

The Boys' Brigade and Girls' Association In the Republic of Ireland

Complaints Policy and Disciplinary Procedures

The Boys' Brigade and Girls' Association in the Republic of Ireland (The BB) is committed to ensuring the safety and welfare of all members and leaders. We also try to ensure that members have a positive and enjoyable experience when participating in the BB and that leaders are valued as they volunteer with the BB.

This complaints procedure aims to cover any situation which may arise, when children or their parents/guardians are not happy with the way the children were treated while they were at an event/activity run by the BB. This complaints procedure should be followed if a leader feels that they have a grievance against the operation or decisions of the Organisation or another leader which affects their ability to perform their job satisfactorily.

Complaints may arise in response to:

- An alleged breach of the Code of Conduct by an employee or leader;
- A particular practice issue;
- Perceived poor attitude of an employee or leader;
- A child feeling unhappy about an incident or an event;
- A parent/guardian feeling unhappy about an incident or event involving their child;
- Dissatisfaction in relation to an aspect of the service being provided.

What Complaints are accepted

- Complaints involving child protection concerns must be dealt with in accordance with the BB procedures as set out in the Safeguarding Policy and Procedures and not through the Complaints procedure;
- The Complaints procedure below should not be used to disagree with a national policy set by the Organisation.

There are basic rules for the acceptance of complaints:

- Complaints must be raised within three months of you knowing the facts (the BB will not deal with complaints that are older);
- The BB does not investigate anonymous complaints;
- Complaints that are broadly or substantively the same as a previous Complaint will not be accepted;
- The BB will refuse any Complaints which are believed to be vexatious or malicious.

Who can make a complaint

Complaints can be made by:

- Children who are members of the BB;
- Their parents/guardians;
- Leaders of the BB;
- Other advocates on behalf of children.

How to make a complaint

- If the complaint is in relation to the safety and welfare of children the complaints should be made to the Regional Safeguarding Panel;

- Other complaints by members or their parents/guardians should be made to the Captain of the Company of which the child is a member, with whom you should raise the concern orally;
- Complaints by leaders should be made to the Captain of their company initially;
- If the complainant does not want to discuss the matter with the Captain of the Company, if the Captain cannot answer the complainant's concern, the complainant is dissatisfied with the initial response of the Captain to a complaint, or if the complaint is more serious, the complaint can be made in writing to the Regional Safeguarding Panel/Management Committee.

Information the Complainant needs to provide

Complaints by members or their parents/guardians should be made, in the first instance, orally to the Captain of the Company and provide them with the following information to allow them to investigate the complaint:

- Name of child affected and the section or event they were involved in;
- If the complaint is being made by a parent/guardian, the name and address of the parent/guardian;
- Exactly what the complainant is dissatisfied with;
- The name of the leader who dealt with the matter the complainant is dissatisfied with.

Complaints by leaders should be made, in the first instance, orally to the Captain of their Company and provide them with details of the operation or decision of the Organisation or other leader which they feel is affecting their ability to perform their job satisfactorily.

Complaints made in writing should be made on the Complaints Form.(included in the appendices or available on the BB website) and give as much factual details as possible to allow the matter be investigated.

If I make a Complaint how will my Complaint be dealt with

Your complaint will be dealt with fairly and objectively. The BB policy is to deal with any valid Complaints in a positive and pro-active manner and expect resolutions and outcomes to contribute to a process of continuous improvement.

Please bear in mind that Captains in the BB are volunteers and have other calls on their time. It may therefore take time to process a complaint; however you will be kept informed of the progress of the complaint with an acknowledgement of a formal complaint within seven days and response to the complaint within four weeks. Where it is not possible to respond to the complaint within four weeks, you will be provided with an update within that period and the matter resolved at the earliest possible opportunity.

The Captain or Regional Safeguarding Panel/Management Committee may need to speak to you and a number of other people to fully understand your complaint and the circumstances surrounding it.

Ultimately the Captain or Regional Safeguarding Panel/Management Committee will make a decision about the Complaint and will inform you in writing as to whether your complaint is upheld or not and the actions that will be taken as a result.

The Captain or Regional Safeguarding Panel/Management Committee will keep records of all complainants received, investigations undertaken and outcomes reached and responses to the complainant.

Actions that may be taken in response to the investigation of a complaint:

Responses to a complaint might include:

- An apology (either verbal or written) to the complainant and/or the member;
- An explanation provided to the complainant and/or member, e.g. as to why something happened;
- A review of a decision made;
- An assurance that any poor practice identified in the investigation will be addressed at future activities;
- A meeting with the employee / leader (who is the subject of the complaint) and the complainant in order to resolve the situation;
- Compulsory attendance by leader at specific training event;
- A period of supervision of leader by Captain in Company;
- In the case of a serious incident the suspension or dismissal of leader.

What if I am not satisfied with the outcome of my Complaint

If you are not satisfied with the outcome of your Complaint or the way in which it was handled, then you may appeal. You must appeal within 21 days of being given the decision and outcomes of your Complaint.

Your appeal must be formally lodged in writing to the Regional Safeguarding Panel/Management Committee. In your appeal, you must clearly explain the basis on which you are making the appeal and your preferred outcome to resolve the issue.

Your appeal will consider the process undertaken to handle the original complaint and the outcome of the original Complaint. You will be kept informed of the progress of your appeal with an acknowledgement of your appeal within seven days and a response within four weeks. Where it is not possible to complete the appeal within four weeks, you will be provided with an update within that period and the matter resolved at the earliest possible opportunity.

Your appeal will be investigated by the Regional Safeguarding Panel/Management Committee. They may need to speak to you and a number of other people to fully understand your appeal and the circumstances surrounding the investigation of your Complaint. Anyone being spoken to by the Regional Safeguarding Panel/Management Committee as part of the appeal is free to bring another person with them to meetings.

The Regional Safeguarding Panel/Management Committee will make a decision about the appeal and will inform you whether your appeal is upheld or not and the actions that will be taken as a result.

If you are not satisfied with the outcome of the appeal, there is no further escalation of the Complaint and the BB will not consider further any action regarding the Complaint or the appeal.

Disciplinary procedures if leader is found in breach of Code of Conduct

Each breach of the Code of Conduct will be assessed in line with the Complaints procedure above. If a leader is deemed to be in breach of the Code of Conduct the following procedures should be followed and the leader's rights outlined below upheld:

Informal Process Stage:

At this early stage, the main aim of the procedure is to help the leader achieve the required standard of performance or behaviour. It should be the Captain's aim to be able to (where possible) resolve issues at this stage and not invoke any formal procedures.

However, depending on the nature of the matter it is up to the Captain to decide whether or not to initiate this procedure. It can be in the form of a supervision meeting and the Captain will:

- Informally meet with the leader to discuss with them the unacceptable behaviour or underperformance.
- Agree on improvement measures and the timeframe for these improvements.
- Offer to support and coach the leader in improving their performance.
- Decide on a date to review the progress.
- Inform the leader in a clear manner of the next steps in the procedure if agreed standards of improvement are not achieved.
- Maintain a record of the meetings held.

Should the Captain feels they need support in this process, they should contact the Management Committee for assistance.

Formal Process Stage

This disciplinary procedure allows for warnings to be given for failure to meet standards of Code of Conduct where the matter cannot be dealt with at the informal process stage. The formal process shall be undertaken by the Captain and two Management Committee members (Disciplinary Panel).

Disciplinary meetings:

Disciplinary meetings will be held with the leader so that the leader can respond. The Disciplinary Panel will never give a warning or discipline or decide on the level of a warning or discipline until after this meeting takes place and the leader is given a fair hearing under the principles of natural justice. The meeting will always be adjourned, and all aspects considered before a discipline or warning is imposed. A discipline/warning may not be imposed if the leader's response is satisfactory.

Disciplinary measures

In the event of a complaint being upheld, the following actions will be available to the Brigade. [This list is non-exhaustive.]

- A verbal or written warning may be issued to the Leader involved.
- The Leader will be required to undertake appropriate training and development within an agreed timescale.
- Certain restrictions may be placed on the Leader's registration – e.g. not to attend residential etc
- The Leader's registration may be suspended for a given period.
- The Leader's appointment may be withdrawn.

The outcome of a complaint will be referred to in dealing with subsequent complaints.

Stage One – Verbal Warning or Discipline

The Disciplinary Panel will convene a disciplinary meeting. The leader will be given the opportunity to state their case. The meeting will be adjourned to decide what course of action will be taken, the leader and their representative will be asked to re-join the meeting and they will be informed of the decision. The verbal warning or discipline should be given by the Disciplinary Panel (more than one person should be present for this). The Disciplinary Panel will inform the leader:

- 1 What the issue/matter is
- 2 What action of improvements are required from the leader
- 3 Set a date for review meeting
- 4 What will happen if there is no improvement made by the leader/

The verbal warning or discipline will be issued verbally and in writing and in duplicate, a copy of which the leader will be asked to sign. This should be returned to the Disciplinary Panel and placed on the leader's personnel file in the Safeguarding records. This verbal warning remains active for a period of 6 (six) months. All warnings issued can be appealed, please see below for appeals process.

Stage Two – Written Warning or Discipline:

If the matter is not resolved at stage one, stage two is initiated. The same process as stage one is applied however the warning is in writing and remains active for a period of 12 (twelve) months.

Stage Three – Final Written Warning or Discipline:

If the matter is not resolved at stage two, stage three is initiated. The same process as stage two is applied.

Stage Four – Removal from Leader Role:

If there are further breaches of discipline after the third stage or if an incident is so serious that the matter cannot be dealt with at stages 2 or 3, then the Disciplinary Panel may decide to remove the leader from their role. The process for dismissal is:

- 1 An appropriate investigation and consideration by the Disciplinary Panel
- 2 A meeting with the Disciplinary Panel, the leader and their representative in order to dismiss the leader.
- 3 Outline the organisation's position to the leader.
- 4 Consideration to be given by the Disciplinary Panel to the leader and their representative's position.

The dismissal will be issued in writing and will include information on the appeals process.

Leaders Rights:

At each stage of the disciplinary process, leaders have the right:

- To be informed of the complaint against them and be given sufficient opportunity to present their case and call witnesses to support their case, as appropriate.
- To be accompanied to disciplinary meetings by a representative (this can be in the form of a colleague or friend).
- To be given an opportunity to present their case before a decision regarding the discipline to be imposed is reached.
- To normally not be removed from role for a first offence, other than gross misconduct.
- To be informed and encouraged to use the right of appeal.

Appeals Process

An appeal should be made by the leader to the Management Committee in writing within two weeks of the disciplinary action been taken.

An appeals panel will be set up to investigate the appeal. This panel will consist of members of the Management Committee excluding the members of the Management Committee who were on the Disciplinary Panel

The person hearing the appeal should not have a previous knowledge of the matter. A meeting will take place within two weeks of the application to appeal the disciplinary action. The outcome of the appeals process will be issued to the leader within one week.

If a serious allegation of abuse is made against a leader, the Child Safeguarding Team and Management Committee will follow the procedures for dealing with an allegation against a leader as contained in the Girls' Brigade Ireland Child Safeguarding Policy.

Disciplinary procedures if an employee is found in breach of the Code of Conduct

Each breach of the Code of Conduct will be assessed in line with the complaints procedure outlined above. If an employee is deemed to be in breach of the Code of Conduct the disciplinary procedures in the employee's contract or staff handbook shall be followed.

COMPLAINTS FORM

(PLEASE USE BLOCK CAPITALS)
YOUR NAME, ADDRESS & CONTACT NUMBER

DATE ON WHICH THE ALLEGED INCIDENT HAPPENED

LOCATION OF ALLEGED INCIDENT:

NATURE OF COMPLAINT: *(E.G. Harassment, Bullying etc.)*

NAME OF PARTY OR PARTIES INVOLVED:

PLEASE GIVE A DETAILED ACCOUNT OF THE ALLEGED INCIDENT:

SIGNATURE: _____ DATE: _____

PLEASE NOTE THAT A COPY OF THIS FORM WILL BE FORWARDED TO ALL RELEVANT PERSONS INVOLVED.

Received By: _____ Date: _____