

SPSO decision report

Case: 201808508, North Lanarkshire Council
Sector: local government
Subject: maintenance and repair of roads
Decision: some upheld, recommendations

Summary

Mrs C complained that the council failed unreasonably to respond to her complaint about flooding at her home and, that they failed to provide a reasonable emergency out-of-hours service.

We found there to have been confusion with the councils complaints handlers on whether Mrs C's original contact was a request for service, and not a service complaint. Mrs C then asked for her complaint to be escalated to Stage 2, where she experienced several months delay awaiting a response. Only after this office's involvement did Mrs C receive an appropriate final letter. Therefore, we upheld this aspect of the complaint.

However, we found the council to have responded reasonably to Mrs C's request for an out-of-hours service, and they did so in line with the system they had in place at that time. There is no statutory requirement for the council to maintain a comprehensive out-of-hours service for customers with issues on the local roads network, and in the event of someone calling their out-of-hours number, they would be given other appropriate advice. Therefore, we did not uphold this aspect of the complaint.

Recommendations

What we asked the organisation to do in this case:

- Apologise to Mrs C for the failure to deal reasonably with her complaint. The apology should meet the standards set out in the SPSO guidelines on apology available at www.spsso.org.uk/information-leaflets.

In relation to complaints handling, we recommended:

- Staff should be aware of and follow the council's complaints handling procedure.

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.