

Complaint, Grievance and Discipline Policy

1. Statement

Petersfield u3a (the u3a) is a learning co-operative and membership charity which enables members in their third age to share educational, creative and leisure activities. Members of each u3a draw upon their knowledge, skills and experience to teach and learn from each other (peer to peer learning). The u3a is committed ensuring that the u3a is as inclusive and accessible as possible for those in their third age who meet the criteria for membership. This policy document should be read alongside the u3a's Equality, Diversity and Inclusion Policy.

2. Introduction

This policy aims to ensure that systems are in place to ensure that grievances, complaints and disciplinary practices internal to the u3a are managed equitably and fairly. For the purposes of this policy the three terms are defined as:

- complaint. An informal request from a member (or group of members) to address a problem or issue;
- grievance. A formal procedure involving a written process whereby a member alleges a serious instance of abuse and/or infringement of u3a policy and practice;
- disciplinary. A formal member censure procedure resulting from a substantiated and valid grievance.

All members and trustees are expected to conduct themselves in line with the movement's principles and ethos and comply with the Member Code of Conduct. Behaviour by any member which gives rise to complaint or grievance may lead to enactment of the disciplinary process. All members are covered by this policy.

3. Definition of Abuse

Abusing and/or infringement of u3a policy and practice can come in many forms. In general, it involves a failure to abide by the policies and practices of the u3a.

The most prominent are listed below: -

- Sexual abuse
- Physical abuse
- Psychological abuse
- Discrimination
- Harassment
- Financial Fraud
- Bringing the u3a into disrepute
- Malicious damage

Where the incident that leads to a complaint is deemed by the Committee to represent a possible illegal act or is otherwise considered to be gross misconduct a member may be suspended immediately and follow the procedures outline below.

4. Dealing with Complaints

A complaint by a member can be raised verbally and directly with the person(s) alleged to be causing the concern.

In the case of a complaint arising out of group activities, a member may ask the group convenor to become involved. If the complaint is against, or involves, a group leader, a committee member or a representative of the management committee, a member may ask the Chairperson or an alternative committee member to become involved.

- All complaints should be dealt with in a confidential, informal manner so as to de-escalate the situation and attempt resolution without recourse to formal action.
- No written record has to be maintained although keeping of a personal note of any interaction is at the discretion of the persons concerned.
- At this stage other members (including a committee member) becoming involved subject to the agreement of the concerned parties.
- If the complaint cannot be resolved satisfactorily then it must be classified as a grievance.

4. Dealing with Grievances

If a complaint is escalated to a grievance, or the matter is deemed sufficiently serious to be classified immediately as a grievance, then the following actions apply: -

- Any grievance must be in writing, addressed to the Chairperson (or in the event of the grievance being against him/her, the Vice-Chair) and should contain the specific time, date, place and the full details of the grievance including any supporting evidence where appropriate.
- A designated Committee member will be appointed as the Authorised person to manage and investigate the grievance.
- The parties to the grievance may each invite one other person to act as a support at any meeting.
- A written or email acknowledgement of receipt of the grievance must be issued along with details of the procedure being followed by the Authorised Person. (See Annexe 1.)
- In the case of serious abuse or otherwise at its discretion the Authorised person may also contact the Third Age Trust and request support from the Regional Trustee, a Trust volunteer and/or National Office staff. The Authorised person will inform the parties to the matter that additional support has been requested and the reasons why.
- During the grievance investigation, the investigation will remain confidential to the parties involved except to the extent the Authorised Person reasonably needs to communicate with other members and/or the Third Age Trust.
- The final result of the grievance proceedings will be communicated in writing or email to all the parties involved.

5. Disciplinary Proceedings

Formal disciplinary proceedings against a member may only be instigated as a result of formally upholding a grievance against that person.

- The proceedings will be led by the Chairperson (or Vice Chair if the disciplinary proceedings are against the Chairperson), be based only on the evidence and findings resulting from the grievance procedure which must follow the guidelines set out in Annexe 2.
- The member(s) involved may each invite one other person to act as a support at any meeting.
- All proceedings will remain confidential until resolution.

- The result of the proceedings will be communicated in writing to the parties involved.
- The decision of the Management Committee is final.

This policy was adopted on: 9 February 2021

Review date: 8 February 2022

ANNEX 1

Grievance Procedures

Stage One:

1. Receipt, recording and acknowledgement of grievance (the last being within three days of receipt and including a copy of this policy).
2. Appointment of Committee member as the Authorised Person.
3. Within 14 days, a meeting to be held by the Authorised Person with aggrieved party, supported by any relevant evidence relating to the grievance. All proceedings to have a written record.
4. The nature of the grievance examined and further investigation carried out as required (including interaction with other affected parties.) by the Authorised Person.
5. Where possible a suitable resolution should be agreed and recorded and appropriate remedial action taken.

Stage Two:

1. In the event of there being no agreed resolution arising out of Stage One, the committee Chairperson (or Vice Chairperson if the Chairperson is involved in the grievance) should appoint a subcommittee of three committee members chaired by the Authorised Person.
2. A hearing should be convened with the aggrieved party (and their designated support person if required) within a further 14 days. The following steps should be taken:
 - The exact nature of the grievance and individuals concerned confirmed.
 - Further evidence and fact finding as appropriate.
 - The facts established and, to the extent reasonably possible, agreed.
 - A solution determined by the subcommittee to be confirmed in writing.
 - Any resulting agreed action initiated and communicated to all parties, subject to Stage Three.

Stage Three:

1. If a party to the grievance objects to the solution determined in Stage Two, then an appeal can be instigated in writing by any of the involved parties.
2. The appeal should be lodged with the Chairperson (or Vice Chair in the event of the Chairperson being involved in the grievance) who should convene (with 14 days of the notice of appeal) and chair an Appeal Committee comprising the Chairperson and two other committee members who were not previously involved in the matter.
3. The Appeal Committee shall review the record of proceedings to that time and in their sole discretion call either individually or collectively the parties to a meeting. If required, further investigation may be carried out at the discretion of the Appeal Committee chairperson.
4. The final decision of the Appeal Committee, together with any action required, will be communicated in writing to the involved parties. The decision of the Appeal Committee will be final.

ANNEX 2

Disciplinary Procedures

Stage One:

1. Establish a Disciplinary Committee of three committee members with one appointed as Authorised Person.
2. Inform in writing the member(s) against whom a grievance has been established (within 14 days) setting out the result of the grievance procedure and the proposed sanction (if any) to be followed. Relevant procedures and policies to be included.
3. Resolutions and sanctions will be fair and proportionate including verbal warnings, requesting changing of procedures and practices, exclusion from some activities and, *in extremis*, cancellation of membership.
4. Within 14 days a meeting to be held.
5. All proceedings to have a written record.
6. The nature of the grievance examined and mitigating circumstances considered.
7. Where possible a suitable resolution should be agreed, recorded and appropriate remedial action taken.

Stage Two:

1. In the event of no agreement of action an appeal must be lodged with the Committee chairperson (or vice chair if the chairperson is involved in the first stage). The appeal must outline the reasons for the appeal and propose any alternative action.
2. A hearing should be convened (together with the designated support person if required), with at least a quorum of the Committee, within a further 14 days.
3. The committee will determine whether to uphold or amend the Stage One decision as appropriate. The result will be made in writing within 14 days of the hearing.

Stage Three:

1. Although the findings of the Committee are final the member may if they so wish contact the National u3a Office for further guidance and assistance.
2. The committee undertakes to give due consideration to any advice received as a result of this but reserves the right to change any decision as a result of that consideration.