

SPSO decision report

Case: 201303355, The City of Edinburgh Council
Sector: local government
Subject: applications, allocations, transfers & exchanges
Outcome: upheld, recommendations

Summary

Mr C complained that the council failed to deal with his housing application appropriately, and that their response to his complaint was unreasonable. Mr C was formerly in the armed forces, and was of the view that the council's poor handling of his application showed they were prejudiced against former military personnel.

Mr C had a waiting time ('credit' that decides where the person will be on the housing list) of just over 30 years, in relation to his application for a council house. This was because housing applicants who have left the armed forces within three years of making an application may have their application backdated to the date they entered the armed forces. However, even with 30 years waiting time, Mr C's application was ranked below those with priority status. Priority status can only be awarded after an assessment, and is normally based on factors such as preventing long term hospital and care home admissions, the need for adaptations to a property, homelessness, or overcrowding. The council's policy, based on an agreement with the armed forces, did not provide former armed forces personnel with enhanced eligibility for housing; it simply provided additional waiting time.

We found that the council had wrongly cancelled Mr C's housing account for 16 months. During that time, Mr C kept bidding for houses on the council's website, but he was unaware that these were not being considered as he did not receive an error message. The council had acknowledged that his account was cancelled but said that this did not disadvantage him in any way. We could not, however, see how they reached this conclusion.

We found that the council dealt reasonably with some aspects of Mr C's complaint, but did not respond to others. They also provided us with information that they should have given Mr C when they were dealing with it. We could not see any evidence of prejudice against Mr C because he was formerly in the armed forces. However, we upheld his complaints, as we had found administrative failing in the cancellation of his housing account, and in how they dealt with his complaint.

Recommendations

We recommended that the council:

- provide us with evidence to support the assertion that the cancellation of Mr C's housing account meant that he was in no way disadvantaged;
- provide us with evidence to show that the failing that led to the cancellation of Mr C's housing account has been corrected;
- provide Mr C, copied to us, with a clear statement of his current status as a housing applicant;
- apologise to Mr C for failing to deal with all aspects of his complaint reasonably; and
- remind housing staff of the Employee's Guide to the Complaints Handling Procedure, as issued by our Complaints Standards Authority.