

## SPSO decision report

**Case:** 201302559, The City of Edinburgh Council  
**Sector:** local government  
**Subject:** complaints handling  
**Outcome:** upheld, recommendations

### Summary

Mrs C had made an insurance claim against the council following work carried out as part of a flood prevention scheme. Although her claim now appeared to be in the process of being properly addressed, she was unhappy about how her complaint about the delays in doing so had been handled. She complained to us about this, explaining in detail the ways in which she said the council had failed to deal with the complaint properly.

We upheld Mrs C's complaint, as our investigation found that the council had handled her concerns poorly. We found evidence of failures to honour commitments and assurances they had given, over-reliance on standard acknowledgements of emails, timescales that were largely meaningless, and a failure to properly investigate and respond to the handling issues and complaints which Mrs C had very clearly set out. The council also failed to discuss Mrs C's complaint with her, and in their correspondence they failed to address, or respond to, the complaints handling issues she had raised. They also did not give her the 'upheld' outcome that she deserved based on the evidence that should have been available to them, had they looked at her complaint properly. Despite acknowledging to Mrs C that there appeared to be a need to review their administrative procedures, the council's response to our enquiries did not say if any review has taken place, or if a review was planned. We made a recommendation specifically about this, relating it to the model complaints handling procedure (CHP) provided for local government by our Complaints Standards Authority.

### Recommendations

We recommended that the council:

- apologise to Mrs C for their poor handling of her complaint to include specific mention of their failure to properly investigate the complaint and their failure to follow their complaints handling policy and procedures;
- review their administrative procedures in relation to dealing with complaints correspondence;
- provide the Ombudsman with a report which gives an assurance from senior management that they are satisfied that their complaints handling procedures meet the requirements of the CHP; and
- update Mrs C on the current situation on the underlying issue of the delay in her insurance claim, which was the cause of her complaint.