

## SPSO decision report

**Case:** 201808321, Glasgow City Council  
**Sector:** Local Government  
**Subject:** aids for the disabled (inc blue badges) / chronically sick & disabled acts 1970/72  
**Decision:** upheld, recommendations

### Summary

C applied to the council for a disabled parking badge. After waiting a period of time for the badge to arrive, they contacted the council to advise they had not yet received it. The council agreed to send C a replacement badge. C received a badge in the post and proceeded to use it, understanding this was the replacement badge.

C received two penalty charge notices from another council while they were parked and displaying their badge in that council area. The badge had a valid date. The penalty charge notices stated the reason for issue as 'parking in a restricted street where restrictions are in force'. C's car was impounded a few days later and they were advised by the other council that this was because they had been displaying a cancelled badge. The badge C understood to be the replacement badge was in fact the original badge which the council had cancelled after C reported that they had not received it.

C complained that they had no way of knowing they had been using a cancelled badge. C believed they should be reimbursed for the sums they had been fined, and for additional costs they had incurred as a consequence of using the badge, including taxis to and from work while waiting for a new badge to arrive.

We found that this situation could have been avoided if the council had been explicit about the number of the badge they were cancelling and the number of the replacement badge they were sending. There was no evidence that C was made aware or could have had any awareness that the badge they were using was cancelled. We considered that the administration of the badge was unreasonable and we therefore upheld this complaint.

C also complained that the council's handling of their complaint was unreasonable. We found that the council had failed to follow the Model Complaints Handling Procedure. Therefore, we upheld this complaint.

### Recommendations

What we asked the organisation to do in this case:

- Apologise to C for the failings in complaints handling, including delays and failure to follow stages one and two of the process. The apology should meet the standards set out in the SPSO guidelines on apology available at [www.spsso.org.uk/information-leaflets](http://www.spsso.org.uk/information-leaflets).
- Apologise to C for the failings we have identified, with a recognition of the impact on them. The apology should meet the standards set out in the SPSO guidelines on apology available at [www.spsso.org.uk/information-leaflets](http://www.spsso.org.uk/information-leaflets).
- Revisit C's claim for compensation and consider offering some financial redress in light of the failings identified by this investigation.

What we said should change to put things right in future:

- The council's processes are improved so that in the event of a badge being cancelled the applicant is

made aware of the number of the badge that has been cancelled and the number of the replacement badge.

In relation to complaints handling, we recommended:

- Staff in the Blue Badge Team are familiar with the Model Complaints Handling Procedure and follow the two-stage process without delay.

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.