

15th May 2009

Dear Sir/Madam,

Complaint Against Dundee City Council

I wish to make a complaint about the actions of Dundee City Council staff and its impact on Eighteen And Under as an organisation and the individuals connected with it. Eighteen And Under is a registered charity which has worked in Dundee for 15 years now. We have always found the Council to be supportive and helpful until recently.

In early December 2008, we were advised by the social work department that one of our volunteers had allowed a service user (a boy whom the volunteer had been supporting) to stay at his home on 24th October. This was a clear breach of our policies, and as soon as we learned what had happened we dismissed the volunteer. Whilst the incident was regrettable, there was nothing we could have done to prevent it and we acted instantly when we knew about it.

On 30th December, we were informed by the Council that it had concerns about matters relating to Eighteen And Under's policies and practices. The Council requested information about the charity's staff, its recruitment and selection procedures and its code of conduct for staff. We provided this information. In January 2009, the Council requested more information about the constitution of the charity, its board members, internal policies, training programmes etc. Again, we provided this information.

On 23rd January there was a meeting called by Dundee City Council which Laurie Matthew and Sandra Hutton attended on behalf of Eighteen And Under. We were given no indication prior to the meeting of what would be discussed. Dundee City Council was represented by Ken McAra, Gordon Sharp and Margo Dymock.

The first part of this complaint is against Margo Dymock who was aggressive, rude and made homophobic comment during this meeting. Questions were fired in quick succession by Margo Dymock but before they could be answered, she interrupted constantly. Ken Mc Ara, the chair, made no attempt to properly 'chair' this meeting. Margo raised her voice, implied child protection concerns and said about an ex volunteer, "This man is a homosexual. He has a male partner. He has a sparsely furnished flat!" The inference from this was to imply that the ex volunteer was an abuser who had 'done something'. This turned out later to not be the case and while we had been unaware and uninterested in his sexuality prior to this, there was an implication that because he was a 'homosexual' he was somehow a danger to children. This meeting ended with Eighteen And Under being asked to leave the room so that Dundee City Council could talk about the next step. Margo was heard to say something about an audit. Eighteen And Under protested about leaving the room and asked about procedures towards 'sorting' whatever the problem was. Dundee City Council stated they would be in touch.

On 3rd February, Eighteen And Under wrote to Dundee City Council to inform that we were carrying out an internal investigation into some of the points raised on 23rd January. On 9th February, Eighteen And Under wrote again to Dundee City Council informing that we had completed our investigation and could now answer all questions raised. Eighteen And Under requested a meeting with Dundee City Council to share this. Despite this, and without even looking at our investigation report which could answer the questions Dundee City Council had raised, on 13th February, Dundee City Council wrote to health, police, education, social work and voluntary organisations to say they had serious concerns about Eighteen And Under, were investigating Eighteen And Under, and mentioned a very wide range of issues including child protection, recruitment, selection, governance, etc.

Dundee City Council did not take any time to allow Eighteen And Under to answer the issues raised and to this day has not allowed, or been interested in our answers. Instead, Dundee City Council staff decided to act as judge and jury, with no evidence whatsoever, and wrote round agencies in Dundee to imply serious problems where in fact, none existed. Not only has this impacted on the work of the organisation but it has affected individuals in their private life. Two workers were being assessed for fostering and due to the vagueness of the allegations made by Dundee City Council, this process has been stopped.

On 18th February, Eighteen And Under were finally informed by letter from Dundee City Council that they had issues with aspects of Eighteen And Under. The issues were still too

vague to be addressed and a meeting was arranged by Dundee City Council for 20th February. Eighteen And Under asked repeatedly for clarity and an agenda for the meeting and when none was forthcoming and with consideration to the previous meeting and the intended presence of the homophobic and aggressive Margo Dymock at the meeting, Eighteen And Under informed Dundee City Council that our lawyer would be attending this meeting with us. The response of Dundee City Council was to cancel the meeting.

It then took Eighteen And Under several legal letters and a further 6 weeks to get Dundee City Council to state finally what the allegations against Eighteen And Under were. On 30th March, Eighteen And Under found out, for the first time, exactly what the issues were. Some of the allegations seemed to revolve around supposed relationships between people and recruitment of staff and some around policies. These were answered, in full on 7th April by Eighteen And Under and Eighteen And Under also asked if there were any other issues. Dundee City Council wrote to OSCR to make allegations about relationships within Eighteen And Under. OSCR has since confirmed that there is no issue regarding relationships within Eighteen And Under. All staff are fairly recruited and all jobs openly advertised and Eighteen And Under can prove this to any funder upon request.

Eighteen And Under heard no more until 30th April when a letter was received stating that Dundee City Council was not satisfied and therefore Fairer Scotland funding was ended. At no point during April was Eighteen And Under informed that Dundee City Council was not satisfied with any other issues or given any opportunity to address this. Another letter was received the same day from Dundee City Council asking for further information and contradicting the first letter.

Eighteen And Under were without a Lead Officer until October 2008. Much of this dispute could have been prevented if a Lead Officer had been in place. Also, the Lead Officer who was eventually appointed did nothing to explain what was going on, nothing to assist Eighteen And Under in getting to the bottom of the problem and nothing to advise or assist. The Service Level Agreement states that the Lead Officer is there for the purpose of liaison.

The Council's approach has been inconsistent and confusing throughout this incredible affair. Dundee City Council has been completely unreasonable and unapproachable. There has been no clear complaint against Eighteen And Under, rather it has been the Council asking for more and more information so as to search for some perceived faults to

complain about. The time Dundee City Council has taken to answer even simple requests for clarity has been outrageous and unacceptable. Furthermore, the Fairer Scotland grant was to deliver Violence Is Preventable sessions in schools under Dundee City Council policies so there was no reason for Dundee City Council to stop this work in schools. We were finally told it was so that young people could not self-refer to Eighteen And Under which is ridiculous as disclosures made in schools during sessions are instantly given to teachers to deal with as we work with Council policies while delivering VIP in schools.

Dundee City Council could have come to the offices of Eighteen And Under informally and been provided with all required information at any time. Eighteen And Under has always been open and transparent with Dundee City Council. Dundee City Council, through Eighteen And Under's lead officer, Ken McAra, could have questioned and helped remedy any policies that were considered not up to standard as it has done in the past through a previous Lead Officer. Eighteen And Under has always appreciated the input of Dundee City Council in this respect and, considering previous lead officers and senior social workers in particular have always been involved in the writing of Eighteen And Under's policies, it is unclear why Dundee City Council now has a problem. Eighteen And Under has remained open to improving any parts of policy and procedures and indeed is now undertaking a full independent review of all policies to ensure their robustness.

It is interesting to note that Eighteen And Under was involved with several families involved with social services and would, under normal circumstances, have been approached in the recent Child Protection Audit in Dundee. Dundee City Council declaring a problem with Eighteen And Under was extremely timely in preventing Eighteen And Under being approached by the Audit thus preventing a full disclosure of all the facts in relation to certain families involved with the social work department.

Due to this dispute with Dundee City Council, Eighteen And Under has had to pay off five staff due to the lack of ability to work in Dundee. This is half our work force. Dundee already has high unemployment and its Council has now added to it. Due to the lack of clarity by Dundee City Council, the reputation of workers and Eighteen And Under has been damaged and no opportunities have been made by Dundee City Council to remedy this.

The Council is a large body with far greater resources to call upon than a small voluntary organisation and it surely has a responsibility to be fair and reasonable. It also surely has a

duty to act according to common law rules of natural justice and fairness. We believe the decision making process of Dundee City Council has been improper, flawed and unfair and this whole matter has been very badly handled from start to finish. In particular, we wish to complain about the refusal of Dundee City Council to be clear about the supposed 'allegations', the lack of agenda, the lack of clarity and due process, the lack of sight of Dundee City Council's alleged investigation and the failure to look at our investigation results, the failure to listen to our attempts to clarify and answer questions raised, the refusal to meet with us, the length of time to respond to even basic requests and letters and the lack of any retraction of any of the allegations to the Partnership even after Eighteen And Under has proven most things to be quite simply untrue.

Eighteen And Under is a very small charity with 15 years experience of working closely with Dundee City Council and other councils. It has had senior social workers, education workers and police on its advisory board and management, has been used widely by social workers and teachers and is widely respected across the UK. Independent UK research into Eighteen And Under policies, procedures and methods of work has evidenced a unique and innovative service that has proven value in protecting children and young people in the UK and beyond.

After 15 years of working together in harmony and partnership, Dundee City Council has now, for no apparent reason become hostile and unreasonable. We would not normally complain, even when we have witnessed poor practice but we can see no other way forward. We remain open to working towards improving our services. We also remain open to making any improvements in all policies and procedures should anyone clearly point out exactly what these improvements should be.

I enclose a time line of events for clarity and we look forward to hearing from you.

Yours sincerely

Karen Duffy (Chairperson)