

 <p><b>Brent</b></p>	<p><b>Housing Scrutiny Committee</b> 14 September 2017</p> <p><b>Report from the Strategic Director Community Wellbeing</b></p>
<p style="text-align: right;">Wards Affected: All</p>	
<p><b>Implementation of actions previously recommended by Local Government Ombudsman</b></p>	

## 1.0 Summary

- 1.1 The Local Government Ombudsman (LGO) issued a joint report against the London Boroughs of Brent and Ealing on 8 August 2016. This report relates to the Housing Needs service's and Brent Housing Partnership's handling of a BHP tenant's (Ms X) request for urgent rehousing due to domestic violence.
- 1.2 Although the LGO acknowledged that there was no evidence of a systemic failure to provide housing advice and services to victims of domestic violence, the report found fault in the way that the case had been handled, which caused injustice, and recommendations were made.
- 1.3 This report provides evidence of actions taken, within 3 months of the issuance of the LGO report, to deliver the following recommendations of the LGO:
- Pay Ms X £750 for the distress and anxiety caused by our delays and insensitive handling of her housing needs;
  - Pay £250 to Ms Y who has supported Ms X since June 2014 and helped her pursue her complaint with the Council; and
  - Arrange for a senior manager to write to Ms X to apologise for the way the Council has treated her.
- 1.4 As per the further recommendations of the LGO, and requests made at the Community and Wellbeing Scrutiny Committee, 23 November 2016, this report also provides details of the actions taken to deliver:
- Refresher training for front-line staff in the Housing Options service about the domestic violence procedure and joint working with BHP when the victim is a Council tenant.

- Evidence that the council has reviewed the liaison and joint working arrangements between BHP and Housing Options and addressed any shortcomings;
- Evidence the shift in the culture and/or ways of working of the relevant department to mitigate such events reoccurring; and
- Details of contingency plans of an early-warning system for any weaknesses in service delivery for vulnerable residents

1.5 The LGO wrote on the 15 November 2016, confirming that they are satisfied with the Council's response and the action taken following the report on Ms X

## **2.0 Recommendation(s)**

2.1 That the committee note the actions taken to implement the recommendations of the LGO report, as well as the ongoing work to the shift in the culture and/or ways of working to mitigate such events reoccurring.

## **3.0 Actions taken to deliver the recommendations of the LGO and shift in culture**

### Within 3 months of the issuance of the LGO report

- 3.1 A payment of £750 was paid by cheque to Ms X in September 2016. Confirmation was received from the Council's Finance Service Centre on 28 September 2016 that the cheque has been cashed.
- 3.2 A BACS payment of £250 was issued to Ms Y on 26 September 2016. Confirmation was received on 28 September 2016 that the payment had cleared.
- 3.3 Laurence Coaker, Head of Housing Needs wrote to Ms X on 31 October 2016, (Appendix 1) to apologise for the way the Council has treated her.

### Further actions taken

- 3.4 A review of the West London Domestic Violence reciprocal agreement took place in December 2016. Some minor amendments to the agreement were agreed; however, the West London Housing Directors Group agreed on 17 January 2017, that the West London agreement should be suspended, and that all West London Councils should join the Pan London Housing reciprocal agreement.
- 3.5 The Pan-London Housing Reciprocal agreement is a voluntary collaboration between local authorities and registered providers which allows social housing tenants at risk of harm from domestic/sexual violence and other Violence Against Women and Girls (VAWG) strands, gang related violence or other community safety risk, to move to another local authority area and keep the same security of tenure previously held.

- 3.6 A working group of officers from BHP and Housing Needs was created to review the Housing Options and BHP Domestic Violence procedures, as well as joint working with BHP when the victim is a Council tenant. The first meeting of this group took place on 3 February 2017.
- 3.7 An outcome of this working group is a revised BHP Domestic Abuse Procedure, (Appendix 2) which covers Domestic Abuse incidents for BHP tenants, to ensure that all cases are fully investigated and any action taken is in line with the BHP Domestic Abuse Policy and current Legislation. This procedure was presented to officers in May 2017.
- 3.8 A revised Housing Options Domestic Violence Procedure (Appendix 3) was also developed, which outlines the relevant Housing law and Brent's process, including referrals to the Pan-London Housing Reciprocal agreement. This procedure was presented to officers in May 2017.
- 3.9 Training on the internal process was supplemented with external training on Domestic Violence and Housing, provided by Shelter, which also took place in May 2017.
- 3.10 The working group meetings are ongoing, to ensure that the joint working between relevant teams in BHP and Housing Needs are embedded. Where appropriate, BHP tenants will be referred to the Housing Management Panel, for a decision on either a management transfer or a referral to the Pan London Reciprocal arrangement. The Panel will also act as an early-warning system for BHP cases of Domestic Abuse, to identify any weaknesses in service delivery.

#### Mystery Shopping Exercise

- 3.11 Brent has taken the lead on arranging a Mystery Shopping exercise, across 6 London councils, to assess how we deal with customers suffering from Domestic Abuse. This exercise was initially arranged with Hounslow, and Hillingdon, however since work began on developing the exercise, Harrow, Newham, and Southwark have also joined.
- 3.12 The exercise will be taking place in mid-October and will focus on the following:
- **Options:** Variety, appropriateness, clarity, staying in the home or leaving the property
  - **Legislation:** Correct application, gatekeeping
  - **Assessment:** Forms, resources given, picking up on signs, risk assessment
  - **Referrals:** Refuge, MARAC, IDVA, Floating Support, Sanctuary Scheme, injunctions, Pan-London Reciprocal Agreement
  - **Customer Services:** Tone, language (clarity and appropriateness), empathy, helpfulness, eye contact
  - **Setting:** Privacy of conversation, comfort of setting
  - **Outcome:** Resolution, actions

These will be tested through the three scenarios listed below:

1. **Face-to-face:** High-risk single person [Physical, emotional, psychological, and financial]
2. **Face-to-face:** Medium-risk family [Emotional, physical, financial abuse]
3. **Phone:** Medium/Low-risk Management Transfer

3.13 The findings from the exercise will be used as a benchmark of how cases of Domestic Abuse are dealt with and will be repeated in 2018 to measure progress made.

#### **4.0 Domestic Abuse Outcome Based Review (OBR)**

4.1 The Council commenced a Domestic Abuse Outcome Based Review in April 2017. Following interviews and focus groups held with both professional and community groups, housing has been identified as a major theme.

4.2 These issues include:

- Uncertainty about housing is a major cause of concern for victims and can result in them returning to perpetrators
- Some victims would prefer stay their own home with suitable support rather than being re-housed – especially families with children
- Housing officers are not always providing a sensitive service when dealing with victims of abuse and do not always understand different types of abuse e.g. emotional and financial
- Housing services are not always sufficiently joined up with other Council departments when dealing with domestic abuse victims.

4.3 Housing Service colleagues have been actively involved in the OBR process and the Head of the Housing Needs Service has met with the OBR lead to discuss issues identified from these interviews and focus groups. The next step in the OBR process is a visioning event on 4 October 2017, which will bring together stakeholders to develop ideas in response to the OBR findings and the Head of Housing Needs will be taking part. The OBR findings are also feeding into development of the mystery shopping exercise described above.

#### **5.0 Financial Implications**

5.1 There are no immediate financial implications arising from this report.

5.2 There may be increased costs resulting from the Domestic Abuse Outcome Based Review

#### **6.0 Legal Implications**

6.1 There are no immediate legal implications arising from this report.

6.2 The legal tests for dealing with Homelessness applications due to Domestic Violence are set out in the Housing Act 1996, Part 7.

## **7.0 Equality Implications**

- 7.1 Although the majority of the victim of Domestic Violence are women and girls, there is a requirement to address the needs of men and boys who may be affected by Domestic Violence crimes as we know there is an annual male victim rate of 700,000 nationally. It is important to ensure appropriate service responses are in place to support male victims, as gender may be an additional barrier to seeking help. A further barrier for accessing support can also be inherent for those people in a same sex relationship. Support responses therefore need to accommodate such victim needs. The local authority commissioned support service now accommodates such needs outlined above as the local authority identified a gap in male support services. Services therefore supports all victims of domestic abuse, including men.
- 7.2 Brent is the second most ethnically diverse borough in London, with around 130 languages spoken amongst a population of over 311,000. Brent therefore has a large proportion of residents who may experience additional barriers to seeking help including those from black, Asian, minority, ethnic and refugee (BAMER) communities, disabled victims, elderly victims, the lesbian, gay, bisexual and transgender (LGBT) community, those with no recourse to public funds, those with complex needs and/or substance users and young people. The Housing Needs Service take its responsibilities to provide services which are appropriate to all Brent's diverse communities extremely seriously and seeks to due regard to the need to promote equality of opportunity, eliminate discrimination and foster good relations when developing and reviewing policies, strategies and services. We will seek to ensure that services are able to meet individuals' needs in a sensitive and consistent manner. This will be carried out in line with relevant legislation

## **8.0 Staffing/Accommodation Implications**

- 8.1 There are no immediate staffing/accommodation implications arising from this report

## **Background Papers**

- Letter of apology from Head of Housing Needs (Appendix 1)
- BHP Domestic Abuse Procedure, (Appendix 2)
- Housing Options Domestic Violence Procedure (Appendix 3)

## **Contact Officers**

Laurence Coaker  
Head of Housing Needs  
Tel: 020 8937 2788,  
[Laurence.coaker@brent.gov.uk](mailto:Laurence.coaker@brent.gov.uk)

PHIL PORTER  
Strategic Director of Community Wellbeing