

SPSO decision report

Case: 201103774, West Lothian Council
Sector: local government
Subject: repairs and maintenance of housing stock (incl dampness and infestations)
Outcome: some upheld, recommendations

Summary

Ms C had to move out of her home temporarily while the council carried out repair work because woodworm had affected most of her property. Ms C said that the council assured her that the work would be carried out with the minimum of fuss and that her home would be returned in the same condition. She said that, during this time, on several occasions she and her partner were contacted by workmen to gain access to her home, although she had provided a spare set of keys before the work started. On one occasion, while on holiday, the council had called to advise her that they would have to force entry to the property if they could not get a set of keys, due to an emergency that had arisen involving her neighbour. On another occasion, Ms C said that she was asked to take keys to her home and lock up at the end of the day but on returning later, found the workers had left her home insecure. Ms C was also unhappy that the council had not got her to sign off individual work carried out at the property and that a housing officer told her that no cleaning or redecoration would be provided after the repair work. She also said that the council had not responded reasonably to two letters of complaint she sent.

We upheld most of Ms C's complaints. Our investigation established that the council met with Ms C before the work was carried out to discuss the significant amount of work to be done. As Ms C had highlighted that she had health problems, arrangements were made for a spare set of keys to be given to the tradesmen, and her partner was to be contacted in the event that the council needed to discuss any matter related to the work. During the time of the repair work we found evidence to support that there were problems with the different trades accessing the property. Whilst the council took steps a couple of weeks later to fit a key safe outside Ms C's home, we considered that this could have been implemented sooner as the council would have been aware that the various trades would need access to the property at different times. We also identified that the council had tried to obtain feedback from Ms C after the work had been completed, but that it was not compulsory for the council to 'sign off' individual pieces of work, so we did not uphold that complaint.

Whilst Ms C gained access to her home in order to begin cleaning it prior to the work being finished, we did not find evidence to support that she was advised no cleaning would be carried out. On the contrary, there were records to show that cleaning was to be done after the work had been completed. However, we upheld her complaint that the property was not left in the state that she understood it would be. Finally, we upheld Ms C's concerns about the handling of her complaint, as we identified that the council had not compensated her for a missed appointment nor had they repainted her bedroom as stated in their complaint responses to her.

Recommendations

We recommended that the council:

- apologise to Ms C for the problems with accessing her property;
- fulfill its agreement and ensure Ms C's bedroom is repainted; and
- that the council provide the Ombudsman with a copy of their apology letter and evidence to confirm that Ms C has been reimbursed for the missed appointments in August and September 2011.
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