

SPSO decision report

Case: 201305427, The Highland Council
Sector: local government
Subject: local housing allowance and council tax benefit
Outcome: some upheld, no recommendations

Summary

Mr C, who is an MP, complained on behalf of his constituent (Mr A) about the council's involvement in a investigation by the Department of Work and Pensions (DWP) into possible benefit fraud. Mr A was unhappy that the council had been involved in the investigation and had attended interviews with an officer from the DWP when he was not in receipt of council tax or housing benefit. He was also unhappy about how council staff had spoken to him when he attended for an interview at council offices, and with the accuracy of two sets of notes from one of the interviews and about the handling of his complaint.

During our investigation the council confirmed that their officer should not have been involved in the interviews as Mr A was not in receipt of council tax or housing benefit, and that they had apologised to Mr A for their handling of this. They had also explained to him what they had done to try to ensure a similar situation did not occur in the future. As it was clear that the officer should not have attended the interviews with Mr A we upheld this complaint. The council had also apologised for the service Mr A received when he attended their offices, and again explained the action taken as a result of his complaint. Given the poor level of service Mr A had received we also upheld this complaint. Because the council had already taken action on the issues, however, we did not make any recommendations.

We did not uphold Mr A's other complaints. We were satisfied that, based on the available evidence, the council had addressed his concern about the accuracy of the minutes and had explained why two sets of notes for the same meeting had some differences. We also found that they had considered Mr A's representations and provided reasonable responses to the issues he had raised.