

SPSO decision report

Case: 201508510, East Lothian Council
Sector: local government
Subject: applications, allocations, transfers & exchanges
Outcome: some upheld, recommendations

Summary

Mr C complained about a property he rented from the council and about their handling of his complaint.

Two days after signing his tenancy agreement, Mr C reported that the heating was not working. He also raised a number of additional concerns about the property including problems with a fuse box, windows and insulation, and about how the council conducted repairs.

Based on the evidence available, we found the council acted in accordance with their allocation policy when letting the property. The council provided evidence that the heating system had been in working order after installation. The council also provided a property survey report evidencing that they conducted a reasonable assessment of the property. We also found that the council acted in accordance with their repairs policy in relation to the property. The council's records indicated that repairs were attended to within the council's time-frames. We therefore did not uphold this aspect of Mr C's complaint.

However, we found that the council did not respond to Mr C's complaints within a reasonable time-frame. In particular, we considered the council should have recognised his complaint at an early stage and provided a response accordingly. We therefore upheld this aspect of Mr C's complaint.

Recommendations

We recommended that the council:

- apologise for the failings identified in the report regarding complaints handling; and
- feed back the findings of this investigation to the relevant staff.