

Local Government &  
Social Care  
**OMBUDSMAN**

30 March 2021

Mr Mike Jackson  
Executive Director: Resources and Head of Paid Service  
Bristol City Council  
The Council House  
College Green  
Bristol  
BS1 5TR

Our ref: 20 007 914 and 20 007 915  
(Please quote our reference when contacting us and, if using email, please put the number in the email subject line)

**If telephoning, please contact: Sharon Chappell on 0330 403 4033**  
**Email address: s.chappell@coinweb.lgo.org.uk**

Dear Mr Jackson

**Complaints by [REDACTED] of [REDACTED] and [REDACTED] of [REDACTED]**  
**[REDACTED], [REDACTED]**

We have now completed the investigation of the complaints by [REDACTED] and [REDACTED] and enclose a copy of the final report. We are also sending a copy to [REDACTED] and [REDACTED].

Section 30(3) of the Local Government Act 1974 requires us to report without naming or identifying the complainant or other individuals. The people involved in this complaint are therefore referred to by a letter or job role. You must not disclose any information to third parties that could identify the complainant or other individuals referred to in the report.

We will publish the report on our website on or after **26 May 2021**. You should not discuss the report in public or comment on its content in publicly available papers before that date. We may distribute copies of the report and a press release in advance of the publishing date, under an embargo. This means the media could have sight of the report and make enquiries before the publishing date but are expected to withhold publishing anything until after we have published the report.

Section 30 of the 1974 Act requires your Council to place two public notices in local newspapers and/or newspaper websites. To complete your statutory requirements, you should place these announcements within two weeks of us publishing the report on our website. We enclose a specimen public notice at the end of this letter which you may find helpful. Please let us know when you have placed these notices. You should also make copies of the report available free of charge at one or more of your offices.

PO Box 4771 www.lgo.org.uk  
Coventry  
CV4 0EH

During the current COVID-19 restrictions we understand it may be difficult to make the report available at the Council's offices. Please let us know what appropriate alternative arrangements you have in place, for example sending individual copies to interested persons on request.

This report has a longer period than usual between us completing it and publishing it on our website. This is because there are local elections taking place in this area in May. In the run up to those, public sector organisations must follow pre-election protocols (often known as 'purdah') in which they must not promote activities that could be seen to influence the outcome of an election.

Our finding is *Report issued: upheld; maladministration and injustice*. Since we have found [REDACTED] and [REDACTED] have suffered injustice as a result of fault, under Section 31(2) of the 1974 Act, your Council must formally consider our report. Please arrange for the report to be considered at a high decision-making level such as full Council, Cabinet or another Committee with delegated authority.

Please do not hold this meeting or send out publicly available papers for discussion at it before the date of publication for this report.

You must then tell us, within three months of receiving the report (or a longer period we may agree in writing), the action your Council has taken or proposes to take. We recognise your Council has already agreed an appropriate remedy and this is reflected in the sample public notice. However, we still need confirmation that the requirements of Section 31(2) have been met, so please let us know by **30 April 2021** when your Council will consider the report and when we may expect to receive a response.

Yours sincerely

A handwritten signature in black ink, appearing to read 'M. King', with a stylized flourish at the end.

Michael King  
Local Government and Social Care Ombudsman for England

Enc: Final report  
Specimen public notice (below)  
General information for organisations – public interest reports (below)

**Specimen notice** (not for publication before the date we confirm that we will publish the report)

Bristol City Council

Report of Local Government and Social Care Ombudsman

The Local Government and Social Care Ombudsman has issued a report following its investigation of a complaint against Bristol City Council. The complaint was about *Environmental Services & Public Protection & Regulation*. The Ombudsman found that there had been fault on the part of the Council, and this had caused injustice to the complainant.

Bristol City Council has agreed to take action which the Ombudsman regards as providing a satisfactory remedy for the complaint.

Copies of the report will be available for public inspection during normal office hours at [main office address] and at [details of other offices] for three weeks starting on [date]. Anyone is entitled to take copies of the report or extracts from it. Copies will be supplied free of charge.

## **General information for organisations – public interest reports**

### **Can the report be challenged?**

The findings in our report can only be challenged by way of judicial review in the High Court. Judicial review is not an appeal and the most a court can do, if successful, is to quash the Ombudsman's decision. The narrow grounds of challenge include illegality, irrationality or procedural flaws.

### **How is the report published?**

Reports are published on our website. We will tell you when the report will be published. Your organisation should not refer to the report in public before that date.

We will usually send a copy of the report with a press release to the media. We often send out the press release in advance of the publishing date under an embargo. This means the media should withhold writing or broadcasting anything until after we have published the report.

We will share a copy of the press release with you, but for information only, not for commenting on the content.

### **How does the organisation publicise the report?**

The organisation must place two public notices in local newspapers and/or newspaper websites within two weeks of us publishing the report. Copies of the report should be made freely available to the public.

### **What happens after the final report is published?**

The organisation must formally consider our findings and recommendations within three months of the date of the final report. Organisations must discuss our findings and recommendations at a high decision making level, such as full Council or Cabinet, and formally report back to us on the actions it has taken, or proposes to take.

We will send a letter of satisfaction when we are satisfied with the actions the organisation has taken following the report and will update our website to show this.

### **What happens if an organisation does not comply with the recommendations?**

Most organisations agree to our recommendations, often before we publish the report. If an organisation does not comply, we can issue a further report. This explains the latest position and requires the organisation to again discuss it at a high decision making level.