

Still no place like home?

Neil Mackay

4 July 2018

Local Government and Social Care Ombudsman

- Investigates complaints of maladministration and service failure against councils, some other authorities and social care providers
- Can recommend remedies for individuals and service improvements on upheld complaints

2013 – No Place Like Home

- Identified trend of councils using B&B for families with children and for 16 and 17 year olds
- Highlighted common faults
- Recommended good practice points

Follow-up report

- Ombudsman decided follow-up report would be helpful
- December 2017: *Still no place like home? Councils' continuing use of unsuitable bed & breakfast accommodation for families*

B&B – the law (1)

- 'B&B accommodation' means accommodation which is not separate and self-contained premises and where any one of toilet, personal washing facilities or cooking facilities is shared by more than one household
- Except accommodation owned or managed by a local housing authority, a registered social landlord or certain voluntary organisations

B&B – the law (2)

- B&B accommodation is not suitable as interim or temporary accommodation for pregnant women or families with children
- Except where nothing else is available **and** where B&B is used for no longer than **six weeks** in total

Common issues with using B&B

- Waiting till last minute even if a family approached before becoming homeless
- No evidence all options explored before using B&B
- No sustained efforts to find alternative accommodation during the six-week period
- Failure to consider individual circumstances (medical, location, etc.)
- Failure to tell people of their review rights every time temporary accommodation changes

Condition of B&B

- The law allows the Ombudsman to treat services provided on behalf of a council as if the council was providing the service direct itself
- So the Ombudsman holds the council responsible for how problems with a B&B's condition are dealt with, regardless of who owns or manages the B&B or where it is

Good practice recommendations (1)

- Notify families and pregnant women that the law says they must be moved within six weeks
- Prioritise finding suitable accommodation within six weeks
- Clear records of attempts to find suitable accommodation
- Financial remedy for families in B&B too long

Good practice recommendations (2)

- Strategy to deal with the problem in a reasonable timescale
- Update elected members about council's performance
- Co-operation between homelessness and children's services sections

More information

- www.lgo.org.uk – our reports and guidance
- Speak to us (via your link officer) for advice on individual cases