

FRINTON & WALTON HERITAGE TRUST

Registered Charity No: 289885

Complaints & Disciplinary Procedures

Complaints Procedure

The Frinton & Walton Heritage Trust (the Trust) takes complaints seriously and will make every effort to resolve matters as quickly as possible. It is in everyone's interest that complaints are resolved at the earliest possible stage. Many complaints can be resolved informally without the need to use the formal stages of the complaints procedure. The Trust will keep all complaints confidential but will keep a record of each complaint and how it is managed.

How to make a complaint

This Complaints Procedure is not limited to Members or Volunteers of the Trust. Anyone can make a complaint. A complaint can be made in person, in writing, by email or by telephone. They may also be made by a third party acting on behalf of a complainant, as long as they have written consent to do so. In the first instance, complaints can be raised with any member of the Trustee Committee who will consult with the Chair or Vice Chair and may endeavour to resolve the issue. If unresolved, it can be raised directly with the Chair, Vice Chair (or another member of the Trustee Committee if it is inappropriate to raise the matter with the Chair or Vice Chair).

Anonymous complaints

The Trust will not normally investigate anonymous complaints. However, the Chair or Vice Chair will determine whether a complaint warrants investigation.

Resolving Complaints

The Chair or Vice Chair (or another member of the Trustee Committee if it is inappropriate for the Chair or Vice Chair) will investigate each complaint and take appropriate action, if required. The Chair or Vice Chair will provide the complainant with a verbal conclusion and, in addition, may offer one or more of the following:

- a written explanation;
- if appropriate, an admission that the situation could have been handled differently or better;
- if appropriate, an assurance that the Trust will try to ensure the event complained of will not happen again;
- if appropriate, an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made;
- if appropriate, an undertaking to review the Trust's policies in light of the complaint; and/or
- if appropriate, an apology.

Independent Judgement

In extreme circumstances where the complainant is not satisfied, or the complaint is found to be fictitious or malicious, the Chair or Vice Chair (or relevant member of the Trustee Committee) may refer the judgement to the Trust President for review and resolution.

Confidentiality

It is essential that confidentiality is maintained at all stages of the process. Information relating to the complaint and subsequent case management should be shared on a need-to-know basis only and should be kept secure at all times. The Trust will keep all complaints confidential but will keep a record of each complaint and how it is dealt with.

Disciplinary Procedure

This Procedure should only be used when the conduct or behaviour of Trust Members or Volunteers falls below what is expected of them (see the Member & Volunteer Code of Conduct). Having a clear and established Disciplinary Procedure in place will prevent misunderstandings and seek to protect Members, Volunteer and the Trust itself. It should be noted that the aim of this Procedure should be, in the first instance, to encourage improvement in individual conduct.

The Disciplinary Procedure and its use

The Trust adopts the following procedure.

Informal meeting

Before the Disciplinary Procedure is invoked an informal meeting is held. Many problems can be resolved by informal discussions or counselling, and this can often avoid the need for formal disciplinary action. An informal meeting is not recorded as disciplinary action but would be seen as a process of constructive dialogue, but a brief record is kept of the meeting and its outcomes.

If the problem cannot be resolved informally with a Member or Volunteer, it will be appropriate to invoke the Disciplinary Procedure. Only the Trustee Committee can decide to instigate this procedure. The procedure will be undertaken by a panel comprising the Chair or Vice Chair, and another member of the Trustee Committee. The panel will make a recommendation to the Trustee Committee who will make a decision.

Stage 1 – Formal Verbal Warning

The Chair or Vice Chair on behalf of the Trustee Committee may issue a Formal Verbal Warning to the Member or Volunteer if, despite informal discussions, their conduct does not meet acceptable standards as stated in the Members & Volunteers Code of Conduct. A brief note of the warning should be kept within the Trustee Committee records.

Stage 2 – Formal Written Warning

If there is no improvement in conduct, or if a further serious case of misconduct occurs, the Trustee Committee should investigate and, if they consider it appropriate, issue the volunteer or member with a Formal Written Warning by email or letter. The Trustee Committee should at this stage decide if the Trust Member or Volunteer should be removed from any active roles or duties.

Final Stage – Removal of Member or Volunteer

If the Member's conduct still fails to improve or if further serious misconduct occurs, the final stage in the Disciplinary Procedure may be invoked by the Trustee Committee and the member's membership withdrawn in accordance with the Constitution. In the case of a Volunteer who is not Trust Member they should be asked to leave the team and not to participate in Trust activities thereafter.

Gross Misconduct

Where a Member commits gross misconduct at any point, the Trustee Committee will immediately revoke their membership without notice and the progression of warnings in the above Procedure will not apply. Where a Volunteer, who is not a member, commits gross misconduct, they will be instructed, without notice, to leave the team and not to participate in Trust activities thereafter.

Examples of Gross Misconduct might include:

- a conviction of a criminal offence that undermines a person's suitability for volunteering or membership of a voluntary organisation;
- disclosure of confidential information (see Information/Data Protection Policy);
- use of abusive or offensive language or behaviour;
- bullying or harassment;
- being under the influence of alcohol or drugs, whilst acting on the Trust's behalf;
- theft of property or misuse of equipment or materials including deliberate falsification of expenses claims;
- failure to abide by policies and procedures; and/or
- Safeguarding concerns.

Confidentiality

It is essential that confidentiality is maintained at all stages of the Disciplinary Procedure. Information relating to the misconduct and subsequent case management is shared on a need-to-know basis only and is kept secure at all times. The Trust will keep all Disciplinary Procedures confidential but will keep a record of each stage of the procedure outlined above.

Appeals

If a Member or Volunteer wishes to appeal against any disciplinary decision, the appeal should be made in writing or by email within five working days of the decision being communicated to them. The appeal should be made to the Chair or Vice Chair who will ask the Trustee Committee to refer the judgement to the Trust President for a final decision.

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