

PRESTON PARK u3a

COMPLAINTS PROCEDURE

u3a Complaints – Responsibilities of the Committee

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.

In the first instance, complaints should be directed towards the committee of the u3a. 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 committee will make a decision as to how best to approach reaching a resolution.

In dealing with complaints, the u3a committee will ensure:

- All actions will be documented.
- Complaints will be dealt with quickly and fairly, avoiding delay where possible
- The 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 cross reference with the Safeguarding Policy and/or 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 made will be based on the facts and evidence gathered.

Informal process

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

- The initial stage requires checking with the party raising the concern as to whether they are willing to accept an informal outcome as opposed to going through a formal process.
- Depending on what the issue is, a decision should be taken by the committee 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 committee should also cross reference any complaint with the Safeguarding Policy if appropriate.
- The person(s) identified to lead on the informal stage will hold informal discussions 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.
- 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.

- The purpose of the informal discussions 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.
- 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.
- 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.

Formal process

Where someone wishes to raise a formal complaint, they 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. They should 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.

The committee will appoint someone to lead on the complaint. The committee may also contact the Third Age Trust and request support from the Regional Trustee, a Trust volunteer and/or u3a Office staff. The committee will inform the complainant that additional support has been requested and the reasons why.

The designated person must first determine the nature 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 involve a disciplinary matter then the following process will be undertaken.
- The complaint will also be cross-referenced with the Safeguarding Policy if necessary.

The process to follow is:

- A letter or email will be sent to the complainant confirming receipt of the complaint and advising them which procedure the u3a is following.
- The Chair will appoint either one or two people to lead on the investigation. This will include gathering information and conducting interviews related to the complaint. Notes will be taken by the lead for the investigation and held securely.
- 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. They should be invited to state their case.
- The result of these investigations must 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 committee members (excluding themselves) to hear/consider the complaint.
- The timetable for the date of the meeting to consider the complaint will be short, within 14 days.
- The subcommittee will then consider the matter, take into account any mitigating circumstances and the complainant's desired outcome and agree what action to take.

Decision

The subcommittee's decision will be communicated, by the person chairing the subcommittee, in writing and on the same date 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. If the complaint has been upheld, the letter will also specify what action will be taken as a result.

Right of appeal

A right of appeal should be offered to both parties providing:

- The appeal is lodged with the person chairing the subcommittee within a 7-day period from the date the subcommittee's decision was communicated to them.
- The appeal must 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.
- The appeal can include a request to make a verbal representation as well as written representations to the appeal panel.

For the appeal, the Chair will convene an Appeal Panel consisting of three Trustees (including themselves). This should not include those who were involved in the initial investigation.

If the appellant wishes to make a verbal representation they will be asked to attend a meeting with the Appeal Panel. They will be offered the option to attend with a companion who may also speak in a personal capacity.

The other party must be informed of the appeal and provided with the appellant's written representation. They will be invited to lodge a written representation within 7 days of being informed. Where they lodge a written representation, they will be offered the opportunity to attend the appeal panel hearing to present a verbal representation. They will be offered the option to attend with a companion who may also speak in a personal capacity.

The whole issue will be summarised and both parties 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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