

SPSO decision report

Case: 201508372, A Council
Sector: local government
Subject: communication staff attitude dignity and confidentiality
Outcome: some upheld, recommendations

Summary

Mrs C complained about the council's handling of her complaint about a letter written to her husband which contained comments about her. In particular, she was concerned that the council had not contacted her during their investigation of her complaint. She also complained about a number of issues relating to the council's handling of a request to defer her son's entry to primary school. In particular, she was dissatisfied with the accuracy of the information provided and the handling of her complaint.

While we had some concerns about aspects of the council's handling of Mrs C's complaint to them, we were satisfied that the council had explained why they had written to Mrs C's husband. However, we did not consider that the council's position on not considering information during an investigation which was covertly obtained was reasonable. We were also satisfied that the council had provided a reasonable explanation for the information provided and saw no evidence of fault in the handling of Mrs C's complaint about this matter.

Recommendations

We recommended that the council:

- apologise for the handling of this complaint; and
- in view of the legal advice detailed in this case, reconsider their position for future cases on the admissibility of material presented in a complaint which has been obtained covertly.