

Complaint reference:
15 011 915

Complaint against:
Gravesham Borough Council

The Ombudsman's final decision

Summary: The Council has agreed to let Ms A join the housing register. I have discontinued my investigation because it is unlikely the Ombudsman could add anything to the review already completed by the Council.

The complaint

1. Ms A complains Gravesham Borough Council (the Council) refused her application to join the housing register.

The Ombudsman's role and powers

2. The Ombudsman provides a free service, but must use public money carefully. She may decide not to start or continue with an investigation if she believes it is unlikely she could add to any previous investigation by the Council. (*Local Government Act 1974, sections 24A(6) and 34B(8)*)

How I considered this complaint

3. I considered Ms A's complaint to the Ombudsman, the Council's decision and the review of the decision. Both parties have seen and commented on a draft of this statement.

What I found

4. The Council's allocations policy says people cannot join the housing register if they have no local connection to Gravesham. Applicants have the right to request a review of an unfavourable decision. Appendix 1 of the allocations policy explains applicants have a local connection if one of the following applies:
 - They have lived in the borough permanently for the preceding 2 years without a break
 - They have been employed in the borough for 2 years
 - They need to live in the borough to care for someone
 - Other exceptional circumstances as agreed by senior officers.
5. Ms A had a housing association flat in Gravesham. She left Gravesham for a couple of weeks in May 2014. She had been seriously assaulted in her flat. She returned to Gravesham because her relationship broke down
6. In July 2015, Ms A's support worker wrote to the Council saying:

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- Ms A went to another city for two weeks in May 2014 returning at the beginning of June
 - Ms A handed in the keys to her Gravesham flat in June 2014
 - She still had her tenancy in Gravesham during the two weeks she left the borough so she should be allowed to join the housing register.
7. In September 2015, a senior allocations officer wrote to Ms A's support worker saying although she retained her tenancy in Gravesham, she did leave the borough for a few weeks and so lost her local connection. So she could not join the housing register.
 8. Ms A was unhappy with the Council's decision and complained to the Ombudsman. We decided to investigate her complaint although the Council had not reviewed it or responded through the complaints procedure. This is because the wording of the council's letter indicated its position was final and Ms A was vulnerable.
 9. The Assistant Director of Housing reviewed Ms A's case in November 2015 after the Ombudsman told the Council about her complaint. He decided she could join the housing register because she retained a local connection through her housing association tenancy. Her application would be backdated to the date she applied.

Final decision

10. I have discontinued my investigation because the Council has agreed to let Ms A join the housing register and it is unlikely the Ombudsman could add anything to the review already completed by the Council.

Investigator's decision on behalf of the Ombudsman