

# HOUSING OMBUDSMAN DETERMINATIONS



**To:**

Councillor Gerri Bird, Executive Councillor for Housing  
Housing Scrutiny Committee 24th January 20223

**Report by:**

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**Wards affected:**

All

Not a Key Decision

## 1. Executive Summary

- 1.1 The last time a report came to this committee detailing a finding of fault by the Ombudsman, in respect of a housing related service, against this authority was in September 2021. Since then, there have been two cases where fault has been found. This report provides elected members with some brief detail on each case, why fault was found and outlines the actions the council has taken to remedy the matter for the customer and identify areas for improvement in the future.
- 1.2 In these circumstances, the Head of Legal Services, as the council's Monitoring Officer, has an obligation to report the findings to the Executive. The Executive is obliged to set out what action has already been taken in respect of the findings, what action it intends to take and the reasons for taking the action.
- 1.3 One of the determinations highlighted in this report (case A) came from the Local Government and Social Care Ombudsman and the other from the Housing Ombudsman (case B).

## 2. Recommendations

The Executive Councillor is recommended to:

- 2.1 Note the information contained within this report
- 2.2 Approve the remedial actions outlined and measures established to reduce or eliminate the risk of repeat mistakes in future cases

## 3. Background

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- 3.1 The council's published Annual Complaints report for 2021-22 provides some useful contextual background. It states that:
  - The Housing Assets and Maintenance Team are responsible for the repair and maintenance of over 7,000 houses, 20 administrative buildings, 14 car parks and 144 commercial properties. During the year 21/22, the service completed over 12,800 responsive repairs, 7,700 planned maintenance jobs, 6,000 planned maintenance service inspections and repair work to relet almost 300 properties.
  - The Housing Service manages close to 8,450 properties within the City and has placed 308 households into temporary accommodation during the year. It has also handled 849 homeless applications, had 1,476 new applicants join the Home-Link register and opened 1,159 housing advice cases in the year.
- 3.2 **Case A** was assessed by the Local Government and Social Care Ombudsman (LGSCO). Mr X complained the council provided him with interim accommodation, on the hospital discharge housing scheme, that was not suitable for his needs when he was discharged from hospital. Mr X further complained the council removed him from the hospital scheme without telling him and delayed in deciding if he was in priority need for housing.
- 3.3 The LGSCO concluded that there was no fault in the way the council assessed the suitability of the accommodation but there was fault in how the council recorded its decisions about the suitability of the accommodation and how it discussed the hospital scheme with Mr X.

- 3.4 The council accepted the Ombudsman's findings and have complied with its suggested remedies; to apologise to Mr X and pay him £100 to recognise the uncertainty this caused him.
- 3.5 Partly as a result of this case and, in addition to the remedies provided, the council has ended its involvement in the pilot hospital discharge scheme that prompted the complaint and has reverted back to the scheme originally agreed with Addenbrookes Hospital in 2015, now bolstered by the 'duty to refer' provisions introduced by the Homelessness Reduction Act 2017. In addition, all relevant officers have been reminded to be as fastidious with case notes on non-statutory homelessness cases as they are with statutory ones.
- 3.6 **Case B** was assessed by the Housing Ombudsman (HO) and the complaint concerned the council's response to Ms X's concerns about her bathroom refurbishment and the landlord's handling of the associated complaint.
- 3.7 In its determination letter the HO found fault with the council on both counts. The investigation report explained that:

*'The landlord could have explained what its obligations were regarding changing the LED lighting and what could do to resolve the complaint. In both complaint responses it briefly stated that the repairs had been referred to the appropriate staff or departments. These responses were unreasonable as they did not provide clarity or certainty to the resident concerning the next steps for her complaint'.*

The HO also pointed out that neither the stage one or the stage two responses addressed one particular aspect of the complaint around a staff conduct matter.

- 3.8 The HO ordered the council to:
- Pay the resident £50 compensation for its delay in carrying out the repairs and £50 compensation for its failure to consider all aspects of her complaint and provide clear resolutions.
  - Write to the resident to confirm its plan for resolving her reports of staff conduct, the hole in her bathroom wall, and the LED lighting.
- 3.9 The council has completed the remedial actions outlined in 3.8 above, has completed all the repairs and, as recommended by the HO, has completed a round of refresher training with its complaints handling

staff to ensure that all issues raised in complaints are addressed fully and in compliance with the Ombudsman's Complaint Handling Code.

#### **a) Financial Implications**

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The financial implications for the council are outlined in this report.

#### **b) Staffing Implications**

None

#### **c) Equality and Poverty Implications**

None.

#### **d) Net Zero Carbon, Climate Change and Environmental Implications**

None.

#### **e) Procurement Implications**

None.

#### **f) Community Safety Implications**

None.

### **4. Consultation and communication considerations**

Please see 1.2 of this report. The council is obliged to publicly report any cases which have been to the Ombudsman where fault has been found but not remedied before it is investigated by the Ombudsman.

### **5. Background papers**

No background papers were used in the preparation of this report.

### **6. Appendices**

None

### **7. Inspection of papers**

If you have a query on the report please contact David Greening, Head of Housing, tel: 01223 - 457997, email: david.greening@cambridge.gov.uk.