

SPSO decision report

Case: 201700674, The City of Edinburgh Council
Sector: local government
Subject: aids for the disabled (inc blue badges) / chronically sick & disabled acts 1970/72
Decision: upheld, recommendations

Summary

Mr C is the holder of a blue badge which was issued by a different council. When his blue badge did not arrive, Mr C reported this to the issuing council, who subsequently issued a replacement blue badge and cancelled the original one. The original blue badge eventually arrived and Mr C proceeded to use this, unaware that this was the cancelled badge. The City of Edinburgh Council issued Mr C with two penalty charge notices and impounded his car for displaying a cancelled blue badge. The council also observed on three separate occasions that Mr C displayed a valid blue badge, leading them to conclude that he was in possession of two blue badges. Mr C complained that the council wrongly asserted that he was in possession of two blue badges.

We found that the council's blue badge recording systems were insufficient and did not produce consistent information. Therefore, we could not be satisfied that Mr C was in possession of two blue badges. We considered that the council had failed to thoroughly investigate the complaint and, therefore, we upheld Mr C's complaint. We also noted that the council failed to provide us with all the relevant evidence and made a recommendation in light of this.

Recommendations

What we asked the organisation to do in this case:

- Apologise to Mr C for failing to thoroughly investigate his complaint and to produce relevant evidence. The apology should meet the standards set out in the SPSO guidelines at: <https://www.spsso.org.uk/leaflets-and-guidance>.

In relation to complaints handling, we recommended:

- The council should respond properly to complaints, taking into account all relevant evidence and should provide all the information relevant to a complaint when responding to enquiries from the SPSO.

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.