



## COMPLAINTS PROCEDURE SAMPLE

**Category:** Running a u3a

### Purpose

Complaints procedure adapted according to local requirements

### Scope

Relevant to all u3a members.

## 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 Trustees 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

In any organisation, occasionally there will be complaints and it is important that members know 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 towards the Chair of the u3a Committee who will discuss with the Trustees. 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 trustees will make a decision as to how best to approach reaching a resolution.

In dealing with complaints, the u3a committee will identify one trustee to ensure:

- All actions are documented.
- Complaints are dealt with quickly and fairly.
- the situation is de-escalated without having to resort to formal action, where possible.
- Confidentiality is 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 are made based on the facts and evidence gathered.



## Informal process

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

- Depending on the issue, a decision should be taken to identify one person to endeavour to resolve the situation informally.
- If an issue has arisen between two members in a special interest group then the Group co-ordinator, supported by the Groups' Coordinator, will be asked to intervene,
- If the issue involves a Trustee, (not the Chair) the Chair will mediate and try to find a solution.
- If the issue involves the Chair another Trustee will be invited to mediate.

### Overall actions and considerations

1. Clarify with the party raising the concern whether they are willing to accept an informal outcome, rather than going through a formal process.
2. The person(s) identified to lead on the informal stage will hold an informal discussion with all relevant parties in order to understand the problem and listen to all [perspectives. The parties may decide to put their concerns or complaints in writing, and for clarity, this is often helpful.
3. If there are several people involved with the complaint – an account will be taken from others mentioned in order to understand all the issues being raised.
4. Summarise the situation with both parties, and attempt to reach a mutually satisfactory outcome
5. Agree any changes required to ensure that the situation does not occur again and reach a resolution acceptable to all.
6. If the complaint is upheld but is a minor issue, and all parties are willing to accept the agreed outcome, record the issues and actions but no further intervention is necessary.
7. If the person(s) leading on the informal stage feels 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, in writing, to the Chair of the u3a Committee stating that this is a formal complaint. This will include a summary of the complaint, any steps already taken to manage the issue and any action that the parties involved suggest is necessary to resolve it.

## Formal process

Where someone wishes to raise a formal complaint, they will be asked to put this in writing providing relevant information and giving specific dates and times. The complainant should be asked as to the outcome they are hoping to achieve, for example, whether they would be prepared to accept an apology.



It should be explained to the complainant that, whilst their desired outcome forms part of their complaint, they would need to be aware that there are no guarantees as to what the likely outcome will be.

The committee will appoint a Trustee who acts as the designated Trustee for managing This complaint. The Chair may also contact the Third Age Trust and request support from the Regional Trustee, a Trust volunteer and/or u3a Office staff. The Chair will inform the complainant that additional support has been requested and explain the reasons for this. A communication will be sent to the complainant confirming receipt of the complaint.

- if the complaint is deemed to be a disciplinary then the disciplinary procedure will be followed.
  - if the complaint is deemed to not to be of a disciplinary nature then the following process will be undertaken.
1. The Chair will appoint a Trustee to lead on 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 should not be disclosed to any other Trustees at this stage, in order to not bias any appeal.

The Chair will appoint a subcommittee of three Trustees to hear the complaint within 14 days. The subcommittee will then consider the matter, taking into account any mitigating circumstances and agree on actions.

## Decision

The subcommittee decision will be communicated in writing to 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 or not the complaint has been upheld. If the complaint has been upheld, the letter will also specify the actions that will be taken.

## Right of appeal

A right of appeal should be offered and should be lodged in writing within 7 days from the date of the subcommittee decision being communicated the complainant and the member or Trustee against whom the complaint has been made.

The appeal can include a request for a right of reply as well as written representations.

The Chair will convene a meeting of three Trustees). 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, and 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 issue will be summarised and the person making the appeal will be given the opportunity to contribute. The appeal panel will review the decision based 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.

## Related Documentation

- Disciplinary Procedure Sample

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

<b>u3a</b>	<b>Complaints Procedure Sample</b>	<b>The Third Age Trust</b>
<b>Version</b>	<b>Description of changes</b>	<b>Date</b>
2.0	Updated formatting	07/10/2021
3.0	Formatting and removal of references to the grievance policy (A complaints and disciplinary policy is sufficient)	13/12/2022