

Glasgow City Council

Complaints Procedure for Community Councils



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Quick guide to the Complaints Procedure for Community Councils

Complaints Procedure

- You can complain in writing or in person to the Secretary of the Community Council or any of its Office Bearers.
- There is a two stage complaints procedure – **Resolution** and **Investigation Stages**. Community Councils should always try to deal with your complaint as quickly as possible, but if it is clear that the matter will require a detailed investigation you will be notified on progress.

Stage 1 – Resolution

- Community Councils should always try to resolve your complaint as soon as possible (within two weeks of their meeting schedule).
- If you are unhappy with a resolution response, you can ask Community Councils to consider your complaint as a Stage 2 Investigation.

Stage 2 – Investigation

- A specially appointed Panel of Community Councillors will consider investigating your complaint at this stage if you are unhappy with the stage 1 response. Certain types of complaints which are complex or require detailed investigation may progress straight to Stage 2.
- The Panel will acknowledge your request for investigation of your complaint within two weeks. It will give you its decision in 30 working days or sooner, unless there are particular circumstances which may not make this possible.

Further Advice

If, after receiving the specially appointed Panel's response following the Stage 2 Investigation, you are still unhappy with the decision or the way your complaint has been handled; you can ask the Chief Executive's Department (Democratic Services) for advice.

The Complaints Procedure for Community Councils

1 Introduction

- 1.1 Community Councils should aim to represent all people in the area without prejudice: they are non-party political and non-sectarian. They must call for nominations publicly and hold elections when becoming established and/or filling vacancies.
- 1.2 Any person 16 years or over, resident in the Community Council boundary area, and included on the Electoral Register can be nominated to join their local Community Council.
- 1.3 Community Councils are regularly consulted by the local authority and public bodies on a wide range of issues which affect their area, such as planning and licensing.
- 1.4 All Community Council meetings are open to the public. See more at: <https://www.glasgow.gov.uk/index.aspx?articleid=17326>
- 1.5 Community Councils should adhere to the Code of Conduct included in the Scheme of Establishment for Community Councils 2018. However, from time to time, complaints may be made about Community Councils and individually against Community Councillors.
- 1.6 If you are dissatisfied or have concerns about the standard of service, actions or lack of action provided by your Community Council or one or more of its members, these can be reported through the Complaints Procedure for Community Councils.
- 1.7 Please note that Glasgow City Council has a separate Complaints Policy to record and manage complaints by members of the public and this should not be confused with the Complaints Procedure for Community Councils.

2 What is a Complaint?

- 2.1 A Community Council complaint is an expression of dissatisfaction or concern by members of the public or members of the Community Council. This may be about the conduct, standard of service, actions or lack of action by a Community Council or its members.

3 Who can complain?

- 3.1 Anyone who may be affected by a Community Council can make a complaint. Sometimes you may be unable or reluctant to make a complaint on your own. Complaints may be brought by third parties as long as evidence of personal consent from the complainant can be provided upon request.
- 3.2 If you are under 16 and wish to complain, you may wish to contact Glasgow City Council in the first instance or if you would prefer; you can ask a trusted adult

such as a parent; older brother or sister, or a guardian to contact us on your behalf.

3.3 If you believe yourself to be a vulnerable adult, you may likewise wish to contact Glasgow City Council directly or if you would prefer, you can ask someone you trust to contact us on your behalf.

3.4 An officer of the City Council can be provided to offer guidance on how you may wish to make your complaint if you would prefer.

4 What can I complain about?

4.1 You can complain about things such as:

- Treatment by or attitude of a Community Councillor when dealing with a Community Council issue;
- Breaches to the Scheme of Establishment for Community Councils (2018);
- Financial irregularities and fraud;
- Breaches of confidentiality;
- Misusing social media, email or letters for the purpose of personal, political and/or financial gain;
- Bringing the Community Council into disrepute.

4.2 This list is not exhaustive and complaints may involve more than one thing.

5 What can't I complain about?

5.1 There are some things that Community Councils can't deal with. These include:

- Any decisions Glasgow City Council has made;
- A request for compensation on a decision the Community Council has made.

6 How do I complain?

6.1 All complaints relating to Community Councils and/or individual Community Councillors should be directed for the attention of the appropriate office bearer/s or member/s of the relevant Community Council in the first instance.

6.2 All complaints should be made formally in writing (either by surface mail or email), making clear the nature of the complaint and the grounds which support it, including any available evidence.

6.3 However, and if appropriate, it may be easier for complaints to be resolved if they are made quickly and directly to the Community Council concerned.

You may consider speaking to a member of the Community Council so they can try to resolve any problems on the spot.

- 6.4 If your complaint is about more than one issue or you feel that it is not appropriate for the Community Council to deal with the complaint, you can contact the Community Council Officer at Glasgow City Council, who can provide advice and guidance, and who may forward your complaint to the relevant Community Council on your behalf.

7 What do I tell the Community Council when complaining?

- 7.1 It may be considered easier for complaints to be resolved more quickly if they are not anonymous, although it is acknowledged that in some cases e.g. fear of reprisals, individuals may not wish to provide and/or share their personal details. Therefore the provision of such details to Community Councils should be considered optional.
- 7.2 However, Glasgow City Council reserve the right to request personal contact details if contacted to deal with a complaint to enable a transparent dialogue – any personal contact details provided to Glasgow City Council when a complaint is received will not be shared with any Community Councils and/or third parties.
- Your name and address (and email if available);
 - As much detail about the complaint as possible i.e. making clear the nature of the complaint and the grounds which support it, including any available evidence;
 - Any circumstances leading up to, or surrounding what has gone wrong;
 - How you want the Community Council to address and/or resolve the matter.

8 How long do I have to make a complaint?

- 8.1 You should make your complaint within a reasonable period of time e.g. within four weeks of the event you want to complain about.
- 8.2 You may wish to consider the meeting cycle of the Community Council to ensure the complaint is included as correspondence at the earliest opportunity.
- 8.3 It is anticipated that most complaints would be submitted immediately or within a matter of days from the date of the incident.
- 8.4 In particular circumstances, a complaint may be accepted by the Community Council or Glasgow City Council after the suggested period of time. If you feel that the suggested period of time should not apply to your complaint, then this should be included in the formal written complaint.

9 What happens when I have complained?

9.1 The Complaints Procedure for Community Councils should provide two opportunities to resolve complaints:

- Stage 1 – Resolution
- Stage 2 – Investigation

9.2 *Stage 1 – Resolution*

9.2.1 Most complaints could be resolved quickly by the Community Council. This could mean an apology and explanation if something has clearly gone wrong. In such circumstances, steps should be taken to prevent such a problem re-occurring.

9.2.2 A Community Council will give its response to Stage 1 complaint within two weeks or less of the date of the meeting at which it was discussed, unless there are particular circumstances which may not make this possible.

9.2.3 If the Community Council can't resolve your complaint at the Stage 1, it should be automatically moved to the Stage 2 Investigation; if this is decided by the Community Council, it will write to you within two weeks or less of the date of the meeting which acknowledged and discussed your complaint to advise you that further investigation of your complaint will be required.

9.2.4 In circumstances where a Community Council moves a complaint from Stage 1 Resolution to Stage 2 Investigation then the Community Council will inform Glasgow City Council within 7 days of the date of the meeting which made the decision. The City Council will be provided with all details of the complaint, and may take any action deemed to be appropriate.

9.3 *Stage 2 – Investigation*

9.3.1 Stage two deals with two types of complaint:

- Those that have not been resolved at Stage 1 Resolution; and
- Those that are complex and require detailed investigation from the outset.

9.3.2 Stage 2 Investigations may go to a Panel of Community Councillors similar to that outlined in clauses 13:10 to 13:12 of the Scheme i.e. a specially appointed Panel of 3 Office Bearers from Community Councils from Wards separate to, but abutting, that Ward containing the Community Council/s subject to the complaint.

9.3.3 The Community Council or Community Councillor may be suspended at this point until a full investigation has taken place. It should be noted that a suspension is not an accusation of guilt; it is to enable all parties to gather materials regarding the alleged breach in an impartial and fair manner.

9.3.4 Suspension of a Community Council will be in accordance with clause 11 of the Scheme of Establishment for Community Councils. Suspension of a Community Councillor will be in accordance with clause 13.6 of the Scheme of Establishment for Community Councils.

9.3.5 When conducting a Stage 2 Investigation, the specially appointed Panel, with appropriate support from Glasgow City Council, will:

- Acknowledge receipt of the request for complaint investigation within two weeks of being set up.
- Where appropriate, discuss your complaint with you to understand your dissatisfaction and what outcome you are looking for.
- Give you a full response to the complaint within 30 working days or sooner, unless there are particular circumstances which may not make this possible.

10 What happens if I'm still unhappy?

10.1 If, after receiving the specially appointed Panel's response following the Stage 2 Investigation, you are still unhappy with the decision or the way your complaint has been handled; you can ask the Chief Executive's Department (Democratic Services) for advice.

10.2 The Chief Executive's Department (Democratic Services) cannot normally look at events that happened, or that you became aware of, more than a year ago, unless there are exceptional circumstances which may make it necessary.