

SPSO decision report

Case: 201301788, East Dunbartonshire Council
Sector: local government
Subject: complaints handling
Outcome: some upheld, recommendations

Summary

Mr C built a driveway at his property, which is at a junction, but was told by the council that he should not use the pedestrian dropped kerb there as access. As a result Mr C then applied for permission to construct an additional vehicular access away from the junction and requested that the council carry out work to drop the kerb. He then complained about the treatment he received from the council regarding the new driveway he had constructed at the junction and his dropped kerb application. He felt that the council had imposed inappropriate conditions on the consent for the dropped kerb application. Mr C also complained about the council's handling of his complaint.

We found that there had been a considerable amount of correspondence with the council on the matter and Mr C had gained the impression that the council had changed the conditions. However, based on the available evidence we were satisfied that the council had explained why the works they outlined were required and we did not uphold that complaint. We did uphold his complaint about complaints handling, as we found that the council had (in line with their complaints procedure) escalated Mr C's complaint straight to stage two of their process. They had not, however, told him about this.

Recommendations

We recommended that the council:

- remind staff that customers need to be informed as early as possible if their complaint is being escalated straight to stage two of their complaints process, and ensure they are notified of their right to complain to the SPSO;
- remind staff of the need to consider whether a customer should be contacted to discuss their complaint at stage two of the complaints process; and
- apologise to Mr C for their handling of his complaint.