

SPSO decision report



Case: 202302915, The City of Edinburgh Council
Sector: Local Government
Subject: Complaints handling
Decision: upheld, recommendations

Summary

A & B complained to the council about their handling of their claims procedure in relation to the Trams to Newhaven project. A and B were unhappy with the council's response because they considered that the council failed to appropriately address and investigate their complaint and that relevant issues were not given due consideration.

A and B complained to the SPSO. After an initial review, we considered that the council had failed to engage with A and B to specify their complaint. We also considered that the council had opted to summarise what they regarded as the issues of complaint without obtaining A and B's agreement to this. As the council had not fully addressed or clearly responded to all of A and B's concerns, we directed that they should provide an additional response. The council provided A and B with an additional response and apologised to them for failing to adequately address their complaint.

A and B then complained to our office that the council failed to investigate their complaint in accordance with their complaints handling procedure (CHP). During our investigation the council acknowledged that A and B's complaint was not fully responded to and was not handled in accordance with their CHP. We also considered that the council failed to act in line with their CHP when initially investigating and responding to A and B's complaint. We upheld the complaint.

The council informed us of the learning that they identified from A and B's complaint and their wider experience of the Trams to Newhaven project. We considered this to be an example of good practice.

Recommendations

What we asked the organisation to do in this case:

- Apologise to A and B for the failings identified. The apology should meet the standards set out in the SPSO guidelines on apology available at www.spsso.org.uk/information-leaflets.

In relation to complaints handling, we recommended:

- All complaints should be investigated and responded to in accordance with the council's complaints handling procedure. We offer SPSO accredited Complaints Handling training. Details and registration forms for our online self-guided Good Complaints Handling course (Stage 1) and our online trainer-led Complaints Investigation Skills course (Stage 2) are available at <https://www.spsso.org.uk/training-courses>.

We have asked the organisation to provide us with evidence that they have implemented the recommendations we have made on this case by the deadline we set.