

## SPSO decision report

**Case:** 201002832, Aberdeenshire Council  
**Sector:** local government  
**Subject:** council tax (incl community charge)  
**Outcome:** some upheld, recommendations

### Summary

Mrs C complained that the council had failed to provide a winter maintenance programme for the roads in her area for 2009/10 and, as a result, there were occasions when the council were not able to get access to collect household waste because of the condition of the roads at this time. Mrs C and her husband received a reminder about payment of their joint council tax account for 2009/10. Mrs C wrote to the council asking whether an amended council tax bill would be issued to her and her husband to reflect the council's failure to provide road clearing services and waste collection during a recent spell of bad weather. Mrs C also complained about the handling of her representations and the council's actions in pursuing her for payment of arrears of council tax, and she complains that her complaints were not investigated fully.

Our investigation found that, despite the advice provided to Mrs C and to this office that an operational plan was in place, we found no operational plan for snow clearing operations for the roads in her area for 2009/10. In light of the difficulties experienced by Mrs C and subsequently this office in obtaining accurate responses from the council about this matter, and given the length of time it had taken to bring this matter to a satisfactory conclusion, we recommended that the council should consider Mrs C's request for compensation favourably.

With regard to the council's handling of Mrs C's request for an amended council tax bill, we established that this was not dealt with properly. We found that the council failed to make clear in their correspondence with Mrs C that an amended council tax bill would not be issued to her and her husband. They also failed to make clear that payment of council tax could not be withheld whilst a dispute or correspondence with the council was ongoing, and they failed to make clear that on payment of the arrears, the summary warrant would be cancelled. We found that the council had followed the procedures set down in legislation to pursue Mrs C and her husband for payment of the arrears but

were at fault in not making the position clear in their correspondence before the summary warrant was issued. We made a recommendation to ensure that a clear process would be put in place which would be communicated effectively to all stakeholders.

We also found that the council had failed to deal satisfactorily with Mrs C's representations to them about her complaints. In recognition that Mrs C was not provided with a satisfactory level of customer service, we asked the council to make a formal apology to Mrs C for the inconvenience she had been caused in pursuing her complaint.

### **Recommendations**

We recommended that the council:

- provide a formal apology from the chief executive for not providing the complainant with a satisfactory level of customer service;
- ensure that the revenues department undertake a review of the current procedures to ensure a clear process is in place and is communicated effectively to all stakeholders when responding to enquiries or disputes about council tax; and
- consider Mrs C's request for compensation.