

COMPLAINTS PROCEDURE

TABLE OF CONTENTS

<i>DEALING WITH COMPLAINTS, GRIEVANCES AND DISCIPLINARY MATTERS</i>	2
<i>MEMBER CODE OF CONDUCT</i>	2
<i>COMPLAINTS PROCEDURE</i>	3
<i>Informal process</i>	3
<i>Formal process</i>	4
<i>Decision</i>	4
<i>Right of appeal</i>	5
APPENDIX:	6
ROLE OF INVESTIGATING TRUSTEE – COMPLAINTS/GRIEVANCE/DISCIPLINARY PROCEDURES	6
DOCUMENT HISTORY	7

DEALING WITH COMPLAINTS, GRIEVANCES AND DISCIPLINARY MATTERS

Occasionally U3As will encounter difficulties that impact on the running of the U3A. These can include:

- A complaint from an individual member
- A complaint from an external organisation
- Concerns about the behaviour of a member or a Trustee
- Conflict arising between members which may include committee members

The first step will be to try to attempt an informal resolution in such a way that will be satisfactory to all those involved. These procedures detail an approach to informal resolution as well as highlighting the steps that U3As can take where more formal procedures including a grievance or disciplinary action are required.

MEMBER CODE OF CONDUCT

- U3A members are expected to conduct themselves within the movements “guiding principles”. They are also expected to treat each other with dignity and respect.
- The member Code of Conduct clarifies the standard of behaviour expected as a member of a U3A
- Members are expected to know, follow and promote the Principles of the U3A Movement at every opportunity
- Members must always act in the best interests of Saltburn District U3A and the U3A Movement, strive to uphold its reputation and never do anything which could bring Saltburn District U3A or the U3A Movement into disrepute or expose it to undue risk
- Members are expected to use Saltburn District U3A’s resources responsibly and only to further its stated charitable objects/purposes
- Members are expected to reflect the current organisational policy of Saltburn District U3A, regardless of whether it conflicts with their personal views
- Members are expected to abide by Saltburn District U3A’s procedures and practices
- Members are expected to treat each other with dignity and respect at all times

COMPLAINTS PROCEDURE

In any organisation, complaints will occur from time to time and it is important that members know where to turn for help, advice and support, so that whatever the issue, it can be dealt with quickly, objectively and appropriately. In the first instance, complaints should be directed towards the Committee of the U3A. This may include complaints from members about an issue that has arisen or complaints from an external organisation or individual. Depending on the nature and source of the complaint, the Committee will make a decision as to how best to approach reaching a resolution.

In dealing with complaints the Saltburn District U3A Committee will ensure:

- All actions will be documented.
- Complaints will be dealt with quickly and fairly.
- The U3A Committee will try to de-escalate the situation and settle issues without having to resort to formal action, where possible.
- Confidentiality will be maintained.
 - For more serious complaints the Committee may need to liaise with and share information with the Third Age Trust. This will not constitute a data breach due to the U3A's membership of and affiliation with the Trust.
- Decisions made will be based on the facts and evidence gathered.

In most cases, it is hoped that complaints can be dealt with informally as detailed below:

INFORMAL PROCESS

The Groups' Co-ordinator or designated Trustee will first attempt informal resolution, by holding an informal discussion with each party concerned. The purpose of this would be to understand the problem and hear each party's views. The parties may decide to put their concerns or complaints in writing, and for the sake of clarity this is often helpful. The Groups' Co-ordinator or designated Trustee will seek to summarise the situation with both parties, be clear about any required changes to ensure it does not happen again and clear the air.

If the Groups' Coordinator or designated Trustee feel that there is a case to answer but that nevertheless it is a minor issue, then it should be made clear to the relevant parties that there must be no repeat of the sort of actions/behaviour which led to this problem. If that outcome is accepted by both parties, then no further action is necessary.

If the Groups' Coordinator or designated Trustee feels that the situation warrants a more formal approach or a specific course of action e.g. exclusion from an interest group, or if the person raising the complaint wishes to lodge a formal complaint, the Groups' Coordinator or Trustee will refer the matter, in writing, to the Chair of the U3A Committee stating that this is a formal complaint. This will include a summary of the complaint, any steps already taken to deal with the issue and any action that the parties involved consider necessary to resolve it.

If it requires more or informal resolution does not resolve the matter then the following process will be implemented

FORMAL PROCESS

The Committee will appoint a Trustee who acts as the designated Trustee for managing complaints. The Committee may also contact the Third Age Trust and request support from the Regional Trustee, a Trust volunteer and/or National Office staff. The Committee will inform the complainant that additional support has been requested and the reasons why.

The member will be asked to put the complaint in writing giving specific dates and times – where possible.

A letter or email will be sent to the complainant confirming receipt of the complaint and:

- If the complaint is deemed to be a ***grievance*** the letter should confirm that the grievance policy will be followed.
- If the complaint is deemed to be a ***disciplinary*** matter then the disciplinary procedure will be followed.
- If the complaint is deemed to not involve a grievance or disciplinary matter then the ***following*** process will be undertaken.

The Chair will appoint an investigating Trustee to gather information relating to the complaint. This will include the letter of complaint and any supporting documentation or other member statements. The result of these investigations must not be disclosed to any other Trustees at this stage, in order to not bias any appeal.

The Chair will appoint a subcommittee of three committee members to hear the complaint. The timetable for the date of the meeting to hear the complaint will be short, within 14 days.

The subcommittee will then review the matter, considering any mitigating circumstances and agree what action to take.

This could include, for example, a change of procedures, a change of venue for monthly meetings or whatever outcome is deemed the most appropriate as a solution.

DECISION

The subcommittee decision will be communicated in writing to both the member or Trustee who raised the complaint and the member or Trustee against who the complaint has been made. Both parties will be informed as to the outcome of the investigation in respect of whether the complaint has been upheld or not upheld.

If the complaint has been upheld, the letter will also specify what action will be taken as a result.

RIGHT OF APPEAL

A right of appeal should be offered providing it is lodged within a 7-day period from the date of the subcommittee decision being provided to the complainant and the member or Trustee against whom the complaint has been made. The appeal needs to be lodged in the form of a written representation for the Committee to consider.

An appeal can be lodged either by the person who made the complaint or by the person against whom the complaint has been made.

The appeal can include a request for a right of reply as well as written representations.

For the appeal, the Chair will convene a meeting of three Trustees (including him/herself). This should not include those who were involved in the in the initial investigation.

The person raising the appeal will be offered a verbal right of reply, if s/he wishes to take this up then s/he will be asked to attend a meeting with the appeal panel. Where the verbal right of reply involves the member or Trustee against whom the complaint has been made, s/he will be offered the option to attend with a companion who may also speak in a personal capacity.

The whole issue will be summarised and the person making the appeal will be given the opportunity to speak. The appeal panel will review the decision based only on the facts included in the original hearing, taking into account any mitigating circumstances, and then make a final decision, which must be communicated in writing to both parties.

APPENDIX:

ROLE OF INVESTIGATING TRUSTEE – COMPLAINTS/GRIEVANCE/DISCIPLINARY PROCEDURES

- Ensure absolute confidentiality – information should only be discussed/shared with relevant parties as directed by Chair
- Interview involved members to determine facts of incident/event/alleged complaint
- Invite and accept only factual comments, without judgement or opinion
- Record accurately, using actual words of interviewees wherever possible
- If other members are named as witnesses, attempt to gather contact details so that they may be asked to provide supporting statements
- Avoid dialogue relating to procedural processes; focus only on ascertaining facts related to the original complaint and avoid giving own opinions or judgements
- Collate information to send to Chair by agreed date

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