



The Black Horse Community Group Limited (the “Society”) Disputes and Complaints Procedures

1. Background

Society Members, Management Committee, and volunteers may occasionally be involved in a dispute and/or need to handle a complaint. The following has been put in place to address such situations.

2. Informal complaint resolution process

If Members, volunteers and Management Committee members have a grievance or complaint related to the Society or their volunteering, where-ever possible they should start by discussing it with a member of the Management Committee. This informal process involves the sharing of views and experiences, the clarification of needs, desires and expectations, as well as the development of a mutually negotiated plan of action. This may result in an agreed informal solution.

Grievances or concerns can be raised verbally, in person; by phone; by email or by writing a letter. They should be raised as soon as possible, but no later than 30 days from the date of the incident(s).

Guidance on raising a problem or complaint:

- Keep a record of all the incidents and any related discussions. The details should be noted, including when it happened, where it happened, who was involved, and any witnesses who may have seen or heard it. These notes will be required if a formal complaint is made. A complaint will still be looked into even if no records were kept.
- Describe the impact that it is having on you and/or your role and/or the Society (with examples)
- State what actions you have taken to resolve the matter so far
- Think about how the problem could be resolved / the resolution you seek.

3. Formal internal complaint resolution process

All complaints will be investigated in an unbiased, impartial and timely manner.

All efforts will be made to ensure that formal complaints are resolved within 30 days, or within a specified time as discussed with the complainant.

Guidance on raising a problem or complaint

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- State what actions you have taken to resolve the matter so far
- Think about how the problem could be resolved / the resolution you seek.

Making the formal complaint

A formal complaint must be made in writing and submitted to the Chair or Secretary. If the complaint involves both these individuals, the formal complaint can be addressed to another Management Committee member. Complaints should be made as soon as possible, but no later than 30 days from the date of the incident(s).

Receipt of the complaint will be acknowledged as soon as possible and within 14 days.

Formal Investigation

The Chair, or Committee nominated person, will arrange to meet and interview the complainant. This may be by phone if agreed with the complainant. Notes will be taken of this meeting and a copy reviewed and agreed by the complainant; each party should retain a copy.

Two additional people may attend each meeting by mutual agreement. One to observe and take notes, another to support the complainant.

The Chair or nominated person will thoroughly investigate the complaint, including any necessary consultation with other volunteers, Members, or Management Committee members. The complaint will be considered in the context of existing policies, established procedures and applicable legislation.

If the complaint is against Member(s), the Member(s) will be made aware of the complaint against them and be invited to respond to the complaint to the Committee. The Member(s) have 14 days to respond and can do so by email or a written letter.

Report and reporting to the Management Committee

At the conclusion of the formal investigation, a report will be discussed with the Management Committee apart from any person involved who should step out due to a Conflict of Interest, which will include the allegations and the investigation's findings, conclusions and recommendations. The report format will follow ACAS examples www.acas.org.uk/investigation-plan-and-report-templates.

If the complaint is against Member(s) of the Society, the relevant Member(s) will not take part in the decision process.

Outcome

The Management Committee will review the report and a decision regarding the actions that should be taken will be made.

A response to the complainant will be provided by email or a written letter, following the meeting at which the matter was discussed.

Appeal process (Members only)

Under Rule 4.5, a Member can appeal the decision of the Committee in a Special Members meeting. This meeting will be called within 14 to 30 days after the notice by the Member. Impartial observers will attend to make notes.

Members can use their voting rights to make a change of the Management Committee at the Annual Members meeting.

4. Formal external complaint resolution process

If an issue cannot be resolved internally, the complainant / Management Committee may consider consulting with an independent respected person within the community or have both parties agree to an arbitrator or mediator.

5. Disciplinary Action / Removal of Members (Rule 3.8)

The Management Committee, having received a complaint from another Member requesting an individual be removed from membership following an investigation, may authorise disciplinary action or the termination of Membership when a Member has acted in a way detrimental to the Society.

The Management Committee will review members who are proposed for removal at committee meetings and call a subsequent meeting specifically to consider the matter. Details of the complaint will be sent to the Member(s) complained of not less than 14 days before the meeting, with an invitation to answer the complaints and attend the meeting. At this meeting the Management Committee may pass a resolution, approved by not less than two-thirds of the committee members present to expel the Member(s) being considered for removal. Other potential outcomes can be to dismiss the complaint and take no further action or, for a period not exceeding 12 months, to suspend the rights of the Member(s) complained of to attend Members' meetings and vote under the Rules.

The outcome (written letter or email) to the Member(s) complained of shall set out the reasons for the outcome decision. There is no right of appeal under the Rules.

A response to the complainant will be provided by written letter or email, following the meeting at which the matter is decided, within 30 days.

6. Disciplinary Action / Removal of Management Committee members (Rule 5.10.4 and 5.10.5)

The Management Committee members may pass a resolution authorising disciplinary action or the removal of Management Committee member(s) for serious breach of the Code of Conduct or having not performed the duties which they agreed to perform or could reasonably have been expected to perform.

Details of the complaint will be sent to the Committee Member(s) complained of not less than 14 days before the meeting where the matter will be discussed, with an invitation to answer the complaints and attend the meeting.

This notice (written letter or email) to the Member(s) of the Committee complained of will set out the reasons for the intention to remove them from office. The Committee Member(s) have 14 days to respond and can do so by email or a written letter and within the planned meeting.

The outcome (written letter or email) to the Member(s) of the Committee complained of shall set out the reasons if termination as a Committee Member is the result. There is no right of appeal under the Rules.

A response to the complainant will be provided by written letter or email, following the meeting at which the matter is decided, within 30 days.

7. Confidentiality

All persons involved with a complaint must endeavour to ensure that the matter remains confidential. To this end, complaints shall be investigated both confidentially and objectively, with respect for the rights of all parties involved. Personal information will be protected by the GDPR policy.

Anyone conducting the investigation of a complaint will advise all persons interviewed that they will be expected to treat the matter as confidential, and that they may be disciplined if they breach confidentiality.

8. Violation, failing to take action fraudulent or malicious behaviour

Any volunteer or Management Committee member who violates this policy, and/or fails to take action when advised of a violation, will be subject to appropriate disciplinary action, up to and including being asked to stop being a volunteer / removal from the Management Committee.

Disciplinary action will also be taken if a complaint is found to have been made fraudulently and with malicious intent.

9. Refusal of application for Membership

The Management Committee may refuse any application for membership at its absolute discretion as per the Rules 3.4. Refused applicants can request from the Secretary a reason for refusal. A refusal will be discussed, agreed and minuted at a Committee Meeting before informing the applicant.

10. Review

Adopted 23 June 2022. This policy will be reviewed regularly, at least every two years.

This policy was reviewed and approved by the Management Committee on 21 February 2024.