

SPSO decision report



Case: 202304126, Wheatley Housing Group 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 their reports of anti-social behaviour from a neighbour. We found that the association unreasonably concluded that a number C's reports did not amount to anti social behaviour (ASB). We also found that the reports that the association did consider to include ASB were not dealt with in line with the guidance and policy documents that the association provided. This included failures to acknowledge reports, reasonably complete forms, undertake checks of previous incidents, undertake (or make proper records of) interviews and log reports within a reasonable time.

We found that the association provided inaccurate information to C about their use of CCTV footage in the investigation of reports of ASB and did not reasonably respond to C's complaints about the handling of the ASB reports. We upheld this part of C's complaint.

C complained that the association did not take reasonable action to address issues regarding an allocated parking bay for their property. When C accepted their tenancy they understood it included a dedicated disabled parking bay but this was being regularly used by others.

The association told C that numbered parking bays are not included or detailed as part of individual tenancies but continued to explore options to indicate the bay was for C's use.

We found that the association took an unreasonable length of time to substantively respond to the parking bay issues C raised. We upheld this part of C's complaint.

C complained that the association did not take reasonable action to address issues with their heating and hot water systems.

We found that the length of time C waited for repairs to the heating and hot water system was unacceptable. We also found that the association had unreasonably concluded C's complaints had been resolved before the effectiveness of an intended repair had been confirmed. 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. The apology should meet the standards set out in the SPSO guidelines on apology available at www.spsa.org.uk/information-leaflets.

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

- The association respond to reports of ASB in line with their guidance and policy documents.
- The association carry out repairs within a reasonable period of becoming aware that they are needed.

- The association respond or take action following tenant's raising of issues within a reasonable timescale.

In relation to complaints handling, we recommended:

- The association respond reasonably to complaints. We offer SPSO accredited Complaints Handling training. Details and registration forms for our online self-guided Good Complaints Handling course (Stage 1) and our online trainer-led Complaints Investigation Skills course (Stage 2) are available at <https://www.spsso.org.uk/training-courses>.
- The association retain records in line with the relevant circumstances and the MCHP.

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.