

SPSO decision report

Case: 201805660, Castle Rock Edinvar Housing Association
Sector: Housing Associations
Subject: Neighbour disputes and anti-social behaviour
Decision: not upheld, no recommendations

Summary

Ms C made several reports of anti-social behaviour (ASB) to the Castle Rock Edinvar Housing Association over a number of years. She complained about how her reports of ASB were handled by the association, and particularly that they did not progress action to evict a tenant. We noted that the association sought and considered legal advice, which informed their decision not to commence eviction proceedings. Ms C also complained that the association did not contact the local authority's Family and Household Support Service (FHSS) regarding an Anti-social Behaviour Order (ASBO). We noted that the association had not contacted the FHSS as they had taken the decision that the serving of an ASBO was not indicated. They subsequently contacted the service to discuss Ms C's complaint, and the FHSS appeared content that this was a matter for the association and they did not have to be involved. We considered the association's ASB policy would benefit from being clearer on what the purpose of contact with the FHSS might be and when this might be considered on individual cases. We fed this back to the association. However, we considered that the association managed the situation appropriately and with regard to their policy. We did not uphold this aspect of the complaint.

We noted that the association sometimes referred to reports of ASB as complaints about ASB, and we considered this raised the potential for confusion between reports of ASB and formal complaints of service failure (including how reports of ASB have been handled). Ms C complained that the association failed to treat an email she sent them as a formal complaint. We noted that Ms C had submitted a further report of ASB that the association were looking into, when she submitted her email complaining about their handling of her previous report of ASB. The association did not accept this complaint while their enquiries into the current ASB report were still ongoing. We recognised that Ms C was entitled to raise reports of ASB and formal complaints concurrently. However, we also recognised that simultaneous investigation of these might lead to unnecessary duplication of effort. On balance, we considered that the association's decision to delay acceptance of a new complaint was reasonable in the circumstances. We did not uphold this aspect of the complaint.

Finally, Ms C complained that the association's ultimate response to her formal complaint was unreasonable. We noted that the association's complaint investigation concluded that they had followed their internal processes. As we reached the same conclusion, we considered that their response was reasonable. We saw evidence of a detailed investigation plan and a genuine effort to address Ms C's concerns in full. We did not uphold this aspect of Ms C's complaint.