

## SPSO decision report

**Case:** 201908295, Aberdeen City Council  
**Sector:** Local Government  
**Subject:** Improvements and renovation  
**Decision:** some upheld, recommendations

### Summary

C complained about the way that the council had dealt with their reports of noise in their home, and the way in which the council had handled their complaint about this.

The council had previously accepted numerous failings in connection with the issues raised by C. The council acknowledged failures with respect to communication and confirmed they would carry out further investigations and undertake works to address the soundproofing in the property, particularly relating to the transference of noise from a lower level flat.

After a period of a few months, C made a further complaint to the council about failures to take appropriate action and keep C updated with respect to efforts to proceed with soundproofing. C was dissatisfied with the council's response and brought their complaint to our office.

We found that the council took reasonable actions with respect to identifying an appropriate action plan, in installing acoustic underlay, as a first step in attempting to address the noise issues. However, restrictions in response to the COVID-19 pandemic, which were outwith the council's control, resulted in delays in the council being able to carry out the proposed works. For these reasons, we did not uphold the complaint regarding delay.

However, we found that the council unreasonably failed to communicate with C throughout the lockdown period during 2020 and therefore failed to keep C appropriately updated as to the plans in place to undertake the works. We upheld this complaint.

### Recommendations

What we asked the organisation to do in this case:

- Apologise to C for the failure to communicate effectively regarding the plans to progress agreed works. 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).
- The council should communicate with C regularly to agree the purpose and scope of any additional survey, and/or agree works to be undertaken (at present installation of acoustic underlay), and arrange to complete the work agreed as soon as reasonably practicable, once Scottish Government restrictions in response to Coronavirus allow. The council should communicate with C to agree and arrange appropriate monitoring to robustly test the effectiveness of the acoustic underlay and/or any other works carried out. Should monitoring reveal that the works have not resolved the noise issues, the council should communicate with C to agree further steps, including consideration of those set out in their complaints responses, to address the noise issues at the property.

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.