

SPSO decision report

Case: 201701620, Aberdeenshire Council
Sector: local government
Subject: policy / administration
Decision: not upheld, no recommendations

Summary

Mr and Mrs C complained that the council had unreasonably invoked their unacceptable actions policy (UAP - a policy that outlines how an organisation will approach situations where the behaviour of individuals using their service becomes unacceptable, including any actions the organisation will take to restrict contact from the individuals concerned). Mr and Mrs C were unhappy that their contact with the council had been restricted in this way.

The council are entitled to apply their UAP in the appropriate circumstances and we are not an appeal route for that decision. Rather, our role was to consider their administrative handling of the matter. The evidence indicated that the council's letters to Mr and Mrs C had highlighted the behaviour that was causing the council concern, enclosed copies of their UAP and told Mr and Mrs C that their contact may be restricted if that behaviour did not change. As Mr and Mrs C's behaviour continued unchanged, the council subsequently wrote to them confirming that their contact was being restricted. The council explained that they would review their decision in three months, although Mr and Mrs C could also ask them to review the decision.

The evidence indicated that Mr and Mrs C were given a chance to modify their behaviour before the council invoked their UAP. It also indicated that, once the decision to restrict their contact was made, the council's letters contained the relevant information detailed in the UAP. On that basis, we concluded that the council had made a decision they were entitled to have made and that there was no evidence of maladministration in their decision-making process. We did not uphold this complaint.