

SPSO decision report

Case: 201607082, Aberdeenshire Council
Sector: local government
Subject: repairs and maintenance
Decision: not upheld, recommendations

Summary

Mr C had an occupational therapy assessment which recommended changes to his bathroom, including a new shower. The council facilitated the appointment of a contractor to do the work, although the instruction and contract for the work was between Mr C and the contractor. The council gave a grant for part of the work. Once the work was complete, the council inspected the work and signed it off as complete. Mr C was unhappy with the quality of the workmanship. He had an architect inspect the work and his report indicated that the installation was dangerous. Mr C felt that the council were ignoring this report and complained that the council failed to properly ensure that the work done in his bathroom met his assessed need before signing it off as complete.

We investigated Mr C's complaint in relation to the council's role and obligations. We explained that we could not consider a complaint about the contractor and the quality of workmanship by them as, ultimately, he had instructed the contractor and the contract for work was between him and them.

In investigating the complaint, we reviewed the documentation and information provided by Mr C and the council. We also reviewed the council's 'Scheme of Assistance for Private Homeowners and Tenants of Private Landlords' (the SoA) which sets out the process to be followed by the council. The SoA indicated that, when work was complete, an occupational therapy visit should take place to make sure that the adaptation meets the client's assessed needs. A final inspection by the private sector housing team should also take place. Generally speaking, we considered that the council had fulfilled these obligations. We noted that there was no evidence that Mr C had raised concerns that his assessed needs were not met at the final inspection and we considered that the council's responses to his subsequent concerns had been reasonable. For these reasons, we decided not to uphold his complaint.

We did have concerns that following their visit to Mr C, the occupational therapist did not record or inform the private sector housing team whether or not they were satisfied that the adaptation met the his assessed needs and, therefore, the council could not fully demonstrate compliance with the process set out in the SoA. We also felt that the council's SoA and associated paperwork did not accurately reflect the council's current handling of these cases and did not provide clear information about their limited role. We made recommendations as a result.

Recommendations

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

- To show compliance with the process set out in the Council's Scheme of Assistance, following their visit, the occupational therapist should clearly record and inform the Private Sector Housing Team whether or not they are satisfied that the adaptations meets the client's assessed needs.
- The council should review their SoA (specifically in sections 3.1.6 to 3.2.2) and associated paperwork and make sure that they accurately reflect the council's current handling, as well as providing clear information about their limited role.

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.