

Report to:	Scrutiny Committee
Date:	5 December 2022
Title:	Local Government and Social Care Ombudsman referral
Report of:	Tim Whelan, Director of Service Delivery
Ward(s):	All
Purpose of report:	To support the recommendation of the Local Government and Social Care Ombudsman
Officer recommendation(s):	<p>(1) To note the report; and</p> <p>(2) To review the response of the Council to the Ombudsman's recommendations and consider whether there are areas where improvements can be made, or where further scrutiny is required.</p>
Reasons for recommendations:	To fulfil a role of the Scrutiny Committee in looking at how the Council's services are delivered.
Contact Officer(s):	<p>Name: Nick Peeters Post title: Committee Officer, Democratic Services E-mail: nick.peeters@lewes-eastbourne.gov.uk Telephone number: 01323 415272</p>

1 Introduction

- 1.1 On the 31 August 2022, the Local Government and Social Care Ombudsman provided a final decision on a complaint made against Eastbourne Borough Council (attached at appendix 1 to the report). The Ombudsman recommended referral of the decision and the lessons learned outcomes to the Cabinet Member for Housing and the Council's Scrutiny Committee.

2 Background

- 2.1 The complaint concerns how the Council dealt with a family's housing needs and in particular, how delays in responding to communications and the stopping of housing benefit impacted on the family, who have children with complex disabilities. The family was in rented accommodation and its complex needs meant that specific accommodation was required.
- 2.2 The Ombudsman's role, how the complaint was considered, and the Ombudsman's findings are detailed in appendix 1 to the report. The final decision includes a list of agreed actions for the Council to implement.

The Customer First Resolution Team responded to the Ombudsman's final decision, outlining the steps taken by the Council in responding to the issues raised (appendix 2 to the report). The draft decision of the Ombudsman was challenged by the Council and resulted in change and reduction in compensation requirement. The Housing Service has recognised that there were issues with communications and where required, improvement plans have been put in place to ensure service improvements.

3 Response of the Scrutiny Committee

- 3.1 The Committee is asked to look at the background to the complaint and satisfy itself that the Council has responded to the recommendations from the Ombudsman and reviewed its policies and procedures, to ensure that the risk of similar incidents occurring is reduced. The Committee is also asked to suggest areas where it feels further scrutiny may be needed.

4 Financial appraisal

- 4.1 There are no direct financial implications as a result of the report.

5 Legal implications

- 5.1 There are no direct legal implications as a result of the report.

6 Risk management implications

- 6.1 There are no risk management implications as result of the report

7 Equality analysis

- 7.1 This is a case that impacted a family made up of children with disabilities and complex needs, parents fulfilling full-time caring roles, and individuals who have experienced poor mental health in connection to this on-going situation. In order to support the duty around minimising disadvantage, the recommendations of the Ombudsman and response of the Council should be given due consideration as recommended in this report.

8 Appendices

Appendix 1 – Local Government and Social Care Ombudsman's final decision
Appendix 2 – Email response to the Ombudsman detailing the Council's actions

9 Background papers – there are none