

SPSO decision report

Case: 201100976, Inverclyde Council
Sector: local government
Subject: policy/administration
Outcome: upheld, recommendations

Summary

Ms C complained that the council failed to properly deal with a complaint made by her neighbour's tradesman about the condition of Ms C's property. She raised concerns about eight issues related to the council's actions. She also complained that the council did not deal properly with her complaint about this.

Our investigation found that the council acted directly on a complaint from a tradesman about the condition of Ms C's property without first carrying out their own investigations. They, therefore, did not act completely independently. We also found that the council unreasonably failed to tell Ms C about missing and leaking guttering and apparent water staining on the blind on one of her rooms. We were particularly concerned about the council's lack of record-keeping in this case and addressed this in our recommendations.

On the issue of complaints handling, there was no evidence that the council investigated Ms C's complaint in line with their own complaints procedure. The evidence also showed that Ms C raised 11 issues in her letter of complaint to the chief executive, which he did not address in his response.

Recommendations

We recommended that the council:

- provide a written apology for failing to test the veracity of the information provided by the tradesman before writing to Ms C, failing to act independently, and unreasonably failing to explain why they thought there was a suspicion of dampness in the property;
- feed back the decision on this complaint to the staff involved;
- take steps to ensure that, in future, records are made of phone calls from complainants and visits to properties in response to such complaints;
- provide a written apology for failing to investigate the complaint properly; and
- feed back our views on their complaints handling to the members of staff involved.