

East Renfrewshire u3a Complaint Procedures

1. Any complaints about the management or organisation of East Renfrewshire u3a or a report of a breach of East Renfrewshire u3a's Members' Code of Conduct or a report of a breach of the u3a Trust's Code of Conduct for Trustees or a report of incidents related to equality, diversity, inclusion, accessibility or safeguarding issues or complaints from an external organisation or individual should be sent in writing to the Chair (or Vice Chair if the complaint is against the Chair) via the Contacts page of the East Renfrewshire u3a website at:

<https://eastrenfrewshire.u3asite.uk>

They may also be given as a letter addressed to the Chair (or Vice Chair if the complaint is against the Chair) or to any Trustee (committee member), and this will be passed to the relevant person. They may also be sent by post – phone 077583 44525 - and the relevant address will be provided.

2. When a complaint or report is received by the Chair or Vice Chair, they will be the lead person to deal with the complaint and along with two other Trustees, who are not involved in the complaint will form a subcommittee.

The remit of this subcommittee will be to decide if the complaint is to be dealt with under these Complaint Procedures or under East Renfrewshire u3a's Disciplinary Procedures and to resolve the situation. Either informal and/or formal procedures will be initiated during which:

- All actions will be documented.
- An email or letter will be sent to the complainant confirming receipt of the complaint and stating which of East Renfrewshire u3a's procedures will be used.
- The complaint or incident will be dealt with fairly and quickly and show respect for the parties involved.
- The most appropriate person(s) from the subcommittee will try to de-escalate the situation and settle issues, where possible, without having to resort to more formal actions.
- Confidentiality will be maintained within the subcommittee at this stage, in order to not bias any appeal.
- For more serious complaints, the subcommittee may need to liaise with and share information with the Third Age Trust and 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 the evidence gathered.

3. Informal Procedures

a) The initial stages, which will begin within 7 days of receiving the complaint, will involve checking with the party raising the concern as to whether they are willing to accept an informal outcome as opposed to going through a formal procedure. They will also be asked what outcome they are hoping to achieve by making the complaint, for example, whether they would be prepared to accept an apology. However, the complainant will be made aware that their desired outcome cannot be guaranteed.

b) The most appropriate person(s) from the subcommittee will hold informal discussions with all relevant parties to understand the problem and hear each party's views. It may be helpful for the parties to put their concerns or complaints in writing for the sake of clarity.

c) If there are several people involved with the complaint – it may be deemed appropriate to speak with others mentioned so that as full a picture as possible is obtained.

d) The purpose of these informal meetings will be to seek to summarise the situation with both parties, attempting to reach a mutually satisfactory outcome, agree any changes required to ensure that the situation does not happen again and to 'clear the air'.

e) If it is felt that there is a case to answer, but it is a minor issue and all parties are willing to accept the agreed outcome then the lead person will make it clear that there should be no repeat of the actions/behaviour and that at this time no further action will take place.

f) If, however, it is felt by the subcommittee that the situation warrants a more formal approach or a specific course of action, for example, exclusion from an interest group; or if the person raising the complaint wishes to lodge a formal complaint, the matter will then be dealt with using the formal procedures below.

A record of these procedures and their outcome should be kept by the Chair or Vice Chair. The whole committee may be informed that a Complaint Procedure is taking place against a member and the outcome at this stage, but not any of the details.

4. Formal Procedures

a) The subcommittee will gather information and conduct interviews with the complainant and any other members related to the complaint, if this has not been done already. The person(s) against whom the complaint has been made will be informed about the basis of the complaint. This will include the email or letter of complaint and any supporting documentation or other member statements. The result of these investigations will not be disclosed to any other Trustees at this stage, in order to not bias any appeal. If additional support is requested from any other Regional Trustee, a Trust volunteer and/or u3a office staff then the complainant should be informed.

b) The subcommittee will organise a meeting with the complainant within 14 days of receiving the complaint, to hear the complaint, the information which has been gathered and the outcomes of the interviews. If the complainant wishes, they may bring a companion with them, who may also speak in a personal capacity, but not answer on behalf of the complainant and will also be bound by confidentiality.

c) The other person(s) involved in the complaint will be offered the option to attend with, if they wish, a companion, who may also speak in a personal capacity, but not answer on behalf of the member and will also be bound by confidentiality.

d) The subcommittee will take into account all the information and any mitigating circumstances and agree what action will be taken.

A record of these procedures and their outcome should be kept by the Chair or Vice Chair. The whole committee may be informed that a Complaint Procedure is taking place against a member, and the outcome, but not any of the details.

5. Decision

a) Both parties will be informed by email or letter the outcome of the investigation in respect of whether the complaint has been upheld or not upheld.

b) If the complaint has been upheld, the email or letter will also specify what action will be taken as a result.

A record of these procedures and their outcome should be kept by the Chair or Vice Chair. The whole committee may be informed that a Complaint Procedure has taken place about a member, and the outcome but not any of the details.

6. Right of Appeal

a) A right of appeal will be offered, providing it is lodged within 7 days from the date of the subcommittee decision being provided to the complainant and the person against whom the complaint has been made.

- b) The appeal needs to be lodged in the form of a written representation to the lead person for the subcommittee to consider. An appeal can be lodged either by the person who made the complaint or the person against whom the complaint has been made and it should contain the reasons for the appeal request.
- c) The lead person will inform the Vice Chair (or Secretary if the complaint involves the Chair) that an appeal panel needs to be convened and that they will be the lead person for the appeal. The appeal panel will consist of three Trustees (including the Vice Chair or Secretary), who were not involved in the initial investigation and a meeting of the appeal panel will be convened within 14 days of the receipt of the appeal. All the information from the formal procedures will be shared with the appeal panel.
- d) 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 the meeting with the appeal panel. If they wish, they may bring a companion with them, who may also speak in a personal capacity, but not answer on behalf of the complainant and will also be bound by confidentiality.
- e) The other person(s) involved in the complaint will be offered the option to attend and speak and if they wish, they may bring a companion with them, who may also speak in a personal capacity, but not answer on behalf of the member and will also be bound by confidentiality.
- f) The whole issue will be summarised and the appeal panel will consider the written and/or verbal statements presented to them and review the information put forward in the formal procedures and then make a final decision This decision must be communicated in an email or letter to both parties and the original subcommittee within 7 days of the appeal hearing.

The decision following any appeal is final and absolute confidentiality must be maintained.

A record of these procedures and their outcome should be kept by the Vice Chair or Secretary. The whole committee may be informed that a Complaint Procedure has taken place and the outcome, but not any of the details.

All records from these Complaint Procedures will be kept for 7 years or until the member leaves East Renfrewshire u3a if that is before the 7-year deadline.

Complaint Procedures approved by Committee – June 25
Next review date – June 26