

# The Highland Council

Agenda Item	7
Report No	AC/19/25

**Committee:**                    **Audit Committee**

**Date:**                         **20 August 2025**

**Report Title:**                **Annual Report of Scottish Public Services Ombudsman Cases determined in 2024/25**

**Report By:**                  **Assistant Chief Executive - Corporate**

## **1. Purpose/Executive Summary**

- 1.1 This report sets out the number and types of complaint against the Council that have been considered by the Office of the Scottish Public Services Ombudsman (SPSO) in 2024/25 and the subsequent judgement in the cases where the SPSO's inquiry has concluded. It also provides a comparison with the Council's performance in 2023/24.
- 1.2 The SPSO received 93 new complaints about the Council in 2024/25 which is 10 more than the previous year. 100 cases were determined by the Ombudsman in the period covered by this report compared to 82 cases in the previous year. Of the 100 cases none were taken forward for full investigation and, therefore, no complaints against the Council were either upheld or partially upheld in 2024/25. The SPSO, at her discretion, chose not to investigate 36 of the 100 cases determined about the Council on the basis that the Council had demonstrated good complaint handling in its response to the customer.

## **2. Recommendations**

- 2.1 The Committee is asked to:
- i. **Scrutinise, consider and note** the information provided by Scottish Public Services Ombudsman with regard to the number and types of complaints received about the Council during 2024/25
  - ii. **Note** the low number of complaints that are made against the Council and that no complaints were upheld or partially upheld during the year.

## **3. Implications**

- 3.1 Resource and Risk: A focus on improving performance in handling customer complaints reduces the Council's risk of public exposure to criticism and reduces the cost to the Council of managing failure demand.
- 3.2 Legal: The Council is a listed authority under the Scottish Public Services Ombudsman Act 2002. The Council is required to have a complaints handling procedure in place and to cooperate with the SPSO in relation to investigations.

3.3 Community (Equality, Poverty and Rural), Climate Change / Carbon Clever, Gaelic:  
There are no implications arising from this report.

3.4 Health and Safety (risks arising from changes to plant, equipment, process, or people) There are no health and safety risks arising from this report.

#### 4. **Impacts**

4.1 In Highland, all policies, strategies or service changes are subject to an integrated screening for impact for Equalities, Poverty and Human Rights, Children's Rights and Wellbeing, Climate Change, Islands and Mainland Rural Communities, and Data Protection. Where identified as required, a full impact assessment will be undertaken.

4.2 Considering impacts is a core part of the decision-making process and needs to inform the decision-making process. When taking any decision, Members must give due regard to the findings of any assessment.

4.3 This is an update report and therefore an impact assessment is not required.

#### 5. **Background**

5.1 The Scottish Public Services Ombudsman (SPSO) was set up in 2002 to investigate complaints about organisations providing public services in Scotland, including local authorities. The SPSO investigates complaints where a member of the public claims to have suffered injustice or hardship as a result of maladministration or service failure and only investigates cases when the complainant has already exhausted the formal complaints procedure of the organisation concerned.

#### 6. **Statistical data**

6.1 Attached are summary details of the complaints that the SPSO received and determined about the Highland Council. **Appendix 1** details the number and types of complaints (by the SPSO's subject categories) received for 2024/25 and 2023/24 alongside the total of Scottish local authority complaints for those years.

6.2 The number of complaints received about all local authorities by the SPSO increased by 14% in 2024/25. The number of complaints received about the Highland Council has increased by a slightly lower percentage (12%) from a total of 83 in 2023/24 to 93 in 2024/25. This represents 5.87% of all Scottish local authority complaints received by the SPSO and 7.52% of the 1,236 validated requests received by the Council.

6.3 Housing continues to be most common topic of complaint raised with the SPSO and accounted for almost a quarter of the complaints received by the SPSO about the Council. The number of complaints about Education is second on the list. Housing and Education are also the most common subjects of complaints received about all local authorities in Scotland accounting for over 40% of the total.

6.4 **Appendix 2** shows the outcomes of complaints about the Highland Council determined by the SPSO in 2024/25 and 2023/24.

6.5 100 cases were considered by the Ombudsman in the period covered by this report, 18 more than in the previous year. However, of the 100 cases, none were taken forward for a full investigation and therefore no complaints about the Council were either upheld or partially upheld during 2024/25.

6.6 The SPSO, at her discretion, chose not to investigate 36 of the 100 cases determined about the Council on the basis that the Council had demonstrated good complaint handling in its response to the customer.

Designation: Assistant Chief Executive - Corporate

Date: 20/07/2025

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Appendices:

Appendix 1 – Local authority complaints received

Appendix 2 – Local authority complaints determined

## Appendix 1

### Local Authority Complaints Received 2024-25

Subject Group	The Highland Council			All local authorities		
	Number received	Rank	%	Number received	Rank	%
Housing	23	1	24.73%	457	1	28.83%
Education	16	2	17.20%	214	2	13.50%
Planning	13	3	13.98%	142	5	8.96%
Legal and Admin	8	4	8.60%	88	8	5.55%
Finance	7	5=	7.53%	102	6	6.44%
Social Work	7	5=	7.53%	166	3	10.47%
Roads and Transport	5	7	5.38%	151	4	9.53%
Environmental Health and Cleansing	4	8	4.30%	90	7	5.68%
Recreation and Leisure	2	9	2.15%	31	10	1.96%
Economic Development	1	10=	1.08%	3	16	0.19%
Land and Property	1	10=	1.08%	29	11	1.83%
Other	1	10=	1.08%	13	12	0.82%
Building Control	0			9	13	0.57%
Consumer Protection	0			2	17=	0.13%
Fire & Police Boards	0			4	15	0.25%
National Park Authorities	0			2	17=	0.13%
Personnel	0			1	20=	0.06%
Valuation Joint Boards	0			5	14	0.32%
Welfare Fund - Community Care Grants	0			2	17=	0.13%
Welfare Fund - Crisis Grants	0			1	20=	0.06%
Subject unknown or Out of Jurisdiction	5		5.38%	73	9	4.61%
<b>Total</b>	<b>93</b>		<b>100.00%</b>	<b>1,585</b>		<b>100.00%</b>
<i>Complaints as percentage of sector</i>	5.87%			100.00%		

### Local Authority Complaints Received 2023-24

Subject	The Highland Council			All local authorities		
	Number received	Rank	%	Number received	Rank	%
Housing	14	1	16.87%	<b>354</b>	1	25.41%
Education	13	2=	15.66%	<b>199</b>	2	14.29%
Planning	13	2=	15.66%	<b>147</b>	3	10.55%
Roads & Transport	10	4	12.05%	<b>145</b>	4	10.41%
Social Work	8	5	9.64%	<b>137</b>	5	9.83%
Legal & Admin	7	6	8.43%	<b>63</b>	8	4.52%
Environmental Health & Cleansing	6	7=	7.23%	<b>128</b>	6	9.19%
Finance	6	7=	7.23%	<b>76</b>	7	5.46%
Recreation & Leisure	2	9	2.41%	<b>21</b>	9	1.51%
Other	1	10=	1.20%	<b>5</b>	12=	0.36%
Personnel	1	10=	1.20%	<b>5</b>	12=	0.36%
Building Control	0			<b>15</b>	11	1.08%
Economic Development	0			<b>1</b>	18=	0.07%
Fire & Police Boards	0			<b>1</b>	18=	0.07%
Land & Property	0			<b>20</b>	10	1.44%
National Park Authorities	0			<b>5</b>	12=	0.36%
Valuation Joint Boards	0			<b>4</b>	15	0.29%
Welfare Fund - Community Care Grants	0			<b>2</b>	16=	0.14%
Welfare Fund - Crisis Grants	0			<b>2</b>	16=	0.14%
Subject unknown or Out of Jurisdiction	2		2.41%	<b>63</b>		4.52%
<b>Total</b>	<b>83</b>		<b>100.00%</b>	<b>1,393</b>		<b>100.00%</b>
<i>Complaints as percentage of sector</i>	5.96%			100.00%		

## Appendix 2

## Local Authority Complaints Determined

		2024-25		2023-24	
Stage	Outcome Group	The Highland Council	Local Authority sector	The Highland Council	Local Authority sector
Advice	A&G - Complaint submissions - mature	6	98	0	60
	A&G - Complaint submissions - premature	15	186	22	309
	A&G - Enquiries	13	338	8	201
	Unable to proceed	0	1	0	2
		<b>34</b>	<b>623</b>	<b>30</b>	<b>572</b>
Early Resolution	Cause and impact test not met (s 5 (3))	3	26	1	9
	Discretion – Alternative action proposed	2	17	1	17
	Discretion – Alternative route used or available	0	11	1	8
	Discretion - Good complaint handling	36	554	26	413
	Discretion – Insufficient benefit would be achieved by investigation	11	184	13	164
	Discretion – referred back	3	44	3	38
	Discretion - Resolved - both parties satisfied with proposed outcome	1	13	0	12
	Member of the public test not met (s 5 (6))	0	9	0	6
	Premature	1	10	1	6
	Right of appeal to court/tribunal/Scottish ministers (s 7 (8))	1	29	0	18
	Subject matter not in jurisdiction	5	27	2	27
	Time limit (s 10)	3	42	1	29
	Unable to proceed	0	30	1	22
	<b>Total</b>	<b>66</b>	<b>996</b>	<b>50</b>	<b>771</b>
Investigation	Fully upheld	0	13	0	13
	Not duly made or withdrawn	0	1	0	1
	Not upheld	0	2	0	12
	Resolved	0	0	0	3
	Some upheld	0	6	2	9
	<b>Total</b>	<b>0</b>	<b>22</b>	<b>2</b>	<b>38</b>
<b>Total</b>		<b>100</b>	<b>1,641</b>	<b>82</b>	<b>1,381</b>