

SPSO decision report

Case: 201201889, Glasgow City Council
Sector: local government
Subject: policy/administration
Outcome: not upheld, action taken by body to remedy, no recommendations

Summary

Mr C said that shortly after the council launched the commonwealth graduate fund (CGF) in November 2011 he phoned them to ask about his eligibility for an award and described his circumstances. He said that he did not receive a response and he then sent two email enquiries in December 2011. When he did not receive a response to a further enquiry to a local councillor, he made a formal complaint to the council. He said he was later told that the criteria for the award had changed and he was not eligible. In the intervening period, the published criteria on the council's website was changed, in particular a residency requirement was introduced which excluded residents outwith the council's boundary.

Mr C felt that council staff had decided that the CGF should not apply to people in his situation. He told us that he believed that they had deliberately ignored his phone call and deleted his emails until the criteria were changed, with a view to making him ineligible. He also believed that the criteria were not changed on 22 November 2011, as advised by the council, as the information on the council's website was not updated until 12 January 2012. He was also concerned about the fairness of the decision to restrict the scheme to those who live in the city as he believed this was discriminatory to older applicants with families who are more likely to live outwith the city boundary.

Our investigation found that the council had dealt with Mr C in a fair and equitable way. While acknowledging that his initial emails were not received as they were treated as 'spam', we noted that the council had apologised to him, had taken steps to ensure that this does not happen again and had explained to him the action they had taken. Our view was that once the council did receive Mr C's application, it was dealt with fairly and promptly, as was all his subsequent correspondence on the matter. The council's decision that Mr C was not eligible for the award was based on the fact that he was currently still studying and therefore did not meet the criterion of 'graduates who had completed their studies and had not been successful in gaining graduate employment'.

We found no evidence to support Mr C's view that his enquiries were deliberately ignored until the criteria were changed. We also considered his belief that the criteria were not changed at the meeting held on 22 November 2011. We found that the meeting was held to review the qualifying criteria, in particular the need to 'have a parental home in the city boundary'. The decision was taken to remove this immediately as it was considered to be intrusive, and in some cases, impossible for the council to verify the parental relationship or to establish the parental address. We did not uphold his complaints as we found no evidence of maladministration in this or in the council's handling of his application.