

Case: 201100609, Aberdeenshire Council
Sector: local government
Subject: sheltered housing issues/residential homes
Outcome: upheld, recommendations

Summary

Mrs C lives in a council owned sheltered housing complex. Through an advocate, she complained to us that she was the victim of vandalism and pranks by staff. She said that her mail and electricity had been tampered with as a prank and a window had been vandalised. Mrs C was dissatisfied with the council's investigation into her complaints and failure, in her view, to take disciplinary action against the staff concerned.

While we recognised that Mrs C was disappointed with the council's handling of the matter, we explained that the outcome she wanted (ie disciplinary action against staff) was not something we could achieve. She confirmed that she understood this but nevertheless asked us to investigate and do what we could for her. We asked the council to send us copies of the records of complaints made by Mrs C, or on her behalf by her advocate, over the last 18 months, and details of the investigations undertaken by staff and the council into the individual reports. We also asked for documents relating to the investigation into Mrs C's complaint.

Our investigation found that Mrs C had complained about various issues over a number of years. Some of the complaints related to service failure (for example, a failure by sheltered housing staff to test the pull cord in her home). Some were about her heating and some were of a more personal nature and related to issues of theft (a police matter) and about the staff in the sheltered housing complex. Our investigation confirmed that the council had investigated all the complaints that Mrs C had made about repairs in her home, in some cases on a number of occasions, and they had taken appropriate action by offering to either carry out repairs or provide a replacement. The council showed us that they arranged for a clerk of works to check Mrs C's windows and were satisfied that these did not need repair or replacement as they were functioning properly. The electricity had also been checked and no faults had been identified, and Mrs C's heating system was working effectively.

However, we did find fault and upheld the complaint because of the failings in the way the council handled Mrs C's complaints. There was a lack of records of staff interviews. It was evident that council officers had visited Mrs C on a number of occasions to discuss her concerns and to explain that no further action being taken because of a lack of evidence. However, Mrs C is elderly and the council were providing her with an element of care. There was a lack of evidence that the sheltered housing staff had been interviewed about her complaints, which would have provided a more balanced picture of the situation. In response to our investigation, the area manager recognised this failing and we welcomed the steps he took to make relevant changes to the council's procedures.

We also found fault in some stages of the complaints handling, as there was a failure to progress the complaint to the next stage, and in the advice given to Mrs C about the statutory right of review of her complaint by a social work complaints review committee. We made two recommendations to the council about their complaints handling.

Recommendations

We recommended that the council:

- review the procedures for investigation of service complaints to ensure that staff are interviewed as part of the process and that this is recorded; and
- review the information provided to staff about complaints handling and sending standard letters, to ensure that there is clear advice to staff about when it is appropriate to escalate a complaint to the next stage and when it is appropriate to send a letter with standard phrasing.