

## SPSO decision report

**Case:** 201407208, The Highland Council  
**Sector:** local government  
**Subject:** complaints handling  
**Outcome:** upheld, recommendations

### Summary

Since 2011, Mrs C had been raising issues with the council about the damage caused to her boundary fence by the council's grass-cutting contractor. Although her complaints were referred directly to the contractor, she received no response. The damage to her fence continued each year, and each year she contacted the council to complain about the work of the contractor. In September 2014, she complained again when the contractor's machine slipped down a bank beside her fence which was further damaged when the machine was pulled out. She complained again at a later date and a claim was submitted to the contractor who did not uphold her claim, stating that the fence was in a very poor condition. Mrs C escalated her complaint to the council, and they investigated but did not uphold her complaint.

Our investigation considered all the communication between Mrs C and the council, the council's records of their contact with Mrs C, and the complaints handling procedure. We found that, although it was not possible to assess whether the fence had been damaged by the contractor, the council had not ensured that the contractor had provided an adequate level of service and had not dealt reasonably with her complaints.

### Recommendations

We recommended that the council:

- apologise for the handling of Mrs C's complaints about the contractor;
- review how complaints referred to contractors are logged and recorded on the council's system;
- consider what steps to take to ensure that complaints to contractors working on the council's behalf are reasonably handled; and
- consider whether some form of financial redress is appropriate to reflect the failings identified.