

## Durham u3a 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 decide as to how best to approach reaching a resolution.

In dealing with the complaints the 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.
- 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 Chair 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 Chair 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 Chair feels 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 Chair 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 matter will be designated in writing as 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 if informal resolution does not resolve the matter, then the following process will be implemented.

### Formal process

Durham u3a 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 complainant 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 disciplinary 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 Trustee at this stage, in order to not bias any appeal.

The Chair will appoint a sub-committee of three members to hear the complaint.

The timetable for the date of the meeting to hear the complaint will be short, within 14 days.

The sub-committee will then consider the matter, taking into account 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 sub-committee decision will be communicated in writing to both the member or Trustee who raised the complaint and the member or Trustee against whom 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 14-day period from the date of the sub-committee 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 her/himself). This should not include those who were involved 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 account of any mitigating circumstances, and then make a final decision, which must be communicated to both parties.

### Provisos

1. Any complaint must always be dealt with under procedure extant at the date of the complaint.
2. The complainant and defendant must be provided with copies of the procedure(s) to be used. Similarly, if any decision is taken to escalate from an informal to a formal procedure, details of the escalated procedure must be provided to both the complainant and the defendant.
3. Any notes of meetings at which the complainant or defendant were present should be made available to them.
4. No person who was present or has personal knowledge of or involvement in incidents leading to the complaint should sit on any sub-committee or panel.
5. No person who has real or perceived conflict of interest should sit on any sub-committee or panel.

This procedure was adopted on: 24 May 2019

Reviewed : November 2021