

Haxby & Wigginton u3a

Complaints and Grievance Procedure

1.0 Introduction

The Third Age Trust (TAT) makes a distinction between a complaint and a grievance as follows: A complaint concerns an issue that has arisen, and may be from a member, an external organisation, or an individual who is not a member.

A grievance concerns a breach, or suspected breach, of the Member Code of Conduct. This procedure covers both complaints and grievances.

Complaints or grievances within a group should initially be discussed with the Group Leader, in conjunction with the Groups Coordinator, if necessary. If the complaint or grievance is not resolved it should be presented to the committee and the procedure followed as described below.

All other complaints or grievances should be submitted to the committee, see 2.0 below. Depending on the nature and source of the complaint the committee will use their best endeavours to resolve the issue in accordance with this procedure.

In dealing with complaints, the Haxby and Wigginton u3a committee will ensure that:

- all actions are documented
- complaints are dealt with quickly and fairly
- efforts are made to de-escalate the situation and settle issues without having to resort to formal action
- confidentiality is maintained (for more serious complaints the committee may need to consult with and share information with the Third Age Trust)
- decisions made are based on the facts and evidence gathered.

1.1 Related Documentation

Haxby and Wigginton u3a - Member Code of Conduct

2.0 General Procedure

All complaints or grievances should be submitted in writing and addressed to the Chairman, Haxby and Wigginton u3a.

The complaint should provide detailed information of the issue, including specific dates and times, if relevant. It should also include a contact address/email and phone number.

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

3.0 Informal Procedure

The Chairman, or another Trustee (committee member), will first try to resolve the problem amicably and quickly, through an informal discussion with the member, individual or organisation in question.

The informal discussion will be clear, and all parties should understand their obligations at the end of the meeting.

A confidential written record of the outcome of the informal discussion will be sent to those involved and be kept by the Chairman.

If the informal procedure fails to reach a conclusion, or the complaint could result in disciplinary action, the formal procedure will be followed.

4.0 Formal Procedure

The committee will appoint a complaint subcommittee of three Trustees to investigate and hear the complaint.

This will include gathering information and conducting interviews related to the complaint. The person(s) against whom the complaint has been made will be informed about the basis of 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 not to bias any appeal.

The subcommittee will then consider the matter, consider any mitigating circumstances, and agree a decision.

5.0 Decision

The subcommittee decision will be communicated in writing to the member who raised the complaint and to the member(s) against whom the complaint has been made. All parties will be informed of 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 level of action will be taken as a result (see 6.0).

6.0 Level of Action

Level 1: No case to answer. No further action necessary.

Level 2: A verbal warning about future conduct, given by a Trustee with another Trustee present and includes a warning about future conduct. Details will be recorded and kept on file.

Level 3: A written warning from the Chairman which clearly states the improvement required and the consequences of continued non-compliance.

Level 4: A final written warning as above.

Level 5: Exclusion from an interest group.

Level 6: Termination of u3a membership.

7.0 Gross Misconduct

In the case of an extremely serious proven misdemeanour, for example:

- sexual/racial abuse, discrimination, harassment, bullying
- dangerous or violent behaviour
- falsification of expense claims
- theft
- malicious damage
- conduct which brings the u3a into disrepute or is prejudicial to the u3a or the running of the u3a.

In these circumstances, the committee has the right to move immediately to Level 4, 5 or 6.

If a criminal offence may have been committed, then the matter will be referred to the police.

8.0 Right of Appeal

Before any action is taken on a decision reached by the complaint subcommittee, the right to appeal will be offered to both the complainant and the member against whom the complaint was made. An appeal must be lodged within 7 days of a decision and submitted in writing to the Chairman.

For the appeal, the Chairman will convene an appeal panel of three Trustees, including him/herself. This should not include those who participated in the initial investigation.

If the member concerned requests a right of reply to the appeal panel, the member can be accompanied by a companion who may also speak in a personal capacity, if they wish.

The Chairman of the appeal panel will summarise the issues involved in the complaint and the information provided in the investigation. The member will then be given the opportunity to speak, along with their companion if the companion wishes to speak.

The appeal panel will review the complaint, the investigation, the decision of the Complaint subcommittee, the members verbal reply, if heard, consider any mitigating circumstances, and make a final decision. The appeal panel's decision is final and will be communicated in writing to all parties concerned.

All aspects of the appeal will be made and given in confidence. All participants must maintain this confidentiality.

01 July 2023

Next review date July 2025