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your community



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The Community Councils of Moray Complaints procedure

First published in 2016
by the Joint Community Councils of Moray (JCC)

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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. - See more at: <http://www.moray.gov.uk/communitycouncils> .

From time to time, complaints will be made (in general) about Community Councils and individually against Community Councillors.

Community Council members must adhere to the Code of Conduct detailed in the Moray Council Scheme for Community Councils 2017-2021.

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 Community Council Complaints Procedure.

Please note that Moray Council have 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.

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.

Who can complain?

Anyone who receives, request or is affected by the Community Council can make a complaint. Sometimes you may be unable or reluctant to make a complaint on your own. We will accept complaints brought by third parties as long as you have given personal consent.

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 for you.

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.

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 Moray Council Scheme 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 is not an exhaustive list and may involve more than one.

What can't I complain about?

There are some things we can't deal with.

These include:

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

How do I complain?

You can complain by email, in writing or in person to any of the members in your Community Council.

It is easier for us to resolve complaints if you make them quickly and directly to the Community Council concerned. Please speak to a member of the Community Council so they can try to resolve any problems on the spot.

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 Liaison Officer at the Moray Council, who will forward your complaint to the relevant Community Council on your behalf (see over).

The Secretary of the Community Council in your area
Contact details can be found online at www.moray.gov.uk/communitycouncils or by calling the Community Council Liaison Officer

Community Council Liaison Officer
Moray Council
High Street
Elgin
IV30 1BX
communitycouncils@moray.gov.uk
01343 563047

When complaining tell us:

- Your full name and address, including an e-mail address if possible.
- As much details as you can about the complaint.
- What has gone wrong?
- How you want us to resolve the matter.

How long do I have to make a complaint?

You must make your complaint:

- Within six months of the event you want to complain about.

It is expected most complaints will be submitted immediately or within 2 to 3 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 six-month time limit should not apply to your complaint, please tell us why by writing to us.

What happens when I have complained?

Our complaint procedure provides two opportunities to resolve complaints:

- Stage one – Frontline Resolution
- Stage two - Investigation

Stage one – Frontline Resolution

We aim to resolve complaints quickly by the Community Council. 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 seven 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 **seven working** days acknowledging your complaint.

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 may go to a Panel of Community Councillors from the Joint Community Councils of Moray (JCC), who have basic mediation and conflict resolution training.

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.

When using stage two:

- We will acknowledge receipt of your request for complaint investigation within **seven working** days.
- If you have had a response at frontline resolution and remain unhappy, we will discuss your complaint with you to understand why you remain dissatisfied and what outcome you are looking for.
- We will give you a full response to the complaint as soon as possible and within **30 working** days.

What happens if I'm still unhappy?

If, after receiving our response at the Investigation Stage, you are still unhappy with our decision or the way we have handled your complaint; you can ask the Chairperson of the JCC for advice.

The Chairperson of the JCC cannot normally look at:

- Events that happened, or that you became aware of, more than a year ago

You can contact the Chairperson of the JCC by writing to:

Community Council Liaison Officer
Moray Council
High Street
ELGIN
IV30 1BX

Or contacting us using the details below:

communitycouncils@moray.gov.uk

01343 563047

Quick guide to our complaints procedure

Complaints Procedure

- You can complain by email, in writing or in person to the Community Council or any of its members.
- We have a two stage complaints procedure – **Frontline Resolution** and **Investigation Stages**. We will always try to deal with your complaint quickly, but if it is clear that the matter will require a detailed investigation; we will notify you on our progress.

Stage 1 – Frontline Resolution

- We will always try to resolve your complaint as soon as possible (within **seven working days**).
- If you are unhappy with our frontline resolution response, you can ask us to consider your complaint as a Stage 2 Investigation.

Stage 2 – Investigation

- We will consider investigating your complaint at this stage if you are unhappy with our response at stage 1. We also look at certain types complaints immediately at this stage if it is clear that they are complex or require detailed investigation.
- We will acknowledge your request for investigation of your complaint within **seven working days**. We will give you our decision within **30 working days** unless there is a clearly a good reason for needing more time.

The Community Council Liaison Officer

If, after receiving our response at the Investigation Stage, you are still unhappy with our decision or the way we have handled your complaint; you can ask the Chairperson of the JCC for advice.