

Solving problems with council services



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Councils provide a variety of services to help people who experience hate crime, domestic abuse or problems with neighbours. This factsheet gives some information about how to complain about councils when they get things wrong. If it doesn't answer your specific question or you want to talk about your situation, call Galop in confidence on 020 7704 2040.

What can the council do about safety problems?

Every council provides different services but the following lists things you can reasonably expect from your local council:

- Respect – you should be able to use council services without being treated in a homophobic, transphobic or inappropriate manner.
- Council staff should record your gender appropriately and use your preferred name.
- Anti-social behaviour – the council's anti-social behaviour team is responsible for investigating and taking action against people who behave in an abusive or inconsiderate way.
- Noise – the council's environmental health department should take steps to deal with noisy neighbours.
- Applying for housing – if you're being targeted where you live, councils should consider whether they can help you find another home, which might include council housing. This can be a complex area and it is best to get advice from a specialist organisation like Stonewall Housing (www.stonewallhousing.org or 020 7359 5767).
- Council tenants – councils have a responsibility to investigate and deal with harassment against people who live in council housing. That may involve moving them where appropriate. Councils should also take action against council tenants when they are causing problems for neighbours.

- Graffiti – the council should clean off offensive graffiti in most circumstances.
- Safeguarding – if you're being targeted by someone and are a young, older or disabled person, the council's social care department might have a responsibility to coordinate efforts to make you safer.

Complaining informally

A good starting point is to talk with the manager of the person or team you are unhappy with. They might be able to solve the problem, explain something you didn't understand or apologise without the hassle of making a written complaint.

Get a second opinion

Some complaints get resolved quickly but others drag on for a long time. Before you invest your time in fighting to have your complaint addressed, it can be useful to ask an independent knowledgeable person for their opinion. Getting advice or assistance from Galop or another organisation gives you a better idea of the outcome you can expect and might give you useful pointers about what to include in a complaint.

Making a formal complaint

It is worth checking the council's website for details about how they handle complaints and how long it should take them to respond. To get advice, you can call the council's general telephone number and ask to speak to their complaints team.



All councils have a different complaints system but most of them are similar to this:

Stage 1 – When you make a complaint someone within the department you are complaining about investigates the issue you have raised and will write to you telling you what they have decided. If you are unhappy with the decision you can ask for it to be looked at by someone else. This is called an ‘appeal’. The decision letter will tell you how to appeal and how long you have to do it.

Stage 2 - If you make an appeal, the councils complaints team will look at the decision and write to tell you what they decide.

Stage 3 - If you are not happy with the second response letter you can appeal again for it to be looked at by a senior person within the complaints team or Chief Executive’s office who will write to you with their final decision.

Taking it further – the ombudsman

The Local Government Ombudsman is an independent organisation which investigates complaints about councils. They can order a council to change their decision about your case, pay you compensation or get the council to change their system so the problem doesn’t happen again.

Unless there is an immediate risk to you, they will only investigate your complaint if you have been through every stage of the council complaints process and are still not happy, or if the council have taken longer than 12 weeks to investigate. The complaint must also be made within a year of the problem happening. The ombudsman has to send details about your complaint to the council, including any documents you sent to support your complaint.

Hints & tips

- Complain as soon as possible while the details are fresh in your mind
- Put it in writing. There may be an online form or if you send it as a letter, clearly head the letter ‘Complaint’.
- Be concise. Tell them clearly what happened and why you’re not happy.
- Explain what you want to happen. Try to be clear and realistic.
- Include photocopies of any documents you want them to see.
- Give your contact details including telephone, email and postal address.
- Stay calm and polite. Aggressive letters or phone conversations are unhelpful.
- Be patient. You should be told how long they need to investigate. You only need to chase them if it takes longer.
- Keep perspective. Try not to let it take over your life.
- Avoid asking lots of different organisation for help at once. This can muddle things and won’t necessarily get you what you want.

Getting legal help

Councils have lots of rules about things they can or can’t do and restrictions on how they should make decisions. A solicitor may be able to give you advice about what rules apply and whether the council followed them. They may also be able to persuade the council to do something about your case or ask a judge to tell the council to make a decision again. If a member of the council’s staff said or did something homophobic or transphobic they might also be able to help you challenge them for discrimination.

A good place to start for general legal advice is your local law centre. If you’re on a low income a solicitor can work out if you are eligible for help



with legal costs. To find a solicitor you can get advice from Community Legal Advice or find one by searching on the internet. Solicitors usually specialise in an area of law. The two legal areas that deal with councils duties to keep people safe are 'public law' (getting public bodies to re-take a decision about your case) and housing law (applying for housing, problems with landlords or being targeted where you live).

If you can't get free legal help, it can be tempting to think that paying for a solicitor will resolve the complaint, however, its best to check with a free advocate or the Citizens Advice Bureau before agreeing to pay for a solicitor when it's unnecessary.

Help from politicians

Your local politician may be able to help too. Everyone has one MP who represents them in Parliament and a couple of local politicians called Councillors who represent their neighbourhood inside the council. You can find out who they are and how to contact them at www.writetothem.com.

Part of their job is to help people in their area who are having problems with public bodies like councils. They are not able to help everyone who gets in touch but if they decide to champion your case, they can be very helpful.

Taking care of yourself

The process of complaining can be draining, especially if it goes on for a long time. Having someone you can talk with can help, whether it's a friend, partner or worker. Galop caseworkers can talk to you about your complaint and give you emotional support. If you're feeling stressed, depressed or losing sleep over a prolonged period, your GP is another good source of help.

Always dial 999 if it is an emergency and you think you are in immediate danger.