

SPSO decision report

Case: 201003643, Fife Council
Sector: local government
Subject: environmental health and cleansing; refuse collection and bins
Outcome: not upheld, no recommendations

Summary

Mr C complained about a council leaflet on refuse collection, the collection service itself, and how his complaint was handled. Mr C complained that the council failed to provide sufficient contact details on their flyers about refuse collection. He was unhappy that there was no postal address on the leaflet and that the only telephone number was a premium rate one. He also complained that the council put unreasonable restrictions on wheelie bin uplift. He said they would not collect his bin if it was filled to the extent that the lid will not close and they would not collect waste left beside his bin.

Following our enquiries, the council advised that the 0845 number on the leaflet offers them a range of benefits including allowing them to deal more efficiently with calls and that it is charged at a local rate from a BT landline. They said that they could not include all contact details and a postal address due to limitations of space on the leaflet and advised us of the various 'no cost' ways to contact them. They said that individuals could find full contact details in the 'guide to council services and how to contact us' publication which is delivered annually to households.

In response to the issue of bin and waste uplift, the council said that they did not uplift open bins or waste left beside bins for health and safety reasons. They explained that moving overloaded bins and handling bags of rubbish left beside the bins increased the risk of staff injury.

Although the complainant in this case was unhappy about collection arrangements and the leaflet, we had to explain that decisions about services are taken at the council's discretion. The council are entitled to decide what information to include on their leaflets and they are also entitled to decide the most appropriate way in which to collect the refuse in their area.

In response to our enquiries, the council explained their reasons in full. The fact that Mr C disagrees with the council's decisions does not in itself give us grounds to seek further justification from the council on their position.

Mr C also complained that the council failed to deal with his complaint properly. He said that it was not dealt with by the person it was addressed to – the chief executive,

that the response was not satisfactory, and that a comment he made had been ignored.

The council's complaints procedure states that all complaints are dealt with via a two stage process. The first stage is local resolution. This requires an officer within the service being complained about to respond to the complaint. The council therefore followed their procedure by directing Mr C's initial complaint to the service concerned. It was not for the chief executive to respond at that stage. We noted that in a letter to Mr C, the council provided information on the two stages of their complaints procedure. We studied both letters to Mr C and were unable to find any evidence to support his contention that the response was unsatisfactory. Of the remaining points looked at, we found no evidence to suggest that the council failed to take Mr C's complaint seriously and considered that the council dealt with it properly.