

## SPSO decision report



**Case:** 202403907, Falkirk Council  
**Sector:** Local Government  
**Subject:** Applications / allocations / transfers / exchanges / appeals  
**Decision:** upheld, recommendations

### Summary

C complained that the council unreasonably failed to assess their housing application in accordance with their policies and procedures. C and their partner had two children and shared their bedroom with the youngest child. C submitted a request for rehousing. The council awarded C a priority band 2 (with 1 being the highest and 4 the lowest). C then submitted medical information regarding their mental health to support their application for rehousing. However, the council advised C that they did not meet the criteria for a band 1 priority and that their current award of band 2 was correct and in line with the allocation policy.

C submitted an appeal, along with a further supporting letter from their mental health nurse. The council responded stating C's current band 2 status was deemed appropriate and in line with the established policy guidelines.

We found that the council's position was not in line with the allocation policy. We were concerned by the council's statement that band 2 was correct, that there would be no band 1 award on the basis of mental health and that they had been applying this reasoning consistently. Their policy states that Band 1 is awarded to those applicants whose home is causing significant problems due to a physical, medical, or mental health problem or disability. We also found that C did not receive timely responses from the council. Their responses were delayed and C had to chase several times for a response. Therefore, we upheld C's complaint.

### Recommendations

What we asked the organisation to do in this case:

- Apologise to C for the specific failings identified in respect of the complaint. The apology should meet the standards set out in the SPSO guidelines on apology available at [www.spsso.org.uk/information-leaflets](http://www.spsso.org.uk/information-leaflets).

What we said should change to put things right in future:

- Housing applications should be assessed in line with the Allocation Policy.
- The council should ensure that correspondence is responded to within a reasonable amount of time and in line with published service standards.

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.