

SPSO decision report

Case: 201604078, Midlothian Council
Sector: local government
Subject: neighbour disputes and anti-social behaviour
Decision: upheld, recommendations

Summary

Ms C, who works for an advocacy and support agency, complained on behalf of her client (Mr A). Ms C complained that the council unreasonably failed to respond to Mr A's complaints of anti-social behaviour by a neighbour. Ms C also complained about the council's complaints handling.

Our investigation found that the council did not respond to Mr A's concerns in line with the requirements of their anti-social behaviour procedure. The council told us that they had addressed issues appropriately where they had corroboration, while other issues were more appropriately addressed by the police. Our investigation found that the council had not kept Mr A sufficiently updated regarding the progress or outcome of his complaint, and that their records of Mr A's reports of anti-social behaviour concerns were not sufficiently detailed. In terms of the council's own complaints handling, we found that Mr A had complained three separate times before he received an appropriate response. As such, the council had failed to respond to Mr A reasonably and in line with their timescales. We upheld both of Ms C's complaints.

Recommendations

What we asked the organisation to do in this case:

- Apologise to Mr A for failing to meet their timescales for responding to complaints. This apology should comply with SPSO guidelines on making an apology, available at www.spsso.org.uk/leaflets-and-guidance.

What we said should change to put things right in future:

- Staff responding to anti-social behaviour concerns and complaints should be aware of the requirements and relevant procedures.

In relation to complaints handling, we recommended:

- Staff responding to complaints should be aware of their responsibilities concerning timescales.

We have asked the organisation to provide us with evidence that they have implemented the recommendations we have made on this case by the deadline we set.