

## SPSO decision report

**Case:** 201808698, Midlothian Council  
**Sector:** Local Government  
**Subject:** council tax  
**Decision:** not upheld, recommendations

### Summary

C complained that the council had failed to reasonably administer their council tax account. They complained that the council had failed to keep accurate records of payments made to them. The council appointed sheriff officers to recover council tax debt. C complained that the council's failure to keep accurate records had resulted in sheriff officers trying to recover more debt than was due.

We found that the council had kept accurate records and had taken enforcement action appropriately when C failed to keep up with regular payments of a satisfactory amount. We did not uphold the complaint.

However, during our investigation we identified that the council did not make it clear to C at which stage of the complaints process they were considering C's complaint. We therefore made a recommendation under section 16G of the SPSO Act 2002, which requires the Ombudsman to monitor and promote best practice in relation to complaints handling.

### Recommendations

In relation to complaints handling, we recommended:

- Council staff should be familiar with the Model Complaints Handling Procedure and ensure complainants are made aware of which stage their complaints are at.

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.