

# **HAVANT U3A - COMPLAINTS PROCEDURE**

## **1 Introduction**

This document follows the precedent prepared by The Third Age Trust.

## **2 Process**

### **2.1 Statement.**

When a complaint is raised it is important that members know where to turn for help, advice and support. The issue needs to be dealt with quickly, objectively and appropriately. In the first instance, complaints should be directed towards the Committee of the Havant U3A. This may include complaints from members about an issue 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 reach a resolution.

The Havant U3A Committee will ensure that:

- all actions are documented;
- complaints will be dealt with quickly and fairly;
- an attempt is made to de-escalate the situation where possible 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 Havant 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.

### **2.2 Informal process.**

The group convener will first attempt an informal resolution, by holding an informal discussion with each party concerned. The purpose of this is 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 group convener will seek to resolve the situation with both parties and take the appropriate action to ensure it does not happen again and clear the air.

If the group convener feels that he or she requires the assistance of the Committee he or she can, of course, call upon the Committee for help.

If the group convener feels that there is a case to answer but that it is only a minor issue, it should be made clear to the relevant parties that the sort of actions or behaviour which led to the problem should not be repeated. If that outcome is accepted by both parties, no further action is necessary.

If the group convener 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 group

convener will refer the matter, in writing or by email, to the Chair of the Havant 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;
- any action that the parties involved consider necessary to resolve it.

If further action is required then the following formal process will need to be implemented.

### **2.3 Formal process.**

The Committee will appoint a trustee to act as the Designated Trustee for managing the complaint. The Committee may also contact the Third Age Trust and request support from the Regional Trustee, a Trust volunteer and/or from 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,
- to give specific dates and times – where possible.

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

- 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 disciplinary matter, the following process will be undertaken:
- the Chair will ask the Designated Trustee to gather information relating to the complaint;
- this will include the letter of complaint and any supporting documentation or other member statements or statements from any outside source;
- the result of these investigations must not be disclosed to any other trustees at this stage in order to not prejudice 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 consider the matter, taking into account any mitigating circumstances and agree what action to take.

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

### **2.4 Decision.**

The subcommittee's decision will be communicated in writing or email to both the member, trustee or outside source who raised the complaint and the member or trustee against whom the complaint has been made. Both parties will be informed in writing of the outcome of the investigation and whether the

complaint has been upheld or not. If the complaint has been upheld, the letter or email will also specify what action will be taken as a result.

## **2.5 Right of appeal.**

- A right of appeal will be offered providing it is lodged within a 7 day period from the date of the subcommittee's 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 may be lodged either by the person who made the complaint or by the person against whom the complaint has been made.

For the appeal:

- the Chair will convene an appeal panel of three trustees, including him/herself, but excluding those who were involved in the in the initial hearing:
- both parties will be offered the opportunity to make written representations and to attend and speak and both may bring a companion to speak on their behalf.

The appeal panel will review the decision based only on the facts included in the original hearing and the written and oral representation made at the appeal hearing, taking into account any mitigating circumstances, and then make a final decision, which must be communicated in writing to both parties.

## **3 Document Control**

<b>DATE</b>	<b>ACTION</b>	<b>BY</b>	<b>COMMENTS</b>
26/06/2021	Created	John West	
27/06/2021	Amended	Peter Newman	Standardise formatting.