

1. Introduction

- 1.1 This document has been adapted from Third Age Trust template documents covering Complaints, Grievances, and Disciplinary Procedures.

2. Complaints Procedure

- 2.1 In any organisation, complaints will occur from time to time 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.
- 2.2 This may include complaints from members about an issue that has arisen or complaints from an external organisation or individual.
- 2.3 It may include issues when there is a breach, or suspected breach of the agreed code of conduct by a Barnet U3A Trustee.
- 2.4 All parties are encouraged to take a problem-solving approach to achieve resolution.
- 2.5 Confidentiality must be maintained by all parties throughout the procedure.
- 2.6 Depending on the nature and source of the complaint, the Barnet U3A committee will make a decision as to how best to approach reaching a resolution.
- 2.7 If any member(s) of the committee is a party to the complaint (complainant or complainee) they shall be excluded from all elements of this procedure.

3. Responsibilities of the Committee

- 3.1 In the first instance, complaints should be directed towards the committee of Barnet U3A. In the event of a report of any Trustee allegedly breaching the Code of Conduct or if a breach becomes apparent, the Chair of Barnet U3A will be notified immediately.
- 3.2 In dealing with complaints, the Barnet U3A committee will ensure:
- All actions will be documented.
 - Complaints will be dealt with quickly and fairly.
 - The Barnet 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 Barnet U3A's membership of and affiliation to the Trust.
 - Decisions made will be based on the facts and evidence gathered.

4. Informal process

- 4.1 In most cases, it is hoped that complaints can be dealt with informally as detailed below:
- 4.2 Depending on what the issue is, a decision should be taken as to who the best person is to lead on attempting to resolve the situation informally. If an issue has arisen between two members in a group then the group leader may be the best person supported by the Groups' Coordinator, if felt appropriate. For issues involving committee members it will be best for another committee member to attempt to mediate and try to find a solution. The initial stage requires checking with the party raising the concern as to whether s/he is willing to accept an informal outcome as opposed to going through a formal process.
- 4.3 The person(s) identified to lead on the informal stage will hold an informal discussion with all relevant parties. The purpose of this would be to understand the problem and hear each party's views. The parties may decide to put their concerns or complaints in writing and, for the sake of clarity, this is often helpful.
- 4.4 In the case of breach, or suspected breach, of the agreed code of conduct by a U3A Trustee, the Chair of Barnet U3A will lead the informal stage.
- 4.5 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.
- 4.6 The purpose of the 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 clear the air.
- 4.7 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.
- 4.8 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, 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 deal with the issue and any action that the parties involved consider necessary to resolve it.

5. Formal process

- 5.1 Where someone wishes to raise a formal complaint, she/he will be asked to put the complaint in writing providing as much information as is relevant and giving specific dates and times – where possible. The complainant should also be asked as to what outcome they are hoping to achieve by making the complaint, for example, whether they would be prepared to accept an apology. Explain to the complainant that whilst their desired outcome forms part of their complaint, they need to be aware that there are no guarantees as to what the likely outcome will be.
- 5.2 The committee may contact the Third Age Trust and request support from the Regional Trustee, a Trust volunteer and/or National Office staff. The committee will inform the complainant that additional support has been requested and the reasons why.
- 5.3 A letter or email will be sent to the complainant confirming receipt of the complaint and that this procedure will be followed.
- 5.4 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.
- 5.5 The Committee will appoint either one or two people to lead on an investigation. This will include gathering information and conducting interviews related to the complaint with all relevant parties and any witnesses.
- 5.6 The Committee will appoint a subcommittee of three committee members to hear the complaint. The result of the investigations will be presented to this subcommittee, but must not be disclosed to any other Trustees at this stage, in order to not bias any appeal.
- 5.7 If any member(s) of the committee are excluded from any elements of this procedure, the remaining committee must take account of this when appointing members of any investigation team, subcommittee, and any potential appeal to ensure that sufficient numbers of the committee are available to comply with this procedure.
- 5.8 The timetable for the date of the meeting to hear the complaint will be short, within 14 days. The subcommittee will then consider the matter, taking into account any mitigating circumstances and agree what action to take. This could include, for example, a change of procedures, a change of venue for monthly meetings or whatever outcome is deemed the most appropriate as a solution.

6. Decision

- 6.1 The subcommittee decision will be communicated in writing to both the person who raised the complaint and the person 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.

- 6.2 If the complaint has been upheld, the letter will also specify what action will be taken as a result.

7. Right of appeal

- 7.1 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 relevant parties. 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.
- 7.2 The appeal can include a request for a right of reply as well as written representations.
- 7.3 For the appeal, the Committee will convene a meeting of three Trustees (including the Chair if that person is not involved in the complaint). This should not include those who were involved in the initial investigation.
- 7.4 The person raising the appeal will be offered a verbal right of reply, if s/he wishes to take this up then s/he 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, s/he will be offered the option to attend with a companion who may also speak in a personal capacity.
- 7.5 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 in writing to both parties.

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