

EAST RENFREWSHIRE u3a GRIEVANCE PROCEDURES

These Grievance Procedures will be used when there has been a complaint about a breach of East Renfrewshire u3a's Members' Code of Conduct and/or a Trustee has breached the u3a Trust's Code of Conduct for Trustees or it has come to the notice of the Trustees that such breaches have taken place.

1) **The Hearing Committee**

When this happens the Chair (or Vice Chair if the grievance is against the Chair) will be the lead person for dealing with the grievance and along with two other Trustees (committee members), who are not involved in the grievance, will form a subcommittee to investigate the grievance. This subcommittee will probably be the same subcommittee that decided which procedures would be used to deal with the complaint.

The remit of this subcommittee will be to resolve the situation and either informal and/or formal procedures will be initiated during which:

- All actions will be documented.
- A letter or email will be sent to the complainant confirming receipt of the grievance.
- The grievance will be dealt with fairly and quickly and show respect for the parties involved.
- The most appropriate person(s) from the subcommittee will try to de-escalate the situation and settle issues, where possible, without having to resort to more formal actions.
- Confidentiality will be maintained within the subcommittee at this stage, in order to not bias any appeal.
- For more serious grievances, the subcommittee may need to liaise with and share information with the Third Age Trust and this will not constitute a data breach due to the u3a's membership of and affiliation to the Trust.
- Decisions made will be based on the facts and the evidence gathered.

East Renfrewshire u3a's Disciplinary Procedures will be implemented once all steps that have been taken to resolve matters informally have been unsuccessful and/or where a matter is deemed by the subcommittee to be so serious that the only relevant course of action is to follow East Renfrewshire u3a's Disciplinary Procedure.

2) **Serious Grievance**

In the case of an extremely serious grievance – see below – the member will be instructed not to attend any East Renfrewshire u3a meetings until the grievance has been resolved.

Examples of an extremely serious grievance are:

- Sexual/racial abuse, discrimination, harassment, bullying;
- Dangerous or violent behaviour;
- Falsification of an expenses claim;
- Theft;
- Malicious damage.
- Conduct which brings East Renfrewshire u3a into disrepute or is prejudicial to it or its running.

3) Informal Procedures

- a) The initial stage, which will begin within 7 days of receiving the grievance, will involve checking with the party raising the grievance as to whether they are willing to accept an informal outcome as opposed to going through a formal procedure. They will also be asked what outcome they are hoping to achieve by making the complaint, for example, whether they would be prepared to accept an apology. However, the complainant will be made aware that their desired outcome cannot be guaranteed.
- b) The most appropriate person(s) from the subcommittee will hold informal discussions with all the relevant parties to understand the problem and hear each party's views. It may be helpful for the parties to put their concerns or complaints in writing for the sake of clarity. If there are several people involved with the grievance, it may be deemed appropriate to speak with others mentioned so that as full a picture as possible is obtained. The purpose of these informal meetings will be to seek to summarise the situation with both parties, to decide if a breach has taken place.
- c) If the subcommittee feels that there:
 - has not been a breach, no further action will be taken.
 - is a case to answer, but it is a minor issue and all parties are willing to accept the agreed outcome then the lead person will make it clear that there should be no repeat of the actions/behaviour and that no further action will take place.
 - is a case to answer and that the issue cannot be resolved by the informal procedures, then the Formal Procedures will be used.

A record of these procedures and their outcome should be kept by the Chair or Vice Chair. The whole committee may be informed that a Grievance Procedure is taking place against a member and the outcome at this stage, but not any of the details.

4) Formal Procedures

- a) If the informal procedures are not effective in reaching a solution or if it is felt that the alleged breach is serious enough to require formal disciplinary action, the subcommittee will arrange a meeting with the complainant within 14 days of the receipt of the grievance. An email or letter will be sent to the member who is alleged to have breached East Renfrewshire u3a's Members' Code of Conduct and/or the Trust's Code for Trustees for the purpose of:
 - Advising they are subject to a formal disciplinary procedure;
 - Advising them of what constitutes the alleged breach of East Renfrewshire u3a's Members' Code of Conduct and will include the letter of complaint or how the grievance came to the committee's notice and any supporting documentation or other member statements;
 - Asking for their response to the breach in writing;
 - Advising them of the date of the subcommittee meeting;
 - Advising that they can also attend this meeting to state their response in addition to their written response and that if they wish, they may bring a companion with them, who may also speak in a personal capacity, but not answer on behalf of the member and will also be bound by confidentiality.

- b) The subcommittee will contact any witnesses to the grievance to determine if they are willing to give statements relating to the specific incident. It is important that any statements taken are a factual representation of what the witness says and not an interpretation or opinion of what they say.
- c) The other person(s) involved in the grievance will be offered the option to attend and speak and if they wish, they may bring a companion with them, who may also speak in a personal capacity, but not answer on behalf of the member and will also be bound by confidentiality.
- d) At the meeting the subcommittee will examine the grievance, considering any written statements submitted, verbal statements and any mitigating circumstances and will then consider what level of disciplinary action should take place using the East Renfrewshire u3a's Disciplinary Procedures.

A record of the procedures and their outcome should be kept by the Chair or Vice Chair. The whole committee may be informed that a Grievance Procedure has taken place against a member, but not any of the details.

5) **Decision**

The decision will be communicated by an email or letter to the people involved advising them:

- Of the decision which has been reached;
- What action will be taken;
- That they have the right of appeal;
- That the right of appeal can only relate to the original breach;
- That the appeal request must be lodged with the lead person within 7 days from the date the decision is communicated.

6) **Right of Appeal**

- a) A right of appeal will be offered, providing it is lodged within 7 days from the date of the subcommittee decision being provided to the complainant and the member against whom the grievance has been made.
- b) The appeal needs to be lodged in the form of a written representation to the lead person for the subcommittee to consider. An appeal can be lodged by either party in the grievance procedure and it should contain the reasons for the appeal request.
- c) The lead person will inform the Vice Chair (or Secretary if the breach involves the Chair) that an appeal panel needs to be convened and that they will be the lead person for the appeal. The appeal panel will consist of three Trustees (including the Vice Chair or Secretary), who were not involved in the initial investigation and a meeting of the appeal panel will be convened within 14 days of the receipt of the appeal. All the information from the formal procedures will be shared with the appeal panel.
- d) The person raising the appeal will be offered a verbal right of reply, if they wish to take this up then they will be asked to attend the meeting with the appeal panel and if they wish, they

may bring a companion with them, who may also speak in a personal capacity but not answer on behalf of the member and will also be bound by confidentiality.

- e) The other person(s) involved in the grievance will be offered the option to attend and speak and, if they wish, they may bring a companion with them, who may also speak in a personal capacity, but not answer on behalf of the member and will also be bound by confidentiality.
- f) The whole issue will be summarised and the appeal panel will consider the written and/or verbal statements presented to them and review the information put forward in the original formal grievance procedures and then make a final decision, which must be communicated in an email or letter to all parties and the original subcommittee within 7 days of the appeal hearing.
- g) The decision following any appeal is final and absolute confidentiality must be maintained.

7) Record

A record of the procedures and their outcome should be kept by the Vice Chair or Secretary. The whole committee may be informed that a Grievance Procedure has taken place against a member and the outcome, but not any of the details.

All records from these Grievance Procedures will be kept for 7 years or until the member leaves East Renfrewshire u3a if that is before the 7-year deadline.

| u3a REVISION | | | |
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| Rev | Description | Review Date | Next Review |
| 1 | Grievance Procedure approved by Committee | 01/22 | 01/24 |
| 2 | Procedure Review: no change to procedure wording, headings, numbering and formatting amended. Revision Panel added. | 25/01/24 | 24/01/26 |