

Kingsbridge Estuary U3A

Complaints Procedure

Introduction

In any organisation, complaints will occasionally occur often unexpectedly, and it is important that members throughout the organisation know where to turn for help, advice and support, so that whatever the issue it can be dealt with quickly, objectively and appropriately. At the same time the procedure to make a complaint should be easy to understand and not designed to put off the complainant. It is important for officers and Trustees to understand that a complaint at whatever level is a necessary experience to ensure the credibility of the u3a and its future development. Invariably, when someone makes a genuine complaint it comes with much anxiety and, generally, complainants do not take this decision lightly.

One word of caution before we start. No complaint involving breaking the Law will be considered under these Procedures which include:

- Allegation of physical abuse
 - Allegation of sexual abuse
 - Allegation of theft
 - Dangerous behaviour to self and others
 - A criminal act
 - if the complaint is deemed to be a grievance the letter should confirm that the grievance policy will be followed.
 - if the complaint is deemed to be a disciplinary then the disciplinary procedure will be followed.
- If the complaint is deemed to not involve a grievance or disciplinary matter then the following process will be undertaken.

Any of the above matters should be relayed to the Groups Co-ordinator who will inform the Chairman and make a decision to inform the Police that a possible criminal action has taken place

However, following any such investigation by the Police the *complaint may be deemed to have been dealt with*. However, there may be residual issues relating to the behaviour of officers which will have to be dealt with under the complaints procedure in the absence of any Human Resources input.

Responsibilities of certain members in the KEU3A who might be involved in dealing with complaints.

The member making the complaint [referred to as the **Complainant**].

Group contact person [GCP] if it is an issue within the group. The Group Contact Person will invariably be dealing with the complainant at Stage 1 of the procedure – Informal resolution.

The Groups Co-ordinator will assume the role of Complaints Officer for the KEU3A and will be the conduit for:

- Providing information & understanding of the Complaints procedure to complainants, members and officers of the KEU3A.
- He/she will be the person to whom all complaints large or small will be sent and will be responsible for the onward transmission of information to the Committee.
- She/he will monitor the process to ensure that the complainant's right of a fair hearing is maintained, and to support the Investigating person[s] by providing advice and guidance on the procedure and conduct of the process
- He/she will maintain a record of the complaint in a "Complaints Book" for just that purpose which will have to be 'signed off' by the Chairman at the end of the procedure

The Committee will convene a **subgroup of two members** at Stage Two of the procedure to look into the complaint if the Complainant if they are dissatisfied with the outcome at Stage One.

NOTE:

The Chairman of the KEU3A should not receive details of the complaint, nor discuss, or make any comments about the complaint at all. His/her role is to consider & review the findings of the investigation, and be the final arbiter at the **local KEU3A Review Panel at Stage Three of the procedure**.

If the Complainant is unhappy with the outcome of the Review then they should be advised they have the right to have their case to be referred to the U3A Headquarters, **The Third Age Trust**, for support if the complaint remains unresolved.

Time Scales

It is very important that those u3a members involved in resolving a complaint realise that it needs to be addressed promptly and there are time scales set for this to happen. If the stated time scales are breached then the responsible officer conducting the investigation needs to explain why this has occurred.

Stage One Time limit - within 7 days.

The Complainant must be informed of the Complaints Procedure, and helped to understand it, and given a paper copy of it for their information.

In the first instance, the Complainant should make their complaint **verbally** to the group Contact Person on a one-to-one basis with a view to resolving the matter without resorting to the formal stage of the procedure – the emphasis has to be on resolving the matter informally. Failing this, the Contact Person does have an option to refer the Complainant's issue to the Groups Co-ordinator who may discuss the matter with the complainant, and if that fails then the complaint will be referred to the committee for a second stage investigation.

Note: The emphasis on 'informal resolution' is for good reasons. Inevitably, in a small organisation such as the KEU3A many members know one another, and secondly, by making a complaint the complainant is not excluded from attending groups after completion of the procedure whatever the outcome.

Stage Two

Time Scale – within 14 days from receipt of written complaint.

Two Trustees on the Committee will be designated to investigate the complaint under this stage. The Chairman must not be one of them, nor must he/she be involved in any discussions formally or informally regarding the case.

The complaint should be recorded in writing. If the complainant is unable to write, or needs assistance then the group contact should refer the complainant to the Groups Co-Ordinator who will be able to advise and assist the complainant.

The Trustees will undertake to do the following:

- Confirm that the complaint has been received in writing.
- Did the complaint arise as part of a u3a group activity?
- Meet with the Complainant, and clarify the details of the complaint, including date of the complaint arising, and the location.
- They will check and interview any witnesses to the event which may have happened as part of the complaint.
- If there are written records in the group then they need to be checked and copied.

- Scrutinise, and take a copy of any 'evidence' the complainant may have pertinent to the case.
- Whilst interviewing the Group Contact Person clarify with them if the complainant has been an agreeable member of the group. If not what has been the problem from their perspective.
- What action, if any, was taken by the GCP to resolve issues.
- On completion of this stage a full report on the investigation to be sent to the Chairman for final adjudication. A copy must also be passed to the Groups Co-ordinator for his/her information.

Stage Three Chairman's Review Panel **Time scale within 10 working days**

This is the final stage of the local Complaints resolution Process. **The Chairman is the final arbiter** and he will be required to review all the information gleaned from the investigation and form a view as to whether :

[a] There was a bona fide case for complaint

[b] Confirm the complaint investigation was carried out satisfactorily according to the procedures?

[c] Was the outcome of the complaint appropriate in the circumstances?

[d] How was the complainant informed?

[e] Did the Complainant accept the decision of the Chairman?

[f] If the Complainant does not accept the outcome of the process, then the Chairman has no option but to refer the Complainant to the **Three Ages Trust**.

[g] A clear explanation of the Complainant's objection should be recorded and acknowledged in writing by the Complainant.

The Complainant in these circumstances should be invited to attend a suitable & neutral venue for this interview with the Chairman. It will be an alien experience for the Complainant and he/she should be given every assistance, and information about what is going to happen, and made as comfortable as possible. It is a difficult and anxious time for a person 'taking on an organisation' with a complaint and right up to the end of this local procedure the emphasis has to be on resolution. S/he will be offered the option to attend with a companion [not a solicitor] who may also speak in a personal capacity.

At the hearing only a few people should be present at the invitation of the Chairman i.e. the Complainant, their Friend [not a solicitor acting in a professional capacity] the Chairman, the Committee Secretary, one or both Trustees from the committee, and at the invitation of the Chairman, the Groups Co-ordinator who will be able to support the Hearing through advice and counsel as necessary to the hearing.

The Chairman's Review Panel will probably proceed as follows:

- Room laid out in an informal manner.
- Start on time.
- The Committee Secretary will take the notes.
- The Chairman will welcome the Complainant and others.
- He/she will explain how the Review will proceed.
- The chairman will read out the conclusions of the stage two review and on completion invite the Complainant to comment on its contents.
- The Complainant will have the opportunity to put forward their view why the outcome is not acceptable to them.
- If the Complainant is unable to do this then they can ask their Friend to speak on their behalf.
- Following their statement the Chairman may ask some questions of clarification.

- Then the Chairman will invite the Trustees who carried out the review at Stage Two if they have anything further to add which is pertinent to the proceedings.
- The Complainant may then ask questions of clarification
- The Chairman may also raise questions.
- Following this part of the Review the Chairman will excuse him/herself to go and consider what has been said with the hope that the Review would continue as soon as possible [1 hour is recommended time].
- Refreshments will be offered to all attendees.
- The review will proceed with the Chairman's opening remarks recognising & acknowledging the difficulties of the Complainant journey through the procedure, and thanking them for their co-operation. He/she will also thank the two trustees for their part in the Review.
- The Chairman will then sensitively conclude with his finding as to whether the complaint has been 'Upheld' or 'Not Upheld' and let the complainant know that the procedure concludes at this point as far as a local investigation is concerned.
- The Complainant, if dissatisfied with the outcome, will be advised that they can refer the matter to 'The Third Age' organisation for a further review.
- The Chairman's Review Panel concludes at this point, and the Chairman & investigators are advised to leave the room at this point. The Groups Co-ordinator and Committee Secretary will be on hand to deal with any after effects.

Following the Hearing,

[a] The Chairman will write an account of the meeting in a letter to the Complainant confirming the outcome. If the Chairman upholds the complaint then a suitably sincere apology should be offered. In addition, if the complaint is about organisational short-comings then the Chairman may consider making a commitment that he/she will take appropriate steps to ensure that the problem does not arise in the future, and finally, thanking the Complainant for taking the trouble to bring the matter to the attention of the Committee.

[b] If the complaint is not upheld then a sensitively written letter to that effect should be sent to the Complainant.

Stage 4

To conclude the local procedure:

- If the Third Age Trust has to be contacted then an introductory letter with the details of the procedure, including copies of all documents supporting the process from both Complainant and the investigating team, including a copy of the Chairman's final letter to the Complainant as to the outcome of the investigation, will be sent to them.
- The Groups Co-ordinator will complete the entry in the Complaints Book with the outcome a short statement regarding how well the procedure was carried out, with any observations for training purposes and it will stand as a record.

This procedure completed by Peter Bolt, Groups Co-ordinator and was approved
by the Chairman and KEU3A Committee on the 19th May 2025.