

The Ombudsman's final decision

Summary: We will not investigate this complaint about a letter Mr C received about the electoral register. This is because an investigation would not add to the investigation already undertaken by the Council.

The complaint

1. The complainant, who I will refer to as Mr C, complains about a letter he received from the Council saying nobody at his property was registered to vote. Mr C says the letter included a list of things anyone who is not on the electoral register will not be able to do in addition to not being able to vote. This list included getting a mobile phone contract, applying for a mortgage and opening a bank account. Mr C says he checked and he can do all of these things. Mr C says the letter caused him stress, and other people who received the letter would have reacted the same way. Mr C would like the Council to re-send an amended letter with an apology to everyone who received the letter.

The Ombudsman's role and powers

2. The Ombudsman investigates complaints about 'maladministration' and 'service failure', which we call 'fault'. We must also consider whether any fault has had an adverse impact on the person making the complaint, which we call 'injustice'. We provide a free service, but must use public money carefully. We do not start an investigation if we decide we could not add to any previous investigation by the organisation.

(Local Government Act 1974, section 24A(6))

How I considered this complaint

3. I considered information provided by Mr C.
4. I considered the Ombudsman's Assessment Code.

My assessment

5. In response to Mr C's complaint, the Council said:
 - The majority of unregistered electors would encounter the issues listed in the letter, but this would not be the case in all circumstances. So, the use of the word 'will' was factually inaccurate with the exception of being able to vote.
 - It sincerely apologises for this error and this will be rectified in future communications.

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- The Council's annual canvass undertaken each summer has superseded the need for a replacement letter. The correspondence associated with this canvass is not in the same format as the letter Mr C received in early 2021, so this inaccuracy has not been repeated.
6. The Council has accepted it was at fault and has apologised to Mr C. This was a suitable response and puts right the injustice Mr C suffered. Also, the information indicates the Council will not use this wording in future letters.
 7. Mr C would like the Council to send an amended version of the letter with an apology to every person who received the letter. But, it is likely the people who received the same letter as Mr C have received a more recent letter which does not use the same wording. Also, the issue Mr C complains about is not serious enough to justify us asking the Council to take such action. The thrust of the Council's message – that not being on the electoral register may have implications for other matters such as mortgage applications and banking – was correct, albeit the form of words used by the Council was too strong.
 8. So, an investigation by the Ombudsman would not add to the action already taken by the Council.

Final decision

9. We will not investigate Mr C's complaint because an investigation by the Ombudsman would not add to the Council's own investigation.

Investigator's decision on behalf of the Ombudsman