in place to record, analyse and report on learning from complaints.
- Regularly reviewing the lessons to be learnt from complaints.
- Where appropriate, telling the complainant about the lessons learnt and the changes made to services, guidance or policy.

