

SPSO decision report

Case: 201602652, East Lothian Council
Sector: local government
Subject: repairs and maintenance
Outcome: upheld, recommendations

Summary

Mrs C complained that she was charged when she failed to respond to contact from the council regarding a gas safety visit.

The council said they had sent her two letters, the engineers had called on her twice and left postcards asking her to contact them and they had heard nothing from her. They then hand-delivered a letter telling Mrs C she would be charged for having not previously responded to them and would face a larger charge if she continued to fail to contact them as the council would force entry to her home to carry out the safety checks.

At this point, Mrs C contacted the council and said she had not received any of the previous communications. We found that the council's policy is to call the tenant after the first two attempted visits. There was no evidence to suggest this had been done. As the council could not demonstrate they had followed their procedure, we upheld Mrs C's complaint.

Recommendations

We recommended that the council:

- cancel the outstanding bill; and
- review the procedure related to how contact is recorded.