

SPSO decision report

Case: 201608472, Inverclyde Council
Sector: local government
Subject: policy/administration
Decision: some upheld, recommendations

Summary

Mr C was experiencing difficulty negotiating with his neighbour about a repair to the chimney head at his property. Mr C complained that the council provided inconsistent information about the council's roles and responsibilities in relation to the communal repairs. Mr C also complained about the way the council handled his complaint.

The council issued a notice to Mr C and his neighbour, requesting that they take the appropriate action to repair the chimney head. The council explained that they would only carry out default repairs in exceptional circumstances. They also advised that the best option for Mr C would be to take civil action against his neighbour. The council acknowledged that they did not correctly follow their complaints handling procedure, and said that they have since recruited a complaints handling officer and provided training to their staff.

We found that the council did provide consistent information about their role in relation to communal repairs and that they did not at any point advise that they would carry out the default repairs. We did not uphold this aspect of the complaint. In relation to complaints handling, we found that the council did not correctly follow their complaints handling procedure as they failed to advise Mr C of his rights to bring his complaint to us. We upheld this aspect of Mr C's complaint.

Recommendations

What we asked the organisation to do in this case:

- Apologise to Mr C for failing to deal with his complaint appropriately. The apology should meet the standards set out in the SPSO guidelines on apology, available at <https://www.spsso.org.uk/leaflets-and-guidance>.

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.