

SPSO decision report

Case: 202103742, Milnbank Housing Association Ltd
Sector: Housing Associations
Subject: Neighbour disputes and anti-social behaviour
Decision: upheld, recommendations

Summary

C complained that the association did not respond reasonably to reports of anti-social behaviour.

We found that there was a lack of consistency in the way that C's reports of anti-social behaviour were recorded and indications that some incorrect information had been recorded in relation to C's reports. The association's policy required them to categorise reports of anti-social behaviour but some of C's reports were not categorised, other cases were categorised in a way that was inconsistent with other evidence available and there was no evidence of how the association had arrived at the categories they had selected in most cases. Concerns about actions taken as a result of reports of anti-social behaviour are difficult to resolve given the restricted amount of information that can be shared with a reporting party or complainant. Therefore, it is important that suitable records are kept to demonstrate, when necessary, that policies were applied consistently, decisions arrived at reasonably and appropriate action taken.

We also found that C had requested to meet association staff to discuss the anti-social behaviour but this request was not acknowledged or responded to. The actions taken by the association were not always consistent with their policy and were occasionally contradictory. In most cases, the association's records did not reasonably record what factors were considered or taken into account when reaching decisions on action to take.

We considered that the association were not able to demonstrate that their policy was applied consistently and appropriately in the case of C's reports, and what records there are relating to C's reports are not uniform and do not reasonably explain inconsistencies in the action the association took. Therefore, we upheld C's complaint.

Recommendations

What we asked the organisation to do in this case:

- Apologise to C for the failure to respond reasonably to reports of anti-social behaviour. The apology should meet the standards set out in the SPSO guidelines on apology available at www.spsso.org.uk/information-leaflets.

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

- The association should follow their anti-social behaviour procedures when handling all reports of anti-social behaviour, including the consistent categorisation of reported anti-social behaviour, meeting with reporters of anti-social behaviour, and the clear recording of decision-making in relation to reports of anti-social behaviour.

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.