



**PURPOSE:** For reference

**MEETING:** Cabinet

**DATE:** 02 October 2018

<b>TITLE</b>	<b>Response to Local Government Ombudsman on findings for Homelessness Service</b>		
<b>Ward(s)</b>	All		
<b>Author:</b>	<b>Paul Sylvester</b>	<b>Job title:</b>	<b>Head of Housing Options</b>
<b>Cabinet lead:</b>	<b>Councillor Paul Smith</b>	<b>Executive Director lead:</b>	<b>Patsy Mellor</b>
<b>Proposal origin:</b> <i>Other</i>			
<b>Decision maker:</b> <b>Cabinet Member</b> <b>Decision forum:</b> <i>Cabinet</i>			
<b>Purpose of Report:</b> Report notes further actions taken and lessons learnt from an adverse finding against the authority by the Local Government Ombudsman			
<b>Evidence Base:</b> This is an update report that follows on from the Monitoring Officer report that went to Cabinet on 1 <sup>st</sup> May 2018. The Monitoring Officer report set out the findings from the LGO report and the LGO recommendations. The LGO findings have been included for information.			
<b>LGO Finding</b> Mr X and his family lived in one room in a hotel with no cooking facilities from April 2014 to July 2017. The following are extracts from the final LGO report.			
<ul style="list-style-type: none"> <li>• There was fault by the Council that caused Mr X injustice. Many Departments across the Council knew of Mr X's Housing circumstances but did not refer this to the Housing Department for help and advice.</li> <li>• The Council opened a housing application in 2014 but did not make it active. It missed several opportunities to put this right and register an active application. When it did this in March 2017 Mr X made a successful bid in two months, so Mr X missed the opportunity of an earlier offer of suitable accommodation.</li> <li>• The Council failed to take a homelessness application in April 2016 and did not do so until March 2017. It is not known what the outcome of the application would have been but Mr X missed the opportunity of suitable interim accommodation and an earlier active housing application.</li> <li>• The Council wrongly stopped paying for the storage of Mr X's belongings in 2015 causing him time, trouble and distress and meaning he was without any access to his possessions.</li> </ul>			
<b>Update since 1<sup>st</sup> May 2018 Monitoring Officers report</b>			
All Councillors were sent a copy of the previous Cabinet report on 30 <sup>th</sup> May 2018.			
All LGO recommendations have been complied with and this was confirmed in writing to the LGO on 3 <sup>rd</sup> July 2018, see Appendix A. This includes a compensation payment of £9,000.			
In addition, Officers have been progressing the action plan to improve services to homeless families and this can also be found in Appendix A. The action plan focusses on improving communication and joint working between Housing Options and other parts of the Council as well as improving the information available to citizens who are homeless or threatened with homelessness.			
Some of this work has been incorporated into our preparation for the introduction of the duty to refer in October 2018 – this is a new duty requiring specified public authorities in England to notify Local Housing Authorities of service users they think may be homeless or threatened with becoming homeless in 56 days. It was brought in by the Homelessness Reduction Act 2017.			

<b>Recommendations:</b> That Cabinet note that all the LGO recommendations were implemented within agreed timescales and progress against the action plan attached which is based on lessons learnt.			
<b>Corporate Strategy alignment:</b> Empowering and Caring			
<b>City Benefits:</b> Ensures that lessons have been learnt for the service from the issues identified by the LGO			
<b>Consultation Details:</b> Not applicable			
<b>Revenue Cost</b>	£ N/A	<b>Source of Revenue Funding</b>	N/A
<b>Capital Cost</b>	£ N/A	<b>Source of Capital Funding</b>	N/A
One off cost <input type="checkbox"/>		Ongoing cost <input type="checkbox"/>	Saving Proposal <input type="checkbox"/> Income generation proposal <input type="checkbox"/>
<b>Required information to be completed by Financial/Legal/ICT/ HR partners:</b>			
<b>1. Finance Advice:</b> <i>Not requested</i>			
<b>Finance Business Partner:</b> N/A			
<b>2. Legal Advice:</b> The legal advice given by the Monitoring officer previously was <i>S 31 (2) of the Local Government Act 1974 provides that where a Local Commissioner reports that injustice has been caused to a person in consequence of maladministration, the report must be referred to authority concerned and the Authority has a duty to consider the report and, within the period of three months beginning with the date on which they received the report, to notify the Local Commissioner of the action which the authority have taken or propose to take. In this case, the Monitoring Officer considers that it is appropriate for this matter to be referred to the Executive of the Authority through a Cabinet meeting.</i>  Since Cabinet considered this report in May, the LGO has been informed of the actions taken by the Authority in compliance with the Authority's statutory duty. The updated report will assist Cabinet Members to satisfy themselves that all appropriate actions have now been taken.			
<b>Legal Team Leader:</b> Nancy Rollason 20 <sup>th</sup> September 2018			
<b>3. Implications on IT:</b> Not sought			
<b>IT Team Leader:</b> n/a			
<b>4. HR Advice:</b> The following advice was provided by HR for the 1 <sup>st</sup> May 2018 Cabinet report and still stands, "There are no HR implications in respect of the decision of the Ombudsman. However, it will be essential that the implications of this case are carefully considered by managers so the organisational failures identified are not repeated"			
<b>HR Partner:</b> Mark Williams 20 <sup>th</sup> April 2018			
<b>EDM Sign-off</b>	Pam Wharfe	11 <sup>th</sup> July 2018	
<b>Cabinet Member sign-off</b>	Cllr Paul Smith	10 <sup>th</sup> September 2018	
<b>CLB Sign-off</b>	Patsy Mellor	21 <sup>st</sup> August 2018	
<b>Mayor's Office sign-off (non key)</b>	Mayor's office	3 <sup>rd</sup> September 2018	

<b>Appendix A – Further essential background / detail on the proposal</b>	<b>YES</b>
<b>Appendix B – Details of consultation carried out - internal and external</b>	<b>NO</b>
<b>Appendix C – Summary of any engagement with scrutiny</b>	<b>NO</b>
<b>Appendix D – Risk assessment</b>	<b>NO</b>
<b>Appendix E – Equalities screening / impact assessment of proposal</b>	<b>NO</b>
<b>Appendix F – Eco-impact screening/ impact assessment of proposal</b>	<b>NO</b>

<b>Appendix G – Financial Advice</b>	<b>NO</b>
<b>Appendix H – Legal Advice</b>	<b>NO</b>
<b>Appendix I – Combined Background papers</b>	<b>NO</b>
<b>Appendix J – Exempt Information</b>	<b>NO</b>
<b>Appendix K – HR advice</b>	<b>NO</b>
<b>Appendix L – ICT</b>	<b>NO</b>