

SPSO decision report

Case: 202110238, South Lanarkshire Council
Sector: Local Government
Subject: Repairs and maintenance
Decision: some upheld, recommendations

Summary

C complained about the actions of South Lanarkshire Council in relation to work that they carried out to a property adjoining C's home. The work related to the change of position of a gas boiler flue. C considered that this has had an adverse effect upon them and their property. The council did not identify any failings, but changed the orientation of the flue as a result of C's concerns. C remained unhappy.

C complained that, as a result of the change in position, the flue discharged dangerous gasses into their home. C also complained that the council had failed to respond to their complaint in line with their published Complaints Handling Procedure (CHP).

We found that the council had acted reasonably regarding the change in position of the flue. We did not uphold this aspect of the complaint. However, we found multiple failures by the council to adhere to their CHP. We upheld this part of the complaint.

Recommendations

What we asked the organisation to do in this case:

- Apologise to C for the failings, in particular, the unreasonable delays identified in the handling of their complaint. The apology should meet the standards set out in the SPSO guidelines on apology available at www.spsso.org.uk/information-leaflets.
- The necessary systems and procedures should be in place to ensure that complaints are handled in line with the council's complaints policy and procedure and that all staff are aware of the complaints handling policy and procedure.

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.