

SPSO decision report

Case: 201303263, Comhairle nan Eilean Siar
Sector: local government
Subject: aids for the disabled (incl blue badges), chronically sick & disabled acts 1970/72
Outcome: not upheld, no recommendations

Summary

Mr C applied to renew his concessionary travel card, but completed a form for a new application instead of requesting a renewal. This created a duplicate record for him on the system, which stopped the application process. When this was identified, the new record was cancelled and the renewal processed but Mr C did not receive the card in time for a long journey he had to make to attend a hospital appointment. His old card had expired by this point so he could not claim his full entitlement to expenses for the journey. He complained that the council were at fault for not providing him with appropriate advice and he felt that they were unreasonably blaming him for the delay.

The council said that they forward application forms to Transport Scotland for processing, as most of the responsibility for administering the scheme lies there. They explained that council staff only have limited administrative access to the card management system, including the ability to order card renewals once continued eligibility is confirmed. Transport Scotland then produce and dispatch the card. The council said the responsibility lies with cardholders to contact them in good time to arrange a renewal. They also said that the guidance notes with new application forms point out that these should not be used for renewal applications, and explained that receipt of a duplicate application freezes the process until a cardholder makes an enquiry, which prompts them to intervene and manually correct this.

Mr C felt that the council were responsible for the error as they did not give him clear advice and accepted the new application form from him. However, we were unable to identify what information he provided to the council or what advice they gave him. Due to their limited role, we were satisfied that it was appropriate for them to have forwarded the form to Transport Scotland in the first instance. They appeared to have done so without undue delay and, when the error was brought to their attention, they promptly fixed this. We found no evidence to suggest that the council provided Mr C with advice contrary to that set out in the guidance notes that were with the form he completed. In the circumstances, we did not uphold the complaint.