

Report on Complaints against the Craigmillar Capacity Building Project

Introduction

This report presents the findings of an investigation into a series of complaints regarding the operation and staff of the Craigmillar Capacity Building Project (CBP).

Three complaints were made to Communities Scotland by letter or e-mail in the period November 2006 – February 2007. All three of the written complaints were made by community activists, expressing concern about the way in which the CBP is run.

It was subsequently agreed that the City of Edinburgh Council should investigate the issues raised, in its capacity as the responsible body for the administration of the CBP's funding. It was further agreed that all the complaints covered similar ground and that they would be best addressed by a single investigation, to be carried out jointly by the Departments of Children and Families (C & F) and Services for Communities (SfC). Senior staff from both Departments were appointed to jointly carry out the investigation.

Methodology

The remit and format of the investigation was agreed with Communities Scotland. A list of potential interviewees was identified, including the complainants, other community representatives, officers from CEC and the Craigmillar Partnership, and the CBP staff and Management Board.

A series of interviews was arranged, starting with the complainants, and followed by others who it was felt might be able to contribute. A list of those interviewed is attached as Appendix 1.

The interviews were semi-formal, and used a series of open questions. Inevitably this meant that the original complainants raised more issues than had been covered in their original letters. Similarly others interviewed were given the opportunity to add any information which they felt was relevant. This allowed a more holistic picture of the role of CBP and how it is viewed in the local community to be developed.

It was initially intended to interview CBP staff and Board Members using the same approach. However, those representing the CBP were very reluctant to participate in the investigation on this basis. Two meetings were held with representatives of the CBP with a view to agreeing the basis for discussing the complaints. This was followed by a meeting with the CBP co-ordinator and two members of the Management Board, at which the issues were discussed. The CBP also submitted a written response and a portfolio of background information in relation to the issues raised.

It should be noted that the CBP's statement challenges the validity and methodology of the investigation and states that they are participated "under duress".

Context

CBP is one of a number of publicly funded organisations providing support to community representatives and activists in the greater Craigmillar area. There is a history of tensions between some of the organisations and individuals involved, and this tends to impact on how the CBP is viewed.

It is assumed that those using this report will be familiar, at least in general terms with some of this local context, and it is not intended to attempt to re-state it in this report.

It should however be noted that a number of those interviewed referred to a climate of overt hostility between some of the individuals and groups involved, and a number of allegations of abusive and/or threatening behaviour were made.

The Complaints

An initial series of interviews was held with the complainants. Typically these covered a lot of ground, and all of those interviewed made observations about issues and individuals which were not directly related to the running of the CBP. Much of this was clearly beyond the remit of the current investigation, although it did serve to highlight many of the tensions existing within the community.

Three main areas of complaint were identified which were felt to fall within the scope of the investigation. These are discussed in turn below.

1. That the CBP has systematically excluded certain individuals from attending CBP run courses.

Three of the original complainants were able to relate specific instances where they personally had either been told that they were not allowed to attend CBP courses, or had been told that the course concerned was either over or under subscribed. Others interviewed confirmed that they were aware that this had happened.

This issue was previously discussed at a meeting held on 25 April 2007 involving CEC representatives and the CBP Co-ordinator. The CBP acknowledged at that time that it had denied two local activists access to courses. This was described as a “suspension”, based on allegations of abusive and intimidating behaviour by the activists concerned. The CBP representative agreed to lift this suspension at the time, although the two activists concerned reported that they continued to be denied access to CBP courses. The fact that it was felt to be necessary for officials from CEC and Communities Scotland to intervene in this matter demonstrates a lack of confidence in the CBP Management Board’s ability or willingness to address the issues.

There can be no doubt that CBP was restricting access to courses for at least some of the complainants prior to 25 April. This is acknowledged in the project's written response.

The CBP position is that the two LPAG representatives were excluded as a result of their behaviour – in particular their criticism of CBP staff and Board members on the community website www.realcraigmillar.com.

It is also alleged that a complaint made by the CBP about LPAG was not resolved to the CBP's satisfaction, thus justifying the exclusion.

There is no evidence as to how and when this "decision" to exclude the two LPAG members was taken, or that it was ever formally communicated to the individuals concerned.

CBP report that the ban was lifted following the meeting with CEC staff, and that both complainants were subsequently enrolled onto courses (which they did not attend), prior to the re-introduction of the ban for different stated reasons in July 2007.

The CBP representatives also acknowledged (unprompted) that another of the complainants was not welcome at the project. This was initially described as being on the grounds that he lives in Magdalene which is outwith the boundary defined in their SIP and European funding. However it was clear from subsequent comments that this complainant would have been excluded for other reasons, again largely connected with the www.realcraigmillar.com website and related activities.

The CBP provided a copy of the enrolment notes for course participants, which specify that they may be excluded if they are felt to be disrupting the event. Their Health and Safety policy also covers the need to maintain a safe working environment for project staff and course participants. It was interesting that a project with the objectives of building confidence and skills in individuals should feel the need to rely to such an extent on rules such as these to deal with individuals rather than a more coaching approach.

It should be noted that none of the complainants were excluded as a result of their behaviour at CBP events. This again indicates a blurring of the roles of those involved. It seems clear that CBP services should be available to all, and that the only reasonable grounds for exclusion should relate directly to conduct at CBP activities. It would also be expected that any tutors delivering CBP courses should be able to deal with a degree of challenging behaviour from course participants without resorting to exclusion. It is in the nature of the work being undertaken that clients will require considerable support.

There was no formal communication of the decision to exclude the complainants, and apparently no right of appeal. This approach runs contrary to natural justice, and is confusing for all of those involved. It also undermines the CBP's own position in that it can be construed as being arbitrary and used to disadvantage those who fall out with key people within CBP.

It could reasonably be expected that the Management Board would wish to take an overview of any exclusions, and to ensure that a high standard of transparency and accountability was maintained. There is no evidence that this occurred; indeed, the Board members interviewed demonstrated contempt for the excluded individuals, and were keen to assert what they saw as the right of the CBP to exclude those with whom they disagreed. This has raised concerns regarding the professionalism and commitment to the ethos of the project of those involved.

As a publicly funded organisation working in a disadvantaged community it is clearly a fundamental principle that CBP resources should be available to all of those within the community. If in exceptional circumstances it is felt necessary to effectively suspend an individual then the reasons for this should be clearly stated and the whole process transparent. It was felt to be an accepted fact among those interviewed that anyone who fell out with key figures within the CBP could be excluded. Apart from the impact on the individuals concerned, this is damaging to the CBPs credibility and reputation in the community.

2. The CBP operates an unofficial “gatekeeping” approach to individuals seeking to access courses and other services. This includes the role of Mike Bell, (a CBP Development Worker) in providing support for community representatives.

The complainants and others interviewed made reference to a culture whereby CBP services are seen to be the preserve of some sections of the community, to the exclusion of others. In part this relates to the courses issue described above, with applicants being told that a requested course was full, or might not be run due to lack of interest. It is alleged that this is used as a tactic to put some people off attending.

It was also felt that many of those attending the CBP courses which did take place were workers from other local projects rather than independent members of the public. (It is a feature of community activity in Craigmillar that a number of project workers are also active locally in a different capacity.) Some also felt that other CBP events (e.g. the monthly community lunches) were now aimed more at the workers from other local projects than at members of the public.

The CBP provided information listing courses run and numbers attending in recent months. This shows that those events which have taken place have been fully subscribed. There is no information on those who were unable to be included on a course for whatever reason.

CBP describe their geographical area of operation as being greater Craigmillar including part of Bingham (based on the SIP funding regime). Their European funding does not include the Bingham area. However it was acknowledged that those living outwith these areas could participate in CBP events under certain circumstances (e.g. if a course was otherwise under subscribed). Decisions on this appear to be arbitrary and made on a case by case basis.

CBP contend that it is a clear part of the role of the project to provide services for workers from other local projects. A variety of information was provided to demonstrate the number and range of individuals and groups using CBP services. The CBP position appears to be that those individuals and groups who choose not to engage with them are out of step with the views of the wider community.

The complainants and others also referred specifically to the role of Mike Bell who is employed by the CBP via Empowering Communities funding. A specific function of this role is to provide support to the four community representatives on the Craigmillar Partnership Board. It was felt that two of the representatives were effectively excluded from this service on the basis that they have disagreed with some CBP staff and Board members in the past. Both of these individuals confirmed this, and said they used another local project as support.

The CBP position is that the representatives chose not to use their services following disagreements over the future regeneration of Craigmillar. Although it was stated that the individuals would be welcome to use CBP services, it was also clear that there is no prospect of a productive working relationship between the parties. CBP Board members were particularly disparaging about the individuals concerned.

Overall the CBP position appears to be that it takes a policy direction from the Craigmillar Community Council. Those who do not support this position are viewed with suspicion, and are not felt to represent the “genuine” views of the community. This approach runs contrary to the CBP’s stated objective of providing a service to all sections of the community.

This group of allegations is less tangible and it is harder to come to a conclusive view on them. However, all of those interviewed (including some officials) made unprompted reference to this situation, and gave the same general picture of the way the CBP is seen to operate.

This reinforces the widely held view that the CBP works with one section of the community, to the exclusion of those individuals and groups who are seen to disagree with CBP staff and Board Members. The CBP representatives effectively confirmed this. CBP Board members displayed a high degree of hostility towards those perceived as disagreeing with their own views on the regeneration of the area.

3. That CBP workers have behaved inappropriately when contacted by or dealing with members of the public. This includes allegations of swearing and abusive behaviour against David Walker (CBP Co-ordinator) and Mike Bell (Development Worker)

In the course of the interviews a number of allegations were made about inappropriate, abusive, and in some cases threatening behaviour involving CBP staff, Board members, and others connected with the project. Several of these related to incidents not directly connected to the CBP, for example at Community Council and other meetings which the

CBP staff were attending in a personal capacity. As such these were felt to be outwith the scope of the investigation. However, these accounts were generally consistent and will again have damaged the credibility and reputation of the CBP and its staff.

There were some further complaints regarding the conduct of staff while carrying out their duties within the CBP. These are largely in relation to telephone callers to CBP being shouted at or abused when enquiring about access to courses or other CBP events. Two complainants spoke of being told to “f*** off” when phoning the CBP office. Another interviewee reported being subjected to a tirade of abuse from a CBP worker at a public meeting.

The complaints relating to telephone calls are difficult to prove conclusively, unless taped or witnessed, but the accounts given were generally consistent. Again, several interviewees raised these issues without being prompted.

The CBP written response categorically denies any such incidents have taken place, and asks that specific details or any such incident be passed on to the Management Board or the Police.

Complaints about the conduct of staff members would normally be made to the Project Co-ordinator, or to the Management Board as the employing body. It would be expected that any such matters, if proven, would then be pursued as a disciplinary or performance issue. None of those interviewed felt there was any benefit to be gained by making formal complaints in this way.

It should also be pointed out that similar allegations and counter-allegations were made by a number of interviewees including the CBP representatives.

In the circumstances it is impossible to come to a clear conclusion on the veracity or otherwise of any of these allegations. However there is equally no reason to disbelieve the substance of any of this series of allegations.

Conclusions

Context

In the course of the investigation it has become clear that the main complaint under investigation is merely a symptom of more deep rooted problems and divisions which have existed in the area for years relating to community development practice and regeneration. Over the years previous investigations have been carried out into similar issues. A judicial review of the electoral procedures of Craigmillar Community Council will take place later this year. During the investigation two of the complainants were charged with breach of the peace.

It is important to understand the background under which these complaints have been made, in order to begin to resolve the deep-rooted problems which exist in Craigmillar.

Role of CBP project staff

Many of those interviewed felt that some of the CBP staff and Board members did not operate impartially. Their dual role as community activists and their close connections with other locally funded projects was regarded as being at the root of the problem. Whilst it is legitimate for project staff to support local activists and volunteers this should not be to further their own personal and political views and beliefs, in short they should not be viewed as dominating the agenda or local decision making processes. The appropriate professional boundaries do not appear to be clear to project staff.

Consideration should be given to the introduction of a code of conduct for staff involved in community activities outwith the workplace.

Procedure for Accessing Courses

It is true that some of the complainants were refused access to CBP courses, the CBP do not deny this. The CBP claim the malicious behaviour by some people towards project staff led them to make this decision. It may be the case that some of the complainants did this in order to further their campaign against the project. Whatever the rights or wrongs, there are a number of areas where the project has failed to operate in a manner which would be regarded as good practice. Although the CBP has a detailed course recruitment policy which is underpinned by equal opportunities the following issues require to be addressed

- The procedure for accessing courses is not straightforward, transparent and consistently applied CBP Admin staffs are not able to register people directly onto courses.
- All applicants do not receive confirmation of their place or reasons why they have been unsuccessful.
- Operational boundaries are used to exclude certain individuals. This is despite the fact that places permitting; CBP course policy does allow places to people outside the boundary.

Intimidating and threatening behaviour of CBP Staff

Whilst it is clear from the investigation that the behaviour of all parties has been far from desirable, it is of concern that full time CBP staff have been reported to have behaved in an intimidating manner to members of the public and council officials. Whilst this cannot be categorically denied or proved, it is clear that there is no defined code of conduct that sets out appropriate professional boundaries for project staff and neither is this reinforced either through training or by management practice.

Monitoring and Evaluation Systems

The current monitoring and evaluation systems in place; the SMAR forms and the Partnership monitoring forms are inadequate for assessing the quality of work. The SMAR forms are mainly concerned with management and composition of project staff and management committee and project policies and guidelines. The Partnership monitoring form is used for data collection only and not for assessment purposes. It would therefore be possible to tick all the boxes and reveal very little about the quality of a project or highlight any underlying issues. In particular it is not clear what is done to attract “new” participants in CBP events. A more rigorous system of monitoring and evaluation including inspection visits, customer evaluations and reports from other local organisations would help to address these issues.

Governance Arrangements

There appears to be a belief that the prevailing ideologies of CBP Board and of some staff members have a dominant effect on the management of the project. It is perceived that the board lacks the objectivity to deal effectively with complaints about the structure of the project or its staff. This leaves the project open to criticism. The Management Board has a responsibility to monitor the project and direct the operation and delivery of the project. It is clear that a number of key potential service users and other stakeholders do not have confidence in the ability of the Management Board as currently constituted to deliver these objectives, or to deal impartially with complaints about the project or its staff.

The Role of the Link Officer

The role of the link officer for this project is a difficult one. Providing the dual role of ‘support’ and ‘evaluation’ is not easy for one link officer to deliver. Supporting two opposing local groups also puts the link officer in a tricky position. The role as currently defined has not allowed sufficient scrutiny and challenge of the performance of the CBP.