

SPSO decision report

Case: 201101370, Argyll Community Housing Association
Sector: housing associations
Subject: repairs and maintenance of housing stock (incl dampness and infestations)
Outcome: some upheld, recommendations

Summary

Ms C, a solicitor, complained on behalf of a tenant of the housing association (Mrs A). She said that the association had failed to take action to resolve problems with the sewerage and septic tank that Mrs A shared with three other properties, two of which were privately owned.

Our investigation found that the association had obtained professional advice on the matter. They considered that major renovation work was necessary to improve the sewerage system and septic tank, but this would require the consent of Mrs A's neighbours. The neighbours refused to agree and so the association were unable to arrange for the work to be carried out.

Ms C also complained that the association had blamed Mrs A for the problem by referring to the disposal of inappropriate items. We found that the association had evidence to show that some of the problems might have been caused by inappropriate use of the system. In response to this, they gave advice to all residents about how the system could be better used. We considered that it was appropriate for the association to tell residents about this. This position was supported by the council's area environmental health manager, who considered that the system could be managed by careful use and regular flushing.

Ms C's final complaint was about the association's failure to adequately respond to Mrs A's complaint. We found that the association's response did not confirm that it was a response to the complaint or how Mrs A could take the matter further. We also found that they had delayed in taking some of the action they said they would take, and had failed to keep Mrs A updated. Our investigation found that the association's letter was not an adequate response to Mrs A's complaint, therefore, we upheld this part of the complaint.

Recommendations

We recommended that the association:

- remind staff that responses to complaints should include information about how the complainant can pursue the matter should they remain dissatisfied; and where appropriate, complainants should be kept informed of the progress in relation to a matter; and
- issue an apology to Mrs A for their failure to adequately respond to her stage one complaint.