

## SPSO decision report

**Case:** 201501164, The City of Edinburgh Council  
**Sector:** local government  
**Subject:** policy/administration  
**Outcome:** some upheld, recommendations

### Summary

Mr C complained to the council after being expelled from a council venue whilst distributing literature to other members of the public. During our investigation it became clear that the council staff involved were not aware of the relevant policy at the time of the incident, which led to poor communication with Mr C about why he was being asked to leave. The council had since apologised for this, and provided training to all relevant staff on this matter, which we found to be reasonable. On review of the policy in question, it also became clear that the council staff had discretion to make the decision to expel Mr C, so we did not uphold this aspect of his complaint.

He also complained that the council had failed to follow their complaints procedure. We found that they had failed to stick to their timescales for acknowledging Mr C's complaint, and also failed to contact Mr C to discuss the investigation, despite agreeing to do so. We upheld this complaint, but commented that we did not feel the failings identified would have affected the outcome of the council's investigation.

### Recommendations

We recommended that the council:

- apologise for failing to contact Mr C as agreed during their investigation of his complaint, and for the delay in acknowledging his complaint.