

SPSO decision report

Case: 201102534, East Renfrewshire Council
Sector: local government
Subject: maintenance and repair of roads
Outcome: not upheld, no recommendations

Summary

Mr C complained that the council failed to respond appropriately to his complaint about the condition of the road outside his home. He said there was an unreasonable delay between him making his complaint and repairs to the road being carried out. He also said he was unhappy about the council's response to his subsequent complaint about the standard of the repairs. In addition, Mr C complained that the council did not deal with his complaint in accordance with the council's complaints procedure.

Our investigation found evidence showing that the council carried out the repairs 12 working days after Mr C complained, and ten working days after the defects were inspected. As the target repair time which the council aim to achieve is 8.5 days, we considered that carrying out the repair 1.5 days outwith the target was not unreasonable. We also obtained evidence which showed that the council inspected the repairs and determined that they were carried out appropriately. The fact that Mr C did not agree with this was not something we could look into as it is not our role to assess the standard of council repairs. As the evidence showed that the council carried out the repairs within a reasonable time and responded appropriately to Mr C's concerns about the standard of the repairs, we did not uphold his complaint.

However, we were concerned that in their response, the council seemed uncertain about the target timescale for repair. Their initial response was silent on this point, they then said the target was 28 working days and finally concluded it was 8.5 working days. We were also concerned that their procedure did not appear to accurately reflect revised target timescales for urgent repairs. In addition, we were concerned that the council did not appear to have taken steps to look into Mr C's complaint that previously reported faults had not been repaired, or were not repaired properly. We accepted that the council are limited in terms of what they can do due to the passage of time, but they should have responded to Mr C on this point. We therefore, brought these matters to their attention.

On the matter of compliance with the council's complaints procedure, the evidence showed that on balance the council dealt with Mr C's complaint in accordance with procedure. We did not uphold this complaint.