
Second report of the LGSCO - Maladministration causing injustice (Housing) – Ms X

Full Council 18th September 2025

Report of the Monitoring Officer: Kamal Adatia

Useful information

- Ward(s) affected: N/A
- Report author: Kamal Adatia
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- Report version number: 1

1. Summary:

- 1.1 To bring to the attention of Full Council the second report of the Local Government and Social Care Ombudsman in respect of the case of Ms X.

2. Recommendations:

- 2.1 That the Council notes the report and makes any recommendations it wishes to the Lead Member for Housing.

3. Background:

- 3.1 Ms X complained to the Local Government and Social Care Ombudsman (LGSCO) that the Council failed to provide sufficient support with her homelessness and failed to provide suitable accommodation for her and her children.
- 3.2 By report dated 7th October 2024 and formally published on 14th November 2024 the LGSCO, pursuant to her powers under Part III Local Government Act 1974, found that Leicester City Council (LCC) had been guilty of maladministration causing injustice to Ms X. The full report can be found online here - [23 015 268 - Local Government and Social Care Ombudsman](#). The Council had, prior to this date, confirmed that we were unwilling to comply with two of the LGSCO's recommendations, all of which are set out at paragraph 49 of the report.
- 3.3 That matter was made subject to a formal Decision Report by the Lead Member for Housing on 22nd May 2025, the details of which can be found here – [Decision - LGSCO Report of Maladministration causing injustice \(Housing\) - Ms X](#)
- 3.4 That Decision was called-in by five Members and was taken to a Special Meeting of the Housing Scrutiny Commission on 12th June 2025 where it was subsequently withdrawn - [Agenda for Housing Scrutiny Commission on Thursday, 12 June 2025, 5:30 pm](#)

3.5 The LGSCO has a duty to issue a second report in cases where, after making a finding of maladministration, she is not satisfied with the action which the Authority concerned have taken or propose to take in respect of her recommendations. The Council has a duty to bring that report to a meeting of the Authority (Full Council).

3.6 The Council issued two public notices in local newspapers and/or newspaper websites on 11th September 2025. The Council has also made the report available free of charge at one or more of its offices.

4. Financial Implications:

For the individual case which was the focus of the LGSCO report, the financial implications are clear in that accepting the remaining two recommendations would cost the Council £1,750 as follows:

- £1,300 for Mrs X having lived in unsuitable B&B accommodation for longer than a 6-week period, and;
- £150 for each month she remained in unsuitable temporary accommodation (a total of £450).

More widely, if the recommendations of the LGSCO which were not accepted by LCC were to be applied to all other cases in which families have, out of necessity, been living in B&B accommodation for more than 6 weeks, then it is estimated that this could cost the Council in the region of £500k for 2024/25. The number of families exceeding 6-weeks in 2025/26 has reduced significantly, and the financial cost would therefore be lower.

Stuart McAvoy – Head of Finance
10th September 2025

6. Legal implications

The powers of the LGSCO derive from the Local Government Act 1974 and break down as follows:

- Section 31(2A), (2D) set out the power of the LGSCO to issue a further report if dissatisfied with either the procedural or substantive response from the Council under section 31(2) above and sets out further requirements as to publicity thereof
- Section 31A makes provision for any further adverse report to be considered by Full Council.

- The Council has three months to consider the second report and notify the LGSO of the action it intends to take.

Kamal Adatia – Monitoring Officer
8th September 2025

7. Climate emergency implications

There are no climate emergency implications arising from the recommendations in this report.

Phil Ball, Sustainability Officer, Ext 372246
9 September 2025

8. Equality Implications

Local authorities have a duty to comply with both homelessness legislation and the Equality Act when delivering services. This means they must not discriminate in housing provision and must consider the specific needs of individuals, including their protected characteristics, when their situation, determining eligibility for homelessness support, and deciding on the type and suitability of accommodation offered.

Under the Equality Act 2010, public authorities have statutory duties, including the Public Sector Equality Duty (PSED) which means that, in carrying out their functions, decision makers must pay due regard to the need to eliminate unlawful discrimination, harassment and victimisation and any other conduct prohibited by the Act, to advance equality of opportunity between people who share a protected characteristic and those who don't and to foster good relations between people who share a protected characteristic and those who don't.

Protected Characteristics under the Equality Act 2010 are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation.

The council must ensure our policies and practices are not discriminatory and that they are actively advancing equality of opportunity for those facing homelessness, that they are explicitly inclusive and consider the diverse needs of individuals with all protected characteristics. It is important to actively monitor the impact of homelessness services on different groups and make any adjustments as needed. If the LGSCO recommendations are not implemented this may lead to continuing hardship or inconvenience that led to the complaint in the first instance.

Sukhi Biring, Equalities Officer

9 September 2025