

# Complaints and Disciplinary Procedures

In these procedures the following terms shall have the following meanings:

- The Chair – The Chair or, if the Chair has a conflict of interest over the Issue, the Vice Chair
- The Code – The Code of Conduct of U3A in London
- The Committee – The Executive Committee of U3A in London
- The Executive Sub-Committee – A sub-committee of the Committee consisting of the Chair, the Vice Chair and the Treasurer
- The Sub-Committee - 3 Trustees appointed by the chair to consider the Complaint
- The Trustees – Members of the Committee
- The Issue – The matter over which there is a concern that the Code has been broken
- The Member – The member, which shall include for the avoidance of doubt any Trustee whom it is suggested may have breached the Code.

## Complaints Procedure

### Making a Complaint

C1. In any organisation complaints will occur from time to time and it is important to know that members and third parties (who may be individuals or external organisations) know where to turn for help, advice and support so that, whatever the issue, it can be dealt with quickly, objectively and appropriately.

C2. Complaints about individual members, which includes all coordinators, and Executive Committee members (Trustees) should be made in writing to the Chair [chair@u3alondon.org.uk](mailto:chair@u3alondon.org.uk) The written complaint may be shown to the person about whom the complaint has been made to allow the complaint to be dealt with fairly.

C3. Complaints about IT, property maintenance, Health and Safety and class timetables will not normally be dealt with by this procedure. Instead members should be advised to contact the appropriate person appointed by the Executive Committee who can be informed by email, as appropriate, to:

[IT@u3alondon.org.uk](mailto:IT@u3alondon.org.uk)  
[health&safety@u3alondon.org.uk](mailto:health&safety@u3alondon.org.uk)  
[maintenance@u3alondon.org.uk](mailto:maintenance@u3alondon.org.uk)  
[classes@u3alondon.org.uk](mailto:classes@u3alondon.org.uk)

C4. If the matter cannot be resolved in this way, the Member may then refer the complaint to the Chair.

C5. If a complaint has been made to the Chair, the Executive Sub-Committee will decide how best to approach reaching a solution.

C5. Members may also make complaints to the volunteers in our office but should appreciate that in most cases volunteers will only be able to pass it on to the appropriate person, rather than resolve the issue themselves.

## **Disciplinary Procedure**

This sets out how U3A in London will approach problems relating to a breach, or suspected breach, of the Code of conduct of a member, which includes a Trustee. In implementing the disciplinary procedure, the Committee will do everything reasonable to keep the Issue confidential and to deal with it as quickly as possible.

D1. If there is a concern that the Code has not been followed by the Member, this should be brought to the notice of the Chair of U3A in London.

D2. The Chair may appoint a member or members of the Committee to meet the Member with or without the Chair to try and resolve the Issue amicably and in confidence.

D3. If the Issue cannot be amicably resolved or, if the Chair considers the Issue so serious that the only appropriate course is to follow a formal disciplinary procedure, the Chair will appoint a Sub-committee which will consist of three members of the Committee who have no conflict of interest over the Issue.

D4. If the Chair considers it appropriate, the Member may be suspended from membership of U3A in London or excluded from a class or classes on such terms and conditions as the Chair may determine until the Issue is resolved.

D5. The Sub-committee will set an indicative timetable and procedures for its consideration of the Issue including, where appropriate, interviews with relevant members and others.

D6. Either the Sub-committee or the Member may require the Issue to be dealt with at a hearing.

D7. The Sub-committee will ensure that all hearings are fully minuted and that all minutes and documentation are preserved in an accessible form in accordance with our Data Protection and Privacy Policy.

D8. The Member will be invited to make comments to the Sub-committee in writing and attend any hearing. The member will be entitled to be accompanied by a friend at any hearing.

D9. If there are witnesses of matters relevant to the Issue who are willing to give written representations, the Sub-committee will contact them to ask them to give a written statement which will be taken into consideration and a copy of which will be given to the Member.

D10. The Sub-committee will consider all relevant factors and any mitigating circumstances and will determine whether any disciplinary action is necessary.

D11. If the Sub-committee decides there has been no breach of the Code it will report to the Committee and the Committee will advise the Member in writing.

D12. If the Sub-committee decides that disciplinary action is necessary, it will advise the Committee.

D13. The actions available are a verbal warning or a written warning, and/or exclusion from a class or classes, and/or suspension from a class or classes or from membership of U3A in London for such period and on such terms and conditions as the Sub-Committee shall determine, or expulsion from membership of U3A in London.

D14. The Committee will advise the Member in writing of the sub-committee's determination and the procedure for appeal.

D15. If the member does not actively participate in the informal or formal procedures above after having been notified of dates for submissions or attendance, the procedure may take place without the submissions or presence of the Member.

D16. The Member will have a right to appeal to the Committee in writing within 28 days of the date on which the Committee notified the Member of its decision.

D17. The Member's appeal must be in writing and the Committee (excluding members of the sub-committee and any members with a conflict of interest) will meet to consider any written representations made by the Member.

D18. The Committee will advise the Member in writing of its decision on the appeal within 28 days of the date of his/her appeal and the decision shall be final and binding on the Committee and the Member.

D19. If the Committee's decision is to expel or suspend the Member, the provisions of paragraph 9 (d) of U3A in London's Articles of Association will apply.

D20. If a member is suspended and remains suspended at the end of the academic year, that person may only renew or extend their membership for a following or subsequent year if the Issue causing the suspension has been resolved and the Executive Committee decides that such renewal or extension is in the best interests of U3A in London.



**Please note the following:**

N1. In this document “in writing” includes electronic form of writing such as emails.

N2. The Committee and the Executive sub-Committee may “meet” electronically.

N3. For the purpose of the Committee meeting to consider a disciplinary matter, a quorum for the Committee meeting shall be two thirds of the number of committee members not excluded under paragraph 17 above. Committee members attending in person or electronically shall qualify for the quorum.

N4. Paragraph 9(d) of U3A in London’s Articles of Association is a provision dealing with a Member ceasing to be a Member if ‘he\* is expelled from membership (without prejudice to his liability to pay to the company any subscription or other sum owed by him\*\*) by the Executive Committee for conduct prejudicial to the company  
PROVIDED THAT:

- I. He\* has been given not less than fourteen Clear Days’ notice of the meeting of the Executive Committee at which the matter is to be considered, specifying the conduct or circumstances alleged as a ground for the expulsion;
- II. not fewer than half the Trustees for the time being are present at the meeting; and
- III. he\* has been afforded a reasonable opportunity of making written representation to the Executive Committee, or of being heard by it, and has been informed of his\*\*\* entitlement of being accompanied by a friend when being so heard.

(He\* meaning He/She, Him\*\* meaning Him/Her, His\*\*\* meaning His/Her)

N5. This document revises and replaces the previously existing code of conduct and disciplinary procedure and comes into effect from 1<sup>st</sup> November 2024.