

Dundee U3A Complaints Procedure

1 Introduction

This procedure sets out how Dundee U3A will approach problems related to any complaint by a member or Committee Member. This procedure is intended to ensure any issues are dealt with promptly, fairly and consistently.

It is hoped that complaints can be dealt with informally (i.e. clarification of e.g. behaviours and points of view, seek agreement on changes required etc.) between the parties before reference to the Committee for formal action.

If a complaint cannot be resolved informally the matter should be referred for initiation of a formal procedure as described in Section 4

In dealing formally with complaints the Dundee U3A Committee (hereafter the Committee) will ensure:

- every action will be documented.
- complaints will be dealt with quickly, fairly and with discretion.
- confidentiality will be maintained.
- decisions made will be based on the evidence gathered.

2 Confidentiality

All procedures and documents relating to the complaint will be kept confidential at all times. Information will only be shared with those who have a need to receive it. All complaints will be dealt with discreetly and with respect to the parties involved.

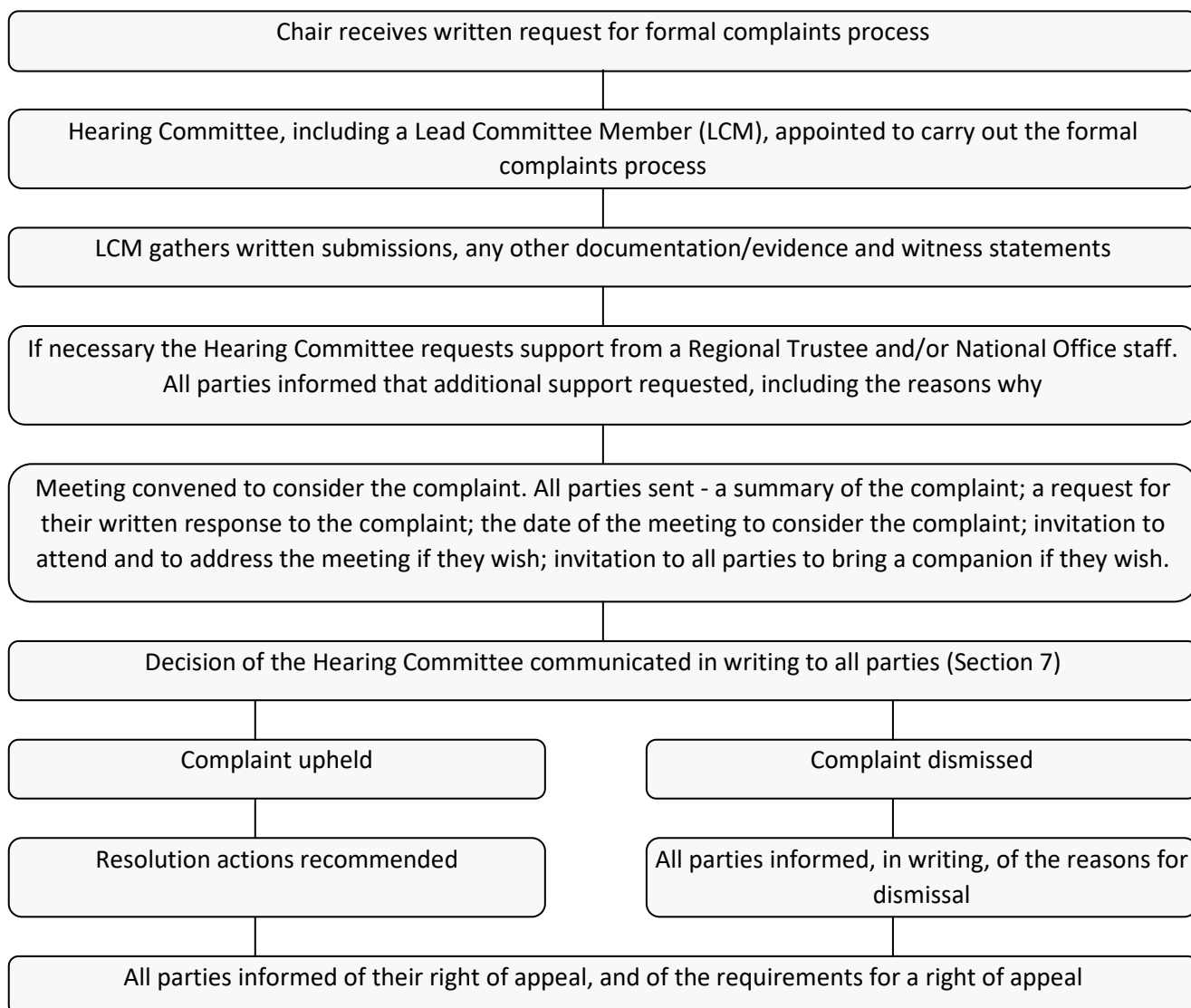
3 Flowchart

See below:

(Flowchart)

This flowchart summarises the possible actions and outcomes described in this Procedure.

Formal process
(Section 6)



Possible forms of resolution actions:

1. Changes to the organisation of the group.
2. Changes to procedures.
3. A change of venue for group meetings.
4. Recommendations for change of behaviour.
5. A verbal warning about future conduct by an elected committee member, with another committee member present, details of which are confirmed in writing.
6. A written warning which clearly states what will happen if the situation is repeated.
7. A final written warning, which if breached will result in automatic escalation to levels 8, 9 or 10
8. Member exclusion from a group.
9. Member excluded from leading a group.
10. Termination of U3A membership.

Appeals process (Section 8)

The appeal, relating only to the original complaint, submitted in writing to the Chair of the Committee within 7 days from the date of the Hearing Committee decision being provided to the parties.

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

Chair convenes an Appeal Panel of 3 Committee members (including him/herself), not including those involved in the initial investigation.

Appellant offered a verbal right of reply, which necessitates a meeting with the appeal panel. Any member who is the subject of a complaint offered the option to attend with a companion who may also speak in a personal capacity.

At the appeal hearing the appeal panel will summarise the original complaint, the evidence gathered and the complaints process. The parties will then be given the opportunity to speak, along with their companion, if they wish to.

The appeal panel will review the decision based on:

- written responses, information gathered and any other evidence included in the original hearing, taking into account any mitigating circumstances,
- verbal and written representations to the appeal hearing.

The final decision of the appeal panel communicated in writing to all parties within 7 days of the appeal meeting.

The decision must be minuted and these minutes must be kept confidential.

The appeal panel's decision following any appeal is final and confidentiality must be maintained.

4 Complaints from members

Such complaints may be by a:

- Group member against another member of the same Group
- Group member against the Group Leader
- Group Leader against a member of the Group
- Group Leader against a Group Leader

Complaints between Group members should be referred in the first instance to the Group Leader.

Referrals in the following cases must be submitted in writing:

- Complaints between Groups or Group Leaders should be referred in the first instance to the Groups Coordinator.

- Complaints between members within Group contexts should be referred in the first instance to the Groups Coordinator.
- Complaints between members in other contexts should be referred to the Chair.
- Complaints against Committee Members shall be referred to the Chair.

5 Complaints from other sources

The Chair shall appoint a Committee Member to attempt to resolve the complaint informally.

If the complaint cannot be resolved informally the Chair will appoint a Hearing Committee to undertake a formal hearing process.

6 Formal process

The formal complaints procedure should only be activated after every effort has been made to resolve the issue informally.

The Chair will appoint a Hearing Committee of 3 Committee Members (one of whom should be the Groups Coordinator if appropriate unless he/she is the subject of the complaint) who are not involved or connected to any party in the complaint, one of whom must be designated Chair for that meeting. The U3A Chair will not take part at this stage.

The Hearing Committee Chair will ask all parties to submit details of the complaint, in writing, of the circumstances giving rise to the complaint. The submissions should be clear and specific, with dates and times if relevant.

The Hearing Committee Chair may also gather any other supporting documentation or other member statements.

The details of the complaint investigations must not be disclosed to any other persons at this stage.

If deemed necessary the Committee may liaise with and share information with the Third Age Trust and request support from a Regional Trustee and/or National Office staff.

The Hearing Committee Chair will inform all parties that additional support has been requested and of the reasons why. This will not constitute a data breach due to the U3A's membership of and affiliation with the Trust.

The Hearing Committee Chair should advise all parties that a Hearing Committee meeting will be convened to consider the complaint. The meeting should be held as soon as practicable.

All parties shall be informed in writing:

- summarising the complaint
- advising them of the date of the meeting
- advising that they can also attend the Hearing Committee meeting to state their response in person to their written response
- advising them they may choose to bring a companion if they wish, who will also be bound by confidentiality

7 Decision

The Hearing Committee Chair will inform all parties, in writing, of the outcome of the investigation in respect of whether the complaint has been upheld or not upheld.

The reasons for the decision will be clearly stated.

If the complaint has been upheld, the written communication will also specify what action will be taken as a result. This could include, for example, a change of procedures, a change of venue for Group meetings, changes in behaviour, member exclusion from a Group, member expulsion from the U3A or other action deemed necessary to resolve the complaint.

All parties will be informed of their right of appeal, and of the requirements for a right of appeal.

8 Right of appeal

A right of appeal against the decision must be submitted in writing to the U3A Chair within 7 days of the date of the Hearing Committee decision being provided to the parties.

The appeal can only relate to the original complaint.

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 Committee members (including him/herself). This should not include those who were involved in the initial investigation. Appeal panel members must not discuss the complaint with anyone other than the other appeal panel members.

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 relates to the party 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.

At the appeal hearing the appeal panel will summarise the original complaint, the evidence gathered and the complaints process. The parties will then be given the opportunity to speak, along with their companion, if they wish to.

The appeal panel will review the decision based on:

- written responses, information gathered and any other evidence included in the original hearing, taking into account any mitigating circumstances,
- verbal and written representations to the appeal hearing.

The decision must be minuted and these minutes must be kept confidential.

The decision of the appeal panel is final and must be communicated in writing to all parties within 7 days of the appeal meeting.

If deemed necessary the appeal panel may also advise the Chair that Disciplinary Procedures (see separate document) should be initiated.

3 December 2019