

Report to	-	Audit and Standards Committee
Date	-	26 March 2018
Report of the	-	Executive Director of Resources
Subject	-	Ombudsman Complaints Monitoring – 16 011 157

Recommendation: It be **RESOLVED:** That consideration be given to the contents of the Local Government Ombudsman's full report in respect of complaint reference 16 011 157 and the Council's actions in response to the complaint to be noted.

1. Details of the complaints made to the Local Government and Social Care Ombudsman (LGO) are generally reported to the Committee twice yearly (June and December) but given that an adverse finding has been made in a recent report it has been decided to report to this meeting.
2. The full report from the LGO is attached at Appendix A. By way of summary, Mrs B complained the Council delayed in helping her when she was faced with homelessness after being served notice to leave a private rented property. Mrs B then says the Council placed her in unsuitable temporary accommodation (a hotel) due to its disrepair and distance from her GP. Further she complains the Council wrongly cancelled her housing benefit for her hotel room leaving her with a debt for that accommodation. It acted on wrong information that she had swapped rooms in the hotel.
3. The LGO recommendations to remedy the Injustice caused are that within 20 days of the decision the Council should:
 - provide an unreserved apology to Mrs B for failings highlighted in this report;
 - pay Mrs B £1,250 in recognition of her injustice and settle any costs awarded against her resulting from her landlord taking possession action;
 - immediately take whatever action it needs to ensure a dispute about non-payment of housing benefit at the temporary accommodation can be heard by the Tribunal Service. Or else the Council should arrange for the immediate write-off of any debt owing from her stay in that accommodation.
4. The LGO also recommends that within three months of this decision the Council should undertake a series of procedural improvements learning from this complaint. These include:
 - improvements to its housing service when dealing with enquiries from households facing eviction from private tenancies; and

- give urgent attention to providing a supply of temporary accommodation in its area, as it currently only provides temporary accommodation out of its area.
 - It should ensure that homeless households know of their right to request a review and appeal temporary accommodations they consider unsuitable.
 - It should make sure it properly considers all expressions of dissatisfaction with housing benefit decisions.
5. The Council must consider the report and confirm within three months the action it has taken or proposes to take. The Council should consider the report at its full Council, Cabinet or other appropriately delegated committee of elected members and we will require evidence of this.
6. The Council has responded to the LGO and a copy of the letter is attached at Appendix B.
7. The actions in point 3 have been completed already and Members will be updated when the recommendations have been implemented in full. In addition, the Housing Task and Finish Group at its meeting on Wednesday 28 March will receive a report on homelessness that includes consideration of access to temporary accommodation.

Malcolm Johnston
Executive Director of Resources

Risk Assessment Statement

There are no risks directly attributed to this report but failure to act on the recommendations from the LGO could lead to further reputational damage to the Council.