

SPSO decision report

Case: 201301289, Aberdeen City Council
Sector: local government
Subject: complaints handling
Outcome: upheld, recommendations

Summary

After damaging her car tyres on a pothole in the road, Mrs C submitted a claim to the council's road services department. She was told that it would be investigated and passed to the council's insurers, who would contact her. As she heard nothing Mrs C asked for an update and was advised there was a backlog. She complained to the council about the time it was taking to process her claim, highlighting that their published guidelines said that they would pass claims to their insurers within 21 days. The council apologised for the delay, and said the claim had been passed to the insurers.

Mrs C was then told a few days later that her claim had been forwarded to the council's insurance service for onward submission to their insurers. Mrs C complained to the council that this contradicted what she had previously been told, and she complained again about the delay. The council said that the delays were due to staff absence and pressure of work, but that there was no evidence that she had been lied to about her claim. Mrs C remained unhappy and complained to us about the delays in processing her claim and handling her complaint, and about the council's communications.

We upheld all of Mrs C's complaints. Our investigation found that it took the council more than three times longer than their published timescales to process the claim to the point of passing it to their insurers. As the council had acknowledged, although it was due to numbers and pressure of work, this was unacceptable. We noted, however, that the council are now processing claims normally within timescales. We also found that the council exceeded their own complaints handling timescales by a few days, which appeared to be due to how information was logged on their complaints system.

Finally we found it unacceptable that the council did not communicate with Mrs C between receiving the claim and her contact to find out what was happening, especially in light of their published timescales for passing claims to their insurers. We also found that the council's communications, while later clarified, did at first lead to confusion about what stage the claim was at.

Recommendations

We recommended that the council:

- apologise that they did not respond to Mrs C's complaint within their published timescales;
- consider reviewing what steps they might take to ensure timelines for complaints handling are met;
- apologise for not updating Mrs C much earlier about the delays with her claim, and for the lack of clarity in some of their communications; and
- consider reviewing what steps they might take to ensure claimants are kept updated and that clear explanations are provided.