

SPSO decision report

Case: 201304475, South Lanarkshire Council
Sector: local government
Subject: repairs and maintenance
Outcome: some upheld, recommendations

Summary

Mr C complained that the council left his daughter (Ms A) without a smoke detector for some time following a repair to her ceiling, and that this had endangered her life. He was concerned that they had failed to recognise the importance of his initial complaint about this, which he made as soon as he became aware of the situation. In responding to his complaints about this, and other matters, he said the council had not answered his specific points and that he had not been able to speak to the chief executive.

The chief executive, in responding to the complaint, had said that a tradesperson left a card when they could not gain access to the house, and Ms A had not responded. However, the council told us that they had now established that this information was incorrect and no such card was left. We upheld Mr C's complaint about the failure to ensure that a smoke alarm was fitted, and made two recommendations for improvements to the procedure for gaining access to a tenant's property when earlier attempts have been unsuccessful.

We found that the council had addressed all the issues Mr C had raised, within the 20 working days set out in their complaints handling procedure. We confirmed that the chief executive was correct in telling Mr C that it is not possible for him to deal personally with every complaint addressed to him, and confirmed we would not expect him to speak directly to a complainant except in very exceptional circumstances. We did not uphold the complaint about complaints handling.

Recommendations

We recommended that the council:

- apologise to Mr C for the inaccurate information in the chief executive's letter about the leaving of 'no access' cards at Ms A's home and his reliance on circumstantial evidence to support that information;
- review and revise, if appropriate, the process/procedures for what a tradesperson who cannot gain access to a tenant's home should do given that, as access to the property was presenting a difficulty, the matter should have been referred to the local housing office; and
- provide evidence to show the change in their procedures which reflects that where a hard-wired smoke detector needs to be disconnected to enable repair works, and the works cannot be completed in a single visit, a battery-operated smoke detector will be fitted as a temporary measure.