

Case: 201102903, West Lothian Council
Sector: local government
Subject: repairs and maintenance of housing stock (incl dampness and infestations)
Outcome: some upheld, recommendations

Summary

Mr C, an advice worker, complained on behalf of Ms A. Ms A said that since July 2010 she had been regularly complaining about a communal leaking/dripping water tank. She said no effective repairs were carried out because of access problems to the flat above hers. The pipes froze in December 2010. This was reported but because of access problems the necessary repairs were not carried out. Mr C said that Ms A and her family continued to complain and raise their concerns but on Christmas Day 2010, the tank burst. Ms A's flat was flooded and she had to move out, first to her parents' house and then to a furnished flat provided by the council.

Although Ms A made a claim for compensation to the council's insurers, this was refused. Mr C said that the council had not acted on Ms A's complaints about the water tank, nor on her allegations that her upstairs neighbour was not living in the property. He complained that the council delayed unnecessarily in making an appropriate compensatory payment and failed to deal with his complaint in a timely manner.

As part of our investigation we considered the council's complaints file, all relevant emails and the repairs log for Ms A's flat. We also saw a transcript of calls to the council's customer care centre, and the council's complaints policy. We found that there was no record of all the calls alleged to have been made about this. We did, however, find that repair requests made were attended to. The documents also showed that the council had looked into Ms A's concerns that her upstairs neighbour had abandoned the property, but found no proof to substantiate this. However, we found that the council had not made a compensatory payment that Ms A was due in accordance with their usual practice. We also found that they delayed in dealing with Mr C's complaint.

Recommendations

We recommended that the council:

- apologise to Ms A for the delay in making her compensation payment; and
- the chief executive emphasise to all relevant staff the importance of responding to complaints and complainants in a timely manner and, where necessary, providing appropriate updates.