

SPSO decision report



Case: 201704530, West Dunbartonshire Council
Sector: local government
Subject: other
Decision: some upheld, recommendations

Summary

Ms C complained about water damage to her property due to works carried out by the council as part of a Flood Prevention Scheme (FPS). Ms C said that the council failed to investigate the effect of the water damage and remedy these issues. Ms C also complained about vibrations from a nearby road, the quality of the council's communication with her about these issues and their response to her complaint.

We found that the council did conduct a suitable investigation into the effect of water damage to Ms C's property. They investigated concerns about sediment in a burn and took action to remedy this. They continued to monitor both the water flow and level and conducted annual inspection of the burn. No further problems had been identified since the gabion mattresses (a cage or box filled with rocks or other material for use in landscaping, road building etc) were installed and we considered that the council's investigation and remedial action had been reasonable. Therefore, we did not uphold these aspects of Ms C's complaints.

In relation to the vibrations from the nearby road, we noted that the council repaired the road, but when Ms C raised continued concerns, no further inspection was conducted. We considered that the council should have attended the road and/or met with Ms C to establish any outstanding issues. Therefore, we upheld this aspect of Ms C's complaint.

In relation to complaints handling, we found that the council's response to Ms C's complaint was appropriate and responded to the issues raised within the timescales set out in their complaint handling procedure. We did not uphold this aspect of Ms C's complaint.

Finally, we found that the council did not respond to two letters Ms C sent raising her concerns. Therefore, we upheld this aspect of Ms C's complaint.

Recommendations

What we asked the organisation to do in this case:

- Apologise to Ms C for failing to respond to her letters. The apology should meet the standards set out in the SPSO guidelines on apology available at www.spsso.org.uk/leaflets-and-guidance.
- Contact Ms C to establish if the road issue remains a problem to her. If it does, they should then conduct an investigation and advise Ms C of their findings.