

SPSO decision report

Case: 201609461, Scottish Court and Tribunal Service
Sector: Scottish Government and devolved administration
Subject: policy/administration
Decision: upheld, recommendations

Summary

Mr C had a decree granted against him at court for a debt. The court sent a notification of this to the organisation that maintains the register of decrees. Mr C paid the debt, and was told that his name was taken off the register. However, some time later, it became apparent to Mr C that his name had not been taken off the register. Mr C complained to the registry organisation, who explained that his name had been entered on the register twice, as the court had sent them a duplicate record of the decree. Mr C complained that the Scottish Courts and Tribunals Service (SCTS) unreasonably sent a duplicate record to the registry organisation. He also complained about SCTS' handling of his complaint.

We looked at a copy of the information that the court sent to the registry organisation, which showed that SCTS had sent a duplicate record. We found that there was a responsibility on SCTS not to send a duplicate record, and so we upheld this aspect of Mr C's complaint.

Regarding complaints handling, we found that SCTS had mistakenly treated Mr C's complaint as if he were making a claim for financial compensation, rather than as a complaint about an administrative matter. SCTS acknowledged that they did not keep Mr C updated with the progress of his complaint, and that there had been a breakdown in communication between the court and SCTS headquarters. SCTS said that they would address this problem, and we asked them for evidence that they have done this. We upheld this part of Mr C's complaint.

Recommendations

What we asked the organisation to do in this case:

- Provide Mr C with a written apology for sending a duplicate record to the registry organisation. The apology should comply with SPSO guidelines on making an apology, available at www.spsso.org.uk/leaflets-and-guidance.
- Provide Mr C with a written apology for failing to handle his complaint reasonably. This apology should comply with SPSO guidelines on making an apology, available at www.spsso.org.uk/leaflets-and-guidance.

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.