

SPSO decision report

Case: 201304876, Angus Council
Sector: local government
Subject: complaints handling
Outcome: upheld, recommendations

Summary

When Mr C moved into a new property, he discovered that the roof space was not adequately insulated. He contacted the developer and the council. Following discussion with the developer, he contacted the council's building standards department for help and asked for a copy of an updated drawing for the roof space. It took seven months for the council to provide the drawing. Mr C was then unhappy with the handling of his complaint about this, and that an email to the chief executive had not been responded to.

Having carefully considered his complaint and documentation, we considered that there was an unreasonable delay in providing Mr C with a copy of the drawing. The council had already agreed to apologise to Mr C for this. We also found that they had not made sure that Mr C was aware of their role and limitations in helping him try to resolve issues with the developer. We found that the complaints handling had been poor. The council had not followed their published complaints procedure on a number of occasions during the handling of his complaint, and had not considered whether the particular circumstances meant that they should have escalated it straight to the investigation stage of their procedure. The council acknowledged that Mr C's email to the chief executive was not responded to in a timely manner.

Recommendations

We recommended that the council:

- feed back to building standards staff that, should a similar situation occur again in future, they should take steps to ensure that members of the public are made aware of the council's role and limitations and manage expectations appropriately;
- in light of the failings identified by Mr C's complaint, undertake a full review into their handling of it to identify what practices, processes or procedures they can put in place to prevent similar failings happening again;
- apologise to Mr C for the failings identified in the handling of his complaint; and
- apologise to Mr C for the delay in responding to his email.