

SPSO decision report

Case: 201700422, Perth and Kinross Council
Sector: local government
Subject: complaints handling (incl appeals procedures)
Decision: upheld, recommendations

Summary

Mrs C complained that the council failed to deal with complaints she had made about her child's school in line with their obligations. She said that the council had not investigated her concerns correctly, that they had responded to her complaint outwith the timescale of 20 working days and that they had not implemented any changes as a result of failings they had identified.

We found that the council had delayed in commencing their investigations and that, whilst it was reasonable that the investigations took more than 20 working days, it was unreasonable that the council failed to keep Mrs C updated on their progress or seek to agree reasonable timeframes by which they would provide their response. In addition, the council's complaints response was overly complex, hard to understand and failed to clearly state the elements of the complaint they had upheld, and what actions were identified to address the failings. We also considered that the council had failed to provide clear explanations of the actions they had taken with respect to certain failings identified. We upheld Mrs C's complaint.

Recommendations

What we asked the organisation to do in this case:

- Provide an apology for failing to comply with their complaints handling procedure. This apology should comply with the SPSO guidelines on making an apology available at www.spsso.org.uk/leaflets-and-guidance.
- Provide Mrs C with additional detail and appropriate explanations in relation to how they plan to appropriately address certain failings that were identified by their investigation.

In relation to complaints handling, we recommended:

- All relevant members of staff should review the Complaints Handling Procedure and confirm they understand it.
- Letters confirming delay in investigations should include an appropriate explanation of the reason for delay and seek to confirm a reasonable timeframe for the provision of the response.

We have asked the organisation to provide us with evidence that they have implemented the recommendations we have made on this case by the deadline we set.