

Muckhart Community Council Complaints Procedure

Release 1.0

Contents

1	Introduction	2
2	What is a Complaint?	2
3	Who can complain?.....	2
4	What can I complain about?.....	3
5	What can't I complain about?.....	3
6	How do I complain?.....	3
7	How long do I have to make a complaint?	4
8	What happens when I have complained?	4

1 Introduction

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 contested elections. Any person 16 years or over and resident in the Community Council area, can be nominated to join their local Community Council.

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, environment and health. All Community Council meetings are open to the public.

From time to time, complaints might be made about Muckhart Community Council in general or against individual Community Councillors.

Community Council members must adhere to the Muckhart Community Council Code of Conduct.

If you are dissatisfied or have concerns about the standard of service, actions or lack of action provided by Muckhart Community Council or one or more of its members, these can be reported through the Muckhart Community Council Complaints Procedure.

Please note that Clackmannanshire Council has a separate Complaints Policy to record and manage complaints by members of the public and this should not be confused with the Community Council Complaints Procedure.

2 What is a Complaint?

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?

Anyone who may be affected by the 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.

If you are under 16 and wish to complain, you may contact us yourself 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.

If you believe yourself to be a vulnerable adult, you may again contact us directly or if you would prefer, you can ask someone you trust to contact us on your behalf. Someone can be provided to assist you to make your complaint if you would prefer.

4 What can I complain about?

You can complain about things such as:

- Inadequate standard of office
- Treatment by or attitude of a Community Councillor when dealing with a Community Council issue
- Breaches to the Clackmannanshire Council Scheme of Establishment for Community Councils
- Financial irregularities and fraud
- Breaches of confidentiality
- Misusing social media, email or letters for the purpose of personal and or financial gain
- Bringing the Community Council into disrepute

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

5 What can't I complain about?

There are some things we can't deal with.

These include:

- Any decisions Clackmannanshire Council had made
- A request for compensation on a decision the Community Council has made

6 How do I complain?

All complaints relating to Muckhart Community Council and/or individual Community Councillors should be directed for the attention of the Secretary of Muckhart Community Council.

Complaints should normally be made formally in writing, by letter or email, making clear the nature of the complaint and the grounds which support it, including any available evidence. However, if the matter is sensitive, you may wish to initially discuss the matter with an officer of Muckhart Community Council to ensure that the

complaint is dealt with appropriately without invading privacy - see the Muckhart Community Council web-site for further detail:

<http://176.32.230.19/muckhart.org.uk/muckhart-community-council/>

When complaining tell us:

- Your full name and address, including a telephone number and e-mail address, if possible
- As much detail about the complaint, as possible
- Any circumstances leading up to, or surrounding, what has gone wrong
- How you want Muckhart Community Council to address and/or resolve the matter

7 How long do I have to make a complaint?

You must make your complaint:

- Within three months of the event you want to complain about

It is expected most complaints will be submitted immediately or within 1 to 2 months from the date of the incident.

In exceptional circumstances, we may be able to accept a complaint after the time limit. If you feel that the three month time limit should not apply to your complaint, please tell us why by writing to us.

8 What happens when I have complained?

Our complaint procedure provides two opportunities to resolve complaints:

- Stage One – Frontline Resolution
- Stage Two - Investigation

8.1 Stage One – Frontline Resolution

Muckhart Community Council aims to resolve complaints as quickly as possible. This could mean an apology and explanation if something has clearly gone wrong. In such circumstances, steps will be taken to prevent such a problem re-occurring.

We will give you our decision at Stage One within fourteen working days or less, unless there are exceptional circumstances.

If we can't resolve your complaint at this stage, we will automatically move it to the second stage which is an investigation; if we do this, we will write to you within fourteen working days acknowledging your complaint.

8.2 Stage Two – Investigation

Stage Two deals with two types of complaint:

- those that have not been resolved at frontline resolution; and
- those that are complex and require detailed investigation from the outset

Stage Two investigations will go to a Complaints Sub-Group made up of members of Muckhart Community Council. The Sub-Group will undertake an investigation and may seek external expert advice to help resolve the complaint. If appropriate, the complaint may be taken to a full meeting of Muckhart Community Council which will decide if the complaint is to be upheld.

If the complaint is upheld, Muckhart Community Council will record the decision and discuss and agree the appropriate action and the time frame for that action and notify the complainant of any actions taken.

If the complaint is not upheld, Muckhart Community Council will notify the complainant of the decision. There is no appeal against the decision of Muckhart Community Council and the complaint is closed.

Muckhart Community Council will endeavour to resolve any complaint that reaches the Stage Two process, as quickly as possible, within the established process