

SPSO decision report

Case: 201204621, East Lothian Council
Sector: local government
Subject: policy/administration
Outcome: not upheld, no recommendations

Summary

Ms C complained that the council unreasonably charged her for a visit to her home for a gas maintenance check, which was legally due. While she accepted that the contractor was initially unable to access her property, she said that she heard nothing more until the council sent her what they said was their third letter. The maintenance check was then carried out but the council applied an administrative fee, as explained in their third letter.

Our investigation found that the council are required by law to carry out an annual gas safety inspection and they follow a notification process. This ends in them forcing access to a property if a tenant does not respond. The council said that they had written to Ms C three times to arrange the inspection, and their contractor had left two cards at Ms C's home on their unsuccessful attempts to carry out the check. The council provided copies of the correspondence and postcards and they all had the correct address details. As they had followed their policy we did not uphold Ms C's complaint, as the council were entitled to charge the fee.