

Report to	-	Audit and Standards Committee
Date	-	25 June 2018
Report of the	-	Executive Director
Subject	-	Update on Ombudsman Complaint 16 011 157

Recommendation: It be **RESOLVED:** That Council's actions be noted.

1. A report on a Local Government Ombudsman (LGO) complaint reference 16 011 157 was received by this committee at its meeting on 26 March 2018 (minute AS17/41 refers).
2. Members requested that an update on progress against the recommendations be reported to this meeting.
3. The LGO recommended that 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. These recommendations were completed immediately and in terms of the third bullet point any outstanding debt was written off.
5. The LGO also recommended that within three months of the date of his decision the Council should undertake a series of procedural improvements learning from this complaint. These include:
 - improve the housing service when dealing with enquiries from households facing eviction from private tenancies;
 - give urgent attention to providing a supply of temporary accommodation in its area, as it currently only provides temporary accommodation out of its area;
 - ensure that homeless households know of their right to request a review and appeal temporary accommodations they consider unsuitable;

- make sure the Council properly considers all expressions of dissatisfaction with housing benefit decisions.
6. The Council's action in relation to these points has been:
- The new Homeless Reduction Act means that new practices have been introduced when dealing with enquiries from households facing eviction and the Council no longer wait for expiry of the eviction notice before assisting people.
 - The Overview and Scrutiny Committee at its next meeting will receive the recommendations from the Housing Task and Finish Group, which includes consideration of access to temporary accommodation.
 - The letter sent to households affected by homelessness has been amended to include reference to their right to request a review of that accommodation.
 - The relevant staff have been made aware of the need to make clear to clients that if they are unhappy with their housing benefit decision they have a right to appeal that decision. The Council will also signpost clients to Citizens' Advice.
7. The Council has recently responded to the LGO confirming that all the recommendations have been acted on.
8. Members are asked to note the actions taken.

Malcolm Johnston
Executive Director

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.