

## Policy and Procedure for Received Complaints about LINK Volunteers

1. The Gateshead LINK is committed to ensuring the highest standards of conduct and performance in all aspects of its work. This applies to all LINK Volunteer(s), including members of the Steering Group and Task Groups. (Herein afterwards referred to as LINK Volunteer(s))

Where LINK Volunteer(s) do not meet agreed standards, it is essential to ensure that fair and appropriate action is taken.

Anyone may make a complaint about a Gateshead LINK Volunteer(s).

If the complaint concerns LINK staff please refer to the *LINK Policy: Procedure for Complaints against LINK Staff*

2. This policy aims to:
  - Demonstrate the recognition of the Gateshead LINK that a complaint is an expression of dissatisfaction that a member of the community or LINK Volunteer wishes to have addressed. It is also an opportunity to improve the service.
  - Ensure all complaints are treated positively, courteously and equally.
  - Ensure all complaints and any action taken is recorded and the complainant informed.

### 3. PROCESSES AND DECISIONS

#### 3(i) Initiating the Complaints Procedure

- The Complaints Procedure may be initiated by a written or verbal complaint to Gateshead LINK staff.
- LINK staff will acknowledge receipt of a complaint in writing within 5 working days

#### **4. Stage 1 – Mediation**

- It is intended that most issues can be resolved through communication, mediation and training, as appropriate. Therefore, whenever possible and with due regard to the seriousness of the issue, the LINK Project Coordinator will attempt to resolve the matter informally.
- This will take the form of a discussion with the objective of helping the LINK Volunteer(s) to reach an appropriate Standard of Conduct, or resolving the particular issue which led to the problem arising. Following the discussion the LINK Project Coordinator will write to those involved summarising the action taken.

#### **5. Stage 2 – Investigation**

- If an issue cannot be resolved informally, or is considered by the LINK Project Coordinator to be too serious to be handled informally, the next stage is a formal investigation.
- In the event of the complaint being about either the Chair or Deputy Chair, a special LINK Steering Group will be called to appoint alternative LINK members to lead the investigation
- If there is a suggestion of criminal activity contained within the complaint, the Chair, Deputy Chair and LINK Project Co-ordinator will undertake to inform police and seek legal guidance.
- If the police subsequently undertake a criminal investigation then the LINK will put on hold its complaint process until the outcome of the police investigation is known
- LINK officers will consult with the Chair and Deputy Chair of the LINK and send a letter to the LINK Volunteer(s) and the complainant explaining that a formal investigation will be carried out and the reasons given. They will also designate who will conduct the complaint investigation on behalf of the LINK
- The target is to conclude the investigation in 30 working days.

## **6. Suspension**

- If the Standards of Conduct matter is considered by the Chair and Deputy Chair to be serious enough to affect the LINK Volunteer(s)' ability to properly carry out their role, or in cases where the Gateshead LINK name could be brought into disrepute, LINK Volunteer(s) (who continue to be active) may be suspended for the duration of the investigation
- Similarly if a LINK volunteer becomes the subject of a police investigation they will be suspended for the duration of the investigation
- The Chair will write to the LINK Volunteer(s) and complainant as appropriate, explaining that the Volunteer(s) will be suspended for the period of the Standards of Conduct procedure and will not be entitled to attend meetings or carry out the duties of a LINK Volunteer while suspended.
- The suspension itself is a neutral act and does not imply that the LINK Volunteer(s) has behaved inappropriately.

## **7. Outcome of Investigation**

- If the outcome of the investigation is that there is no Standards of Conduct case to answer, this should be communicated in writing by the Chair to the LINK Volunteer(s) and where possible face-to-face. The suspension will cease upon receipt of the letter. The complainant will be informed as appropriate.
- If the outcome is that there is a Standards of Conduct case to be considered a Standards of Conduct meeting will be held and any suspension will continue. The LINK Volunteer(s) will be informed accordingly.

## **8. Stage 3 – Standards of Conduct Meeting**

- A Standards of Conduct meeting will be held at an appropriate location convenient to the LINK Volunteer(s) and if possible within 30 working days of the conclusion of the investigation. The Chair and Deputy Chair will agree three appropriate panel members.

- The letter inviting the LINK Volunteer(s) to attend the meeting will explain the format, those attending and the right to representation.
- The LINK Volunteer(s) will be informed of the nature of the Standards of Conduct matter and the detail of the case outlined.
- At the meeting the LINK Volunteer(s) will be asked to give an explanation in response to the allegation.
- LINK Volunteers are entitled to be accompanied by a friend, colleague or independent advocate, not acting in a legal capacity.
- If a LINK Volunteer fails to attend without reasonable cause the Standards of Conduct meeting will be held in their absence and the proceedings will be recorded.
- In the event that the panel's decision is not unanimous the Panel Chair will have the casting vote.

## **9. Outcome of the Standards of Conduct Meeting**

There are three possible outcomes to a Standards of Conduct meeting -

### **9(i) Issue not upheld:**

This should be communicated in writing to the LINK Volunteer(s) and the complainant, as appropriate. The suspension will cease upon the receipt of the letter.

### **9(ii) Issue upheld:**

Written notice will be offered by the Panel Chair and will state –

- details of the misconduct that has resulted in the warning
- details of the necessary action (which could optionally include a period of suspension for re-training) to improve the situation and any period of review decided upon

- that any further breach of conduct may result in a further Standard of Conduct interview and removal from Gateshead LINK.

The complainant will be informed as appropriate.

### **9(iii) End of LINK participation:**

- The LINK Volunteer(s) will be provided with written confirmation from the Panel Chair, stating the reasons for and date on which their role as a delegated LINK volunteer and/or formal LINK representative will end.
- The letter should state the date of the meeting, the outcome and the right to appeal. Whenever possible the LINK Volunteer(s) should be informed of the Panel's decision in a face-to-face meeting.
- All LINK identification/authorisation must be returned to the LINK
- The complainant will be informed as appropriate.
- **Outcomes should be communicated in 5 working days.**

### **10. Stage 4 - Appeal**

- A LINK Volunteer(s) has a right to appeal against any Standards of Conduct decision. Appeals should be lodged within 10 working days of receipt of the outcome of the Standards of Conduct meeting.
- The Appeal Panel will be appointed by the Chair and Deputy Chair. The membership of the Appeals Panel will be different from the original Standards of Conduct Panel.
- The panel will decide whether to conduct another hearing, or whether to review papers. Appeal hearings will take place as soon as is reasonably practicable. The appeal outcomes will be to uphold the decision of the Standards of Conduct panel, to alter the outcome, or to fully re-instate the LINK Volunteer(s).
- The decision of the appeal will be communicated in writing by the Panel Chair. The decision of the appeal will be final.

- 11.** A record of all received complaints and subsequent outcomes will be held by the LINK in a secure place.

**Agreed September 2008**