

## SPSO decision report

**Case:** 201301746, West Lothian Council  
**Sector:** local government  
**Subject:** claims for damage, injury, loss  
**Outcome:** not upheld, recommendations

### Summary

Mr C complained that the council had told him they would not deal with his complaint about their insurance third party administrator. We found that the council had not clearly explained to Mr C that they would accept complaints about administrative matters, but not about the decision-making of the administrator. However, we found it reasonable that they did not consider his complaints about the decision-making as this was open to challenge through the courts, and which Mr C subsequently successfully pursued.

### Recommendations

We recommended that the council:

- ensure that all staff are aware that they can accept complaints about organisations acting on behalf of the council, and can accept complaints about the administrative handling of any insurance claim.