



COMPLAINTS PROCEDURE for COLLINGHAM AND DISTRICT u3a version 1

The difference between a complaints and disciplinary procedure

Complaints procedure: this may include complaints from members about an issue that has arisen 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 approach reaching a resolution.

Disciplinary procedure: this sets out how the u3a will approach problems related to a breach or suspected breach of the agreed code of conduct by a member or trustee.

u3a Complaints – responsibilities of the committee

If you have a complaint, whether you are a member or part of an external organisation, you should submit it in writing, via our website (<https://collingham.u3asite.uk>) to the Chair or in a letter via any committee member. The committee will then decide how best to proceed with the complaint.

In dealing with complaints, the u3a committee will ensure:

- All actions will be documented.
- Complaints will be dealt with quickly and fairly.
- The u3a committee will try to de-escalate the situation and settle issues without having to resort to formal action, where possible.
- 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 to the Trust.
- Decisions made will be based on the facts and evidence gathered.

Informal process

In most cases, it is hoped that complaints can be dealt with informally as detailed below:

- If the complaint relates to members of the same group the Groups' Coordinator (or another committee member if the Groups' Coordinator does not feel they possess the necessary skills), perhaps in consultation with the Group Leader, will lead the attempt at informal resolution.
- If the complaint relates to a committee member, another committee member will attempt to resolve the complaint.

- Whoever is involved in the informal process will first ascertain that informal resolution is acceptable to the complainant.
- The person(s) identified to lead on the informal stage will hold an informal discussion with all relevant parties. The purpose of this is to understand the problem and hear each party's views.
- The purpose of the informal meetings will be to summarise the situation with all parties, attempting to reach a mutually satisfactory outcome, agree any changes required to ensure that the situation does not happen again and clear the air.
- If it is felt that there is a case to answer but that nevertheless it is a minor issue, and all parties are willing to accept the agreed outcome, then it should be made clear that there should be no repeat of the actions/behaviour and that no further action is necessary.
- If, however, it is felt by the person(s) leading on the informal stage, 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 matter should be referred, back to the Chair of the u3a Committee stating that this is a formal complaint. The referral 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

Where someone wishes to raise a formal complaint, they will be asked to put the complaint in writing stating that this is a formal complaint and providing as much information as is relevant and giving specific dates and times – where possible.

On receipt of the complaint, the Chair will clarify what outcome the complainant is hoping to achieve by making the complaint, for example, whether they would be prepared to accept an apology. Whilst the desired outcome forms part of the complaint, there is no guarantee as to what the likely outcome will be.

The committee will appoint a Trustee who will 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 u3a Office staff. The committee will inform the complainant that additional support has been requested and the reasons why.

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

- if the complaint is deemed to be disciplinary then the disciplinary procedure will be followed.
- if the complaint is deemed to not involve a disciplinary matter then the following process will be undertaken.

The appointed trustee will lead the investigation. 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 Chair will appoint a subcommittee of three committee members to consider the complaint. The timetable for the date of the meeting to consider the complaint will be as short as possible, normally within 14 days. The subcommittee will then discuss the matter, taking into account any mitigating circumstances and agree what action to take.

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 providing it is lodged within a 7 day period from the date of the subcommittee 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 can be lodged either by the person who made the complaint or by the person 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 themselves). This will 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. If this option is taken up, both parties will be asked to attend a meeting. Both parties may be accompanied by a friend. This friend may speak to the person they are accompanying to assist with the presentation of their point of view, but may not speak to the meeting as a whole. Both parties can be questioned by the appeal committee.

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, as soon as possible, in writing to both parties.

Related Documentation

- Disciplinary Procedure



All u3a advice and information documents can be accessed on the Support for u3as page of the u3a website: www.u3a.org.uk/advice

Complaints procedure Collingham and District u3a			
Version		Date agreed	Date reviewed
1			