

## SPSO decision report

**Case:** 201702401, Fife Council  
**Sector:** local government  
**Subject:** applications / allocations / transfers / exchanges  
**Decision:** not upheld, no recommendations

### Summary

Mrs C complained about the council on behalf of her sister-in-law (Mrs A). Mrs C and Mrs A previously lived together in a private let along with their respective husbands and six children between them. Mrs C also provided care for Mrs A. After receiving a notice to quit from their landlord, Mrs A presented as homeless and asked for both family units to be rehoused together. The council advised that they were not able to provide temporary accommodation large enough and would struggle to provide permanent accommodation if they were rehoused together. After carrying out further assessment, including an occupational therapy assessment, the council insisted that Mrs C and Mrs A would have to submit two separate homeless applications. Mrs C complained that they were not able to submit a single homeless application. In addition to this, she complained about the staff attitude and the service they had received from the council.

After reviewing the council's records and the relevant legislation and guidance, we decided that it was reasonable for the council to insist on two separate homeless applications. We considered this to be reasonable as the families had only started living together relatively recently and that, in the council's opinion, there was no clear medical or social care evidence indicating that the families could not live apart. We also found that being rehoused together may result in both families having to stay in temporary accommodation for an indefinite period of time. Therefore, we did not uphold this aspect of the complaint.

In regards to the service received, we found that one record of phone contact used inappropriate wording when describing Mrs C's actions. We highlighted to the council the importance of using neutral, non-subjective language in their records. However, we concluded that there was not enough independent, verifiable evidence to suggest that the council's service was inappropriate or unreasonable. It was also noted that the council had attempted to find a suitable housing outcome for both families. Therefore, we did not uphold this aspect of Mrs C's complaint but did provide feedback to the council about how they record contact with service users.