

SPSO decision report

Case: 201504921, Aberdeen City Council
Sector: local government
Subject: claims for damage, injury, loss
Outcome: upheld, recommendations

Summary

Ms C complained that, following an agreement with the council that certain items would be removed from her late father's property following his death, the council in fact cleared the whole property, including personal effects.

The council acknowledged that this had been due to a miscommunication between their staff and apologised for the error. They had offered compensation but Ms C was not satisfied with the amount offered and that the rationale behind the amount had not been explained to her. Despite Ms C requesting an explanation from the council shortly after they made the offer, no explanation was forthcoming, despite a reminder from Ms C. The council eventually explained that a proportion of the compensation reflected the estimated cost of furnishings removed from the property and a proportion was intended to provide a contribution towards a memorial for Ms C's father in recognition of the personal items that were lost as a result of the miscommunication. However, this explanation was not given until some two and a half months later, and after Ms C had brought her complaint to us.

Our investigation focused on the council's delay in providing the explanation and found that despite the information being readily available at the time of Ms C's original request, it was not provided in a timely manner. The information was neither confidential nor commercially sensitive so there was no reason not to provide it to Ms C. We found this to be unreasonable, so we upheld the complaint.

Recommendations

We recommended that the council:

- apologise to Ms C for the additional distress and inconvenience caused by the delay in explaining the rationale behind the compensation offer.