

## SPSO decision report

**Case:** 201203110, North Lanarkshire Council  
**Sector:** local government  
**Subject:** repairs and maintenance  
**Outcome:** upheld, recommendations

### Summary

Mr C complained that the council unreasonably refused to carry out work to his bathroom wall despite previously agreeing to do so. The council had told him that the offer of work was being withdrawn because he had made an abusive phone call to a member of staff. Mr C complained that the council had never told him what the abuse consisted of, or when it was meant to have taken place.

We upheld Mr C's complaint, as we found that the council did not conduct an adequate investigation into his concerns, and their responses had been confused and at times contradictory. There was also confusion about the possible involvement of a councillor. Council officers were unclear about the policies and procedures to be used when dealing with difficult phone calls, and we found that the withdrawal of the offer of the work was neither proportionate nor reasonable. We also found that the council's record-keeping was inadequate and that there was no proper audit trail of the decision-making process.

### Recommendations

We recommended that the council:

- provide Mr C with a written apology for the failings identified by our investigation;
- complete the outstanding work in Mr C's bathroom;
- provide evidence that they have put in place written guidance on managing unacceptable behaviour and drawn this to the attention of all council staff; and
- review their policies for recording contact between staff and councillors to ensure that a formal record is kept.