

SPSO decision report

Case: 201200139, Stirling Council
Sector: local government
Subject: complaints handling
Outcome: some upheld, action taken by body to remedy, recommendations

Summary

Mr C complained that the council failed to display appropriate warning signs about loose chippings on the road surface beside repairs they were carrying out. He also complained that they failed to accept liability for damage to his car and failed to deal with his claim within a reasonable timescale.

We explained that we cannot consider the issue of liability as only a court can look at legal liability between individuals and organisations. We did, however, look to see whether the council had complied with their responsibilities in terms of warning signage. Mr C said that no signs were displayed, and provided photos which he felt proved this. The council explained that signs were displayed, but at some distance from the site. As there were two conflicting accounts of the signage, and little prospect of our obtaining sufficient evidence to establish which version was correct, we did not uphold this aspect of the complaint.

We did uphold Mr C's complaints about the delays in dealing with his claim and in the handling of his complaint. As the council had apologised and taken steps to address the problems with the claims process, we did not make any further recommendations about this. However, we did recommend that the council write to Mr C to apologise for the delay in their handling of his complaint.

Recommendations

We recommended that the council:

- write to Mr C to apologise for the level of customer service he received in terms of their response to the complaint.