

This Report will be made public on 5 September 2023

Report Number **AuG/23/11**

To: Audit and Governance Committee
Date: 13 September 2023
Status: Non-key decision
Responsible Officer: Gill Butler, Chief Housing Officer
Cabinet Member: Councillor Rebecca Shoob, Cabinet Member for Housing and Homelessness

SUBJECT: Response to the Local Government Ombudsman

SUMMARY: Mr and Mrs J raised a complaint through the Local Government Ombudsman (LGO) as they believed the Council had incorrectly processed their Housing Waiting List Application. Whilst the LGO confirmed the Council has correctly processed the housing application, it has also stated that it is unhappy with the way the Council's officers initially responded to their enquiries. This report sets out the action taken by the Council to address the concerns raised by the LGO.

REASONS FOR RECOMMENDATIONS:

- a) It is vital that going forward the Council works in full co-operation with the Local Government Ombudsman.
- b) All officers involved in providing responses to the LGO, must fully understand the role of the LGO and how they are expected to respond to all LGO enquiries.
- c) The LGO has requested that this complaint and the action taken by the Council in response to the LGO's comments should be reported to this Committee.

RECOMMENDATIONS:

- 1. To receive and note report AuG/23/11.
- 2. To note the action the Housing Service has taken in respect of responses made to enquiries from the Local Government Ombudsman

1. BACKGROUND

- 1.1 Mr and Mrs J and their family applied to join the Council's Housing Waiting list in April 2022. The family live in London and they are looking to move to the district to be near and receive support from other family members living in the district.
- 1.2 Their application was assessed by the Council and was placed in band E due to the household's income. In November 2022, the family raised a complaint with the LGO, as they believed the Council had incorrectly, included non-income related benefits received by the family in the assessment of the household's income. The application was reviewed by the Council and it was shown that the non-income related benefits were not included in the financial assessment completed by the Council.
- 1.3 The LGO has accepted that the Council did not include the non-means tested benefits in its financial assessment of the family's application. However, the LGO has stated that it is unhappy with the way the Council's officers initially responded to the LGO's enquiries. The LGO believes that officers failed to understand the role of the LGO and had responded in an overly defensive and unhelpful manner. The LGO has also stated that the initial response for information sent to them by the Council was numerous and poorly referenced.

2. Action taken by the Housing Service in response to the LGO's Findings

- 2.1 In response to the LGO's decision, the following measures have been put in place, to ensure that the Council responds promptly and in the correct manner:
 - All enquiries and responses to the LGO will be overseen by the Chief Housing Officer or the Lead Specialist for Strategic Housing.
 - All officers involved in LGO enquires and responses will be required to attend LGO Training to ensure that they fully understand the role of the LGO and the need to work in partnership with them.
 - The learning points from the case have been discussed directly with the officers involved in the initial response to the LGO.

3. LEGAL/FINANCIAL AND OTHER CONTROLS/POLICY MATTERS

- 3.1 **Legal Officer's Comments (NM)** - There are no legal implications arising from this report.
- 3.2 **Finance Officer's Comments (RH)**- There are no resource implications arising from this report.
- 3.3 **Diversities and Equalities Implications (AH)** – There are no equality or diversity implications arising from this report.
- 3.4 **Climate Change Implications (AH)** – There are no climate changes implications arising from this report.

4. CONTACT OFFICERS AND BACKGROUND DOCUMENTS

Councillors with any questions arising out of this report should contact the following officer prior to the meeting:

Adrian Hammond, Lead Specialist Strategic Housing

Email: Adrian.hammond@folkestone-hythe.gov.uk

Telephone: 01303 853392

The following background documents have been relied upon in the preparation of this report: None