

SPSO decision report

Case: 201202962, Office of the Accountant in Bankruptcy
Sector: Scottish Government and devolved administration
Subject: policy/administration
Outcome: some upheld, recommendations

Summary

Ms C had been made bankrupt, and the Office of the Accountant in Bankruptcy (AiB) was handling matters relating to her bankruptcy. She complained that AiB unreasonably delayed in dealing with payment protection insurance compensation funds and failed to respond adequately to her request for information.

We told Ms C that we could not look at what AiB did with the funds, but that we could look at how they responded when she queried this. Our investigation found that it took AiB seven weeks to deal with this, although they had explained the delay to her. In the circumstances, while the length of time taken was not ideal, we did not uphold this complaint.

We did, however, uphold the complaint that they failed to respond adequately to her request for information. We found that although there was no evidence that AiB misinformed Ms C, there was nothing to show that they had actively kept her informed during their investigation about what was happening or when it was likely to be concluded. To do so would have been in keeping with good practice in dealing with correspondence and complaints.

Recommendations

We recommended that the Office of the Accountant in Bankruptcy:

- ensure that notes are made of phone conversations with enquirers and complainants; and
- ensure that enquirers and complainants are kept updated, in keeping with the AiB's complaints and contact policy, and that such updates are logged.