



Wyre

Grievance and Disciplinary Procedures

1 Introduction

As a charitable member-based organisation, WyreU3A expects that all members will behave in a constructive, courteous and civilised manner in all dealings relevant to Wyre U3A. As a condition of membership members must agree to abide by relevant statutes and by the guidelines and policies of Wyre U3A and the Third Age Trust, including:

- a) Participating in activities in a respectful, inclusive and positive way.
- b) Being honest and ethical in all dealings with Wyre U3A, its members and other related organisations.
- c) Showing respect, courtesy and consideration to everyone with whom you deal within Wyre U3A, related organisations and the general public. Letting the group leader or organiser know of nonattendances, longer absences or withdrawal from a group.
- d) Observing strict confidentiality regarding organisational and members' personal information to which you may have access and never disclosing contact details of any Wyre U3A member to anyone without their permission.
- e) Avoiding all forms of discriminatory behaviour regarding nationality, ethnicity, race, gender, sexuality, culture, religion, age and mental or physical disability.
- f) Refraining from behaviour that is inappropriate, disruptive or intimidating, such as would breach the rights of other persons to participate in a group/event or to carry out their designated role.
- g) Preserving the wellbeing and safety of members and the organisation
- h) Abiding by any reasonable directive or prerequisite specified by the group leader or event organiser.
- i) Promoting Wyre U3A in a positive way, refraining from harming the organisation's reputation or relationships by any inappropriate or false comment or action.

It is inevitable that very occasionally incidents will arise that call into question the conduct of those involved. The procedures outlined in this document provide a mechanism for dealing with such events.

2 Informal Procedure

It is important to try and resolve disputes amicably and informally. This is more likely to lead to a better relationship between the parties in the longer term.

The Chair will nominate a Trustee who will seek to resolve the problem amicably and quickly, through an informal discussion with the member or Trustee in question. A confidential written record of the outcome of the informal discussion should be kept by the nominated Trustee.

The Trustee or member will be informed that if any areas of activity are found that could potentially be of a disciplinary nature, then the Chair will be recommended to institute a Formal Procedure (see 3 below).

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

3 Formal Procedure

If the initial process is not effective in reaching a solution or if it is felt that the alleged breach is serious enough to require formal action, the Chair will appoint one of the Trustees (who are not involved or connected to any party in the alleged breach) to investigate it.

After such investigation if that Trustee considers that the alleged breach may have occurred the Chair will appoint a subcommittee of a minimum of 3 committee members (where possible) to hear the alleged breach – the Hearing Committee (see 4 below).

The timetable for the date of the meeting to hear the alleged breach will be short, preferably within 14 days from the date that the Chair is first advised.

A letter will be sent to the member/Trustee who is alleged to have breached any of the guidelines or policies of Wyre U3A for the purpose of:

- Advising they are subject to a formal procedure.
- Advising them of what constitutes the alleged breach.
- Asking for their response to the allegation in writing.
- Advising them of the date of the Hearing Committee meeting.
- Advising that they can also attend the Hearing Committee meeting to state their response in addition to their written response.
- Advising them they may choose to bring a companion, if they wish, who will also be bound by confidentiality.

If the member/Trustee advises that there are witnesses to the incident(s) who are willing to give representations, they will ask those witnesses to contact the Hearing Committee to agree to giving a statement relating to the specific incident(s) that they have witnessed. It is important that any statements taken are a factual representation of what the witness says and should not be an interpretation or opinion of what he/she says.

4 The Hearing Committee

The Hearing Committee will examine the matter, receiving the results of the investigation, considering any written statements submitted, verbal statements and any mitigating circumstances. From this the Hearing Committee will agree whether any breach has taken place.

The Hearing Committee may decide there is no breach of conduct i.e. Level 1 (see 5 below) in which case they will advise the member or Trustee of this outcome.

The full committee may be told that a procedure has been initiated and is being dealt with, but not given any of the detail.

Note: If the Chair of the committee is suspected to have breached any guideline or policy of Wyre U3A, then the Vice Chair will replace the Chair in the procedure. In this case, and in the event of an appeal, the Vice Chair may choose to ask committee members from a neighbouring U3A to form the Hearing Committee or seek advice or request attendance from Third Age Trust staff or Trustees.

If the Hearing Committee feel that there has been a breach, they can consider any of the following possible forms of disciplinary action. Levels 4 and 5 will only be invoked in the case of significant breaches or a persistent repetition of behaviour about which the member or Trustee has previously been warned.

5 Levels of Action

Level 1

No case to answer. No further action necessary.

Level 2

A verbal warning which makes clear the nature of the unacceptable behaviour and includes a warning about future conduct and the consequences of non-compliance. The Chair should give the warning on behalf of the Hearing Committee. Details of the warning should be recorded, dated and kept on file.

Level 3

A written warning from the Chair, on behalf of and agreed by the committee, itemising the unacceptable behaviour, stating the improvement required with immediate effect and the consequences of continued non-compliance.

Level 4

A final written warning as above, which states that if the behaviour is repeated the member or Trustee will have their membership of Wyre U3A terminated with immediate effect.

Level 5

The Trustee or member has their membership of Wyre U3A terminated with immediate effect.

6 Gross Misconduct

If there is a case to answer, for most problems the process will start at Level 2. However, in the case of an extremely serious proven misdemeanour, for example sexual/racial abuse, discrimination, harassment, bullying, dangerous or violent behaviour or conduct which brings Wyre U3A into disrepute or is prejudicial to Wyre U3A or the running of Wyre U3A, then the Hearing Committee has the right to move immediately to Levels 4 or 5, including terminating the person's membership of Wyre U3A with immediate effect.

7 Decision

The decision should be communicated in writing to the member or Trustee advising him/her if the breach of the code of conduct has been upheld or not upheld.

If the breach has been upheld, they will be informed:

- Of the action that will be taken as a result,
- That they have the right of appeal,
- That the right of appeal can only relate to the original breach, and
- That the appeal request must be lodged with the Chair within 14 days from the date the decision is communicated.

8 Right of Appeal

The Trustee or member who is alleged to have breached any policy or procedure must be informed of their right of appeal at the end of the initial hearing. The appeal must be lodged within 14 days from the date the decision is communicated and must take the form of written representation with the opportunity to attend an appeal meeting for a right of reply. The Trustee or member must be advised of their right to attend with a companion. The written appeal request must be sent to the Chair.

The Chair will then hold an appeal hearing to consider any written response and representations in order to make their decision on whether to uphold the appeal or not.

If the member or Trustee concerned requests a right of reply to the decision of the Hearing Committee then he/she may attend the appeal hearing and can be accompanied by a companion who may also speak in a personal capacity if they wish.

The Chair will summarise the issues involved in the hearing and the information provided and then the member or Trustee will be given the opportunity to speak, along with their companion if the companion wishes to speak.

The Chair will review the decision, considering any mitigating circumstances, and then make a final decision which must be communicated in writing within 7 days of the appeal hearing.

The Chair's decision following any appeal and right of reply is final. Absolute confidentiality must be maintained.

Note: Should circumstances dictate (or by agreement of all involved) meetings may be held by virtual conferencing. In the interests of timeliness communications may be by electronic means but shall be confirmed in writing.