

SPSO decision report

Case: 201700974, Fyne Homes
Sector: housing associations
Subject: neighbour disputes and anti-social behaviour
Decision: upheld, recommendations

Summary

Mrs C complained to the housing association that her neighbour had been making noise for a substantial period which was preventing her from sleeping. She also complained that her previous complaints regarding the anti-social behaviour of her neighbours had not been taken seriously. The association responded to Mrs C outlining that they were unable to take action against her neighbours on the basis of the evidence they had in relation to previous complaints. They also clarified communications with Mrs C and apologised if they had been misinterpreted. The association committed to publishing information in their newsletter regarding anti-social behaviour and how this would be managed. Mrs C was not satisfied with the response and complained to us that the association's response to her complaints had been unreasonable.

The association provided us with their complaints file. It was clear that there had been many complaints with respect to anti-social behaviour and estate management issues, dating back a number of years. On reviewing the response by the association we found that they had, on the whole, properly investigated Mrs C's complaints and had communicated with her. However, with respect to the response to her recent complaint, whilst we found that the association had properly investigated matters, we found that they did not properly communicate the outcome to Mrs C. We also found that they did not properly communicate about the delay in providing their response to Mrs C. These failings were not in line with the association's complaints procedure and so we upheld Mrs C's complaint.

Recommendations

What we asked the organisation to do in this case:

- Provide a written apology for the failings in the complaints response. This apology should comply with the SPSO guidelines on making an apology, available at <https://www.spsso.org.uk.leaflets-and-guidance>.

In relation to complaints handling, we recommended:

- Staff should be aware of the requirements of the association's complaints procedure and should be reminded of the requirements to communicate with complainants where there is a delay in providing a response.

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.