

Report of the Monitoring Officer

REPORT OF THE MONITORING OFFICER1. Purpose of report

The Housing Ombudsman (HO) has made a finding of injustice in respect of a lack of repairs undertaken to a complainant's shower.

2. Detail

In summary, the complainant contacted the Council to raise an issue of their electric shower being faulty. The issue was raised in March 2020 and it was determined that as the complainant had a bath, hot water and sink as alternative bathing facilities the repair would be put on hold until government guidelines were clearer as to operatives entering properties.

The repair was undertaken in April 2020 and it was found that the shower was not faulty but operated at low pressure. The Council, as a gesture of goodwill replaced the shower to determine if it was faulty. The replacement shower operated in the same fashion. The HO recognised that the low pressure was not the responsibility of the Council.

The HO found fault in the Council's decision to not attend the shower repair in the first instance during the pandemic and despite the complainant having alternate bathing arrangements. It further found fault that the Council did not adequately repair the shower despite the finding that the shower was not faulty and the recognition that the low pressure was not the Council's responsibility.

Furthermore, the HO found fault that the Council did not adequately consider the complainant's mobility issues or offered the complainant an Occupational Health assessment. The Council did not have evidence of mobility issues on the complainant's tenancy records.

The Council challenged the HO's decision as it believed the evidence provided did not justify their findings of fault. Furthermore, the Council requested to know if the HO had undertaken such assessments as they had suggested the Council should have done when determining the complaint. HO responded by stating that they did not undertake any of the assessments suggested.

The HO did not change its position during its internal review process.

The HO found that the Council had not provided the complainant with sufficient repairs to the shower. The HO continued to find fault with the above issues and as such recorded its decision as '*maladministration and injustice.*' A full copy of this report is attached as the appendix.

3. Outcome

In line with the HO's recommendation, the Council has issued an apology to the complainant and issued £200 of compensation. The Council reviewed its internal functions following the conclusion of this complaint but it did not make any adjustments.

Recommendation

The Committee is asked to NOTE the report.

Background papers: Nil