

## **SLOUGH BOROUGH COUNCIL**

**REPORT TO:** Audit and Corporate Governance Committee

**DATE:** 16<sup>th</sup> March 2017

**CONTACT OFFICER:** Linda Walker Interim Monitoring Officer

**(For all Enquiries)** (01753) 875017

**WARD(S):** ALL

### **PART I** **FOR INFORMATION**

## **LOCAL GOVERNMENT OMBUDSMAN COMPLAINT INVESTIGATION OUTCOME**

### **1. Purpose of Report**

This report informs Members of a finding of maladministration with injustice against Housing Services.

### **2. Recommendation(s)/Proposed Action**

The Audit & Corporate Governance Committee is asked to note the findings and subsequent learning.

### **3. Slough Joint Wellbeing Strategy and Five Year Plan**

This administrative report in nature cuts across all strategic priorities.

The specific learning from this report has been taken on-board and will contribute to future work on the councils housing priorities.

The learning from this complaint will help the following Five Year Plan Outcomes;

- Slough will be an attractive place where people choose to live, work and visit.
- Our residents will have access to good quality homes.

### **4. Other Implications**

#### **(a) Financial**

The only financial aspect is the payment of £1000 to the complainant.

#### **(b) Risk Management**

Risks of further occurrences can be mitigated by following the learning points set out below. However there remains a risk of litigation from the complaint.

## 5. **Supporting Information**

- 5.1 Mrs X complained that there was a fault in the way the Council dealt with her homelessness and housing register applications since July 2014.
- 5.2 The Ombudsman's final decision dated 11 January 2017 concluded that the Council took too long to provide temporary accommodation to Mrs X when she was homeless. The Council did not clearly explain how it considered Mrs X's representations when deciding not to exercise discretion to admit her to its Housing Register because of exceptional circumstances. It has agreed to have the decision reviewed by its Housing Needs Panel. When reviewing the matter, the Panel will explain how it considered Mrs X's representations.
- 5.3 The Ombudsman found that there had been maladministration with injustice. This is the highest finding that can be made. The definition of maladministration is wide and can include; delays, incorrect action or failure to take any action. The Audit & Corporate Governance Committee is asked to note a payment of £1000 is deemed as unusually high.
- 5.4 Since 2016 there have been 5 other complaints from the Local Government Ombudsman with a finding of maladministration with injustice. Total payment of these from Slough Borough Council was £790.
- 5.5 Lessons learnt from the case:
- Management control of the Social Lettings Team was poor at the time and the learning is the basics of the need for robust management controls of staff and functions particularly when that team is discharging legal duties of the council in regard to vulnerable people and overseeing tenancy arrangements for discharge of homeless duty.
  - Systems were weak – the learning is we definitely need a system where all contacts with a customer is in one place as this case criss-crossed 3 front line teams who all followed their own processes and early mistakes were not picked up or even visible to other teams. This is because the condition of our files in terms of the DIP2 system which is still being resolved.
  - Communication and giving the right information – the additional fault aside from the delay was in not fully communicating the reasons for the latter decision and giving the wrong information for challenging the decision. This has resulted in us having to carry out the process again on instruction from the LGO.
  - In terms of accountability the senior managers (AD and Housing Supply Manager) concerned with this case have since left the Council and the SLT is being held accountable for his specific failings in this case with regard to social letting functions.

5.6 **Comments of Other Committees**

None.

7. **Conclusion**

The Audit & Corporate Governance Committee is asked to note that a complaint and findings of this nature would not be expected again based on the learning supplied as set out.

8. **Appendices Attached**

- (a) History of the case
- (b) Local Government Ombudsman response.

9. **Background Papers**

None