

## SPSO decision report

**Case:** 201104709, South Lanarkshire Council  
**Sector:** local government  
**Subject:** complaints handling  
**Outcome:** upheld, recommendations

### Summary

Mr C had a long-standing problem with alleged antisocial behaviour from his neighbour, which he had reported to the council. He met with investigators from the council's antisocial investigating team twice to discuss his ongoing concerns. He complained to the council about the way in which the investigators acted towards him during those meetings. He later complained to us about the council's investigation of his complaints.

Mr C's complaint concerned members of the council's staff and, as such, the council did not disclose to him details of the findings of their investigation. They considered this to be an employment relations issue and said that the outcome of their investigation was protected by data protection legislation. We were not critical of the council's position on this, which was reasonable, and we were generally satisfied that steps were taken to investigate the issues and action was taken as a result of that investigation. That said, we found that there were significant delays throughout the investigation, Mr C was not kept informed about the reasons for these delays as we would expect and the council failed to advise Mr C of the final outcome of his complaint. We upheld Mr C's complaints and made a recommendation.

### Recommendations

We recommended that the council:

- apologise for their failure to conclude their investigation within a reasonable time period and for their failure to keep in contact with Mr C during the investigation.