

SPSO decision report

Case: 201406197, Falkirk Council
Sector: local government
Subject: neighbour disputes and anti-social behaviour
Outcome: not upheld, recommendations

Summary

Ms C is a council tenant, as is her neighbour who lives above her. Ms C's complaint about the council arose from continuing noise issues she was experiencing with her neighbour. Ms C complained that the council had not acted reasonably in response to her ongoing reports of anti-social behaviour.

After investigating, we did not uphold Ms C's complaint. We found that the council had taken action following the various incidents she reported and that they had taken steps to find solutions, although it was acknowledged that these were perhaps not as successful as was hoped. During our investigation, the council advised us that they had taken the majority of actions available to them in relation to the noise issues. While we did not uphold the complaint, we did recommend that the council consider the remaining minority of actions to determine whether there were any further steps that would be appropriate to take. As Ms C had indicated at points during the case that she would consider moving, we also recommended that the council look at this and, if Ms C wishes, determine how a move can be facilitated. Finally, Ms C highlighted some concerns about the way her case had been written about in internal documents by council staff. We agreed that some of the terms used were inappropriate and made a further recommendation to address this.

Recommendations

We recommended that the council:

- consider if there are any further actions available to them that would be appropriate to implement in this case, including any follow-up noise monitoring;
- consider how they can work together with Ms C to determine if she does currently wish to move to a new property and how this can be facilitated; and
- make staff aware of the importance of their choice of language in case notes and correspondence.