

SPSO decision report

Case: 201810588, West Lothian Council
Sector: Local Government
Subject: home helps / concessions / grants / charges for services
Decision: not upheld, no recommendations

Summary

Mrs C complained that, prior to her parents accepting the offer of a tenancy at a residential accommodation run on behalf of the council, they were not adequately informed of housing support charges which were payable to the council, separate to the rent and service charges for the accommodation. Mrs C's position was that, if they had been made aware of these charges, her parents would never have accepted the tenancy given the level of cost. The council investigated and said that the potential for charges had been discussed and Mrs C and her parents were advised to seek advice regarding liability and any help with covering the costs. Whilst the council accepted that their communication of the charges and the level of the charges could have been clearer, they concluded that the offer letter issued to Mrs C and her parents was clear in highlighting additional charges were applicable. Mrs C was dissatisfied with the response and brought her complaint to us.

We found that the council could have recorded more clearly the information provided and the extent of the discussion regarding charges. The council provided evidence of the changes they had made to the process, where prospective tenants are now provided with written documentation regarding the full extent of charges and asked to sign a disclaimer confirming this has been received. Whilst the communications could have been clearer, on the basis that the offer letter clearly highlighted the potential for additional charges and referenced information provided with the offer, this was sufficient notice for Mrs C and her parents to make further enquiries to establish the extent of their liability for charges. On this basis, we considered that the council had done enough to make Mrs C and her parents aware. We did not uphold the complaint.