



Islington u3a DISCIPLINARY PROCEDURE

1. Purpose

To provide a disciplinary procedure for Islington u3a.

In this document—

Chair	means the Chair of Islington u3a, or another person acting in their place pursuant to clause 4.2(b)
Member	means a member of Islington u3a
Trust	means the Third Age Trust (national u3a)
Trustee	means a trustee of Islington u3a
Committee	means the Executive Committee of Islington u3a
Code	means the Islington u3a Code of Conduct

2. Scope

Relevant to all Islington u3a members

3. The difference between a complaints and disciplinary procedure

Complaints procedure: 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 Chair will make a decision as to how best to approach reaching a resolution.

Disciplinary procedure: this sets out how the Islington u3a will approach problems related to a breach or suspected breach of the Code by a Member or Trustee.

A Disciplinary procedure may arise from a complaint that has initially been dealt with under the Islington u3a Complaints Procedure, or it may arise when an issue comes to the attention of the Committee without a complaint being made.

4. Disciplinary – responsibilities of the committee

The Committee will use its best endeavours to ensure the following, (but all parties relying on this procedure acknowledge that all Trustees and members of Islington u3a are volunteers acting in their spare time. Islington u3a has no paid staff):

- Every action will be documented.
- Disciplinary matters (including the appeals procedure) will be dealt with quickly and fairly.



- Islington u3a will strive to de-escalate any situation and to settle the issue without having to resort to formal disciplinary action.
- Islington u3a will seek additional support from the Trust staff, the Regional Trustee and Trust volunteers, as required. All requests for support will go via the national u3a Office.
- the Chair may seek help from committee members of a neighbouring u3a or seek advice or request attendance from Trust staff or trustees, in particular if Islington u3a Trustees are not available
- 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.

4.1 Confidentiality

All procedures and documents relating to a disciplinary must be kept confidential at all times. Information will only be shared with those who have a genuine need to receive it, including Trust staff and volunteers. All situations should be dealt with discreetly, showing respect for the parties and views involved.

The details of an unresolved matter must not be discussed with the Committee in case a Disciplinary Hearing or Appeal needs to be held.

4.2 Informal procedure

- a. In the event of a report of any Member or Trustee allegedly breaching the Code, or if a breach becomes apparent, the Chair will be notified as quickly as possible.
- b. If the Chair is suspected to have breached the Code, then the Vice Chair will replace the Chair in this procedure, or the Secretary if no Vice Chair is in office. In either case, the replacement is referred to as the Chair in this document.
- c. The Chair may delegate this informal procedure to another Trustee. If so, the delegate Trustee will report the facts found and the outcome to the Chair.
- d. The Chair or delegate Trustee will use their best endeavours to resolve the problem amicably and quickly. In order to do so, the Chair/delegate will seek to:
 - establish the facts quickly, consulting anyone involved,
 - have an informal discussion with all concerned to summarise the problem, and hear everybody's views.
 - inform the parties that if a potential breach of the Code is found, they may be requested to attend a meeting with a Hearing Committee.
- e. Any parties involved may put their statements in writing but are not obliged to do so at this stage.



- f. The Chair or delegate Trustee will attempt to reach a mutually satisfactory outcome. If all parties involved are willing to accept this outcome it must be on the basis that there will be no repeat of the actions/behaviours that led to the investigation.
- g. The informal discussion will be clear and all parties should understand their obligations at the end of the meeting. A confidential written record of the outcome of the informal discussion should be given to all parties involved and to the Chair, and kept by the Chair.

4.3 Formal procedure

- a. If the initial process is not effective in reaching a solution or if the Chair decides that the alleged breach is serious enough to require formal disciplinary action, the Chair will appoint a Hearing Committee of a minimum 2 trustees to hear the alleged breach.
- b. The timetable for the date of the meeting to hear the breach of Code will be short, preferably within 14 days from the date that the Chair decides that formal action is necessary.
- c. The Chair will send notification in writing to the Member/Trustee who is alleged to have breached the Code for the purpose of:
 - Advising they are subject to a formal disciplinary procedure
 - Advising them of what constitutes the alleged breach of the Code
 - Asking for their response to the breach in writing
 - Advising them of the date of the breach hearing
 - Advising that they can attend the Hearing Committee meeting to state their response in addition to their written response
 - Advising them they may choose to bring a companion, if they wish, who will also be bound by confidentiality.
- d. If the Member/Trustee who is the subject of the hearing states that there are witnesses to the incident(s) who are willing to give representations, the Chair will ask those witnesses to either attend the hearing or give a statement in writing relating to the incident(s), or both.
- e. The Chair will also send notification in writing of the hearing to the person(s) who alleged the breach and any witnesses they propose, inviting them to either attend the hearing or give a statement in writing relating to the incident(s), or both.
- f. Any statements must be a factual representation of what the witness saw or heard.

4.4 The Hearing Committee

- a. The Hearing Committee will be Trustees appointed by the Chair. They may be



committee members of a neighbouring u3a or Trust staff or trustees if necessary. They should not be in any way involved in the alleged breach, or have been involved in the informal procedure.

- b. The Trustee that led the informal procedure will provide a written summary of the alleged breach of the Code and facts surrounding it, and any steps already taken to deal with the issue.
- c. At the hearing, the Hearing Committee will examine the matter, consider any written statements submitted, verbal statements and any mitigating circumstances. The relevant parties may speak or their representatives may speak on their behalf. From all the evidence, the Hearing Committee will agree whether or not any breach of the Code has taken place.
- d. The Hearing Committee can consider any of the levels of disciplinary action set out in clause 4.5. Levels 4 and 5 may 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.
- e. The full Committee may be told that disciplinary procedure has been initiated and is being dealt with, but not given any detail. This is necessary in order not to bias any appeal that they may be required to hear.

4.5 Levels of action

4.5.1 Level 1

No case to answer. No further action necessary.

4.5.2 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 verbal warning on behalf of the Hearing Committee. Details of the verbal warning should be recorded, dated and kept on file.

4.5.3 Level 3

A **written** warning from the Chair, on behalf of and agreed by the Hearing Committee, itemising the unacceptable behaviour, stating the improvement required with immediate effect and the consequences of continued non-compliance.

4.5.4 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 the Islington u3a or Committee, with immediate effect.



4.5. 5 Level 5

The Trustee or Member is asked to leave either the Committee or the Islington u3a.

4.6 Gross misconduct

In the case of an extremely serious proven misdemeanour, for example:

- Sexual/racial abuse, discrimination, harassment, bullying
- Dangerous or violent behaviour
- Falsification of expense claims
- Theft
- Malicious damage
- Conduct which brings Islington u3a into disrepute or is prejudicial to Islington u3a or the running of Islington u3a

the Committee has the right to move immediately to Levels 4 or 5.

4.7 Decision

The decision must be communicated in writing to the subject of the disciplinary proceedings, and the person(s) who alleged the breach, advising them if the breach of the Code has been upheld or not upheld. If the breach has been upheld, 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 decision is communicated.

4.8 Right of appeal

- a. Any appeal must take the form of written representation, with the opportunity to attend an appeal meeting. An appeal may be lodged either by the subject of the disciplinary proceedings or the person alleging the breach of the Code.
- b. The parties must be advised of their right to attend with a companion, and that the companion may speak in a personal capacity if they wish.
- c. The written appeal request must be sent to the Chair. The Chair will appoint an appeal panel of Trustees not so far involved in the disciplinary proceedings, to hear the appeal. They may appoint committee members of a neighbouring u3a or Trust staff or trustees if necessary.
- d. The appeal panel will hold an appeal hearing to consider all previous material and any further written and verbal representations in order to make their decision on whether to uphold the appeal or not.



- e. The Chair of the appeal panel will summarise the issues involved in the disciplinary hearing and the information provided and then the relevant parties will be given the opportunity to speak.
- f. The appeal panel will review all the evidence, considering any mitigating circumstances, and then make a final decision, which must be communicated in writing to the relevant parties within 14 days of the appeal meeting.
- g. The appeal panel's decision following any appeal is final. Confidentiality must be maintained, but the Chair and Trustees must be informed of the decision to the extent that they need to take any action to put the decision into effect.
- h. The level and nature of disciplinary proceedings will be reported to the Trustees as part of the Trustee's role in overseeing the operation of Islington u3a. Records of all decisions must be kept for 6 years by the Chair in a file to which only the Chair, Vice Chair and Secretary have access.

Related Documentation

- Islington u3a Code of Conduct
- Islington u3a Complaints Procedure
- Islington Equality, Diversity and Inclusion Policy

All viewable on <https://islington.u3asite.uk/governance>

Islington u3a, 25 March 2024

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