

## SPSO decision report

**Case:** 201304435, The City of Edinburgh Council  
**Sector:** local government  
**Subject:** council tax  
**Outcome:** upheld, recommendations

### Summary

In 2012, the council sent Mr C a cheque with a refund of overpaid council tax. In 2013 he asked them to issue a new cheque, saying that the original was out-of-date and the bank would not accept it. Mr C said his local office advised him to send this back to a named officer in the council's Revenues and Benefits Division, which he said he did. The council investigated what had happened, but told Mr C they would not issue a new cheque because the original had already been paid into his bank. He disputed this and complained to us that the council had failed to investigate his complaint about it.

Our investigation found evidence confirming that the cheque had been deposited in Mr C's account. We also noted that they said he had not sent them back a cheque but a remittance advice slip. However, we upheld his complaint because we found that the council did not deal with it well, and that he had been put to unnecessary time and trouble in pursuing it. His complaint was subject to delay, confusion, poor record-keeping, and a failure to recognise that his correspondence was a complaint and to deal with it in good time.

### Recommendations

We recommended that the council:

- issue an apology, in recognition of the fact that Mr C's complaint was not dealt with correctly;
- make a goodwill payment to Mr C, in recognition of the unnecessary time and trouble he was put to in pursuing his complaint;
- issue advice to staff in the Revenues and Benefits Division that all replies to customers' communications should identify when the customer made contact, how contact was made and what the contact was about; and
- ensure that the learning from this complaint is shared with relevant staff.