

To: Housing and Homeless Panel
Date: 6 March 2025
Report of: Nerys Parry, Director of Housing
Title of Report: Briefing report on a finding from the Local Government and Social Care Ombudsman

Summary and recommendations	
Decision being taken:	N/A.
Key decision:	No
Cabinet Member:	Councillor Linda Smith, Cabinet Member for Housing and Communities
Corporate Priority:	Good, affordable homes
Policy Framework:	Housing, Homelessness and Rough Sleeping Strategy

Recommendation(s): That Housing and Homelessness Panel resolves to:
<ol style="list-style-type: none"> 1. For Housing and Homelessness Panel to note the report; 2. 3. 4. 5.

1. The Local Government and Social Care Ombudsman wrote to the Council in December 2024, informing us of their findings that the Council made a number of faults in the service we provided to a household who became homeless in 2023, and presented to our homelessness services, giving us a number of actions to rectify the situation for the client, but also ensure learning and changes in services.

2. One action was to provide this report to the relevant scrutiny committee of the Council.
3. The failings involve several aspects of the service we offered the client and are detailed in the table below. The Housing Needs Team have now made a number of changes to our service offer to ensure the mistakes are not repeated.
4. It is important to explain the wider context at the time of these faults. Housing Services were experiencing an unprecedented rise in demand for our services, and the operational team was struggling to deal with the number of clients presenting as homeless. This also coincided with a challenging period of staffing as we struggled to recruit and retain experienced Housing Options Officers as LAs across the Country expanded their Housing Teams in the face of growing demand.
5. We have since invested heavily in additional staff and training which has resulted in improved staffing levels and retention, with significant improvements to quality and quantity of work. This action was acknowledged and welcomed by the Ombudsman in their report.
6. The table below contains a brief overview of the Ombudsman findings in the case as well as the service improvements we have implemented in response to the Ombudsman decision, as well as changes made in our ongoing efforts to improve and develop our services.

Ombudsman Finding	OCC response and actions to ensure compliance
<p>The customer approached the Council as homeless. The customer was issued with a homeless application as was the procedure at the time, to complete at home.</p> <p>The Ombudsman found that we had not fulfilled our statutory duty by issuing a homeless application for the customer to complete and should have accepted the application without needing the form completed.</p>	<p>A new procedure is now in place where homelessness applications are completed by a Housing Officer during a pre-arranged meeting with the customer, in line with good practice.</p> <p>This joint meeting includes the initiation of any further investigations that need to take place to determine if a housing duty is owed.</p>
<p>The customer submitted the homeless application form in August 2023 following receipt of a court issued possession order. The customer states that we lost this form, and the Ombudsman agreed, and in September 2023 the customer moved into an unsecured tenancy. The customer could not afford the rent and borrowed money from friends to pay it. In October 2023, the customer approached the Council again and was advised that she needed to complete another homeless application form.</p>	<p>Housing Officers have been reminded that waiting for a court issued possession order is not required for the Council to decide on whether a housing duty is owed.</p> <p>The homelessness application form is now an online product completed with an officer, which is stored within our secure housing database. Applications are completed by a Housing Officer online with the customer, meaning they cannot be lost.</p>
<p>The homeless application was submitted with the support of a local charity in October 2023. The Housing Options</p>	<p>The Officer in charge of the case who lost the original homeless application form and failed to accept a housing duty</p>

<p>Officer who was dealing with the case failed to take the case forward correctly and did not accept a housing duty.</p>	<p>has had their performance addressed in line with the Council's performance management policy, and no performance issues with the officer have been identified since its completion.</p>
<p>In January 2024, the customer could no longer afford the rent and was placed into a B&B by the charity supporting her over the weekend. On the following Monday, the Council placed the customer into another B&B. A homelessness duty was still not accepted.</p> <p>In February 2024, following representation from a local solicitor's firm, a homelessness relief duty was accepted, and a personalised housing plan was sent to the customer.</p>	<p>Fortnightly case supervision by Housing Options Team Leaders has been improved for all housing officers, overseeing what officers are doing with each case, allowing us to spot errors in staff work.</p> <p>Reporting improvements allow managers to more easily spot service failure and ensure they are corrected.</p> <p>Clearer expectations of the service required for each case has been provided to the housing officers with clear deadlines for completion.</p>
<p>The client complained about the service provided. The Council responded to the complaint in a timely manner apologising for its errors but failed to offer a right of reply or escalation.</p> <p>The complaint was escalated to stage 2 by the charity supporting the customer and a response was sent apologising for the errors made along with an offer of</p>	<p>A new corporate complaints hub has now been implemented which has overarching responsibility for ensuring complaints are dealt with in line with the Ombudsman best practice guidance, including always informing the complainant of escalation routes.</p>

<p>compensation for £400.</p> <p>The customer was unhappy with our response and escalated the complaint to the Ombudsman in April 2024.</p>	
<p>After 10 weeks in a B&B, the customer moved to a property in the private rented sector. This breached the governments statutory target for families living in B&Bs of 6 weeks.</p>	<p>As Housing Panel is aware, the Council has been impacted by an unprecedented increase in homelessness demand in recent years. This includes our placement rate into temporary accommodation rising from 3-4 a week 2 years ago, to 8-10 now. The Council has insufficient temporary accommodation stock to cope with these levels of demand and has had to use hotels and B&B to continue to provide accommodation.</p> <p>While we regret anybody having to stay for prolonged periods in hotels and B&B, we must use what accommodation is available to us while we expand our TA stock, which once delivered will mean we have less use of hotels and B&B in the future. The Ombudsman in their response did acknowledge this pressure, and our work to bring down hotel use in their decision letter.</p> <p>In 2024 we implemented a families in</p>

	<p>B&B reduction plan in partnership with MHCLG. This plan involved significant investment in additional staffing to both support prevention and increase the speed of move on from TA, the procurement of additional properties in the private rented sector and changes to annual lettings plan to increase move on to social housing. This approach has drastically reduced the numbers exceeding 6 weeks and has been cited by MHCLG as best practice as part of their wider work with local housing authorities.</p>
<p>Ombudsman recommendations</p>	
<p>Apologise to Ms X for the fault identified in this case. This apology should be in accordance with the Ombudsman’s new guidance Making an effective apology.</p>	<p>A letter was sent to the customer by the Head of Housing Services on the 10th January 2025.</p>
<p>Pay Ms X £200 as an acknowledgement of the time and trouble she has spent pursuing this complaint.</p> <p>Pay Ms X £500 to recognise her distress and uncertainty.</p> <p>Pay Ms X £600 for the impact of being placed in unsuitable bed and breakfast accommodation for four weeks more than the six allowed. This figure is based on £150 per week.</p>	<p>A payment of £3650 was made to the customer in December 2024</p>

<p>Pay Ms X £2,350 in recognition of her avoidable financial loss.</p>	
<p>Remind relevant staff of the importance of effective complaint handling, including offering escalation.</p> <p>Share a copy of this decision with staff in the relevant departments to consider the lessons that can be learned from this case and remind staff of the Council's duties.</p>	<p>The Homelessness Prevention Manager held sessions with the Housing Teams to highlight the importance of identifying complaints and explaining the role of the new OCC complaints hub, alongside reflecting on the wider learning from the case. A copy of the Ombudsman's findings was shared with Housing managers and staff involved in the case.</p>
<p>Refer this decision and the lessons learned outcomes to the Cabinet Member for Housing and the scrutiny committee.</p>	<p>Cabinet portfolio holder briefing held in January 2025</p> <p>Ombudsman's findings added to the housing scrutiny panel agenda for March 2025 (this report).</p>

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