

## SPSO decision report



**Case:** 202409021, East Lothian Council  
**Sector:** Local Government  
**Subject:** Mould / damp  
**Decision:** upheld, recommendations

### Summary

C complained that the council failed to reasonably respond to reports of damp and mould in their property. C also complained about the council's handling of their complaint.

The council said that they had commissioned an independent survey of the property. They also apologised for delaying with some repairs.

We found that C was responsible for helping to manage the levels of humidity and the temperature in their home by maintaining ventilation and ensuring a reasonable temperature. However, it was clear that there were a number of repairs which the council were responsible for, some of which were delayed and which have generally occurred over an extended period of time. On review, it appeared that they had only been progressed or completed as a result of C's persistence. Therefore, we upheld this part of C's complaint.

In terms of complaint handling, we found that the council acknowledged and responded to C's complaint in a timely manner. However, we found that they failed to provide a full and informed response to a later complaint. On balance, we upheld this part of C's complaint.

### Recommendations

What we asked the organisation to do in this case:

- Apologise to C for the failings identified in this report. The apology should meet the standards set out in the SPSO guidelines on apology available at [www.spsso.org.uk/meaningful-apologies](http://www.spsso.org.uk/meaningful-apologies).
- The council should clarify for C the works which are still to be completed and provide a timeframe for completion of the repairs.

In relation to complaints handling, we recommended:

- Complaint investigations should be managed in accordance with the Model Complaints Handling Procedure <https://www.spsso.org.uk/the-model-complaints-handling-procedures>. Complaint investigations should fully investigate the matters of complaint made and, where appropriate, timeous action should be taken to rectify matters.
- The council should have effective systems in place to ensure that repairs are completed timeously.