

SPSO decision report

Case: 202107139, Fife Council
Sector: Local Government
Subject: Neighbour disputes and anti-social behaviour
Decision: not upheld, no recommendations

Summary

C complained on behalf of their parent (A) about the council's investigation of incidents of anti-social behaviour from A's neighbour. C said the council failed to carry out a reasonable investigation which had an adverse effect on A's mental and physical health.

The council's initial response was very brief and simply stated that they had looked over the case notes and spoken with the staff involved. The council did not uphold C's complaint and C brought their complaint to this office. We sent the complaint back to the council and asked them to provide a more full response. The council's second response was more detailed, gave a chronology of events and summarised the action they took each time C, A (or their neighbour) reported an incident. However, it still only gave brief details of the actions taken by the council after each report and failed to evidence that this was in line with their anti-social behaviour policies.

After further enquiries the council provided evidence of the policy and procedure they followed. We found that there were a series of administrative errors on the part of the council and that council records contained inappropriate speculation about A's health and its possible impact on their complaint. Although these administrative failings undermined C's confidence in the council's actions, we found that the council did respond to the complaints of anti-social behaviour in line with their own procedures. Therefore, we did not uphold C's complaint but provided the council with feedback.