

SPSO decision report



Case: 202207345, The City of Edinburgh Council
Sector: Local Government
Subject: Repairs and maintenance
Decision: upheld, recommendations

Summary

C complained that the council unreasonably assessed that a property was in a safe and lettable condition when they handed the tenancy over, that the council failed to make, or communicate, reasonable arrangements for carrying out repairs, and that the council failed to provide a reasonable response.

In respect to the aspect of the complaint that the council had unreasonably assessed that their property was in a lettable condition when the tenancy was allocated, we found that the capacity of the council's systems to record safety and quality checks led to the council being unable to evidence that the property met the lettable standard at the time the tenancy was allocated. We therefore upheld this complaint.

C also complained that the council failed to make, or communicate, reasonable arrangements for carrying out repairs. We found that C was put to having to arrange repairs that could have been carried out before the property was let. We also found that the council did not communicate effectively with C when appointments were cancelled or had to be rearranged. We therefore upheld this aspect of the complaint.

C also complained that the council did not provide a reasonable response to their complaints. We found that the responses to the complaints did not address all of the concerns raised and failed to recognise the impact the issues had on C. We therefore also upheld this complaint.

Recommendations

What we asked the organisation to do in this case:

- Apologise to C for failing to ensure that repairs were carried out to the required standard prior to letting the property, for failing to check that the heating and smoke alarm systems were in full working order, for failing to make or communicate reasonable arrangements for appointments and for failing to provide a reasonable response to their complaints. The apology should meet the standards set out in the SPSO guidelines on apology available at www.spsso.org.uk/information-leaflets.

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

- Where the council have informed a tenant that they will carry out repair work, officers should keep the tenant updated about any delays.
- The council should have effective systems in place to ensure the Lettable Standard is met and that records are well maintained and easily accessible. Tenants must have a satisfactory provision for heating their property.

In relation to complaints handling, we recommended:

- Complaint responses should comply with the Model Complaints Handling Procedure and council staff

should be familiar with the Complaints Handling Procedure. Responses should address each point of the complaint, providing a clear explanation of what occurred and describing action that will be taken where something has gone wrong. The information in responses should be supported by the evidence in the relevant records.

- Complaint responses should recognise the complainant's experience and demonstrate empathy for their situation.

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.