



## WITNEY u3a COMPLAINTS POLICY and PROCEDURE

### Purpose

To provide a fair and independent process for dealing with complaints received by Witney u3a be it from members about an issue that has arisen, from an external organisation or an individual.

### Responsibilities of the committee

In any organisation, complaints will occasionally occur and it is important that everyone knows 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, preferably in writing, to the Chair of Witney u3a committee. The Committee will then ensure that:

- All actions are documented. (For ease of communication emails and other documents shared online will be accepted, but must be safely saved and easily accessed for reporting purposes. Failure to do so may invalidate the complaint process).
- Complaints are dealt with quickly and fairly, if possible within 14 days of receiving the complaint.
- Wherever possible, the issues are settled without having to resort to formal action
- Confidentiality is maintained. For more serious complaints, the committee may 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 to the Trust.
- Conclusions reached are based on the facts and evidence gathered.

### Informal process

In most cases, it is hoped that complaints will be resolved informally:

- Depending on what the issue is, the committee will decide who the best person is to lead on attempting to resolve the situation informally. For example, if an issue has arisen between two members in a group then the Group Leader may be the best person, supported by the Groups Coordinator if appropriate. For issues involving committee members it will be best for another committee member to attempt to mediate and try to find a solution.
- The person carrying out the investigation will first check with the complainant that they will be willing to accept an informal outcome as opposed to going through a formal process.

- The lead person will then hold informal discussions with all relevant parties to understand the problem from each party's perspective. The parties may decide to put their concerns or complaints in writing, and for the sake of clarity, this is often helpful.
- If there are several people involved with the complaint, the lead person should speak to them all, so that as full a picture as possible is obtained.
- Once the meetings are completed, the lead person will seek to summarise the situation with all parties and confirm they have understood it correctly. They will then attempt to negotiate a mutually satisfactory outcome and agree any changes required to ensure that the situation does not happen again.
- If it is felt that there was a reasonable basis for the complaint but that nevertheless it is a minor issue, with all parties willing to accept the agreed outcome, then it should be made clear that there should be no repeat of the offending actions/behaviour and that no further action is necessary.
- Before closing the investigation, the lead person should confirm with all parties that they are satisfied with the outcome and that the matter has been satisfactorily concluded.
- If, however, at the end of the informal stage, the lead person feels that the situation warrants a more formal approach or if the complainant(s) themselves wishes to lodge a formal complaint, the matter should be referred, in writing, to the Committee Chair stating that this should now be treated as a formal complaint. Information submitted to the chair 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

When someone wishes to raise a formal complaint, they must put the complaint in writing to the Committee Chair, providing as much information as is relevant and giving specific dates and times where possible.

- The Committee will appoint a member of the committee to manage the complaint. The person managing the complaint will confirm in writing to the complainant that the complaint has been received and will set out the process that will now ensue. They will ask the complainant to state what outcome they are hoping to achieve in making the complaint, for example, whether they require a specific action or will be prepared to accept a formal apology. The letter will however make clear that whilst their desired outcome forms part of their complaint, there can be no guarantees as to what the outcome will be.
- If the complaint is of sufficient complexity or severity, the committee may also contact the Third Age Trust and request support. The fact that this is being proposed and the reasons behind it will be communicated to the complainant.

- The Committee member managing the complaint will lead the investigation. If appropriate, a further committee member may be asked to work with them. The investigation will involve gathering information and conducting interviews related to the complaint.
- Wherever possible the investigation and the hearing of the complaint should be completed within 14 days.
- The person(s) against whom the complaint has been made will be informed in writing of the basis of the complaint. They will receive copies of the letter of complaint and any supporting documentation or other member statements.
- The content and/or the results of these investigations must not be disclosed to any other Trustees at this stage, in order not to bias any appeal.
- A subcommittee of three committee members, not including the Chair, will be appointed to hear the complaint.
- The subcommittee will then consider the matter, review 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 subcommittee 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 to the complainant and the person complained against, providing it is lodged within a 7 day period from the date of the subcommittee decision being sent to the complainant and the member or Trustee against whom the complaint has been made. The appeal must be lodged in the form of a written representation for the committee to consider.
- 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 themselves). 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 they wish to take this up then they 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, they 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.

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