

Settling Differences & Member Conduct policy



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Policy:

The aim of this policy is to resolve any concerns over a society member's conduct in as timely a manner as possible and to ensure that we continue to promote a well-functioning, safe and harmonious society for all. We encourage everyone to uphold the principle of reasonableness and to aim to resolve any complaints or differences in the simplest manner with the least animosity. However, we recognise that in any group or organisation serious incidents can occur and we aim to handle these with due diligence and fully employ any one, or combination, of a number of measures of varying severity.

This policy is intended to be used in conjunction with the compliments, comments and complaints policy and procedure. Used together, both documents make sure that all complaints are handled fairly and that there is a smooth process and clearly defined timescales for handling matters.

Procedure:

1. Local resolution where things are resolved through an informal discussion between the two parties at first opportunity should always be the first option for handling disputes. If this is not sufficient the complainant must submit a formal complaint via the Secretary (or direct to the Chair if the complaint is about the Secretary), or the Safeguarding Officer if the complaint is felt to be a safeguarding issue.
2. Any communication making allegations or voicing discontent or dissatisfaction with any aspect of the Society, its running or membership may be considered and handled as a complaint. If a complaint relates to a minor issue, as defined by the committee, then it is not necessary to follow this policy in full. However, to promote a harmonious society it is recommended that there is appropriate communication with anyone voicing dissatisfaction, to let them know they have been heard.

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3. In the case of potential criminal wrongdoing, a referral to the police should be discussed amongst the committee, a decision taken and minuted in addition to any action taken by the Society. A decision to involve the police should always be considered at the first available opportunity. In cases where a potential criminal offence has been committed, or there is a risk of such an offence being committed, it should be explained to the complainant that, depending on nature of the wrongdoing, we may have no choice but to involve the police even if they do not wish us to (e.g. in circumstances where the safety of another person may be at risk or there is a safeguarding issue). Lastly, if a situation warrants the attendance of any of the emergency services, a 999 call should never be delayed.

4. Complaints received via the Secretary/Chair/Safeguarding Officer

secretary@sherwood-observatory.org.uk

chair@sherwood-observatory.org.uk

The Secretary/Chair automatically acknowledges receipt within five working days and advises the complainant that they will receive notice of the next steps within one calendar month. The Secretary/Chair then makes the committee aware of the complaint no later than the day they respond to the complainant. In the event of the Secretary/Chair having holiday or planned leave they must make arrangements for a "designated other" to pick up mail and email.

5. The complaint is considered by the committee at the next committee meeting, unless the complaint is received within two working days of that meeting, in which case it will be heard at the next one. In the event of a serious incident, as defined by the committee, it may be appropriate to hold an emergency committee meeting to discuss its handling. Equally if the complaint is readily evidenced as vexatious or without merit the committee may choose not to investigate further and respond to the complainant appropriately. Such a decision may be made by the committee through

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consensus via e-mail. It is best practice that anyone involved in the complaint should not draft their own response; any response at this stage must be agreed by the committee and responsibility for sending the response sits with the Secretary or their nominated trustee.

6. If an investigation is necessary then anyone named in the complaint by role or by name either as the focus of the complaint or as a witness, where practicable, should then no longer be part of committee discussions on the matter of the complaint.
7. The committee will appoint an investigating officer to interview those involved as necessary and collate any other relevant evidence or information. The investigating officer also acts as liaison with all parties including the panel to give a hearing date. It is good practice for the investigating officer to be accompanied when conducting the interviews
8. Ideally the hearing will be held no longer than one calendar month from the committee meeting when the complaint was first brought. The purpose of the investigation is to establish the facts and accuracy of any allegations or responses.
9. At the hearing meeting: both the complainant and anyone named in the complaint may be called to attend, if so they are entitled to bring one other person as a supporter. The supporter is not there to act as a representative merely to provide support to the individual.
10. The committee has a duty to be sensitive to the situation including ensuring there is no contact or confrontation between the complainant, their supporters or anyone named in the complaint or their supporters. This may mean the hearing requires being held over two separate dates or off site.
11. The committee has a duty to be aware of, and work within, any relevant legislation and organisational policies and procedures; relevant policies and procedures may include but are not limited to: Codes of Conduct,

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Equality, Dignity and Diversity policy, Safeguarding policy, Health and Safety policy, Whistleblowing policy, financial policies

12. Options available to the panel include but are not limited to: conciliation and mediation processes, the requiring or issuing of apologies, more intensive support and supervision or training of volunteers, sanctions including verbal and written warnings, withdrawal of some of the privileges of being a member (e.g. being required to return keys and access cards), suspension or expulsion from the Society for a limited time or for life.
13. Warnings: these can be written or verbal, a verbal warning may be issued to formally put someone on notice that their actions are unacceptable and a repetition may result in more serious sanctions. A written warning may be issued when the next step is likely to be expulsion from the Society and this may include a time period, for example if there is a repetition of this within the next two years they will be expelled. NB; any repetition will still need to be investigated and established as well as recorded. The Secretary will need to hold a record of any warnings issued to members and ensure the destruction of this data once the warning period lapses. In the event of a serious breach, it is not necessary to go through each or any step in the warning process before a sanction is imposed
14. Best practice is that the committee discuss its findings and decisions with the complainant and any others involved face to face and in a sensitive manner, this should be led by the chair or an appointed trustee. It is advisable the decisions are not reached and communicated on the same day as the hearing, whilst decisions and communications need to be timely, they should be considered and if needed, external advice sought. However, any decision should be shared where possible within one week, and if necessary, all parties should be made aware of any delays, for example, when seeking advice. Any discussion, decision or action should always be backed up in writing. Any communications must be drafted by the Secretary, approved by the committee and sent out within 10 working days of a face to

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face discussion of findings. If a face to face discussion is not accepted by the complainant or anyone named in the complaint, the committee needs to ensure an approved written response is sent within 10 working days of the hearing date.

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Supporting legislation and guidance:

This policy has been written in line with third sector best practice and mirrors practice across the sector.

Key Society policies to be read in conjunction with this document:

- Compliments, comments and complaints
- Equality , Dignity and Diversity
- Financial Management
- Member and Trustee Codes of Conduct
- Safeguarding
- Volunteering
- Whistleblowing