

## SPSO decision report

**Case:** 201607284, Cathcart and District Housing Association Ltd  
**Sector:** housing associations  
**Subject:** complaints handling  
**Decision:** upheld, recommendations

### Summary

Ms C made a complaint to her housing association that her neighbour's dog was barking excessively and that this was causing her distress. Ms C advised that she was suffering ill health and was having difficulty sleeping at night due to the dog barking. Ms C raised these concerns with her housing officer but was unhappy with the level of action taken by the housing officer to reduce the impact of the anti-social behaviour.

The association worked with the neighbours to try and ensure that appropriate action was taken. The association were advised by the neighbour's family that the dog was being walked regularly and kept in the bedroom at night. The association also contacted other residents within the building to attempt to corroborate Ms C's complaints. They did not receive any responses. Ms C also became upset when the housing officer included details in a letter to a nurse involved in Ms C's care of an alleged incident where Ms C was said to have shouted and swore at her neighbour. Ms C denied that this happened and was deeply upset that the housing officer included mention of this in the letter.

Ms C complained to us about the housing association's action in response to her complaint of anti-social behaviour, and about their handling of her complaint. We obtained information from the association about their relevant policies and procedures, as well as copies of correspondence and internal case notes. We found that the action taken regarding the complaint of anti-social behaviour was reasonable as the association had spoken with the relevant parties and sought to ensure measures were put in place to reduce the barking. They also sought corroboration from other residents in the building. We did not, however, accept that the details of an alleged incident should have been included in correspondence to both Ms C and her nurse, as the allegation was unsubstantiated. We upheld this part of the complaint.

We were also critical of the complaints handling process, as the association had not identified and separated Ms C's complaint into that of anti-social behaviour, and that of service delivery. As such, the complaint response did not address the latter concerns. We upheld this part of the complaint.

### Recommendations

What we asked the organisation to do in this case:

- Write to Ms C and apologise for including negative information that was not relevant in their letter to the nurse involved in her care.
- Write to Ms C and apologise for not dealing with her complaints about their service in line with their complaints policy.

In relation to complaints handling, we recommended:

- Staff at the association should be aware of the complaints policy and know how to distinguish between neighbour complaints and complaints about services provided.

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.