

## SPSO decision report

**Case:** 201702527, West Lothian Council  
**Sector:** local government  
**Subject:** aids for the disabled (inc blue badges) / chronically sick & disabled acts 1970/72  
**Decision:** some upheld, recommendations

### Summary

Mr C's application for a blue badge was refused by the council. At the end of the appeals process Mr C raised detailed concerns about the assessment and the application of the guidelines. The council responded to the complaint by re-stating the decision to refuse the blue badge and addressing various other points raised with respect to the process. Mr C was unhappy with the response and brought his complaint to us. Mr C complained that the council failed to demonstrate that they took into account the information he provided in relation to his appeals and that they failed to address the specific points raised in his complaint.

We found that the correspondence between the council and Mr C showed that the council had taken into account Mr C's information, and supporting evidence, when considering his appeals. Therefore, we did not uphold this complaint. We did, however, provide feedback to the council that further explanation for decision to refuse applications, with specific reference to relevant guidelines, may help clarify their decision making.

In regards to the councils complaints handling, we found that their response to Mr C's complaint failed to address any of the points that he had raised with respect to the assessment process or inconsistencies in application of the guidelines to his circumstances. Therefore, we upheld this complaint.

### Recommendations

What we asked the organisation to do in this case:

- Provide Mr C with a further response that appropriately addresses the complaints raised in his letter.

In relation to complaints handling, we recommended:

- Council staff should be reminded of the complaints handling procedure and the importance of ensuring people are directed to register their concerns as complaints where appropriate.

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.