

SPSO decision report

Case: 201300766, Stirling Council
Sector: local government
Subject: applications, allocations, transfers & exchanges
Outcome: some upheld, action taken by body to remedy, recommendations

Summary

Mr C, who is a councillor, complained on behalf of a constituent (Ms A) that the council had not made a proper offer of housing to her and that they had not responded reasonably to his complaints about this. Ms A was designated as being homeless and under statutory legislation was entitled to two priority offers of accommodation. If she refused these, she would be placed on the standard housing waiting list. Mr C complained to us about the second offer of priority housing.

Our investigation found that there was evidence that in making their offer the council followed their procedure, which complied with the relevant legislation. We also found evidence to suggest that Ms A refused the offer, although Mr C had disputed this. The council provided copies of internal documentation, as well as screen shots from their computer system and of a note of a phone conversation with Ms A. Both sides provided evidence that Ms A had appealed a decision by the council on the property in question. The documentation provided to applicants made it clear that appealing the decision would mean that the council would deem the property to have been refused and/or withdrawn. On balance, we considered that the offer had been duly made and then refused.

On the matter of how the council dealt with Mr C's complaint, we found that at the time the council had a three-stage complaints process, which set out timescales by which each stage should be dealt with. The council did not adhere to those timescales and so we upheld the complaint. Since then, the council have introduced the new, nationally adopted, two-stage process based on the model procedure from our Complaints Standards Authority. The council also told us that they had reviewed their complaints resourcing and provided additional resources on a six-month trial basis, after which this would be reviewed.

Recommendations

We recommended that the council:

- provide us with information on the outcome of the review of resourcing for their complaints handling function.