

1. Complaint from Mr X – reference 20 0079 15

- Mr X complained of repeated missed bin collections from his block of flats
- Several missed collections were reported by Mr X and these were responded to and resolved on a case by case basis
- However, the root cause of why the missed collections were happening was not resolved, which led to an escalation of Mr X's complaint in 2019 through the council's two stage complaints process and to the Ombudsman.
- Upon investigation, the Ombudsman identified & recommended the following -
 - To have a reporting mechanism to identify repeated missed collections
 - Not to close repeated missed collection complaints without the root cause identified
 - Ensure Bristol Waste are able to provide evidence of monitoring sites where there have been multiple missed collections reported.

What happened during the Ombudsman investigation and why it went to a Public Report

- The draft Ombudsman's decision was received by BCC in January 2020.
- There was a one-month delay sending it to the service area.
- Email communications between the Service Area and the Customer Relations Team caused a further delay of three weeks.
- Most of the recommendations were completed in March 2020.
- One outstanding recommendation caused some confusion as the Ombudsman required an updated written missed collections policy for Bristol Waste Company, who did not have one. This led to some delays in resolving this part of the recommended actions.
- This was the first Ombudsman decision the service manager had dealt with and it was unclear who should take the lead on it.
- A multiple missed collections policy was not in place, due to outsourcing of the waste management to BWC four years ago and changes in working practices.
- A lack of momentum caused a stop/start series of communications during 2020.
- The Ombudsman repeatedly asked BCC to communicate progress on the above recommendations through the Summer and Autumn of 2020, but because of a lack of clarity and ownership from Bristol Waste and poor communications by Customer Relations, the Ombudsman escalated the matter to the Chief Executive before declaring in November 2020 that a Public Report would be issued in March 2021.

2. Complaint from Mr Y – 20 007914

- Anti-social noise from a Public House. Mr Y felt not enough action had been taken against the premises and there was a lack of communication from the Officer
- There was CCTV evidence and noise recordings. Neighbourhood Enforcement Team had written to the premises explaining that the licencing conditions did not allow customers outside the premises, although they expect the Licensee to submit a variation to their conditions which would allow local residents to either challenge or support the application. Because there were no subsequent reports, no further enforcement action was taken.
- At the time of our final complaint response, there was not enough evidence of a statutory nuisance to take enforcement action against the premises. Mr Y disagreed with this and felt there was enough evidence.
- As a result, Mr Y escalated the case to the Local Government and Social Care Ombudsman, who identified that although the Council was not at fault for deciding the nuisance was not a statutory nuisance, the following points and recommendations were made ; -
 - There was only limited information held regarding meetings with the premises and outcomes weren't provided to Mr Y.
 - Meetings were held with Officers to remind them of the need to review cases every four weeks, communicate the outcome of each review to the reporter and ensure notes and reports are stored centrally so other team members access them.
 - BCC must ensure deadlines for complaint responses are adhered to

Why it escalated to a Public Report

- The Ombudsman's draft decision was received by the Council in March 2020. The Manager confirmed and accepted the draft decision and recommendations.
- Actions were put in place to satisfy the recommendations.
- These were completed apart from an apology being issued to the complainant. This was not completed as the Final Decision from the Ombudsman was not received by the manager leading on the case.
- Although the other recommendations were completed, this was not communicated internally or to the Ombudsman.
- The final decision was received just before lockdown, as the Council was sent home to work. This caused major disruption and came with its own challenges, with varying and changing priorities which led to a communication breakdown internally and subsequently with the Ombudsman. Both the service area and Customer Relations in normal circumstances would have followed these recommended actions up to ensure they were satisfied.
- A subsequent apology was hand delivered in November 2020, following a review of Ombudsman cases and further contact from the Ombudsman.
- Because of a lack of clarity around the status of the recommendations and problems within Customer Relations, causing poor communications, the Ombudsman escalated the matter to the Chief Executive before declaring in November 2020 that a Public Report would be issued in March 2021.

Summary of lessons learnt, and changes made, to ensure it doesn't happen again

- Complaint Coordinator / Handler **resources** increased in the Autumn of 2020 from 1 FTE to 2.5 FTE
- **IT issues** resolved. The iCasework system for handling complaints (implemented in September 2019) means cases will not span different systems and archived databases that used to make it very difficult to carry out long-running complaint investigations
- Complaints officers are much better adapted now to **working remotely** compared with the start of the pandemic
- The Customer Relations Manager spends more time on casework, closely monitoring the system dashboard and officer caseloads (daily)
- The Complaints Coordinator/Handlers hold daily 9am casework briefings (put in place in October 2020) with the Customer Relations Manager overseeing meetings. Caseloads are discussed and prioritised. These meetings continue to happen every morning
- Ombudsman cases are given the highest priority over other Stage two casework
- Heads of Service and Directors are now sighted on Ombudsman cases earlier on in the process, to ensure service-based officers are giving cases due attention (particularly to deadlines)
- Service areas and the Customer Relations Team have a better understanding of the joint-ownership arrangement process.
 - The Customer Relations Team is the first point of contact with the Ombudsman and takes the lead on all communications
 - Service areas own the content of responses to investigations as well as follow-up actions e.g. paying compensation, implementing recommendations
 - Customer Relations check the content of responses before being sent (by deadline dates given by the Ombudsman)
 - Service areas will keep Customer Relations updated of any deviations, in particular to deadlines not met
 - Customer Relations will not own the chasing of services or the consequences of missed deadlines. This is the responsibility of each Head of Service and relevant Director