

FINDOCHTY COMMUNITY COUNCIL

Complaints Policy

Authority	Moray Council Scheme of Establishment (2025–2029)
Version	1.0
Date Adopted	[date]
Review Period	Annual

This policy sets out how Findochty Community Council handles complaints. It covers two distinct situations: complaints made to FCC about the council or its members, and complaints made by FCC on behalf of residents to other bodies.

1. Principles

Findochty Community Council is committed to:

- taking all complaints seriously and treating complainants with respect
- dealing with complaints promptly, fairly and consistently
- ensuring that the person complained about has a fair opportunity to respond
- learning from complaints and using them to improve how the council operates
- maintaining confidentiality throughout the process, as far as is reasonably possible

A complaint is any expression of dissatisfaction about the Community Council, its members, or the way it has handled a matter. Complaints should be distinguished from general enquiries, requests for information, or disagreements with a lawful decision of the council.

2. Scope

This policy applies to:

Part A - Complaints received by FCC

Complaints from residents, members or other parties about:

- the conduct or behaviour of a Community Council member
- the way the Community Council has handled a matter
- how the council has managed personal data (see also the Data Protection Policy)
- any other aspect of the Community Council's activities

Part B - Complaints made by FCC

Situations where FCC acts on behalf of residents to raise concerns or formal complaints with:

- Moray Council - regarding services, decisions or planning matters
- Police Scotland or other public bodies
- Private organisations or developers affecting the local community

This policy does not cover planning objections or licensing representations, which follow their own statutory processes. It also does not apply to internal disputes between members, which are addressed under the Code of Conduct and, where necessary, referred to Moray Council.

Part A - Complaints Received by FCC

3. How to Make a Complaint

Complaints should be submitted in writing - by email or letter - to the Secretary of Findochty Community Council:

- Email: secretary@findochty-cc.org
- Post: The Secretary, Findochty Community Council (address available on request)

Where a complaint relates to the Secretary personally, it should be submitted to the Chairperson instead.

The complaint should include:

- the complainant's name and contact details
- a clear description of the issue or concern
- the date(s) the matter occurred, if relevant
- what outcome the complainant is seeking

Anonymous complaints will be considered at the discretion of the Community Council. However, it may not be possible to investigate fully or respond to a complaint where the complainant cannot be identified.

4. Complaints Procedure

FCC will handle complaints in three stages:

Stage 1 Acknowledgement

- The Secretary (or Chairperson, if the Secretary is the subject of the complaint) will acknowledge receipt of the complaint within 7 days.
- The acknowledgement will confirm that the complaint has been received and set out the next steps.

Stage 2 Investigation

- The complaint will be reviewed by the Secretary and Chairperson, or by a small group of members appointed for the purpose.
- Where the complaint relates to a specific member, that member will be informed and given a reasonable opportunity to respond before any conclusion is reached.
- The investigation will be completed and a written response issued to the complainant within 28 days of receipt. Where this is not possible, the complainant will be informed of the reason for the delay and given a revised timescale.
- The response will set out the council's findings and, where appropriate, any action being taken.

Stage 3 Escalation

- If the complainant remains dissatisfied after receiving the Stage 2 response, they may request that the complaint be considered at a full meeting of the Community Council.
- The Chairperson will arrange for the matter to be placed on the agenda of the next available meeting. The complainant will be notified of the date.
- The Community Council will consider the complaint and communicate its final decision in writing within 14 days of the meeting.
- This is the final stage within FCC's own process.

5. Escalation Beyond FCC

If a complainant remains dissatisfied after the Stage 3 response, they have the following options:

Complaints about member conduct

Concerns about the conduct of a Community Council member may be referred to Moray Council's Democratic Services team, who have oversight of Community Councils under the Moray Scheme.

Complaints about data protection

Complaints about how FCC has handled personal data may be referred to the Information Commissioner's Office (ICO):

- Website: ico.org.uk
- Telephone: 0303 123 1113

Other complaints

For any other matter, the complainant may contact Moray Council's nominated Community Council Liaison Officer for guidance on further options.

6. Recording and Learning from Complaints

All complaints received will be recorded by the Secretary, noting:

- the date received
- the nature of the complaint
- the outcome at each stage
- any action taken as a result

Complaints records will be retained in accordance with the Records Retention Policy. The Secretary will report to the Community Council annually on the number and nature of complaints received, without disclosing personal details, so that any patterns or areas for improvement can be identified.

Part B - Complaints Made by FCC on Behalf of Residents

7. FCC's Role as Advocate

One of FCC's core functions is to represent the views and concerns of the Findochty community to public authorities and other bodies. This includes raising complaints and formal representations on behalf of residents where a matter is of sufficient concern to the community as a whole.

FCC may make a formal complaint or representation on behalf of residents in the following types of situation:

- Failure by Moray Council to maintain public infrastructure or services to a reasonable standard
- Decisions by public bodies that the community considers to be contrary to the interests of Findochty
- Actions by private organisations - such as developers - that negatively affect the village or its residents
- Any other matter where the Community Council considers collective representation to be in the community's interest

8. How FCC Raises Complaints

Before making a formal complaint to an external body on behalf of residents, FCC will:

1. Satisfy itself that the concern is genuine and represents the community's view, not solely an individual's interest
2. Consider whether informal approaches - such as correspondence or direct engagement - have been attempted or are likely to be effective
3. Agree at a Community Council meeting that a formal complaint is appropriate, and record this in the minutes
4. Identify the correct complaints process for the relevant body and follow it
5. Keep residents informed of progress where appropriate

Formal complaints made by FCC will be submitted by the Secretary or Chairperson and will clearly identify FCC as the complainant, acting in a representative capacity.

9. Complaints to Moray Council

Where FCC wishes to raise a formal complaint with Moray Council, this should be directed through Moray Council's published complaints process. The nominated Community Council Liaison Officer can advise on the appropriate route.

FCC may also raise concerns with the relevant Moray Councillors for the area, who attend FCC meetings as ex-officio members and can act as an additional route for escalating community concerns within the council.

10. Review

This policy shall be reviewed annually and updated as required. Any material changes will be approved by the Community Council at a meeting.

Adopted by Findochty Community Council on: _____

Signed (Chairperson): _____

Signed (Secretary): _____