

# Stour Valley U3A

## Outline procedures to deal with grievances, complaints and disciplinary matters

### Introduction

In any organisation, grievances and complaints may occur from time to time. It is important that members know where to turn for help, advice and support, so that an issue may be dealt with quickly and fairly.

Initially grievances and complaints should be directed – verbally or in writing - towards the Committee of the U3A via the Secretary, who will log the matter. Recognising that most problems would arise within Interest Groups, the Secretary will inform the Interest Group Co-ordinator. In the absence of a Group Co-ordinator, an Officer of the Committee will be informed. The informal process (see below) will then commence.

In dealing with grievances and complaints the U3A Committee will ensure:

1. All actions will be documented.
2. Complaints will be dealt with quickly and fairly without unnecessary delay and not involving any Committee member who may be seen as partial.
3. The U3A Committee will try to de-escalate the situation and settle issues without having to resort to formal action, where possible.
4. 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.
5. Decisions made will be based on the facts and evidence gathered.
6. Unless special circumstances exist, not action will be taken if a complaint is:
  - a) Anonymous
  - b) Vexatious
  - c) Trivial or insignificant
  - d) Is already or becomes part of a legal action
  - e) Is already or becomes part of another investigation by a responsible authority
  - f) Is already or becomes part of a criminal investigation
  - g) Is outside the remit or scope of the U3A Committee or Trustee responsibilities

### Informal process

1. The Group Coordinator will first attempt informal resolution, by holding an informal discussion with each party concerned. The discussion to be arranged within 14 days of the issue being reported to the Secretary. 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 Group Coordinator 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.
2. If the Group Coordinator 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 although notes will be kept and passed to the Secretary.

3. If the Group Coordinator 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 grievance or complaint wishes to lodge a formal complaint, the Group Coordinator will refer the matter, in writing, to the Secretary of the 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 and any action that the parties involved consider necessary to resolve it.

### Formal Process

1. The Committee will appoint a Trustee who has no discernible connection with the matter in hand. This person will act as the designated Trustee for managing the complaint. That Trustee will consult The Committee before contacting the Third Age Trust and requesting 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.
2. The Trustee will ask the complainant to provide a written copy of the grievance or complaint outlining the area of concern and providing as much detail as possible, if this has not been made available so far. This written copy to be produced within 14 days unless there are extenuating circumstances.
3. A letter or email will be sent to the complainant confirming receipt of the above and providing clear details of how the issue will be dealt with. If the complaint or grievance directly involves an individual U3A member(s), then they also will have details of the matter and the procedure to be followed.
4. The designated Trustee will gather information relating to the issue. This will include the letter of complaint or grievance and any supporting documentation or other member statements. The result of these investigations will be recorded but must not be disclosed to any other Committee members at this stage, in order to not bias any appeal. The designated Trustee will report to the Chair the need for a hearing to be arranged.
5. The Committee will appoint a subcommittee of three committee members – who have not been involved with the issue thus far - to hear the complaint or grievance by examining any information collected by the designated Trustee and by face to face meetings as appropriate.
6. The timetable for the date of the meeting to deal with the complaint will be short, usually within 14 days of a copy of the written complaint having been received, giving due consideration to commitments already in place.
7. The subcommittee will then consider the matter, taking into account any mitigating circumstances and agree what action to take. The decision will be communicated in writing to both the member who raised the complaint and the member(s) 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/grievance has been upheld or not upheld.

8. If the complaint has been upheld, the letter will also specify what action will be taken as a result.

### Right of appeal

Where a formal process has involved a dispute between individual members, a right of appeal should be offered providing it is lodged within a 7-day period from the date of the subcommittee decision being provided to the complainant and the member(s) 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(s) 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 him/herself). 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 member(s) 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 into account any mitigating circumstances, and then make a final decision, which must be communicated in writing to both parties.