

Learning from Complaints 2024/25

Quarter 2 – 1 July 2024 to 30 September 2024

	No. of Stage 1 complaint's
No. of Stage 1 complaints received	4
No. escalated to Stage 2	1
Stage 1 – response in 5 working days	2
Average no. of working days to respond	1.5
Stage 1 - Extended to 10 working days	2
Average no. of working days to respond	7
All stage 1 complaints – Average no. of working days for response	4
Outcome at Stage 1 - upheld/partially upheld/not upheld/ resolved	3 upheld/0 partially upheld/1 not upheld/0 resolved

	No. of Stage 2 complaint's
Stage 2 – no. escalated from Stage 1	1
Stage 2 – response in 20 working days	20
Average no. of working days to respond	20
Stage 2 – no. started at Stage 2	0
Stage 2 - response in 20 working days	0
Average no. of working days to respond	0
Total number of Stage 2 complaints	1
Outcome at Stage 2 - upheld/partially upheld/not upheld/ resolved	0 upheld/1 partially upheld/0 not upheld/0 resolved

Total Complaints submitted: 5

No. of Stage 1 complaints as a % of all complaints: 4 (80%)

No. of Stage 2 complaints as a % of all complaints: 1 (20%)

Complaints resolved as a % of all complaints: 0 (0%)

Complaints upheld as a % of all complaints: 3 (60%)

Complaints partially upheld as a % of all complaints: 1 (20%)

Complaints not upheld as a % of all complaints: 1 (20%)

Complaints referred to the Scottish Public Services Ombudsman (SPSO): 0 (0%)

Outcome of Stage 1 Complaints:

There was 1 stage 1 complaint relating to Valuation Roll.

Complaint was in relation to a commercial entry in the Valuation Roll specifically where the ratepayer had complained that no revaluation notice was received at revaluation in April 2023. The ratepayer had already raised another 2 complaints which were not upheld or not treated as a complaint. The ratepayer has been advised that they are out of time to make a valid proposal. The Divisional Valuer explained that the email from the ratepayer requesting a response was sent when she had advised she had limited access to her inbox and subsequently was out of the office for a 2-week period and has an out of office notification to advise this. On the basis the Divisional Valuer advised that we have issued a valuation notice in line with our statutory duty.

*The complaint was **not upheld**.*

There were no stage 1 complaint relating to Council Tax.

There were 4 complaints relating to Electoral Registration. All the complaints were in relation to the UK Parliamentary election held on 4 July 2024.

One complaint was passed to the Electoral Registration Office for response by the Returning Officer for City of Edinburgh. The elector contacted our office on election day as they had not received their ballot papers. Unfortunately, the member of our staff who took the phone call from the elector wrongly assumed that the elector was living in the Edinburgh area and provided them with the contact information for the Returning Officer for Edinburgh rather than the Returning Officer for West Lothian as the elector lived in Kirknewton. The elector contacted the Returning Officer staff at Edinburgh who also did not confirm the correct address of the elector, and they advised the elector to go to the City Chambers in Edinburgh where the elector could receive their ballot paper in person. Even though the elector was not on the register for the Edinburgh constituencies they were provided with ballot paper. By the time the elector realised that there had been an error in the ballot paper provided to them and it was not for the constituency they lived, it was too late for the Returning Officer for West Lothian to provide a replacement ballot paper to the elector. The Returning Officer for Edinburgh offered the elector their sincere apology for the actions of their staff.

In respect of the information, we had provided to the elector initially, which caused the elector to not be able to vote in respect of their registered address and for their own constituency. Our Administration Manager offered the elector our sincere apologies for the inaccurate information provided by our member of staff to the elector, which led to the events which followed when the elector contacted the Returning Officer for the City of Edinburgh. They advised we would ensure that training is provided to staff considering this complaint so that we correctly identify which Returning Officer the elector should contact, and they advised the elector that the service we had provided on this occasion had fallen short of the high level of service we aim to provide.

This complaint was ***upheld***.

One complaint related to an application which was handed into our office but was not processed for the UK Parliamentary election on 4 July 2024. The electors in question both had existing postal votes therefore ballot papers were already printed and due for delivery when they made fresh applications to request their ballot papers were posted to their holiday address in the UK.

Both electors had handed their fresh postal vote applications into our office in person and both paper applications were scanned into the timeline for each elector. Unfortunately, only the postal vote for one of the electors was applied and approved on the government portal. The application for the other elector was not applied or processed. A sincere apology was provided by the Depute Electoral Registration Officer due to the outcome for the elector as they were unable to vote at the UK Parliamentary election on 4 July. The Depute Electoral Registration Officer will ensure that all the staff involved in the failure to process the application will understand the seriousness of the matter and all staff will receive training in this respect.

Although tens of thousands of applications were processed by our office it is important to us that all electors expect to receive an excellent service and in this case level of service provided in this instance has fallen short of the high level of service we aim to provide. The elector replied to acknowledge the honesty of the Depute Electoral Registration Officers response and appreciated the assurances that staff involved would be made aware of the impact their lack of action had had on the elector who was still aggrieved that they were not able to cast their vote. They did not ask for a further response.

The complaint was ***upheld***.

There was one complaint which was treated as a stage 1 complaint and by request of the elector was escalated to stage 2 for investigation.

The elector phoned on election day to register their complaint that they had not received their ballot paper. The elector had applied for a postal vote requesting ballot papers were sent to their registered address. They then made a second application on prior to the 5pm deadline for the closing date for postal vote applications requesting ballot papers were issued to an away address.

Unfortunately, the second application was treated as a duplicate application and was not processed. The elector did contact our office both by email and by then by telephone on election day to check on the progress of his application but in his initial contact with our office was advised that the application was in progress as that was the position of the application in terms of the status on the government portal. An on-the-spot apology was provided and accepted by the elector, but they had indicated that they would make a formal complaint regarding the matter. The elector was advised that we will ensure that our procedure for dealing with further applications from electors was updated for future elections.

A subsequent complaint was made by the elector.

This complaint was ***upheld***.

The subsequent complaint received from the same elector relating to the same issue but also making a complaint relating to the conduct of a member of staff. The subsequent complaint was treated as ***stage 2***.

The complaint was investigated by the Depute Electoral Registration Officer. A further apology was issued on behalf of LVJB as we failed to process the second postal vote application which was treated as a duplicated and therefore the original PV was not superseded. This meant ballot papers were issued to the electors registered address. Although hundreds of duplicate applications were received prior to the closing date for postal votes for the election we should have the necessary checks in place to prevent this occurrence. We also failed to identify this issue when the elector contacted us, the member of staff involved in contacting the elector will be provided with additional training and the fact the elector had been unable to cast their vote was treated very seriously. This part of the elector’s complaint was upheld.

The accusation that the member of staff who responded to the email enquiries and subsequent telephone calls was unprofessional or accusatory to the elector either by email or telephone was investigated by the Depute Electoral Registration Officer and they concluded that that there was no evidence to support that view therefore this part of the complaint was not upheld.

This stage 2 complaint was ***partially upheld***.

Produced by	Governance Team	23/01/2025
Approved by	Corporate Leadership Team	28/01/2025