Cheddar Valley u3a

Disciplinary Procedure

This document sets out how Cheddar Valley u3a (hereinafter CV u3a) will approach problems related to a breach or suspected breach of the agreed code of conduct by a member or Trustee.

1. Responsibilities of the committee

This procedure is intended to ensure any disciplinary issues are dealt with promptly, fairly and consistently. All parties are encouraged to take a problem-solving approach to achieve resolution.

In the event of a report of any member or Trustee allegedly breaching the Code of Conduct or if a breach becomes apparent, the Chair of CV u3a will be notified immediately.

***Note**: If the Chair of CV u3a is suspected to have breached the Code of Conduct, then the Vice Chair will replace the Chair in this procedure. In this case, and in the event of a subsequent appeal, the Vice Chair may choose to involve Trustees from a neighbouring u3a or seek advice or request attendance from Third Age Trust staff or regional Trustees.*

In carrying out this procedure:

- Every action will be documented.
- Disciplinary matters (including the appeals procedure) will be dealt with quickly and fairly.
- The Chair of CV u3a will strive to de-escalate any situation and to settle the issue without having to resort to formal disciplinary action.
- The Trustees of CV u3a will seek additional support from Trust staff, the Regional Trustee and Trust volunteers if required. All requests for support will go via the u3a Office.
- Confidentiality will be maintained at all times. For more serious issues Trustees will liaise with the Third Age Trust to seek advice and guidance about procedural issues. Sharing of information with the Trust will not constitute a breach of confidentiality due to the affiliation with the Trust. Members involved in the disciplinary procedure will be informed of the Trust's involvement.
- Decisions will be based on facts and evidence.

The formal disciplinary procedure will be implemented when all steps that have been taken to resolve matters informally have been unsuccessful and/or where a matter is deemed by CV u3a Trustees to be so serious that the only relevant course of action is to follow the disciplinary procedure.

2. Confidentiality

All procedures and documents relating to a disciplinary matter will be kept confidential at all times including during an appeal. Information will only be shared with those who have a genuine need to receive it and this will include Trust staff and volunteers, as required. All situations will be dealt with discreetly and will ensure respect for the parties and views involved.

3. Informal procedure

Wherever possible the Chair of CV u3a will try to resolve a suspected breach of the Code of Conduct informally as this is more likely to lead to a better relationship between the parties in the longer term.

The Chair will use his/her best endeavours to resolve the problem amicably and quickly through an informal discussion with the member or Trustee in question. The Trustee or member will be informed that if the Chair finds any issue that could potentially be of a disciplinary nature they will be requested to attend a meeting with an initial Hearing Committee.

The informal discussion will be clearly structured so that all parties will understand their obligations by the end of the meeting. The Chair will keep a confidential written record of the outcome of the informal discussion.

4. Formal procedure

If the informal procedure does not result in an agreed solution or if the Trustees feel that the alleged breach is serious enough to require formal disciplinary action, the Chair will appoint two or three trustees (who are not involved or connected to any party in the alleged breach) to investigate the matter and form a subcommittee to hear the appeal.

The result of these investigations must not be disclosed to any other Trustees, at this stage, to avoid biasing any subsequent appeal. The timetable for the date of the meeting to hear the alleged breach of the code of conduct will be short, preferably within 14 days from the date that the Chair is first notified.

4.1 Initial steps

The chair of the subcommittee will write to the member/Trustee who is alleged to have breached the Code of Conduct to:

- Advise them that they are subject to a formal disciplinary procedure.
- Explain what constitutes the alleged breach of the Code of Conduct.
- Ask for their written response to the alleged breach.
- Tell them the date of the initial hearing.
- Advise them that they can attend the hearing to make a verbal statement in addition to their written response.
- Advise them that they may choose to bring a companion to the hearing, if they wish, who will also be bound by confidentiality.

If the member/Trustee says that there are witnesses to the incident(s) who are willing to make statements, they should ask those witnesses to contact the subcommittee chair. The chair will then check that each witness is willing to make a statement relating to the specific incident(s) that they have witnessed. The statement should normally be provided in writing by the witness but if for good reason the witness prefers to make a verbal statement to one of the subcommittee the chair may allow this at his/her discretion. In that case the subcommittee member must provide a written summary of the verbal statement, which must be an entirely factual representation of what the witness said with no interpretation or opinion included.

4.2 The initial Hearing

The subcommittee appointed by the Chair of CV u3a to investigate the alleged breach of the Code of Conduct will meet as an initial Hearing Committee. It will examine the matter, considering any

written statements submitted, verbal statements made and any mitigating circumstances. It will then reach a decision on whether or not a breach of the Code has occurred.

At this stage the main Committee of CV u3a may be told that a disciplinary procedure has been initiated and is being dealt with but should not be given any of the detail. This is necessary in order not to bias any subsequent appeal that they may be required to hear.

The initial Hearing Committee may decide there is no breach of conduct in which case it will advise the member or Trustee of this outcome (Level 1). If it decides that the Code of Conduct has been breached it must consider the appropriate form of disciplinary action to be taken, from Level 2 up to Level 5. Levels 4 and 5 will only be invoked in the case of significant breaches of the code or a persistent repetition of behaviour about which the member or Trustee has previously been warned, such as not complying with the terms of the constitution.

4.2.1 Levels of disciplinary action to be taken

Level 1

No case to answer. No further action necessary.

Level 2

A verbal warning which makes clear the nature of the unacceptable behaviour and includes a warning about future conduct and the consequences of non-compliance. The chair should give the warning on behalf of the initial Hearing Committee. Details of the warning should be recorded, dated and kept on file.

Level 3

A written warning from the chair, on behalf of and agreed by the sub-committee, itemising the unacceptable behaviour, stating the improvement required with immediate effect and the consequences of continued non-compliance.

Level 4

A final written warning as above, which states that if the behaviour is repeated the member or Trustee will be asked to leave CV u3a or the main committee, with immediate effect.

Level 5

The member or Trustee is required to leave CV u3a or the main Committee with immediate effect.

4.2.2 Gross misconduct

If there is a case to answer, for most problems the process will start at Level 1. However, in the case of an extremely serious proven misdemeanour, the Hearing Committee has the right to move immediately to Levels 4 or 5. Such gross misconduct includes the following:

- Sexual/racial abuse, discrimination, harassment, bullying.
- Dangerous or violent behaviour.

- Falsification of expense claims.
- Theft.
- Malicious damage.
- Conduct which brings CV u3a into disrepute or is prejudicial to CV u3a or the running of CV u3a.

4.3 Outcome

The member or Trustee will receive the decision of the initial Hearing Committee in writing. If the decision is that a breach of the Code of Conduct has taken place, they will be informed:

- Of the action that will be taken as a result;
- That they have the right of appeal;
- That the right of appeal can only relate to the original breach;
- That the appeal request must be lodged with the Chair within 14 days from the date the written decision is communicated.

4.4 Right of appeal

A Trustee or member must be informed at the end of the initial hearing of their right to appeal the decision of the Initial Hearing Committee. The appeal must be lodged within 14 days from the date of receipt of the written decision and must be in writing. The written appeal must be sent to the person chairing the initial hearing, who will then inform the Chair of CV u3a. The Chair of CV u3a will then appoint a further sub-panel of 2 or 3 Trustees, who did not hear the original disciplinary case, to hear the appeal.

The appeal panel will hold an appeal hearing to consider the written appeal and any verbal representations. This will be completely independent of the initial hearing and the Trustees appointed to hear the appeal must not discuss the matter outside of the appeal sub-panel.

The Trustee or member will be given the opportunity to attend the appeal hearing if they wish to do so, with a companion if they choose to bring one (who may speak in a personal capacity).

The Chair of the appeal panel will summarise the issues involved in the disciplinary hearing and the information provided. If they have chosen to attend, the member or Trustee will then be given the opportunity to speak, as will the companion.

The appeal panel will then review all the evidence, consider any mitigating circumstances, and make a final decision which will be communicated in writing within 7 days of the appeal hearing. The decision of the appeal panel is final.

Approved by the Trustees of CV u3a 10 May 2024
Reviewed 29 October 2025 & 6 November 2026, no changes needed.
Next review due November 2028.