



POLICY AND RESOURCES SCRUTINY COMMITTEE – 3RD MARCH 2015

**SUBJECT: COMPLAINT MADE TO THE PUBLIC SERVICES OMBUDSMAN FOR
WALES - CASE NUMBER 201301753**

REPORT BY: INTERIM HEAD OF LEGAL SERVICES AND MONITORING OFFICER

1. On the 24th November 2014 the Standards Committee received the attached report and appendix regarding the above complaint.
2. The Committee noted the contents of the Report and progress made to date in respect of the recommendations contained in the Ombudsman's report and action to be taken regarding outstanding recommendations.
3. In addition the Committee was asked to consider whether the matter should be referred to the appropriate Scrutiny Committee. Whilst the grounds for referral are where in the opinion of the Standards Committee there has been a serious failure in service delivery that would benefit from further consideration by the appropriate Scrutiny Committee, as a number of the recommendations refer to implementation within two/three months from the receipt of the report the Committee unanimously agreed that it would be beneficial for the progress to be monitored at the next meeting of the Policy and Resources Committee.
4. Members are advised that the Chair of the Standards Committee (or a nominee) will be invited to attend the Scrutiny Committee when this report is considered.
5. In respect of progress made in relation to the recommendations Members are advised that since the meeting of the Standards Committee two further recommendations of the Ombudsman have been complied with namely recommendations (d) and (e). For Members ease of reference the Ombudsman's recommendations are set out below in full together with brief details of compliance with each recommendation. Housing Officers will provide a further update to Members at the meeting.
 - (a) Within one month of the report being finalised, the Council's Acting Chief Executive should apologise to the complainant for the failings identified. In addition, the Council should in recognition of the impact of those failings on the complainant, which included the uncertainty as to whether she may have been offered accommodation in 2002, make a payment to her of £500.

The Chief Executive has written to the complainant in accordance with this recommendation and a payment of £500 has been made
 - (b) Within one month of the report being finalised, the Council's Housing Services should remind its housing allocation staff of the importance of ensuring, where supported by the facts, enquiries were made where necessary to ensure applicant's housing applications are correctly pointed in accordance with its lettings policy.

The Housing Department has undertaken a review of the 'Guidance for Staff Assessing and Registering Applications' document and relevant staff has been advised of the updates, with particular emphasis on the allocation of points to applications in accordance with Council policy.

- (c) Within one month of the report being finalised, the Council should provide appropriate training to relevant housing staff on the Council's Corporate Records Management Policy.

Managers within the Housing Department held team meetings with staff to highlight the importance of the Corporate Records Management Policy and made specific reference to good record keeping within their offices.

- (d) Within two months of the report being finalised, the Council's Housing Services should develop guidance on the factors for consideration when considering applying discretion in relation to the removal of time points.

A procedure and guidance has been produced to staff on the factors for consideration when considering applying discretion in relation to the removal of time points.

- (e) Once the guidance was in place, the Council's Housing Services should remind its housing allocation staff of the need to consider applying discretion at the point when the discretionary decision on the removal of time points was being exercised. Housing allocation staff should also be reminded of the need to demonstrate that discretion has been considered.

Allocation Staff have met and have been reminded of the need to use the procedure to demonstrate discretion.

- (f) Within three months of this report being finalised, if it had not already done so, the Council's Housing Services should provide training to relevant housing staff, including allocation staff, on the circumstances when the Council's homelessness duties may be triggered and the steps that should be taken. The Council's Housing Services should also review its documentation to satisfy itself that it supported the early recognition of when the Council's homelessness duties may be triggered and thus engaged.

- (g) The Council should within the timescales specified within the recommendations provide documentary evidence to this office of compliance with the recommendations above.

Documentary evidence for Recommendations a, b, c, d & e above has been submitted to the Ombudsman as requested.

- (h) Finally, in the interim period before the Council's Housing Services introduced its new lettings policy in 2015, where its housing allocation staff have reason to review a housing application that has had time points removed, the application should be reviewed against the guidance developed at (d) above.

- 6. Members are asked to consider the contents of the Report, the progress made to date in respect of the recommendations contained in the Ombudsman's report and action to be taken regarding outstanding recommendations.

Author: Lisa Lane, Solicitor

Appendices:

Appendix 1 Report and Appendix to the Standards Committee Complaint made to the Public Services Ombudsman for Wales - Case Number 201301753