

The Ombudsman's final decision

Summary: The Ombudsman will not investigate this complaint about the Council's response to the complainant's reports of a missed refuse collection. This is because the action the Council has taken and proposed to take is a satisfactory way to address the complaint.

The complaint

1. The complainant, whom I refer to as Mr B, complains about a breakdown in communication when he reported a missed refuse collection. Mr B says he was 'fobbed off' and lied to by various Council officers, and he did not receive the promised responses to his telephone calls/emails.
2. Mr B says the problems he experienced in resolving the missed collection are indicative of the general incompetence of the Council and its senior officers, their lies and lack of customer liaison, plus their inexperienced staff and total lack of communication.

The Ombudsman's role and powers

3. We investigate complaints about 'maladministration' and 'service failure'. We provide a free service, but must use public money carefully. We may decide not to start or continue with an investigation if we are satisfied with the actions a council has taken or proposes to take. (*Local Government Act 1974, section 24A(7), as amended*)

How I considered this complaint

4. I have considered:
 - Mr B's complaint to the Ombudsman;
 - Mr B's 6 November 2019 complaint to the Council, and its 20 November 2019 (Stage 3) response;
 - A 9 January 2020 update on the Council's website, which details the implementation of an action plan to address the problems with the household waste collection;
 - The Ombudsman's focus report, "Lifting the lid on bin complaints: learning to improve waste and recycling services", available on our website.

What I found

Summary of what happened

5. Mr B's refuse was not collected on 29 October 2019. He called the Council the next day to find out what was happening, and says he was told a supervisor would call him back. This did not happen.
6. Mr B called again the following day, and says the officer could provide no explanation as to why his refuse still hadn't been collected. Mr B says he was given further assurances that a supervisor would call him back, but again this did not occur.
7. On 31 October, Mr B emailed a Stage 1 complaint to the Council. A senior officer called Mr B the same day to apologise. Mr B says he was told the 'roll-out' of new collection arrangements had not gone to plan, the Council was in constant dialogue with the contractors, and the backlog was being prioritised.
8. That afternoon, a refuse lorry entered Mr B's road, but it did not collect the missed refuse. Mr B called the senior officer to report this, and tried again the next day, but says he never received a response. Mr B therefore escalated his complaint to Stage 2 on 1 November, but he says this was not acknowledged.
9. On 4 November Mr B called the Refuse department again, and says he was told no missed collection reports had been logged under Mr B's address, so it was unclear if the contractors knew about the problem.
10. Mr B made two further calls to the Council on 5 November, but says no one could tell him when the refuse would be collected.
11. Mr B therefore called the contractor direct. He says the contractor told him they had not received any notifications from the Council about the missed collection, but would now arrange for the refuse crew to visit the next day.
12. The refuse was collected the following morning, on 6 November. Mr B then escalated his complaint to Stage 3, and the Council replied on 20 November.

Summary of the Council's complaint response

13. The Council acknowledged the service Mr B had received was not of the required standard, and it apologised for this.
14. It explained the implementation of new collection arrangements by its refuse contractor had not gone to plan, and the Council was not happy with the standards achieved. The Chief Executive, the Leader of the Council, and the Cabinet member for Street Scene had met with the contractor, and it had produced an action plan to resolve the problems over the coming weeks, and to maintain the required service standards in the future.
15. With regard to Mr B's situation, the Council said that despite what the contractor may have told him, it had clear evidence the Council had made multiple reports to the contractor about the missed collection. The Council had raised this with the contractor.
16. The Council said it fully understood Mr B's frustration with the level of communication he experienced and the number of calls he had to make. At no time had staff intentionally lied. Rather, they were acting in good faith in light of assurances from the contractor. Staff had also been overwhelmed by the number of calls received about missed collections, and it apologised for not always meeting customer expectations.

Assessment

17. I appreciate Mr B spent time and effort on contacting the Council to resolve the missed collection, that he was frustrated by the response he received, and that he says this impacted on his family.
18. But the Ombudsman normally takes the view that whilst missed collections are annoying and inconvenient, mistakes can happen, and from time to time most people will experience this or some other problem with their waste collection. We need to make sure we use public money efficiently, so we would not normally investigate complaints where there have been just a couple of missed collections or other one-off problems.
19. I am therefore satisfied that the Council's apologies to Mr B, as well as the steps it has taken/proposed to take to resolve this waste service problem (as detailed in the Stage 3 complaint response, and in the 9 January 2020 update on the Council's website) was a satisfactory way to address the issues raised in Mr B's complaint. With reference to paragraph 2 above, I therefore do not consider the Ombudsman should pursue the matter further.

Final decision

20. The Ombudsman will not investigate Mr B's complaint. This is because I am satisfied with the action the Council has already taken and proposed to take to address the issues raised in the complaint.

Investigator's decision on behalf of the Ombudsman